

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
RESOLUTION NO. 2024-DD06**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH THE TOWN OF LOXAHATCHEE GROVES TO PROVIDE FOR USE OF TOWN STAFF, RESOURCES, AND PROCEDURES FOR THE ENFORCEMENT, ASSESSMENT, AND COLLECTION OF DRAINAGE WORKS NUISANCE ABATEMENT SERVICES WITHIN THE BOUNDARIES OF THE DISTRICT, FOR THE IMPLEMENTATION OF A VOLUNTARY CULVERT ASSESSMENT PROGRAM AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the Loxahatchee Groves Water Control District (“District”) has been authorized by the Florida Statutes and various special acts of the Legislature to construct, improve, manage and maintain water control and drainage facilities within the geographical boundaries of the District; and

WHEREAS, the District is authorized to impose non-ad valorem special assessments pursuant to various special acts of the Legislature; and

WHEREAS, Chapter 46 “Special Districts” of the Town’s Code of Ordinances establishes the District’s authority to levy special assessments against private real property for the cost of eliminating drainage works nuisance conditions on such properties in the form of repairs, maintenance, and/or replacement of drainage works that are in violation of Chapter 46, and the District wishes to collect such unpaid assessments using the uniform method procedures set forth in section 197.3632, Florida Statutes (“Uniform Method”) (collectively, “Abatement Services”); and

WHEREAS, Chapter 46 has been amended (or is in the adoption process) to provide for a Voluntary Culvert Assessment Program and the District will need to implement, administer, manage and monitor this program and its assessments which will also include the collection of such assessments using the Uniform Method (collectively, “Assessment Program Services”); and

WHEREAS, the Board of Supervisors has determined that the use of Town staff, resources, and procedures for Abatement Services, Assessment Program Services and other services as set forth in the Interlocal Agreement (attached hereto as Exhibit A and incorporated herein) is in the best interests of the landowners and the District and serves a valid public purpose; and

WHEREAS, notwithstanding the use of certain Town staff, resources, and procedures, the District will continue to retain ultimate supervision and control of the District and its powers and responsibilities established in Chapter 46 of the Town’s Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, THAT:

Section 1. Recitals. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. Approval and Execution. The Board of Supervisors of the Loxahatchee Groves Water Control District hereby approve the “Town of Loxahatchee Groves and Loxahatchee Groves Water Control District Interlocal Agreement” which is attached hereto as Exhibit A, and hereby authorize the Chairperson/President to execute the same on behalf of the Board of Supervisors. The Board of Supervisors hereby authorizes the District Administrator to take all actions necessary to implement this Interlocal Agreement.

Section 3. Conflicts. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability. If any clause, section, 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 applications of this Resolution.

Section 5. Effective Date. This Resolution shall become effective upon passage.

Supervisor _____ offered the foregoing resolution. Supervisor _____ seconded the motion.

**ADOPTED BY THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A
DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA,
THIS 12th DAY OF NOVEMBER, 2024.**

**LOXAHATCHEE GROVES WATER
CONTROL DISTRICT**

ATTEST:

Clerk for the Loxahatchee Groves
Water Control District

APPROVED AS TO LEGAL FORM:

Attorney for the Loxahatchee Groves
Water Control District

Voted:
Chairperson/President Anita Kane

Voted:
Supervisor/Treasurer Margaret Herzog

Voted:
Supervisor Robert Shorr

Voted:
Supervisor Laura Danowski

Voted:
Supervisor Phillis Maniglia