

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

Meeting Date:
February 18, 2025

Agenda Item Number: O-2

Action Required:
Yes

Department: Legal
Sponsor: Nicholas W. Mulick

Subject:
GENERAL RULES AND REGULATIONS - RESOLUTION NO. 03-2025

Summary:
Mr. Mulick will present a proposed amendment to the KLWTD General Rules and Regulations, Section 9.03(b)(i), eliminating the 12,000-gallon cap on the Monthly Volumetric Charge to residential customers.

<u>Reviewed / Approved</u>	<u>Financial Impact</u>	<u>Attachments</u>
Operations: _____	\$	1. Proposed amendment to General Rules and Regulations, Section 9.03(b)(i) 2. Resolution No. 03-2025
Administration: _____		
Finance: _____	Funding Source:	
District Counsel: _____	N/A	
District Clerk: _____	Budgeted:	
Engineering: _____	N/A	

Approved By:  Date: 2-13-25
General Manager

RESOLUTION NO. 03-2025

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT APPROVING AMENDMENTS TO THE DISTRICT'S GENERAL RULES AND REGULATIONS; AMENDING SECTION 9.03(b)(i) TO ELIMINATE THE 12,000-GALLON LIMIT ON THE MONTHLY VOLUMETRIC CHARGE PER RESIDENTIAL DWELLING UNIT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 4(2) of the Key Largo Wastewater Treatment District's ("District") Charter authorizes the District's Board of Commissioners ("Board") to adopt rules and regulations necessary for the effective exercise of its powers; and

WHEREAS, the District has promulgated General Rules and Regulations ("District's R&Rs"); and

WHEREAS, Section 9.03(b)(i) of the District's R&Rs provides a 12,000-gallon limit on the monthly volumetric charge per residential dwelling unit; and

WHEREAS, the Board finds that the 12,000-gallon limit does not encourage conservation of potable water; and

WHEREAS, the Board finds that limiting the amount residential customers are charged for water usage to 12,000 gallons per month unfairly burdens the majority of customers who consume, on average, less than 12,000 gallons of water per month; and

WHEREAS, the Board proposes to delete from the District's R&Rs the 12,000-gallon maximum monthly volumetric charge for which residential customers are billed, and

WHEREAS, the Board finds it is in the District's best interests, and that of its customers, to eliminate the disparity between residential and nonresidential customers with respect to the maximum monthly volumetric charge billed to its residential customers by eliminating the 12,000-gallon limit on the monthly volumetric charge for residential customers.

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

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

Section 2. AMENDMENT APPROVED. The amended text of the District’s R&Rs as hereby approved is shown on “Exhibit A” annexed hereto and made a part hereof by reference. The amendment is notated with the deleted text stricken through.

Section 3. RATIFICATION. Except as amended herein, all the terms, provisions, and requirements of the District’s R&Rs are hereby ratified and shall remain in full force and effect.

Section 4. EFFECTIVE DATE. The District’s R&Rs, as amended herein, shall be effective immediately upon the adoption of this Resolution by the Board.

Section 5. IMPLEMENTATION. The General Manager, or his designee, shall promulgate a revised edition of the District’s R&Rs reflecting the amendment hereby approved.

RESOLVED AND ADOPTED THIS _____ DAY OF FEBRUARY 2025.

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

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

The Chairman thereupon declared this Resolution duly passed and adopted the _____ day of February 2025.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: _____
Nicolas Rodriguez, Chairman

Approved as to form and legal sufficiency:

ATTEST:

Shannon McCully, Clerk

Nicholas W. Mulick, General Counsel

SEAL

EXHIBIT A

- (b) Monthly Volumetric Charge for Customers receiving water from FKAA:
 - (i) For each FKAA Customer with a residential use meter, the Monthly Volumetric Charge is \$4.26²⁷ per 1,000 gallons of water billed, as reflected on the Customer's FKAA monthly statement. ~~The maximum monthly volume for which the Monthly Volumetric Charge will be billed is 12,000 gallons per residential Dwelling Unit.~~