

RESOLUTION NO. 25-06-43

A PRELIMINARY RATE RESOLUTION OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE WITHIN THE VILLAGE FOR FISCAL YEAR 2025-2026; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE AGAINST ASSESSED PROPERTY LOCATED WITHIN ISLAMORADA, VILLAGE OF ISLANDS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; PROVIDING FOR PUBLIC HEARING AND NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Village Council of Islamorada, Village of Islands, Florida (the "Village Council"), adopted Ordinance No. 99-11 (the "Ordinance"), which authorizes the annual reimposition of annual Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities or programs against certain Assessed Property within Islamorada, Village of Islands (the "Village"); and

WHEREAS, the imposition of a Solid Waste Service Assessment for Solid Waste collection and disposal services, facilities or programs for each Fiscal Year is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Assessed Property; and

WHEREAS, for Fiscal Year 2025-2026, beginning on October 1, 2025, through September 30, 2026, the Village Council desires to reimpose an annual Solid Waste collection and disposal assessment program within the Village, using the tax bill collection method; and

WHEREAS, pursuant to Ordinance 99-11, as codified in Chapter 46, Article III, Division 2, Section 46-93 of the Village Code of Ordinances, the Village is required to adopt a Preliminary Rate Resolution prior to the adoption of the Annual Assessment Resolution.

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. Authority. This Resolution is adopted pursuant to the provisions of the Solid Waste Service Assessment Ordinance (Ordinance No. 99-11 or the "Ordinance"), the Initial Assessment Resolution (Resolution No. 99-08-39), the Final Assessment Resolution (Resolution No. 99-09-49), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 3. Purpose and Definitions. This Resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance which initiates the annual process for updating the Assessment Roll and directs the reimposition of Solid Waste Service Assessments for the Fiscal Year beginning October 1, 2025. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa.

Section 4. Provision and Funding of Solid Waste Services.

(A) Upon the imposition of Solid Waste Service Assessments for Solid Waste collection and disposal against Assessed Property located within the Village, the Village shall provide Solid Waste collection and disposal services to such Assessed Property.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property will be benefited by the Village's provision of Solid Waste collection and disposal services in an amount not less than the Solid Waste Service Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

Section 5. Legislative Determinations of Special Benefit and Fair Apportionment. The legislative determinations of special benefit and fair apportionment embodied in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution are hereby affirmed and incorporated herein by reference.

Section 6. Establishment of Annual Solid Waste Service Assessment Rate.

(A) For Fiscal Year 2025-2026, beginning October 1, 2025, through September 30, 2026, for which Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities and programs are to be re-imposed, the Solid Waste Cost shall be allocated among all parcels of Assessed Property, based upon each parcels' classification as Residential Property and the number of Dwelling Units for such parcels. Only those parcels assigned an Improvement Code of "R" by the Property Appraiser on the Tax Roll shall be classified as Assessed Property. The total Solid Waste Cost for the Fiscal Year

beginning October 1, 2025, is estimated to be \$2,266,440. Accordingly, a preliminary rate of assessment equal to \$510.00 for each Dwelling Unit for solid waste collection and disposal services is hereby approved for Fiscal Year beginning October 1, 2025, through September 30, 2026.

(B) In accordance with Section 2.08 of the Ordinance, a maximum assessment rate of \$550.00 per Dwelling Unit for solid waste collection and disposal services is hereby approved for future fiscal years without mailed notice.

(C) The Village Manager is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year beginning October 1, 2025, in the manner provided in the Ordinance. Such updated Assessment Roll shall contain the following: (1) a summary description of all Assessed Property within the Village conforming to the description contained on the Tax Roll, (2) the name and address of the Owner of record of each parcel as shown on the Tax Roll, and (3) the amount of the Solid Waste Service Assessment attributable to each Dwelling Unit for Solid Waste collection and disposal services.

(D) A copy of this Preliminary Rate Resolution, the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution and the updated Assessment Roll is maintained on file in the office of the Village Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll be in printed form if the amount of the Solid Waste Service Assessment for each parcel of property can be determined by use of a computer database available to the public.

(E) The Solid Waste Service Assessment for each parcel of Assessed Property shall be computed by multiplying the assessment rate by the number of Dwelling Units on such parcel.

(F) It is hereby ascertained, determined, and declared that the foregoing method of determining the Solid Waste Service Assessments for Solid Waste collection and disposal services is a fair and reasonable method of apportioning the Solid Waste Cost therefore among parcels of Assessed Property.

Section 7. Public Hearing. The Village Council hereby confirms that a public hearing is scheduled to be held at 5:30 p.m. on July 22, 2025, at Founders Park Community Center, 87000 Overseas Highway, Islamorada, Florida, for the purpose of (A) receiving and considering any comments on the Solid Waste Service Assessments from affected property owners and (B) authorizing the reimposition of such Solid Waste Service Assessments for Solid Waste collection and disposal for Fiscal Year 2025-2026 and collecting such assessments on the same bill as ad valorem taxes.

Section 8. Notice by Publication. The Village Manager shall publish a notice, as required by Section 2.04 of the Ordinance, in substantially the form attached hereto as Appendix A. Such notice shall be published no later than July 1, 2025, in a newspaper generally circulated within Monroe County.

Section 9. Notice by Mail. The Village Manager shall provide notice by first class mail to the Owner of each parcel of Assessed Property which has been reclassified or issued a new

Certificate of Occupancy (CO) pursuant to a building permit for a Dwelling Unit that was not included on the Assessment Roll approved for the prior fiscal year, and in the event circumstances described in Section 2.08(F) of the Ordinance so require. Such notice shall be in substantially the form attached hereto as Appendix B. Such notices shall be mailed not later than July 1, 2025.

Section 10. Effective Date. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

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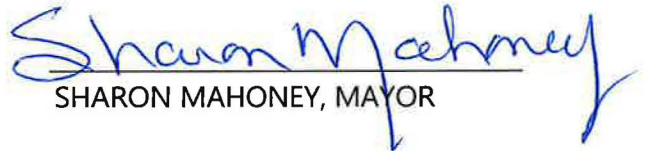
Motion to adopt by Steve Friedman, seconded by Anna Richards.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

| | |
|----------------------------|-----|
| Mayor Sharon Mahoney | Yes |
| Vice Mayor Don Horton | Yes |
| Councilwoman Deb Gillis | Yes |
| Councilwoman Anna Richards | Yes |
| Councilman Steve Friedman | Yes |

PASSED AND ADOPTED THIS 10th DAY OF JUNE, 2025.


SHARON MAHONEY, MAYOR

ATTEST:


MARNE McGRATH, VILLAGE CLERK

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


JOHN J. QUICK, VILLAGE ATTORNEY

