RESOLUTION NO. AC2014-04

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A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT APPROVING THE ENGINEER'S REPORT FOR THE PROPOSED FIRST AMENDMENT TO THE 2010 WATER CONTROL PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Acme Improvement District (ACME) relies upon the authority contained in its enabling legislation and applicable provisions of Chapter 298, Florida Statutes (together the "Act"), in order to design, fund and construct therein authorized works and activities; and

WHEREAS, the ACME Board of Supervisors received a staff recommendation that it amend ACME's current Water Control Plan and authorize a supplement to the current Report of Engineer in order to authorize additional capital improvement projects for the purpose of improving the overall performance of the storm water management system and associated facilities within ACME; and

WHEREAS, on February 25, 2014, the Board of Supervisors adopted a Resolution approving consideration of the adoption of the proposed Amendment to ACME's Water Control Plan; and

WHEREAS, on April 22, 2014, the Board of Supervisors held a Public Hearing to receive comments on the proposed Amendment to the Water Control Plan and, after having determined that no comments or objections were submitted as to the proposed Amendment, directed ACME's Engineer to commence preparation of the supplemental Engineer's Report to address the proposed and pending Amendment to the Water Control Plan; and

WHEREAS, the supplemental Engineer's Report on the proposed Amendment to the Water Control Plan was filed with the Secretary of ACME on May 29, 2014; and

WHEREAS, pursuant to the provisions of the Act and following notice and publication thereof, the Board of Supervisors held a Public Hearing on this same date for final consideration of the proposed and pending Amendment to the Water Control Plan and supplemental Report of Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT, that:

1. The Board of Supervisors finds that any and all written objections submitted or made at or before today's duly advertised and convened Public Hearing on the final adoption of the proposed and pending Amendment to the Water Control Plan and supplemental Engineer's Report, having been adequately addressed to the satisfaction of the Board.

2. Following examination of the supplemental Engineer's Report, the Board of Supervisors finds that the estimated cost of construction of the improvements contemplated in the proposed and pending Amendment to the Water Control Plan is less than the aggregate determined benefits for the lands subject to said Amendment to the Water Control Plan.
3. Based on the above determinations and findings, the Board of Supervisors does hereby:
(A) Approve, adopt and confirm the proposed and pending Amendment to the Water Control Plan, a true and correct copy of said Amendment is attached hereto and identified as Exhibit "A".
(B) Approve, adopt and confirm the supplemental Engineer's Report regarding the Amendment to the Water Control Plan, including all of the recommendations and findings contained therein, a true and correct copy of said Report is attached hereto and identified as Exhibit "B".
4. All Resolutions or parts of Resolutions in conflict herewith are hereby
repealed. 5. This Resolution shall take effect upon its adoption.
SECTION 1. The foregoing recitals are hereby affirmed and ratified.
SECTION 2. The Board of Supervisors of the Acme Improvement District hereby approve the Engineer's Report for the Proposed First Amendment to the 2010 Water Control Plan.
SECTION 3. This Resolution shall become effective immediately upon adoption.
PASSED AND ADOPTED this 8 th day of July, 2014.
ATTEST: ACME IMPROVEMENT DISTRICT
By: By:
By: By: Bob Margolis, Board President
APPROVED AS TO FORM AND LEGAL SUFFICIENCY
Bv:

Laurie Cohen, Board Attorney