RESOLUTION NO. 14-12-94

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, DECLARING ITS INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS, PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; STATING THE NEED FOR SUCH LEVY FOR THE COLLECTION OF COSTS RELATED TO GRINDER PUMP LATERAL CONNECTIONS TO THE VILLAGE CENTRAL WASTEWATER SYSTEM; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands, Florida (the “Village”) is contemplating the imposition of special assessments for the provision of wastewater utility services and infrastructure; and

WHEREAS, the Village intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing installation of grinder pump lateral connections to the Village central wastewater system as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2015, in the same manner as provided for ad valorem taxes; and

WHEREAS, the Village held a duly advertised public hearing on December 18, 2014, 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 VILLAGE COUNCIL OF ISLAMORDA, 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. Applicable Authority. This Resolution is adopted pursuant to Chapter 166, Part I, Chapter 170, and Chapter 197, Florida Statutes, and other applicable provisions of law.

Section 3. Notice of Intent. The Village Council of Islamorada, Village of Islands (the “Village Council”) hereby declares that commencing with the Fiscal Year beginning on October 1, 2015, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the Village, the Village intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing wastewater utility services and infrastructure. Such non-ad valorem assessments shall be levied within the incorporated area of the Village. A legal description of such area subject to the assessment is attached hereto as Exhibit “B” and incorporated by reference.

Section 4. Declaration of Intent. It is hereby found, determined, and declared by the Village Council that:

(a) The Non-Ad Valorem Assessments for the cost of providing installation of grinder pump lateral connections to the Village central wastewater system are “non-ad valorem assessments” within the meaning of Section 197.3632(1)(d), Florida Statutes.

(b) The Village is authorized to impose the Non-Ad Valorem Assessments for the municipal service of wastewater service of nuisance abatement pursuant to Section 170.201(1) and desires to use the Uniform Method of collecting such assessments as provided for in Section 197.3632, Florida Statutes.

(c) It is necessary, desirable and in the best interest of the Village that the Village collect the Non-Ad Valorem Assessments within its municipal boundaries according to the
Uniform Method in order to efficiently and cost-effectively recoup the costs of providing installation of grinder pump lateral connections to the Village central wastewater system from the owners of the properties benefited thereby.

(d) Pursuant to Section 197.3632, the Village duly called and held a public hearing on December 18, 2014, at which the public was invited to attend to express their views on the proposed use of the Uniform Method. Notice of the public hearing was published as prescribed in Section 197.3632, Florida Statutes, and is attached as Exhibit “A” hereto.

Section 5. **Uniform Method of Collection.** The Village Council hereby affirms the need for using the Uniform Method to collect special assessments imposed upon benefited properties for the cost of installing grinder pump lateral connections to the Village central wastewater system.

Section 6. **Transmittal of Resolution.** Upon adoption, the Village Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Monroe County Tax Collector, and the Monroe County Property Appraiser by January 10, 2015.

Section 5. **Effective Date.** This Resolution shall be effective immediately upon its adoption.

Motion to adopt by Vice Mayor Deb Gillis, seconded by Councilman Jim Mooney.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

<table>
<thead>
<tr>
<th>Name</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Mayor Mike Forster</td>
<td>YES</td>
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<tr>
<td>Vice Mayor Deb Gillis</td>
<td>YES</td>
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<tr>
<td>Councilman Jim Mooney</td>
<td>YES</td>
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<tr>
<td>Councilman Chris Sante</td>
<td>YES</td>
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<td>Councilman Dennis Ward</td>
<td>YES</td>
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</tbody>
</table>
PASSED AND ADOPTED ON THIS 18TH DAY OF DECEMBER, 2014.

MIKE FORSTER, MAYOR

ATTEST:

KELLY TOTH, VILLAGE CLERK

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

ROGET V. BRYAN, VILLAGE ATTORNEY
PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared DAVID GOODHUE who on oath, says that he is EDITOR of the THE REPORTER, a weekly newspaper published in Tavernier, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

DECEMBER 5, 12, 2014

NOVEMBER 21, 28, 2014

Affiant further says that the said THE REPORTER is a newspaper published at Tavernier, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, each week (on Friday) and has been entered as a second class mail matter at the post office in Tavernier, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The THE REPORTER is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

David Goodhue, Editor

Sworn to and subscribed before me this 12th Day of DECEMBER, 2014

Notary

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

Islamorada, Village of Islands, Florida (the "Village") hereby provides notice, pursuant to section 197.3632(1)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the incorporated area of the Village, for the cost of providing wastewater utility services and infrastructure commencing for the Fiscal Year beginning on October 1, 2015 and continuing until discontinued by the Village. The Village will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 5:30 p.m. on December 18, 2014 at the Village Hall Council Chambers, 87000 Overseas Highway, Islamorada, Village of Islands, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the Village Clerk's Office, 86800 Overseas Highway, Islamorada, Florida.

All interested persons are invited to attend.

In the event any person decides to appeal any decision by the Village with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is 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 Village Clerk at (305) 664-6412 seven (7) days prior to the date of the hearing.

DATED this 14th day of November, 2014.

By Order of: VILLAGE COUNCIL, Islamorada, Village of Islands, FLORIDA

Published 12/12/14 The Reporter, Tavernier, FL 33070
EXHIBIT B

ISLAMORADA, VILLAGE OF ISLANDS
FLORIDA
MORE PARTICULARLY DESCRIBED AS

From the West end of the Channel Two Bridge (approximately Mile Marker 72.5) to the West end of the Tavernier Creek Bridge (approximately Mile Marker 90.8), including the entire islands of Plantation Key, Windley Key, Upper Matecumbe Key, Lower Matecumbe Key and Teatable Key, and all land filled in between the islands, all connected by U.S. One, Overseas Highway; all of the above within Monroe County, Florida