

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

Meeting Date:
May 7, 2024

Agenda Item Number: O-1

Action Required:
Yes

Department: Legal
Sponsor: Nicholas Mulick


Subject:
**Reef Environmental Education Foundation INC - 98380 Overseas Hwy;
98360 Overseas Hwy; 98340 Overseas Hwy; 98320 Overseas Hwy.**

Summary of Discussion:

Staff recommends imposing a System Impact Charge in the amount of \$22,247.40 and increasing the EDU assignment for Reef Environmental Education Foundation INC, Ak No's. 1639753, 1639761, 1639770, and 1639788 pursuant to the District's Rules and Regulations, Section 10.01(c). The owner shall receive a credit for previous SDC assessment payments in the amount of \$2,938.23.

The SIC charge is the sum of the System Development Charge ("SDC") plus any fees incurred by the District to provide wastewater service. +

<u>Reviewed / Approved</u>	<u>Financial Impact</u>	<u>Attachments</u>
Operations: _____	\$ 19,309.17	1. Reso No. 06-2024 2. Notice of System Impact Charge 3. Map
Administration: _____	Net Income	
Finance: _____	Funding Source:	
District Counsel: _____	Property Owner	
District Clerk: _____	Budgeted:	
Engineering: _____	N/A	

Approved By:  Date: 5-2-24
General Manager

RESOLUTION NO. 06-2024

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“THE DISTRICT”) IMPOSING A SYSTEM IMPACT CHARGE (“SIC”) FOR THE PROPERTIES LOCATED AT 98380 OVERSEAS HWY, KEY LARGO, FLORIDA; 98360 OVERSEAS HWY, KEY LARGO, FLORIDA; 98340 OVERSEAS HWY, KEY LARGO, FLORIDA; AND 98320 OVERSEAS HWY, KEY LARGO, FLORIDA, WITH ALTERNATE KEY NUMBERS 1639753, 1639761, 1639770, AND 1639788; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Reef Environmental Education Foundation INC, is the owner of real properties located at 98380 Overseas Hwy, Key Largo, Florida; 98360 Overseas Hwy, Key Largo, Florida; 98340 Overseas Hwy, Key Largo, Florida; and 98320 Overseas Hwy, Key Largo, Florida, with Alternate Key Numbers 1639753, 1639761, 1639770, and 1639788. The properties are legally described in Exhibit “A” attached hereto and made a part hereof by reference (“the Subject Tax Parcels”); and

WHEREAS, upon review of Reef Environmental Education Foundation INC's plans for development of the Subject Tax Parcels, District staff has determined that it will increase the demand on the District’s wastewater facilities; and

WHEREAS, the District’s Rules and Regulations, Article X, Section 10.01(c), provide that an SIC shall be imposed on new customers and existing customers who modify, add or construct facilities that impose a potential increased demand on the District’s wastewater facilities; and

WHEREAS, staff has recommended that the District’s Board of Commissioners (“the Board”) adopt a Resolution imposing an SIC on the Subject Tax Parcels; and

WHEREAS, the Board has considered the staff’s recommendation at a regularly scheduled meeting of the Board held on May 7, 2024

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

Section 1. *Recitals*. The above recitals are true and correct and incorporated into this Resolution by reference.

- Section 2. *System Impact Charge.* The Board finds that there is good and sufficient cause to impose an SIC in the amount of \$22,247.40. The owner shall receive a credit for previous SDC assessment payments in the amount of \$2,938.23.
- Section 3. *EDU Increase.* The wastewater base charge will be calculated based on 4.4 EDUs.
- Section 4. *Effective Date.* This Resolution shall be effective upon adoption by the Board.
- Section 5. *Implementation.* The General Manager and/or his designee is authorized to take all actions necessary to implement the terms of this Resolution.

The foregoing Resolution was offered by Commissioner _____, who moved for its approval. The motion was seconded by Commissioner _____, and being put to a vote, the result was as follows:

	A YE	N AY
Chairman Rodriquez	_____	_____
Commissioner Heim	_____	_____
Commissioner Maloney	_____	_____
Commissioner Majeska	_____	_____
Commissioner Schwartz	_____	_____

The Chairman thereupon declared this Resolution duly passed and adopted the 7th day of May, 2024

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: _____
 Nicolas Rodriguez, Chairman

Approved to as to form and legal sufficiency:

ATTEST:

By: _____
 Nicholas W. Mulick,
 General Counsel

By: _____
 Shannon McCully, Clerk

SEAL

Exhibit "A"
Legal Description

Parcel Address: 98380 OVERSEAS HWY

Parcel ID: 00520510-000000

Ak# 1639753

Legal Description:

Lots 1,2,3 and Northeast 30 Feet of Lot 4, Block 2, Marion Park, according to the map or plat thereof as recorded in Plat Book 4, Page 113, of the Public Records of Monroe County, Florida.

Parcel Address: 98360 OVERSEAS HWY

Parcel ID: 00520520-000000

Ak# 1639761

Legal Description:

Lots 1,2,3 and Northeast 30 Feet of Lot 4, Block 2, Marion Park, according to the map or plat thereof as recorded in Plat Book 4, Page 113, of the Public Records of Monroe County, Florida.

Parcel Address: 98340 OVERSEAS HWY

Parcel ID: 00520530-000000

Ak# 1639770

Legal Description:

Lots 1,2,3 and Northeast 30 Feet of Lot 4, Block 2, Marion Park, according to the map or plat thereof as recorded in Plat Book 4, Page 113, of the Public Records of Monroe County, Florida.

Parcel Address: 98320 OVERSEAS Hwy

Parcel ID: 00520540-000000

Ak# 1639788

Legal Description:

Lots 1,2,3 and Northeast 30 Feet of Lot 4, Block 2, Marion Park, according to the map or plat thereof as recorded in Plat Book 4, Page 113, of the Public Records of Monroe County, Florida.



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

April 17, 2024

To: REEF ENVIRONMENTAL EDUCATION FOUNDATION INC
PO Box 370246
Key Largo FL 33037

RE: System Impact Charge: Reef Environmental Education Foundation INC.
98380 Overseas Hwy, AK No.1639753, 98360 Overseas Hwy, AK No 1639761
98340 Overseas Hwy, AK No.1639770, 98320 Overseas Hwy, AK No. 1639788

Please be advised that the Key Largo Wastewater Treatment District's ("District") Board of Commissioners ("Board") will consider imposing a System Impact Charge ("SIC") for the above-referenced parcel at its regularly scheduled meeting on May 7, 2024.

The SIC is a charge to customers who construct facilities that impose a potential increased demand on the District's wastewater facilities. The SIC is the sum of the System Development Charge ("SDC") plus any additional direct or indirect fees incurred by the District to extend service to your parcels.

Your design plans indicate your proposed project will result in an increased demand on the District wastewater facilities.

If approved by the Board, the following changes will be made to your account:

EDU Assignment: Your four parcels' EDU assignments will be a total of 4.4 EDUs. See Attachment for calculations.

Connection Fee: You will be charged a connection fee for the wastewater service connection that was provided. See Attachment for calculations.

Total SIC Charge: \$19,309.17. Payment is due in full prior to Board approval on May 7, 2024. See Attachment for calculations.

Wastewater Base Charge: The wastewater base charge, billed monthly by the Florida Keys Aqueduct Authority ("FKAA"), will be increased to \$119.37. See Attachment for calculations.



Key Largo Wastewater Treatment District

103355 Overseas Highway, Key Largo, FL 33037

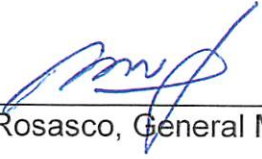
Post Office Box 491, Key Largo, FL 33037

Phone (305) 451-4019 • www.klwtd.com

You have a right to appear at the meeting, present evidence, and have witnesses testify on your behalf. If you choose to appear or present evidence, please notify the District Clerk (at 305-451-4019 ext. 210 or Shannon.McCully@klwtd.com). You may submit any documents you would like the Board to consider no later than 15 calendar days from the date of this notice.

Sincerely,

By: _____


Peter Rosasco, General Manager



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

ATTACHMENT

EDU Assignment: KLWTD Rules and Regulations provide that each non-residential tax parcel shall be assigned 1 EDU for 167 gallons per day (GPD). The District estimates water usage from the new structure to be 729 GPD for a total of 4.4 EDUs.

Previous System Development Charges: The four properties were previously assigned 1 EDU each in the amount of \$5,200 for a total SDC assessment of \$20,800 during 2008. During 2009 a request to waive the EDU Assignments for AK No's. 1639761, 1639770, and 1639788 was initiated, no payments were made to the SDC. AK No. 1639753 was kept on the assessment roll until 2015 the owner then requested to waive the EDU assignment. The staff has determined payments of \$2,938.23 were paid before the waiver was approved in 2015. The District has applied a credit to the SDC for \$2,938.23 to the overall balance.

SIC Calculation

Total SDC Increase Charge (\$4,306.00 per EDU x 4.4 EDUs)	\$18,946.40
Connection Costs	\$3,301.00
Engineering Costs	\$0.00
Construction Costs	\$0.00
Previous SDC Payments	-\$2,938.23
Total SIC Charge Due	\$19,309.17

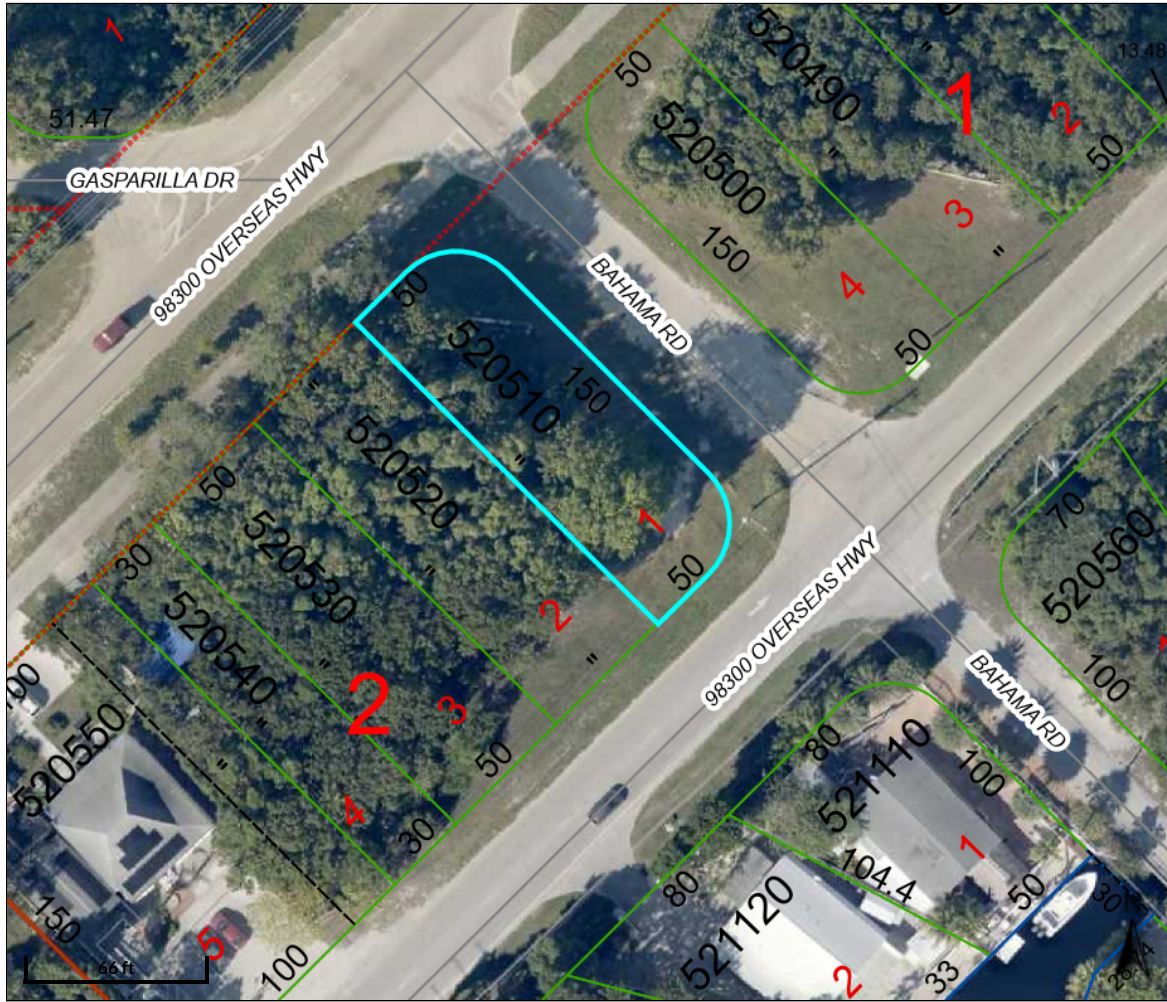
Wastewater Base Charge: The District collects a monthly base charge at the rate of \$27.13 per EDU (x 4.4 EDUs) for a total of \$119.37. This charge does not include the monthly volumetric charge (\$4.26 per 1,000 gallons of water consumed.)

Note, meters coded as Fire or Irrigation are not charged for wastewater.

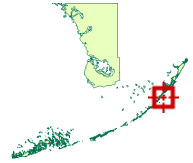
If no building on the premises is capable of generating wastewater, you may apply for a temporary deferral of wastewater monthly billing. Upon General Manager approval, such deferral shall expire the earlier of: 1. Issuance of a certificate of occupancy (C.O.), 2. Date the structure connects to the central wastewater system, or 3. Sixty (60) calendar Days.



Monroe County, FL



Overview



Legend

- Centerline
- Easements
- Hooks
- - Lot Lines
- Road Center
- Rights of Way
- Shoreline
- [] Condo Building
- Key Names
- ▭ Subdivisions
- ▭ Parcels

Parcel ID	00520510-000000	Alternate ID	1639753	Owner Address	REEF ENVIRONMENTAL EDUCATION FOUNDATION INC PO Box 370246 Key Largo, FL 33037
Sec/Twp/Rng	32/61/39	Class	COMMERCIAL		
Property Address	98380 OVERSEAS HWY KEY LARGO				
District	500K				
Brief Tax Description	BK 2 LT 1 MARION PARK PB4-113 KEY LARGO OR391-790 OR392-965 OR2643-1645/46 OR2691-373				

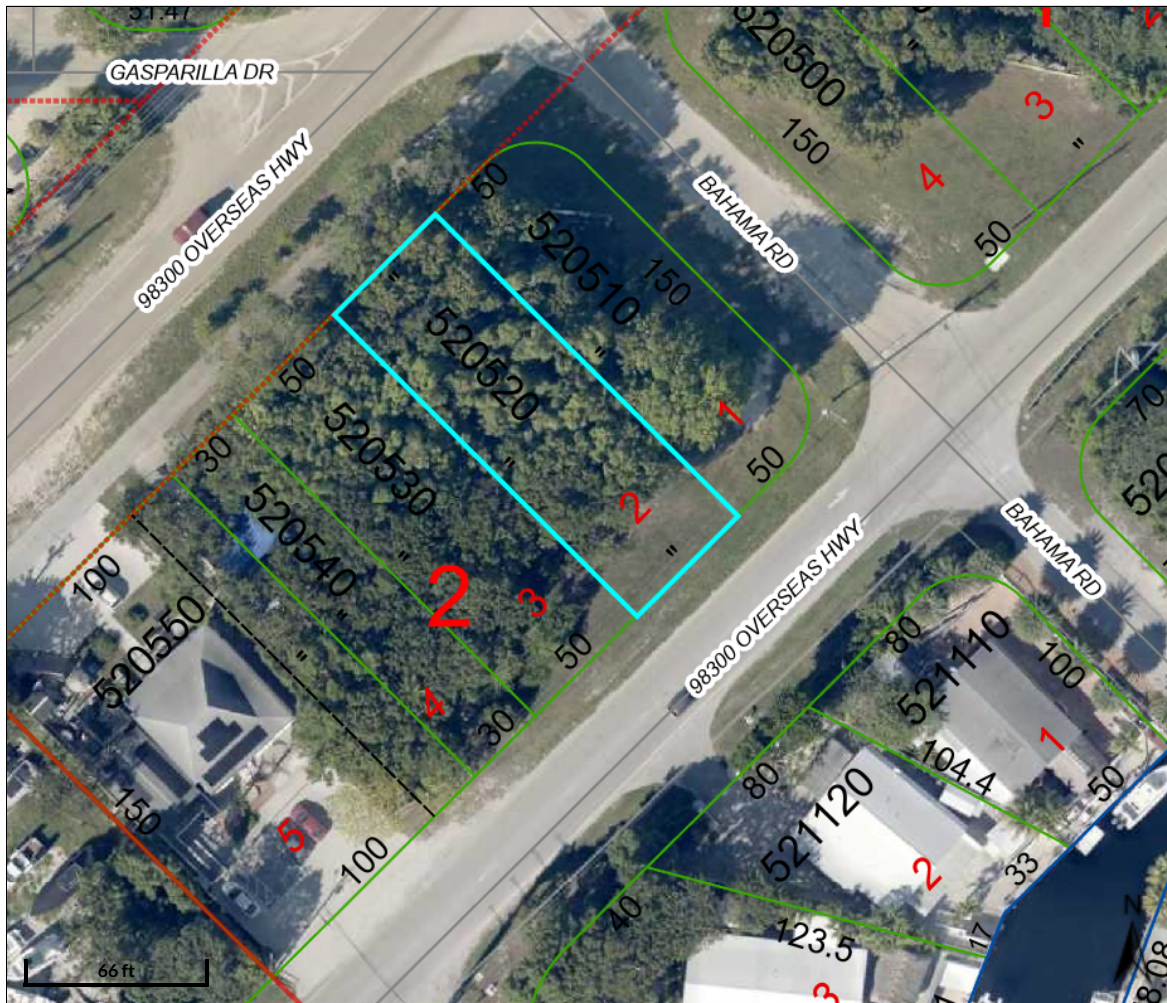
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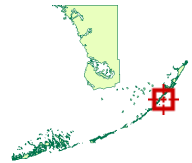
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Monroe County, FL



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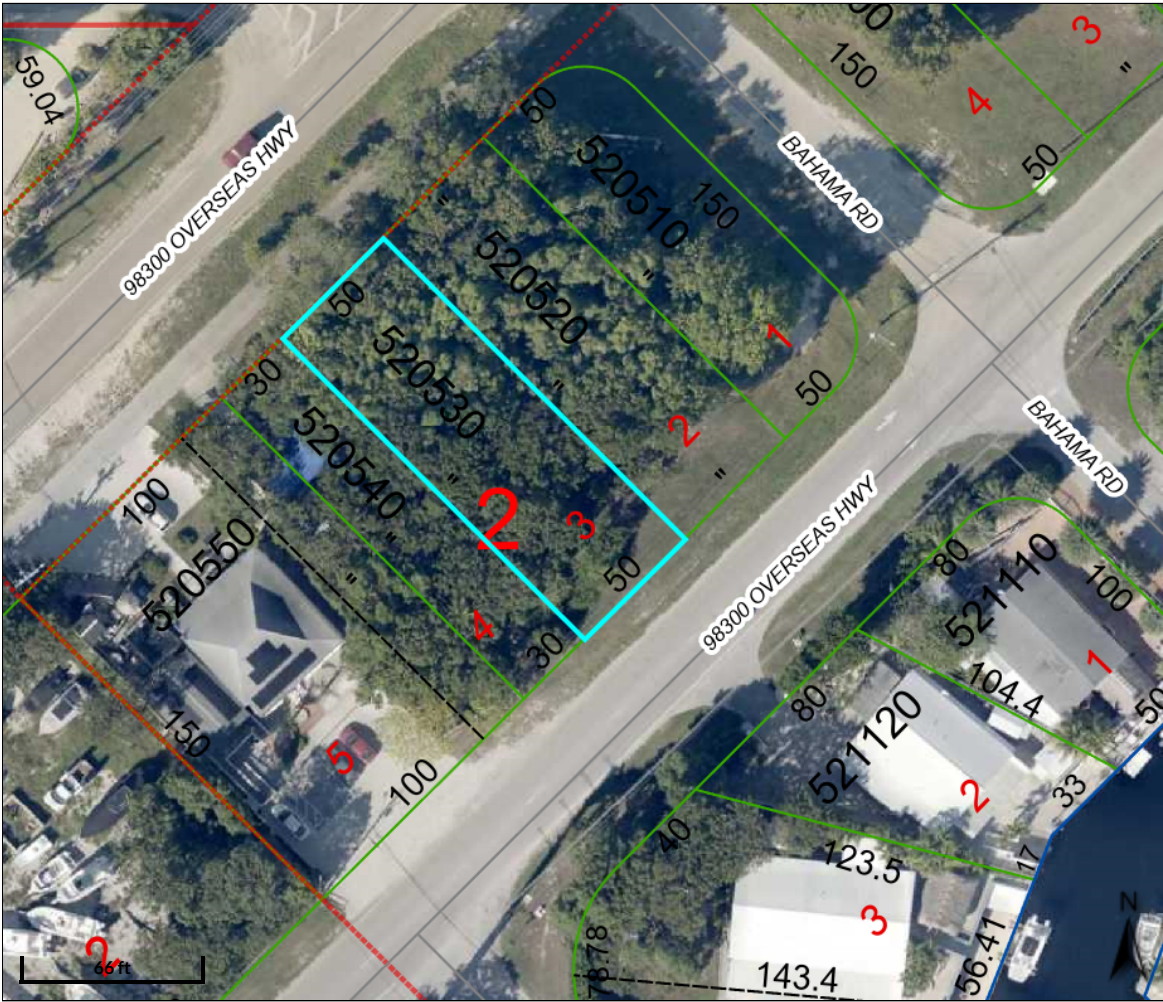
Parcel ID	00520520-000000	Alternate ID	1639761	Owner Address	REEF ENVIRONMENTAL EDUCATION FOUNDATION INC PO Box 370246 Key Largo, FL 33037
Sec/Twp/Rng	32/61/39	Class	COMMERCIAL		
Property Address	98360 OVERSEAS HWY KEY LARGO				
District	500K				
Brief Tax Description	BK 2 LT 2 MARION PARK PB4-113 KEY LARGO OR391-790 OR392-965 OR2643-1645/46 OR2691-373 <i>(Note: Not to be used on legal documents)</i>				

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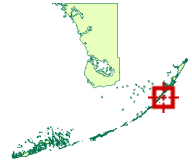




Monroe County, FL



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- [] Subdivisions
- [] Parcels

Parcel ID	00520530-000000	Alternate ID	1639770	Owner Address	REEF ENVIRONMENTAL EDUCATION FOUNDATION INC PO Box 370246 Key Largo, FL 33037
Sec/Twp/Rng	32/61/39	Class	COMMERCIAL		
Property Address	98340 OVERSEAS HWY KEY LARGO				
District	500K				
Brief Tax Description	BK 2 LT 3 MARION PARK PB4-113 KEY LARGO OR391-790 OR392-965 OR2643-1645/46 OR2691-373 <i>(Note: Not to be used on legal documents)</i>				

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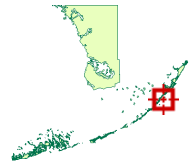
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Monroe County, FL



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- [] Parcels

Parcel ID	00520540-000000	Alternate ID	1639788	Owner Address	REEF ENVIRONMENTAL EDUCATION FOUNDATION INC PO Box 370246 Key Largo, FL 33037
Sec/Twp/Rng	32/61/39	Class	COMMERCIAL		
Property Address	98320 OVERSEAS HWY KEY LARGO				
District	500K				
Brief Tax Description	BK 2 NE 30FT LT 4 MARION PARK PB4-113 KEY LARGO OR391-790 OR392-965 OR2643-1645/46 OR2691-373 <i>(Note: Not to be used on legal documents)</i>				

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