

1 SOUTH FLORIDA WATER MANAGEMENT DISTRICT

2
3 RESOLUTION NO. 2006 - _____

4
5 A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER
6 MANAGEMENT DISTRICT ADVISING THE DEPARTMENT OF ENVIRONMENTAL
7 PROTECTION OF THE USE OF \$6,786.92 FROM THE WATER MANAGEMENT LANDS
8 TRUST FUND FOR THE 2005 PAYMENT IN LIEU OF TAXES TO HENDRY COUNTY
9 FOR ACTUAL AD VALOREM TAX LOSSES INCURRED AS A RESULT OF LAND
10 PURCHASED BY THE DISTRICT, REQUESTING THE DEPARTMENT TO REIMBURSE
11 THE DISTRICT FOR THIS PAYMENT; PROVIDING AN EFFECTIVE DATE
12

13 WHEREAS, in 1992 the Legislature enacted amendments to Section 373.59, Florida Statutes,
14 requiring water management district to make payments in lieu of taxes to qualifying counties for actual ad
15 valorem tax losses incurred as a result of lands purchased by a water management district under the
16 Preservation 2000 and/or Save our Rivers programs; and

17 WHEREAS, the Governing Board of the South Florida Water Management District (the "District")
18 has sufficient funds in its annual operating budget for payments in lieu of taxes; and

19 WHEREAS, the County Commission of Hendry County submitted an application to the District on
20 January 24, 2006, requesting payments in lieu of taxes for land acquired by the District in Hendry County
21 under the Preservation 2000 and/or Save our Rivers programs; and

22 WHEREAS, the District has verified that the acreage, source of funds used for land acquisitions,
23 and actual taxes lost by Hendry County, as indicated in the application, are accurate and appropriate; and

24 WHEREAS, the District has determined that Hendry County is qualified to receive payments in lieu
25 of taxes; and

26 WHEREAS, the County Tax Collector for Hendry County has certified that the payment amount
27 applied for is the average amount of actual taxes paid on the property for the three years immediately
28 preceding the acquisition thereof by the District and that the amount certified is reasonably appropriate; and

29 WHEREAS, the Florida Department of Revenue has certified as correct Hendry County's respective
30 millage rates and the actual taxes paid to the taxing authority for the three years immediately preceding the
31 acquisition by the District of certain lands located in Hendry County and that the amount certified by the
32 County in its application is reasonably appropriate; and

33 WHEREAS, the District has determined that is will make the payment in lieu of taxes to Hendry
34 County and seek reimbursement for the payment from the Florida Department of Environmental Protections;
35 and

36 WHEREAS, Section 62-402030(7), Florida Administrative Code, requires submission of a resolution
37 of the Governing Board of the District to the Department of Environmental Protection requesting the release
38 of funds from the Water Management Lands Trust Fund for payments in lieu of taxes;

39 NOW THEREFORE, BE IT RESOLVED by the Governing Board of the South Florida Water
40 Management District:

41 (1) It does hereby advise the Secretary of the Department of Environmental Protection of its

- 42 intent to utilize \$6,786.92 from the Water Management Lands Trust Fund for payment to
 43 Hendry County in lieu of taxes made for actual ad valorem tax losses incurred by Hendry
 44 County for the year 2005 as a result of lands purchased by the District
- 45 (2) The Governing Board hereby requests the Florida Department of Environmental Protection
 46 to reimburse the District for the payment to Hendry County
- 47 (3) A copy of this resolution shall be furnished to the Florida Department of Environmental
 48 Protection
- 49 (4) This Resolution shall take effect immediately upon adoption.
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Dollars	Fund	Internal Order	G/L Account
\$6,786.92	204000	AZ0000001430	541900

51
 52 Michelle Quej 7/7/06
 53 Budget Approved Date
 54

55
 56 **PASSED and ADOPTED** this ____ day of August, 2006.
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58 **Legal Form Approved:**

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 61 By: M. S. Butera
 62 Office of Counsel
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66 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT,**
 67 **BY ITS GOVERNING BOARD**

68 (Corporate Seal)
 69
 70

71
 72 By: _____
 73 Chair
 74

75 **ATTEST:**

76
 77
 78
 79 By: _____
 80 District Clerk/Secretary