RESOLUTION NO. 13-11-86

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING A FINAL DETERMINATION OF SERVICE AREAS AND NON-SERVICE AREA OF THE VILLAGE-WIDE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Florida Administration Commission adopted rules that include Work Programs for three communities in the Florida Keys Area of Critical State Concern: Marathon, Islamorada and Monroe County; and

WHEREAS, Rule 28-19.310 of the Florida Administrative Code (the “Rule”) requires implementation of the “Keys Wastewater Plan” by Islamorada to achieve interim progress each year as determined by the Florida Administration Commission; and

WHEREAS, Section 5(b)(2) of the Rule stipulates, “By December 1, 2013, Islamorada shall provide a final determination of service areas and non-service areas requiring upgrade to meet Sections 381.0065(4)(l) and 403.086(10), F.S. wastewater treatment and disposal standards. This shall be in the form of a resolution including a map of the non-service areas.”; and

WHEREAS, with the adoption of Resolution No. 12-05-39, the Village Council approved the Wastewater Management Plan which includes the Service Areas for the Wastewater Collection and Transmission System (the “System”); and

WHEREAS, the Village has identified a property located at 79775 Overseas Highway as the sole non-service area for the System; and

WHEREAS, the non-service area property is extremely remote and, as such, connection to the System would create a significant cost to both the property owner and the Village; and
WHEREAS, the Village Council finds that the formal determination of the property located at 79775 Overseas Highway, as shown in Exhibit A, as the sole non-service area for the Village-wide wastewater collection system is in the best interest of the Village.

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Determination of Non-Service Area. The property located at 79775 Overseas Highway, Islamorada, Florida, as shown on the map provided as Exhibit “A”, is hereby formally determined to be the sole area that will not be serviced by the Village-wide wastewater collection and transmission system.

Section 3. Transmittal. Upon adoption, the Village Clerk is hereby directed to transmit a copy of this resolution the Florida Department of Economic Opportunity.

Section 4. Effective Date. This resolution shall become effective immediately upon its adoption.

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Motion to adopt by Councilman Mike Forster, seconded by Councilman Dave Purdo.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA:

Mayor Ted Blackburn                  YES
Vice Mayor Deb Gillis                YES
Councilman Mike Forster              YES
Councilman Ken Philipson             YES
Councilman Dave Purdo                YES

PASSED AND ADOPTED on this 14th day of November, 2013.

TED BLACKBURN, MAYOR

ATTEST:

ARIANA S. LAWSON, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY

VILLAGE ATTORNEY
OVERSEAS HWY

Florida Bay

Atlantic Ocean

79775 Overseas Highway

1 inch = 667 feet

Subject Parcel

Exhibit "A"

DATA SOURCES:
Monroe County Property Appraiser
Islamorada, Village of Islands

PREPARED BY:
Islamorada, Village of Islands
Department of Planning and Development Services
November 2013