

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

Meeting Date:
February 18, 2025

Agenda Item Number: O-3

Action Required:
Yes

Department:
Legal

Sponsor:
Nicholas W. Mulick

Subject:

ADOPTION OF RESOLUTION NO. 04-2025 INCREASING RATES

Summary:

The Board approved Option 4 of the Raftelis Rate Study increasing rates and charges by 6.2% per year, subject to the General Manager's recommendation that another rate increase is warranted, each year until 2028.

| <u>Reviewed / Approved</u> | <u>Financial Impact</u> | <u>Attachments</u> |
|----------------------------|-------------------------|---------------------------|
| Operations: _____ | \$ | 1. Resolution No. 04-2025 |
| Administration: _____ | | |
| Finance: _____ | Funding Source: | |
| District Counsel: _____ | N/A | |
| District Clerk: _____ | Budgeted: | |
| Engineering: _____ | N/A | |

Approved By: _____

General Manager



Date: _____

2-13-25

RESOLUTION NO. 04-2025

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE KEY LARGO WASTEWATER TREATMENT DISTRICT GENERAL RULES AND REGULATIONS; INCREASING THE MONTHLY BASE CHARGE; INCREASING THE MONTHLY VOLUMETRIC CHARGE AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, the District has promulgated General Rules and Regulations (“the Rules”) effective March 8, 2016, and

WHEREAS, Section 9.03 of the Rules, *Fees and Charges for Wastewater Service*, imposes a monthly base charge and monthly volumetric charge for customers receiving wastewater treatment services from the District, and

WHEREAS, Section 4(j) of the District’s Charter authorizes the District to fix and collect rates and charges for the use of the District’s wastewater treatment services, and

WHEREAS, the Board finds that it is in the District’s best interest and that of its customers to increase its previously established charges by 6.2% to ensure fair, justifiable and equitable charges for wastewater treatment services while, at the same time, generate sufficient revenue to fulfill its commitment to “preserve and protect the delicate ecosystem of the Florida Keys while providing exceptional customer service.”

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. AMENDED DISTRICT RULES AND REGULATIONS. The Key Largo Wastewater Treatment District General Rules and Regulations are amended in the form attached hereto as “Exhibit A.”

Section 4. EFFECTIVE DATE. Key Largo Wastewater Treatment District General Rules and Regulations, as amended herein, shall be effective _____ 2025.

Section 3. RATIFICATION. Except as amended herein, all of the terms, provisions, and requirements of the Key Largo Wastewater Treatment District General Rules and Regulations are hereby ratified and shall remain in full force and effect.

Section 5. AUTHORIZATION OF DISTRICT OFFICIALS. The General Manager and/or his designees and the District General Counsel are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 18 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 Cullen | _____ | _____ |
| Commissioner Tobin | _____ | _____ |

The Chairman thereupon declared this Resolution duly passed and adopted the 18th day of February, 2025.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: _____
Nicolas Rodriguez, Chairman

ATTEST:

Shannon McCully, Clerk

Approved as to form and legal sufficiency:

Nicholas W. Mulick, General Counsel

SEAL

EXHIBIT A

Section 1. The KLWTD General Rules and Regulations are amended as follows: (all deleted text is lined through and additional text underlined)

Section 9.03 Fees and Charges for Wastewater Service.

- (a) Monthly Base Charge for Customers receiving water from FKAA:
- i. For each Customer that is the sole FKAA Customer owning or occupying a Tax Parcel assessed by the District and connected to a collection system, transmission main, or other piping operated and maintained by the District, the Monthly Base Charge is \$28.81 per Dwelling Unit or Equivalent Dwelling Unit reflected in the most recent assessment of the Tax Parcel.
 - ii. For each Customer that is one of several FKAA Customers occupying a Tax Parcel assessed by the District and connected to a collection system, transmission main, or other piping operated and maintained by the District, the Monthly Base Charge is \$28.81 multiplied by the number of Dwelling Units or Equivalent Dwelling Units attributed to that Customer.
 - iii. For each FKAA Customer owning or occupying a Tax Parcel that has not yet been assessed by the District, the District will calculate the number of Dwelling Units or Equivalent Dwelling Units attributable to the Tax Parcel and to the Customer in the manner provided in the District's most recent final Non-Ad Valorem Assessment Resolution, and will calculate the Customer's Monthly Base Charge on that basis until the District has assessed that Tax Parcel. After the District has assessed that Tax Parcel, the Monthly Base Charge for that Customer will be calculated in the manner provided in other paragraphs of this Section.
 - iv. In addition to the Monthly Base Charges provided herein, the District may impose BOD surcharges as provided in Section 9.04 below.
 - v. For FKAA meters coded as Fire or Irrigation Meters, there will be no Monthly Base Charge.
 - vi. The Monthly Base Charge for a Laundromat is \$28.81.
- (b) Monthly Volumetric Charge for Customers receiving water from FKAA:

- i. For each FCAA Customer with a residential use meter, the Monthly Volumetric Charge is \$4.52 per 1,000 gallons of water billed, as reflected on the Customer's FCAA monthly statement. The maximum monthly volume for which the Monthly Volumetric Charge will be billed is 12,000 gallons per residential Dwelling Unit.
- ii. For each FCAA Customer with a non-residential use meter, the Monthly Volumetric Charge is \$4.52 per 1,000 gallons of water billed, as reflected on the Customer's FCAA monthly statement. There is no maximum monthly volume for which the Monthly Volumetric Charge will be billed on non-residential use meters.
- iii. For water meters coded in FCAA records with a location class that indicates that the water be used solely for fire or irrigation, there will be no Monthly Volumetric Charges.

(c) Direct billing (customers receiving bills directly from KLWTD)²⁹

(i) Boating facilities pumpout systems connected to the District's wastewater system:

- (1) the annual base charge is \$500 and shall be billed semiannually.
- (2) the volumetric charge of \$18.92 per thousand gallons of wastewater discharged into the District's system shall be billed semiannually.