

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: February 15, 2012 Division: Public Works & Engineering  
Bulk Item: Yes  No  Department: Wastewater  
Staff Contact Person/Phone #: Liz Wood ext. 8795

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**AGENDA ITEM WORDING:** Approval of a resolution of the Monroe County Board of County Commissioners requesting the Florida Legislature bond an additional fifty million dollars (\$50,000,000.00) of Save Our Everglades Trust Fund monies to be appropriated this fiscal year toward the Florida Keys Area of Critical State Concern protection program to restore and conserve natural systems through the implementation of wastewater management projects.

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**ITEM BACKGROUND:** County-wide there is a need for approximately \$400,000,000.00 to complete the Keys Wastewater Plan. In addition, proposed Rule 28-20.140 of the Florida Administrative Code requires Monroe County to draft a resolution to the Florida Legislature requesting the issuance of \$50,000,000.00 of the \$200,000,000.00 in bonds authorized under Florida Statute Sec. 215.619 and a state appropriation of sufficient debt service for those bonds for the construction of wastewater infrastructure within the Florida Keys. This resolution is being proposed now for the 2012 legislative session.

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**PREVIOUS RELEVANT BOCC ACTION:**

March 18, 2009 – BOCC approved Resolution No. 081-2009 requesting the same action for 2009 legislative session.  
December 16, 2009 – BOCC approved Resolution No. 462-2009 requesting the same action for 2010 legislative session.  
February 16, 2011, BOCC approved Resolution No. 086-2011 requesting same action for 2011 legislative session.

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**CONTRACT/AGREEMENT CHANGES:** n/a

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**STAFF RECOMMENDATIONS:** Approval

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**TOTAL COST:** n/a **INDIRECT COST:** \_\_\_\_\_ **BUDGETED:** Yes \_\_\_ No \_\_\_

**COST TO COUNTY:** n/a **SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes \_\_\_ No \_\_\_ **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty  SAH OMB/Purchasing \_\_\_ Risk Management \_\_\_

**DOCUMENTATION:** Included  Not Required \_\_\_

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_-2012**

**A RESOLUTION OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REQUESTING THE FLORIDA LEGISLATURE BOND AN ADDITIONAL FIFTY MILLION DOLLARS (\$50,000,000.00) OF SAVE OUR EVERGLADES TRUST FUND MONIES TO BE APPROPRIATED THIS FISCAL YEAR TOWARD THE FLORIDA KEYS AREA OF CRITICAL STATE CONCERN PROTECTION PROGRAM TO RESTORE AND CONSERVE NATURAL SYSTEMS THROUGH THE IMPLEMENTATION OF WASTEWATER MANAGEMENT PROJECTS**

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**WHEREAS**, proposed Rule 28-20.140 of the Florida Administrative Code requires Monroe County to draft a resolution to the Florida Legislature requesting the issuance of Fifty Million Dollars (\$50,000,000.00) of the Two Hundred Million Dollars (\$200,000,000.00) in bonds authorized under Sec. 215.619, Florida Statutes, and a state appropriation of sufficient debt service for those bonds, for the construction of wastewater infrastructure within the Florida Keys; and

**WHEREAS**, the State of Florida House of Representatives Environment and Natural Resources Council unanimously passed House Bill 1135 at a regularly scheduled meeting on April 4, 2008 authorizing Two Hundred Million Dollars (\$200,000,000.00) in additional bonding for complete implementation of the “Keys Wastewater Plan;” and

**WHEREAS**, the State of Florida House of Representatives Policy and Budget Council unanimously passed House Bill 1135 at a regularly scheduled meeting on April 21, 2008 authorizing Two Hundred Million Dollars (\$200,000,000.00) in additional bonding for complete implementation of the “Keys Wastewater Plan;” and

**WHEREAS**, the State of Florida Senate Committee on Environmental Preservation and Conservation unanimously passed Senate Bill 1552 at a regularly scheduled meeting on March 13, 2008 authorizing Two Hundred Million Dollars (\$200,000,000.00) in additional bonding for complete implementation of the “Keys Wastewater Plan;” and

**WHEREAS**, the State of Florida Senate Committee on Finance and Tax unanimously passed Senate Bill 1552 at a regularly scheduled meeting on April 22, 2008 authorizing Two Hundred Million Dollars (\$200,000,000.00) in additional bonding for complete implementation of the “Keys Wastewater Plan;” and

**WHEREAS**, the State of Florida Senate unanimously passed Senate Bill 1552 on April 30, 2008 authorizing Two Hundred Million Dollars (\$200,000,000.00) in additional bonding for complete implementation of the “Keys Wastewater Plan;” and

**WHEREAS**, Ch. 2010-205, Laws of Florida, incorporating and updating Ch. 99-395, Laws of Florida, mandates the upgrade of all wastewater systems within the Florida Keys to advanced wastewater treatment standards or best available technology by December 31, 2015, without regard to funding assistance; and

**WHEREAS**, Monroe County and the Florida Keys are one of four Areas of Critical State Concern remaining from the five originally designated by the Florida legislature in 1975; and

**WHEREAS**, the estimated cost for complete implementation of the “Keys Wastewater Plan” is Nine Hundred Thirty-Seven Million Dollars (\$937,000,000.00) with Six Hundred One Million Dollars (\$601,000,000.00) currently funded leaving an unfunded amount of Three Hundred Thirty-Six Million Dollars (\$336,000,000.00); and

**WHEREAS**, proposed Rule 28-20.140 of the Florida Administrative Code requires implementation of the "Keys Wastewater Plan" to achieve interim progress each year as determined by the State of Florida Administration Commission; and

**WHEREAS**, the bond funds are necessary to fund Keys wastewater management and disposal systems and achieve the interim progress required each year;

**NOW, THEREFORE, BE IT RESOLVED** by the Monroe County Board of County Commissioners:

**Section 1.** The Monroe County Board of County Commissioners requests that the Legislature of the State of Florida honor the authorization of Fifty Million Dollars (\$50,000,000.00) this fiscal year to be bonded through secured monies in the Save Our Everglades Trust Fund toward funding the Florida Keys Area of Critical State Concern protection program to restore and conserve natural systems through the implementation of wastewater management projects identified in the "Keys Wastewater Plan" dated November 2007 and submitted to the Florida House of Representatives on December 4, 2007.

**Section 2.** Upon adoption, The County Clerk is hereby directed to send a copy of this Resolution by US mail to:

**Speaker of the Florida House of Representatives**  
Honorable Dean Cannon  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300  
[dean.cannon@myfloridahouse.gov](mailto:dean.cannon@myfloridahouse.gov)

**President of the Florida Senate**  
Senator Mike Haridopolos  
409 The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100  
[haridopolos.mike.web@flsenate.gov](mailto:haridopolos.mike.web@flsenate.gov)

**Florida Department of Economic Opportunity**  
The Caldwell Building  
107 E. Madison Street  
Tallahassee, FL 32399-4120  
[Rebecca-Jetton@dca.state.fl.us](mailto:Rebecca-Jetton@dca.state.fl.us)

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Mayor David Rice \_\_\_\_\_  
Mayor *pro tem* Kim Wigington \_\_\_\_\_  
Commissioner Heather Carruthers \_\_\_\_\_  
Commissioner Sylvia Murphy \_\_\_\_\_  
Commissioner George Neugent \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Mayor David Rice

(SEAL)  
ATTEST: DANNY L. KOLHAGE, CLERK

\_\_\_\_\_  
Deputy Clerk

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
*[Signature]*  
DANNY A. HUTTON  
COUNTY ATTORNEY  
Date: 1/27/12