

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

Meeting Date:
May 7, 2024

Agenda Item Number: O-2

Action Required:
Yes

Department:
Legal

Sponsor:
Nicholas Mulick

Subject:
KLF RE LLC (Key Largo Fisheries) - 1313 Ocean Bay Dr. (Reso. 07-2024)

Summary of Discussion:

Staff recommends imposing a System Impact Charge in the amount of \$34,017.40 and increasing the EDU assignment for KLF RE LLC, Ak No. 1620751, pursuant to the District's Rules and Regulations, Section 10.01(c).

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: _____	\$ 34,017.40	1. Reso No. 07-2024 2. Notice of System Impact Charge 3. Map
Administration: _____	Income	
Finance: _____	Funding Source:	
District Counsel: _____	Property Owner	
District Clerk: _____	Budgeted:	
Engineering: _____	N/A	

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

RESOLUTION NO. 07-2024

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“THE DISTRICT”) IMPOSING A SYSTEM IMPACT CHARGE (“SIC”) FOR THE PROPERTY LOCATED AT 1313 OCEAN BAY DR, KEY LARGO, FLORIDA, WITH ALTERNATE KEY NUMBER 1620751; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, KLF RE LLC, is the owner of real property located at 1313 Ocean Bay Dr, Key Largo, Florida, with Alternate Key Number 1620751. The property is legally described in Exhibit “A” attached hereto and made a part hereof by reference (“the Subject Tax Parcel”); and

WHEREAS, upon review of KLF RE LLC for development on the Subject Tax Parcel, 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 Parcel; 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 \$34,017.40.

Section 3. *EDU Increase.* The wastewater base charge will be calculated based on 7.9 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:

	AYE	NAY
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: 1313 Ocean Bay Dr

Parcel ID: 00502870-000000

Ak# 1620751

Legal Description:

Lots 1, 2, 3, 4, and 5, in Block 9, in Key Largo Beach addition, according to the plat thereof as recorded in Plat Book 4, Page 22, 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 26, 2024

To: KLF RE LLC
1313 Ocean Bay Dr
Key Largo FL 33037

RE: System Impact Charge: Key Largo Fisheries Addition,
1313 Ocean Bay Dr, AK No.1620751

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 next 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 parcel.

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 parcel's EDU assignment, which is used to calculate the SIC and wastewater base charge, will be increased from 18.2 EDUs to 26.10 EDUs. See Attachment for calculations.

Additional Fees: Currently there are no additional fees.

Total SIC Charge: \$34,017.40. Payment is due in full prior to the time of imposition (Board approval.) A deposit of \$10,000 has been paid to the District on April 26, 2024. See Attachment for calculations.

Wastewater Base Charge: The wastewater base charge, billed monthly by the Florida Keys Aqueduct Authority ("FKAA"), will be increased from \$493.76 to \$708.09. See Attachment for calculations.



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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,

Peter Rosasco, General Manager



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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 additional structure to be 1,320 GPD for a total of 7.9 EDUs.

Previous System Development Charges: Your property was previously assigned 18.2 EDUs for a total SDC assessment of \$55,940.00. The SDC has been reduced by previous payments in the amount of \$44,752.00 leaving a remaining assessment balance due of \$11,188.00. You may opt to pay that balance in full or continue making annual payments on the Annual Tax Bill from the Monroe County Tax Collector.

SIC Calculation

EDU Increase (26.10 EDUs – 18.2 EDU)	7.9 EDUs
Total SDC Increase Charge (\$4,306.00 per EDU x 27 EDUs)	\$34,017.40
Engineering Costs	\$0.00
Construction Costs	\$0.00
SIC Payment Deposited 04/26/2024	- \$10,000
Total SIC Charge Due	\$24,017.40

Wastewater Base Charge: The District collects a monthly base charge at the rate of \$27.13 per EDU (x 26.10 EDUs) for a total of \$708.09.

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.

