



Key Largo Wastewater Treatment District
Board of Commissioner's Meeting
Tuesday, January 9, 2024
4:00 PM

AGENDA

Board of Commissioners Meeting
103355 Overseas Highway

Key Largo, FL 33037

Meeting link for computer, tablet, or
smartphone.

www.gotomeet.me/KLWTDclerkboard-meeting

**(Toll Free): 1 877 309 2073
(646) 749-3129**

Access Code: 587-583-005

BOARD MEMBERS:

Nicolas Rodriguez	Chairman
Timothy Maloney	Vice Chairman
Susan Heim	Secretary-Treasurer
Robert Majeska	Commissioner
Philip Schwartz	Commissioner

DISTRICT STAFF:

Peter Rosasco	General Manager
Nicholas Mulick	General Counsel
Shannon McCully	Clerk

MISSION STATEMENT:

"The Mission of the Key Largo Wastewater Treatment District is to preserve and protect the delicate ecosystem of the Florida Keys while providing exceptional customer service."

Please mute cell phones.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS

E. PUBLIC COMMENT

F. APPROVAL OF MINUTES OF PREVIOUS MEETING

1. Minutes of December 12, 2023

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2. Minutes of December 19, 2023

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G. GENERAL MANAGER

H. CUSTOMER SERVICE

I. IT

J. BUDGET AND FINANCE

K. FIELD

L. PLANT/FACILITIES

M. CAPITAL PROJECTS

1. Capital Projects Report – November 2023

15

N. ENGINEERING

O. LEGAL

P. COMMISSIONER'S ITEMS

Q. ROUNDTABLE

R. ADJOURNMENT

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

Meeting Date:

January 9, 2024

Agenda Item Number: F-1

Action Required:

Yes

Department:

Legal

Sponsor:

Nick Mulick

Subject:

Minutes of December 12, 2023

Summary:

Staff to present the minutes from December 12, 2023 board meeting for approval.

Reviewed / Approved

Operations: _____

Administration: _____

Finance: _____

District Counsel: _____

District Clerk: _____

Engineering: _____

Financial Impact

\$

Funding Source:

N/A

Budgeted:

N/A

Attachments

1. Minutes

Approved By: _____

General Manager



Date: 1/4/2024



Key Largo Wastewater Treatment District
103355 Overseas Hwy, Key Largo, FL
Tuesday, December 12, 2023

MINUTES

CALL TO ORDER (A)

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

PLEDGE OF ALLEGIANCE (B)

Mr. Ryan Dempsey led the Pledge of Allegiance.

ROLL CALL (C)

Present were: Chairman Nicolas Rodriguez; Commissioners Sue Heim, Robert Majeska, Tim Maloney, and Philip Schwartz

Also present; General Manager Peter Rosasco; General Counsel Nicholas Mulick; District Clerk Shannon McCully; Plant/Facilities Manager Ryan Dempsey; Field Manager Mike Dempsey; Weiler Engineering Steve Suggs; Lead Plant Operator Jerry Baker; IT Consultant Dave Soper; IT Support Manny Santana

Appeared Virtually: Project Administration and HR Coordinator Laura Weinstock and IT Consultant Randy Redmond

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS (D)

Approval of Agenda (D-1)

Mr. Rosasco requested the addition of item *G-1 Federation of Homeowners Meeting*
Commissioner Majeska requested the addition of item *P-1 Covid Testing*
Commissioner Heim requested the addition of item *Q-1 12-12-23 County Shaw Drive Project*
Commissioner Heim requested Item I-1 be amended to No Action

Motion:

Commissioner Maloney made a motion to approve the agenda as amended. Commissioner Schwartz seconded the motion. Motion passed without objection.

PUBLIC COMMENT (E)

No Speakers.

APPROVAL OF MINUTES (F)

No report in agenda.

GENERAL MANAGER (G)

Federation of Homeowners Meeting (G-1)

Mr. Rosasco informed the Board that Chairman Rodriguez will be giving a presentation at the Federation of Homeowners meeting on December 18, 2023, at the Key Largo Public Library. Mr. Rosasco and other commissioners will also attend.

CUSTOMER SERVICE (H)

No report in agenda.

IT (I)

ADA Website PDF Remediation for KLWTD (I-1)

Mr. Soper discussed options for our website PDF retention.

BUDGET AND FINANCE (J)

Budget and Finance Report - October 2023 (J-1)

Ms. Fazio presented the Budget and Finance monthly report.

4th Quarter Fiscal Year 2023 Financial Reports (J-2)

Ms. Fazio presented the 4th Quarter Financial Reports for 2023.

FIELD (K)

No report in agenda.

PLANT/FACILITIES (L)

Plant/Facilities Report - November 2023 (L-1)

Mr. Dempsey presented the Plant/Facilities Report for November 2023.

CAPITAL PROJECTS (M)

KLWTD Filtration Upgrades Change Order #3 - Piping Owner Direct Purchase (M-1)

Mr. Suggs presented Change Order #3 for the Filtration Upgrade project for approval.

Motion:

Commissioner Schwartz made a motion to approve Change Order #3. Commissioner Majeska seconded the motion.

Vote on Motion:

Commissioner Schwartz– Aye

Commissioner Majeska– Aye

Commissioner Heim– Aye

Commissioner Maloney– Aye

Chairman Rodriguez – Aye

ENGINEERING (N)

No Report in agenda.

LEGAL REPORT (O)

Reversal of Waiver - AK# 1614548 (Reso. 19-2023) (O-1) (Laydown)

Mr. Mulick submitted Resolution 19-2023 reversing a waiver of wastewater service for Lot 12, Block 1, of Lazy Lagoon Subdivision, AK 1614548.

Motion:

Commissioner Heim made a motion to adopt Resolution 19-2023. Commissioner Maloney seconded the motion.

Vote on Motion:

Commissioner Heim – Aye

Commissioner Maloney – Aye

Commissioner Majeska– Aye

Commissioner Schwartz – Aye

Chairman Rodriguez – Aye

General Counsel Agreement (O-2)

Mr. Mulick presented a proposed General Counsel Agreement.

Motion: Commissioner Maloney made a motion to approve the General Counsel Agreement. Commissioner Majeska seconded the motion.

Vote on Motion:

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

General Manager Agreement (O-3)

Mr. Mulick presented a proposed General Manager Agreement.

Motion: Commissioner Majeska made a motion to approve the General Manager Agreement. Commissioner Heim seconded the motion.

Vote on Motion:

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

General Counsel Agreement (O-4)

Mr. Mulick presented a proposed Financial Director Agreement.

Motion: Commissioner Majeska made a motion to approve the Financial Director Agreement. Commissioner Heim seconded the motion.

Vote on Motion:

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

COMMISSIONER ITEMS (P)

Covid Testing (P-1)

Commissioner Majeska discussed an article about wastewater testing for Covid-19 and asked whether the Board was interested in contacting the CDC for local testing. Mr. Rosasco declined.

ROUNDTABLE DISCUSSION (Q)

County Shaw Drive Project Meeting (Q-1)

Commissioner Heim and Commissioner Maloney discussed the Shaw Drive Project public meeting.

ADJOURNMENT (R)

The meeting was adjourned at 6:12 pm.

Nicolas Rodriquez, Chairman

Shannon McCully, Clerk

Seal _____

RESOLUTION NO. 19-2023

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“THE DISTRICT”) APPROVING THE REQUEST BY GREY PROPERTIES LLC (“THE OWNER”) TO REINSTATE WASTEWATER SERVICE TO TAX PARCEL 00496630-000000; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the District assessed the Tax Parcel listed below in Section 1 (“the Subject Tax Parcel”) via Resolution No. 12-06-08, dated June 17, 2008; and

WHEREAS, in accordance with Section 10.06(a)(i) of the KLWTD R&R’s, the District is authorized to exclude from its non-ad valorem wastewater assessment roll, vacant Tax Parcel(s) in common ownership with an adjacent improved Tax Parcel assessed by the District, provided that the vacant Tax Parcel is subsidiary to the use of the improved Tax Parcel and will not be improved with structures or facilities capable of generating wastewater that will enter the District's wastewater facilities; and

WHEREAS, having determined that the Subject Tax Parcel satisfied the criteria set forth in Section 10.06(a)(i), the District granted the Owner’s request to exclude the Subject Tax Parcel from the non-ad valorem wastewater assessment roll; and

WHEREAS, Key Largo Wastewater Treatment District’s Waiver of Wastewater Service and Acknowledgement of Potential Costs removing the Subject Tax Parcel from the District’s 2008 Non-ad Valorem Wastewater Assessment Roll was recorded in the Office of the Monroe County Clerk of Court, in Official Records Book 2428, at Page 1867 on August 25, 2009; and

WHEREAS, the Owner of the Subject Tax Parcel has requested that the District reverse the waiver and provide wastewater to the Subject Tax Parcel; and

WHEREAS, the District finds good and sufficient cause to approve the request to reverse the waiver and provide wastewater service to the Subject Tax Parcel.

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

Section 1.

PARCEL ID: 00489530-000000

AK NO.: 1614548

LEGAL DESCRIPTION: Lot 12, Block 1, of LAZY LAGOON, according to the Plat thereof, as recorded in Plat Book 2, at Page 126 of the Public Records of Monroe County, Florida.

Section 2.

The owner certified that they desired wastewater service to the Tax Parcel and agreed to pay the current full direct and indirect District costs to provide wastewater services.

Section 3.

PAYMENT OF SIC. For the Reversal of Waiver, the owner has paid the SIC in the amount of **\$7,607**.

Section 4.

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

Section 5.

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 12th DAY OF DECEMBER 2023.

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 Cullen	_____	_____
Commissioner Maloney	_____	_____

The Chairman thereupon declared this Resolution duly passed and adopted this 12th day of December 2023.

KEY LARGO WASTEWATER TREATMENT DISTRICT

Nicolas Rodriguez, Chairman

*Approved to as to form
and legal sufficiency:*

ATTEST:

Shannon McCully, District Clerk

By: _____
Nicholas W. Mulick, General Counsel

SEAL

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

Meeting Date:
January 9, 2024

Agenda Item Number: F-2

Action Required:
Yes

Department: Legal
Sponsor: Nick Mulick

Subject:
Minute of December 19, 2023

Summary:
Staff to present the minutes from December 19, 2023 board meeting for approval.

<u>Reviewed / Approved</u>	<u>Financial Impact</u>	<u>Attachments</u>
Operations: _____	\$	1. Minutes
Administration: _____		
Finance: _____	Funding Source:	
District Counsel: _____	N/A	
District Clerk: _____	Budgeted:	
Engineering: _____	N/A	

Approved By:  Date: 1/4/2024
General Manager



Key Largo Wastewater Treatment District
103355 Overseas Hwy, Key Largo, FL
Tuesday, December 19, 2023

MINUTES

CALL TO ORDER (A)

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

PLEDGE OF ALLEGIANCE (B)

Ms. Connie Fazio led the Pledge of Allegiance.

ROLL CALL (C)

Present: Chairman Nicolas Rodriguez; Commissioners Sue Heim, Robert Majeska, Philip Schwartz, and Tim Maloney.

Also present; District Clerk Shannon McCully; Finance Manager Connie Fazio; Field Manager Mike Dempsey; IT Support Sheldon Bennett

Present Virtually: General Counsel Nicholas Mulick; Plant/Facilities Manager Ryan Dempsey; Weiler Engineering Ed Castle; IT Consultant Dave Soper

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS (D)

Approval of Agenda (D-1)

Commissioner Heim requested the addition of item *Q-1 FDOT Slides*

Motion: Commissioner Maloney made a motion to approve the agenda as amended. Commissioner Schwartz seconded the motion. Motion passed without objection.

PUBLIC COMMENT (E)

Andy Tobin spoke to wish staff happy holidays.

APPROVAL OF MINUTES (F)

Minutes of November 28, 2023 (F-1)

Motion: Commissioner Heim made a motion to approve the minutes of November 28, 2023. Commissioner Maloney seconded the motion. Motion passed without objection.

GENERAL MANAGER (G)

No report in agenda.

CUSTOMER SERVICE (H)

Customer Service Report - October 2023 (H-1)

Ms. Fazio presented the Customer Service Report for November 2023.

IT (I)

IT Report - November 2023 (I-1)

Mr. Soper presented the IT Report for November 2023.

BUDGET AND FINANCE (J)

Budget and Finance Report - November 2023 (J-1)

Ms. Fazio presented the Budget and Finance Report for November 2023.

FIELD (K)

Field Report - November 2023 (K-1)

Mr. Dempsey presented the Field Report for November 2023.

PLANT/FACILITIES (L)

No report in agenda.

CAPITAL PROJECTS (M)

No report in agenda.

ENGINEERING (N)

No Report in agenda.

LEGAL REPORT (O)

No report in agenda.

COMMISSIONER ITEMS (P)

No report in agenda.

ROUNDTABLE DISCUSSION (Q)

FDOT Slides (Q-1)

Commissioner Heim presented 5 slides from the county's resilience presentation which were part of the WQPP Meeting on November 29, 2023.

Minutes Roll Call Procedure (Q-2)

The Board discussed different options for recording Commissioner attendance..

ADJOURNMENT (R)

The meeting was adjourned at 4:45 pm.

Nicolas Rodriquez, Chairman

Shannon McCully, Clerk

Seal _____

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

Meeting Date:
January 9, 2024

Agenda Item Number: M-1

Action Required:
No

Department:
Capital Projects

Sponsor:
Ed Castle

Subject:
Capital Projects Report - November 2023

Summary:
Mr. Castle will present the Capital Projects monthly report.

Reviewed / Approved

Operations: _____
Administration: _____
Finance: _____
District Counsel: _____
District Clerk: _____
Engineering: _____

Financial Impact

\$

Funding Source:
N/A

Budgeted:
N/A

Attachments

1. Monthly Report

Approved By: _____

General Manager



Date: 1/4/2024

Key Largo Wastewater Treatment District Capital Projects Report

Including updates through November 2023

Current Capital Projects

Project	Amount	Contract Amount (Including Direct Purchases, change orders and Amendments)	Engineering And Other Cost (Anticipated)	Total Project Cost (Anticipated)
Vacuum Stations Modifications	\$ 3,155,800.00	\$3,155,800.00	\$175,000.00	\$3,330,800.00
	Engineering Paid to Date	Construction Paid to Date	Balance to Complete (Anticipated)	
	\$52,847.50	\$236,170.00	\$3,041,782.50	

- The VPS modifications project was awarded to Reynolds Construction in the amount of \$3,155,800.00, following contract price negotiations. During the negotiations the project cost was reduced by \$300,700.00. The reduction in cost is the result of pipe routing changes and sales tax savings. The Agreement and the Notice to Proceed were both executed on May 18, 2023.
- Deductive Change Order #1 in the amount of -\$500,192.00 has been executed to remove the cost of equipment purchase (without sales tax) from the Reynolds contract. The District has issued three purchase orders to equipment providers in the combined amount of \$500,192.00. The sales tax savings is included in the negotiated reduction of \$300,700.00.
- Deductive Change Order #2 in the amount of -\$84,880.31 has been executed to remove the cost of the piping and valve materials (without sales tax) from Reynolds contract in order to exercise the District's sales tax exemption.
- Submittals have been received and approved for the equipment and materials to be used on the job. The CPM schedule and Schedule of Values for progress payments has been approved. Materials have been ordered.
- The CPM schedule currently shows a construction start date in late November after receipt of some of the materials and equipment.
- As of November 30th, 2023, Reynolds Construction began staging for the installation of the replacement valves at Vacuum Station I.

Project	Amount (Anticipated)	Contract Amount (Including Direct Purchases, change orders and Amendments)	Engineering And Other Cost (Anticipated)	Total Project Cost (Anticipated)
Collection System Monitoring	\$7,575,677.00	\$8,082,277.36	\$568,176.00	\$8,650,453.36
	Engineering Paid to Date	Construction Paid to Date	Balance to Complete (Anticipated)	
	\$442,606.25	\$5,874,603.84	\$2,333,243.27	

- Work was completed in Basin A and B in the month of October pending final walk through.
- Work was completed in Basins D, G, and H pending final walk through. Work is continuing with conduit and sensor installations in Basin F.
- Current Status:
 - Basin A: **293** installed (Basin complete)
 - Basin B: **383** installed (Basin complete)
 - Basin C: **0** installed (Basin not yet started)
 - Basin D: **240** installed (Basin complete)
 - Basin E: **0** installed (Basin not yet started)
 - Basin F: **147** installed (Basin in progress)
 - Basin G: **231** installed (Basin complete)
 - Basin H: **45** installed (Basin complete)
 - Basin I: **0** installed (Basin not yet started)
 - Basin J/K: **0** installed (Basin not yet started)
 - Total project installed: **1,339** out of **2,984**
 - **Project is 44.87% complete.**
- The remaining 5 of 10 total gateways were installed in the month of November. These were installed at the following locations: County park at Rowell's Marina; in easement at Keys RV Park; in the R/W at Tweedie Pie Road; in the R/W at Ocean Boulevard; and in the R/W at Peace Avenue.
- Construction progress meetings are held twice per month. Meetings were held on November 14th and November 28th.
- Flovac's conduit installation subcontractor is currently working in Basin F according to schedule with Flovac following behind installing monitoring modules.

Project	Amount (Anticipated)	Contract Amount (Including Direct Purchases, change orders and Amendments)	Engineering And Other Cost (Anticipated)	Total Project Cost (Anticipated)
Effluent Filtration Upgrades	\$ 3,043,820.00	\$3,043,820.00	\$207,250.00	\$3,251,070.00
	Engineering Paid to Date	Construction Paid to Date	Balance to Complete (Anticipated)	
	\$167,105.00	\$1,049,152.92	\$2,034,812.08	

- Reynolds Construction was the low bidder for the Effluent Filtration Upgrades project. After negotiations, the contract was awarded in the amount of \$3,043,820.00.
- Previously, Reynolds Construction installed the 30" valve and the valve stem riser boxes and backfilled the trench. They also relocated the WWTP pump station panel and removed conflicting handrails. Reynolds began formwork and rebar for columns for the disc filter platform.
- Throughout November, Reynolds continued construction of the rebar and formwork for the columns for the platform. Reynolds completed the concrete pour for the columns.
- After the required cure time, the column forms were stripped and the columns rubbed and finished.
- Reynolds had shoring and formwork for the platform delivered and unloaded at the site
- Assembly of the shoring and formwork for the elevated concrete platform was begun in late November.

Project	Amount (Anticipated)	Contract Amount (Including Direct Purchases, change orders and Amendments)	Engineering And Other Cost (Anticipated)	Total Project Cost (Anticipated)
Keys Holdings LLC Pump Station Replacement	\$ 375,555.75	\$375,555.75	\$15,000.00	\$390,555.75
	Engineering Paid to Date	Construction Paid to Date	Balance to Complete (Anticipated)	
	\$4,352.50	\$50,708.25	\$335,495.00	
<ul style="list-style-type: none"> The District owns and operates the pump station at Keys Holdings LLC RV park. The pump station concrete is failing and the pump station needs to be replaced. An Invitation to Bid for the replacement of the pump station was published. Only one bid was received, in the amount of \$899,900.00. The Board rejected this sole bid at the February 7, 2023 meeting. WEC recommended that the Board piggyback on a Marathon bid and award the Keys Holdings LLC project to Tropical Underground Contracting, LLC in the amount of \$375,555.75. The Board approved piggybacking at the February 28th Board meeting. Bonds and insurance have been received and the piggyback agreement has been executed. The Notice to Proceed was issued with an effective date of March 17, 2023. Substantial completion is to be achieved within 180 days. A time-only change order was approved in November, extending the date of substantial completion to January 31, 2024. Tropical Underground's pump station submittals have been approved and the materials have been ordered and received. Tropical Underground anticipates commencement of work on Monday, January 8th, 2024. 				

Upcoming Construction Projects

Project	Estimated Total Cost	Status
Upgrades of Odor Control at All Vacuum Stations and Upgrade of the Generators at Vac A and Vac D.	\$1,200,000 (Anticipated)	Weiler Engineering has been directed to proceed with this project in phases, with Vacuum Stations A and D being the first phase. The Archdiocese and the District have agreed to having a single appraisal done. All Keys Appraisal met with Mike Dempsey at Vacuum Station A at the end of September to determine the value of the minimum construction area needed and the value of the two whole parcels. The design of the odor control upgrades, including structural components and site plans continues. Preliminary plan sets have been created for Vacuum Stations A, D, E, G, I, and J/K.
Power Conditioning, Lightning Protection & Wiring Upgrades at WWTP	\$3,563,376 (Anticipated)	This project will provide protection from transient surges in power that can damage equipment and potentially cause overflows or inadequate treatment at the WWTP. The project also includes installation of a lightning protection system at the WWTP to further reduce the potential impacts due to electrical surges. Upgrades to the existing power and instrumentation wiring at the WWTP includes moving wiring above-ground to prevent corrosion of conduit and failure of wiring. Use of non-corrosive materials is also being specified. Weiler Engineering's Electrical Engineer conducted a site visit and has begun updates to the electrical design and the specifications for the project. This project is grant funded.
Direct Potable Reuse Demonstration Project	\$1,504,301.25 (Anticipated)	The District has budgeted funds for a demonstration project to produce potable water from the WWTP's treated effluent. 2021 Florida legislation established Direct Potable Reuse (DPR) as a preferred effluent disposal method and provides for DPR projects to be eligible for grant funding, treating WWTP effluent as an Alternative Water Supply. The District has applied for a planning grant for this project and has requested grant funding to be allocated for the design, permitting, and construction of the DPR demonstration project. Initial estimates indicate that the volume of water produced in the DPR demonstration project would be in the range of 150,000 to 250,000 GPD.