

RESOLUTION NO. 17-08-15

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE KEY LARGO WASTEWATER TREATMENT DISTRICT RULES AND REGULATIONS REGARDING THE PERIOD COVERED BY KLWTD NON-AD VALOREM ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District (“District” or “KLWTD”) has adopted the Key Largo Wastewater Treatment District General Rules and Regulations (“KLWTD Rules and Regulations”) and last amended on August 19, 2014; and

WHEREAS, the District has determined that it would be in the best interest of the District and its ratepayers to amend the KLWTD Rules and Regulations to clarify the period covered by KLWTD Non-Ad Valorem assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT:

SECTION 1: Section 10.09 “Imposition of Assessments.”; subsection “(a)” of the KLWTD Rules and Regulations, as amended August 19, 2014, which currently provides:

- (a) Assessments shall be imposed for each Fiscal Year in which any portion of the Adjusted Prepayment Amount remains outstanding, the amount of which shall be computed in accordance with Section 10.13(e) below.

Shall be and is hereby amended to read:

- (a) Assessments shall be imposed for each year in which any portion of the Adjusted Prepayment Amount remains outstanding, the amount of which shall be computed in accordance with Section 10.13(e) below.

SECTION 2: Section 10.09 “Imposition of Assessments.”; subsection “(b)” of the KLWTD Rules and Regulations, as amended August 19, 2014, which currently provides:

- (b) Upon the adoption of the Final Annual Assessment Resolution for each Fiscal Year, Assessments to be collected by means of the Uniform Assessment Collection Act shall constitute a lien upon the assessed parcels, equal in rank and dignity with the liens of all State, County, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until the ad valorem tax bill for such year is otherwise paid in full pursuant to the Uniform Assessment Collection Act.

Shall be and is hereby amended to read:

- (b) Upon the adoption of the Final Annual Assessment Resolution for each year, Assessments to be collected by means of the Uniform Assessment Collection Act shall constitute a lien upon the assessed parcels, equal in rank and dignity with the liens of all State, County, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other

liens, titles, and claims, until the tax bill for such year is otherwise paid in full pursuant to the Uniform Assessment Collection Act.

SECTION 3: Section 10.13 “Computation Method: Annual Non-Ad Valorem Assessment Roll.”; subsection “(b)” of the KLWTD Rules and Regulations, as amended August 19, 2014, which currently provides:

(b) The Annual Debt Service Component shall be calculated for each Fiscal Year in which the Initial Prepayment Amount (or Adjusted Prepayment Amount, if applicable) of the Tax Parcel is outstanding as follows:

Shall be and is hereby amended to read:

(b) The Annual Debt Service Component shall be calculated for each calendar year in which the Initial Prepayment Amount (or Adjusted Prepayment Amount, if applicable) of the Tax Parcel is outstanding as follows:

SECTION 4: Article XIII. “Definitions and Construction of Terms”; subsection “Collection Cost” of the KLWTD Rules and Regulations, as amended August 19, 2014, which currently provides:

“Collection Cost” means the estimated cost to be incurred by the District during any Fiscal Year in connection with the collection of Assessments including, but not limited to, costs associated with billing and collection, financing charges, and other charges or costs associated with the use of the Uniform Assessment Collection Act.

Shall be and is hereby amended to read:

“Collection Cost” means the estimated cost to be incurred by the District in connection with the collection of Assessments for a particular tax year including, but not limited to, costs associated with billing and collection, financing charges, and other charges or costs associated with the use of the Uniform Assessment Collection Act.

RESOLVED AND ADOPTED THIS 4TH DAY OF AUGUST 2015

The foregoing RESOLUTION was offered by Commissioner Higgins, who moved its approval. The motion was seconded by Commissioner Majeska, and being put to a vote the result was as follows:

	AYE	NAY
Chairman Asdourian	<u>✓</u>	___
Commissioner Gibbs	<u>✓</u>	___
Commissioner Higgins	<u>✓</u>	___
Commissioner Majeska	<u>✓</u>	___
Commissioner Tobin	<u>✓</u>	___


The Chairman thereupon declared this Resolution duly passed and adopted the 4th day of August, 2015.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: 
Chairman Asdourian

ATTEST:

Approved to as to form and legal sufficiency


Katherine Jackson, Clerk


Ray Giglio, General Counsel

