

RESOLUTION NO. 24-11-130

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE VILLAGE BEGINNING WITH THE TAX BILL ISSUED IN NOVEMBER 2025 FOR THE CANAL 147 RESTORATION PROJECT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING 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 operation and maintenance costs of an air curtain for canal restoration and water quality improvements at Canal 147 on Lower Matecumbe Key, with the legal description and boundaries of the real property subject to the levy attached hereto as Exhibit "A"; and

WHEREAS, the Village intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing canal water quality improvements and services, and neighborhood improvements and infrastructure to property within the incorporated area of the Village 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 2025, in the same manner as provided for ad valorem taxes; and

WHEREAS, the assessments are necessary in order to have the property owners of the properties that receive the benefit of canal restoration programs also pay for ongoing operations and maintenance of the canal restoration methods; and

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

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

Section 1. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Commencing with the Fiscal Year beginning on October 1, 2025, 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 canal dredging improvements and services, and neighborhood improvements 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 "A" and incorporated by reference.

Section 3. The Village hereby determines that the levy of the assessments is needed to fund the cost of operations and maintenance for the canal restoration project and neighborhood improvements and infrastructure performed on Canal 147 within the incorporated area of the Village.

Section 4. 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, 2025.

Section 5. This Resolution shall take effect immediately upon adoption.

Motion to adopt by Don Horton, seconded by Steve Friedman.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor	<u>Yes</u>
Vice Mayor	<u>Yes</u>
Council Member	<u>Yes</u>
Council Member	<u>Yes</u>
Council Member	<u>Yes</u>

PASSED AND ADOPTED THIS 19 DAY OF NOVEMBER, 2024.

Signed by:
Sharon Mahoney
99E7851BB13C484...
SHARON MAHONEY, MAYOR

ATTEST:

DocuSigned by:
Marne K. McGrath
008BA9A9B2704D5...

MARNE MCGRATH, VILLAGE CLERK

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

Signed by:
John J. Quick
362BFAA7FDDD417...

JOHN J. QUICK, VILLAGE ATTORNEY



Exhibit "A"

Legal Description of Area

Lower Matecumbe Key

The portion of the incorporated area of Islamorada, Village of Islands, bounded on the west by Florida Bay, on the north by Lignumvitae Channel, on the east by the Atlantic Ocean, and on the south by Channel 2.

Canal 147

Located between Atlantic Lane and Leserra Lane and between the Overseas Highway and open Atlantic Ocean water.



Exhibit 'B'

Date: October 16, 2024

- LEGAL AD PROOF -

Thank you for advertising with us! This is the proof of your ad scheduled to run on the dates indicated below. If changes are needed, please contact

**Melinda Prescott by emailing legals@keysnews.com
or calling 941-206-1025.**

CUSTOMER INFORMATION

Account #: 421294
Company Name: ISLAMORADA VILLAGE OF ISLANDS
Address: 86800 OVERSEAS HWY
ISLAMORADA FL 33036-3162
Telephone: (305) 664-6400
Email: anita.muxo@islamorada.fl.us

AD INFORMATION

Ad ID: 3941849
Run Dates: 10/24/24 to 11/21/24
of Inserts: 12
of Lines: 60
Ad Class: 19
Total Cost: \$576.00
Ordered By:
Description: NOI Non-Ad Valorem Assessments

Account Rep: Legals - Key West
Email: legals@keysnews.com

Publications	Start Date	End Date	# of Insertions
Key West Citizen	10/24/24	11/14/24	4
Florida Keys Free Press	10/31/24	11/21/24	4
KeysNews.com	10/24/24	11/14/24	4

Ad Proof

**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(3)(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 canal restoration and water quality improvements and services, and neighborhood improvements and infrastructure at Canal 147 on Lower Matecumbe Key, commencing for the Fiscal Year beginning on October 1, 2025 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 November 19, 2024 at the Founders Park Community Center, 87000 Overseas Highway, Islamorada, 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 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 Village Clerk at (305) 664-6412, at least 48 hours prior to the date of the hearing. 10/24/24, 10/31/24, 11/07/24, 11/14/24 - KWC
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