

RESOLUTION NO. 01-08-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, SUPPORTING THE WASTEWATER FUNDING DISTRIBUTION FORMULA APPROVED BY THE INTERGOVERNMENTAL TASK FORCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Keys are dependent upon the quality of our surrounding waters for our environmental and economic well-being; and

WHEREAS, Monroe County and the City of Marathon face a state-mandated deadline of the year 2010 for upgrading wastewater treatment systems; and

WHEREAS, the various municipal governments in the Keys along with Monroe County formed the Intergovernmental Task Force to address wastewater issues; and

WHEREAS, the Intergovernmental Task Force has agreed to and approved a Distribution Formula for federal and state wastewater appropriations; and

WHEREAS, the City Council desires to support the efforts of the Intergovernmental Task Force in securing the necessary federal and state wastewater funding.

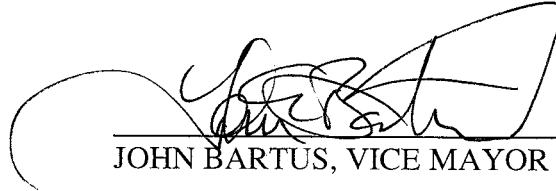
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City of Marathon, in support of the efforts of the Intergovernmental Task Force, hereby approves the Distribution Formula for Wastewater Funding attached herein as Exhibit "A."

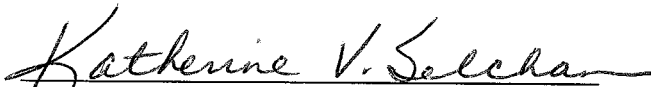
Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 14th day of August, 2001.



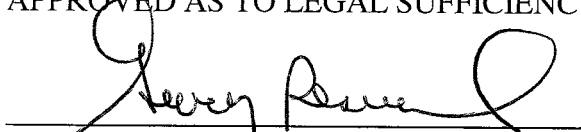
JOHN BARTUS, VICE MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY

#3879V1

SCANNED

8/16/01 #3895 KSV



Memo

Robert K. Miller
Mayor

John Bartus
Vice Mayor

Franklin D. Greenman
Councilman

Jon Johnson
Councilman

Randy Mearns
Councilman

Craig Wrathell,
Moyer & Associates
City Manager

Weiss Serota Helfman
Pastoriza & Guedes, P.A.
City Attorneys

DATE: August 13, 2001

ATTN: Marathon City Council

RE: Distribution Formula for Federal & State Wastewater Funding

FROM: John Bartus — JB

The Intergovernmental Task Force (IGTF), comprised of representatives from the municipal governments of Marathon, Key West, Islamorada, Key Colony Beach, and Layton, and the Monroe County Commission, approved the attached distribution formula for forthcoming state and federal wastewater funding. The ability of the various governments to come together and forge this agreement shall remain instrumental in making sure that we get these funds.

I am asking the City Council to formally approve this IGTF-recommended Distribution Formula to honor the unity and commitment of the various governmental bodies, and to ensure that our citizens get our fair share of federal and state funding. As we all know, this funding is absolutely necessary to ease the burden of complying with the State of Florida's unfunded 2010 wastewater mandate.

Thank you for your consideration of this extremely important matter.

PLEASE REPLY TO:

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- ☐ 210 N. University Drive, Suite 301 ■ Coral Springs, Florida 33071 ■ Phone: 954-753-5841 ■ Fax: 954-345-1292
☐ 10045-55 Overseas Highway ■ Marathon, FL 33050 ■ Phone: 305-743-0033 ■ Fax: 305-743-3667

Distribution Formula Approved by the Intergovernmental Task Force and presented for approval to the various Municipal Governments of the Florida Keys:

On the issue of the prioritization of projects for the \$100 million federal appropriation, the Intergovernmental Task Force determined that the immediate priority should be Key West stormwater and the three large municipal central wastewater treatment systems. It was acknowledged that Key West had stepped aside from a population-based claim on funds with the understanding that they would be a funding priority.

The IGTF recommended that all the priority projects should participate in any funding that occurs until such time as their promised amounts of funding were reached, as long as all such prioritized projects were deemed "ready to proceed" within the fiscal year in which an appropriation was made (see "readiness to proceed" document). If, however, any of those wastewater facility projects were not ready, Key West would see additional funds (and/or a higher percentage of funds) of its total to be received. Both Layton and Key Colony Beach would be a later year priority.

The following scenarios were allowed and supported by the group:

Should the \$30 million appropriation be made, it would be divided as follows:

\$8.5 million	Unincorporated Monroe	28.33%
\$8.5 million	Islamorada	28.33%
\$8.5 million	Marathon	28.33% ¹
\$4.5 million	Key West	15%
Totals: \$30 million		100%

The percentages above would hold for all projects ready for funding within the fiscal year for which the appropriation was made. If any of the wastewater projects proposed for funding should be found to be "not ready," then the division would be as follows:

\$9.85 million	Wastewater Project One	32.83% ²
\$9.85 million	Wastewater Project Two	32.83%
\$10.3 million	Key West	34.33%
Totals: \$30 million		100%

If two of the above mentioned wastewater projects were determined to be "not ready," the division would be as follows:

\$19.7 million	Wastewater Project One	65.67%
\$10.3 million	Key West	34.33%
Totals: \$30 million		100%

¹ Note that these figures will not always add up to 100% because of the decimal places proceeding beyond where demonstrated within the text of these minutes. Where decimals extend beyond that reflected here, 100% is a rough equivalent of the figures noted in the minutes, but an actual equivalent of the full figure, were its full decimal equivalent represented.

² See Footnote 1 above.

Should the appropriation be less than \$30 million, the division of funds would follow the percentages outlined above, not the numeric figures, for each of the scenarios detailed. For example, if the appropriation were to be \$15 million, and all parties were deemed to be "ready" within the appropriation fiscal year, the division would be as follows:

\$4.25 million	Unincorporated Monroe	28.33 ³ %
\$4.25 million	Islamorada	28.33%
\$4.25 million	Marathon	28.33%
\$2.25 million	Key West	15%
Totals: \$15 million		100%

If any one of the wastewater projects should not be ready to proceed, the division would be as follows:

\$4.925 million	Wastewater Project One	32.83 ⁴ %
\$4.925 million	Wastewater Project Two	32.83%
\$5.15 million	Key West	34.33%
Totals: \$15 million		100%

Once an appropriation is made or scheduled to be made, the Intergovernmental Task force will sit down with its state partners to review quarterly the readiness status of each and every prioritized project. If an amount of funding that is presumed too small to be divided, the IGTF will immediately schedule a meeting to propose funding for a project or project(s) for which substantial progress can be made SHOULD the IGTF determine that the funding formula proposed above is not workable under that condition.

Note that this entire funding scenario is based on the conviction of the Intergovernmental Task Force that we are stronger standing together, and supporting one another in everyone's moving forward. This funding formula is based upon a commitment by every municipal government to make progress on water quality issues, and to stand together until all such projects are funded.

Note also that, because state funding may well be forthcoming BEFORE the federal funds are in place, those funds will need to be made available along the lines of the distribution formula expressed above (for the federal funds) so that those priority projects may establish their "readiness to proceed" as quickly as possible).

END

³ See Footnote 1 above.

⁴ See Footnote 1 above.