

## Key Largo Wastewater Treatment District Board of Commissioners Meeting Agenda Item Summary

Meeting Date:  
August 3, 2021

Agenda Item Number: J-5

Agenda Item Type:  
Resolution

Agenda Item Scope:  
Review / Discussion

Recommended Action:  
Action

Department:  
Legal

Sponsor:  
Nicholas Mulick

Subject:

### **Amendment of 2009 Assessment Roll (Reso. 13-2021)**

Summary of Discussion:

Two parcels were subdivided from an actively assessed parcel. The new parcels will be assessed on the 2009 Assessment Roll the same roll as the parent parcels.

<u>Reviewed / Approved</u>	<u>Financial Impact</u>	<u>Attachments</u>
Operations: _____	\$ 13,350.00	1. Resolution 13-2021 2. Template for notification of imposition of SDC.
Administration: _____	Income	
Finance: _____	Funding Source:	
District Counsel: _____	Assessment Revenue	
District Clerk: _____	Budgeted:	
Engineering: _____	No	

Approved By: \_\_\_\_\_  
General Manager

Date: 7-29-21

**RESOLUTION NO. 13-2021**

**A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE 2009 FINAL ASSESSMENT RESOLUTION (RESOLUTION 20-05-09) RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION, TRANSMISSION, AND TREATMENT FACILITIES WITHIN THE DISTRICT; ESTABLISHING THE TERMS AND CONDITIONS OF PROPOSED SPECIAL ASSESSMENTS TO FUND THE FACILITIES AND THE METHOD OF THEIR COLLECTION; ESTABLISHING PROCEDURES FOR CORRECTION OF ERRORS AND OMISSIONS IN ASSESSMENT ROLLS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 19, 2009, the Key Largo Wastewater Treatment District (“District”) adopted the 2009 Final Assessment Resolution (No. 20-05-09); and

**WHEREAS**, the District assessed those tax parcels described in Exhibit 3.01 of Resolution No. 20-05-09 (“Assessment Roll”); and

**WHEREAS**, the tax parcels in Section 1 below described as “Parent Parcel” were assessed as part of Resolution No. 20-05-09; and

**WHEREAS**, the District has been advised by the Monroe County Property Appraiser that the owners of the Parent Parcel have taken the appropriate action to split the Parent Parcel; and

**WHEREAS**, that split has created two new tax parcels to which have been assigned separate Parcel ID No. described as “New Parcel” in Section 1 below; and

**WHEREAS**, the New Parcels will be added to the Assessment Roll.

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

**Section 1.**

**PARENT PARCEL 1**

<b>PARCEL ID:</b>	<b>00554860-000000</b>
<b>AK NO.</b>	<b>1680354</b>
<b>PARCEL DESCRIPTION:</b>	<b>Legally described in Exhibit “A” attached hereto and made a part hereof by reference.</b>

**NEW PARCEL**

<b>PARCEL ID:</b>	<b>00554860-000100</b>
<b>AK NO.</b>	<b>9104650</b>
<b>PARCEL DESCRIPTION:</b>	<b>Legally described in Exhibit “B” attached hereto and made a part hereof by reference.</b>
<b>EDU</b>	<b>2.0</b>
<b>BEGINNING BALANCE</b>	<b>\$8,150.00</b>

**PARENT PARCEL 2**

**PARCEL ID:** 00483500-000000  
**AK NO.** 1593125  
**PARCEL DESCRIPTION:** Lot 4, RAE'S CUDA CANAL SUBDIVISION, according to the Plat thereof, recorded in Plat Book 3 Page 186, of the Public Records of Monroe County, Florida.

**NEW PARCEL**

**PARCEL ID:** 00483500-000100  
**AK NO.** 9104625  
**PARCEL DESCRIPTION:** Lot 5, RAE'S CUDA CANAL SUBDIVISION, according to the Plat thereof, recorded in Plat Book 3 Page 186, of the Public Records of Monroe County, Florida.  
**EDU** 1.0  
**BEGINNING BALANCE** \$5,200.00

**Section 2.** 2009 FINAL ASSESSMENT RESOLUTION AMENDED. The 2009 Final Assessment Resolution is hereby amended to include the parcels described as New Parcel in Section 1 above.

**Section 3.** 2009 ASSESSMENT ROLL AMENDED. The Assessment Roll, as described in Exhibit 3.01 of the 2009 Final Assessment Resolution (No. 20-05-09) is hereby amended to include the parcels described as New Parcel in Section 1 above.

**Section 4.** 2009 FINAL ASSESSMENT RESOLUTION IN EFFECT. Except as modified, supplemented, and amended herein, the 2009 Final Assessment Resolution (No. 20-05-09), and all previous amendments duly adopted by the District, shall remain in full force and effect.

**Section 5.** APPLICABILITY AND EFFECTIVE DATE. This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 3<sup>rd</sup> DAY OF AUGUST 2021

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

	AYE	NAY
Chairman Rodriguez	_____	_____
Commissioner Cullen	_____	_____
Commissioner Heim	_____	_____
Commissioner Maloney	_____	_____
Commissioner Tobin	_____	_____

The Chairman thereupon declared Resolution 13-2021 duly passed and adopted the 3rd day of August 2021.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_  
Nicolas Rodriguez, Chairman

*Approved to as to form  
and legal sufficiency:*

ATTEST:

\_\_\_\_\_  
Diane Bockelman, District Clerk

\_\_\_\_\_  
Nicholas W. Mulick, General Counsel

SEAL

**RESOLUTION NO. 13-2021**  
**RE NO. 00554860-000000**  
**AK NO. 1680354**

**EXHIBIT "A"**

Parcel 1:

Tract 1 of AMENDED PLAT OF MANDALEY, as recorded in Plat Book 2, at Page 25, of the Public Records of Monroe County, Florida, less:

That part of Tract 1 of said AMENDED PLAT OF MANDALAY more particularly described as follows: From the intersection of the Southeasterly line of Old State Road 4A and the dividing line between Tracts 1 & 2, run Southeasterly along said dividing line a distance of 195 feet, to the Point of Beginning of the parcel hereinafter described; thence continue Southeasterly along said dividing line a distance of 660 feet; thence Southwesterly at right angles a distance of 10 feet; thence Northwesterly at right angles and parallel with said dividing line between Tracts 1 & 2, a distance of 660 feet; thence Northeasterly at right angles a distance of 10 feet to the Point of Beginning.

LESS AND EXCEPT:

A part of Tract 1, of AMENDED PLAT OF MANDALAY , recorded in Plat Book 2, at Page 25, of the Public Records of Monroe County, Florida, and also being a Portion of T.I.I.F. Deed No. 21738, as described in Official Records Book 252 at Page 476, of the Public Records of Monroe County, Florida, said parcel lying Southwesterly of and adjacent to "Tract A, Rock Harbor Yacht Haven", according to the Plat thereof, as recorded in Plat Book 4, at Page 80, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Begin at the Northeast corner of said T.I.I.F. Deed No. 21738; thence S.6°32'43"W., along the Southeasterly line of said T.I.I.F. Deed No. 21738, for 26.55 feet, more or less, to a point on the approximate shoreline of the Atlantic Ocean; thence meander said shoreline in a Northwesterly direction, to the following four courses: N.43°34'09"W., for 38.94 feet; thence N.48 °02'09"W. for 32.79 feet; thence N.59°06' 14"W. for 29.05 feet; thence N.57°42'42"W. , for 34.34 feet; thence N.38°44'37"W . for 126.97 feet to a point on the Southwesterly line of said Tract A; thence run S.50°03' 17"E. along said Tract A and the Northeasterly line of said T.I.I.F. Deed No. 2338 for a distance of 274.50 feet to the Point of Beginning.

AND LESS AND EXCEPT:

A portion of Tract 1, of AMENDED PLAT OF MANDALAY, recorded in Plat Book 2, at Page 25, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Begin at the Northwesterly corner of said Tract I ; thence run N.39°59' 43" E. along the Northwesterly line of said Tract 1 for a distance of 98.40 feet to a point, thence run S.50°04'49"E. for a distance of 277.68 feet to a point; thence run S.53°08'45"E. for a distance of 91.18 feet to a point; thence run S.50°04'49"E. for a distance of 242.60 feet to a point; thence run S.46°39'26"E. for a distance of 76.79 feet to a point; thence run S.72°56'28"E. for a distance of 58.92 feet to a point; thence S.60°26'39"E. for a distance of 77.89 feet to a point; thence run S.28°07'34"E. for a distance of 43.33 feet to a point; thence run S.48°56'48"W. for a distance of 38.79 feet to a point; run S.46°15 '25"E. for a distance of 229.23 feet to a point located on Northerly line of the submerged land also being the mean high water line of said Tract 1; thence run along the last described line S84°36'39"W. for a distance of 92.88 feet to a point being in the South line of said Tract 1; thence run N.50°03' 17"W. for a distance of 1,016.73 feet to the Point of Beginning.

Parcel 1A:

A parcel of submerged land in the Straits of Florida in Section 6, Township 62 South, Range 39 East, Key Largo, Monroe County, Florida, and more particularly described as follows:

Commence at the most Northerly corner of Tract 1 on the Southeasterly side of Dixie Highway and the dividing line between Tracts 1 and 2, all as shown on Amended Plat of Mandalay, in Plat Book 2, at Page 25, Public Records of Monroe County, Florida, run Southeasterly on said dividing line between Tracts 1 and 2, a distance of 1,220.00 feet, more or less to the mean high tide line on the shore of the Straits of Florida; thence continue Southeasterly on the prolongation of said dividing line, a distance of 150 feet; thence Southwesterly with an interior angle of 53°24'00", a distance of 26.55 feet to the point of beginning of the parcel hereinafter described; thence continue along the last described line for a distance of 147.81 feet to a point; thence N .50°03' 17"W. for a distance of 184.39 feet to the mean high tide line of said Tract 1; thence Easterly meandering said mean high tide line a distance of 167.60 feet to a point; thence S.38°44 '37"E., for a distance of 20.95 feet to a point; thence S.57°42 '42"E for 34.34 feet; thence S.59°06 ' 14"E. for a distance of 29.05 feet; thence S.48°02 '09"E. for a distance of 32.79 feet to a point; S.43°34'09"E. for a distance of 38.94 feet to the Point of Beginning.

**RESOLUTION NO. 13-2021**  
**RE NO. 00554860-000100**  
**AK NO. 9104650**

**EXHIBIT "B"**

Parcel 2:

A portion of Tract I, of AMENDED PLAT OF MANDALAY, recorded in Plat Book 2, at Page 25, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Begin at the Northwesterly comer of said Tract 1; thence run N.39°59'43"E. along the Northwesterly line of said Tract 1 for a distance of 98.40 feet to a point, thence run S.50°04'49"E., for a distance of 277.68 feet to a point; thence run S.53°08'4S"E. for a distance of 91.38 feet to a point; thence run S.50°04'49"E. for a distance of 242.60 feet to a point; thence run S.46°39'26"E for a distance of 76.79 feet to a point; thence run S.72°56'28"E. for a distance of 58.92 feet to a Point; thence S.60°26'39"E. for a distance of 77.89 feet to a point; thence run S.28°07'34"E, for a distance of 43.33 feet to a point; thence run S.48°56'48"W. for a distance of 38.79 feet to a point; run S.46°15'25"E. for a distance of 229.23 feet to a point located on the Northerly line of the submerged land also being the mean high water line of the said Tract 1; thence run along the last described line S.84°36'39"W. for a distance of 92.88 feet to a point being in the South line of said Tract 1; thence run N.50°03' 17"W. for a distance of 1,016.73 feet to the Point of Beginning.

Parcel 2A:

A parcel of submerged land in the Straits of Florida in Section 6, Township 62 South, Range 39 East, Key Largo, Monroe County, Florida, and more particularly described as follows:

Commence at the most Northerly comer of Tract 1 on the Southeasterly side of Dixie Highway and the dividing line between Tracts 1 and 2, all as shown on Amended Plat of Mandalay, in Plat Book 2, at Page 25, Public Records of Monroe County, Florida, run Southeasterly on said dividing line between Tracts 1 and 2, a distance of 1,220.00 feet, more or less to the mean high tide line on the shore of the Straits of Florida; thence continue Southeasterly on the prolongation of said dividing line, a distance of 150 feet; thence Southwesterly with an interior angle of 53°24'00", a distance of 174.36 feet to the Point of Beginning of the parcel hereinafter described; thence continue along the last described line for a distance of 82.34 feet to a point; thence N.50°03' 1 7"W. for a distance of 200.60 feet to the mean high tide line of said Tract 1; thence Easterly meandering said mean high tide line a distance of 92.88 feet to a point; thence S.50°03' 1 7"E. for a distance of 184.39 feet to the Point of Beginning.



## Key Largo Wastewater Treatment District

103355 Overseas Highway, Key Largo, FL 33037

Phone (305) 451-4019 • www.klwtd.com

July 2, 2020

To: Customer Name  
Mailing Address  
City, State, Zip Code

RE: Imposition of Wastewater System Development Charge – AK# XXXXXXXX

Please be advised that the Key Largo Wastewater Treatment District's ("the District") Board of Commissioners ("the Board") will consider imposing a System Development Charge ("SDC") for the above-referenced parcel at its regularly scheduled meeting on August 3, 2021.

The SDC is the initial charge to each Tax Parcel assigned a parcel identification number by the Monroe County Property Appraisers Office and represents a portion of the Capital Costs for the construction of the District's Wastewater Management Facilities.

Reason for imposition of SDC: The District has been advised by the Monroe County Property Appraiser that the parent parcel, AK# XXXXXXXX, has been split to create a new tax parcel, AK# XXXXXXXX. The new parcel will be added to the 2009 Assessment Roll.

If the Board approves imposition of the SDC charge, the following changes will be made to your account:

**EDU Assignment:** Your parcel will be assigned one Equivalent Dwelling Unit ("EDU"). See attached for calculation.

**System Development Charge (SDC):** Equal to the sum of the capacity charge per EDU plus the connection charge to extend service to your parcel. See attached for calculation.

**Monthly Base Charge:** Upon development of the parcel, you will be required to pay a monthly base charge of \$28.56 per EDU. The charge will be included in your monthly Florida Keys Aqueduct Authority ("FKAA") bill.





## Key Largo Wastewater Treatment District

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The total SDC charge will be \$5,200.00. Parcel owners have two options for paying the assessment:

**1. Pay in full:** If you choose to pay the SDC in full, you must do so no later than August 31, 2021. Payment may be made in person, online at <http://klwtd.com/check-my-assesment/>, or by mailing a check to the District administrative office located at 103355 Overseas Highway, Key Largo, FL 33037 (please include the Alternate Key # listed on the first page of this Notice).

**2. Pay in installment payments:** If you choose not to pay the SDC in full before August 31, 2021, you will automatically be enrolled in the District's installment payment plan whereby the SDC will be paid in annual installments.

- a. The first installment will be included in your 2021 Monroe County Annual Tax bill.
- b. The amount of each installment payment will be equal to 1/8 full wastewater SDC plus interest, collection cost, and statutory discount. The interest rate is based on the District's borrowing rate which, for the 2021 assessment year, 2.718%.
- c. At any time during the 8 year period, the owner of record may pay off the unpaid balance of the SDC. Pay off amounts are available from the District's Customer Service Department.

Your Rights: You have the right to appear at the meeting, present evidence, and have witnesses testify on your behalf. If you choose to appear or present evidence, please notify the Clerk and submit copies of any documents you would like the Board to consider no later than 15 days from the date of this Notice.

Please contact the District Clerk at 305-451-4019 ext. 210 or [diane.bockelman@klwtd.com](mailto:diane.bockelman@klwtd.com) for more information concerning how the proposed action will impact your parcel or for confirmation of the meeting date.

Sincerely,

By: \_\_\_\_\_  
Peter Rosasco, General Manager



## Key Largo Wastewater Treatment District

103355 Overseas Highway, Key Largo, FL 33037

Phone (305) 451-4019 • www.klwtd.com

**AK#XXXXXXXX**

### Calculations

**EDU Assignment:** In accordance with Section 10.01(b)(i) of the Key Largo Wastewater Treatment District's General Rules and Regulations, residential tax parcels are assigned 1.0 EDU per dwelling unit.

### SDC Charge

EDU Assignment	1.0 EDU
Capacity Charge (per EDU)	\$2,950.00
Connection Charge (per connection)	\$2,250.00
<b>Total SDC Charge</b>	<b>\$5,200.00</b>