

RESOLUTION NO. 28-11-16

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 2017, 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 2017, 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 County 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, 2017.

Section 4.

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

RESOLVED AND ADOPTED THIS 15TH DAY OF NOVEMBER 2016.

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

	AYE	NAY
Chairman Asdourian	✓	_____
Commissioner Gibbs	✓	_____
Commissioner Higgins	✓	_____
Commissioner Majeska	✓	_____
Commissioner Tobin	✓	_____

The Chairman thereupon declared this Resolution duly passed and adopted the 15th day of November 2016.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: 
David Asdourian, Chairman

ATTEST:

Approved to as to form and legal sufficiency


Katherine Jackson, District Clerk


Ray Giglio, General Counsel



**NOTICE BY KEY LARGO WASTEWATER TREATMENT DISTRICT OF INTENT TO
USE THE UNIFORM METHOD OF COLLECTING A
NON-AD VALOREM ASSESSMENT**

The Board of Commissioners (“Board”) of the Key Largo Wastewater Treatment District (“District”) hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments, which may be levied upon certain parcels of real property located within the boundaries of the District for the costs of facilities and services, in connection with wastewater treatment within the District for the Year 2017.

The Board will consider the adoption of a resolution (“Resolution”) electing to preserve its right and option to use the uniform method of collecting such assessment(s) on the same bill as for property taxes, as authorized by Section 197.3632, Florida Statutes, at a public hearing to be held at 5:00 p.m. on November 15, 2016, at the offices of the Key Largo Wastewater Treatment District, 103355 Overseas Highway, Key Largo, Florida. All interested persons are invited to attend.

The District has previously determined to use, and is presently using, the uniform method of collecting non-ad valorem special assessments. If the District adopts the Resolution, it will continue to use the uniform method for collecting such assessments. Adoption of the Resolution shall not be deemed to commit or require the District to impose any charge or assessment and the adoption of any such charges or assessments, if any, will only be made after future consideration, notice, and subsequent public hearing as provided by law. This non-ad valorem assessment may be held for one or more of the reasons listed below:

1. Assessment is levied for the first time.
2. Assessment was increased beyond the maximum rate authorized by law.
3. Related to a change in boundaries of the District.
4. Related to a change in purpose for an existing assessment or in the use of the revenue from such assessment.

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 12th day of October 2016

By Order of: Paul Christian, Key Largo Wastewater Treatment District

Published in: Florida Keys Free Press and The Key West Citizen

During the weeks of: October 17, 2016, October 24, 2016, October 31, 2016 and November 7, 2016