



Community Development District

Board of Supervisors
2022-2023 Budget Hearing

Thursday, June 23, 2022 at 8:30 a.m.

505 Whiskey Creek Drive
Marco Island, FL 34145

AGENDA

- A. Call to Order
- B. Proof of publication
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public
- F. Public Hearing
 - a. Receive Public Comments on Fiscal Year 2022/2023 Final Budget
 - i. Consider Resolution No. 2022-XX, Adopting a Fiscal Year 2022/2023 Final Budget
 - ii. Consider Resolution No. 2022-XX, Levying and Imposing Non-Ad Valorem Maintenance Special Assessments
- G. Adjourn

Text of Ad: 06/03/2022

KEY MARCO COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF REGULAR BOARD MEETING AND NOTICE OF PUBLIC HEARINGS TO RECEIVE PUBLIC COMMENT ON THE FISCAL YEAR 2022-23 PROPOSED FINAL BUDGET(S); NOTICE OF PUBLIC HEARING TO CONSIDER THE IMPOSITION OF MAINTENANCE AND OPERATION SPECIAL ASSESSMENTS; ADOPTION OF AN ASSESSMENT ROLL; AND PROVIDING FOR THE LEVY, COLLECTION AND ENFORCEMENT OF THE SAME

The Board of Supervisors ("Board") of Key Marco Community Development District ("District") will hold regular meeting and conduct public hearings on Thursday, June 23, 2022 at 8:30 a.m. at the Key Marco Community Center, 505 Whiskey Creek Drive, Marco Island, Florida 34145.

The purpose of the public hearings is to receive public comment and objections on the Fiscal Year 2022-23 Proposed Final Budget, to consider the adoption of an assessment roll, to consider the imposition of special assessments to fund the proposed budget upon the lands located within the District, and to provide for the levy, collection and enforcement of the non-ad valorem assessments. The public hearings are being conducted pursuant to Chapters 190 and 197, Florida Statutes. The purpose of the regular meeting is to conduct any business which may properly come before the Board.

The District may also fund various facilities through the collection of certain rates, fees and charges, which are identified within the budget. A copy of the Proposed Final Budget, preliminary assessment roll and/or the agenda for the hearings/meeting may be obtained at the offices of the District Manager at 505 Whiskey Creek Drive, Marco Island, Florida 34145, ph: (239) 394-4346 during normal business hours. In accordance with Section 189.016, Florida Statutes, the proposed budget will be posted on the District's website <http://www.keymarcocdd.com/> at least two days before the budget public hearings.

The Board will also consider any other business which may properly come before it. The meeting/hearing is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The meeting/hearing may be continued to a date, time, and place to be specified on the record at the meeting/hearing. There may be occasions when one or more Supervisors will participate by telephone.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting/hearing because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting/hearing. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the hearings/meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Katie Maline
District Manager

Pub Date: June 8, 15, 2022 #5287612

PRELIMINARY - BUDGET
FISCAL YEAR 2022-2023

KEY MARCO
COMMUNITY DEVELOPMENT DISTRICT

April 20, 2022

DRAFT #1 March 22, 2022

DRAFT #2 - Approved 4-20-2022 KM CDD Board of Supervisors

KEY MARCO

Community Development District

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KEY MARCO

Community Development District

General Fund

DESCRIPTION	Adopted Budget FY 2021-2022	Actual Thru 3/31/2022	Projected Next 6 Months	Total Projected 9/30/2022	Proposed Budget FY 2022-2023
REVENUES					
Maintenance Assessments - Levy	\$254,600	\$207,100	\$47,500	\$254,600	\$214,400
Maintenance Assessments - Discounts (4%)	(\$10,184)	(\$4,940)	(\$1,900)	(\$6,840)	(\$8,040)
Road Use Fee	\$5,000	\$3,623	\$1,377	\$5,000	\$5,000
Interest Income	\$1,300	\$184	\$200	\$384	\$500
FEMA Proceeds	\$0	\$0	\$0	\$0	\$0
Miscellaneous Income	\$0	\$0	\$0	\$0	\$0
TOTAL REVENUES	\$250,716	\$205,967	\$47,177	\$253,144	\$211,860
EXPENDITURES					
Administrative					
Supervisors Fees	\$5,000	\$2,000	\$3,000	\$5,000	\$5,000
Fica Taxes	\$0	\$0	\$0	\$0	\$0
Engineering Fees	\$12,000	\$7,708	\$5,000	\$12,708	\$9,000
Attorney Fees	\$5,000	\$4,502	\$3,000	\$7,502	\$5,000
Management Fees	\$55,000	\$27,498	\$27,500	\$54,998	\$10
Property Appraiser Admin Costs	\$6,365	\$0	\$0	\$0	\$1,020
Assessments Rolls	\$1,000	\$1,000	\$0	\$1,000	\$1,000
Tax Collector (2% Commission)	\$5,098	\$3,988	\$950	\$4,938	\$5,098
Accounting Services	\$0	\$0	\$0	\$0	\$0
Audit Fees	\$5,000	\$0	\$5,000	\$5,000	\$5,000
Postage	\$0	\$21	\$0	\$21	\$0
Rentals & Leases	\$300	\$130	\$180	\$310	\$360
Insurance - General Liability	\$30,000	\$28,234	\$0	\$28,234	\$30,000
Legal Advertising	\$1,000	\$399	\$500	\$899	\$1,000
Bank Fees	\$0	\$0	\$0	\$0	\$0
Transcribing Costs	\$1,000	\$295	\$400	\$695	\$1,000
Computer Support	\$600	\$300	\$300	\$600	\$600
Office Supplies	\$300	\$69	\$0	\$69	\$300
Dues, Licenses, Subscriptions	\$175	\$175	\$0	\$175	\$175
TOTAL ADMINISTRATIVE	\$127,838	\$76,318	\$45,830	\$122,148	\$64,563
	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0	\$0
	\$0		\$0	\$0	\$0
	\$0	\$0	\$0	\$0	\$0
Capital Expenditures & Projects					
Roads	\$50,000	\$13,778	\$0	\$0	\$70,000
Solar Streetlighting	\$12,000	\$0	\$0	\$0	\$12,000
Bridge Reserves	\$18,000	\$0	\$0	\$0	\$18,000
Bridge Inspection Reserves	\$5,000	\$0	\$0	\$0	\$5,000
Bridge Painting	\$17,000	\$0	\$0	\$0	\$27,000
Gatehouse Gates	\$3,000	\$0	\$0	\$0	\$0
TOTAL CAPITAL EXPENDITURES & PROJECTS	\$105,000	\$13,778	\$0	\$0	\$132,000

KEY MARCO

Community Development District

General Fund

DESCRIPTION	Adopted Budget FY 2021-2022	Actual Thru 3/31/2022	Projected Next 6 Months	Total Projected 9/30/2022	Proposed Budget FY 2022-2023
Lighting					
Utilities-Electric	\$0	\$0	\$0	\$0	\$0
R&M - General	\$0	\$0	\$0	\$0	\$0
Misc.-Holiday Lighting	\$0	\$0	\$0	\$0	\$0
TOTAL LIGHTING	\$0	\$0	\$0	\$0	\$0
Access Control					
Contractual Services	\$0	\$0	\$0	\$0	\$0
Utilities-Electric	\$0	\$0	\$0	\$0	\$0
R&M-Gate	\$0	\$0	\$0	\$0	\$0
R&M-Gatehouse	\$0	\$0	\$0	\$0	\$0
Operating Supplies-General	\$0	\$0	\$0	\$0	\$0
TOTAL ACCESS CONTROL	\$0	\$0	\$0	\$0	\$0
Road Maintenance					
Repairs & Maintenance Catch Basins & Culverts	\$12,000	\$0	\$0	\$0	\$12,000
TOTAL FIELD	\$12,000	\$0	\$0	\$0	\$12,000
TOTAL EXPENDITURES	\$244,838	\$90,096	\$45,830	\$122,148	\$208,563
EXCESS REVENUES (EXPENDITURES)	\$5,878	\$115,871	\$1,347	\$130,995	\$3,297
NET CHANGE IN FUND BALANCE	\$5,878	\$115,871	\$1,347	\$130,995	\$3,297
FUND BALANCE - BEGINNING	\$627,546	\$627,546	\$0	\$627,546	\$758,541
FUND BALANCE - ENDING	\$633,424	\$743,417	\$1,347	\$758,541	\$761,838

Net Assessment	\$201,000
Discounts 4%	\$8,040
Gross Assessment	\$192,960

<u>Unit Type</u>	<u># of Units</u>	<u>Gross Per Unit</u>	<u>Gross Total</u>
Single Family Home	134	\$1,600	\$214,400
	134		\$214,400

KEY MARCO
Community Development District

EXHIBIT "A"
Allocation of Fund Balances

<u>AVAILABLE FUNDS</u>	<u>AMOUNT</u>
Beginning Fund Balance - Fiscal Year 2022	\$758,541
Net Change in Fund Balance - Fiscal Year 2021	\$0
Reserves - Fiscal Year 2021 Additions	\$0
TOTAL FUNDS AVAILABLE (ESTIMATED) - 9/30/2022	\$758,541
 <u>ALLOCATION OF AVAILABLE FUNDS</u>	
Assigned Fund Balance	
Operating Reserve - First Quarter Operating Capital	\$102,000
Subtotal	<u>\$102,000</u>
TOTAL ALLOCATION OF AVAILABLE FUNDS	\$102,000
TOTAL UNAASIGNED (UNDESIGNATED) CASH	<u>\$656,541</u>

DRAFT #2 - Approved 4-20-2022 KM CDD Board of Supervisors

KEY MARCO

COMMUNITY DEVELOPMENT DISTRICT

ADOPTED GENERAL FUND BUDGET
FISCAL YEAR 2023

REVENUES:

Interest Income

The District earns interest on the monthly average collected balance for their money market account and operating account.

Special Assessments-Levy

The District will levy a non ad-valorem special assessment on all taxable property within the District to fund all of the General Operating Expenditures for the fiscal year.

Special Assessments-Discounts

Per Section 197.162, Florida Statutes, discounts are allowed for early payment of assessments up to a maximum of 4%.

EXPENDITURES:

Administrative:

Supervisor Fees

The Florida Statutes allows each board member to receive \$200 per meeting not to exceed \$5,000 in one year. The amount for the fiscal year is based upon all 5 supervisors attending the estimated 5 meetings.

Engineering Fees

The District's engineer will be providing general engineering services to the District including attendance and preparation for board meetings, etc.

Attorney

The District's legal counsel will be providing general legal services to the District, i.e., attendance and preparation for monthly meetings, review operating and maintenance contracts, etc.

Management Fees

The District receives Management and Administrative services as part of a Management Agreement with Key Marco Association Inc.

Property Appraiser

The Property Appraiser provides the District with a listing of the legal description of each property parcel within the District boundaries, and the names and addresses of the owners of such property. The District reimburses the Property Appraiser for necessary administrative costs incurred to provide this service. Per the Florida Statutes, administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming.

Assessment Roll Costs

Administrative costs for preparation of the District's assessment roll are prepared by AJC Associates, Inc. The annual fee for fiscal year 2021– 2022 is \$1,000.

KEY MARCO

COMMUNITY DEVELOPMENT DISTRICT

ADOPTED GENERAL FUND BUDGET
FISCAL YEAR 2023

Assessment Roll Costs

The District reimburses the Tax Collector for her or his necessary administrative costs. Per the Florida Statutes, administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The District also compensates the Tax Collector for the actual cost of collection or 2.0% on the amount of special assessments collected and remitted, whichever is greater. The budget for collection costs was based on a maximum of 2.0% of the anticipated assessment collections.

Annual Audit

The District is required annually to conduct an audit of its financial records by an Independent Certified Public Accounting Firm.

Rentals and Leases

Storage of District public records.

Insurance

The District's General Liability, Commercial Property & Public Officials Liability Insurance policy is with Public Risk Insurance Agency. The Public Risk Insurance Agency provides insurance coverage to governmental agencies.

Legal Advertising

The District is required to advertise various notices for monthly Board meetings, public hearings, etc. in a newspaper of general circulation.

Transcribing Costs

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes etc. The District also receives Transcription services from Pam Arsenault for meeting and landowner minutes.

Computer Support

The District is mandated to post on the internet the approved and adopted budgets, minutes and audits per State requirements. This service includes Website hosting and annual domain renewal.

Office Supplies

Miscellaneous office supplies.

Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

RESOLUTION 2022-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF KEY MARCO COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS OF THE DISTRICT AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, AND REFERENCING THE MAINTENANCE AND BENEFIT SPECIAL ASSESSMENTS TO BE LEVIED BY THE DISTRICT FOR SAID FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the June 15, 2022, submitted to the Board of Supervisors (the “**Board**”) a proposed budget for the next ensuing budget year along with an explanatory and complete financial plan for each fund of Key Marco Community Development District (the “**District**”), pursuant to the provisions of Section 190.008(2)(a), Florida Statutes; and

WHEREAS, at least sixty (60) days prior to the adoption of the proposed annual budget and any proposed long-term financial plan or program of the District for future operations (the “**Proposed Budget**”) the District filed a copy of the Proposed Budget with the general purpose local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), Florida Statutes; and

WHEREAS, District further posted the Proposed Budget on its website as required pursuant to Section 189.016, Florida Statutes; and

WHEREAS, the Board set June 23, 2022, as the date for a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), Florida Statutes; and

WHEREAS, Section 190.008(2)(a), Florida Statutes requires that, prior to October 1 of each year, the Board by passage of the Annual Appropriation Resolution shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget on a Cash Flow Budget basis, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year; and

WHEREAS, Section 190.021, Florida Statutes provides that the Annual Appropriation Resolution shall also fix the Maintenance Special Assessments and Benefit Special Assessments upon each piece of property within the boundaries of the District benefited, specifically and peculiarly, by the maintenance and/or capital improvement programs of the District, such levy representing the amount of District assessments necessary to provide for payment during the ensuing budget year of all properly authorized expenditures to be incurred by the District, including principal and interest of special revenue, capital improvement and/or benefit assessment bonds, in order for the District to exercise its various general and special powers to implement its single and specialized infrastructure provision purpose; and

WHEREAS, the Board finds and determines that the non-ad valorem special assessments it imposes and levies by this Resolution for maintenance on the parcels of property involved will constitute a mechanism by which the property owners lawfully and validly will reimburse the District for those certain special and peculiar benefits the District has determined are received by, and flow to, the parcels of property from the systems, facilities and services being provided, and that the special and peculiar benefits are apportioned in a manner that is fair and reasonable in accordance with applicable assessment methodology and related case law; and

WHEREAS, the Chair of the Board may designate the District Manager or other person to certify the non-ad valorem assessment roll to the Tax Collector in and for Collier County political subdivision on compatible electronic medium tied to the property identification number no later than September 15, 2022 so that the Tax Collector may merge that roll with others into the collection roll from which the November tax notice is to be printed and mailed; and

WHEREAS, the proceeds from the collections of these imposed and levied non-ad valorem assessments shall be paid to the District; and

WHEREAS, the Tax Collector, under the direct supervision of the Florida Department of Revenue performs the state work in preparing, mailing out, collecting and enforcing against delinquency the non-ad valorem assessments of the District using the Uniform Collection Methodology for non-ad valorem assessments; and

WHEREAS, if the Property Appraiser and the Tax Collector have adopted a different technological procedure for certifying and merging the rolls, then that procedure must be worked out and negotiated with Board approval through the auspices of the District Manager before there are any deviations from the provisions of Section 197.3632, Florida Statutes, and Rule 12D-18, Florida Administrative Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KEY MARCO COMMUNITY DEVELOPMENT DISTRICT;

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

Section 2. Budget.

a. The Board has reviewed the District Manager’s Proposed Budget, a copy of which is on file with the office of the District Treasurer and the office of the Recording Secretary, and is hereby attached to this Resolution, and hereby approves certain amendments thereto, as referenced herein.

b. The District Manager’s Proposed Budget, as amended by the Board, is adopted hereby in accordance with the provisions of Section 190.008(2)(a), Florida Statutes and incorporated herein by reference; provided, however, that the comparative figures contained in the adopted budget may be revised subsequently as deemed necessary by the District Manager to reflect actual revenues and expenditures for Fiscal Year 2021-22 and/or revised projections for Fiscal Year 2022-23.

c. The adopted budget, as amended, shall be maintained in the office of the District Treasurer and the District Recording Secretary and identified as “The Budget for Key Marco Community Development District for the Fiscal Year Ending September 30, 2023”, as adopted by the Board of Supervisors on June 23, 2022.

political subdivision, in accordance with applicable provisions of State law (Chapters 170, 190 and 197, Florida Statutes) and applicable rules (Rule 12D-18, Florida Administrative Code) which shall include not only the maintenance special assessment levy but also the total for the debt service levy, as required by and pursuant to law.

Section 6. Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of Key Marco Community Development District this 23rd day of June, 2022.

Attest:

**KEY MARCO COMMUNITY
DEVELOPMENT DISTRICT**

Katie Maline, Secretary

Mary Beth Schewitz, Chair

Exhibit “A”

RESOLUTION 2022-03

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
KEY MARCO COMMUNITY DEVELOPMENT DISTRICT
LEVYING AND IMPOSING NON-AD VALOREM
MAINTENANCE SPECIAL ASSESSMENTS FOR KEY
MARCO COMMUNITY DEVELOPMENT DISTRICT AND
CERTIFYING AN ASSESSMENT ROLL FOR FISCAL
YEAR 2022-23; PROVIDING A SEVERABILITY CLAUSE;
PROVIDING FOR CONFLICT AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Key Marco Community Development District (the “**District**”) is a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in the City of Marco Island in Collier County, Florida (the “**County**”); and

WHEREAS, the District has constructed or acquired certain public improvements within the District and provides certain services in accordance with Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District (“**Board**”) hereby determines to undertake various operations and maintenance activities described in the District’s general fund budget for Fiscal Year 2022-23 attached hereto as Exhibit “A” and incorporated by reference herein (“**Operations and Maintenance Budget**”); and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Operations and Maintenance Budget for Fiscal Year 2022-23; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, Florida Statutes, provides that the District may impose special assessments on benefited lands within the District; and

WHEREAS, Chapter 197, Florida Statutes, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”); and

WHEREAS, the District has previously evidenced its intention to utilize the Uniform Method; and

WHEREAS, the District has approved an Agreement with the Property Appraiser and Tax Collector of the County to provide for the collection of the special assessments under the Uniform Method; and

WHEREAS, the Board finds that the District's total Operations and Maintenance special assessments, taking into consideration other revenue sources during Fiscal Year 2022-23 (defined as October 1, 2022 through September 30, 2023), will amount to \$ _____; and

WHEREAS, the Board finds that the non-ad valorem special assessments it levies and imposes by this resolution for operation and maintenance on the parcels of property involved will reimburse the District for certain special and peculiar benefits received by the property flowing from the maintenance of the improvements, facilities and services apportioned in a manner that is fair and reasonable, in accordance with the applicable assessment methodology as adopted by the District; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments; and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the District (the "**Assessment Roll**") attached to this Resolution as Exhibit "B" and incorporated as a material part of this Resolution by this reference, and to certify the Assessment Roll to the County Tax Collector pursuant to the Uniform Method; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll, certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KEY MARCO COMMUNITY DEVELOPMENT DISTRICT OF COLLIER COUNTY, FLORIDA;

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

Section 2. Benefit. The provision of the services, facilities, and operations as described in Exhibit "A" confer a special and peculiar benefit to the lands within the District, which benefits exceed or equal the costs of the Assessments (as defined below). The allocation of the costs to the specially benefitted lands is shown in Exhibits "A" and "B".

Section 3. Assessment Imposition. A special assessment for operations and maintenance as provided for in Chapter 190, Florida Statutes is hereby imposed and levied on the benefitted lands within the District in accordance with Exhibits "A" and "B" (the "**Assessments**"). The lien of the Assessments imposed and levied by this Resolution shall be effective upon passage of this Resolution.

Section 4. Collection. The collection of the Assessments shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method.

Section 5. Assessment Roll. The District's Assessment Roll, attached to this Resolution as Exhibit "B," is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to Key Marco Community Development District. The Chair of the Board designates the District Manager to perform the certification duties. A copy of this Resolution be transmitted to the proper public officials so that its purpose and effect may be carried out in accordance with law.

Section 6. Assessment Roll Amendment. The District Manager shall keep apprised of all updates made to the County property tax roll by the Property Appraiser after the date of this Resolution, and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized by

Florida law, to the County property tax roll. After any amendment of the Assessment Roll, the District Manager shall file the updates to the property tax roll in the District records.

Section 7. Conflict. All Resolutions, sections or parts of sections of any Resolutions or actions of the Board in conflict are hereby repealed to the extent of such conflict.

Section 8. Severability. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

Section 9. Effective Date. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of the District.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of Key Marco Community Development District this 23rd day of June, 2022.

Attest:

**KEY MARCO COMMUNITY
DEVELOPMENT DISTRICT**

Katie Maline, Secretary

Mary Beth Schewitz, Chair

Exhibit "A"

Exhibit “B”