

**RESOLUTION NO. 23-11-15**

**A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, KEY LARGO, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AREA OF THE ISLAND OF KEY LARGO; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Commissioners of the Key Largo Wastewater Treatment District (the "District") is contemplating the imposition of special assessments for the provision of wastewater management infrastructure; and

**WHEREAS**, the District intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing wastewater management services to property within the unincorporated area of the District as authorized by section 197.3632(3)(a), Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2016, in the same manner as provided for ad valorem taxes; and

**WHEREAS**, the District held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

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

**Section 1.** Commencing with 2016, and with the tax statement mailed for such year, the District intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632(3)(a), Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing wastewater management services. Such non-ad valorem assessments shall be levied within the unincorporated area of the District. The area potentially subject to the assessment is described as follows: The territory consisting of Key Largo, including all lands east of Tavernier Creek, including Tavernier, Key Largo all in Monroe County, Florida with exception to all areas north of Summerland Road on US-1, and all areas north of Charlemagne Blvd on State Road 905 including Ocean Reef.

**Section 2.** The District hereby determines that the levy of the assessments is needed to fund the cost of wastewater management services within the unincorporated area of the District.

**Section 3.** Upon adoption, the District Clerk is hereby directed to send a copy of this Resolution to the Florida Department of Revenue, the Monroe County Tax Collector, and the Monroe County Property Appraiser by January 10, 2016.

**Section 4.**

**APPLICABILITY AND EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**RESOLVED AND ADOPTED THIS 10TH DAY OF NOVEMBER 2015.**

The foregoing Resolution was offered by Commissioner Gibbs, 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>Absent</u>
Commissioner Majeska	<u>✓</u>	_____
Commissioner Tobin	_____	<u>Absent</u>

The Chairman thereupon declared this Resolution duly passed and adopted the 10<sup>th</sup> day of November 2015.

**KEY LARGO WASTEWATER TREATMENT DISTRICT**

BY: [Signature]  
David Asdourian, Chairman

ATTEST: Approved to as to form and legal sufficiency

[Signature]  
Katherine Jackson, District Clerk

[Signature]  
Ray Giglio, General Counsel

SEAL



## **Exhibit A**

### **NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS**

The Key Largo Wastewater Treatment District (the "District") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, that it will consider the use of non-ad valorem assessments for the costs of facilities and services in connection with wastewater treatment within the District at a public hearing to be held at 5:00 p.m. on November 10, 2015, at the offices of the Key Largo Wastewater Treatment District, 98880 Overseas Highway, Key Largo, Florida. If the District determines to use non-ad valorem assessments, it will use the uniform method for collecting such assessments.

Pursuant to section 286.0105, Florida Statutes, if any person decides to appeal any decision by the District with respect to any matter considered at the above-referenced public hearing, he or she will need a record of the proceedings and he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the District at 305-451-4019 seven days prior to the date of the hearing.

Dated this 2nd day of October 2015

By Order of:                    Paul Christian  
   Key Largo Wastewater Treatment District

Published in a newspaper of general circulation during the weeks of:  
October 12, 2015  
October 19, 2015  
October 26, 2015  
November 2, 2015