

RESOLUTION NO. 23-08-84

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE
COLLECTION OF WASTEWATER FEES AND ADMINISTRATIVE
COSTS WITHIN THE WOODS CORNER ASSESSMENT AREA;
REIMPOSING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR
BEGINNING OCTOBER 1, 2023; APPROVING THE ASSESSMENT
ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS;
AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, on August 23, 2005, the Village Council ("Council") of Islamorada, Village of Islands, Florida, (the "Village") enacted Ordinance No. 05-16 (the "Ordinance"), providing for the creation of assessment areas and authorizing the imposition of special assessments to fund the construction of local improvements to serve the property located therein; and

WHEREAS, on July 10, 2008, the Council adopted Resolution No. 08-07-41 (the "Initial Assessment Resolution") for Woods Corner Connection Fees and Administrative Costs, thereby proposing the creation of the Woods Corner Assessment Area and describing the method of assessing and deferring the cost of Wastewater Connection Fees and Administrative Costs against the real property that will be specially benefited thereby and directing preparation of the preliminary Assessment Roll and provision of the notices required by the Ordinance; and

WHEREAS, on August 7, 2008, the Council adopted Resolution No. 08-08-49, (the "Final Assessment Resolution"), thereby confirming the creation of the Woods Corner Assessment Area, imposing special assessments, approving the assessment roll and providing for collection of the assessments in the Woods Corner Assessment Area; and

WHEREAS, on September 9, 2010, the Council adopted Resolution No. 10-09-61, which amended the definition of "Connection" set forth in the Initial Assessment Resolution and adjusted the Connection assigned to each parcel to 0.125; and

WHEREAS, the Council desires to reimpose the Assessment for Wastewater Connection Fees and Administrative Costs within the Woods Corner Assessment Area using the tax bill collection method for the Fiscal Year beginning October 1, 2023 through September 30, 2024; and

WHEREAS, pursuant to the provisions of the Ordinance, the Village is required to adopt an Annual Assessment Resolution each fiscal year to approve the assessment rolls for such fiscal year; and

WHEREAS, properties in the Woods Corner Assessment Area will accordingly be subject to the previously established Assessment imposed to fund the Woods Corner Connection Fees and Administrative Costs; and

WHEREAS, the Assessment Roll has heretofore been filed with the office of the Village Manager, as required by the Ordinance; and

WHEREAS, as required by the terms of the Ordinance, a notice of a public hearing was provided, and the proof of publication is attached hereto as Appendix A; and

WHEREAS, a public hearing was held on August 17, 2023, to consider and hear comments and objections of all interested persons as required by the terms of the Ordinance.

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

Section 1. Authority. This Resolution is adopted pursuant to the Ordinance, the Initial Assessment Resolution (as amended), the Final Assessment Resolution, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law,

Section 2. Definitions. This Resolution constitutes the Annual Assessment Resolution as defined in the Ordinance. All Capitalized terms in this resolution shall have the meanings defined in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolutions, as amended.

Section 3. Reimposition of Annual Assessments to Fund Wastewater Connection Fees and Administrative Costs.

(A) The Tax Parcels described in the Assessment Roll are hereby found to be specially benefited by funding and allowing deferred payment of the Wastewater Connection Fees and Administrative Costs in the amount of the maximum annual Assessment set forth in the Assessment Roll.

(B) Annual Assessments computed in the manner described in the Initial Assessment Resolution, as amended, are hereby adjusted, levied and imposed on all Tax Parcels described in the Assessment Roll at a maximum annual rate of \$263.00 per Equivalent Dwelling Unit ("EDU"), and a maximum annual rate of \$842.00 per Connection or \$105.25 per each 0.125 Connection for a period not to exceed thirty (30) years, commencing in November 2008.

Section 4. Approval of Assessment Roll. The Assessment Roll for the Woods Corner Assessment Area, currently on file with the Village Manager and incorporated herein by reference, is hereby approved.

Section 5. Assessment Liens.

(A) The Assessments shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the Council of the Annual Assessment Resolution and shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(B) As to any Tax Parcel that is acquired by a public entity through condemnation, negotiated sale or otherwise prior to adoption of the next Annual Assessment Resolution, the Adjusted Prepayment Amount shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the Council of the Annual Assessment Resolution and shall attach to the property included on the Assessment Roll upon adoption of the Annual Assessment Resolution.

Section 6. Collection of Assessments. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act. Upon adoption of the Annual Assessment Resolution for each Fiscal Year, the Village Manager shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, 2023, in the manner prescribed by the Uniform Assessment Collection Act. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix B.

Section 7. Effect of Adoption of Resolution. The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the Assessment Roll, and the levy and lien of the Assessments for Wastewater Connection Fess and Administrative Costs) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the adoption date of this Annual Assessment Resolution.

Section 8. Severability. If any clause, section, or other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or application of this Resolution.

Section 9. Effective Date. This Resolution shall take effect immediately upon its adoption.

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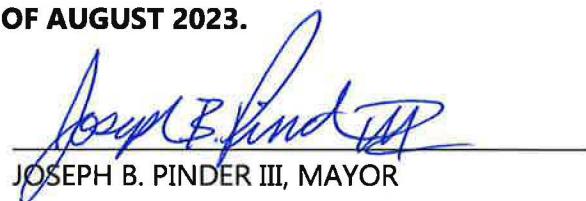
Motion to adopt by Elizabeth Jolin, seconded by Mark Gregg.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	YES
Vice Mayor Sharon Mahoney	YES
Councilman Mark Gregg	YES
Councilwoman Elizabeth Jolin	YES
Councilman Henry Rosenthal	YES

PASSED AND ADOPTED ON THIS 17TH DAY OF AUGUST 2023.



JOSEPH B. PINDER III, MAYOR

ATTEST:



Stephanie Conde
STEPHANIE CONDE, DEPUTY CLERK

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



JOHN J. QUICK, INTERIM VILLAGE ATTORNEY

APPENDIX A

PROOF OF PUBLICATION



The Florida Keys Only Daily Newspaper, Est. 1876

PO Box 1800, Key West FL 33041
P: (305) 292-7777 ext. 219 F: (305) 295-8025
legals@keysnews.com

ISLAMORADA VILLAGE OF ISLANDS
86800 OVERSEAS HWY
ISLAMORADA FL 33036-3162

Account: 421294

Ticket: 3897557

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MONROE

[legal.text]

Before the undersigned authority personally appeared

_____Melinda Prescott_____, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of was published in said newspaper in the issues of:

Thursday, July 20, 2023

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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.

Melinda Prescott

(Signature of Affiant)

Affirmed and subscribed before me this 20th day of July 2023

Jill Kelli Di Benedetto

(Notary Public Signature)

_____Jill Kelli Di Benedetto_____
(Notary Public Printed Name)

My commission expires _____ 8/19/2023 _____

Personally Known Produced Identification _____
Type of Identification Produced _____ (Notary Seal) _____



SCIENCE

Humans' impact on Earth began new epoch in 1950s called the Anthropocene

BY SETH BORENSTEIN

The Associated Press

From climate change to species loss and pollution, humans have etched their impact on Earth with such strength and permanence since the middle of the 20th century that a special team of scientists says a new geologic epoch began then.

Called the Anthropocene — and derived from the Greek terms for “human” and “new” — this epoch started sometime between 1950 and 1954, according to the scientists. While there is evidence worldwide that captures the impact of burning fossil fuels, detonating nuclear weapons and dumping fertilizers and plastics on land and in waterways, the scientists are proposing a small but deep lake outside of Toronto, Canada — Crawford Lake — to place a historic marker.

“It’s quite clear that the scale of change has intensified unbelievably and that has to be human impact,” said University of Leicester geologist Colin Waters, who chaired the Anthropocene Working Group.

This puts the power of humans in a somewhat similar class with the meteorite that

crashed into Earth 66 million years ago, killing off dinosaurs and starting the Cenozoic Era, or what is conversationally known as the age of mammals. But not quite. While that meteorite started a whole new era, the working group is proposing that humans only started a new epoch, which is a much smaller geologic time period.

The group aims to determine a specific start date of the Anthropocene by measuring plutonium levels at the bottom of Crawford Lake.

The idea of the Anthropocene was proposed at a science conference more than 20 years ago by the late Nobel Prize-winning chemist Paul Crutzen. Teams of scientists have debated the issue since then and finally set up the working group to study whether it was needed and, if so, when the epoch would start and where it would be commemorated.

Crawford Lake, which is 79 feet (29 meters) deep and 258,333 square feet (24,000 square meters) in area, was chosen over 11 other sites because the annual effects of human activity on the earth’s soil, atmosphere and biology are so clearly preserved in its layers of sediment. That



Trees surround Crawford Lake in Milton, Ontario, on Monday, July 10. A team of scientists is recommending the start of a new geological epoch defined by how humans have impacted the Earth should be marked at the pristine Crawford Lake outside Toronto in Canada.

includes everything from nuclear fallout to species-threatening pollution to steadily rising temperatures.

There are distinct and multiple signals starting around 1950 in Crawford Lake showing that “the effects of humans overwhelm the Earth system,” said Francine McCarthy, a committee member who specializes in that site as an Earth sciences professor at Brock University in Canada.

“The remarkably preserved

annual record of deposition in Crawford Lake is truly amazing,” said U.S. National Academies of Sciences President Marcia McNutt, who wasn’t part of the committee.

The Anthropocene shows the power — and hubris — of humankind, several scientists said.

“The hubris is in imagining that we are in control,” said former U.S. White House science adviser John Holdren,

who was not part of the working group of scientists and disagrees with its proposed start date, wanting one much earlier. “The reality is that our power to transform the environment has far exceeded our understanding of the consequences and our capacity to change course.”

Geologists measure time in eons, eras, periods, epochs and ages. The scientific working group is proposing that Anthropocene Epoch

followed the Holocene Epoch, which started about 11,700 years ago at the end of an ice age.

They are also proposing that it starts a new age, called Crawfordian after the lake chosen as its starting point.

The proposal still needs to be approved by three different groups of geologists and could be signed off at a major conference next year.

The reason geologists didn’t declare the Anthropocene the start of a bigger and more important time measurement, such as a period, is because the current Quaternary Period, which began nearly 2.6 million years ago, is based on permanent ice on Earth’s poles, which still exist. But in a few hundred years, if climate change continues and those disappear, it may be time to change that, Waters said.

“If you know your Greek tragedies you know power, hubris, and tragedy go hand in hand,” said Harvard science historian Naomi Oreskes, a working group member. “If we don’t address the harmful aspects of human activities, most obviously disruptive climate change, we are headed for tragedy.”

Mammals may have hunted down dinosaurs, rare fossil suggests

BY MADDIE BURAKOFF

The Associated Press

NEW YORK — An unusual find in China suggests some early mammals may have hunted dinosaur for dinner.

The fossil shows a badgerlike creature chomping down on a small, beaked dinosaur, their skeletons intertwined. The find comes from a site known as “China’s Pompeii,” where mud and debris from long-ago volcanoes buried creatures in their tracks.

“It does seem like this is a prehistoric hunt, captured in stone, like a freeze frame,” University of Edinburgh paleontologist Steve Brusatte, who was not involved with the study, said in an email.

The fossil, described Tuesday in the journal *Scientific Reports*, shows two creatures from around 125 million years ago, during the Cretaceous period.

Even though the mammal is much smaller, researchers think it was attacking the dinosaur when they both got caught in the volcanic flow, said study author Jordan Mallon, a paleobiologist at the Canadian Museum of Nature. The mammal is perched on the dinosaur, its paws gripping the reptile’s jaw and a hind limb while its teeth plunge into the ribcage.

“I’ve never seen a fossil like this before,” Mallon said.



This image provided by the Canadian Museum of Nature shows entangled dinosaur and mammal skeletons. The scale bar equals 10 cm. The unusual fossil from China suggests some early mammals may have hunted down dinosaur meat for dinner. The fossil shows a badger-like creature chomping down on a beaky dinosaur three times its size.

That mammals ate dinosaur meat had been proposed before: another fossil showed a mammal died with dinosaur remains in its gut. But the new find also suggests that mammals may have actually preyed on dinosaurs several times their size, and didn’t just scavenge ones that were already dead, Mallon said.

The study authors acknowledged that there have been some fossil forgeries known from this part of the world, which Mallon said was a concern when they started their research. But after doing their own preparations of the skeletons and analyzing the rock samples, he said they were confident that the fossil — which was found by a farmer

in 2012 — was genuine, and would welcome other scientists to study the fossil as well.

The mammal in the fossil duo is the meat-eating *Reprenomamus robustus*, about the size of a house cat, Mallon said. The dinosaur — *Psittacosaurus lujiatunensis* — was about as big as a medium-sized dog with a parrotlike beak.

This species was a plant eater, but other dinosaurs were meat eaters or ate both. In the end, dinosaurs were probably still eating mammals more often than the other way around, Mallon said.

“And yet we now know that the mammals were able to fight back, at least at times,” he said.

Vanishing whale's decline worse than previously thought, feds say

BY PATRICK WHITTLE

The Associated Press

PORTLAND, Maine — A review of the status of a vanishing species of whale found that the animal’s population is in worse shape than previously thought, federal ocean regulators said Monday.

The North Atlantic right whale numbers less than 350, and it has been declining in population for several years. The federal government declared the whale’s decline an “unusual mortality event,”

which means an unexpected and significant die-off, in 2017.

The National Oceanic and

Atmospheric Administration released new data that 114 of the whales have been documented as dead, seriously injured or sub-lethally injured or sick since the start of the mortality event. That is an increase of 16 whales since the previous estimate released earlier this year.

The agency recently completed a review of the whales using photographs from researchers and surveys to

create the new estimate, said Andrea Gomez, a spokesperson for NOAA.

“Additional cases will continue to be reviewed, and animals will be added if appropriate, as more information is obtained,” Gomez said.

Thirty-six of the 114 whales included in the estimate had died, NOAA documents state. The agency cautioned that only about a third of right whale deaths are documented, so the total number of dead or injured animals could be much higher.

NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF ASSESSMENTS FOR FUNDING OF WASTEWATER CONNECTION FEES AND ADMINISTRATIVE COSTS WITHIN THE WOODS CORNER ASSESSMENT AREA

Notice is hereby given that the Village Council of Islamorada, Village of Islands, will conduct a public hearing to consider reimposing assessments for the Fiscal Year beginning October 1, 2023, against certain improved residential properties located within the Woods Corner Assessment Area as shown above, to fund Wastewater Connection Fees and Administrative Costs provided to such properties and to authorize collection of such assessments on the tax bill.

The public hearing will be held at 5:30 p.m. or as soon thereafter as possible on August 17, 2023, at Founders Park Community Center, 87000 Overseas Highway, Islamorada, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Village Council within twenty (20) calendar days of the date of this notice. If a person decides to appeal any decision made by the Village Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. 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 seven (7) days prior to the date of the hearing.

The total annual assessment revenue to be collected within the Village of Islamorada for the upcoming fiscal year is estimated to be \$5,600.00. The maximum rate of assessment for the upcoming Fiscal Year commencing on October 1, 2023 and future Fiscal Years shall be \$263.00 per EDU and a maximum rate of assessment of \$842.00 per Connection. Copies of the Assessment Ordinance (Ordinance No. 05-16), the Initial Assessment Resolution (Resolution No. 08-07-41), the Final Assessment Resolution (Resolution No. 08-08-49), the Annual Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Assessments, and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the Village Clerk’s office, located at 86800 Overseas Highway, Islamorada, Florida.

If you have any questions, please contact the Village at (305) 664-6446, Monday through Friday between 8:00 a.m. and 5:00 p.m.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2023, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA

adno=3897557-1

APPENDIX B

FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Vice Mayor of Islamorada, Village of Islands, Florida or the authorized agent of Islamorada, Village of Islands, Florida (the "Village"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for Woods Corner Wastewater Connection Fees and Administrative Costs (the "Non-Ad Valorem Assessment Roll") for the Village is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Monroe County Tax Collector by September 15, 2023.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Monroe County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this 17th day of August, 2023.

ISLAMORADA, VILLAGE OF ISLANDS,
FLORIDA

By:

Joseph B Pinder III, Mayor

[to be delivered to the Monroe County Tax Collector prior to September 15, 2023]