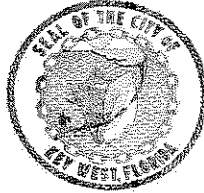


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THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

To: The City Commission for the City of Key West
From: Ron Ramsingh, Assistant City Attorney
Date: November 26, 2013
RE: Comm. Lopez Resolution to waive back due Sewer, Storm Water, Solid Waste fees for 326 Truman Avenue.

Action statement:

A proposed resolution to waive all back due sewer, storm water, and solid waste fees that are currently in arrears for the property located at 326 Truman Ave. This Resolution is sponsored by Commissioner Lopez.

Background: The property at 326 Truman Avenue contains 2 units; only one of which was historically recognized by the City of Key West. Pursuant to a Code Compliance case, the owner of the property sought to obtain a Lawful Unit Determination from the Planning Department in order to bring the issue of lawful units at the property into compliance. A favorable determination was made in the property owner's favor, however, as per Sec. 14-1: "The city and its agencies, departments, boards and authorities shall not issue any permit, approval, development order, variance, or certificate on any lot or parcel of property in the city until all fees, fines, charges and assessments of any nature due or accruing to the city have been paid on the subject parcel or lot." Therefore, since \$14,139.86 is currently due and owing on the property, the property cannot receive the Lawful Unit Determination until said fees are paid (or waived).

Options:

1. Approve the proposed waiver of back due sewer, storm water, and solid waste fees amounting to \$14,139.86 thereby allowing the subject property to receive its Lawful Unit Determination
 2. Deny the waiver of fees and the Code Compliance case will proceed accordingly.
-

Recommendation:

Neither the Legal Department, nor city management can recommend approval of this Resolution as it does not conform to the City's overall best financial interests and consistent past practices.

326 Truman Ave				
Period	#Months	Charge	Total	
Jan 90 - Sep 90	8	\$ 17.54	\$ 140.32	
Oct 90 - Sep 91	12	\$ 17.54	\$ 210.48	
Oct 91 - Sep 92	12	\$ 17.54	\$ 210.48	
Oct 92 - Sep 93	12	\$ 17.54	\$ 210.48	
Oct 93 - Sep 94	12	\$ 17.54	\$ 210.48	
Oct 94 - Sep 95	12	\$ 17.54	\$ 210.48	
Oct 95 - Sep 96	12	\$ 17.54	\$ 210.48	
Oct 96 - Sep 97	12	\$ 17.54	\$ 210.48	
Oct 97 - Sep 98	12	\$ 17.54	\$ 210.48	
Oct 98 - Sep 99	12	\$ 17.54	\$ 210.48	
Oct 99 - Sep 00	12	\$ 22.09	\$ 265.08	
Oct 00 - Sep 01	12	\$ 22.09	\$ 265.08	
Oct 01 - Sep 02	12	\$ 19.09	\$ 229.08	
Oct 02 - Sep 03	12	\$ 19.09	\$ 229.08	
Oct 03 - Sep 04	12	\$ 19.57	\$ 234.84	
Oct 04 - Sep 05	12	\$ 20.06	\$ 240.72	
Oct 05 - Sep 06	12	\$ 20.76	\$ 249.12	
Oct 06 - Sep 07	12	\$ 21.63	\$ 259.56	
Oct 07 - Sep 08	12	\$ 22.21	\$ 266.52	
Oct 08 - Sep 09	12	\$ 22.91	\$ 274.92	
Oct 09 - Sep 10	12	\$ 23.23	\$ 278.76	
Oct 10 - Sep 11	12	\$ 23.23	\$ 278.76	
Oct 11 - Sep 12	12	\$ 23.23	\$ 278.76	
Oct 12 - Sep 13	12	\$ 23.23	\$ 278.76	
Oct 13- Dec 13	3	\$ 22.77	\$ 68.31	
SEWER		TOTAL	\$ 5,731.99	
Period	#Months	Charge	Total	
Jan 90 - Sep 90	8	\$ 29.58	\$ 236.64	
Oct 90 - Sep 91	12	\$ 29.58	\$ 354.96	
Oct 91 - Sep 92	12	\$ 29.58	\$ 354.96	
Oct 92 - Sep 93	12	\$ 27.92	\$ 335.04	
Oct 93 - Sep 94	12	\$ 26.66	\$ 319.92	
Oct 94 - Sep 95	12	\$ 25.66	\$ 307.92	
Oct 95 - Sep 96	12	\$ 24.58	\$ 294.96	
Oct 96 - Sep 97	12	\$ 24.58	\$ 294.96	
Oct 97 - Sep 98	12	\$ 23.33	\$ 279.96	
Oct 98 - Sep 99	12	\$ 23.33	\$ 279.96	
Oct 99 - Sep 00	12	\$ 22.50	\$ 270.00	
Oct 00 - Sep 01	12	\$ 22.50	\$ 270.00	
Oct 01 - Sep 02	12	\$ 22.50	\$ 270.00	
Oct 02 - Sep 03	12	\$ 22.50	\$ 270.00	
Oct 03 - Sep 04	12	\$ 22.84	\$ 274.08	

Oct 04 - Sep 05	12	\$ 22.84	\$ 274.08
Oct 05 - Sep 06	12	\$ 23.50	\$ 282.00
Oct 06 - Sep 07	12	\$ 24.25	\$ 291.00
Oct 07 - Sep 08	12	\$ 25.02	\$ 300.24
Oct 08 - Sep 09	12	\$ 25.84	\$ 310.08
Oct 09 - Sep 10	12	\$ 25.84	\$ 310.08
Oct 10 - Sep 11	12	\$ 26.60	\$ 319.20
Oct 11 - Sep 12	12	\$ 26.60	\$ 319.20
Oct 12 - Sep 13	12	\$ 27.13	\$ 325.56
FY 2014	1		\$ 319.05
GARBAGE	TOTAL		\$ 7,463.85
Period	#Months	Charge	Total
Aug 02 - Sep 02	2	\$ 4.00	\$ 8.00
Oct 02 - Sep 03	12	\$ 4.00	\$ 48.00
Oct 03 - Sep 04	12	\$ 5.00	\$ 60.00
Oct 04 - Sep 05	12	\$ 5.16	\$ 61.92
Oct 05 - Sep 06	12	\$ 5.34	\$ 64.08
Oct 06 - Sep 07	12	\$ 5.87	\$ 70.44
Oct 07 - Sep 08	12	\$ 7.05	\$ 84.60
Oct 08 - Sep 09	12	\$ 7.35	\$ 88.20
Oct 09 - Sep 10	12	\$ 7.35	\$ 88.20
Oct 10 - Sep 11	12	\$ 7.50	\$ 90.00
Oct 11 - Sep 12	12	\$ 7.68	\$ 92.16
Oct 12 - Sep 13	12	\$ 7.80	\$ 93.60
FY 2014	1		\$ 94.82
STORM	TOTAL		\$ 944.02
	TOTAL CHARGES		\$ 14,139.86