



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)*

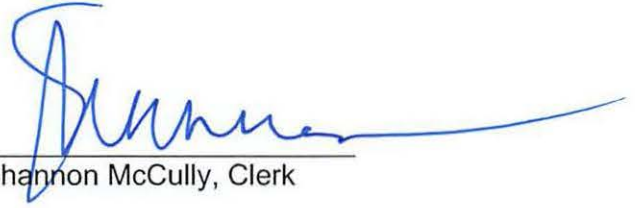
Commissioner Heim and Commissioner Maloney discussed the Shaw Drive Project public meeting.

**ADJOURNMENT (R)**

The meeting was adjourned at 6:12 pm.\_



Nicolas Rodriguez, 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 12<sup>th</sup> 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