

# Key Largo Wastewater Treatment District Board of Commissioners Meeting Agenda Item Summary

Meeting Date:  
October 1, 2024

Agenda Item Number: F-1

Action Required:  
Yes

Department:  
Legal

Sponsor:  
Nick Mulick

Subject:  
**Minutes of September 3, 2024**

Summary:  
Staff to present the minutes of September 3, 2024, for approval.

## Reviewed / Approved

## Financial Impact

## Attachments

Operations: \_\_\_\_\_  
Administration: \_\_\_\_\_  
Finance: \_\_\_\_\_  
District Counsel: \_\_\_\_\_  
District Clerk: \_\_\_\_\_  
Engineering: \_\_\_\_\_

\$  
  
Funding Source:  
N/A  
  
Budgeted:  
N/A

1. Minutes

Approved By: \_\_\_\_\_

General Manager



Date: \_\_\_\_\_

09/26/2024



Key Largo Wastewater Treatment District  
103355 Overseas Hwy, Key Largo, FL  
Tuesday, September 3, 2024

## MINUTES

### **CALL TO ORDER (A)**

Chairman Nicolas Rodriguez called the meeting to order at 4:00 p.m.

### **PLEDGE OF ALLEGIANCE (B)**

Commissioner Sue Heim led the Pledge of Allegiance.

### **ROLL CALL (C)**

Present were: Chairman Nicolas Rodriguez; Commissioners Sue Heim, and Robert Majeska

Present Virtually: Commissioner Timothy Maloney and Philip Schwartz (non-voting)

Also present: General Manager Peter Rosasco; General Counsel Nicholas Mulick; District Clerk Shannon McCully; Finance Manager Connie Fazio; Field Manager Rudy Perez; Weiler Engineering Lexi Connor; IT Support Manny Santana.

Appeared Virtually: Project Administration and HR Coordinator Laura Weinstock; Plant/Facilities Manager Ryan Dempsey; Weiler Engineering Ed Castle; IT Consultant Randy Redmond

Guest: Florida Technical Consultants James Barton

Guests (Appeared Virtually): BS&A Keegan Nixon

### **AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS (D)**

*Approval of Agenda (D-1)*

Commissioner Majeska requested the addition of items *G-2 Islamorada* and *L-2 Forever Chemicals*.

Commissioner Heim requested *I-1* and *I-2* be presented after *F-1*

Ms. Fazio requested item *J-2* be presented before item *J-1*

**Motion:** Commissioner Heim made a motion to approve the agenda as amended. Commissioner Majeska seconded the motion. Motion passed without objection.

### **PUBLIC COMMENT (E)**

No speakers.

### **APPROVAL OF MINUTES (F)**

*Minutes of August 20, 2024 (F-1)*

**Motion:** Commissioner Majeska made a motion to approve the minutes of August 20, 2024. Commissioner Heim seconded the motion. Motion passed without objection.

**GENERAL MANAGER (G)**

*September 17, 2024, Meeting (G-1)*

Mr. Rosasco discussed canceling the September 17, 2024, Board Meeting.

**Motion:** Commissioner Heim made a motion to cancel the September 17, 2024, Board Meeting. Commissioner Majeska seconded the motion.

**Vote on Motion:**

**Commissioner Heim – Aye  
Commissioner Majeska – Aye  
Commissioner Maloney – Aye  
Chairman Rodriguez – Aye**

*Islamorada (G-2)*

Commissioner Majeska suggested that after the November 2024 election, the District send a letter to Islamorada council members regarding the KLWTD – Islamorada ILA. The recent sewer pipe break was also discussed. The Board will consider the letter suggestion at a future Board meeting.

**CUSTOMER SERVICE (H)**

No report in agenda.

**IT (I)**

*GIS Utility Updates and Maintenance (I-1)*

Mr. James Barton presented a proposal for updating KLWTD's GIS.

**Motion:** Commissioner Heim made a motion to approve I-1 at the stated financial impact. Commissioner Majeska seconded the motion.

**Vote on Motion:**

**Commissioner Heim – Aye  
Commissioner Majeska – Aye  
Commissioner Maloney – Aye  
Chairman Rodriguez – Aye**

*GIS Utility Update Training (I-2)*

Mr. James Barton presented a proposal for GIS Utility Update Training.

**Motion:** Commissioner Maloney made a motion to approve I-2. Commissioner Majeska seconded the motion.

**Vote on Motion:**

**Commissioner Maloney – Aye  
Commissioner Majeska – Aye  
Commissioner Heim – Aye  
Chairman Rodriguez – Aye**

## **BUDGET AND FINANCE (J)**

### *3<sup>rd</sup> Quarter Fiscal Year 2024 Financial Reports (J-1)*

Ms. Fazio presented the 3<sup>rd</sup> quarter financial reports for 2024.

### *BS&A Cloud Update (J-2)*

Ms. Fazio presented a proposal from BS&A to migrate to a cloud platform.

**Motion:**            **Commissioner Majeska made a motion to approve the proposal.  
Commissioner Maloney seconded the motion.**

### **Vote on Motion:**

**Commissioner Majeska – Aye**

**Commissioner Maloney – Aye**

**Commissioner Heim – Aye**

**Chairman Rodriguez – Aye**

## **FIELD (K)**

No report in agenda.

## **PLANT/FACILITIES (L)**

### *Plant/Facilities Report- July 2024 (L-1)*

Mr. Dempsey presented the Plant/Facilities monthly report.

### *Forever Chemicals (L-2)*

Commissioner Majeska discussed a recent article on forever chemicals and potable water.

## **CAPITAL PROJECTS (M)**

No report in agenda.

## **ENGINEERING (N)**

No report in agenda.

## **LEGAL REPORT (O)**

### *Assessment Exclusion – Resolution 18-2024 (O-1)*

Mr. Mulick submitted Resolution 18-2024.

**Motion:**            **Commissioner Maloney made a motion to adopt Resolution 18-2024. Commissioner Heim seconded the motion.**

### **Vote on Motion:**

**Commissioner Maloney – Aye**

**Commissioner Heim – Aye**

**Commissioner Majeska – Aye**

**Chairman Rodriguez – Aye**

### *General Counsel Agreement (O-2)*

Mr. Mulick presented a proposed General Counsel Agreement.

**Motion:**            **Commissioner Heim made a motion to approve item O-2.  
Commissioner Maloney seconded the motion.**

**Vote on Motion:**

**Commissioner Heim – Aye**  
**Commissioner Maloney – Aye**  
**Commissioner Majeska – Nay**  
**Chairman Rodriguez – Aye**

*General Manager Agreement (O-3)*

Mr. Mulick presented a proposed General Manager Agreement.

**Motion:**        **Commissioner Heim made a motion to approve the request.**  
                     **Commissioner Maloney seconded the motion.**

**Vote on Motion:**

**Commissioner Heim – Aye**  
**Commissioner Maloney – Aye**  
**Commissioner Majeska – Nay**  
**Chairman Rodriguez – Aye**

*Financial Director Agreement (O-4)*

Mr. Mulick presented a proposed Financial Director Agreement.

**Motion:**        **Commissioner Maloney made a motion to approve the request.**  
                     **Commissioner Heim seconded the motion.**

**Vote on Motion:**

**Commissioner Maloney – Aye**  
**Commissioner Heim – Aye**  
**Commissioner Majeska – Nay**  
**Chairman Rodriguez – Aye**

**COMMISSIONER ITEMS (P)**

No report in agenda.

**ROUNDTABLE DISCUSSION (Q)**

No report in agenda.

**ADJOURNMENT (R)**

The meeting was adjourned at 6:06 p.m.

Seal\_\_\_\_\_



## Key Largo Wastewater Treatment District

103355 Overseas Highway, Key Largo, FL 33037

Post Office Box 491, Key Largo, FL 33037

Phone (305) 451-4019 • [www.klwtd.com](http://www.klwtd.com)

# Memo

To: Key Largo Wastewater Treatment District Board of Commissioners

From: Alexis Irizarry, Assessment Coordinator

Date: September 3, 2024

Re: Monroe County Land Authority Conservation Parcel Waiver Request Postponement

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After KLWTD notified Mark Rosch at the Monroe County Land Authority (MCLA) today that KLWTD may consider postponing the September 17th board meeting during the September 3rd meeting, Mark expressed that the meeting postponement would delay the transaction of the properties for which the wastewater assessment waivers have been requested.

**RE: Pending Assessment Waiver requests**

Rosch-Mark &lt;Rosch-Mark@MonroeCounty-FL.Gov&gt;

Tue 9/3/2024 3:10 PM

To: Alexis Irizarry &lt;Alexis.Irizarry@klwtd.com&gt;

[Report This Email](#)

Hi Alexis,

We are hoping the 9/17/24 KLWTD meeting is not canceled because we don't want to postpone these transactions.

**Mark J. Rosch, AICP**

Sr. Property Acquisition Specialist

Monroe County Land Authority

Phone: (305) 295-5180

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**From:** Alexis Irizarry <[Alexis.Irizarry@klwtd.com](mailto:Alexis.Irizarry@klwtd.com)>**Sent:** Tuesday, September 3, 2024 2:44 PM**To:** Rosch-Mark <Rosch-Mark@MonroeCounty-FL.Gov>**Subject:** Pending Assessment Waiver requests

...

**CAUTION:** This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

Mark,

We currently have two pending assessment waiver requests: Fried's and Crawdaddy.

KLWTD might be canceling the September 17th meeting. Would it be okay to postpone the transaction if KLWTD presents the waiver requests on October 1st?

Please advise.

Best regards,

**Alexis Irizarry****Key Largo Wastewater Treatment District****Customer Account Specialist****(305) 451-4019 Ext: 209**



RESOLUTION NO. 18 - 2024

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“THE BOARD”) APPROVING THE REQUEST BY MONROE COUNTY (“THE OWNER”), TO WAIVE THEIR RIGHT TO RECEIVE WASTEWATER SERVICE AND TO SUSPEND COLLECTION OF SDC AND ALL FUTURE NON-AD VALOREM ASSESSMENTS FOR AK# 9105322; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Monroe County (“The Owner”) is the owner of the tax parcel described in Section 1 below (“the Subject Tax Parcel”); and

**WHEREAS,** the Subject Tax Parcel is owned by Monroe County for the purpose of protecting the natural environment; and

**WHEREAS,** the Owner waives it’s right to receive wastewater service and request that the District suspend the collection of SDC and all future non ad-valorem assessments on the Subject Tax Parcel, pursuant to the Key Largo Wastewater Treatment District’s General Rules and Regulations, Section 10.06(a)(iii).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT:**

**Section 1.**

PARCEL I.D.: 00501090-000200  
AK NO.: 9105322  
PARCEL DESCRIPTION: BK 1 LT 4 KEY LARGO BEACH PB2-149 KEY LARGO OR473-297 OR1405-1991 OR1500-226 OR2125-667/68T/C OR2146-1271/72 OR2318-932 OR3136-304 OR3207-831 OR3264-0441

**Section 2.**

APPROVAL OF REQUEST. The owners request to waive wastewater service is hereby approved.

**Section 3.**

EFFECTIVE DATE. This Resolution shall take effect upon adoption by the Board of Commissioners

**Section 4.**

AUTHORIZATION OF DISTRICT OFFICIALS. The General Manager and/or his designee(s) are authorized to take all actions necessary to implement the terms and conditions of this Resolution.

RESOLVED AND ADOPTED THIS 3<sup>rd</sup> DAY OF SEPTEMBER 2024.

The foregoing RESOLUTION was offered by Commissioner \_\_\_\_\_, who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and being put to a vote the result was as follows:

	AYE	NAY
Chairman Rodriguez	_____	_____
Commissioner Majeska	_____	_____
Commissioner Heim	_____	_____
Commissioner Schwartz	_____	_____
Commissioner Maloney	_____	_____

The Chairman thereupon declared this Resolution duly passed and adopted this 3<sup>rd</sup> day of September 2024.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: \_\_\_\_\_  
Nicolas Rodriguez,  
Chairman

ATTEST:

*Approved as to form  
and legal sufficiency:*

\_\_\_\_\_  
Shannon McCully, District Clerk

By: \_\_\_\_\_  
Nicholas W. Mulick, Esq.,  
General Counsel

SEAL



## Request for Wastewater Assessment Waiver or Exemption

*ALL fields must be completed, unless indicated as optional, before the request will be reviewed.*

Property Owner of Record: Monroe County

Requested By\*: Christine Hurley

*\*If not Owner of Record, authorization documentation must be submitted.*

Email (optional): Hurley-Christine@MonroeCounty-FL.Gov

Phone: 305-295-5180

RE/Parcel ID: 00501090-000200

Alternate Key: 9105322

Physical Location: Block 1, Lot 4, Key Largo Beach (PB 2-149).

RE/Parcel ID: \_\_\_\_\_

Alternate Key: \_\_\_\_\_

Physical Location: \_\_\_\_\_

RE/Parcel ID: \_\_\_\_\_

Alternate Key: \_\_\_\_\_

Physical Location: \_\_\_\_\_

I request an **EXEMPTION** of wastewater assessment for the parcel(s) listed above because:

- ☐ The parcel is vacant and has been aggregated with an adjoining parcel that is connected to the District's central wastewater collection system. *Section 10.05 (a)*
- ☐ The parcel is a marina, boat slip or rack minimum that is not capable of creating wastewater. *Section 10.05 (b)*
- ☐ The parcel cannot be improved due to zoning regulations or other legal constraints. *Section 10.05 (c)*
- ☐ The parcel cannot be improved due to physical conditions of the property. *Section 10.05 (d)*

I request a **WAIVER** of wastewater assessment for the parcel(s) listed above because:

- ☐ The parcel is vacant and immediately adjacent to an assessed parcel that is connected to the District's central wastewater collection system. *Section 10.06 (a)(i) **Contiguous Vacant Parcel***  
**\*\$200.00 administrative fee required.**
- ☐ The parcel is vacant and designated as Tier I. *Section 10.06 (a)(ii) **Tier 1 (one) Vacant Parcel***  
**\*\$200.00 administrative fee required.**
- ☐ The parcel is vacant and only receives an annual tax notice due to the wastewater assessment. *Section 10.06 (a)(iv) **Minimum Tax Bill***
- ☒ The parcel is owned by Monroe County Land Authority or any other Federal, State or Local Agency for the purpose of protecting the natural environment. *Section 10.06 (a)(iii) - **Conservation Parcel***
- ☐ The parcel is being conveyed to the Monroe County Land Authority or any other Government Agency for conservation purpose. **The Waiver shall take effect upon receipt by the District of proof that the Government Entity has acquired title to the Subject Tax Parcel. Section 10.06 (a)(iii) - **Conservation Parcel****

### Acknowledgement Box required to process all exemptions Section 10.04(a) or waiver requests Section 10.06(b)



- ☐ I certify that if wastewater service to the parcel is reinstated, the then-current owner must pay the full direct and indirect District costs of providing the same. The amount charged at that time is expected to be significantly greater than the current non-ad valorem assessment. Monroe County acknowledges that if the property is improved or developed with structures requiring an independent sewer connection, the District may impose a System Development Charge. Alternatively, the County may sell the property to an adjacent property owner for them to use for accessory structures connected to sewer through an existing sewer connection. If this is the case, Monroe County will require a deed restriction specifying that the property is limited to accessory use only.

**Christine Hurley**

Digitally signed by Christine Hurley

Date: 2024.08.09 09:08:38 -04'00'

Signature

103355 Overseas Hwy, Key Largo FL 33037

Date