

November 16<sup>th</sup>

2005

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
BOARD OF COMMISSIONERS**

**AGENDA**



**Wednesday, November 16, 2005 at 5:00 PM  
98880 Overseas Hwy  
Key Largo, FL 33037**

**Glenn Patton  
Claude Bullock  
Andrew Tobin  
Charles Brooks  
Gary Bauman**

**Chairman  
Vice Chairman  
Secretary-Treasure  
Commissioner  
Commissioner**

.....  
**Charles F. Fishburn  
Thomas Dillon  
Carol Walker**

**General Manager  
District Counsel  
Board Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the KLWTD Board, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Board Clerk at 305-451-5105 at least 48 hours in advance to request accommodations.

**5 pm**

**A. CALL TO ORDER**

**5:01**

**B. PLEDGE OF ALLEGIANCE**

**5:02**

**C. ROLL CALL**

**5:03**

**D. APPROVAL OF AGENDA WITH ANY ADDITIONS OR DELETIONS**

**5:10**

**E. PUBLIC COMMENT**

**F. COMMISSIONER ITEMS**

1. Collection System Development on Private Property (Chairman Patton) **TAB 1**
  - a. Calusa Campground – Charles Fishburn
  - b. Connection Enforcement (KLTV and others) – Tom Dillon
  - c. System Take-Over and Maintenance – Charles Fishburn
2. \$2 million for Wastewater from Federal Government (Chairman Patton) **TAB 2**

**G. BULK ITEMS**

3. KLWTD Board Meeting minutes of Oct. 19 and Nov. 2, 2005 **TAB 3**
4. RESOLUTION NO. 13-11-05 **TAB 4**  
RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF MARILYN AND MICHAEL MACKEL FOR DESIGNATION OF A TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
5. RESOLUTION NO. 14-11-05 **TAB 5**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF GENE BRIAN DEMAMBRO FOR DESIGNATION OF A TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
6. RESOLUTION NO. 16-11-05 **TAB 6**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS AMENDING THE FINAL ASSESSMENT RESOLUTION 10-08-05 BY ADDING A TAX PARCEL AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
7. RESOLUTION NO. 17-11-05 **TAB 7**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS AMENDING THE FINAL ASSESSMENT RESOLUTION 10-08-05 BY ADDING TWO SERVICE CONNECTION TO THE SUBJECT PARCEL AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
8. RESOLUTION NO. 18-11-05 **TAB 8**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF ANTHONY AND MARY SCARLETT FOR DESIGNATION OF A TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

**H. FINANCIAL OFFICER'S REPORT**

9. Pending Payments List **TAB 9**

6:10

**I. LEGAL COUNSEL REPORT**

- 10. District Lien Rights
- 11. Designated Board Seats for Election
- 12. One Year Notice to Calusa Camp Ground

TAB 10  
TAB 11  
TAB 12

6:40

**J. ENGINEER'S REPORT**

- 13. RESOLUTION 15-11-05

TAB 13

A RESOLUTION OF THE KEY LARGO WASTEWATER  
TREATMENT DISTRICT, REQUESTING MONROE COUNTY  
TO WAIVE ALL PLANNING AND PERMITTING FEES FOR  
REQUIRED PERMITS, FOR THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT WAIVED

- 14. KLWTD Property Info Database – Margaret Blank

TAB 14

7:00

**K. GENERAL MANAGER'S REPORT**

- 15. Vacuum Station Lot Purchase Program
- 16. MSTU Ten Percent Reduction

TAB 15  
TAB 16

7:15

**L. COMMISSIONER NEW ITEMS AND ROUNDTABLE**

7:30

**M. ADJOURNMENT**

# TAB 1

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1

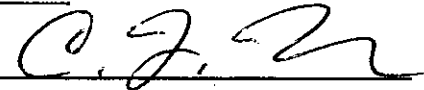
- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING           | <input type="checkbox"/> RESOLUTION     |
| <input checked="" type="checkbox"/> DISCUSSION    | <input type="checkbox"/> BID/RFP AWARD  |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                   |   |

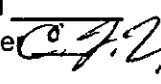
**SUBJECT:** Collection System Development on Private Property

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager**

**Date:** 11-10-05



<b>Originating Department:</b> Chairman Patton	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo from Chairman Patton
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Calusa Campground was discussed at the November 2<sup>nd</sup> meeting. The Board needs to address the issue of collection systems on private property.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised



## Key Largo Wastewater Treatment District

*Glenn Patton - Chairman*

Nov. 7, 2005

To KLWTD

Subject; Agenda Item - Collection System Development on Private Property

### Background

At the November 2<sup>nd</sup> Board meeting there was a discussion about the installation of a collection system on private property specifically Calusa Campground.

### Issues

There are numerous properties with similar needs.

- Quinessence Dive Shop – 8 units?
- Capt Jax
- Amoray Dive Resort
- Waldorf Plaza
- Etc....

In my opinion, Collection System Development on private property would produce a significant loss in revenue based on recovery of \$2070 per EDU. The district can provide a Collection System to residential properties only by financing the cost with 60% of revenue coming from grant money. Delivery of Collection Systems within the public right of way allows for the district to be in control of the Collection System's Development. On private property the district would have a lot less control which would probably lead to negative consequences and litigation. The District does not go on private property even to put in the laterals. Why would the District go on private property to install a complete Collection System???

Therefore the District needs to establish a detailed planning and development process that will lead to the efficient implementation of collection systems on private property. The District is a partner with the entire Community. Therefore the District can and should provide as much planning assistance as possible to get private collection systems installed as efficiently and as timely as possible.

I am also concerned about the porcess of individual private properties on the bayside that have a very long run to get wastewater up to the highway and then connect to the transmission line on the ocean side of the highway. There needs to be a plan in place that lessens the impact on these properties that will have to connect to the KLWTD system...

### Need for a Collection System Development Planning Process for Private Properties

KLWTD should provide System Development Planning support because these properties are paying the MSTU tax to the District. It is in the best interest to assist these private property with their planning and development process. The District obviously needs the flow and revenue from as many EDU as possible. Again, the District is a partner with the entire Community, but this partnership has limits.....

### Proposed Planning and Collection System Development Process consistent with KLWTD R&R

A general outline of the installation of Collection Systems on private property is in the KLWTD Rules & Regulation Draft. See Appendix A – KLWTD R&R Article VII Extension of Wastewater Facilities. The KLWTD Board needs to review and revise this Article as necessary. The following is a outline of the process for the boards consideration.

1. Establish a list of all properties in the District that will need to install their own collection system.
2. District gives a 1 year notice when appropriate..
3. District personnel meet with property owner or representative to explain the District's policies and the properties responsibility to get a Collection System install by a specific date.
4. District provides information on Collection System Specifications (vacum or gravity) that will meet the District's requirements. Get a signed acknowledgement and agreement to reinforce the notification.
5. District will provide a list of (recommended & approved ?) Contractors.
6. District will review, accept or reject the proposed Collection System's Engineering. (??)
7. District will provide notification of the inspection requirements.
8. District will provide saltwater contamination limitations and restrictions.
9. District give the owner a 30 day connection notice. After which the property will be paying the monthly charges and Code Enforcement action will be taken if the property is not connected to the KLWTD's System....
10. Review and determine if the District will accept ownership of the new collection system

See Excepts

Appendix A - Article VII Extension of Wastewater Facilities and

Appendix B - Article IV Mandatory Connection

KLWTD Rules and Regs Working Draft vTMD-050812

Note; In the process of making change to Article VII a more appropriate name might be "Collection System Development & Maintenance on Private Property"



## General Policies

### System Development Charges & EDU Determination

Properties that install their own Collection System will be charged

1. \$1,700 per EDU for the District's Wastewater Treatment Plant Capacity
2. \$1,000 per EDU for the District's Transmission Line Capacity
3. \$2,070 or the actual cost which ever is greater of connecting to the District's System at the property line.

Should a RV Park get a reduction in the number EDUs based on low flow and low frequency of occupancy?

What is the RV Park Rate Factor used by other utilities?

How many RV properties are in the District?

What is Calusa Campground Max Daily Flow per Unit?      167 gpd = 1 EDU??

### Enforcement and Consequences

Monroe County Code Enforcement – Judge Overby  
Health Dept Enforcement

See Appendix B

Except - Article IV Mandatory Connection....

KLWTD Rules and Regs Working Draft vTMD-050812

## **Article VII. Extension of Wastewater Facilities.**

### **Section 7.01 General.**

This Section provides information regarding the District specifications, requirements and procedures for obtaining a commitment for Wastewater Service to new or existing facilities on a property. These general requirements will also be followed by persons desiring to obtain service for an existing or proposed single-family dwelling.

### **Section 7.02 Planned Extension of Wastewater Facilities.**

- (1) The District has adopted the Monroe County Sanitary Wastewater Master Plan, as a comprehensive planning document for the implementation of Wastewater Service within the District. Such wastewater master plan outlines recommendations for the District to effectuate the provision of Wastewater Service within the District.
- (2) As funding is available, the District will construct Wastewater Collection, Treatment and Disposal Systems. The District will establish rates, fees and charges to recover the costs of system development, operation and maintenance.

### **Section 7.03 Extension of Wastewater Facilities on Request**

- (1) An Owner seeking to obtain a commitment for Wastewater Service from the District for new development or re-development of an existing property that may require the installation or extension of Wastewater Facilities must identify system capacity needs for, or must have previously identified the number of EDU's corresponding to the anticipated requirements of the project. The Owner must complete and provide to the District a Wastewater EDU Data Determination Work Sheet available at the District's main office.
- (2) The District will advise the Owner in writing as to whether Wastewater Service is available and whether the installation of Wastewater Facilities is required. Such District advice does not constitute an assurance of Wastewater Service. Wastewater Service is conditioned upon compliance with the rules of the District, and the terms and conditions of any contract which may be entered into between the Owner/Developer and the District.
- (3) Wastewater Facilities are required when there are no existing facilities to a property or when the District determines that existing facilities are not of adequate capacity to provide Wastewater Service for the project.
- (4) The Owner must convey to the District all Wastewater Facilities up to the Point of Service, free and clear of all encumbrances, with related cost documentation, perpetual right-of-way and Easements for appropriate access, and completed as-built drawings for all such facilities prior to acceptance and initiation of service.
- (5) To facilitate Wastewater Service to all properties in the District's Service area, the Owner must, at its own cost and expense, extend Wastewater Mains (i.e., gravity mains, vacuum mains, pressure Force Mains, and the like) along the full length of the road frontage for properties obtaining service.
- (6) The District may require Wastewater Main Extensions through said property if an adjacent property is to be served in the future. A Wastewater Main Extension will not be

required when there is no possibility of future development beyond the property requesting service.

(7) Permit Application Procedure for Owner-Installed Facilities.

- (i) The District will review and approve the plans and specifications for all Wastewater Facilities to be installed by the Owner.
- (ii) The Owner must submit an Application for Permit to Construct Wastewater Facilities. The application must include following information:
  - 1) *Name, address, and signature of the Owner or Developer.*
  - 2) *Legal description of the property for which Wastewater Service is desired as prepared by a licensed land surveyor.*
  - 3) *For a recorded subdivision, a copy of the recorded plat.*
  - 4) *For new subdivisions, an approved tentative plat, or if available, a master development plan; a preliminary utility plan indicating the location of the proposed Wastewater Facilities within rights-of-way and utility easements.*
  - 5) *For all projects, except an individual Owner constructing a single-family residence, a complete set of drawings including site plans, building layouts, and plumbing plans, indicating all proposed Wastewater Facilities and Main Extensions.*
  - 6) *A statement indicating which new required Wastewater Facilities located within the project, if any, the applicant will convey to the District for perpetual ownership, operation and maintenance.*
- (iii) The Owner must ratify and accept all the provisions of the District's policies as terms and conditions applicable to the provision of Wastewater Service by the District.

(8) Construction.

- (i) The District will periodically inspect the installation of all Wastewater Facilities during construction in accordance with the terms of the construction permit and will indicate compliance therewith. Such inspections are intended to assure that the Wastewater Facilities are installed in accordance with the approved design, are consistent with the criteria and specifications governing the kind and quality of such installations, and constitute the documentation indicating construction and testing in accordance with the minimum standards of the District.
- (ii) The District will be present at tests of component parts of the Wastewater System for the purpose of determining that the system, as constructed, conforms to the District's criteria for infiltration, inflow, pressure testing, line, grade, operation, maintenance, repair and replacement. Testing will be performed by the Owner's contractor but only under the direct observation of the District's construction coordinator and the Owner's engineer. No connection to an existing District facility may be made except in the presence of the District's inspector.

(9) District Acceptance of Wastewater Facilities and Service Initiation.

- (i) The District may agree to accept Wastewater Facilities for ownership, operation, and maintenance subject to the conditions and standards described in this Subsection.
- (ii) Prior to Service Initiation and prior to transferring ownership of Wastewater Facilities to the District, the Owner must obtain and provide to the District a "Domestic Wastewater Collection/Transmission System Certificate of Completion of Construction" from DEP.
- (iii) Wastewater Facilities will not be accepted for ownership, operation, and maintenance unless the applicant demonstrates to the District's satisfaction that:
  - 1) *The Wastewater mains are located in a public right-of-way or within a platted or dedicated utility easement of sufficient width.*

- 2) *The Wastewater Facilities have not been installed under any building or appurtenance thereto.*
  - 3) *There exists clear access to all easement areas, with adequate legal rights to assure that such access will be maintained.*
  - 4) *All necessary easements have been conveyed to the District by a separate, legally sufficient instrument that can and will be recorded in the public records of Monroe County.*
  - 5) *All construction has been performed under the observation of the District.*
  - 6) *The Wastewater Facilities have been constructed and tested in accordance with the Minimum Design and Construction Standards and Specifications of the District and are free from any and all defects in materials and workmanship.*
  - 7) *All materials and labor meet the current specifications of the District.*
  - 8) *All necessary permits have been received from federal, state, and local regulatory agencies.*
- (10) Acceptance of Wastewater Facilities located within an Easement available to the District is subject to the exercise of sound engineering judgment taking into consideration the size of the facilities, topography, and maintenance and operating constraints. Generally, right-of-way or easements located along rear or side-lot lines should be avoided.
- (11) Prior to acceptance, the Owner must provide a written warranty (in a format approved by the District) on all Wastewater Facilities, wherein the contractor guarantees correction of any defects in the work for a period of three years (or five years in the case of lift station and vacuum station pump and motor assemblies) from the date of final DEP certification. This obligation must be secured by a maintenance bond or irrevocable letter of credit, up to the amount of one hundred and ten percent (110%) of actual construction cost.
- (12) All Wastewater Facilities to be accepted for ownership, operation and maintenance by the District must be conveyed by general warranty deed. Prior to conveyance, the Developer/Owner must provide the District with:
- (i) A breakdown of the actual construction cost of said facilities.
  - (ii) Copies of paid bills and lien waivers, releases or satisfactions, sufficient to indicate that all contractors, subcontractors, and material men have been paid in full. In lieu of such bills, waivers, releases, or satisfactions, a payment bond and transfer of liens to security may be substituted as deemed appropriate by the District's legal counsel.
  - (iii) One complete set of as-built drawings indicating the specific locations, depths, and other dimensions of all Wastewater Facilities and appurtenances as actually constructed.

#### Section 7.04 System Design; General Criteria.

- (1) The Minimum Design and Construction Standards and Specifications for Wastewater Systems (also referred to in the District's Referenced Documents Notebook as "Minimum Design and Construction Standards - Wastewater") include:
  - (i) General Criteria.
  - (ii) Design Guidelines.
  - (iii) Approved Materials and Specifications.
  - (iv) Wastewater Collection and Transmission Main Design and Construction.
  - (v) Wastewater Lift Station and Vacuum/Pump Station Design and Construction.
  - (vi) Inspections and District of Construction Coordinators.
  - (vii) District of Non-Resident Construction Coordinators.

(viii) Record Information.

The Minimum Design and Construction Standards and Specifications for Wastewater Systems are available at the District's Main Office.

**Section 7.05 Construction and Connection of Wastewater System on Private Property.**

- (1) As part of the construction of new wastewater systems, the District will, in certain cases and only through an Agreement with a property owner, construct wastewater collection and transmission systems and water distribution systems on private property when it is determined to be in the best interest of the District and the users of the new system. This policy applies only to the construction of wastewater systems in areas receiving wastewater service from the District for the first time (as specified under herein).
- (2) This policy is applicable only to privately-owned multi-family residential properties that meet the following criteria:
  - (i) The property must have a minimum of five (5) dwelling units.
  - (ii) The property must have sufficient ingress and egress for construction equipment. The decision as to whether the property meets this criteria is solely within the discretion of the District.
  - (iii) The property must meet the definition for residential service. For mixed use properties that include both commercial and residential service, the residential service portion of the property must be at least 50% or more of the total EDU's served, as determined by the District based on Property Appraiser records, other State and local laws and regulations, and other available information, to be considered as residential use
- (3) To qualify under this policy, the property owner must agree to the following conditions:
  - (i) The units within the property must be individually metered for potable water service and the corresponding wastewater charges for monthly service must also be based on individual meters.
  - (ii) The property owner must grant all necessary easements and rights-of-way as necessary to allow for the installation of the wastewater collection system.
  - (iii) The property owner must execute an Agreement with the District authorizing the construction of wastewater collection systems within the easements granted.
  - (iv) The property owner will be responsible for the cost of constructing the connections from the dwelling units and/or structures to the Point of Service, or the cost of upgrading existing connections to District standards, and the cost of abandoning OSTDS.
  - (v) If there is an existing wastewater collection system on the property, and the systems comply with District specifications. The owner must convey the systems, at no cost to the District. It will be the responsibility of the property owner to decommission or otherwise dispose of an existing wastewater treatment facility. The District may utilize the existing systems or replace them, solely at the discretion of the District.
- (4) As a result of this policy, the District will perform the following:
  - (i) The District will install a wastewater collection system within the property as a condition of providing service. If the existing wastewater system is conveyed to the District, the District will operate and maintain the system or replace it at no cost to the owner other than the periodic fees applicable to similarly situated customers.
  - (ii) After construction of the KLWTD Facilities, the District will own, operate and maintain the Wastewater Facilities and have the right to enter the property to ensure the continuance of service.

## **Article IV. Mandatory Connection**

### **Section 4.01 Mandatory Connection Findings.**

The District has ascertained, determined, and declared that:

- (1) The Florida Legislature has identified the Florida Keys as an area of critical state concern; pollution and questionable water quality resulting from the absence of adequate Wastewater Treatment throughout the Florida Keys is a threat to the environment and the health, safety and welfare of landowners and persons inhabiting the Florida Keys.
- (2) The Florida Legislature has charged the District with the responsibility to plan and provide for water and sewer systems within the Florida Keys and to enforce the use of its Wastewater Facilities whenever and wherever they are accessible.
- (3) The Florida Legislature has empowered the District to both prohibit the use of and mandate the use of Wastewater Facilities within the Florida Keys.
- (4) The Florida Legislature has authorized, and Monroe County has enacted, local legislation that requires connection to a central sewage system within specified time periods, even if the affected Property is receiving treatment from a lawful and adequate Onsite Sewage Treatment and Disposal System.
- (5) The District has embarked upon the creation of Wastewater System to manage and treat Wastewater and improve the water quality in the Florida Keys. The presence of the District's Wastewater Facilities are intended to enhance and benefit the environment and the health, safety and general welfare of landowners and persons inhabiting the Florida Keys.
- (6) Mandatory connection to the District's Wastewater System is fundamental to the successful financing, creation and operation of the District's Wastewater System.
- (7) Mandatory connections to a governmental utility system and the subsequent charges flowing therefrom have long been held to be a proper exercise of a governmental power to regulate and protect the welfare of the public.

### **Section 4.02 Duty to Connect.**

- (1) The Owner of an improved parcel of land must, at the Owner's expense, connect to the District's Wastewater System upon written notification that the District's Wastewater Facilities are available for connection, as that term is defined in applicable law.
- (2) Where the District's Wastewater System is available to Premises with an existing OSTDS, the Owner must decommission, abandon, or otherwise disconnect from the existing OSTDS in accordance with the requirements of applicable law, and must connect the buildings on the property or premises to the District's Wastewater System.

### **Section 4.03 Failure to Connect.**

- (1) An Owner that fails or refuses to connect its Premises to the District Wastewater Facilities within the time specified after receipt of written notification of the availability of Service is responsible for the payment of all fees and charges imposed by the District in connection with the provision of Wastewater Service, even if the Premises does not

actually receive Wastewater Service due to failure of the Owner to connect to the District Wastewater Facilities.

- (2) In the event an Owner fails or refuses to timely connect the Premises, any OSTDS or a building to the District's Wastewater Facilities within the time prescribed herein, the District will seek to otherwise compel connection by any other available means, including judicial process, and will proceed to collect all SDC charges, monthly charges, and other charges to which the District would be entitled if the Owner had connected the Premises.
- (3) In the event the District is required to seek a writ or order, or otherwise litigate any action compelling connection, all costs of such action experienced by the District including attorney fees and court costs will be assessed to the Owner

### Calusa Campground

RV units	367
Wastewater Plant Assessment	\$1,700
Transmission Line Assessment	\$1,000
Collection System Assessment	\$2,070
	\$4,770

EDU Rate Factor per RV	1
Total Calculated EDUs	367
Total Assessment Calculation	
Wastewater Plant Assessment	\$623,900
Transmission Line Assessment	\$367,000
	<u>\$990,900</u>
Collection System Assessment	\$759,690
	<u>\$1,750,590</u>
Cost of Collection System	\$1,300,000
Net from Calusa Campground	\$450,590

EDU Rate Factor per RV	0.6
Total Calculated EDUs	220.2
Total Assessment Calculation	
Wastewater Plant Assessment	\$374,340
Transmission Line Assessment	\$220,200
	<u>\$594,540</u>
Connection Cost only	\$2,070
	<u>\$596,610</u>
Cost of Collection System	\$0
Net from Calusa Campground	\$596,610

### KLWTD Wastewater Plant Monthly Revenue

Monthly Base Charge	\$33.60
EDU Rate Factor per RV	1
Total Calculated EDUs	367
Yearly Revenue	\$147,974.40

Monthly Base Charge	\$33.60
EDU Rate Factor per RV	0.6
Total Calculated EDUs	220.2
Yearly Revenue	\$88,784.64

Revenue difference \$59,189.76



**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1 a


- |   |  |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING<br><input checked="" type="checkbox"/> DISCUSSION<br><input type="checkbox"/> GENERAL APPROVAL OF ITEM<br><input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION<br><input type="checkbox"/> BID/RFP AWARD<br><input type="checkbox"/> CONSENT AGENDA |
|---|--|

**SUBJECT:** Calusa Campground

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager** 

**Date:** 11-11-05

<b>Originating Department:</b> Presented by Charles Fishburn	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** As discussed at the last meeting the District must decide whether to install a collection system in Calusa or require Calusa to install their own system.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 11, 2005  
**Re:** Calusa Campground

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The Calusa Campground Board and General Membership, after meeting with the District Manager and District Council, requested the District to install a collection system in the Calusa Campground and charge each unit \$4,770/site and the \$33.60 base charge per month.

Chairman Patton and myself toured Calusa Campground on Tuesday November 8 and met briefly with the Calusa Manager.

The Calusa Campground Project needs to be done properly whether by the District or by Calusa Campground. The question becomes whether the District staff should divert resources to engineering and installing the system in the campground. Installing a system in Calusa by the District may well set a precedent the District does not want to set.

The District will need to oversee the engineering and construction of the project whether the district installs the system or Calusa does.

# CALUSA CAMPGROUND OPTIONS

Prepared 10/28/05

	Commercial	Residential		Modified Scenarios	
	No	Yes	Residential (\$2,700 SDC)	Residential (1/2 EDU / Unit)	Residential (Full EDU / Unit)
District Installs & Owns System?					
System Development Charge:					
Capacity Charge	316,440 (117.2 EDU max x \$2,700)	990,900 (367 x \$2,700)	990,900 (367 x \$2,700)	494,100 (183 x \$2,700)	990,900 (367 x \$2,700)
Connection Fee	2,070 (1 x \$2,070)	759,960 (367 x \$2,070)	2,070 (1 x \$2,070)	378,810 (183 x \$2,070)	759,960 (367 x \$2,070)
Total SDC	\$318,510	\$1,750,590	\$992,970	\$872,910	\$1,750,590
District Capital Cost:	0	1,300,000	0	0	0
Net District Cash	\$318,510	\$450,590	\$992,970	\$872,910	\$1,750,590
Monthly Fees:					
Fixed Charge	3,938 (117.2 EDU max x \$33.60)	12,331 (367 x \$33.60)	12,331 (367 x \$33.60)	6,150 (183 x \$33.60)	12,331 (367 x \$33.60)
Flow Charge	2,540 (482 K gal x \$5.27)	2,540 (482 K gal x \$5.27)	2,540 (482 K gal x \$5.27)	2,540 (482 K gal x \$5.27)	2,540 (482 K gal x \$5.27)
Total Monthly Fees	\$6,478	\$14,871	\$14,871	\$8,690	\$14,871
Cumulative Revenues:					
1 year	\$77,736	\$178,452	\$178,452	\$104,280	\$178,452
3 years	\$233,208	\$535,356	\$535,356	\$312,840	\$535,356
5 years	\$388,680	\$892,260	\$892,260	\$521,400	\$892,260
10 years	\$777,360	\$1,784,520	\$1,784,520	\$1,042,800	\$1,784,520

Incremental Capital: \$540,040 (Collection system only)  
(\$1,300,000 - \$759,960)

Annual Incremental Revenue:

\$100,716  
(\$178,452 - \$77,736)

Simple Payback:

5.4 Years

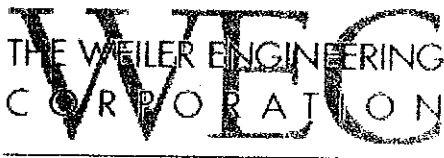
Key Largo Wastewater Treatment District

CONSTRUCTION PLAN WITH \$20 MILLION COUNTY FUNDING

	Initial Projects (0.122 MGD Plant)			Future Projects (2.25 MGD Plant)		Total Island of Key Largo
	Key Largo Trailer Village	Key Largo Park	Calusa Campground	Lake Surprise Sexton Cove	Unidentified Projects	
Project EDU's						
Current	506 (1)	183 (2)	367 (3)	2,494	9,450	13,000
Build Out	61	100		100	700	961
Treatment Plant						
Cost (4)	\$4,300,000	\$4,300,000	\$4,300,000	\$23,000,000	\$23,000,000	\$23,000,000
EDU's Served (5)	850	850	850	13,000	13,000	13,000
\$ / EDU	\$5,059	\$5,059	\$5,059	\$1,769	\$1,769	\$1,769
Transmission Line						
Cost	\$1,100,000	\$1,100,000	\$1,100,000	\$5,000,000	\$8,000,000	\$14,100,000
EDU's Served (6)	850	850	850	6,000	6,150	13,000
\$ / EDU	\$1,294	\$1,294	\$1,294	\$833	\$1,301	\$1,085
Collection System						
Cost	\$4,115,009	\$2,711,777	\$1,250,000	\$12,000,000	\$82,823,214	\$102,900,000
EDU's Served (7)	567	283	367	2,594	8,111	13,961
\$ / EDU	\$7,258	\$9,582	\$3,406	\$4,626	\$7,582	\$7,371
TOTAL COST / EDU	\$13,611	\$15,935	\$9,759	\$7,228	\$10,652	\$10,225
Memo. Project Cost	\$9,215,009	\$3,011,777	\$1,250,000	\$40,000,000	\$76,523,214	\$140,000,000
Spot Ranking	4	17	(8)	2	(9)	(9)
Project Approach (10)	DB	DBB	DBB	DBB	DBB	
Treatment Standard (11)	AWT	AWT	AWT	AWT	AWT	

Notes:

- (1) 445 Residential and 61 Commercial EDU's
- (2) 183 Residential Only
- (3) 367 Residential, but flow estimated to be less than 220 Residential, so plant capacity of 850 EDU's is adequate
- (4) Initial 0.122 MGD plant costing \$4.3 million will be replaced with 2.25 MGD plant costing \$15 million. Total treatment plant investment, including decommissioned plant, when all of Key Largo is served will be \$19.3 million. Initial plant part of Key Largo Trailer Village. Replacement plant part of Lake Surprise/Sexton Cove project.
- (5) Plant will serve 1,056 billable EDU's. Calusa Campground flow equates to less than 220 EDU's, so plant capacity of 850 EDU's is adequate.
- (6) First transmission line installed as part of Key Largo Trailer village project and serves all Phase I projects. Force main serving entire north half of Key Largo (6,000 EDU's) installed as part of Lake Surprise/Sexton Cove. Main transmission line serving south half of Key Largo (6,150 EDU's) to be installed later.
- (7) Based upon total EDU's to be eventually served (current plus build out) since connection lines are being installed to all lots, vacant and improved.
- (8) Unranked, but 30% I&I with current system.
- (9) Hot spots on Key Largo are nos. 2,4,7,9,12,15,17,19,20,21,24,27,29. (Thirteen of 45 hot spots in Master Plan.)
- (10) Design / Build = DB. Design / Bid / Build = DBB.
- (11) BAT = 10-10-10-1. AWT = 5-5-3-1.



*"Excellence in Engineering"*

6630 Front Street, Stock Island  
Key West, Florida 33040  
(305) 295-3301 ph  
(305) 295-0143 fax

## MEMORANDUM

**To:** KLWTD Board

**From:** Ed Castle, P.E.

**Date:** April 26, 2005

**Re:** Calusa Camp

---

At the last meeting, we tabled the discussion of options for connecting Calusa Camp to the KLWTD vacuum sewer system. As stated, I recommend Alternative No. 1 from the Calusa Camp report. This option consists of a vacuum system to be extended onto Calusa Camp property and all new laterals to each unit.

There are two approaches to installation of the system under discussion. These are:

1. The Calusa Camp property owners can install all components to be located in both the common areas and on their individual lots at their cost.
2. The KLWTD can provide the vacuum components in the common areas using public funds, with each property owner being required to install the laterals on their lots at their cost.

Technically, either of these approaches results in the same system, so in that respect, they are equal. Note that regardless of who installs the system, I recommend that the District assume operation and maintenance responsibilities in easements to be granted in the common areas.

As the District's Engineer, I will provide some comments regarding these options.

Expenditure of public funds to install wastewater infrastructure on private property is not generally done, with the exception of financial assistance to low-income individuals. The reasons it is not done relate to issues of equity and the proper use of public funds in the best public interest.

**Best Public Interest** – When considering using District funds to install vacuum mains and pits on the Calusa Camp property, the Board should consider how the general public benefits by the expenditure. Possible benefits include additional revenue from the System Development Fees and monthly O&M fees that can be collected, thereby lowering the capital and O&M costs to all customers. However, Calusa Camp will be required by County Ordinance No. 04-2000 to connect to the KLWTD vacuum system once service is made available via the vacuum main at their property line. The System

Development Fees and monthly O&M fees will be owed without the expenditure of public funds on the private property owned by Calusa Camp.

**Equity** – The issue of equity can be seen from two different viewpoints. On the one hand, in publicly owned streets such as in KLTV and KLP, a cleanout is provided for each building at the property line. If the District does not install the vacuum system within Calusa Camp, a cleanout will not be provided by the District for each RV at their lot line. This can be viewed as inequitable treatment of the individual property owners at Calusa Camp. On the other hand, if the District extends lines onto private property at Calusa Camp, but does not do so in KLTV or KLP (or Tradewinds Plaza, the Sheraton or other commercial properties), this can also be viewed as inequitable treatment.

If the District elects to, and is legally able to, extend sewer lines onto the private property at Calusa Camp, the following possible scenarios may bear consideration:

- Will all other residential properties be provided with similar infrastructure using public funds? Condo associations? Gated communities? Apartment complexes? Trailer parks where the residents own the trailer but rent the lot? Trailer parks where an investor owns both the trailers and lots and collects rent from tenants? Transient RV parks and camp grounds? Marinas with live-aboard slips?
- If infrastructure is provided on private property for some or all of the above using public funds, can the District justify not bringing the lines onto private property at hotels, restaurants and other commercial properties?
- Some home owners in KLTV have complained about not having their cleanouts located at the point of their preference. If the District did not accommodate these property owners, can spending of public funds on private property at Calusa Camp be justified?

**FKAA Approach** – The FKAA was attempting to address this problem in Marathon by proposing to allow owners of commercial residential properties to choose whether or not the wastewater infrastructure would be provided on their property at project expense. However, there were conditions attached to the options.

- If the property owners elected to provide easements and have the FKAA install the sewer mains and cleanouts, the FKAA would also install a new water system with individual meters for each residence. Each residence would then get a water bill and a sewer bill for a full EDU.
- If the property owner elected not to have the FKAA install the sewer system, the owner would be required to do so at the owner's expense. However, the property would then be billed as a commercial property, receiving a single sewer bill based on the commercial rate structure.

**Billing** - The KLWTD should also consider impacts of the District's future rate structure on billing of commercial and residential properties. Generally, if there is a flow based component of the sewer bill, a water meter reading is used to determine that portion of

the monthly bill. However, there are developments and commercial properties with multiple single-family units that are serviced by a master water meter. This is currently the case at Calusa Camp, which is served by a single water service. The individual RV lots do not have water meters, without which billing for the flow-based component could be problematic if each RV lot is considered to be a separate customer. The best solution would be to have the FKAA install water meters at each lot. Alternatively, each lot could receive a bill that includes  $1/367^{\text{th}}$  of the total water consumption from the master meter as the flow based component each month, but this may invite complaints from the seasonal residents. The simplest alternatives would be to have a fixed monthly bill (with no flow component) for all single family residential units, or to treat Calusa Camp as a commercial customer.

It should also be noted that both Chapter 64-E 6 FAC and the Monroe County Uniform Connection ordinance define the flow for an RV lot as 75 GPD. This is equivalent to 0.45 EDU, based on the County standard that an EDU is 167 GPD. With these documents available, owners of RV lots may contest being charged as a full EDU.

**Non-technical recommendation** – Over the years, many bodies have had to address the problems discussed above. In the end, most have come to the same conclusions and developed similar policies and rate structures. The Board should carefully weigh the pros and cons when considering an action that is atypical of generally accepted policies. Public money is typically not spent to provide wastewater infrastructure on private property. My recommendation is that the District make sewer service available in accordance with Monroe County Ordinance No. 04-2000 to all properties in the District. This is a fair and equitable method and does not spend tax payer dollars for improvements on private properties.

KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1 b

☐ PUBLIC HEARING

☐ RESOLUTION

☒ DISCUSSION

☐ BID/RFP AWARD

☐ GENERAL APPROVAL OF ITEM

☐ CONSENT AGENDA

☐ Other:

**SUBJECT:** Connection Enforcement

**RECOMMENDED MOTION/ACTION:** Discussion

Approved by General Manager

Date: 11-11-05

<b>Originating Department:</b> Presented by Tom Dillon	Costs: \$  Funding Source:  Acct. #	<b>Attachments</b>
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>CJM</u> <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Connection Enforcement through the County is available.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised



## MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law  
Board Certified Construction Attorney  
P.O. Box 370736  
Key Largo, Florida 33037-0736

Tel: 305-240-1767  
Fax: 305-853-2693  
E-mail: lawtmd@bellsouth.net

To: Key Largo Wastewater Treatment District

Date: November 3, 2005

Subject: Code Enforcement

---

I spoke today with Monroe County Code Enforcement personnel in Plantation Key. At this time, they have no experience in sewer hook enforcement, but they referred me to Nancy Dowling in Key West (292-4496). Ms. Dowling is the person who has handled sewer hookup code enforcement issues in the Lower Keys. This is a summary of our conversation.

Ms. Dowling would probably not be the person handling this matter for the Upper Keys; Jack Reed would probably be in charge. Mr. Reed is currently out of the country, but will return soon. I am assuming that the following procedures will be used by Mr. Reed, but I will meet with him on his return to find out his preferences.

Prior to taking action, Ms. Dowling held a meeting with Tom Willi, Rhonda Norman, and Joe Paskalik to develop a plan of action.

All of the one-year notices were sent by certified mail, return receipt, and a file was begun for each parcel.

Ms. Dowling believes that it is critical to generate a data base and records to show the status of each property, to prove receipt of the 30-day notices, and to track permitting efforts. She relied heavily on the utility to make sure that the data base was complete and accurate.

After the 30-day notice has been sent by certified mail, return receipt, and the 30 day period has expired, the process was to contact the property owners to find out the status of their hookups.

Due to the unavailability of contractors, Code enforcement was lenient with property owners as long as they were making progress with getting a contract, getting permits, etc.

When it was clear that a property owner was not working to make progress, Code Enforcement issued notices of violation, allowing 15 days for compliance instead of the usual 10 days.

The magistrate holds hearings in Marathon on a regular schedule. In general, he was sympathetic to the property owners, allowing them a reasonable time (60 days, more or less) to get connected.

Only when a property owner failed to try to make progress with the connection did the magistrate impose fines, but there are several owners now facing fines of \$100/day.

I told Ms. Dowling that it was my intention to begin meeting with Jack Reed on his return so that the District and Code Enforcement can develop a cooperative process to get customers connected.

KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1 c

- |  |   |
|--|---|
| <p><input type="checkbox"/> PUBLIC HEARING</p> <p><input checked="" type="checkbox"/> DISCUSSION</p> <p><input type="checkbox"/> GENERAL APPROVAL OF ITEM</p> <p><input type="checkbox"/> Other:</p> | <p><input type="checkbox"/> RESOLUTION</p> <p><input type="checkbox"/> BID/RFP AWARD</p> <p><input type="checkbox"/> CONSENT AGENDA</p> |
|--|---|

**SUBJECT:** System Take Over and Maintenance

**RECOMMENDED MOTION/ACTION:** Discussion

Approved by General Manager C. J. 2  
Date: 11-11-05

<b>Originating Department:</b> Presented by Charles Fishburn	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager <u>C. J. 2</u> <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** If Calusa Campground installs a vacuum collection system acceptable to the District would the District consider taking ownership of the system?

**Resulting Board Action:**

☒ Approved      ☐ Tabled      ☐ Disapproved      ☐ Recommendation Revised

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 11, 2005  
**Re:** System Take Over and Maintenance

---

It is common practice for new developments to install collections systems and then turn over ownership of the systems to their sewer utility to provide future maintenance and repair.

# TAB 2

KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 2


- |   |  |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING<br><input checked="" type="checkbox"/> DISCUSSION<br><input type="checkbox"/> GENERAL APPROVAL OF ITEM<br><input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION<br><input type="checkbox"/> BID/RFP AWARD<br><input type="checkbox"/> CONSENT AGENDA |
|---|--|

**SUBJECT:** \$2 million for Wastewater from Federal Government

**RECOMMENDED MOTION/ACTION:** Discussion

Approved by General Manager 

Date: 11-11-05

<b>Originating Department:</b> Chairman Patton	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Article by Ann Henson in Key West Citizen Nov. 10, 2005 Email from Commissioner Nelson Congressional Record Total Project Sources & uses of Funds, KLWTD Email from Commissioner Brooks
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** The District has been planning on receiving \$500,000 from the Federal Government. The \$500,000 has been budgeted to complete the Key Largo Park Project. \$500,000 now promised for May 2006. \$2 million "new" money for Keys Sewer Projects has been announced in the attached new article.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

# Keys getting \$2M in federal sewer money

BY ANN HENSON Citizen Staff - Keynews.com Nov 10, 2005

Florida's congressional delegation secured \$2 million for Keys wastewater improvements for fiscal year 2006, while \$3 million from the last two years sits with the federal government awaiting completion of paperwork and procedures.

The new funding is the fourth installment of \$100 million authorized five years ago to improve water quality and to help protect the coral reefs.

"Funding this project will help increase water quality in the Keys and maintain momentum for efforts to restore and protect a national treasure," said U.S. Sen. Bill Nelson, who is in part responsible for the allocation.

U.S. Rep. Ileana Ros-Lehtinen is looking forward to another Florida Keys wastewater allocation for fiscal year 2007.

"I am very pleased that these \$2 million will continue to further this important initiative to assure that wastewater improvement projects are funded. This is important to the residents of Florida, vital to the citizens of the Florida Keys and to the environmental balance of our state," said Ros-Lehtinen in a prepared statement.

But federal red tape has slowed the disbursement of the funding.

"We cannot disburse the money until the cooperative agreements are completed," said Shelley Trulock, project manager for Keys wastewater with the Army Corps of Engineers.

"We're in the process of running the agreements up the chain of command to get approval. There's no time frame for completion, but we're putting all the packages together and Key Colony Beach's has already been sent," Trulock said.

The separate agreements with each municipality and unincorporated Monroe County must be approved by the assistant secretary of the Army who oversees the Corps of Engineers, she said.

Trulock said the project team decided to use \$1 million of the funding for costs associated with the environmental impact statements and to demonstrate compliance with the National Environmental Policy Act. That money has been spent.

"We did this so that everything is ready and we can move to reimburse for construction," she said.

So far Congress has allocated approximately \$7.25 million, of which \$4.5 million is available after slippage.

Slippage is the difference between what Congress approved and what was actually allocated.

The project team, made up of county and municipal officials as well as other government entities, has earmarked funding for fiscal year 2004 and 2005.

Trulock said the team will meet again in early 2006 to discuss the projects. If each is on schedule and nothing else changes, the funding for 2004 and 2005 will be made available:

- 1 Key Colony Beach — \$200,000
- 1 Layton — \$800,000
- 1 Key West — \$500,000
- 1 Islamorada — \$500,000
- 1 Marathon — \$500,000
- 1 Key Largo — \$500,000

But the communities cannot simply claim the funds.

They must submit paperwork showing that money has been spent. The federal funds can only reimburse what's already been spent on either sewers or stormwater.

And one of the next tasks is to figure out the reimbursement specifics, Trulock said.

When the details are hashed out, future reimbursement will be streamlined, she said.

"We have to abide by the federal processes in place when it's federal money," she said.

But in subsequent years, the team will only need to meet after budget approval to determine which projects are ready to proceed.

One sticking point with several county commissioners was the \$800,000 earmarked for Layton.

But Jenny Conner of The Nature Conservancy said the money is all Layton will get as the city is now finished with its wastewater improvements.

**ahenson@keysnews.com**



**Subj:** \$2 Million for Florida Keys Wastewater!!  
**Date:** 11/8/2005 1:41:33 P.M. Eastern Standard Time  
**From:** Hanson-Donna@MonroeCounty-FL.Gov  
**To:** Tobinlaw@terranova.net, cbrooks442@aol.com, cffishburn@aol.com, cbullock417@aol.com, g.bauman@dolphinpatioandgrill.com, gpatton@innovative-dynamics.com, lawtmd@bellsouth.net

Donna Hanson

Executive Assistant to

Commissioner Murray E. Nelson

District 5, Key Largo

PH 305.852.7175

FAX 305.852.7162

EMAIL: boccdis5@monroecounty-fl.gov

**From:** Jennifer Conner [mailto:jconner@tnc.org]

**Sent:** Tuesday, November 08, 2005 1:04 PM

**To:** Cecelia Weaver; Clyde Burnett; David Ritz; Elena Herrera; John Bartus; Jim Reynolds; Mary Rice; Murray Nelson; Norman Anderson; Rose Dell; boccdis3@monroecounty-fl.gov; boccdis1@monroecounty-fl.gov; George Neugent; boccdis4@monroecounty-fl.gov

**Cc:** JOANN Thomas; Art Estopinan; CHRISTOPHER Bergh; Colleen Tagle; David Fernandez; David Whitestone; Debra Harrison; Don Riggs; Ed Russo; JILL AUSTIN; Kirk Zuelch; Laurie Karnatz; LEE None KILLINGER; Nancy Klingener; NATINA None SULLIVAN; Sarah Perez; Sean Taylor; Shelley Miklas

**Subject:** \$2 Million for Florida Keys Wastewater!!

I am happy to share some good news! I think we could all use it down here....

We just learned from Sarah Perez in Congresswoman Ros-Lehtinen's office that the FY06 Energy and Water Appropriations bill includes **\$2 million for Keys wastewater**. Attached is the Army Corps General Construction allocation chart from the FY06 Energy and Water Appropriations Conference Report showing the appropriation for Water Quality Improvements in the Florida Keys.

This isn't the full \$3 million that the Senate had appropriated in their budget, but it is a step above the \$1.3 we had in the House version. In an extremely tight budget year, this \$2 million is a very respectable number. We all owe a huge thanks to the hard work of Congresswoman Ros-Lehtinen, Senator Nelson, and Senator Martinez.

Please let me know if you need addresses or phone numbers for your thank you notes and calls. I will be happy to try to answer any questions you have.

Thanks! Jenny

**Jennifer Conner**

*Assistant Director for Policy & Special Projects*

jconner@tnc.org  
 (305) 745-8402 Ext. 109  
 (305) 745-8399 (Fax)

nature.org

**The Nature Conservancy**

**South Florida & Florida Keys Program**

P.O. Box 420237

Summerland Key, FL 33042

Shipping: 55 N. Johnson Rd.

Sugarloaf Key, FL 33042

Thursday, November 10, 2005 America Online: Cffishburn

H9848

## CONGRESSIONAL RECORD—HOUSE

November 7, 2005

CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
DELAWARE		
DELAWARE BAY COASTLINE TO PT MANON, DE.....	---	1,000
DELAWARE BAY COASTLINE, BETHANY TO SOUTH BETHANY, DE..	---	3,000
DELAWARE COAST PROTECTION, DE.....	---	320
DELAWARE COAST, CAPE HENLOPEN TO FENWICK ISLAND, DE...	---	1,275
DISTRICT OF COLUMBIA		
WASHINGTON, DC & VICINITY.....	400	---
FLORIDA		
BREVARD COUNTY SHORE PROTECTION, FL.....	---	500
BROWARD COUNTY (REINH), FL.....	---	750
CANAVERAL HARBOR, FL.....	---	1,500
CEGAR HARBOR/WATER CREEK, FL.....	---	750
CENTRAL AND SOUTHERN FLORIDA (CSF), FL.....	76,826	76,826
DADE COUNTY, FL.....	---	1,350
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	12,000	12,000
FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FL.....	---	2,000
FORT PIERCE BEACH, FL.....	---	150
HERBERT HOOVER DIKE, FL (MAJOR REHAB).....	16,800	16,800
JACKSONVILLE HARBOR, FL.....	---	375
KISSIMEE RIVER, FL.....	13,174	13,174
LEE COUNTY, FL.....	---	750
NASSAU COUNTY SHORE PROTECTION, FL.....	---	2,250
PALM BEACH COUNTY REIMBURSEMENT, FL.....	---	2,450
PINELLAS COUNTY BEACHES, FL.....	---	1,500
PONCE DE LEON INLET, SOUTH JETTY, FL.....	---	1,313
PORT EVERGLADES HARBOR, FL.....	---	375
MOD WATER, FL.....	35,000	35,000
ST. LUCIE INLET, FL.....	---	1,500
TAMPA HARBOR BIG BEND, FL.....	5,000	5,000
TAMPA HARBOR SUTTON CHANNEL, FL.....	---	1,000
GEORGIA		
ATLANTA - COMBINED SEWER OVERFLOW, GA.....	---	1,000
BRUNSWICK HARBOR, GA.....	---	19,100
SUFORD POWERHOUSE, GA (MAJOR REHAB).....	5,812	5,812
HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB).....	733	733
OATES CREEK, RICHMOND COUNTY, GA.....	---	375
RICHARD B RUSSELL DAM AND LAKE, GA & SC.....	1,300	1,300
TURNER LAKE POWERHOUSE, GA & SC (MAJOR REHAB).....	5,700	5,700
HAWAII		
HAWAII WATER SYSTEMS TECHNICAL ASSISTANCE, HI.....	---	1,500
IAO STREAM FLOOD CONTROL, MAUI, HI.....	---	375
KAUNALAPAU HARBOR, LANAI, HI.....	---	13,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI.....	3,550	3,550
IDAHO		
RURAL IDAHO ENVIRONMENTAL INFRASTRUCTURE, ID.....	---	5,000
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	6,495	5,495
CHICAGO SHORELINE, IL.....	20,000	20,000
COOK COUNTY, ENVIRONMENTAL INFRASTRUCTURE, IL.....	---	375
DES PLAINES, IL.....	---	3,750
EAST ST LOUIS, IL.....	700	1,000
EAST ST. LOUIS ECOSYSTEM RESTOR. & FLOOD DAMAGE REDUC.	---	300
GREAT LAKES FISHERY & ECOSYS RESTOR. PGM, IL, IN, MI..	---	375

PLANNED \$268,000 SEPT. 05  
 \$232,000 OCT. 05  
 NOW PROMISED MAY 06

Key Largo Park

TOTAL PROJECT SOURCES AND USES OF FUNDS

October 31, 2005

FUNDING COMMITMENT

Federal:

Army Corps Of Engineers (Potential)

Total	Received	Balance Due	% Rec'd
500,000 17%	\$ -	\$ 500,000	0%

State:

FDEP Grant

FDEP Grant Amendment 2

DCA Cesspit Grant

Subtotal State Funds

1,660,000	325,162	1,334,838	20%
187,312	-	187,312	0%
107,580	-	107,580	0%
1,954,892 66%	325,162	1,629,730	17%

Local:

304 Fund

148 Fund (Cesspit Match)

304 Fund (Cesspit Match)

Subtotal Local Funds

356,000	356,000	-	100%
100,000	-	100,000	0%
50,000	-	50,000	0%
506,000 17%	356,000	150,000	70%

Total Funds

\$ 2,960,892	\$ 681,162	\$ 2,279,730	23%
--------------	------------	--------------	-----

Budgeted source to cover shortfall in grant funding is System Development Fees.

ESTIMATED PROJECT COST

	Est. Total Completed Cost	Billings to 10/31/2005	Balance To Complete	% Expended
FCAA Spending	326,691	326,691	-	100%
Weiler Engineering	100,260	95,078	5,182	95%
Haskell Change Order (Eng'g)	73,767	66,065	7,702	90%
ADB Contract	2,400,000	502,120	1,897,880	21%
Direct Purchases (Airvac)	200,000	77,321	122,679	39%
Misc. Construction Expense (contingency)	150,000	8,192	141,808	5%
GSG (incl. Feb-May, 03 Engineering)	18,365	18,365	-	100%
KLWTD Staff Expense (Insp / Mgmt / Legal)	60,000	35,130	24,870	59%
Total Expenses	\$ 3,329,083	\$ 1,128,962	\$ 2,200,121	34%

**Martin Waits**

**From:** cbrooks442 [cbrooks442@aol.com]  
**Sent:** Friday, September 16, 2005 12:11 PM  
**To:** Chuck Fishburn; Martin Waits; Carol Simpkins  
**Subject:** Fw: FKWQIP Status Report - Sept 05

## -----Original Message-----

**From:** Trulock, Shelley F SAJ  
**Date:** 09/15/05 11:23:36  
**To:** willi-tom@monroecounty-fl.gov; boccd3@monroecounty-fl.gov; cbrooks442@aol.com; jweekley@keywestcity.com; dfernand@keywestcity.com; bob.johnson@islamorada.fl.us; bernie.lapira@islamorada.fl.us; mayor@keycolonybeach.net; jebartus@bellsouth.net; pinkusj@ci.marathon.fl.us; rebarman1@aol.com; skippharing@juno.com; jreynolds@fkaa.com; kruczynski.bill@epa.mail.epa.gov; gus.rios@dep.state.fl.us; jetton@mail.state.fl.us; bobbi\_sleighter@doh.state.fl.us; cweaver@sfwmd.gov  
**Subject:** FKWQIP Status Report - Sept 05

Team, its been several months since we talked so I wanted to take the opportunity to give you an update on what has been going on with our program. I had tentatively marked my calendar for a PDT meeting on Thursday 29 Sept, but given that we do not have information on the President's budget yet I think it would be best to wait. Once we know how much money we'll be receiving via a Congressional Ad, I'll schedule a meeting so we can strategize on how to split the funding. As soon as I hear something definitive you will be the first to know! So, more to come on that.

Although you haven't seen Cecelia's or my face lately associated with FKWQIP, there has been a ton of effort going on associated with executing the program. Below is a summary of the activities going on for each of the municipalities:

\* Key Colony Beach - The Decision Document was complete and the Program Cooperation Agreement (PCA) was forwarded up to our Division and HQ offices on 23 August 2005. We expect execution of this as a nice Christmas present. That means that reimbursement can begin the first of the calendar year. With this being the first one that went up I anticipate some questions, but hopefully we can keep our schedule on track!

\$200,000

\* Layton - Public comment closed on the EA 7 July 2005 and the Decision Document has also been complete. We are currently routing the FONSI and are pulling the PCA package together. We should be in the position to route the package up to our Division and HQ by Monday 19 Sep 2005. Execution of the PCA is anticipated Jan 06.

\$800,000

\* Marathon - Public comment closed on the EA 7 July 2005 and the Decision Document has also been complete. We are currently routing the FONSI and are pulling the PCA package together. We should be in the position to route the package up to our Division and HQ by the first week of October 2005. Execution of the PCA is anticipated Feb 06.

\$500,000

\* Key West - Public comment closed on the EA 12 Aug 2005 and the Decision Document has also been complete. We are currently routing the FONSI and are pulling the PCA package together. We should be in the position to route the package up to our Division and HQ by the first week of October 2005. Execution of the

\$6500,000

PCA is anticipated Feb 06.

\* Key Largo - Public comment will close on the EA 24 Sept 2005. The Decision Document is complete. It is anticipated that we will be able to route the PCA package up to our Division and HQ by the first week of Nov 2005. Execution of the PCA is anticipated May 06. *\$500,000*

\* Islamorada - We are currently working on the EA and anticipate going out for public review the first week of Oct 2005. For Islamorada we still have to go through the public review period for the EA. The decision document is currently being developed and with this schedule it is anticipated that the PCA package will go up to our Division and HQ the first part of Feb 06 and will be executed in May 06. *\$500,000*

The key date for you would be the PCA execution date. This is when we can begin receiving invoices and start the reimbursement process.

I'll be sure to keep you posted as I hear something on the FY 06 budget. I hope this has been a great summer for everyone and that you've weathered the storms without too much damage or hassles.

Feel free to give me a call or send me an email should you have additional questions/concerns/comments. I double checked my email listing twice so hopefully I have included all of the key players. If I have neglected to include someone, please let me know and I will see that they receive a copy of this summary. Also, if you have had any staff changes and need me to modify the distribution list please provide me with that info as well.

THANKS!!! Shelley

### **Shelley Trulock**

System Planner for Program Execution

Restoration Program Execution Branch

phone: 904-232-3292

email: shelley.f.trulock@usace.army.mil

fax: 904-232-1251

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**FREE Emoticons for your email! [Click Here!](#)**



Subj: **Federal funding??**  
Date: 10/5/2005 9:16:09 A.M. Eastern Daylight Time  
From: gpatton@innovative-dynamics.com  
To: cffishburn@aol.com

**Hello Chuck, FYI**

**Glenn**

## **Federal money for sewers should be known this week**

**BY ANN HENSON**

Citizen Staff

Keys officials should know this week how much federal money will come in this year for Monroe County wastewater projects.

Both branches of Congress have added money for wastewater in their budgets, the House asking for \$1.3 million and the Senate proposing a higher amount.

When approved, the funding will go to the Army Corps of Engineers.

Shelley Trulock, project manager at the Jacksonville District, said once the money arrives she will call a meeting of the Keys program delivery team. This team is made up of elected officials and appointees with technical knowledge of the sewer program.

"Day by day, I'm hoping to hear more information," Trulock said. The Corps paperwork is nearly done, she added.

"The program cooperation agreements should be finalized in the second quarter of 2006," she said. And the documentation for the National Environmental Policy Act has been completed.

Some had worried that the Corps hands and budget would be taken over by the rebuilding of New Orleans. A bill in Congress is asking for \$250 billion for Hurricane Katrina disaster relief.

But Trulock said the Keys wastewater money is safe.

Alex Cruz, spokesman for Congresswoman Ileana Ros-Lehtinen, echoed Trulock's comments.

"Congress is spending more money [via new appropriations] — not shuffling around available funds for the hurricane relief efforts," he said.

) Congress authorized the Florida Keys Water Quality Improvement Act in November of 2000 with a promise of up to \$100 million in federal wastewater funding. However, money has been coming in dribs and drabs.

According to Ros-Lehtinen's office, \$5.5 million in federal money for wastewater has come to the Keys since 2003.

Because the paperwork is done, Trulock said, this year's funding will be used for construction reimbursement.

The Corps funnels the money to the South Florida Water Management District. Municipalities and the county then submit requests for reimbursement for completed sewer work.

**ahenson@keysnews.com**

*Published on Sunday, October 2, 2005*

Best regards, Glenn

) <http://www.glennpatton.com>  
305-451-4891 Home  
305-281-0101 mobile

# TAB 3



KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.3

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                      | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> DISCUSSION                          | <input type="checkbox"/> BID/RFP AWARD  |
| <input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                              |   |

SUBJECT: Minutes of Oct. 19, and November 2, 2005 Board Meetings

RECOMMENDED MOTION/ACTION: Approval of minutes with any needed additions, deletions or corrections.

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Board Clerk	Costs: Approximately \$0  Funding Source:  Acct. #	<b>Attachments:</b> Minutes of Oct. 19 & Nov. 2, 2005
Department Review: <input checked="" type="checkbox"/> District Counsel <u>TO</u> <input checked="" type="checkbox"/> General Manager <u>C.F.2</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input checked="" type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

MINUTES  
Key Largo Wastewater Treatment District (KLWTD)  
Board of Commisisoners Meeting



November 2, 2005  
98880 OVERSEAS HYW, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on November 2, 2005 at 5:04 PM. Present were Commissioners Glenn Patton, Gary Bauman, Andrew Tobin, and Claude Bullock. Chairman Brooks was absent. Also present were General Manager Charles Fishburn, District Counsel Thomas Dillon, Board Clerk Carol Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Bauman. Commissioner Bauman, Vice-Chairman, presided over the meeting as acting Chairman.

***Annual Election of Officers***

**MOTION: Commissioner Bullock made a motion to nominate Commissioner Patton as Chairman. Commissioner Tobin seconded the motion**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Commissioner Bauman	X		
Commissioner Brooks			Absent

Motion passed 4 to 0

Acting Chairman Bauman turned the gavel over to Commissioner Patton, who assumed the chair.

**MOTION: Commissioner Tobin made a motion to nominate Commissioner Bullock as Vice Chairman.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		

Commissioner Patton	X		
Commissioner Bullock	X		
Commissioner Bauman	X		
Commissioner Brooks			Absent

Motion passed 4 to 0

**MOTION:** Commissioner Bauman made a motion to nominate Commissioner Tobin as Secretary/Treasure.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Commissioner Bauman	X		
Commissioner Brooks			Absent

Motion passed 4 to 0

### ***Approval of the Agenda***

Chairman Patton requested that the Commissioner's Roundtable be moved to the end of the agenda and a time frame guideline be added to future agendas. General Manager Charles Fishburn requested that an item concerning retirement plans be added for discussion. Commissioner Tobin requested that the Regional Treatment Plant Engineering Work Order item be moved to the front of the agenda.

**MOTION:** Commissioner Tobin made a motion to approve the agenda as amended. Commissioner Bauman seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

### **Public Comment**

The following persons addressed the Commission: No public comment at this meeting.

### ***Action Items***

#### ***Regional Treatment Plant Engineering Work Order***

General Manager Charles F. Fishburn presented the work order. Staff explained that the problem at the last meeting with the work order was mostly semantics. Ed Castle, District Engineer, told the Board that addendum number one had been removed from the work order.

Commissioner Bullock wants to have all of the names of the persons who represent the hourly charges on the Arcadis invoices attached to the work order and he would like the list updated yearly.

Commissioner Bullock requested that Mr. Castle title the facilities plan for the District "Updated Master Plan."

**MOTION: Commissioner Bullock made a motion to approve the KLWTD/Arcadis G & M, Inc Work Order No. 1 and Commissioner Bauman seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### *Weiler Work Order*

Ed Castle explained the work order. He told the Board that the work done as a result of the work order is used in the real number crunching that goes into the Facility Plan. The work is also used to set the groundwork that then goes into the design and then the bidding.

Commissioner Bullock would like to have the names of the people working on the project attached to the work order.

**MOTION: Commissioner Tobin made a motion to approve the Weiler Work Order. Commissioner Bullock seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### **Commissioner's Items**

##### *Calusa Campground*

Commissioner Tobin stated that he was concerned with entering into a contract with a condo association to put in a collection system. He does feel that the District needs to move forward with Calusa Campground.

Commissioner Bullock agrees with the saying "Do it Right and Do it Now". He would like to see the District go in and put in a good system or he would like to see the District make Calusa update their system to the District standards.

Commission Bauman pointed out that the Districts major job is to clean up the near shore waters and he would like to see Calusa hooked up as soon as possible.

Ed Castle stated that a public utility going onto private property at public cost to put in a collection system is not typically done for sewers.

After discussion the Board tasked the Staff to come back with an outline of the process for Calusa upgrade or replace their collection system, for discussion at the next meeting. The Board would also like Staff to bring back a draft of the one-year notice to Calusa for the next meeting.

#### **Action Items**

##### *Pending payments list*

Martin Waits explained that the actual amount on the pending payment list for the Haskell September invoice is \$483,486.25, as opposed to the estimate of \$500,000.00 shown in the list.

**MOTION: Commissioner Bullock made a motion to approve the pending payment list of November 2, 2005 contingent upon the availability of funds. The motion was seconded by Commissioner Tobin.**

##### *Vote on motion*

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

##### *Medical Plan for District Employees*

Charles F. Fishburn presented the insurance plan from the Florida League of Cities and explained that Staff is looking into qualifying for the State Insurance coverage. He recommended that the District take the FL League of Cities insurance and if, at a latter date the District qualifies, change over to the State plan.

Commissioner Tobin stated that he looks at the insurance coverage paid for by the District as a pay raise for the employee. Commissioner Tobin would like to see more

analysis go into the insurance issue. He is concerned with paying for insurance coverage for employees but he is not adverse to it.

Commissioner Bullock recommended that the District approve the Florida League of Cities as the insurance carrier, only, so that employees who desired to begin coverage at this time may do so, and at a latter date consider paying for a portion of the coverage.

Commissioner Bauman would like the District to approve Florida League of Cities as the carrier and pay for the employees' coverage up to \$500 a month. He would like to have an insurance expert make a presentation to the Board. Commissioner Bauman would like more information on the cost of the policies.

**MOTION: Commissioner Bullock made a motion to approve the Florida League of Cities as the insurance carrier for the District but at the current time the District would not pay for any part of the employees insurance at this time. Commissioner Tobin seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman		X	
Chairman Patton	X		

Motion passed 3 to 1

#### *Retirement Services*

Charles F. Fishburn reviewed the Florida League of Cities Pension Trust Fund. He has talked with PayChecks and they will be sending their information also. Mr. Fishburn would like to bring the item back to the Board.

**MOTION: Commissioner Bauman made a motion to allow the Manager and Staff to review the offers and make the decision. Commissioner Bullock seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### *Increase in Engineers Salary*

Mr. Fishburn reviewed the request with the Commission.

**MOTION:** Commissioner Tobin made a motion to approve the increase in the salary of the Engineer, Margaret Blank, to \$72,800 per year effective November 1, 2005. Commissioner Bauman seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

*Change of Inspector to salaried and change title.*

Mr. Fishburn presented the request.

**MOTION:** Commissioner Bauman made a motion to change the title of Inspector to Construction Manager and to pay him a salary of \$62,400 per year.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

*Authorization to hire a Plant Operator*

Mr. Fishburn requested authorization to hire a Plant Operator within the range previously approved by the Board starting not before December 1, 2005.

**MOTION:** Commissioner Bauman made a motion to give the General Manager authorization to hire a Plant Operation paying between \$36,000 to \$52,000 per year with the Operator not starting before December 1, 2005. The motion was seconded by Commissioner Bullock.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

*Authorization to advertise for an Administrative Assistant*

Commissioner Bauman suggested that the requirement to know Access be removed from the ad and that the name Marty be changed to Martin Waits.

Commissioner Tobin left the meeting at 7:42 PM.

**MOTION:** Commissioner Bauman made a motion to give the General Manager authorization to advertise for an Administrative Assistant to start not before January 1, 2005.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin			Absent
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 3 to 0

*Increase in current compensation for per mile allowance to vehicle travel*

Charles F. Fishburn requested that the current \$ .29 per mile for vehicle travel be increase to \$ .40 per mile.

The Board discussed the option of giving employees a flat rate of \$100 per month for use of their own vehicles instead of \$ .40 per mile.

**MOTION:** Commissioner Bauman made a motion to increase the vehicle per mile compensation to \$ .40 per mile for the District. The motion was seconded by Commissioner Bullock.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin			Absent
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 3 to 0

**Legal Items**

*Inter-Local Agreement with FKAA for billing services*

Tom Dillon, District Counsel presented a draft inter local agreement to present to the FKAA and he explained that he intends to work with them to complete it. He will report to the Board at the next meeting on any progress with the FKAA.



Chairman Patton suggested that Mr. Dillon look for the ability of putting on a server a list of where the collections are at, and the flow information. The cost of billing services run between \$2 and \$3 / per customer.

Mr. Dillon reported to the Board that the invoice from Nabors, Giblin, and Nickerson for the work that they did on the assessments was \$1,725 and the contract had a not to exceed amount of \$3,500.

Mr. Dillon requested from the Board the flexibility to change the waiver form that the people need to complete in order to waive service to one or more parcels and accept service to one developed parcel. He intends to remove the requirement for an Ownership and Encumbrance report and the requirement for mortgagee consent.

**MOTION:** Commissioner Bullock made a motion to give the District Counsel the authority to change the waiver sheet as appropriate. Commissioner Bauman seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin			Absent
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 3 to 0

### **Status Reports**

#### *Engineer's Project Status Report*

Ed Castle reviewed the status report presented in the agenda package.

Chairman Patton requested that the Board be notified when the testing of the treatment plant is to take place.

### **Commissioner's Roundtable**

The Board discussed the financing for the Key Largo Park and decided that when Commissioner Bullock goes to the next Project Development Team that he emphasize the need for the \$500,000 and update the support document with the Districts current information.

### **Adjournment**

The KLWTD Board adjourned the meeting at 8:15 PM.

)

The KLWTD meeting minutes of November 2, 2005 were approved on November 16, 2005

\_\_\_\_\_  
Chairman Glenn Patton

)

\_\_\_\_\_  
Carol Walker, CMC  
Board Clerk

MINUTES  
Key Largo Wastewater Treatment District (KLWTD)  
Board of Commisisoners Meeting



October 19, 2005  
98880 OVERSEAS HYW, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on October 19, 2005 at 5:00 PM. Present were Chairman Charles Brooks, Commissioners Glenn Patton, Gary Bauman, Andrew Tobin, and Claude Bullock. Also present were General Manager Charles Fishburn, District Counsel Thomas Dillon, Board Clerk Carol Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Chairman Brooks.

***Approval of the Agenda***

Commissioner Tobin requested that an issue concerning authorizing the Key Largo Fire Department and EMS Board use of the facilities at 98880 Overseas Hwy for their Board meetings be added to the agenda. Commissioner Tobin also suggested moving the Employees Medical Plan from an action item to a discussion item.

**MOTION:** Commissioner Patton made a motion to approve the agenda as amended. Commissioner Tobin seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

**Public Comment**

The following persons addressed the Commission: No public comment at this meeting.

***Commissioner's Roundtable***

Commissioner Bullock stated that he thinks that it is in the best interest of the public that the Board insists that the design criteria for the design projects that the District builds

) include a category Five Hurricane Government facilities need to be on line and in service at the conclusion of a hurricane.

Commissioner Tobin agreed with Commissioner Bullock. Commissioner Tobin stated that there are a lot of residences that do not want to destroy their septic tanks. He would like District Counsel to look into challenging the DEP Administrative Rule that says the septic tanks have to be destroyed.

Chairman Brooks asked Commissioner Bullock if he is suggesting that the design category Five criteria be incorporated into the new plant. Commissioner Bullock said yes.

### **Commissioner's Items**

#### *Federal Funding*

Commissioner Patton stated that the documents that he had received had the project description and funding off center of what is really going on. He asked Chairman Brooks how the document could be altered.

Chairman Brooks explained that it is the most important document that has been done since 1997. It is the final step that tells the Secretary of the Army, who then tells Congress, that it is ok to move ahead with the distribution of the monies.

) Chairman Brooks reported that he has talked with Patricia Carney of PBS&J who is representing the Army Corp of Engineers on the project, and was told that that the numbers are flexible. Ms. Carney suggested that part of the money be left in the Treatment Plant cost even though ultimately it may not be used there. The total amount in the report is now \$140 million.

Commissioner Patton suggested that Commissioner Bullock be selected as an alternate to the Project Development Team to also attend the meetings. Commissioner Bullock has three years left to serve on his term with the KLWTD District Board.

Chairman Brooks stated that he has had three years as representative to the Project Development Team and has less than what he considers total backup from the KLWTD Board in trying to obtain the federal money. He feels that it has been an uphill battle and he stepped down as the representative to the Project Development Team effective immediately.

**MOTION: Commissioner Patton made a motion to nominate Commissioner Bullock to be the Funding Liaison Representative to the Project Development Team and that Commissioner Tobin to be the alternate. Commissioner Tobin seconded the motion.**

#### Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		

Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

The KLWTD Board decided by consensus that the term of the representative will be one year.

Commissioner Patton told the Board that the Key West Utility had a surplus of \$5 million dollars this last year and they put \$1 million into the city's general fund. They are still looking for funding from government agencies to fund their Deep Wells.

Commissioner Tobin suggested that the position of the representative should be used on documents instead of specific names since the person in the position is changed from time to time.

Chairman Brooks said that the letter is an Army Corp of Engineers document and that he would email Commissioner Bullock the contact information.

*Use of the 98880 Building by Key Largo Fire and EMS Board*

**MOTION:** Commissioner Tobin made a motion to allow the Key Largo Fire & EMS Board to use the KLWTD meeting facilities on Monday, Tuesday, or Thursday nights. Commissioner Patton seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

### **Action Items**

*Sexton Cove/Lake Surprise Collection System Engineering Work Order*

General Manager Charles F. Fishburn explained that since the last time the Board looked at the Work Order, David Massey a local surveyor has been added to the proposal.

District Counsel Tom Dillon stated that he has added a "Not to Exceed" amount in the contract. He is satisfied with the contract and recommends approval.

Ed Castle, District Engineer stated that he is comfortable with the scope, the estimated hours and the concept of the "Not to Exceed" price.

Commissioner Bullock asked if the proposal meets the Army Corp. of Engineers criteria. Mr. Terry Zaudtke, Chief Operating Officer for CPH, stated that if they are not in the proposal he has no problem with adding them in unless there are some unusual tasks like some planning documents or things that they would be required to do in addition to things that are already designed, to support the funding.

Tom Dillon, District Counsel said that there would be a new Paragraph Six put in the work order done by an addendum that will say that the Consultant will provide documentation that shows they meet the requirements of the any government agency providing funding.

By consensus the KLWTD Board directed the Engineers to bring back the design built with an order of magnitude cost option to a category 5 at the concept design review.

Commissioner Bullock asked why all of the subdivisions are not in the collections basins that are shown on the map as platted.

Commissioner Tobin asked if the maps have been ground-truthed.

Terry Zaudtke stated that he has driven each of the roads, and Ed Castle has driven the roads, and Charles F. Fishburn has driven the roads. Mr. Zaudtke explained that they have also checked the Monroe County data base on Tier One, Tier Two, and Tier Three lots.

Commissioner Bullock stated that his only concern was that someone in the future would come back and complain the District did not plan for a specific area and he wanted in the record the reason why the areas were not included in the plan.

Commissioner Patton would like to go out to bid for the Sexton Cove / Lake Surprise area as soon as possible.

Ed Castle pointed out that each of the basins could be permitted and bid out in smaller areas.

Mr. Zaudtke stated that he did not need anything extra in the contracts, that he would be willing to break the job up into smaller projects contracts. He explained that each of the jobs would then need a DEP permit and that there would be a permit fee for each job. Ed Castle suggested that each of the Basins be permitted as a whole project and then broken up into smaller jobs.

Mr. Zaudtke said that if the job was split into more than one job there would be some miscellaneous cost like printing but that the area could be done with two contracts and two permits.

Chairman Brooks asked Mr. Zaudtke how much time would be gained by splitting up the project into two parts. Mr. Zaudtke said that he could start 50 days earlier that if he did the work as one project.

Chairman Brooks pointed out that the schedule March 17, 2005 date should be March 17 2006. He then asked if they project is going to be designed before the survey is done.

Mr. Zaudtke explained that they will be able to know how far the runs are going to be, and will work with staff on the location of the lift stations. They will do a preliminary evaluation at that time. He should get the survey information for Sexton Cove in January.

Chairman Brooks asked why the schedule reflects a month between when the plans are submitted and a review. He wanted to know why it took so long. Mr. Zaudtke explained that he gave staff 20 working days to review the plans and if the review goes faster then the schedule will be moved up.

Chairman Brooks asked how much additional time it will take from the time the bids are opened to the award of the bid and mobilization of the contractor and the completion of construction. Mr. Zaudtke said that it would probably take 9 to 12 months.

Chairman Brooks asked if the collection system was started in January, 2007 in Sexton Cove how long would it take to complete. Ed Castle and Terry Zaudtke estimated that it would take nine months to a year per basin.

Commissioner Bullock asked when the property for the lift stations will be purchased. Mr. Fishburn explained that since it is a requirement for the SRF Loan that the property will be purchased by June 2006. He has already been working with a realtor looking into sites.

**MOTION: Commissioner Tobin made a motion to approve Work Order Number 2 with CPH Engineers for the engineering work for the Sexton Cove / Lake Surprise, etc. Collection System. Commissioner Bullock seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

*Regional Treatment Plant Engineering and Deep Injection Well Service Work Order*

Charles F. Fishburn, General Manager, stated that the Staff has reviewed the work order and recommends approval as it is written.

Martin Waits, Financial Officer, stated that there were funds for this project.

Ed Castle, District Engineer, had no comments.

Tom Dillon, District Council said that the contract was the same one that the Board had reviewed at the last meeting.

William Lynch of Arcadis explained that the Board had requested three changes at the last meeting and they have been made. The first one was to revise the schedule to reflect the Notice to Proceed date, the second one was confirmation with District Staff that the Work Authorization had provisions for early termination, and the third one was confirmation with District Staff that the Work Authorization had provisions to address the capacity if the District was to include Plantation Key (Islamorada). They had all been addressed.

Commissioner Bullock expressed concern over the issues of design criteria and if there will be a huge impact if the design goes from a Hurricane Category 4 to a Hurricane Category 5.

Mr. Lynch said that the biggest impact with upgrading the category would be the cost of the building as opposed to the design. It can be addressed at the current time if the Board so directs. Mr. Lynch agreed to give the District a comprehensive opinion of cost difference, so that the Board would have a magnitude of the difference between building for a Category 4 and building for a Category 5 at the concept level.

Chairman Brooks asked what does it mean that on page three of seventeen it says, it is the responsibility of the District is to provide Arcadis with the information for Arcadis to proceed with the design. Staff explained that the things to be provided are relevant population, equivalent dwelling units, flow data, and schedule. Chairman Brooks asked staff if the information was available currently.

Ed Castle responded that the information has already been generated by Weiler Engineering and will be provided to Arcadis. There will be no additional work required of the District to provide the information.

Chairman Brooks asked how much the task of considering the additional 1.5 mgd for Islamorada. Mr. Lynch stated that the task has already been included in the concept design. Mr. Fishburn explained that Chairman Brooks was asking for how many hours would it take. Mr. Lynch said that the hours had been furnished at an earlier stage but in the Work Order is was presented as a summary table showing the work at the stage level but does not show it down to the individual concept assessment level.



Chairman Brooks stated that he is somewhat opposed to that until every thing in the District is done but he does understand the need to be prudent and prepare for the possibilities. He understands that Islamorada is going to look at the issue.

Chairman Brooks pointed out that on the Schedule of Events Graph on the upper left corner the icon that is being used belongs to the Key Largo Chamber of Commerce and the Board Clerk will email the District Logo to Mr. Lynch.

Chairman Brooks stated that in addendum one the assumptions are for a pre-engineered SBR system. He asked if the District is paying for studies in engineering that are not required with the pre-engineered system.

Mr. Lynch explained that Arcadis was requested by Staff to provide a price proposal which would take the job through design and in order to do that they needed to base the final design on an approach. The approach that was suggested by the District Staff was SBR. They will have a refined proposed system so that the Board can take a look at the alternatives and decide which approach to take. When the District finally directs Arcadis on which approach to take they will revise their proposed fee and scope for the final design and Addendum One will reflect what the Board request that Arcadis/MWH do a final design on.

Chairman Brooks said that he is not sure if Arcadis is providing all of the systems that they have be talked about in the proposal for \$742,000.

Mr. Lynch said that until they are done with the concept design, with staff reviewing it, and the Board approving what exactly will be done, a detailed design, is not fully defined. Staff requested that Arcadis define their assumptions so as they review the man hours and estimated fees they had a basis on which to do that. It was agreed that after the last meeting they all concurred that at the point of the concept design phase they would revisit the fee estimate and the scope. The addendum will be revised, and refined so that the scope and the fee estimate, that will be reviewed, will more closely reflect the Board's desire for a final plan.

Chairman Brooks stated that Mr. Fishburn explained to him that if the District uses the pre-engineered system that the fee figure would be reduced from the \$742,000. How much of a reduction would that have on the Arcadis/MWH fee?

Mr. Lynch said that at this point they could not define what the fee reduction would be. That could only be done after they get into the process.

Chairman Brooks stated that what he is trying to establish is that the "Not to Exceed" amount, if the District goes with the pre-engineered, would be reduced.

Mr. Lynch said that it may or may not but the current thinking is that is should be brought down.

Chairman Brooks asked if the Board could be missing something since they do not know what the pre-engineered system is and they do not know what the final assumptions of Arcadis will be. Could something be missing that may have to be built or purchased latter on?

Mr. Lynch said that during the concept design phase they will provide, at the end, a recommendation of draft criteria of important information so that the Board can make a decision for a suitable system to meet its needs.

Chairman Brooks asked what the time frame from the start of the bid process to completion and the start of construction would be. Mr. Lynch stated that it would depend on the size and the style used in the treatment plant. Right now variable sizes and variable types are being looked at.

Commissioner Tobin asked if he could be given what lines in the schedule B, attachment C, might be reduced if the District decided to go to a pre-engineered plant.

Mr. Lynch said that there are several potential lines; it would be those that would be related to the final design.

Patrick Mullen, MWH, stated that their fee was based on a pre-engineered treatment plant with not all of the plant being pre-engineered. The savings will come about not in the Engineering fees but the construction cost. Whereas Mr. Fishburn and Mr. Castle indicated at the last meeting that this fee is on the order of between 5 and 6 percent of the total construction cost. An approach that includes pre-engineering may reduce the construction cost substantially and the engineering fee only marginally.

Chairman Brooks stated that for the \$742,000 Arcadis/MWH is designing a system that will have a pre-engineered portion of the design and Arcadis/MWH is relying on the pre-engineering. If the Board does not want to go with a pre-engineering design would cost go up over and above the \$742,000.

Mr. Lynch answered that it could go up because they have made the assumption as directed by staff as summarized in the addendum to base it on pre-engineered because that appeared to be favored at the time of the proposal.

Mr. Fishburn stated that they thought that the "Not to Exceed" did include the possibility of going to a custom engineer building, treatment plant, and so on.

Mr. Castle stated that it was his recollection that Mr. Fishburn specifically asked the question, "The \$742,000 reflects the entire job even if the District decides to go with a straight design not pre-engineered." Mr. Fishburn very clearly stated that this is a "Not to Exceed" contract. If a completed design system in need the "Not to Exceed" amount would cover it. Arcadis/MWH said yes to Mr. Fishburn's, and Mr. Castle's recollection.

Patrick Mullen, MWH said that he did not recall that conversation.

Arcadis /MWH stated that they had not considered having to design the total package from scratch for the "Not to Exceed" price. If at concept review it was to be determined that pre-engineering would not be used at all then it would be determined that there would not be enough money in the current contract as proposed to cover the cost.

Mr. Dillon stated that the reason that a price was needed for the entire work was because the District has to make a determination that the price was fair and reasonable. If they cannot get to that determination then the District must declare an impasse and negotiate with the second most highly qualified consulting firm. His recollection is the same as Mr. Fishburn's and Mr. Castle's that the \$742,000 is the price if Arcadis/MWH designs everything and that the price would change if a pre-engineered system would have its own cost and Arcadis/MWH work load would go down since they did not have to design every detail of ultra-light disinfection. Mr. Dillon stated that what he was hearing at the current meeting was not the same thing that he thought he heard during the conference call.

Chairman Brooks stated that there are some very important factors that there is a misunderstanding about.

Mr. Dillon said that the District thought that they had a "Not to Exceed" number of \$742,000 and if nothing changed the District would get the full design plan for that amount. Also, if some of the design effort on Arcadis/MWH side was not required because the District decided to go with a pre-engineered design the cost might go down. The decision would be made at the end of the concept review stage. He is now hearing that it is not Arcadis/MWH understanding and he thinks that it should be resolved before it is brought back to the Board.

Mr. Castle pointed out that he had requested the addendum so that the appropriate number of man hours could be determined going into this project based on his information and reference material. When the District switched to the "Not to Exceed" his understanding was that the assumption do not hold anymore. He expected that they would apply, at the concept review, then he would then get the hours down to where he thinks they should be for that type of design. That is why he was agreeable to a "Not to Exceed" figure. If this is not going to be a "Not to Exceed" with the current scope only then he needs to get the hours down in his opinion.

**MOTION:** Commissioner Tobin made a motion to defer Work Order Number 1 with Arcadis/MWH for the Regional Treatment Plant, and Deep Injection Wells engineering. The motion was seconded by Commissioner Bauman.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		

Vice Chairman Bauman		X	
Chairman Brooks	X		

Motion passed 4 to 1

*KLWTD Commissioner Meeting Minutes of September 21 and October 5, 2005.*

Mr. Dillon stated that the motion on page 4 of the September 21, 2005 minutes should be changed to read **Waiver of Service Administrative fee** on the motion to set the fee to be collected for the Waiver to System Development Charge Assessment.

**MOTION: Commissioner Patton made a motion to approve the Bulk Items with the amendment to the September 21, 2005 minutes. Motion was seconded by Commissioner Bullock.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

Chairman Brooks left the meeting and turned the gavel over to the Vice Chairman Bauman at 7:47 PM.

### **Discussion Items**

#### *Medical Plan for District Employees*

Mr. Fishburn explained that the proposal from the Florida League of Cities be consider. He recommends that a \$500 monthly cap be placed on the insurance benefits.

Commissioner Tobin stated that he has a problem with once the District starts to give out medical insurance it can never be stopped and it will continually go up. He would like to see a 50/50 split on the health benefits. He wants the employee invested in the plan.

Commissioner Bullock stated that he has no problem with a fifty fifty split with a \$500 cap.

Commissioner Bauman stated that providing insurance is just another form of wages that are provided to have good employees.

Staff will bring back this item to the next meeting.

#### *Increase in Engineers Salary*

General Manager Charles Fishburn explained that he does not feel that this is a raise. He believes that he hired the Engineer below the current market and the Engineer has finished the six-month probationary period

*Work Order for Completion of District Wastewater Plan*

Mr. Fishburn explained that the SRF Loan for the actual construction of the North Components requires a "Facilities Plan." The District, at minimum, could do a Facilities Plan for the North Components only, but due to the inclusion of the Regional Treatment Plant in the North Components Project we would be 75% on our way to a Facilities Plan for the whole Island.

Staff recommends enlisting Weiler Engineering to complete the Island Planning (attached Work Order No. 5) and then enlisting Weiler for an additional Work Order No. 6 to complete the SRF Facilities Plan for the complete \$140,000,000 Island Project.

Work Order No. 6 would include data derived from CPH, MWH, and Arcadis' 30% submittals and/or concept reviews required for their projects. Work Order No. 6 to Weiler Engineering would result in the Facilities Plan for the SRF Construction Loan.

Work Order No. 5 would be funded from our Planning Budget and MSTU Funds and Work Order No. 6 would be charged to the SRF Engineering Loan that is currently in place.

Commissioner Bullock requested that when the work order is brought back for action that there be hours addressed in it.

**Legal Items**

Tom Dillon, District Counsel told the Board that his contract with the Board is entering its second year and that he is not requesting a rate increase. There is no change in the contract.

Mr. Dillon presented the Decision Letter that is being sent out to the appellant concerning the wastewater assessments.

Mr. Dillon reported that he sent out solicitations on October 13 for ownership and encumbrance reports. The response is due October 28, 2005 with a price good through December 31, 2006.

**Status Reports**

None

**Adjournment**

The KLWTD Board adjourned the meeting at 9:10 PM.

The KLWTD meeting minutes of October 19, 2005 were approved on November 16, 2005

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Chairman Glen Patton

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Carol Walker, CMC  
Board Clerk

# TAB 4

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 4

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 13-11-05 approving an exemption to a parcel owned by Marilyn and Michael Mackel

**RECOMMENDED MOTION/ACTION:** Approval

Approved by General Manager

Date: 11-10-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 13-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <i>TN</i> <input checked="" type="checkbox"/> General Manager <i>C.F. 2</i> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

**Summary Explanation/Background:** Staff has reviewed this application for exemption from the Wastewater Assessment and recommends Board approval.



**RESOLUTION NO. 13-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
APPROVING THE REQUEST OF MARILYN AND  
MICHAEL MACKEL FOR DESIGNATION OF A TAX  
PARCEL AS A PARCEL EXCLUDED FROM THE 2005  
NON-AD VALOREM ASSESSMENT; AND PROVIDING  
FOR APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Marilyn and Michael Mackel have submitted documentation supporting their request for exception from the Wastewater Assessment; and

WHEREAS, the documentation that Marilyn and Michael Mackel have submitted consist of the Monroe County Planning Department ROGO Scoring Information Sheet; and

WHEREAS, the ROGO Scoring sheet shows that the tax parcel cannot be developed.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.      LEGAL DESCRIPTION**

PARCEL ID:                      00528830-000000

AK NO.                              1648060

PARCEL DESCRIPTION:   BK 25 LT 29 AMD PLAT OF KEY LARGO PARK KEY  
LARGO O R431-706/707 OR439-473Q OR650-796  
OR782-1773/1774 OR819-1233 OR819-1234F/J

**Section 2.**      The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the tax parcel designated above from the Key Largo Wastewater Treatment District's 2005 Non-ad Valorem Assessment.

**Section 3.      APPLICABILITY AND EFFECTIVE DATE.**

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 13-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

#### KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 5

# **Key Largo Wastewater Treatment District Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 5

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 14-11-05 approving an exemption to a parcel owned by Gene Brian DeMambro

**RECOMMENDED MOTION/ACTION:** Approval

**Approved by General Manager**

**Date:** 11-10-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 14-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>C.F.Z.</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** : Staff has reviewed this application for exemption from the Wastewater Assessment and recommends Board approval.

**RESOLUTION NO. 14-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
APPROVING THE REQUEST OF GENE BRIAN  
DEMAMBRO FOR DESIGNATION OF A TAX PARCEL AS  
A PARCEL EXCLUDED FROM THE 2005 NON-AD  
VALOREM ASSESSMENT; AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Gene Brian DeMambro has submitted documentation supporting his request for exception from the Wastewater Assessment; and

WHEREAS, the documentation that Gene Brian DeMambro has submitted consist of the Monroe County Planning Department ROGO Scoring Information Sheet; and

WHEREAS, the ROGO Scoring sheet shows that the tax parcel cannot be developed.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.      LEGAL DESCRIPTION**

PARCEL ID:                      00528590-000000

AK NO.                              1647829

PARCEL DESCRIPTION:    BK 25 LT 5 AMD PLAT OF PB3-62 KEY LARGO PARK  
KEY LARGO OR408-374-375 OR533-421 OR866-1421  
OR2024-414 OR2024-412D/C OR2024-413AFF OR2024-  
414 (CTT)

**Section 2.**      The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the tax parcel designated above from the Key Largo Wastewater Treatment District's 2005 Non-ad Valorem Assessment.

**Section 3.      APPLICABILITY AND EFFECTIVE DATE.**

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 14-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 6

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 6

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 16-11-05 amending Resolution No. 10-08-05 by adding a tax parcel

**RECOMMENDED MOTION/ACTION:** Approval

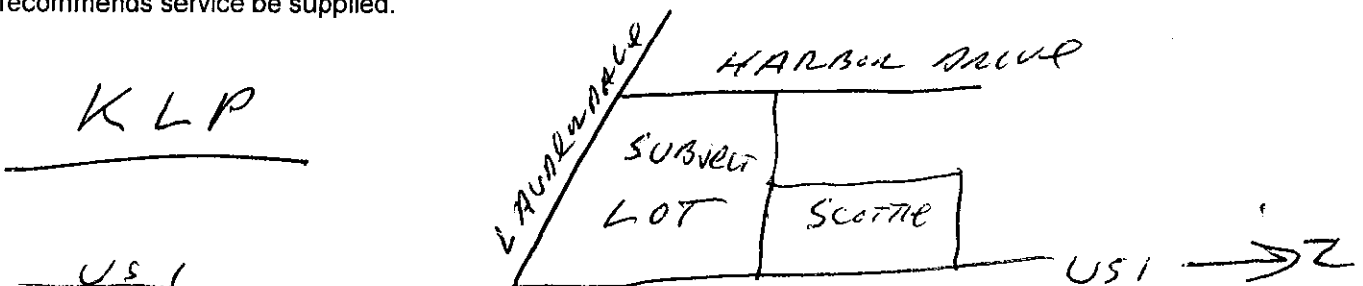
Approved by General Manager

Date: 11-11-05

*C. J. A.*

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 18-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>CJ.A.</u> <input type="checkbox"/> Finance _____	<input checked="" type="checkbox"/> Engineering <u>MB</u> <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.		Yes I have notified everyone _____ or Not applicable in this case _____: Please initial one.

**Summary Explanation/Background:** This is a large lot that is bounded by Scotties, US1, Lauderdale, and Harbor Drive, that was not in our original assessment. The owner has requested service and staff recommends service be supplied.





**RESOLUTION NO. 16-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
AMENDING THE FINAL ASSESSMENT RESOLUTION 10-  
08-05 BY ADDING A TAX PARCEL AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the subject new parcel is as follows:

Owner: Thomas Barkett & Thomas Barkett Jr. Trustees;

Legal Description: 28 61 39 A61928-31 ISLAND OF KEY  
LARGO PT LOTS 7-10 OR398-213 OR1139-1767 (CW)

Alternate Key No. 1096113

Real Estate No. 00087560-000000: and

WHEREAS, the Subject Parcel is an unimproved parcel adjacent to the Key Largo Park subdivision, and will be readily served by the collection system now being installed in Key Largo Park; and

WHEREAS, the Owner of the Subject Parcel has requested two connections to the Subject Parcel, and

WHEREAS, the Owner has requested the assessment, and

WHEREAS, the District has determined that providing the two connections requested will be in the best interest of the District due to the proximity of the Subject Parcel to the Key Largo Park Collection System

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.** The District hereby accepts the request for the assessment for the System Development Charges to be levied against the Subject Parcel, but only to the extent that the Subject Parcel is improved with up to two (2) residential Dwelling Units. If the Owner, or a successor to the Owner should develop the Subject Parcel with non-residential improvements or improvements exceeding two (2) residential Dwelling Units, the District will consider any additional System Development Charges to be levied against the Subject Parcel in accordance with policies and rates in effect at the time of such improvement.

**Section 2.** APPLICABILITY AND EFFECTIVE DATE.

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 16-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 7

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 7

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 17-11-05 amending Resolution No. 10-08-05 by adding two service connections on one Subject Property

**RECOMMENDED MOTION/ACTION:** Approval

Approved by General Manager

Date: 11-11-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 18-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>C. J. L.</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input checked="" type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____ Please initial one.

**Summary Explanation/Background:** Staff has reviewed documentation and recommends approval.

**RESOLUTION NO. 17-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
AMENDING THE FINAL ASSESSMENT RESOLUTION 10-  
08-05 BY ADDING TWO SERVICE CONNECTION TO THE  
SUBJECT PARCEL AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the subject parcel is as follows:

Owner: Ricardo Leon & Silvia Martinez;

Legal Description: KEY LARGO TRAILER VILLAGE FIRST  
ADDITION KEY LARGO PB5-55 LOTS 19 & 20 BLK 26  
OR549-1041 OR974-705 OR1622-1171AFF OR1622-  
1172AFF OR1622-1173AFF OR1622-1174 OR2023-  
891/892(LG)

Alternate Key No. 1566926

Real Estate No. 00463490-000000; and

WHEREAS, the Subject Parcel is adjacent to the Key Largo Trailer Village subdivision, and will be readily served by the collection system now being installed in that subdivision; and

WHEREAS, in determining the System Development Charges for the Subject Parcel, the District erroneously considered it to be improved with only one single-family dwelling. In fact, the Subject Parcel is improved with two single-family dwellings. The Owner of the Subject Parcel has requested two connections to the Subject Parcel; and

WHEREAS, the District has actually provided the two connections requested by the Owner.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.** Therefore, the District hereby amends the Assessment Roll attached the 2005 Final Assessment Resolution to show a System Development Charge for the Subject Parcel equal to \$9,540.00, and a 2005 assessment of \$501.04. The District will advise the Monroe County Tax Collector of this amendment.

**Section 2.** APPLICABILITY AND EFFECTIVE DATE.

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 17-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 8

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 8

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 18-11-05 approving an exemption to a parcel owned by Anthony and Mary Scarlett

RECOMMENDED MOTION/ACTION: Approval

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 18-11-05
<b>Department Review:</b> <input type="checkbox"/> District Counsel _____ <input type="checkbox"/> General Manager _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required [
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Staff has reviewed this application for exemption from the Wastewater Assessment and recommends Board approval.



**RESOLUTION NO. 18-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
APPROVING THE REQUEST OF ANTHONY AND MARY  
SCARLETT FOR DESIGNATION OF A TAX PARCEL AS A  
PARCEL EXCLUDED FROM THE 2005 NON-AD  
VALOREM ASSESSMENT; AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Anthony and Mary Scarlett have submitted documentation supporting their request for exception from the Wastewater Assessment; and

WHEREAS, the documentation that Anthony and Mary Scarlett have submitted consist of the correspondence showing that the tax parcel is in the process of being purchased by the State of Florida for conservation purposes. This fact has also been confirmed by George F. Wilson, the real estate professional handling the sale; and

WHEREAS, the documentation shows that the tax parcel cannot be developed.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.      LEGAL DESCRIPTION**

PARCEL ID:                      00528580-000000

AK NO.                              1647811

PARCEL DESCRIPTION:   BK 25 LT 4 AMD PLAT OF PB3-62 KEY LARGO PAY  
KEY LARGO OR568-43 OR583-200 OR857-260  
OR1071-1719/JB

**Section 2.**      The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the tax parcel designated above from the Key Largo Wastewater Treatment District's 2005 Non-ad Valorem Assessment.

**Section 3.      APPLICABILITY AND EFFECTIVE DATE.**

This resolution shall take effect upon adoption by the Board of Commissioners.

**RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005**

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 18-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 9

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: Nov. 16, 2005

Agenda Item No. 9

☐ PUBLIC HEARING

☐ RESOLUTION

☐ DISCUSSION

☐ BID/RFP AWARD

☒ GENERAL APPROVAL OF ITEM

☐ CONSENT AGENDA

☐ Other:

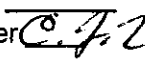

SUBJECT: Pending Payments list for Nov. 16, 2005

RECOMMENDED MOTION/ACTION: Motion to approve pending payments list for Nov. 16, 2005 contingent upon available funds.

Approved by General Manager

Date: 11-16-05



<b>Originating Department:</b> Finance	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Pending Payments List
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input checked="" type="checkbox"/> Finance 	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

## Payments Pending 11/16/05

Prepared 11/11/05

## CONSOLIDATED CASH BALANCE FORWARD

\$ 302,563.75

Administration & Operations

Cash Balance A&O Account Forward	\$ 83,643.84	
Plus: MSTU Draw #12	\$ 64,571.02	
Less: Sprint - Cell Phones (45 days)	313.30	
FL Dept. Mgmt. Services - Phone Service	257.43	
Cooke Communications - Legal Ads	173.72	
Nabors Giblin & Nickerson - Assessment Review	1,712.26	
RBC Dain Rauscher - SRF Loan Application	5,089.59	
FKAA - Deposit Adjustment	90.43	
BellSouth - Rollover Line	21.23	
Premier Global - Conference Calls	67.34	
USA Bluebook - Supplies	28.64	
Keys Sanitary - Trash Service	33.06	
Key Breeze Engraving - Name Plates	56.25	
FWR Journal - Operator Ad	216.00	
Federal Express - Deliveries	24.76	
Nissan - Truck Lease	219.00	
Chris Sante - Rent (November)	2,450.00	
Thomas Dillon - Legal Services	2,362.50	
Board Compensation - October	3,000.00	
Staff Salaries - October	12,765.51	
Payroll Benefits - FICA & Medicare	1,206.06	
Sub-total Invoices	30,087.08	
		\$ (30,087.08)
Cash Balance A&O Account If All Paid	\$ 118,127.78	
Memo: MSTU Draw #13 Submitted 10/11/05 \$61,274		
MSTU Draw #14 Submitted 10/11/05 \$ 7,341		

Key Largo Park

Cash Balance KLP Account Forward	\$ (82,297.89)	
Less: ADB - September/October	350,000.00	(Not to exceed)
Weiler Engineering - October	3,040.17	
Staff Salaries (incl. benefits) - October	6,477.18	
	359,517.35	
		(359,517.35)
Cash Balance KLP Account If All Paid	\$ (441,815.24)	
Memo: MC Cesspit Draw #1 Submitted 7/22/05 \$ 17,464		

Key Largo Trailer Village

Cash Balance KLTV Account Forward	\$ (642,398.68)	
Plus: No Receipts		
Less: Alrvac - Field Services	2,375.00	
Haskell - October	160,000.00	(Not to exceed)
Weiler Engineering - October	5,671.67	
Thomas Dillon - Legal Services	238.00	
Staff Salaries (incl. benefits) - October	3,544.32	
Sub-total Invoices	171,828.99	
		(171,828.99)
Cash Balance KLTV Account If All Paid	\$ (814,227.67)	
Memo: FEMA Draw #8 Submitted 7/20/05 \$ 933,518		
FEMA Draw #9 (Final) Submitted 8/02/05 \$ 8,373		
DCA Cesspit Draw #2 Submitted 11/3/05 \$ 421,320		

North Key Largo Development

Cash Balance KLNC Account Forward	943,616.48	
Less: Weiler Engineering - October	1,715.50	
Thomas Dillon - Legal Services	651.00	
Staff Salaries (incl. benefits) - October	3,933.36	
	6,299.86	
		(6,299.86)
Cash Balance KLNC Account If All Paid	937,316.62	

## CONSOLIDATED CASH BALANCE IF ALL PAID

\$ (265,169.53)

NOTE: A TOTAL OF \$ 1,499,290 REQUESTED FOR REIMBURSEMENT IS OUTSTANDING

Approved for payment:

Glenn Patton, Chairman

Andrew Tobin, Secretary

# TAB 10

# **Key Largo Wastewater Treatment District Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

10

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

SUBJECT: District Lien Rights

RECOMMENDED MOTION/ACTION: Discussion only

Approved by General Manager

Date: 11-10-05

*C. J. R.*

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo from Tom Dillon
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <i>TC</i> <input checked="" type="checkbox"/> General Manager <i>CJR</i> <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** Proposal to amend the Key Largo Wastewater Treatment District's Act to provide that fees and charges imposed by the District shall become a lien upon Real Property.

## MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law  
Board Certified Construction Attorney  
P.O. Box 370736  
Key Largo, Florida 33037-0736

Tel: 305-240-1767  
Fax: 305-853-2693  
E-mail: lawtmd@bellsouth.net

To: Key Largo Wastewater Treatment District

Date: November 10, 2005

Subject: Proposal to amend the Key Largo Wastewater Treatment District Act to provide that fees and charges imposed by the District shall become a lien upon real property.

---

The purpose of this proposal is to amend the Key Largo Wastewater Treatment District Act ("the Act") to provide that fees and charges imposed by the District shall become a lien upon real property.

- The proposal is based upon a similar provision in the law authorizing the Florida Keys Aqueduct Authority. The provision appears to have been inadvertently omitted from the Act.
- The proposal, if adopted, would increase the District's security for the collection of fees and charges, and would tend to enhance the District's creditworthiness.

The proposed amendment is to amend Section 4.2.J of the Act to read as follows:

(J) To fix and collect rates, rentals, fees, and charges for the use of any wastewater management system facilities. The District may provide for reasonable penalties against any user for any such rates, fees, rentals, or other charges that are delinquent. In the event that such delinquency occurs and such fees, rentals, or other charges are not paid and remain delinquent for 30 days or more, the District may discontinue and shut off services until such fees, rentals, or other charges, including interest, penalties, and charges for shutting off, discontinuing, and restoring such services, are fully paid. The District may enter on lands, waters, and premises of any person, firm, corporation, or other body for the purpose of discontinuing and shutting off services under such circumstances. Further, such delinquent fees, rentals, or other charges, together with interest, penalties, and charges for shutting off, discontinuing, and restoring such services, and reasonable attorneys' fees and other expenses SHALL BE A LIEN UPON ANY SUCH PARCEL OF PROPERTY SUPERIOR AND PARAMOUNT TO ANY INTEREST EXCEPT THE LIEN OF COUNTY OR MUNICIPAL TAXES AND SHALL BE ON A PARITY WITH ANY SUCH



TAXES, AND may be recovered by the District by suit in any court of competent jurisdiction. The District may also enforce payment by any other lawful method of enforcement.

[Added words are in ALL CAPS.]

# TAB 11

**Key Largo Wastewater Treatment District  
Agenda Request Form**

11

Meeting Date: November 16, 2005

Agenda Item No.

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Designated Board Seats for Election

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager**

**Date:**

*C. J. [Signature]*  
*11-11-05*

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <i>TC</i> <input checked="" type="checkbox"/> General Manager <i>CJZ</i> <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** Commissioner Tobin has requested that the Board consider amending the Act that created the District Board so that candidates for Board Seats are campaigning for specific Board Seats.

## MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law  
Board Certified Construction Attorney  
P.O. Box 370736  
Key Largo, Florida 33037-0736

Tel: 305-240-1767  
Fax: 305-853-2693  
E-mail lawtmd@bellsouth.net

To: Key Largo Wastewater Treatment District

Date: November 10, 2005

Subject: Proposal to amend the Key Largo Wastewater Treatment District Act to provide candidates shall file for a designated seat.

---

The purpose of this proposal is to amend the Key Largo Wastewater Treatment District Act ("the Act") to provide that candidates for District Seats shall file for a designated seat.

This proposal was suggested by Commissioner Tobin prior to the last general election.

The Uniform Special District Accountability Act of 1989, ch. 189, Florida Statutes, provides that in any election, a decision made by a majority of those voting shall prevail. § 189.405(4).

The Act provides, Section 5.3:

At the initial election of the governing board, the candidates receiving the highest five vote totals, consistent with Section 189.405(4), Florida Statutes, as the same may be amended from time to time, shall be deemed elected to the initial governing board. Thereafter, at the time of subsequent elections, available governing board positions shall be filled by those candidates receiving the highest vote totals.

As a result, the incumbent in every open position is at risk of losing the position.

The proposal is to amend the Act to provide that a candidate must declare for a position and must obtain a majority of votes in order to take that position. A candidate could target the campaign for a particular position, and the holder of a position for which no other candidate has declared would be automatically elected.

The proposed amendment is to amend Section 5.3 of the Act to read as follows:

At the initial election of the governing board, the candidates receiving the highest five vote totals, consistent with Section 189.405(4), Florida Statutes, as the same may be amended from time to time, shall be deemed elected to the initial governing board. Thereafter, at the time of subsequent elections, available governing board positions shall be filled by those candidates receiving the highest vote totals EACH POSITION

SHALL BE ASSIGNED A UNIQUE DESIGNATION, AND EACH CANDIDATE FOR A POSITION MUST INDICATE IN HIS OR HER QUALIFYING DOCUMENTS THE POSITION FOR WHICH HE OR SHE IS ATTEMPTING TO QUALIFY. EACH AVAILABLE GOVERNING BOARD POSITION SHALL BE FILLED BY THE CANDIDATE RECEIVING THE HIGHEST VOTE TOTAL FOR THAT POSITION.

[Deleted words are underlined; Added words are in ALL CAPS.]

# TAB 12

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

12

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

SUBJECT: One Year Notice to Calusa Campground

RECOMMENDED MOTION/ACTION:

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> One Year Notice
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>C.G.R.</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

Summary Explanation/Background:

# TAB 13



**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005      Agenda Item No. 13

- |   |  |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING           | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> DISCUSSION               | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                   |  |

**SUBJECT:** Resolution No. 15-11-05 request to waiver County Permit and Planning Fees

**RECOMMENDED MOTION/ACTION:** Approval

**Approved by General Manager**

**Date:** 11-10-05

<b>Originating Department:</b> Engineering	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 15-11-05 Section of Monroe County Code
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>C.J.R.</u> <input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Engineering <u>MB</u> <input type="checkbox"/> Clerk	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.		Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** The Planning Department has informed Margaret Blank our Engineer that fees for government agencies may be waived with a BOCC resolution. The attached resolution request the County waive Planning and Permitting Fees.

**Resulting Board Action:**

☒ Approved      ☐ Tabled      ☐ Disapproved      ☐ Recommendation Revised

**RESOLUTION 15-11-05**

**A RESOLUTION OF THE KEY LARGO WASTEWATER  
TREATMENT DISTRICT, REQUESTING MONROE  
COUNTY TO WAIVE ALL PLANNING AND PERMITTING  
FEES FOR REQUIRED PERMITS, FOR THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT WAIVED**

---

**WHEREAS**, the Key Largo Wastewater Treatment District ("District") is in the process of completing a wastewater management system consisting of a treatment plant, transmission line, and collection systems serving the properties located on the Island of Key Largo; and

**WHEREAS**, the District wastewater management system will incur significant costs in completing the wastewater management system;

**WHEREAS**, these costs impose a burden on the District wastewater management system;

**WHEREAS**, Monroe County has adopted a policy of not imposing building permit and application fees upon certain named government entities, provided they do not charge the county a fee (including an impact fee) for development, environment, or similar permits, or for right of way use;

**WHEREAS**, the District do not intend to charge the county a fee (including an impact fee) for development, environment, or similar permits, or for right of way use;

**NOW, THEREFORE**, the Key Largo Wastewater Treatment District respectfully requests that Monroe County add the District to the list of named government entities conditionally exempt from county building permit and application fees.

**THE REST OF THIS PAGE WAS LEFT BLANK INTENTIONALLY**

The foregoing RESOLUTION NO. 15-11-05 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
Commissioner Gary Bauman	—	—
Commissioner Claude Bullock	—	—
Commissioner Charles Brooks	—	—
Commissioner Andrew Tobin	—	—
Chairman Glenn Patton	—	—

The Chairman thereupon declared Resolution No. 15-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

**KEY LARGO WASTEWATER TREATMENT  
DISTRICT GOVERNING BOARD**

By \_\_\_\_\_  
Glenn Patton, Chairman

Attest:

Approved as to form and content:

By \_\_\_\_\_  
Carol Walker, Board Clerk

By \_\_\_\_\_  
District Counsel

Sec. 6-27. Fees.

(a) *Purpose:* The purpose of this section is to establish the authority, schedule, and exemptions for permitting and related fees.

(b) *Authority and Fee Schedule:* Except as specifically established by this chapter, the board of county commissioners may by resolution establish a fee schedule for, but not limited to permit applications, permits, plans examination, certificates of competency, re-inspections, permit renewals, administrative fees, variance requests, and administrative appeals.

(c) *Fees Required:* Except as authorized by this chapter, no permit shall be issued without payment of all appropriate fees. Where a nonrefundable application fee is charged, the fee may be applied to off-set the total permit fee at the time the permit is issued, except where the application fee exceeds the total permit fee. In this case, the application fee shall become the total permit fee.

(d) *Fee Exemptions:* Fees may be exempted for only those entities and activities specifically listed below:

→ (1) *Conditional exemptions:* The following governmental entities are exempt from county building permit and application fees, but only if the listed entity does not charge the county a fee (including an impact fee) for development, environment, or similar permits, or for right-of-way use:

- a. The State of Florida including the South Florida Water Management District;
- b. The United States;
- c. Municipalities wholly located within the county;
- d. City Electric System;
- e. Florida Keys Electric Co-op; and
- f. Florida Keys Aqueduct Authority.

→ (2) *Full exemptions:* The following entities or work are exempt from the county building permit and application fees:

- a. Monroe County;
- b. Volunteer fire departments;
- c. Volunteer emergency medical departments; and,
- d. Construction of affordable housing projects, as defined under the Florida Statutes or chapter 9.5, receiving financial assistance from Monroe County.

(e) *Fee Waivers:* Not-for-profit organizations with 501(c)(3) status from the Internal Revenue Service for construction of affordable or low income housing as defined by Florida Statutes and lessees of county-owned property for construction on said property may apply to the board of county commissioners for fee waivers from the permit and application fees.

(f) *Fee Refunds:* No fees paid for building permit fees shall be refunded without the approval of the board of county commissioners upon the recommendation of the county administrator. Permit application fees are not refundable.

(Ord. No. 010-2002, § 6; Ord. No. 019-2003, § 1)

certified to make submarine excavations, to remove from underwater locations, materials such as rock, gravel, silt, mud, marl or clay, to excavate canals, channels, lakes, borrow areas, to construct fills, embankments or stockpiles, using floating hydraulic dredging equipment.

Class III      Sub-Engineering Contractor

- a.      Land Clearing and Grubbing Engineering Contractor is an engineering contractor having the experience and skill gained by not less than one year as a general superintendent for an engineering contractor or education equivalent thereto, or a combination thereof, and qualified and certified to clear land of surface debris and vegetation growth, including the grubbing of roots, the removal of the debris therefrom and the general leveling of the surface thereafter and work incidental thereto. A Class III engineering contractor may take out permits for work falling within his particular speciality or specialities except in those trades for which a master is specifically required; he shall subcontract with a qualified contractor holding a current certificate of competency in the field. All permits for soakage pits, dry wells, catch basins, and connection pipes or filled property shall be secured from the proper authority and installation made in accordance with the Standard Building code and/or the Public Works Manual.

**A1.04 INSURANCE**

All engineering contractors shall maintain at all times liability insurance coverage as prescribed by Section 6-64(2) of the Code. In the case of work under contract with Monroe County, the insurance shall be as required by the contract specifications. For work within the County's road right-of-way the liability insurance coverage shall be as called for under Chapter 16, Sec. 8 of Ordinance 19-1983 of the Code.

→ **A1.05 PERMITS AND FEES (Refer to Chapter 16 Ordinance 19-1983 of the Code)**

1.05.01 Permits

A permit issued by the Monroe County Public Works Department is required for all construction, excavation, alteration, repair, installation, and relocation of public works facilities within easements or road and canal rights-of-way.

A person or firm contracting for any of the above work without a valid certificate of competency is subject to the penalties prescribed in the Code.

The purpose of the permit is to provide a means for controlling the

construction and installation of public works facilities and to assure that such construction conforms with existing standards and specifications and does not endanger the health, welfare or safety of the general public. The County may at its option waive these permit requirements.

#### 1.05.02 Permit Fees

A fee will be charged for each permit issued for work within the County's road right-of-ways except when waived for governmental agencies. Appendix "A" (attached) is an excerpt from the code relating to permit fees. (See Chapter 16, Ordinance 19-1983 of the Code.)

#### 1.05.03 Where Permits are Obtained

Permits for public works construction, excavation, alteration, repair, installation, and relocation may be obtained at the Office of the Public Works Department.

### **A1.06 TESTING OF MATERIALS**

#### 1.06.01 Time for Inspection

All work performed pursuant to a permit issued by the Public Works Department and not subject to a contract with Monroe County with its special inspection requirements will be subject to inspection during its progress. The engineering contractor shall request an inspection at the time specified by the following:

##### a. Concrete Work

- (1) After reinforcement and forms are in place and ready to receive concrete.
- (2) During concrete placing (structural concrete members only).
- (3) After concrete is poured and finished.

##### b. Underground Installations Other Than Drainage

- (1) After excavation has been completed and underground facility has been placed, but prior to backfilling.
- (2) After excavation is backfilled.

# TAB 14

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

14

☐ PUBLIC HEARING

☐ RESOLUTION

☒ DISCUSSION

☐ BID/RFP AWARD

☐ GENERAL APPROVAL OF ITEM

☐ CONSENT AGENDA

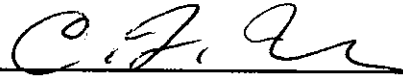
☐ Other:

SUBJECT: KLWTD Property Information Database

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Engineering	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input type="checkbox"/> District Counsel _____ <input type="checkbox"/> General Manager _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** A property information database is being developed to coordinate and track District actions regarding individual lots.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised



# Memo

**To:** KLWTD Board  
**From:** Margaret Blank, PE  
**CC:** Chuck Fishburn, Tom Dillon, Martin Waits  
**Date:** November 9, 2005  
**Re:** Property Information Database

---

## Introduction:

District staff has begun to assemble a Property Information Database with lots of help from Chairman Glenn Patton. Thanks, Glenn. Once completed, the database will enable staff to perform certain functions more efficiently. These tasks include permit and inspections tracking, coordinating with code enforcement and other agencies, and managing assessments.

## Database Project to Date:

A draft of the permit and inspections tracking database is complete. It is currently under review. Once completed, it will be added to the KLWTD website and password protected so that it can be modified only by authorized personnel from the KLWTD, Building Department, and Health Department.

Property owners in Key Largo Trailer Village have begun the process of connecting to the sanitary sewer collection system. Several have obtained permits, and at least two have begun construction. The KLWTD will perform a camera inspection to insure that no rocks or debris will enter the system and damage it. The Building Department will observe a hydrostatic leak test. The Health Department will inspect the septic tank abandonment. The database will allow all three agencies to properly sequence, coordinate, and follow up on their activities.

## Other Applications:

The database can be expanded to assist staff with other activities. For instance, staff will need to track certain data to obtain help from code enforcement in dealing with property owners who fail to connect to the collection system. The database will also be useful in keeping track of, and perhaps calculating assessments.



# TAB 15

# **Key Largo Wastewater Treatment District** **Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

15

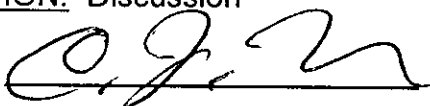
- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

SUBJECT: Vacuum Station Lot Purchase Program

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 11-11-05



<b>Originating Department:</b> General Manager	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<div style="border: 1px solid black; padding: 5px;"> <b>Department Review:</b>  <input checked="" type="checkbox"/> District Counsel <i>TD</i>  <input checked="" type="checkbox"/> General Manager <i>CJR</i>  <input type="checkbox"/> Finance         </div>	<input checked="" type="checkbox"/> Engineering <i>MB</i> <input type="checkbox"/> Clerk	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** Staff is preparing a recommendation to purchase the first lot for a vacuum station. The SRF Loans require purchase by June 2006 for the North Components Project.

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 11, 2005  
**Re:** Vacuum Station Lots

---

The Northern Components Project will most likely require a vacuum station in the Sexton Cove area and the Largo Gardens area. Staff and a local realtor have located two lots that appear to meet all the criteria:

- ▶ Price
- ▶ Location
- ▶ Elevation
- ▶ Environmental Requirements

I propose to enter into a contract in mid December with the property owner with a 90-day Due Diligence period. During this period the Sexton Cove / Lake Surprise Collection System Design will have progressed to the point that we will have made a decision on vacuum versus gravity. Any environmental issues will also have been resolved.

The next purchase in the North Components Project will be for a site in the Largo Gardens area.

# TAB 16

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

16

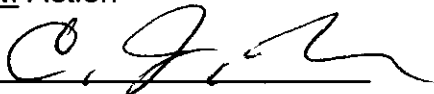
- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> Ordinance on Second Reading |   |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION     |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD  |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> Other:           |   |

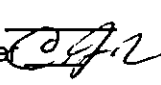
SUBJECT: MSTU Ten Percent Reduction

RECOMMENDED MOTION/ACTION: Action

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> General Manager	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Letter
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: <input checked="" type="checkbox"/> Not Required
<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** The County has unilaterally reduced the District's MSTU by 10% for the current budget year. I am recommending that this be brought to the County Administrator's attention so that the District can be involved in the process next year.

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
98880 OVERSEAS HWY, KEY LARGO, FL 33037  
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037  
PHONE (305) 453-5804 FAX (305) 453-5807**



November 16, 2005

Tom Willi  
Monroe County Administrator  
1100 Simonton Street  
Key West, FL 33040

RE: KLWTD MSTU

Dear Mr. Willi:

Having just received my personnel property tax notice, I notice that the MSTU tax levied to support the Key Largo Wastewater Treatment District has been unilaterally reduced by ten percent from 0.35 mills to 0.3185 mills.

The District is well aware of the increase in property values and the need for roll back. However, the District is planning on the increased revenue generated from the 0.35 mills to pay for administration, planning, and development costs for our rapidly growing District beyond the expiration of the MSTU in 2007.

What does the District need to do to be involved in the budget process next year so that our MSTU rate will not be reduced without our input? Our 2005 /2006 budget and SRF Loan documents are based on the 0.35 millage rate.

Sincerely,

Charles F. Fishburn  
General Manager KLWTD

By \_\_\_\_\_ of Commissioners: Chairman Glenn Patton, Commissioners Gary Bauman, Andrew Tobin, Charles Brooks. & Claude Bullock



# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 15, 2005  
**Re:** TAB 1, Additional Information

---

## CAMPGROUNDS KLWTD

	Mile Marker	EDU's
Key Largo Ocean Resort		252.3
Calusa Camp Resort		117.2
Camper Cove	101.6 MM	
Captain Jax	103.1 MM	
King Campground	103.1 MM	
Key Largo Kamp Gound	101.5 MM	
Ocean Cove Trailer Park		10.6
Largo Park	101.6 MM	
Riptide RV Park & Motel		97.68
America Outdoors		116.8
Coral Sands Trailer Park		81.6
Mandalay Trailer Park		22.1
Driftwood Trailer Park		17.8
Riptide Trailer Park		16.8
Silver Shores		

# Memo

**To:** KLWTD Board  
**From:** Carol Walker, CMC  
**Date:** November 15, 2005  
**Re:** TAB 2

---

Please see attached additional information for TAB 2.

**From:** Depnews  
**Sent:** Monday, November 07, 2005 10:50 AM  
**Subject:** DEP AWARDS LOAN TO CITY OF KEY LARGO

**FOR IMMEDIATE RELEASE:** November 7, 2005  
**CONTACT:** Niki Pocock, (850) 245-2112

**DEP AWARDS LOAN TO CITY OF KEY LARGO**

*--City of Key Largo to receive \$2.6 million for wastewater facility improvements--*

**KEY LARGO** – The Florida Department of Environmental Protection (DEP) recently awarded a \$2.6 million low-interest loan to the City of Key Largo for upgrades to the city's wastewater treatment plant. The loan, part of DEP's State Revolving Fund Program, is the initial installment for planning and designing of a multi-million dollar project to renovate the wastewater facility and install new collection lines to replace existing septic tanks.

"Florida is committed to protecting state lakes, rivers, streams and aquifer systems by using highly developed water quality improvement technologies," said DEP Secretary Colleen M. Castille. "The Department is using the State Revolving Fund loan program to help build and upgrade local government systems to ensure the highest standards are met."

The State Revolving Fund Program was established to provide low-interest financing to plan, design and build public water, wastewater and stormwater systems. Funds can be used for drinking water, wastewater, stormwater, reuse, water quality projects, brownfields, estuary protection and other water quality improvement projects. Funded by federal capitalization grants, state matching funds, loan repayments and interest earnings, State Revolving Fund Program loans are offered at interest rates as low as 32 percent below current market rates. Repayments from earlier loans are used to make new loans, allowing the program to operate in perpetuity.

Under the leadership of Governor Jeb Bush and the Florida Legislature, Florida has invested more than \$1.9 billion to improve wastewater treatment, clean up stormwater pollution and upgrade drinking water facilities, funding more than 950 projects statewide since 1999. Over the last six years, the State Revolving Fund Program awarded more than \$1.3 billion to plan, design and build water facilities across the state, including almost \$290 million last year.

For more information on the State Revolving Fund Program, visit  
<http://www.dep.state.fl.us/water/wff/index.htm>.

# Memo

**To:** KLWTD Board  
**From:** Carol Walker, CMC  
**Date:** November 15, 2005  
**Re:** Additional Agenda Item

---

Staff will request that the attached resolution be added to the agenda.

**RESOLUTION NO. 19-11-05**

**ANNUAL RESOLUTION OF THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT DESIGNATING  
SPECIFIC COMMISSIONERS AS AUTHORIZED  
SIGNATORIES OF THE KEY LARGO WASTEWATER  
TREATMENT BOARD'S BANK ACCOUNT: AND  
PROVIDING FOR AN EFFECTIVE DATE.**

---

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desires to designate and authorize certain Officials to sign bank checks, bank drafts, and other obligations and instruments on behalf of the Key Largo Wastewater Treatment District; and

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desires to increase the authority of the General Manager to approve the encumbrance or expenditure of District Funds;

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

Section 1. The following officials of the Key Largo Wastewater Treatment District are hereby designated as authorized signatories at TIB BANK OF THE KEYS, for the account of the Key Largo Wastewater Treatment District, account number 20154139006, and such other accounts as the Board may authorize to open in the future. The signatories are comprised of two groups, as follows:

- a. District Officers: Glenn Patton, Chairman, Claude Bullock; Vice Chairman, and Andrew Tobin, Secretary/Treasurer.
- b. District Staff: Charles Fishburn, General Manager and Carol Walker, Clerk.

Section 2. It is the official policy of the Board of Commissioners and this District to require that:

- a. all bank checks or bank drafts in excess of \$10,000.00 (Ten Thousand Dollars) shall require the signatures of two signatories, at least one of which must be a District Officer.

- b. All bank checks or bank drafts of \$10,000 (Ten Thousand Dollars), or less, but in excess of \$1,000 (One Thousand Dollars) shall require the signatures of two signatories.
- c. All bank checks or bank drafts of \$1,000, (One Thousand Dollars), or less, should be signed by two signatories, but, in exigent circumstances, may be signed by one signatory.

Section 3. The following officials are authorized to approve encumbrances and expenditures without prior Board approval:

- a. The General Manager is authorized to approve the encumbrance or expenditure of amounts not to exceed Ten Thousand Dollars (\$10,000.00) per transaction without prior approval of the Board of Commissioners. This approval is contingent on the General Manager ensuring that the total amount encumbered or expended does not exceed the amount budgeted for that purpose.
- b. The Clerk is authorized to approve the encumbrance or expenditure of amounts not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) per transaction without prior approval of the Board of Commissioners. This approval is contingent on the Clerk ensuring that the total amount encumbered or expended does not exceed the amount appropriated for that purpose.
- c. The General Manager shall provide on a monthly basis to the Board of Directors for ratification, a listing of all encumbrances and payments approved by the General Manager or the Clerk.
- d. Neither the General Manager nor the Clerk is authorized to divide a single transaction into smaller amounts in order to reduce the amount of the transaction to a level within the General Manager's authority or the Clerk's authority.

Section 4. This Resolution and authority shall supersede and replaces all prior authorizations by this Board relating to the authority of individuals to sign checks or bank drafts and relating to the authority of the General Manager and of the Clerk.

Section 5. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

**RESOLVED AND ADOPTED this 16th day of November, 2005.**

The foregoing RESOLUTION NO. 19-11-04 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
Commissioner Gary Bauman	_____	_____
Commissioner Claude Bullock	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Chairman Glenn Patton	_____	_____

The Chairman thereupon declared Resolution No. 19-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

#### KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_  
Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas Dillon

SEAL

P.O. Box 491 Key Largo, FL 33037  
Phone: 305-852-2477  
Fax: 305-852-2477

**Key Largo  
Wastewater  
Treatment District**

# Memo

**To:** KLWTD Board  
**From:** Martin Waits, Finance Director  
**Date:** November 15, 2005  
**Re:** General Information

---

Please see attached general information.



# Memo

**To:** Board of Commissioners  
**From:** Marty Waits  
**Date:** 11/15/05  
**Re:** FY2005 Budget vs. Actual

---

Commissioners,

Attached for your information and review is a report on the District's actual revenues and expenses compared with budgeted amounts. The actual information is derived from the District's unaudited internal financial records.

Please note that the FY2005 budget assumed that we would begin direct billing of wastewater capacity fees in the amount of \$2,700 per EDU in July, and therefore revenue of \$81,000 representing collection from 30 EDU's (5%) before year end was budgeted. The District of course elected to institute a non ad valorem assessment in the amount of \$4,770 instead.

Also note that the budget anticipated District staff expenses in the amount of \$42,823 would be directly associated with capital project planning and implementation, and therefore paid with grant funding. In reality, considerably more staff effort was expended in this area (including the addition of an unbudgeted Engineer and an Inspector), and total staff effort in the amount of \$189,354 was supported by grant funding.

The bottom line deficit of revenues to expenses represents two MSTU reimbursement requests which were not received until after the year end close.

Marty Waits

**KLWTD**  
**FY2005 Operating Budget vs. Actual**  
October 1, 2004 through September 30, 2005

	Actual FY2005	Budget FY2005	Fav (Unfav) To Budget	Note: Grant Funding
<b>Operating Revenue</b>				
311001 · MSTU Ad Valorem Taxes	\$ 356,141	\$ 827,685	\$ (471,544)	
343605 · Wastewater Capacity Fees	-	81,000	(81,000)	
343617 · Grant Operating Reimbursement	See note	42,823	See note	189,354
343608 · Miscellaneous Service Charges	-	3,000	(3,000)	
361001 · Investment Earnings	3,326	1,000	2,326	
<b>Total Revenues</b>	<u>359,467</u>	<u>955,508</u>	<u>(596,041)</u>	
<b>Operating Expenses</b>				
511001 · Board Meeting Compensation	41,700	45,000	3,300	
<b>512000 · Employee Payroll</b>				
512010 · General Manager	63,448			28,556
512020 · Board Clerk	52,186			814
513010 · Finance Officer	46,990			2,203
513011 · Inspector/Engineer	6,114			108,365
512000 · Employee Payroll - Other	-	195,700		
<b>Total 512000 · Employee Payroll</b>	<u>168,738</u>	<u>195,700</u>	<u>26,962</u>	<u>139,938</u>
<b>511200 · Payroll Taxes</b>				
511211 · P/R Tax - FICA	13,047			6,817
511212 · P/R Tax - Medicare	3,051			1,594
511213 · P/R Tax - FUTA	624			
511200 · Payroll Taxes - Other	-	18,414		
<b>Total 511200 · Payroll Taxes</b>	<u>16,722</u>	<u>18,414</u>	<u>1,692</u>	<u>8,411</u>
<b>511000 · General Administrative Expenses</b>				
511011 · Rents & Leases	14,875	30,000	15,125	
511013 · Utilities	2,227	6,128	3,901	
511012 · Telephone	7,824	6,000	(1,824)	
511007 · Legal Advertisements	9,906	4,818	(5,088)	
511008 · Office Supplies	14,946	4,500	(10,446)	
511003 · Postage Expense	10,133	2,330	(7,803)	
511002 · Copy Expense	3,321	8,200	4,879	
511010 · Travel	2,288	2,000	(288)	
511214 · Workers Comp Insurance	7,645	6,000	(1,645)	
511015 · Liability Insurance	8,512	7,500	(1,012)	
511009 · Dues & Subscriptions	602	325	(277)	
515002 · Regulatory / Permit Fees	-	2,000	2,000	
511006 · Miscellaneous Expenses	12,100	19,156	7,056	
511099 · Reserve For Contingencies	5,263	4,778	(485)	
<b>Total 511000 · General Administrative Expenses</b>	<u>99,642</u>	<u>103,735</u>	<u>4,093</u>	
<b>514000 · Professional Services</b>				
514010 · Computer Support	1,309	10,000	8,691	
514006 · Audit & Accounting Services	10,520	10,600	80	
514005 · Engineering Services	24,636	50,000	25,364	
514007 · Project Planning Contingency	-	120,000	120,000	
514004 · Financial Advisor	6,802	-	(6,802)	
514003 · Utility Rate Consultant	27,879	15,000	(12,879)	
514001 · Legal - General Counsel	47,948	60,000	12,052	30,669
514002 · Legal - Litigation Reserve	-	20,000	20,000	10,251
512005 · GSG Management Services	1,194	2,694	1,500	85
<b>Total 514000 · Professional Services</b>	<u>120,288</u>	<u>288,294</u>	<u>168,006</u>	<u>41,005</u>
<b>Non-Operating Expenses</b>				
591001 · Capital Expenditures A&O	9,859	15,000	5,141	
591002 · Renewal & Replacement Transfer	-	4,365	(4,365)	
591003 · Transfer To Operating Reserve	-	204,000	(204,000)	
591004 · Transfer To Capital Reserve	-	81,000	(81,000)	
<b>Total 591000 · Non-Operating Expenses</b>	<u>9,859</u>	<u>304,365</u>	<u>294,506</u>	
<b>Total Expenses</b>	<u>456,949</u>	<u>955,508</u>	<u>498,559</u>	<u>189,354</u>
<b>Surplus (Deficit)</b>	<u>\$ (97,482)</u>	<u>\$ -</u>		

P.O. Box 491 Key Largo, FL 33037  
Phone: 305-453-5804  
Fax: 305-453-5807

**Key Largo  
Wastewater  
Treatment District**

# Memo

**To:** KLWTD Board  
**From:** Carol Walker, CMC  
**Date:** November 15, 2005  
**Re:** General Information

---

Please see attached general information from Martin Waits.

**Key Largo Wastewater Treatment District**  
**Preliminary Grant Funding for Capital Projects**  
Fiscal Year 2005

337310 · DCA Cesspit Replacement	\$ 654,039
337311 · County Cesspit Replacement	17,464
337309 · County \$20M Grant	1,000,000
334352 · FEMA Phase II Construction	3,331,785
334354 · DCA Unmet Needs (FEMA II Match)	555,299
331351 · FEMA Phase I (Fed & State)	100,870
334351 · FDEP Grant	223,696
337306 · MC 304 Infrastructure Fund	<u>12,859</u>
 Total Capital Project Grant Funding	 \$ 5,896,012
 Memo: Monroe County FEMA Matching Funds Loan	 <u>798,286</u>
 Total Capital Project Funding	 <u><u>\$ 6,694,298</u></u>

November 16, 2005

Call to order 5:03 pm

Pledge: PATTAN

### Roll Call

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	✓			
Commissioner Charles Brooks	✓			
Commissioner Claude Bullock	✓	ABSEN		
Chairman	✓			

### Approval of Agenda

AGENDA

Reso 19  
TO BULK - 3A

TAB. 2 when

Motion Andy

Second GARY

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Charles Brook				
Commissioner Claude Bullock				
C. BAUMAN				

Public Comment none

Commissioner Items  
Collection System

Com. Res  
collection systems

Paul 5:07

Keep DETAILED File on every Project.  
Set Process. / money to come from MSTU

~~Change~~  
ARTICLE 9 - Sys Dev on Private Property

Claude - Concern pg. 2 No 5 - is that our responsibility - Tom just Lisen. Contrac.  
Delete.

no. 9? pg. 3 - Problem with less than 1 EDU - Design CRITERIA For Father

pg. 6 - 12 - iii - As but Present & sign by Prof/Regis and Surveyor Rule changes X

Considers NOT go on PRIVATE Property

GARY left 6 PM

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

## Calusa Campground

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				



Connection Enforcement

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

## System Take-Over

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

**\$2 Million for Wastewater**

Claude - Charlie Done outstanding SOB, starting up & sticking with it.  
 C.B. 2 members vote against \$500,000, ran for seat to Gary Key Largo not  
 behind him. DID NOT have full confidence of Board

Claude little troubled - storm water treatment

Andy wants STAFF in loop

Claude Do we have Agr from Coffi.

PMP. - + a Preliminary agreement  
 next meeting

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Bulk Items  
Minutes

Charge - Point of order

1.

Motion TO Remove Bulk

And 1st  
Claude and y/o

2.

Correction  
Motion Claude NOV. 2

Second And.

Member	Yes	No	Other	Present
✓ Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman		Absent		
✓ Commissioner Brooks	✓ w/	was not at meeting	part in only	
✓ Commissioner Claude Bullock	✓		NOV. 2 meeting	
✓ Chairman Patton	✓			

y/o

Andy - Direct STAFF to collect Filing Fee

Motion Andy w/changes

Second Claude

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	ABSENT	for record	Does not like doing this way	
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

Motion *Andy w/changes*  
 Second *Claude*

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	<del>ABSENT</del>			
Commissioner Brooks	✓ SAME			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

40

Reso 16-11-05

*Barrett*

Motion *Brooks*

Second *Claude*

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	<i>Abs</i>			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

*40*

Motion

Second

Member	Yes	No	Other	Present
1 Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	AB			
Commissioner Brooks	✓			
2 Commissioner Claude Bullock	✓			
Chairman Patton	✓			



Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	ABSENT			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

Finaical Officer Report  
Pending Payments

Motion *Andy*

Second *Claude*

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	<i>Absent</i> ✓			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

Legal Counsel  
District Lien Rights

*Brooks move to  
ACTION 2-A 2 1/4 line  
Claude and*

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	AB			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

Designated Board Seats

Andy - Don't care  
 Charlie - Yes Designate each seat  
 Claude - Nothing w/naw  
 Glenn - identified by District if not doesn't serve Public Interest  
 get Elected w/low votes

Charlie Action item  
 w/DRAWN

Motion Andy TABLE

Second Claude

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman	AB			
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

4/0

One Year Notice to Calusa Camp Ground

CERTIFIED.

+ 30 day CERTIFIED

+ Dialog  
w/ ASSOCIATION  
Claude-futon notice  
hooked  
new system

Glenn  
NOT ACCEPT  
Plant

<sup>2</sup>  
~~Motion~~ Andy send letter w/ modifications  
WITH DRAWN  
  
~~Second~~ Claude ~~TABLE~~

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	AB			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

YES FOR  
NON ADUATE

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Force MAIN  
 CONTRACTS  
 moving forward  
 bid back 1st bid  
 construction on TRANSMISSION line

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Engineer's Report  
Reso 15-11-05

no IMPACT Fees For Co.  
but Charge For service

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	Absent			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			



KLWTD Data Base

RFB - go thru FOR options

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

**General Manager**  
**Vacuum Station Lot Purchase**

**Motion**

**Second**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>	<b>Present</b>
<b>Commissioner Andrew Tobin</b>				
<b>Commissioner Gary Bauman</b>				
<b>Commissioner Brooks</b>				
<b>Commissioner Claude Bullock</b>				
<b>Chairman Patton</b>				

**MSTU Ten Percent Reduction**

Charlie - premature - just pay attention around budget time.  
still 10% ahead

Andy - how much ~~loss~~ ~~\$75,000~~ ask guest - next yr, - more diplomatic

Gleason - TIMING issue

~~APRIL~~ APRIL

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Commissioner New Items & roundtable

RFQ Billing

RATES - (Comm Non-Comm  
to RV - (PMG)

CALUSA - ARE THEY COMMERCIAL  
513 - 1 EPM

Motion CHAR 8:46

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

79-11-05

Motion *Andy*

Second *C/Auch*

Member	Yes	No	Other	Present
Commissioner Andrew Tobin	✓			
Commissioner Gary Bauman	<i>ABGS</i>			
Commissioner Brooks	✓			
Commissioner Claude Bullock	✓			
Chairman Patton	✓			

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				



Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

Motion

Second

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Brooks				
Commissioner Claude Bullock				
Chairman Patton				

)

KEY LARGO WASTEWATER TREATMENT DISTRICT  
BOARD OF COMMISSIONERS

# AGENDA



Wednesday, November 16, 2005 at 5:00 PM  
98880 Overseas Hwy  
Key Largo, FL 33037

Glenn Patton  
Claude Bullock  
Andrew Tobin  
Charles Brooks  
Gary Bauman

Chairman  
Vice Chairman  
Secretary-Treasure  
Commissioner  
Commissioner

.....  
Charles F. Fishburn  
Thomas Dillon  
Carol Walker

General Manager  
District Counsel  
Board Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the KLWTD Board, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Board Clerk at 305-451-5105 at least 48 hours in advance to request accommodations.

5 pm

**A. CALL TO ORDER**

5:01

**B. PLEDGE OF ALLEGIANCE**

5:02

**C. ROLL CALL**

5:03

**D. APPROVAL OF AGENDA WITH ANY ADDITIONS OR DELETIONS**

5:10

**E. PUBLIC COMMENT**

**F. COMMISSIONER ITEMS**

1. Collection System Development on Private Property (Chairman Patton) **TAB 1**
  - a. Calusa Campground – Charles Fishburn
  - b. Connection Enforcement (KLTV and others) – Tom Dillon
  - c. System Take-Over and Maintenance – Charles Fishburn
2. \$2 million for Wastewater from Federal Government (Chairman Patton) **TAB 2**

**G. BULK ITEMS**

3. KLWTD Board Meeting minutes of Oct. 19 and Nov. 2, 2005 **TAB 3**
4. RESOLUTION NO. 13-11-05 **TAB 4**  
RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF MARILYN AND MICHAEL MACKEL FOR DESIGNATION OF A TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
5. RESOLUTION NO. 14-11-05 **TAB 5**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF GENE BRIAN DEMAMBRO FOR DESIGNATION OF A TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
6. RESOLUTION NO. 16-11-05 **TAB 6**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS AMENDING THE FINAL ASSESSMENT RESOLUTION 10-08-05 BY ADDING A TAX PARCEL AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
7. RESOLUTION NO. 17-11-05 **TAB 7**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS AMENDING THE FINAL ASSESSMENT RESOLUTION 10-08-05 BY ADDING TWO SERVICE CONNECTION TO THE SUBJECT PARCEL AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
8. RESOLUTION NO. 18-11-05 **TAB 8**  
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF ANTHONY AND MARY SCARLETT FOR DESIGNATION OF A TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

**H. FINANCIAL OFFICER'S REPORT**

9. Pending Payments List **TAB 9**

6:10

**I. LEGAL COUNSEL REPORT**

- 10. District Lien Rights
- 11. Designated Board Seats for Election
- 12. One Year Notice to Calusa Camp Ground

**TAB 10**  
**TAB 11**  
**TAB 12**

6:40

**J. ENGINEER'S REPORT**

- 13. RESOLUTION 15-11-05

**TAB 13**

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, REQUESTING MONROE COUNTY TO WAIVE ALL PLANNING AND PERMITTING FEES FOR REQUIRED PERMITS, FOR THE KEY LARGO WASTEWATER TREATMENT DISTRICT WAIVED

- 14. KLWTD Property Info Database – Margaret Blank

**TAB 14**

7:00

**K. GENERAL MANAGER'S REPORT**

- 15. Vacuum Station Lot Purchase Program
- 16. MSTU Ten Percent Reduction

**TAB 15**  
**TAB 16**

7:15

**L. COMMISSIONER NEW ITEMS AND ROUNDTABLE**

7:30

**M. ADJOURNMENT**

# TAB 1

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1

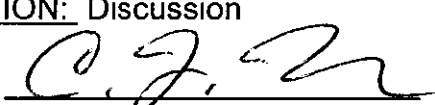
- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING           | <input type="checkbox"/> RESOLUTION     |
| <input checked="" type="checkbox"/> DISCUSSION    | <input type="checkbox"/> BID/RFP AWARD  |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                   |   |

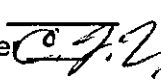
**SUBJECT:** Collection System Development on Private Property

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager**

**Date:** 11-10-05



<b>Originating Department:</b> Chairman Patton	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo from Chairman Patton
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Calusa Campground was discussed at the November 2<sup>nd</sup> meeting. The Board needs to address the issue of collection systems on private property.

**Resulting Board Action:**

☐ Approved      ☐ Tabled      ☐ Disapproved      ☐ Recommendation Revised





## Key Largo Wastewater Treatment District

*Glenn Patton - Chairman*

Nov. 7, 2005

To KLWTD

Subject; Agenda Item - Collection System Development on Private Property

### Background

At the November 2<sup>nd</sup> Board meeting there was a discussion about the installation of a collection system on private property specifically Calusa Campground.

### Issues

There are numerous properties with similar needs.

- Quinessence Dive Shop – 8 units?
- Capt Jax
- Amoray Dive Resort
- Waldorf Plaza
- Etc....

In my opinion, Collection System Development on private property would produce a significant loss in revenue based on recovery of \$2070 per EDU. The district can provide a Collection System to residential properties only by financing the cost with 60% of revenue coming from grant money. Delivery of Collection Systems within the public right of way allows for the district to be in control of the Collection System's Development. On private property the district would have a lot less control which would probably lead to negative consequences and litigation. The District does not go on private property even to put in the laterals. Why would the District go on private property to install a complete Collection System???

Therefore the District needs to establish a detailed planning and development process that will lead to the efficient implementation of collection systems on private property. The District is a partner with the entire Community. Therefore the District can and should provide as much planning assistance as possible to get private collection systems installed as efficiently and as timely as possible.

I am also concerned about the porcess of individual private properties on the bayside that have a very long run to get wastewater up to the highway and then connect to the transmission line on the ocean side of the highway. There needs to be a plan in place that lessens the impact on these properties that will have to connect to the KLWTD system...

### Need for a Collection System Development Planning Process for Private Properties

KLWTD should provide System Development Planning support because these properties are paying the MSTU tax to the District. It is in the best interest to assist these private property with their planning and development process. The District obviously needs the flow and revenue from as many EDU as possible. Again, the District is a partner with the entire Community, but this partnership has limits.....

### Proposed Planning and Collection System Development Process consistent with KLWTD R&R

A general outline of the installation of Collection Systems on private property is in the KLWTD Rules & Regulation Draft. See Appendix A – KLWTD R&R Article VII Extension of Wastewater Facilities. The KLWTD Board needs to review and revise this Article as necessary. The following is a outline of the process for the boards consideration.

1. Establish a list of all properties in the District that will need to install their own collection system.
2. District gives a 1 year notice when appropriate..
3. District personnel meet with property owner or representative to explain the District's policies and the properties responsibility to get a Collection System install by a specific date.
4. District provides information on Collection System Specifications (vacum or gravity) that will meet the District's requirements. Get a signed acknowledgement and agreement to reinforce the notification.
5. District will provide a list of (recommended & approved ?) Contractors *OUT*
6. District will review, accept or reject the proposed Collection System's Engineering. (??)
7. District will provide notification of the inspection requirements.
8. District will provide saltwater contamination limitations and restrictions.
9. District give the owner a 30 day connection notice. After which the property will be paying the monthly charges and Code Enforcement action will be taken if the property is not connected to the KLWTD's System... *(o Does - Go TO KLWTD Before Co.*
10. Review and determine if the District will accept ownership of the new collection system

See Excepts

Appendix A - Article VII Extension of Wastewater Facilities and

Appendix B - Article IV Mandatory Connection

KLWTD Rules and Regs Working Draft vTMD-050812

Note; In the process of making change to Article VII a more appropriate name might be "Collection System Development & Maintenance on Private Property"

## General Policies

### System Development Charges & EDU Determination

Properties that install their own Collection System will be charged

1. \$1,700 per EDU for the District's Wastewater Treatment Plant Capacity
2. \$1,000 per EDU for the District's Transmission Line Capacity
3. \$2,070 or the actual cost which ever is greater of connecting to the District's System at the property line.

Should a RV Park get a reduction in the number EDUs based on low flow and low frequency of occupancy?

What is the RV Park Rate Factor used by other utilities?

How many RV properties are in the District?

What is Calusa Campground Max Daily Flow per Unit?      167 gpd = 1 EDU??

### Enforcement and Consequences

Monroe County Code Enforcement – Judge Overby  
Health Dept Enforcement

See Appendix B

Except - Article IV Mandatory Connection....

KLWTD Rules and Regs Working Draft vTMD-050812

## **Article VII. Extension of Wastewater Facilities.**

### **Section 7.01 General.**

This Section provides information regarding the District specifications, requirements and procedures for obtaining a commitment for Wastewater Service to new or existing facilities on a property. These general requirements will also be followed by persons desiring to obtain service for an existing or proposed single-family dwelling.

### **Section 7.02 Planned Extension of Wastewater Facilities.**

- (1) The District has adopted the Monroe County Sanitary Wastewater Master Plan, as a comprehensive planning document for the implementation of Wastewater Service within the District. Such wastewater master plan outlines recommendations for the District to effectuate the provision of Wastewater Service within the District.
- (2) As funding is available, the District will construct Wastewater Collection, Treatment and Disposal Systems. The District will establish rates, fees and charges to recover the costs of system development, operation and maintenance.

### **Section 7.03 Extension of Wastewater Facilities on Request**

- (1) An Owner seeking to obtain a commitment for Wastewater Service from the District for new development or re-development of an existing property that may require the installation or extension of Wastewater Facilities must identify system capacity needs for, or must have previously identified the number of EDU's corresponding to the anticipated requirements of the project. The Owner must complete and provide to the District a Wastewater EDU Data Determination Work Sheet available at the District's main office.
- (2) The District will advise the Owner in writing as to whether Wastewater Service is available and whether the installation of Wastewater Facilities is required. Such District advice does not constitute an assurance of Wastewater Service. Wastewater Service is conditioned upon compliance with the rules of the District, and the terms and conditions of any contract which may be entered into between the Owner/Developer and the District.
- (3) Wastewater Facilities are required when there are no existing facilities to a property or when the District determines that existing facilities are not of adequate capacity to provide Wastewater Service for the project.
- (4) The Owner must convey to the District all Wastewater Facilities up to the Point of Service, free and clear of all encumbrances, with related cost documentation, perpetual right-of-way and Easements for appropriate access, and completed as-built drawings for all such facilities prior to acceptance and initiation of service.
- (5) To facilitate Wastewater Service to all properties in the District's Service area, the Owner must, at its own cost and expense, extend Wastewater Mains (i.e., gravity mains, vacuum mains, pressure Force Mains, and the like) along the full length of the road frontage for properties obtaining service.
- (6) The District may require Wastewater Main Extensions through said property if an adjacent property is to be served in the future. A Wastewater Main Extension will not be

required when there is no possibility of future development beyond the property requesting service.

(7) Permit Application Procedure for Owner-Installed Facilities.

- (i) The District will review and approve the plans and specifications for all Wastewater Facilities to be installed by the Owner.
- (ii) The Owner must submit an Application for Permit to Construct Wastewater Facilities. The application must include following information:
  - 1) *Name, address, and signature of the Owner or Developer.*
  - 2) *Legal description of the property for which Wastewater Service is desired as prepared by a licensed land surveyor.*
  - 3) *For a recorded subdivision, a copy of the recorded plat.*
  - 4) *For new subdivisions, an approved tentative plat, or if available, a master development plan; a preliminary utility plan indicating the location of the proposed Wastewater Facilities within rights-of-way and utility easements.*
  - 5) *For all projects, except an individual Owner constructing a single-family residence, a complete set of drawings including site plans, building layouts, and plumbing plans, indicating all proposed Wastewater Facilities and Main Extensions.*
  - 6) *A statement indicating which new required Wastewater Facilities located within the project, if any, the applicant will convey to the District for perpetual ownership, operation and maintenance.*
- (iii) The Owner must ratify and accept all the provisions of the District's policies as terms and conditions applicable to the provision of Wastewater Service by the District.

(8) Construction.

- (i) The District will periodically inspect the installation of all Wastewater Facilities during construction in accordance with the terms of the construction permit and will indicate compliance therewith. Such inspections are intended to assure that the Wastewater Facilities are installed in accordance with the approved design, are consistent with the criteria and specifications governing the kind and quality of such installations, and constitute the documentation indicating construction and testing in accordance with the minimum standards of the District.
- (ii) The District will be present at tests of component parts of the Wastewater System for the purpose of determining that the system, as constructed, conforms to the District's criteria for infiltration, inflow, pressure testing, line, grade, operation, maintenance, repair and replacement. Testing will be performed by the Owner's contractor but only under the direct observation of the District's construction coordinator and the Owner's engineer. No connection to an existing District facility may be made except in the presence of the District's inspector.

(9) District Acceptance of Wastewater Facilities and Service Initiation.

- (i) The District may agree to accept Wastewater Facilities for ownership, operation, and maintenance subject to the conditions and standards described in this Subsection.
- (ii) Prior to Service Initiation and prior to transferring ownership of Wastewater Facilities to the District, the Owner must obtain and provide to the District a "Domestic Wastewater Collection/Transmission System Certificate of Completion of Construction" from DEP.
- (iii) Wastewater Facilities will not be accepted for ownership, operation, and maintenance unless the applicant demonstrates to the District's satisfaction that:
  - 1) *The Wastewater mains are located in a public right-of-way or within a platted or dedicated utility easement of sufficient width.*

- 2) *The Wastewater Facilities have not been installed under any building or appurtenance thereto.*
  - 3) *There exists clear access to all easement areas, with adequate legal rights to assure that such access will be maintained.*
  - 4) *All necessary easements have been conveyed to the District by a separate, legally sufficient instrument that can and will be recorded in the public records of Monroe County.*
  - 5) *All construction has been performed under the observation of the District.*
  - 6) *The Wastewater Facilities have been constructed and tested in accordance with the Minimum Design and Construction Standards and Specifications of the District and are free from any and all defects in materials and workmanship.*
  - 7) *All materials and labor meet the current specifications of the District.*
  - 8) *All necessary permits have been received from federal, state, and local regulatory agencies.*
- (10) Acceptance of Wastewater Facilities located within an Easement available to the District is subject to the exercise of sound engineering judgment taking into consideration the size of the facilities, topography, and maintenance and operating constraints. Generally, right-of-way or easements located along rear or side-lot lines should be avoided.
- (11) Prior to acceptance, the Owner must provide a written warranty (in a format approved by the District) on all Wastewater Facilities, wherein the contractor guarantees correction of any defects in the work for a period of three years (or five years in the case of lift station and vacuum station pump and motor assemblies) from the date of final DEP certification. This obligation must be secured by a maintenance bond or irrevocable letter of credit, up to the amount of one hundred and ten percent (110%) of actual construction cost.
- (12) All Wastewater Facilities to be accepted for ownership, operation and maintenance by the District must be conveyed by general warranty deed. Prior to conveyance, the Developer/Owner must provide the District with:
- (i) A breakdown of the actual construction cost of said facilities.
  - (ii) Copies of paid bills and lien waivers, releases or satisfactions, sufficient to indicate that all contractors, subcontractors, and material men have been paid in full. In lieu of such bills, waivers, releases, or satisfactions, a payment bond and transfer of liens to security may be substituted as deemed appropriate by the District's legal counsel.
  - (iii) One complete set of as-built drawings indicating the specific locations, depths, and other dimensions of all Wastewater Facilities and appurtenances as actually constructed.

#### Section 7.04 System Design; General Criteria.

- (1) The Minimum Design and Construction Standards and Specifications for Wastewater Systems (also referred to in the District's Referenced Documents Notebook as "Minimum Design and Construction Standards - Wastewater") include:
  - (i) General Criteria.
  - (ii) Design Guidelines.
  - (iii) Approved Materials and Specifications.
  - (iv) Wastewater Collection and Transmission Main Design and Construction.
  - (v) Wastewater Lift Station and Vacuum/Pump Station Design and Construction.
  - (vi) Inspections and District of Construction Coordinators.
  - (vii) District of Non-Resident Construction Coordinators.

(viii) Record Information.

The Minimum Design and Construction Standards and Specifications for Wastewater Systems are available at the District's Main Office.

**Section 7.05 Construction and Connection of Wastewater System on Private Property.**

- (1) As part of the construction of new wastewater systems, the District will, in certain cases and only through an Agreement with a property owner, construct wastewater collection and transmission systems and water distribution systems on private property when it is determined to be in the best interest of the District and the users of the new system. This policy applies only to the construction of wastewater systems in areas receiving wastewater service from the District for the first time (as specified under herein).
- (2) This policy is applicable only to privately-owned multi-family residential properties that meet the following criteria:
  - (i) The property must have a minimum of five (5) dwelling units.
  - (ii) The property must have sufficient ingress and egress for construction equipment. The decision as to whether the property meets this criteria is solely within the discretion of the District.
  - (iii) The property must meet the definition for residential service. For mixed use properties that include both commercial and residential service, the residential service portion of the property must be at least 50% or more of the total EDU's served, as determined by the District based on Property Appraiser records, other State and local laws and regulations, and other available information, to be considered as residential use
- (3) To qualify under this policy, the property owner must agree to the following conditions:
  - (i) The units within the property must be individually metered for potable water service and the corresponding wastewater charges for monthly service must also be based on individual meters.
  - (ii) The property owner must grant all necessary easements and rights-of-way as necessary to allow for the installation of the wastewater collection system.
  - (iii) The property owner must execute an Agreement with the District authorizing the construction of wastewater collection systems within the easements granted.
  - (iv) The property owner will be responsible for the cost of constructing the connections from the dwelling units and/or structures to the Point of Service, or the cost of upgrading existing connections to District standards, and the cost of abandoning OSTDS.
  - (v) If there is an existing wastewater collection system on the property, and the systems comply with District specifications. The owner must convey the systems, at no cost to the District. It will be the responsibility of the property owner to decommission or otherwise dispose of an existing wastewater treatment facility. The District may utilize the existing systems or replace them, solely at the discretion of the District.
- (4) As a result of this policy, the District will perform the following:
  - (i) The District will install a wastewater collection system within the property as a condition of providing service. If the existing wastewater system is conveyed to the District, the District will operate and maintain the system or replace it at no cost to the owner other than the periodic fees applicable to similarly situated customers.
  - (ii) After construction of the KLWTD Facilities, the District will own, operate and maintain the Wastewater Facilities and have the right to enter the property to ensure the continuance of service.

## **Article IV. Mandatory Connection**

### **Section 4.01 Mandatory Connection Findings.**

The District has ascertained, determined, and declared that:

- (1) The Florida Legislature has identified the Florida Keys as an area of critical state concern; pollution and questionable water quality resulting from the absence of adequate Wastewater Treatment throughout the Florida Keys is a threat to the environment and the health, safety and welfare of landowners and persons inhabiting the Florida Keys.
- (2) The Florida Legislature has charged the District with the responsibility to plan and provide for water and sewer systems within the Florida Keys and to enforce the use of its Wastewater Facilities whenever and wherever they are accessible.
- (3) The Florida Legislature has empowered the District to both prohibit the use of and mandate the use of Wastewater Facilities within the Florida Keys.
- (4) The Florida Legislature has authorized, and Monroe County has enacted, local legislation that requires connection to a central sewage system within specified time periods, even if the affected Property is receiving treatment from a lawful and adequate Onsite Sewage Treatment and Disposal System.
- (5) The District has embarked upon the creation of Wastewater System to manage and treat Wastewater and improve the water quality in the Florida Keys. The presence of the District's Wastewater Facilities are intended to enhance and benefit the environment and the health, safety and general welfare of landowners and persons inhabiting the Florida Keys.
- (6) Mandatory connection to the District's Wastewater System is fundamental to the successful financing, creation and operation of the District's Wastewater System.
- (7) Mandatory connections to a governmental utility system and the subsequent charges flowing therefrom have long been held to be a proper exercise of a governmental power to regulate and protect the welfare of the public.

### **Section 4.02 Duty to Connect.**

- (1) The Owner of an improved parcel of land must, at the Owner's expense, connect to the District's Wastewater System upon written notification that the District's Wastewater Facilities are available for connection, as that term is defined in applicable law.
- (2) Where the District's Wastewater System is available to Premises with an existing OSTDS, the Owner must decommission, abandon, or otherwise disconnect from the existing OSTDS in accordance with the requirements of applicable law, and must connect the buildings on the property or premises to the District's Wastewater System.

### **Section 4.03 Failure to Connect.**

- (1) An Owner that fails or refuses to connect its Premises to the District Wastewater Facilities within the time specified after receipt of written notification of the availability of Service is responsible for the payment of all fees and charges imposed by the District in connection with the provision of Wastewater Service, even if the Premises does not



actually receive Wastewater Service due to failure of the Owner to connect to the District Wastewater Facilities.

- (2) In the event an Owner fails or refuses to timely connect the Premises, any OSTDS or a building to the District's Wastewater Facilities within the time prescribed herein, the District will seek to otherwise compel connection by any other available means, including judicial process, and will proceed to collect all SDC charges, monthly charges, and other charges to which the District would be entitled if the Owner had connected the Premises.
- (3) In the event the District is required to seek a writ or order, or otherwise litigate any action compelling connection, all costs of such action experienced by the District including attorney fees and court costs will be assessed to the Owner

### Calusa Campground

RV units	367
Wastewater Plant Assessment	\$1,700
Transmission Line Assessment	\$1,000
Collection System Assessment	\$2,070
	<b>\$4,770</b>

EDU Rate Factor per RV	1
Total Calculated EDUs	367
Total Assessment Calculation	
Wastewater Plant Assessment	\$623,900
Transmission Line Assessment	\$367,000
	<b>\$990,900</b>
Collection System Assessment	<b>\$759,690</b>
	<b>\$1,750,590</b>
Cost of Collection System	\$1,300,000
Net from Calusa Campground	<b>\$450,590</b>

EDU Rate Factor per RV	0.6
Total Calculated EDUs	220.2
Total Assessment Calculation	
Wastewater Plant Assessment	\$374,340
Transmission Line Assessment	\$220,200
	<b>\$594,540</b>
Connection Cost only	<b>\$2,070</b>
	<b>\$596,610</b>
Cost of Collection System	\$0
Net from Calusa Campground	<b>\$596,610</b>

### KLWTD Wastewater Plant Monthly Revenue

Monthly Base Charge	\$33.60
EDU Rate Factor per RV	1
Total Calculated EDUs	367
Yearly Revenue	<b>\$147,974.40</b>

Monthly Base Charge	\$33.60
EDU Rate Factor per RV	0.6
Total Calculated EDUs	220.2
Yearly Revenue	<b>\$88,784.64</b>

Revenue difference **\$59,189.76**

KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1 a

☐ PUBLIC HEARING

☐ RESOLUTION

☒ DISCUSSION

☐ BID/RFP AWARD

☐ GENERAL APPROVAL OF ITEM

☐ CONSENT AGENDA


☐ Other:

**SUBJECT:** Calusa Campground

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager** 

**Date:** 11-11-05

<b>Originating Department:</b> Presented by Charles Fishburn	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering____ <input type="checkbox"/> Clerk____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** As discussed at the last meeting the District must decide whether to install a collection system in Calusa or require Calusa to install their own system.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 11, 2005  
**Re:** Calusa Campground

---

The Calusa Campground Board and General Membership, after meeting with the District Manager and District Council, requested the District to install a collection system in the Calusa Campground and charge each unit \$4,770/site and the \$33.60 base charge per month.

Chairman Patton and myself toured Calusa Campground on Tuesday November 8 and met briefly with the Calusa Manager.

The Calusa Campground Project needs to be done properly whether by the District or by Calusa Campground. The question becomes whether the District staff should divert resources to engineering and installing the system in the campground. Installing a system in Calusa by the District may well set a precedent the District does not want to set.

The District will need to oversee the engineering and construction of the project whether the district installs the system or Calusa does.

# CALUSA CAMPGROUND OPTIONS

Prepared 10/28/05

	Commercial	Residential	Residential (\$2,700 SDC)		Residential (1/2 EDU / Unit)		Modified Scenarios	
	No	Yes	No	No	No	No	Residential (Full EDU / Unit)	No
District Installs & Owns System?								
System Development Charge:								
Capacity Charge	316,440 (117.2 EDU max x \$2,700)	990,900 (367 x \$2,700)	990,900 (367 x \$2,700)		494,100 (183 x \$2,700)		990,900 (367 x \$2,700)	
Connection Fee	2,070 (1 x \$2,070)	759,960 (367 x \$2,070)	2,070 (1 x \$2,070)		378,810 (183 x \$2,070)		759,960 (367 x \$2,070)	
<b>Total SDC</b>	<b>\$318,510</b>	<b>\$1,750,590</b>	<b>\$992,970</b>		<b>\$872,910</b>		<b>\$1,750,590</b>	
District Capital Cost:	0	1,300,000	0		0		0	
<b>Net District Cash</b>	<b>\$318,510</b>	<b>\$450,590</b>	<b>\$992,970</b>		<b>\$872,910</b>		<b>\$1,750,590</b>	
Monthly Fees:								
Fixed Charge	3,938 (117.2 EDU max x \$33.60)	12,331 (367 x \$33.60)	12,331 (367 x \$33.60)		6,150 (183 x \$33.60)		12,331 (367 x \$33.60)	
Flow Charge	2,540 (482 K gal x \$5.27)	2,540 (482 K gal x \$5.27)	2,540 (482 K gal x \$5.27)		2,540 (482 K gal x \$5.27)		2,540 (482 K gal x \$5.27)	
<b>Total Monthly Fees</b>	<b>\$6,478</b>	<b>\$14,871</b>	<b>\$14,871</b>		<b>\$8,690</b>		<b>\$14,871</b>	
Cumulative Revenues:								
1 year	\$77,736	\$178,452	\$178,452		\$104,280		\$178,452	
3 years	\$233,208	\$535,356	\$535,356		\$312,840		\$535,356	
5 years	\$388,680	\$892,260	\$892,260		\$521,400		\$892,260	
10 years	\$777,360	\$1,784,520	\$1,784,520		\$1,042,800		\$1,784,520	

Incremental Capital: \$540,040 (Collection system only)  
(\$1,300,000 - \$759,960)

Annual Incremental Revenue: \$100,716  
(\$178,452 - \$77,736)

Simple Payback: 5.4 Years

Key Largo Wastewater Treatment District

CONSTRUCTION PLAN WITH \$20 MILLION COUNTY FUNDING

	Initial Projects (0.122 MGD Plant)			Future Projects (2.25 MGD Plant)		Total Island of Key Largo
	Key Largo Trailer Village	Key Largo Park	Calusa Campground	Lake Surprise Sexton Cove	Unidentified Projects	
Project EDU's						
Current	506 (1)	183 (2)	367 (3)	2,494	9,450	13,000
Build Out	61	100		100	700	961
Treatment Plant						
Cost (4)	\$4,300,000	\$4,300,000	\$4,300,000	\$23,000,000	\$23,000,000	\$23,000,000
EDU's Served (5)	850	850	850	13,000	13,000	13,000
\$ / EDU	\$5,059	\$5,059	\$5,059	\$1,769	\$1,769	\$1,769
Transmission Line						
Cost	\$1,100,000	\$1,100,000	\$1,100,000	\$5,000,000	\$8,000,000	\$14,100,000
EDU's Served (6)	850	850	850	6,000	6,150	13,000
\$ / EDU	\$1,294	\$1,294	\$1,294	\$833	\$1,301	\$1,085
Collection System						
Cost	\$4,115,009	\$2,711,777	\$1,250,000	\$12,000,000	\$82,823,214	\$102,900,000
EDU's Served (7)	567	283	367	2,594	8,111	13,961
\$ / EDU	\$7,258	\$9,582	\$3,406	\$4,626	\$7,582	\$7,371
TOTAL COST / EDU	\$13,611	\$15,935	\$9,759	\$7,228	\$10,652	\$10,225
Memo: Project Cost	\$9,215,009	\$3,011,777	\$1,250,000	\$40,000,000	\$76,523,214	\$140,000,000
Spot Ranking	4	17	(8)	2	(9)	(9)
Project Approach (10)	DB	DBB	DBB	DBB	DBB	
Treatment Standard (11)	AWT	AWT	AWT	AWT	AWT	

Notes:

(1) 445 Residential and 61 Commercial EDU's

(2) 183 Residential Only

(3) 367 Residential, but flow estimated to be less than 220 Residential, so plant capacity of 850 EDU's is adequate

(4) Initial 0.122 MGD plant costing \$4.3 million will be replaced with 2.25 MGD plant costing \$15 million. Total treatment plant investment, including decommissioned plant, when all of Key Largo is served will be \$19.3 million. Initial plant part of Key Largo Trailer Village. Replacement plant part of Lake Surprise/Sexton Cove project.

(5) Plant will serve 1,056 billable EDU's. Calusa Campground flow equates to less than 220 EDU's, so plant capacity of 850 EDU's is adequate.

(6) First transmission line installed as part of Key Largo Trailer village project and serves all Phase I projects. Force main serving entire north half of Key Largo (6,000 EDU's) installed as part of Lake Surprise/Sexton Cove. Main transmission line serving south half of Key Largo (6,150 EDU's) to be installed later.

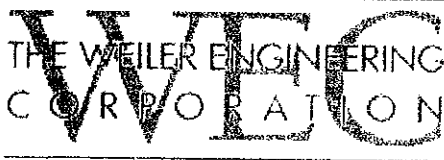
(7) Based upon total EDU's to be eventually served (current plus build out) since connection lines are being installed to all lots, vacant and improved.

(8) Unranked, but 30% I&I with current system

(9) Hot spots on Key Largo are nos. 2, 4, 7, 9, 12, 15, 17, 19, 20, 21, 24, 27, 29. (Thirteen of 45 hot spots in Master Plan.)

(10) Design / Build = DB, Design / Bid / Build = DBB

(11) BAT = 10-10-10-1, AWT = 5-5-3-1



*"Excellence in Engineering"*

6630 Front Street, Stock Island  
Key West, Florida 33040  
(305) 295-3301 ph  
(305) 295-0143 fax

## MEMORANDUM

**To:** KLWTD Board

**From:** Ed Castle, P.E.

**Date:** April 26, 2005

**Re:** Calusa Camp

---

At the last meeting, we tabled the discussion of options for connecting Calusa Camp to the KLWTD vacuum sewer system. As stated, I recommend Alternative No. 1 from the Calusa Camp report. This option consists of a vacuum system to be extended onto Calusa Camp property and all new laterals to each unit.

There are two approaches to installation of the system under discussion. These are:

1. The Calusa Camp property owners can install all components to be located in both the common areas and on their individual lots at their cost.
2. The KLWTD can provide the vacuum components in the common areas using public funds, with each property owner being required to install the laterals on their lots at their cost.

Technically, either of these approaches results in the same system, so in that respect, they are equal. Note that regardless of who installs the system, I recommend that the District assume operation and maintenance responsibilities in easements to be granted in the common areas.

As the District's Engineer, I will provide some comments regarding these options.

Expenditure of public funds to install wastewater infrastructure on private property is not generally done, with the exception of financial assistance to low-income individuals. The reasons it is not done relate to issues of equity and the proper use of public funds in the best public interest.

**Best Public Interest** – When considering using District funds to install vacuum mains and pits on the Calusa Camp property, the Board should consider how the general public benefits by the expenditure. Possible benefits include additional revenue from the System Development Fees and monthly O&M fees that can be collected, thereby lowering the capital and O&M costs to all customers. However, Calusa Camp will be required by County Ordinance No. 04-2000 to connect to the KLWTD vacuum system once service is made available via the vacuum main at their property line. The System

Development Fees and monthly O&M fees will be owed without the expenditure of public funds on the private property owned by Calusa Camp.

**Equity** – The issue of equity can be seen from two different viewpoints. On the one hand, in publicly owned streets such as in KLTV and KLP, a cleanout is provided for each building at the property line. If the District does not install the vacuum system within Calusa Camp, a cleanout will not be provided by the District for each RV at their lot line. This can be viewed as inequitable treatment of the individual property owners at Calusa Camp. On the other hand, if the District extends lines onto private property at Calusa Camp, but does not do so in KLTV or KLP (or Tradewinds Plaza, the Sheraton or other commercial properties), this can also be viewed as inequitable treatment.

If the District elects to, and is legally able to, extend sewer lines onto the private property at Calusa Camp, the following possible scenarios may bear consideration:

- Will all other residential properties be provided with similar infrastructure using public funds? Condo associations? Gated communities? Apartment complexes? Trailer parks where the residents own the trailer but rent the lot? Trailer parks where an investor owns both the trailers and lots and collects rent from tenants? Transient RV parks and camp grounds? Marinas with live-aboard slips?
- If infrastructure is provided on private property for some or all of the above using public funds, can the District justify not bringing the lines onto private property at hotels, restaurants and other commercial properties?
- Some home owners in KLTV have complained about not having their cleanouts located at the point of their preference. If the District did not accommodate these property owners, can spending of public funds on private property at Calusa Camp be justified?

**FKAA Approach** – The FKAA was attempting to address this problem in Marathon by proposing to allow owners of commercial residential properties to choose whether or not the wastewater infrastructure would be provided on their property at project expense. However, there were conditions attached to the options.

- If the property owners elected to provide easements and have the FKAA install the sewer mains and cleanouts, the FKAA would also install a new water system with individual meters for each residence. Each residence would then get a water bill and a sewer bill for a full EDU.
- If the property owner elected not to have the FKAA install the sewer system, the owner would be required to do so at the owner's expense. However, the property would then be billed as a commercial property, receiving a single sewer bill based on the commercial rate structure.

**Billing** - The KLWTD should also consider impacts of the District's future rate structure on billing of commercial and residential properties. Generally, if there is a flow based component of the sewer bill, a water meter reading is used to determine that portion of



the monthly bill. However, there are developments and commercial properties with multiple single-family units that are serviced by a master water meter. This is currently the case at Calusa Camp, which is served by a single water service. The individual RV lots do not have water meters, without which billing for the flow-based component could be problematic if each RV lot is considered to be a separate customer. The best solution would be to have the FKAA install water meters at each lot. Alternatively, each lot could receive a bill that includes  $1/367^{\text{th}}$  of the total water consumption from the master meter as the flow based component each month, but this may invite complaints from the seasonal residents. The simplest alternatives would be to have a fixed monthly bill (with no flow component) for all single family residential units, or to treat Calusa Camp as a commercial customer.

It should also be noted that both Chapter 64-E 6 FAC and the Monroe County Uniform Connection ordinance define the flow for an RV lot as 75 GPD. This is equivalent to 0.45 EDU, based on the County standard that an EDU is 167 GPD. With these documents available, owners of RV lots may contest being charged as a full EDU.

**Non-technical recommendation** – Over the years, many bodies have had to address the problems discussed above. In the end, most have come to the same conclusions and developed similar policies and rate structures. The Board should carefully weigh the pros and cons when considering an action that is atypical of generally accepted policies. Public money is typically not spent to provide wastewater infrastructure on private property. My recommendation is that the District make sewer service available in accordance with Monroe County Ordinance No. 04-2000 to all properties in the District. This is a fair and equitable method and does not spend tax payer dollars for improvements on private properties.

# KEY LARGO WASTEWATER TREATMENT DISTRICT

## Agenda Request Form

Meeting Date: November 16, 2005

Agenda Item No. 1 b

☐ PUBLIC HEARING

☐ RESOLUTION

☒ DISCUSSION

☐ BID/RFP AWARD

☐ GENERAL APPROVAL OF ITEM

☐ CONSENT AGENDA

☐ Other:

SUBJECT: Connection Enforcement

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 11-11-05

<b>Originating Department:</b> Presented by Tom Dillon	Costs: \$  Funding Source:  Acct. #	<b>Attachments</b>
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>T.D.</u> <input checked="" type="checkbox"/> General Manager <u>C.J.M.</u> <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering____ <input type="checkbox"/> Clerk____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case_____ Please initial one.

Summary Explanation/Background: Connection Enforcement through the County is available.

### Resulting Board Action:

☒ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

## MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law  
Board Certified Construction Attorney  
P.O. Box 370736  
Key Largo, Florida 33037-0736

Tel: 305-240-1767  
Fax: 305-853-2693  
E-mail: lawtmd@bellsouth.net

To: Key Largo Wastewater Treatment District

Date: November 3, 2005

Subject: Code Enforcement

---

I spoke today with Monroe County Code Enforcement personnel in Plantation Key. At this time, they have no experience in sewer hook enforcement, but they referred me to Nancy Dowling in Key West (292-4496). Ms. Dowling is the person who has handled sewer hookup code enforcement issues in the Lower Keys. This is a summary of our conversation.

Ms. Dowling would probably not be the person handling this matter for the Upper Keys; Jack Reed would probably be in charge. Mr. Reed is currently out of the country, but will return soon. I am assuming that the following procedures will be used by Mr. Reed, but I will meet with him on his return to find out his preferences.

Prior to taking action, Ms. Dowling held a meeting with Tom Willi, Rhonda Norman, and Joe Paskalik to develop a plan of action.

All of the one-year notices were sent by certified mail, return receipt, and a file was begun for each parcel.

Ms. Dowling believes that it is critical to generate a data base and records to show the status of each property, to prove receipt of the 30-day notices, and to track permitting efforts. She relied heavily on the utility to make sure that the data base was complete and accurate.

After the 30-day notice has been sent by certified mail, return receipt, and the 30 day period has expired, the process was to contact the property owners to find out the status of their hookups.

Due to the unavailability of contractors, Code enforcement was lenient with property owners as long as they were making progress with getting a contract, getting permits, etc.

When it was clear that a property owner was not working to make progress, Code Enforcement issued notices of violation, allowing 15 days for compliance instead of the usual 10 days.

The magistrate holds hearings in Marathon on a regular schedule. In general, he was sympathetic to the property owners, allowing them a reasonable time (60 days, more or less) to get connected.

Only when a property owner failed to try to make progress with the connection did the magistrate impose fines, but there are several owners now facing fines of \$100/day.

I told Ms. Dowling that it was my intention to begin meeting with Jack Reed on his return so that the District and Code Enforcement can develop a cooperative process to get customers connected.

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 1 c

- |  |   |
|--|---|
| <p><input type="checkbox"/> PUBLIC HEARING</p> <p><input checked="" type="checkbox"/> DISCUSSION</p> <p><input type="checkbox"/> GENERAL APPROVAL OF ITEM</p> <p><input type="checkbox"/> Other:</p> | <p><input type="checkbox"/> RESOLUTION</p> <p><input type="checkbox"/> BID/RFP AWARD</p> <p><input type="checkbox"/> CONSENT AGENDA</p> |
|--|---|

SUBJECT: System Take Over and Maintenance

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 11-11-05

C. J. 2

<b>Originating Department:</b> Presented by Charles Fishburn	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager <u>C. J. 2</u> <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** If Calusa Campground installs a vacuum collection system acceptable to the District would the District consider taking ownership of the system?

**Resulting Board Action:**

☒ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 11, 2005  
**Re:** System Take Over and Maintenance

---

It is common practice for new developments to install collections systems and then turn over ownership of the systems to their sewer utility to provide future maintenance and repair.

# TAB 2

KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 2

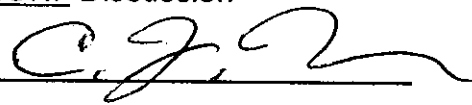
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| <input type="checkbox"/> PUBLIC HEARING<br><input checked="" type="checkbox"/> DISCUSSION<br><input type="checkbox"/> GENERAL APPROVAL OF ITEM<br><input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION<br><input type="checkbox"/> BID/RFP AWARD<br><input type="checkbox"/> CONSENT AGENDA |
|---|--|


SUBJECT: \$2 million for Wastewater from Federal Government

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 11-11-05



<b>Originating Department:</b> Chairman Patton	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Article by Ann Henson in Key West Citizen Nov. 10, 2005 Email from Commissioner Nelson Congressional Record Total Project Sources & uses of Funds, KLWTD Email from Commissioner Brooks
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** The District has been planning on receiving \$500,000 from the Federal Government. The \$500,000 has been budgeted to complete the Key Largo Park Project. \$500,000 now promised for May 2006. \$2 million "new" money for Keys Sewer Projects has been announced in the attached new article.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised



# Keys getting \$2M in federal sewer money

BY ANN HENSON Citizen Staff - Keynews.com Nov 10, 2005

Florida's congressional delegation secured \$2 million for Keys wastewater improvements for fiscal year 2006, while \$3 million from the last two years sits with the federal government awaiting completion of paperwork and procedures.

The new funding is the fourth installment of \$100 million authorized five years ago to improve water quality and to help protect the coral reefs.

"Funding this project will help increase water quality in the Keys and maintain momentum for efforts to restore and protect a national treasure," said U.S. Sen. Bill Nelson, who is in part responsible for the allocation.

U.S. Rep. Ileana Ros-Lehtinen is looking forward to another Florida Keys wastewater allocation for fiscal year 2007.

"I am very pleased that these \$2 million will continue to further this important initiative to assure that wastewater improvement projects are funded. This is important to the residents of Florida, vital to the citizens of the Florida Keys and to the environmental balance of our state," said Ros-Lehtinen in a prepared statement.

But federal red tape has slowed the disbursement of the funding.

"We cannot disburse the money until the cooperative agreements are completed," said Shelley Trulock, project manager for Keys wastewater with the Army Corps of Engineers.

"We're in the process of running the agreements up the chain of command to get approval. There's no time frame for completion, but we're putting all the packages together and Key Colony Beach's has already been sent," Trulock said.

The separate agreements with each municipality and unincorporated Monroe County must be approved by the assistant secretary of the Army who oversees the Corps of Engineers, she said.

Trulock said the project team decided to use \$1 million of the funding for costs associated with the environmental impact statements and to demonstrate compliance with the National Environmental Policy Act. That money has been spent.

"We did this so that everything is ready and we can move to reimburse for construction," she said.

So far Congress has allocated approximately \$7.25 million, of which \$4.5 million is available after slippage.

Slippage is the difference between what Congress approved and what was actually allocated.

The project team, made up of county and municipal officials as well as other government entities, has earmarked funding for fiscal year 2004 and 2005.

Trulock said the team will meet again in early 2006 to discuss the projects. If each is on schedule and nothing else changes, the funding for 2004 and 2005 will be made available:

- 1 Key Colony Beach — \$200,000
- 1 Layton — \$800,000
- 1 Key West — \$500,000
- 1 Islamorada — \$500,000
- 1 Marathon — \$500,000
- 1 Key Largo — \$500,000

But the communities cannot simply claim the funds.

They must submit paperwork showing that money has been spent. The federal funds can only reimburse what's already been spent on either sewers or stormwater.

And one of the next tasks is to figure out the reimbursement specifics, Trulock said.

When the details are hashed out, future reimbursement will be streamlined, she said.

"We have to abide by the federal processes in place when it's federal money," she said.

But in subsequent years, the team will only need to meet after budget approval to determine which projects are ready to proceed.

One sticking point with several county commissioners was the \$800,000 earmarked for Layton.

But Jenny Conner of The Nature Conservancy said the money is all Layton will get as the city is now finished with its wastewater improvements.

**ahenson@keysnews.com**

**Subj:** \$2 Million for Florida Keys Wastewater!!  
**Date:** 11/8/2005 1:41:33 P.M. Eastern Standard Time  
**From:** Hanson-Donna@MonroeCounty-FL.Gov  
**To:** Tobinlaw@terranova.net, cbrooks442@aol.com, cffishburn@aol.com, cbullock417@aol.com, g.bauman@dolphinpatioandgrill.com, gpatton@innovative-dynamics.com, lawtmd@bellsouth.net

Donna Hanson

Executive Assistant to

Commissioner Murray E. Nelson

District 5, Key Largo

PH 305.852.7175

FAX 305.852.7162

EMAIL: boccdis5@monroecounty-fl.gov

**From:** Jennifer Conner [mailto:jconner@tnc.org]

**Sent:** Tuesday, November 08, 2005 1:04 PM

**To:** Cecelia Weaver; Clyde Burnett; David Ritz; Elena Herrera; John Bartus; Jim Reynolds; Mary Rice; Murray Nelson; Norman Anderson; Rose Dell; boccdis3@monroecounty-fl.gov; boccdis1@monroecounty-fl.gov; George Neugent; boccdis4@monroecounty-fl.gov

**Cc:** JOANN Thomas; Art Estopinan; CHRISTOPHER Bergh; Colleen Tagle; David Fernandez; David Whitestone; Debra Harrison; Don Riggs; Ed Russo; JILL AUSTIN; Kirk Zuelch; Laurie Karnatz; LEE None KILLINGER; Nancy Klingener; NATINA None SULLIVAN; Sarah Perez; Sean Taylor; Shelley Miklas

**Subject:** \$2 Million for Florida Keys Wastewater!!

I am happy to share some good news! I think we could all use it down here....

We just learned from Sarah Perez in Congresswoman Ros-Lehtinen's office that the FY06 Energy and Water Appropriations bill includes **\$2 million for Keys wastewater**. Attached is the Army Corps General Construction allocation chart from the FY06 Energy and Water Appropriations Conference Report showing the appropriation for Water Quality Improvements in the Florida Keys.

This isn't the full \$3 million that the Senate had appropriated in their budget, but it is a step above the \$1.3 we had in the House version. In an extremely tight budget year, this \$2 million is a very respectable number. We all owe a huge thanks to the hard work of Congresswoman Ros-Lehtinen, Senator Nelson, and Senator Martinez.

Please let me know if you need addresses or phone numbers for your thank you notes and calls. I will be happy to try to answer any questions you have.

Thanks! Jenny

**Jennifer Conner**

*Assistant Director for Policy & Special Projects*

jconner@tnc.org  
 (305) 745-8402 Ext. 109  
 (305) 745-8399 (Fax)

nature.org

**The Nature Conservancy**

**South Florida & Florida Keys Program**

P.O. Box 420237

Summerland Key, FL 33042

Shipping: 55 N. Johnson Rd.

Sugarloaf Key, FL 33042

Thursday, November 10, 2005 America Online: Cffishburn

H0848

## CONGRESSIONAL RECORD—HOUSE

November 7, 2005

CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
DELAWARE		
DELAWARE BAY COASTLINE TO PT NARON, DE.....	---	1,000
DELAWARE BAY COASTLINE, BETHANY TO SOUTH BETHANY, DE..	---	3,000
DELAWARE COAST PROTECTION, DE.....	---	320
DELAWARE COAST, CAPE HENLOPEN TO FENWICH ISLAND, DE...	---	1,275
DISTRICT OF COLUMBIA		
WASHINGTON, DC & VICINITY.....	400	---
FLORIDA		
BREVARD COUNTY SHORE PROTECTION, FL.....	---	500
BROWARD COUNTY (REIMB), FL.....	---	750
CANAVERAL HARBOR, FL.....	---	1,500
CEDAR HATCH/MAES CREEK, FL.....	---	750
CENTRAL AND SOUTHERN FLORIDA (CESF), FL.....	76,826	76,826
DADE COUNTY, FL.....	---	1,350
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	12,000	12,000
FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FL.....	---	2,000
FORT PIERCE BEACH, FL.....	---	150
HERBERT HOOVER DIKE, FL (MAJOR REHAB).....	16,900	16,900
JACKSONVILLE HARBOR, FL.....	---	376
KISSIMMEE RIVER, FL.....	13,174	13,174
LEE COUNTY, FL.....	---	750
NASSAU COUNTY SHORE PROTECTION, FL.....	---	2,250
PALM BEACH COUNTY REIMBURSEMENT, FL.....	---	2,450
PINELLAS COUNTY BEACHES, FL.....	---	1,500
PONCE DE LEON INLET, SOUTH JETTY, FL.....	---	1,313
PORT EVERGLADES HARBOR, FL.....	---	376
MOD WATER, FL.....	35,000	35,000
ST. LUCIE INLET, FL.....	---	1,500
TAMPA HARBOR BIG BEND, FL.....	5,000	5,000
TAMPA HARBOR BUTTON CHANNEL, FL.....	---	1,000
GEORGIA		
ATLANTA - COMBINED SEWER OVERFLOW, GA.....	---	1,000
BRUNSWICK HARBOR, GA.....	---	19,100
BUFORD POWERHOUSE, GA (MAJOR REHAB).....	5,812	5,812
HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB).....	733	733
OATES CREEK, RICHMOND COUNTY, GA.....	---	376
RICHARD B RUSSELL DAM AND LAKE, GA & SC.....	1,300	1,300
TURNBOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB).....	5,700	5,700
HAWAII		
HAWAII WATER SYSTEMS TECHNICAL ASSISTANCE, HI.....	---	1,500
IAO STREAM FLOOD CONTROL, MAUI, HI.....	---	375
KAUNALAPAU HARBOR, LANAI, HI.....	---	13,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI.....	3,550	3,550
IDAHO		
RURAL IDAHO ENVIRONMENTAL INFRASTRUCTURE, ID.....	---	5,000
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	5,495	5,495
CHICAGO SHORELINE, IL.....	20,000	20,000
COOK COUNTY, ENVIRONMENTAL INFRASTRUCTURE, IL.....	---	376
DES PLAINES, IL.....	---	3,750
EAST ST LOUIS, IL.....	760	1,000
EAST ST. LOUIS ECOSYSTEM RESTOR. & FLOOD DAMAGE REDUC.	---	300
GREAT LAKES FISHERY & ECOSYS RESTOR. PGM, IL, IN, MI..	---	376

PLANNED \$268,000 SEPT. 05  
 \$232,000 OCT. 05  
 NOW PROMISED MAY 06

Key Largo Park

TOTAL PROJECT SOURCES AND USES OF FUNDS

October 31, 2005

FUNDING COMMITMENT

Federal:

Army Corps Of Engineers (Potential)

Total	Received	Balance Due	% Rec'd
500,000 17%	\$ -	\$ 500,000	0%

State:

FDEP Grant

FDEP Grant Amendment 2

DCA Cesspit Grant

Subtotal State Funds

1,660,000	325,162	1,334,838	20%
187,312	-	187,312	0%
107,580	-	107,580	0%
1,954,892 66%	325,162	1,629,730	17%

Local:

304 Fund

148 Fund (Cesspit Match)

304 Fund (Cesspit Match)

Subtotal Local Funds

356,000	356,000	-	100%
100,000	-	100,000	0%
50,000	-	50,000	0%
506,000 17%	356,000	150,000	70%

Total Funds

\$ 2,960,892	\$ 681,162	\$ 2,279,730	23%
--------------	------------	--------------	-----

Budgeted source to cover shortfall in grant funding is System Development Fees.

ESTIMATED PROJECT COST

	Est. Total Completed Cost	Billings to 10/31/2005	Balance To Complete	% Expended
FCAA Spending	326,691	326,691	-	100%
Weiler Engineering	100,260	95,078	5,182	95%
Haskell Change Order (Eng'g)	73,767	66,065	7,702	90%
ADB Contract	2,400,000	502,120	1,897,880	21%
Direct Purchases (Airvac)	200,000	77,321	122,679	39%
Misc. Construction Expense (contingency)	150,000	8,192	141,808	5%
GSG (incl. Feb-May, 03 Engineering)	18,365	18,365	-	100%
KLWTD Staff Expense (Insp / Mgmt / Legal)	60,000	35,130	24,870	59%
Total Expenses	\$ 3,329,083	\$ 1,128,962	\$ 2,200,121	34%

**Martin Waits**

**From:** cbrooks442 [cbrooks442@aol.com]  
**Sent:** Friday, September 16, 2005 12:11 PM  
**To:** Chuck Fishburn; Martin Waits; Carol Simpkins  
**Subject:** Fw: FKWQIP Status Report - Sept 05

-----Original Message-----

**From:** Trulock, Shelley F SAJ  
**Date:** 09/15/05 11:23:36  
**To:** willi-tom@monroecounty-fl.gov; boccdis3@monroecounty-fl.gov; cbrooks442@aol.com; jweekley@keywestcity.com; dfernand@keywestcity.com; bob.johnson@islamorada.fl.us; bernie.lapira@islamorada.fl.us; mayor@keycolonybeach.net; jebartus@bellsouth.net; pinkusj@ci.marathon.fl.us; rebarman1@aol.com; skippharing@juno.com; jreynolds@fkaa.com; kruczynski.bill@epa.mail.epa.gov; gus.rios@dep.state.fl.us; jetton@mail.state.fl.us; bobbi\_sleighter@doh.state.fl.us; cweaver@sfwmd.gov  
**Subject:** FKWQIP Status Report - Sept 05

Team, its been several months since we talked so I wanted to take the opportunity to give you an update on what has been going on with our program. I had tentatively marked my calendar for a PDT meeting on Thursday 29 Sept, but given that we do not have information on the President's budget yet I think it would be best to wait. Once we know how much money we'll be receiving via a Congressional Ad, I'll schedule a meeting so we can strategize on how to split the funding. As soon as I hear something definitive you will be the first to know! So, more to come on that.

Although you haven't seen Cecelia's or my face lately associated with FKWQIP, there has been a ton of effort going on associated with executing the program. Below is a summary of the activities going on for each of the municipalities:

\* Key Colony Beach - The Decision Document was complete and the Program Cooperation Agreement (PCA) was forwarded up to our Division and HQ offices on 23 August 2005. We expect execution of this as a nice Christmas present. That means that reimbursement can begin the first of the calendar year. With this being the first one that went up I anticipate some questions, but hopefully we can keep our schedule on track!

\$200,000

\* Layton - Public comment closed on the EA 7 July 2005 and the Decision Document has also been complete. We are currently routing the FONSI and are pulling the PCA package together. We should be in the position to route the package up to our Division and HQ by Monday 19 Sep 2005. Execution of the PCA is anticipated Jan 06.

\$800,000

\* Marathon - Public comment closed on the EA 7 July 2005 and the Decision Document has also been complete. We are currently routing the FONSI and are pulling the PCA package together. We should be in the position to route the package up to our Division and HQ by the first week of October 2005. Execution of the PCA is anticipated Feb 06.

\$500,000

\* Key West - Public comment closed on the EA 12 Aug 2005 and the Decision Document has also been complete. We are currently routing the FONSI and are pulling the PCA package together. We should be in the position to route the package up to our Division and HQ by the first week of October 2005. Execution of the

\$6500,000

PCA is anticipated Feb 06.

\* Key Largo - Public comment will close on the EA 24 Sept 2005. The Decision Document is complete. It is anticipated that we will be able to route the PCA package up to our Division and HQ by the first week of Nov 2005. Execution of the PCA is anticipated May 06. *\$500,000*

\* Islamorada - We are currently working on the EA and anticipate going out for public review the first week of Oct 2005. For Islamorada we still have to go through the public review period for the EA. The decision document is currently being developed and with this schedule it is anticipated that the PCA package will go up to our Division and HQ the first part of Feb 06 and will be executed in May 06. *\$500,000*

The key date for you would be the PCA execution date. This is when we can begin receiving invoices and start the reimbursement process.

I'll be sure to keep you posted as I hear something on the FY 06 budget. I hope this has been a great summer for everyone and that you've weathered the storms without too much damage or hassles.

Feel free to give me a call or send me an email should you have additional questions/concerns/comments. I double checked my email listing twice so hopefully I have included all of the key players. If I have neglected to include someone, please let me know and I will see that they receive a copy of this summary. Also, if you have had any staff changes and need me to modify the distribution list please provide me with that info as well.

THANKS!!! Shelley

**Shelley Trulock**

System Planner for Program Execution

Restoration Program Execution Branch

phone: 904-232-3292

email: shelly.f.trulock@usace.army.mil

fax: 904-232-1251

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FREE Emoticons for your email! [Click Here!](#)



Subj: **Federal funding??**  
Date: 10/5/2005 9:16:09 A.M. Eastern Daylight Time  
From: gpatton@innovative-dynamics.com  
To: cffishburn@aol.com

**Hello Chuck, FYI**

**Glenn**

## **Federal money for sewers should be known this week**

**BY ANN HENSON**

Citizen Staff

Keys officials should know this week how much federal money will come in this year for Monroe County wastewater projects.

Both branches of Congress have added money for wastewater in their budgets, the House asking for \$1.3 million and the Senate proposing a higher amount.

When approved, the funding will go to the Army Corps of Engineers.

Shelley Trulock, project manager at the Jacksonville District, said once the money arrives she will call a meeting of the Keys program delivery team. This team is made up of elected officials and appointees with technical knowledge of the sewer program.

"Day by day, I'm hoping to hear more information," Trulock said. The Corps paperwork is nearly done, she added.

"The program cooperation agreements should be finalized in the second quarter of 2006," she said. And the documentation for the National Environmental Policy Act has been completed.

Some had worried that the Corps hands and budget would be taken over by the rebuilding of New Orleans. A bill in Congress is asking for \$250 billion for Hurricane Katrina disaster relief.

But Trulock said the Keys wastewater money is safe.

Alex Cruz, spokesman for Congresswoman Ileana Ros-Lehtinen, echoed Trulock's comments.

"Congress is spending more money [via new appropriations] — not shuffling around available funds for the hurricane relief efforts," he said.



) Congress authorized the Florida Keys Water Quality Improvement Act in November of 2000 with a promise of up to \$100 million in federal wastewater funding. However, money has been coming in dribs and drabs.

According to Ros-Lehtinen's office, \$5.5 million in federal money for wastewater has come to the Keys since 2003.

Because the paperwork is done, Trulock said, this year's funding will be used for construction reimbursement.

The Corps funnels the money to the South Florida Water Management District. Municipalities and the county then submit requests for reimbursement for completed sewer work.

**ahenson@keysnews.com**

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*Published on Sunday, October 2, 2005*

Best regards, Glenn

) <http://www.glennpatton.com>  
305-451-4891 Home  
305-281-0101 mobile

# TAB 3

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.3

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                      | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> DISCUSSION                          | <input type="checkbox"/> BID/RFP AWARD  |
| <input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                              |   |

SUBJECT: Minutes of Oct. 19, and November 2, 2005 Board Meetings

RECOMMENDED MOTION/ACTION: Approval of minutes with any needed additions, deletions or corrections.

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Board Clerk	Costs: Approximately \$0  Funding Source:  Acct. #	<b>Attachments:</b> Minutes of Oct. 19 & Nov. 2, 2005
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TO</u> <input checked="" type="checkbox"/> General Manager <u>C. J. 2</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input checked="" type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

MINUTES  
Key Largo Wastewater Treatment District (KLWTD)  
Board of Commisisoners Meeting



November 2, 2005  
98880 OVERSEAS HYW, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on November 2, 2005 at 5:04 PM. Present were Commissioners Glenn Patton, Gary Bauman, Andrew Tobin, and Claude Bullock. Chairman Brooks was absent. Also present were General Manager Charles Fishburn, District Counsel Thomas Dillon, Board Clerk Carol Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Bauman. Commissioner Bauman, Vice-Chairman, presided over the meeting as acting Chairman.

*Annual Election of Officers*

**MOTION: Commissioner Bullock made a motion to nominate Commissioner Patton as Chairman. Commissioner Tobin seconded the motion**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Commissioner Bauman	X		
Commissioner Brooks			Absent

Motion passed 4 to 0

Acting Chairman Bauman turned the gavel over to Commissioner Patton, who assumed the chair.

**MOTION: Commissioner Tobin made a motion to nominate Commissioner Bullock as Vice Chairman.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		

Commissioner Bullock wants to have all of the names of the persons who represent the hourly charges on the Arcadis invoices attached to the work order and he would like the list updated yearly.

Commissioner Bullock requested that Mr. Castle title the facilities plan for the District "Updated Master Plan."

**MOTION: Commissioner Bullock made a motion to approve the KLWTD/Arcadis G & M, Inc Work Order No. 1 and Commissioner Bauman seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### *Weiler Work Order*

Ed Castle explained the work order. He told the Board that the work done as a result of the work order is used in the real number crunching that goes into the Facility Plan. The work is also used to set the groundwork that then goes into the design and then the bidding.

Commissioner Bullock would like to have the names of the people working on the project attached to the work order.

**MOTION: Commissioner Tobin made a motion to approve the Weiler Work Order. Commissioner Bullock seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### **Commissioner's Items**

##### *Calusa Campground*

Commissioner Tobin stated that he was concerned with entering into a contract with a condo association to put in a collection system. He does feel that the District needs to move forward with Calusa Campground.

Commissioner Bullock agrees with the saying "Do it Right and Do it Now". He would like to see the District go in and put in a good system or he would like to see the District make Calusa update their system to the District standards.

Commission Bauman pointed out that the Districts major job is to clean up the near shore waters and he would like to see Calusa hooked up as soon as possible.

Ed Castle stated that a public utility going onto private property at public cost to put in a collection system is not typically done for sewers.

After discussion the Board tasked the Staff to come back with an outline of the process for Calusa upgrade or replace their collection system, for discussion at the next meeting. The Board would also like Staff to bring back a draft of the one-year notice to Calusa for the next meeting.

#### **Action Items**

##### *Pending payments list*

Martin Waits explained that the actual amount on the pending payment list for the Haskell September invoice is \$483,486.25, as opposed to the estimate of \$500,000.00 shown in the list.

**MOTION: Commissioner Bullock made a motion to approve the pending payment list of November 2, 2005 contingent upon the availability of funds. The motion was seconded by Commissioner Tobin.**

#### **Vote on motion**

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### *Medical Plan for District Employees*

Charles F. Fishburn presented the insurance plan from the Florida League of Cities and explained that Staff is looking into qualifying for the State Insurance coverage. He recommended that the District take the FL League of Cities insurance and if, at a latter date the District qualifies, change over to the State plan.

Commissioner Tobin stated that he looks at the insurance coverage paid for by the District as a pay raise for the employee. Commissioner Tobin would like to see more

analysis go into the insurance issue. He is concerned with paying for insurance coverage for employees but he is not adverse to it.

Commissioner Bullock recommended that the District approve the Florida League of Cities as the insurance carrier, only, so that employees who desired to begin coverage at this time may do so, and at a latter date consider paying for a portion of the coverage.

Commissioner Bauman would like the District to approve Florida League of Cities as the carrier and pay for the employees' coverage up to \$500 a month. He would like to have an insurance expert make a presentation to the Board. Commissioner Bauman would like more information on the cost of the policies.

**MOTION: Commissioner Bullock made a motion to approve the Florida League of Cities as the insurance carrier for the District but at the current time the District would not pay for any part of the employees insurance at this time. Commissioner Tobin seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman		X	
Chairman Patton	X		

Motion passed 3 to 1

#### *Retirement Services*

Charles F. Fishburn reviewed the Florida League of Cities Pension Trust Fund. He has talked with PayChecks and they will be sending their information also. Mr. Fishburn would like to bring the item back to the Board.

**MOTION: Commissioner Bauman made a motion to allow the Manager and Staff to review the offers and make the decision. Commissioner Bullock seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

#### *Increase in Engineers Salary*

Mr. Fishburn reviewed the request with the Commission.

**MOTION:** Commissioner Tobin made a motion to approve the increase in the salary of the Engineer, Margaret Blank, to \$72,800 per year effective November 1, 2005. Commissioner Bauman seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

*Change of Inspector to salaried and change title.*

Mr. Fishburn presented the request.

**MOTION:** Commissioner Bauman made a motion to change the title of Inspector to Construction Manager and to pay him a salary of \$62,400 per year.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0

*Authorization to hire a Plant Operator*

Mr. Fishburn requested authorization to hire a Plant Operator within the range previously approved by the Board starting not before December 1, 2005.

**MOTION:** Commissioner Bauman made a motion to give the General Manager authorization to hire a Plant Operation paying between \$36,000 to \$52,000 per year with the Operator not starting before December 1, 2005. The motion was seconded by Commissioner Bullock.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 4 to 0



*Authorization to advertise for an Administrative Assistant*

Commissioner Bauman suggested that the requirement to know Access be removed from the ad and that the name Marty be changed to Martin Waits.

Commissioner Tobin left the meeting at 7:42 PM.

**MOTION:** Commissioner Bauman made a motion to give the General Manager authorization to advertise for an Administrative Assistant to start not before January 1, 2005.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin			Absent
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 3 to 0

*Increase in current compensation for per mile allowance to vehicle travel*

Charles F. Fishburn requested that the current \$.29 per mile for vehicle travel be increase to \$.40 per mile.

The Board discussed the option of giving employees a flat rate of \$100 per month for use of their own vehicles instead of \$.40 per mile.

**MOTION:** Commissioner Bauman made a motion to increase the vehicle per mile compensation to \$.40 per mile for the District. The motion was seconded by Commissioner Bullock.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin			Absent
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 3 to 0

**Legal Items**

*Inter-Local Agreement with FKAA for billing services*

Tom Dillon, District Counsel presented a draft inter local agreement to present to the FKAA and he explained that he intends to work with them to complete it. He will report to the Board at the next meeting on any progress with the FKAA.

Chairman Patton suggested that Mr. Dillon look for the ability of putting on a server a list of where the collections are at, and the flow information. The cost of billing services run between \$2 and \$3 / per customer.

Mr. Dillon reported to the Board that the invoice from Nabors, Giblin, and Nickerson for the work that they did on the assessments was \$1,725 and the contract had a not to exceed amount of \$3,500.

Mr. Dillon requested from the Board the flexibility to change the waiver form that the people need to complete in order to waive service to one or more parcels and accept service to one developed parcel. He intends to remove the requirement for an Ownership and Encumbrance report and the requirement for mortgagee consent.

**MOTION:** Commissioner Bullock made a motion to give the District Counsel the authority to change the waiver sheet as appropriate. Commissioner Bauman seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin			Absent
Commissioner Brooks			Absent
Commissioner Bullock	X		
Commissioner Bauman	X		
Chairman Patton	X		

Motion passed 3 to 0

### **Status Reports**

#### *Engineer's Project Status Report*

Ed Castle reviewed the status report presented in the agenda package.

Chairman Patton requested that the Board be notified when the testing of the treatment plant is to take place.

### **Commissioner's Roundtable**

The Board discussed the financing for the Key Largo Park and decided that when Commissioner Bullock goes to the next Project Development Team that he emphasize the need for the \$500,000 and update the support document with the Districts current information.

### **Adjournment**

The KLWTD Board adjourned the meeting at 8:15 PM.

The KLWTD meeting minutes of November 2, 2005 were approved on November 16, 2005

---

Chairman Glenn Patton

---

Carol Walker, CMC  
Board Clerk

# MINUTES

## Key Largo Wastewater Treatment District (KLWTD)

### Board of Commisisoners Meeting



October 19, 2005  
98880 OVERSEAS HYW, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on October 19, 2005 at 5:00 PM. Present were Chairman Charles Brooks, Commissioners Glenn Patton, Gary Bauman, Andrew Tobin, and Claude Bullock. Also present were General Manager Charles Fishburn, District Counsel Thomas Dillon, Board Clerk Carol Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Chairman Brooks.

#### ***Approval of the Agenda***

Commissioner Tobin requested that an issue concerning authorizing the Key Largo Fire Department and EMS Board use of the facilities at 98880 Overseas Hwy for their Board meetings be added to the agenda. Commissioner Tobin also suggested moving the Employees Medical Plan from an action item to a discussion item.

**MOTION:** Commissioner Patton made a motion to approve the agenda as amended. Commissioner Tobin seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

#### **Public Comment**

The following persons addressed the Commission: No public comment at this meeting.

#### ***Commissioner's Roundtable***

Commissioner Bullock stated that he thinks that it is in the best interest of the public that the Board insists that the design criteria for the design projects that the District builds

include a category Five Hurricane Government facilities need to be on line and in service at the conclusion of a hurricane.

Commissioner Tobin agreed with Commissioner Bullock. Commissioner Tobin stated that there are a lot of residences that do not want to destroy their septic tanks. He would like District Counsel to look into challenging the DEP Administrative Rule that says the septic tanks have to be destroyed.

Chairman Brooks asked Commissioner Bullock if he is suggesting that the design category Five criteria be incorporated into the new plant. Commissioner Bullock said yes.

### **Commissioner's Items**

#### *Federal Funding*

Commissioner Patton stated that the documents that he had received had the project description and funding off center of what is really going on. He asked Chairman Brooks how the document could be altered.

Chairman Brooks explained that it is the most important document that has been done since 1997. It is the final step that tells the Secretary of the Army, who then tells Congress, that it is ok to move ahead with the distribution of the monies.

Chairman Brooks reported that he has talked with Patricia Carney of PBS&J who is representing the Army Corp of Engineers on the project, and was told that that the numbers are flexible. Ms. Carney suggested that part of the money be left in the Treatment Plant cost even though ultimately it may not be used there. The total amount in the report is now \$140 million.

Commissioner Patton suggested that Commissioner Bullock be selected as an alternate to the Project Development Team to also attend the meetings. Commissioner Bullock has three years left to serve on his term with the KLWTD District Board.

Chairman Brooks stated that he has had three years as representative to the Project Development Team and has less than what he considers total backup from the KLWTD Board in trying to obtain the federal money. He feels that it has been an uphill battle and he stepped down as the representative to the Project Development Team effective immediately.

**MOTION: Commissioner Patton made a motion to nominate Commissioner Bullock to be the Funding Liaison Representative to the Project Development Team and that Commissioner Tobin to be the alternate. Commissioner Tobin seconded the motion.**

#### Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		

Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

The KLWTD Board decided by consensus that the term of the representative will be one year.

Commissioner Patton told the Board that the Key West Utility had a surplus of \$5 million dollars this last year and they put \$1 million into the city's general fund. They are still looking for funding from government agencies to fund their Deep Wells.

Commissioner Tobin suggested that the position of the representative should be used on documents instead of specific names since the person in the position is changed from time to time.

Chairman Brooks said that the letter is an Army Corp of Engineers document and that he would email Commissioner Bullock the contact information.

*Use of the 98880 Building by Key Largo Fire and EMS Board*

**MOTION:** Commissioner Tobin made a motion to allow the Key Largo Fire & EMS Board to use the KLWTD meeting facilities on Monday, Tuesday, or Thursday nights. Commissioner Patton seconded the motion.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

### **Action Items**

*Sexton Cove/Lake Surprise Collection System Engineering Work Order*

General Manager Charles F. Fishburn explained that since the last time the Board looked at the Work Order, David Massey a local surveyor has been added to the proposal.

District Counsel Tom Dillon stated that he has added a "Not to Exceed" amount in the contract. He is satisfied with the contract and recommends approval.

Ed Castle, District Engineer stated that he is comfortable with the scope, the estimated hours and the concept of the "Not to Exceed" price.

Commissioner Bullock asked if the proposal meets the Army Corp. of Engineers criteria. Mr. Terry Zaudtke, Chief Operating Officer for CPH, stated that if they are not in the proposal he has no problem with adding them in unless there are some unusual tasks like some planning documents or things that they would be required to do in addition to things that are already designed, to support the funding.

Tom Dillon, District Counsel said that there would be a new Paragraph Six put in the work order done by an addendum that will say that the Consultant will provide documentation that shows they meet the requirements of the any government agency providing funding.

By consensus the KLWTD Board directed the Engineers to bring back the design built with an order of magnitude cost option to a category 5 at the concept design review.

Commissioner Bullock asked why all of the subdivisions are not in the collections basins that are shown on the map as platted.

Commissioner Tobin asked if the maps have been ground-truthed.

Terry Zaudtke stated that he has driven each of the roads, and Ed Castle has driven the roads, and Charles F. Fishburn has driven the roads. Mr. Zaudtke explained that they have also checked the Monroe County data base on Tier One, Tier Two, and Tier Three lots.

Commissioner Bullock stated that his only concern was that someone in the future would come back and complain the District did not plan for a specific area and he wanted in the record the reason why the areas were not included in the plan.

Commissioner Patton would like to go out to bid for the Sexton Cove / Lake Surprise area as soon as possible.

Ed Castle pointed out that each of the basins could be permitted and bid out in smaller areas.

Mr. Zaudtke stated that he did not need anything extra in the contracts, that he would be willing to break the job up into smaller projects contracts. He explained that each of the jobs would then need a DEP permit and that there would be a permit fee for each job. Ed Castle suggested that each of the Basins be permitted as a whole project and then broken up into smaller jobs.

Mr. Zaudtke said that if the job was split into more than one job there would be some miscellaneous cost like printing but that the area could be done with two contracts and two permits.

Chairman Brooks asked Mr. Zaudtke how much time would be gained by splitting up the project into two parts. Mr. Zaudtke said that he could start 50 days earlier that if he did the work as one project.

Chairman Brooks pointed out that the schedule March 17, 2005 date should be March 17 2006. He then asked if they project is going to be designed before the survey is done.

Mr. Zaudtke explained that they will be able to know how far the runs are going to be, and will work with staff on the location of the lift stations. They will do a preliminary evaluation at that time. He should get the survey information for Sexton Cove in January.

Chairman Brooks asked why the schedule reflects a month between when the plans are submitted and a review. He wanted to know why it took so long. Mr. Zaudtke explained that he gave staff 20 working days to review the plans and if the review goes faster then the schedule will be moved up.

Chairman Brooks asked how much additional time it will take from the time the bids are opened to the award of the bid and mobilization of the contractor and the completion of construction. Mr. Zaudtke said that it would probably take 9 to 12 months.

Chairman Brooks asked if the collection system was started in January, 2007 in Sexton Cove how long would it take to complete. Ed Castle and Terry Zaudtke estimated that it would take nine months to a year per basin.

Commissioner Bullock asked when the property for the lift stations will be purchased. Mr. Fishburn explained that since it is a requirement for the SRF Loan that the property will be purchased by June 2006. He has already been working with a realtor looking into sites.

**MOTION: Commissioner Tobin made a motion to approve Work Order Number 2 with CPH Engineers for the engineering work for the Sexton Cove / Lake Surprise, etc. Collection System. Commissioner Bullock seconded the motion.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0



*Regional Treatment Plant Engineering and Deep Injection Well Service Work Order*

Charles F. Fishburn, General Manager, stated that the Staff has reviewed the work order and recommends approval as it is written.

Martin Waits, Financial Officer, stated that there were funds for this project.

Ed Castle, District Engineer, had no comments.

Tom Dillon, District Council said that the contract was the same one that the Board had reviewed at the last meeting.

William Lynch of Arcadis explained that the Board had requested three changes at the last meeting and they have been made. The first one was to revise the schedule to reflect the Notice to Proceed date, the second one was confirmation with District Staff that the Work Authorization had provisions for early termination, and the third one was confirmation with District Staff that the Work Authorization had provisions to address the capacity if the District was to include Plantation Key (Islamorada). They had all been addressed.

Commissioner Bullock expressed concern over the issues of design criteria and if there will be a huge impact if the design goes from a Hurricane Category 4 to a Hurricane Category 5.

Mr. Lynch said that the biggest impact with upgrading the category would be the cost of the building as opposed to the design. It can be addressed at the current time if the Board so directs. Mr. Lynch agreed to give the District a comprehensive opinion of cost difference, so that the Board would have a magnitude of the difference between building for a Category 4 and building for a Category 5 at the concept level.

Chairman Brooks asked what does it mean that on page three of seventeen it says, it is the responsibility of the District is to provide Arcadis with the information for Arcadis to proceed with the design. Staff explained that the things to be provided are relevant population, equivalent dwelling units, flow data, and schedule. Chairman Brooks asked staff if the information was available currently.

Ed Castle responded that the information has already been generated by Weiler Engineering and will be provided to Arcadis. There will be no additional work required of the District to provide the information.

Chairman Brooks asked how much the task of considering the additional 1.5 mgd for Islamorada. Mr. Lynch stated that the task has already been included in the concept design. Mr. Fishburn explained that Chairman Brooks was asking for how many hours would it take. Mr. Lynch said that the hours had been furnished at an earlier stage but in the Work Order is was presented as a summary table showing the work at the stage level but does not show it down to the individual concept assessment level.

Chairman Brooks stated that he is somewhat opposed to that until every thing in the District is done but he does understand the need to be prudent and prepare for the possibilities. He understands that Islamorada is going to look at the issue.

Chairman Brooks pointed out that on the Schedule of Events Graph on the upper left corner the icon that is being used belongs to the Key Largo Chamber of Commerce and the Board Clerk will email the District Logo to Mr. Lynch.

Chairman Brooks stated that in addendum one the assumptions are for a pre-engineered SBR system. He asked if the District is paying for studies in engineering that are not required with the pre-engineered system.

Mr. Lynch explained that Arcadis was requested by Staff to provide a price proposal which would take the job through design and in order to do that they needed to base the final design on an approach. The approach that was suggested by the District Staff was SBR. They will have a refined proposed system so that the Board can take a look at the alternatives and decide which approach to take. When the District finally directs Arcadis on which approach to take they will revise their proposed fee and scope for the final design and Addendum One will reflect what the Board request that Arcadis/MWH do a final design on.

Chairman Brooks said that he is not sure if Arcadis is providing all of the systems that they have be talked about in the proposal for \$742,000.

Mr. Lynch said that until they are done with the concept design, with staff reviewing it, and the Board approving what exactly will be done, a detailed design, is not fully defined. Staff requested that Arcadis define their assumptions so as they review the man hours and estimated fees they had a basis on which to do that. It was agreed that after the last meeting they all concurred that at the point of the concept design phase they would revisit the fee estimate and the scope. The addendum will be revised, and refined so that the scope and the fee estimate, that will be reviewed, will more closely reflect the Board's desire for a final plan.

Chairman Brooks stated that Mr. Fishburn explained to him that if the District uses the pre-engineered system that the fee figure would be reduced from the \$742,000. How much of a reduction would that have on the Arcadis/MWH fee?

Mr. Lynch said that at this point they could not define what the fee reduction would be. That could only be done after they get into the process.

Chairman Brooks stated that what he is trying to establish is that the "“Not to Exceed”" amount, if the District goes with the pre-engineered, would be reduced.

Mr. Lynch said that it may or may not but the current thinking is that is should be brought down.

Chairman Brooks asked if the Board could be missing something since they do not know what the pre-engineered system is and they do not know what the final assumptions of Arcadis will be. Could something be missing that may have to be built or purchased latter on?

Mr. Lynch said that during the concept design phase they will provide, at the end, a recommendation of draft criteria of important information so that the Board can make a decision for a suitable system to meet its needs.

Chairman Brooks asked what the time frame from the start of the bid process to completion and the start of construction would be. Mr. Lynch stated that it would depend on the size and the style used in the treatment plant. Right now variable sizes and variable types are being looked at.

Commissioner Tobin asked if he could be given what lines in the schedule B, attachment C, might be reduced if the District decided to go to a pre-engineered plant.

Mr. Lynch said that there are several potential lines; it would be those that would be related to the final design.

Patrick Mullen, MWH, stated that their fee was based on a pre-engineered treatment plant with not all of the plant being pre-engineered. The savings will come about not in the Engineering fees but the construction cost. Whereas Mr. Fishburn and Mr. Castle indicated at the last meeting that this fee is on the order of between 5 and 6 percent of the total construction cost. An approach that includes pre-engineering may reduce the construction cost substantially and the engineering fee only marginally.

Chairman Brooks stated that for the \$742,000 Arcadis/MWH is designing a system that will have a pre-engineered portion of the design and Arcadis/MWH is relying on the pre-engineering. If the Board does not want to go with a pre-engineering design would cost go up over and above the \$742,000.

Mr. Lynch answered that it could go up because they have made the assumption as directed by staff as summarized in the addendum to base it on pre-engineered because that appeared to be favored at the time of the proposal.

Mr. Fishburn stated that they thought that the "Not to Exceed" did include the possibility of going to a custom engineer building, treatment plant, and so on.

Mr. Castle stated that it was his recollection that Mr. Fishburn specifically asked the question, "The \$742,000 reflects the entire job even if the District decides to go with a straight design not pre-engineered." Mr. Fishburn very clearly stated that this is a "Not to Exceed" contract. If a completed design system in need the "Not to Exceed" amount would cover it. Arcadis/MWH said yes to Mr. Fishburn's, and Mr. Castle's recollection.

Patrick Mullen, MWH said that he did not recall that conversation.

Arcadis /MWH stated that they had not considered having to design the total package from scratch for the "Not to Exceed" price. If at concept review it was to be determined that pre-engineering would not be used at all then it would be determined that there would not be enough money in the current contract as proposed to cover the cost.

Mr. Dillon stated that the reason that a price was needed for the entire work was because the District has to make a determination that the price was fair and reasonable. If they cannot get to that determination then the District must declare an impasse and negotiate with the second most highly qualified consulting firm. His recollection is the same as Mr. Fishburn's and Mr. Castle's that the \$742,000 is the price if Arcadis/MWH designs everything and that the price would change if a pre-engineered system would have its own cost and Arcadis/MWH work load would go down since they did not have to design every detail of ultra-light disinfection. Mr. Dillon stated that what he was hearing at the current meeting was not the same thing that he thought he heard during the conference call.

Chairman Brooks stated that there are some very important factors that there is a misunderstanding about.

Mr. Dillon said that the District thought that they had a "Not to Exceed" number of \$742,000 and if nothing changed the District would get the full design plan for that amount. Also, if some of the design effort on Arcadis/MWH side was not required because the District decided to go with a pre-engineered design the cost might go down. The decision would be made at the end of the concept review stage. He is now hearing that it is not Arcadis/MWH understanding and he thinks that it should be resolved before it is brought back to the Board.

Mr. Castle pointed out that he had requested the addendum so that the appropriate number of man hours could be determined going into this project based on his information and reference material. When the District switched to the "Not to Exceed" his understanding was that the assumption do not hold anymore. He expected that they would apply, at the concept review, then he would then get the hours down to where he thinks they should be for that type of design. That is why he was agreeable to a "Not to Exceed" figure. If this is not going to be a "Not to Exceed" with the current scope only then he needs to get the hours down in his opinion.

**MOTION:** Commissioner Tobin made a motion to defer Work Order Number 1 with Arcadis/MWH for the Regional Treatment Plant, and Deep Injection Wells engineering. The motion was seconded by Commissioner Bauman.

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		

Vice Chairman Bauman		X	
Chairman Brooks	X		

Motion passed 4 to 1

*KLWTD Commissioner Meeting Minutes of September 21 and October 5, 2005.*

Mr. Dillon stated that the motion on page 4 of the September 21, 2005 minutes should be changed to read **Waiver of Service Administrative fee** on the motion to set the fee to be collected for the Waiver to System Development Charge Assessment.

**MOTION: Commissioner Patton made a motion to approve the Bulk Items with the amendment to the September 21, 2005 minutes. Motion was seconded by Commissioner Bullock.**

Vote on motion

MEMBER	YES	NO	OTHER
Commissioner Tobin	X		
Commissioner Patton	X		
Commissioner Bullock	X		
Vice Chairman Bauman	X		
Chairman Brooks	X		

Motion passed 5 to 0

Chairman Brooks left the meeting and turned the gavel over to the Vice Chairman Bauman at 7:47 PM.

### **Discussion Items**

#### *Medical Plan for District Employees*

Mr. Fishburn explained that the proposal from the Florida League of Cities be consider. He recommends that a \$500 monthly cap be placed on the insurance benefits.

Commissioner Tobin stated that he has a problem with once the District starts to give out medical insurance it can never be stopped and it will continually go up. He would like to see a 50/50 split on the health benefits. He wants the employee invested in the plan.

Commissioner Bullock stated that he has no problem with a fifty fifty split with a \$500 cap.

Commissioner Bauman stated that providing insurance is just another form of wages that are provided to have good employees.

Staff will bring back this item to the next meeting.

#### *Increase in Engineers Salary*

General Manager Charles Fishburn explained that he does not feel that this is a raise. He believes that he hired the Engineer below the current market and the Engineer has finished the six-month probationary period

*Work Order for Completion of District Wastewater Plan*

Mr. Fishburn explained that the SRF Loan for the actual construction of the North Components requires a "Facilities Plan." The District, at minimum, could do a Facilities Plan for the North Components only, but due to the inclusion of the Regional Treatment Plant in the North Components Project we would be 75% on our way to a Facilities Plan for the whole Island.

Staff recommends enlisting Weiler Engineering to complete the Island Planning (attached Work Order No. 5) and then enlisting Weiler for an additional Work Order No. 6 to complete the SRF Facilities Plan for the complete \$140,000,000 Island Project.

Work Order No. 6 would include data derived from CPH, MWH, and Arcadis' 30% submittals and/or concept reviews required for their projects. Work Order No. 6 to Weiler Engineering would result in the Facilities Plan for the SRF Construction Loan.

Work Order No. 5 would be funded from our Planning Budget and MSTU Funds and Work Order No. 6 would be charged to the SRF Engineering Loan that is currently in place.

Commissioner Bullock requested that when the work order is brought back for action that there be hours addressed in it.

**Legal Items**

Tom Dillon, District Counsel told the Board that his contract with the Board is entering its second year and that he is not requesting a rate increase. There is no change in the contract.

Mr. Dillon presented the Decision Letter that is being sent out to the appellant concerning the wastewater assessments.

Mr. Dillon reported that he sent out solicitations on October 13 for ownership and encumbrance reports. The response is due October 28, 2005 with a price good through December 31, 2006.

**Status Reports**

None

**Adjournment**

The KLWTD Board adjourned the meeting at 9:10 PM.

The KLWTD meeting minutes of October 19, 2005 were approved on November 16, 2005.

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Chairman Glen Patton

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Carol Walker, CMC  
Board Clerk

# TAB 4



**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 4

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 13-11-05 approving an exemption to a parcel owned by Marilyn and Michael Mackel

**RECOMMENDED MOTION/ACTION:** Approval

Approved by General Manager 

Date: 11-16-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 13-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TN</u> <input checked="" type="checkbox"/> General Manager <u>C.F. 2</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.		Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Staff has reviewed this application for exemption from the Wastewater Assessment and recommends Board approval.

**RESOLUTION NO. 13-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
APPROVING THE REQUEST OF MARILYN AND  
MICHAEL MACKEL FOR DESIGNATION OF A TAX  
PARCEL AS A PARCEL EXCLUDED FROM THE 2005  
NON-AD VALOREM ASSESSMENT; AND PROVIDING  
FOR APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Marilyn and Michael Mackel have submitted documentation supporting their request for exception from the Wastewater Assessment; and

WHEREAS, the documentation that Marilyn and Michael Mackel have submitted consist of the Monroe County Planning Department ROGO Scoring Information Sheet; and

WHEREAS, the ROGO Scoring sheet shows that the tax parcel cannot be developed.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.      LEGAL DESCRIPTION**

PARCEL ID:                      00528830-000000

AK NO.                            1648060

PARCEL DESCRIPTION:   BK 25 LT 29 AMD PLAT OF KEY LARGO PARK KEY  
LARGO O R431-706/707 OR439-473Q OR650-796  
OR782-1773/1774 OR819-1233 OR819-1234F/J

**Section 2.**      The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the tax parcel designated above from the Key Largo Wastewater Treatment District's 2005 Non-ad Valorem Assessment.

**Section 3.      APPLICABILITY AND EFFECTIVE DATE.**

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 13-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

#### KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 5

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 5



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|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 14-11-05 approving an exemption to a parcel owned by Gene Brian DeMambro

**RECOMMENDED MOTION/ACTION:** Approval

**Approved by General Manager** 

**Date:** 11-10-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 14-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel  <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** : Staff has reviewed this application for exemption from the Wastewater Assessment and recommends Board approval.

**RESOLUTION NO. 14-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
APPROVING THE REQUEST OF GENE BRIAN  
DEMAMBRO FOR DESIGNATION OF A TAX PARCEL AS  
A PARCEL EXCLUDED FROM THE 2005 NON-AD  
VALOREM ASSESSMENT; AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Gene Brian DeMambro has submitted documentation supporting his request for exception from the Wastewater Assessment; and

WHEREAS, the documentation that Gene Brian DeMambro has submitted consist of the Monroe County Planning Department ROGO Scoring Information Sheet; and

WHEREAS, the ROGO Scoring sheet shows that the tax parcel cannot be developed.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.      LEGAL DESCRIPTION**

PARCEL ID:                      00528590-000000

AK NO.                              1647829

PARCEL DESCRIPTION:    BK 25 LT 5 AMD PLAT OF PB3-62 KEY LARGO PARK  
KEY LARGO OR408-374-375 OR533-421 OR866-1421  
OR2024-414 OR2024-412D/C OR2024-413AFF OR2024-  
414 (CTT)

**Section 2.**      The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the tax parcel designated above from the Key Largo Wastewater Treatment District's 2005 Non-ad Valorem Assessment.

**Section 3.      APPLICABILITY AND EFFECTIVE DATE.**

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 14-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 6



# **Key Largo Wastewater Treatment District** **Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 6

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    |  |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 16-11-05 amending Resolution No. 10-08-05 by adding a tax parcel

**RECOMMENDED MOTION/ACTION:** Approval

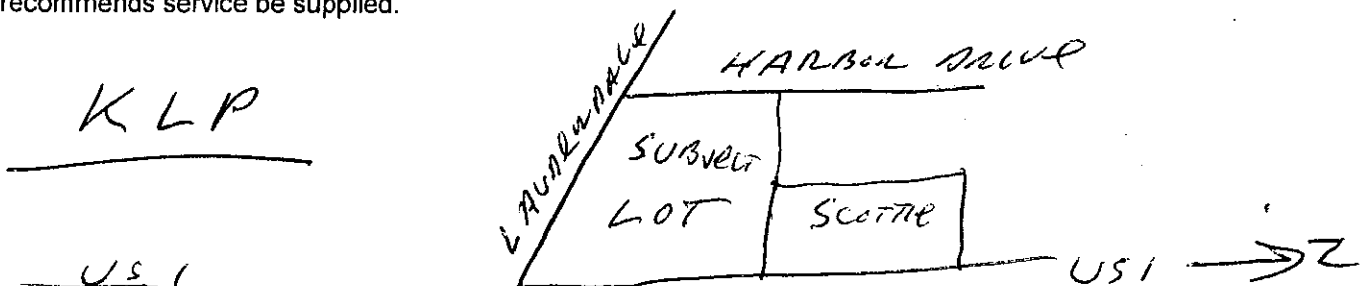
Approved by General Manager

Date: 11-11-05

*C. J. A.*

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 18-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TO</u> <input checked="" type="checkbox"/> General Manager <u>C. J. A.</u> <input type="checkbox"/> Finance _____	<input checked="" type="checkbox"/> Engineering <u>MB</u> <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

**Summary Explanation/Background:** This is a large lot that is bounded by Scotties, US1, Lauderdale, and Harbor Drive, that was not in our original assessment. The owner has requested service and staff recommends service be supplied.



**RESOLUTION NO. 16-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
AMENDING THE FINAL ASSESSMENT RESOLUTION 10-  
08-05 BY ADDING A TAX PARCEL AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the subject new parcel is as follows:

Owner: Thomas Barkett & Thomas Barkett Jr. Trustees;

Legal Description: 28 61 39 A61928-31 ISLAND OF KEY  
LARGO PT LOTS 7-10 OR398-213 OR1139-1767 (CW)

Alternate Key No. 1096113

Real Estate No. 00087560-000000: and

WHEREAS, the Subject Parcel is an unimproved parcel adjacent to the Key Largo Park subdivision, and will be readily served by the collection system now being installed in Key Largo Park; and

WHEREAS, the Owner of the Subject Parcel has requested two connections to the Subject Parcel, and

WHEREAS, the Owner has requested the assessment, and

WHEREAS, the District has determined that providing the two connections requested will be in the best interest of the District due to the proximity of the Subject Parcel to the Key Largo Park Collection System

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.** The District hereby accepts the request for the assessment for the System Development Charges to be levied against the Subject Parcel, but only to the extent that the Subject Parcel is improved with up to two (2) residential Dwelling Units. If the Owner, or a successor to the Owner should develop the Subject Parcel with non-residential improvements or improvements exceeding two (2) residential Dwelling Units, the District will consider any additional System Development Charges to be levied against the Subject Parcel in accordance with policies and rates in effect at the time of such improvement.

**Section 2.** APPLICABILITY AND EFFECTIVE DATE.

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 16-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

#### KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 7

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 7

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 17-11-05 amending Resolution No. 10-08-05 by adding two service connections on one Subject Property

**RECOMMENDED MOTION/ACTION:** Approval

**Approved by General Manager** C. J. F.

**Date:** 11-11-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 18-11-05
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u>C. J. F.</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input checked="" type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** Staff has reviewed documentation and recommends approval.

**RESOLUTION NO. 17-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
AMENDING THE FINAL ASSESSMENT RESOLUTION 10-  
08-05 BY ADDING TWO SERVICE CONNECTION TO THE  
SUBJECT PARCEL AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the subject parcel is as follows:

Owner: Ricardo Leon & Silvia Martinez;

Legal Description: KEY LARGO TRAILER VILLAGE FIRST  
ADDITION KEY LARGO PB5-55 LOTS 19 & 20 BLK 26  
OR549-1041 OR974-705 OR1622-1171AFF OR1622-  
1172AFF OR1622-1173AFF OR1622-1174 OR2023-  
891/892(LG)

Alternate Key No. 1566926

Real Estate No. 00463490-000000; and

WHEREAS, the Subject Parcel is adjacent to the Key Largo Trailer Village subdivision, and will be readily served by the collection system now being installed in that subdivision; and

WHEREAS, in determining the System Development Charges for the Subject Parcel, the District erroneously considered it to be improved with only one single-family dwelling. In fact, the Subject Parcel is improved with two single-family dwellings. The Owner of the Subject Parcel has requested two connections to the Subject Parcel; and

WHEREAS, the District has actually provided the two connections requested by the Owner.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.** Therefore, the District hereby amends the Assessment Roll attached the 2005 Final Assessment Resolution to show a System Development Charge for the Subject Parcel equal to \$9,540.00, and a 2005 assessment of \$501.04. The District will advise the Monroe County Tax Collector of this amendment.

**Section 2.** APPLICABILITY AND EFFECTIVE DATE.

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 17-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 8



# **Key Largo Wastewater Treatment District** **Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 8

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION            |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution No. 18-11-05 approving an exemption to a parcel owned by Anthony and Mary Scarlett

**RECOMMENDED MOTION/ACTION:** Approval

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 18-11-05
<b>Department Review:</b> <input type="checkbox"/> District Counsel _____ <input type="checkbox"/> General Manager _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required [ ]
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Staff has reviewed this application for exemption from the Wastewater Assessment and recommends Board approval.

**RESOLUTION NO. 18-11-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
APPROVING THE REQUEST OF ANTHONY AND MARY  
SCARLETT FOR DESIGNATION OF A TAX PARCEL AS A  
PARCEL EXCLUDED FROM THE 2005 NON-AD  
VALOREM ASSESSMENT; AND PROVIDING FOR  
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Anthony and Mary Scarlett have submitted documentation supporting their request for exception from the Wastewater Assessment; and

WHEREAS, the documentation that Anthony and Mary Scarlett have submitted consist of the correspondence showing that the tax parcel is in the process of being purchased by the State of Florida for conservation purposes. This fact has also been confirmed by George F. Wilson, the real estate professional handling the sale; and

WHEREAS, the documentation shows that the tax parcel cannot be developed.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY  
LARGO WASTEWATER TREATMENT DISTRICT;**

**Section 1.      LEGAL DESCRIPTION**

PARCEL ID:                      00528580-000000

AK NO.                              1647811

PARCEL DESCRIPTION:   BK 25 LT 4 AMD PLAT OF PB3-62 KEY LARGO PAY  
KEY LARGO   OR568-43   OR583-200   OR857-260  
OR1071-1719/JB

**Section 2.**      The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the tax parcel designated above from the Key Largo Wastewater Treatment District's 2005 Non-ad Valorem Assessment.

**Section 3.      APPLICABILITY AND EFFECTIVE DATE.**

This resolution shall take effect upon adoption by the Board of Commissioners.

**RESOLVED AND ADOPTED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2005**

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

	AYE	NAY
Chairman Glenn Patton	_____	_____
Commissioner Gary Bauman	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Commissioner Claude Bullock	_____	_____

The Chairman thereupon declared Resolution No. 18-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_

) Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_  
Carol Walker, Clerk

\_\_\_\_\_  
District Counsel, Thomas M. Dillon

SEAL

# TAB 9

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: Nov. 16, 2005

Agenda Item No. 9

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                      | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> DISCUSSION                          | <input type="checkbox"/> BID/RFP AWARD  |
| <input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                              |   |

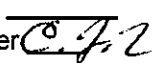

SUBJECT: Pending Payments list for Nov. 16, 2005

RECOMMENDED MOTION/ACTION: Motion to approve pending payments list for Nov. 16, 2005 contingent upon available funds.

Approved by General Manager

Date: 11-11-05



<b>Originating Department:</b> Finance	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> Pending Payments List
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager  <input checked="" type="checkbox"/> Finance 	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____: Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

☒ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

**Key Largo Wastewater Treatment District**

**Payments Pending 11/16/05  
Prepared 11/11/05**

**CONSOLIDATED CASH BALANCE FORWARD**

**\$ 302,563.75**

**Administration & Operations**

Cash Balance A&O Account Forward	\$ 83,643.84
Plus: MSTU Draw #12	\$ 64,571.02
Less: Sprint - Cell Phones (45 days)	313.30
FL Dept. Mgmt. Services - Phone Service	257.43
Cooke Communications - Legal Ads	173.72
Nabors Giblin & Nickerson - Assessment Review	1,712.26
RBC Dain Rauscher - SRF Loan Application	5,089.59
FCAA - Deposit Adjustment	90.43
BellSouth - Rollover Line	21.23
Premier Global - Conference Calls	67.34
USA Bluebook - Supplies	28.64
Keys Sanitary - Trash Service	33.06
Key Breeze Engraving - Name Plates	56.25
FWR Journal - Operator Ad	216.00
Federal Express - Deliveries	24.76
Nissan - Truck Lease	219.00
Chris Sante - Rent (November)	2,450.00
Thomas Dillon - Legal Services	2,362.50
Board Compensation - October	3,000.00
Staff Salaries - October	12,765.51
Payroll Benefits - FICA & Medicare	1,206.06
Sub-total Invoices	30,087.08

**\$ (30,087.08)**

Cash Balance A&O Account If All Paid	\$ 118,127.78
Memo: MSTU Draw #13 Submitted 10/11/05 \$61,274	
MSTU Draw #14 Submitted 10/11/05 \$ 7,341	

**Key Largo Park**

Cash Balance KLP Account Forward	\$ (82,297.89)
Less: ADB - September/October	350,000.00 (Not to exceed)
Weiler Engineering - October	3,040.17
Staff Salaries (incl. benefits) - October	6,477.18
	359,517.35

**(359,517.35)**

Cash Balance KLP Account If All Paid	\$ (441,815.24)
Memo: MC Cesspit Draw #1 Submitted 7/22/05 \$ 17,464	

**Key Largo Trailer Village**

Cash Balance KLT Account Forward	\$ (642,398.68)
Plus: No Receipts	
Less: Airvac - Field Services	2,375.00
Haskell - October	160,000.00 (Not to exceed)
Weiler Engineering - October	5,671.67
Thomas Dillon - Legal Services	238.00
Staff Salaries (incl. benefits) - October	3,544.32
Sub-total Invoices	171,828.99

**(171,828.99)**

Cash Balance KLT Account If All Paid	\$ (814,227.67)
Memo: FEMA Draw #8 Submitted 7/20/05 \$ 933,518	
FEMA Draw #9 (Final) Submitted 8/02/05 \$ 8,373	
DCA Cesspit Draw #2 Submitted 11/3/05 \$ 421,320	

**North Key Largo Development**

Cash Balance KLNC Account Forward	943,616.48
Less: Weiler Engineering - October	1,715.50
Thomas Dillon - Legal Services	651.00
Staff Salaries (incl. benefits) - October	3,933.36
	6,299.86

**(6,299.86)**

Cash Balance KLNC Account If All Paid	937,316.62
---------------------------------------	------------

**CONSOLIDATED CASH BALANCE IF ALL PAID**

**\$ (265,169.53)**

**NOTE: A TOTAL OF \$ 1,499,290 REQUESTED FOR REIMBURSEMENT IS OUTSTANDING**

**Approved for payment:**

Glenn Patton, Chairman

Andrew Tobin, Secretary

# TAB 10

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No. 10

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

SUBJECT: District Lien Rights

RECOMMENDED MOTION/ACTION: Discussion only

Approved by General Manager

Date: 11-10-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo from Tom Dillon
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <i>TC</i> <input checked="" type="checkbox"/> General Manager <i>CGM</i> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

**Summary Explanation/Background:** Proposal to amend the Key Largo Wastewater Treatment District's Act to provide that fees and charges imposed by the District shall become a lien upon Real Property.



## MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law  
Board Certified Construction Attorney  
P.O. Box 370736  
Key Largo, Florida 33037-0736

Tel: 305-240-1767  
Fax: 305-853-2693  
E-mail: lawtmd@bellsouth.net

To: Key Largo Wastewater Treatment District

Date: November 10, 2005

Subject: Proposal to amend the Key Largo Wastewater Treatment District Act to provide that fees and charges imposed by the District shall become a lien upon real property.

---

The purpose of this proposal is to amend the Key Largo Wastewater Treatment District Act ("the Act") to provide that fees and charges imposed by the District shall become a lien upon real property.

- The proposal is based upon a similar provision in the law authorizing the Florida Keys Aqueduct Authority. The provision appears to have been inadvertently omitted from the Act.
- The proposal, if adopted, would increase the District's security for the collection of fees and charges, and would tend to enhance the District's creditworthiness.

The proposed amendment is to amend Section 4.2.J of the Act to read as follows:

(J) To fix and collect rates, rentals, fees, and charges for the use of any wastewater management system facilities. The District may provide for reasonable penalties against any user for any such rates, fees, rentals, or other charges that are delinquent. In the event that such delinquency occurs and such fees, rentals, or other charges are not paid and remain delinquent for 30 days or more, the District may discontinue and shut off services until such fees, rentals, or other charges, including interest, penalties, and charges for shutting off, discontinuing, and restoring such services, are fully paid. The District may enter on lands, waters, and premises of any person, firm, corporation, or other body for the purpose of discontinuing and shutting off services under such circumstances. Further, such delinquent fees, rentals, or other charges, together with interest, penalties, and charges for shutting off, discontinuing, and restoring such services, and reasonable attorneys' fees and other expenses SHALL BE A LIEN UPON ANY SUCH PARCEL OF PROPERTY SUPERIOR AND PARAMOUNT TO ANY INTEREST EXCEPT THE LIEN OF COUNTY OR MUNICIPAL TAXES AND SHALL BE ON A PARITY WITH ANY SUCH

TAXES, AND may be recovered by the District by suit in any court of competent jurisdiction. The District may also enforce payment by any other lawful method of enforcement.

[Added words are in ALL CAPS.]

# TAB 11

**Key Largo Wastewater Treatment District  
Agenda Request Form**

11

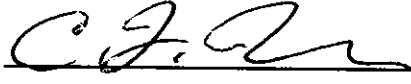
Meeting Date: November 16, 2005

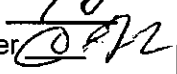
Agenda Item No.

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Designated Board Seats for Election

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager**   
**Date:** 11-11-05

<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TC</u> <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

**Summary Explanation/Background:** Commissioner Tobin has requested that the Board consider amending the Act that created the District Board so that candidates for Board Seats are campaigning for specific Board Seats.

## MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law  
Board Certified Construction Attorney  
P.O. Box 370736  
Key Largo, Florida 33037-0736

Tel: 305-240-1767  
Fax: 305-853-2693  
E-mail: lawtmd@bellsouth.net

To: Key Largo Wastewater Treatment District

Date: November 10, 2005

Subject: Proposal to amend the Key Largo Wastewater Treatment District Act to provide candidates shall file for a designated seat.

---

The purpose of this proposal is to amend the Key Largo Wastewater Treatment District Act ("the Act") to provide that candidates for District Seats shall file for a designated seat.

This proposal was suggested by Commissioner Tobin prior to the last general election.

The Uniform Special District Accountability Act of 1989, ch. 189, Florida Statutes, provides that in any election, a decision made by a majority of those voting shall prevail. § 189.405(4).

The Act provides, Section 5.3:

At the initial election of the governing board, the candidates receiving the highest five vote totals, consistent with Section 189.405(4), Florida Statutes, as the same may be amended from time to time, shall be deemed elected to the initial governing board. Thereafter, at the time of subsequent elections, available governing board positions shall be filled by those candidates receiving the highest vote totals.

As a result, the incumbent in every open position is at risk of losing the position.

The proposal is to amend the Act to provide that a candidate must declare for a position and must obtain a majority of votes in order to take that position. A candidate could target the campaign for a particular position, and the holder of a position for which no other candidate has declared would be automatically elected.

The proposed amendment is to amend Section 5.3 of the Act to read as follows:

At the initial election of the governing board, the candidates receiving the highest five vote totals, consistent with Section 189.405(4), Florida Statutes, as the same may be amended from time to time, shall be deemed elected to the initial governing board. Thereafter, at the time of subsequent elections, available governing board positions shall be filled by those candidates receiving the highest vote totals EACH POSITION

SHALL BE ASSIGNED A UNIQUE DESIGNATION, AND EACH CANDIDATE FOR A POSITION MUST INDICATE IN HIS OR HER QUALIFYING DOCUMENTS THE POSITION FOR WHICH HE OR SHE IS ATTEMPTING TO QUALIFY. EACH AVAILABLE GOVERNING BOARD POSITION SHALL BE FILLED BY THE CANDIDATE RECEIVING THE HIGHEST VOTE TOTAL FOR THAT POSITION.

[Deleted words are underlined; Added words are in ALL CAPS.]

# TAB 12

**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

12

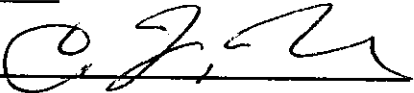
- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

SUBJECT: One Year Notice to Calusa Campground

RECOMMENDED MOTION/ACTION:

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Legal	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> One Year Notice
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TQ</u> <input checked="" type="checkbox"/> General Manager <u>C.G.2</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

Summary Explanation/Background:



KEY LARGO WASTEWATER TREATMENT DISTRICT  
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037  
(305) 451-5105



CALUSA CAMPGROUND WASTEWATER PROJECT  
OFFICIAL ONE-YEAR NOTIFICATION

November 10, 2005

Dear Property Owner:

Our most recent records from the Monroe County Appraiser's Office show that you are a property owner of record in the area commonly known as Calusa Campground, Key Largo, Florida, and that the property is improved and served by an onsite sewage treatment and disposal system.

In accordance with Florida Law, you are hereby officially notified that a central sewer system will be available to Calusa Campground property not less than one calendar year from the date of this Official One-Year Notification, shown above.

Calusa Campground is responsible to connect to the operational sewer collection system within thirty calendar days after official notification by the Key Largo Wastewater Treatment District that operational service is available, or within a timeframe officially specified by the Key Largo Wastewater Treatment District greater than thirty calendar days after such notification.

you will need to <sup>CONDO ASSOCI.</sup> obtain a permit from the Monroe County Health Department <sup>DEP</sup> for installation of a connection to our system and proper abandonment of your onsite sewage treatment plant and disposal system.

This Official One-Year Notification is certified to be in accordance with applicable law.

Yours,

Charles F. Fishburn  
General Manager

*Design Approval BY  
Claude - Comply W/ DISTRICT Regulations*

# TAB 13

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: November 16, 2005      Agenda Item No. 13

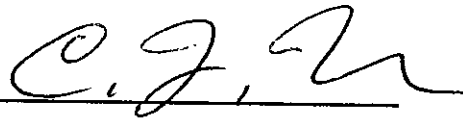
- |   |  |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING           | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> DISCUSSION               | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                   |  |

**SUBJECT:** Resolution No. 15-11-05 request to waiver County Permit and Planning Fees

**RECOMMENDED MOTION/ACTION:** Approval

Approved by General Manager

Date: 11-10-05



<b>Originating Department:</b> Engineering	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Resolution No. 15-11-05 Section of Monroe County Code
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TH</u> <input checked="" type="checkbox"/> General Manager <u>C.J. 2</u> <input type="checkbox"/> Finance _____	<input checked="" type="checkbox"/> Engineering <u>MB</u> <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.		Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** The Planning Department has informed Margaret Blank our Engineer that fees for government agencies may be waived with a BOCC resolution. The attached resolution request the County waive Planning and Permitting Fees.

**Resulting Board Action:**

☐ Approved      ☐ Tabled      ☐ Disapproved      ☐ Recommendation Revised

**RESOLUTION 15-11-05**

**A RESOLUTION OF THE KEY LARGO WASTEWATER  
TREATMENT DISTRICT, REQUESTING MONROE  
COUNTY TO WAIVE ALL PLANNING AND PERMITTING  
FEES FOR REQUIRED PERMITS, FOR THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT WAIVED**

---

**WHEREAS**, the Key Largo Wastewater Treatment District ("District") is in the process of completing a wastewater management system consisting of a treatment plant, transmission line, and collection systems serving the properties located on the Island of Key Largo; and

**WHEREAS**, the District wastewater management system will incur significant costs in completing the wastewater management system;

**WHEREAS**, these costs impose a burden on the District wastewater management system;

**WHEREAS**, Monroe County has adopted a policy of not imposing building permit and application fees upon certain named government entities, provided they do not charge the county a fee (including an impact fee) for development, environment, or similar permits, or for right of way use;

**WHEREAS**, the District do not intend to charge the county a fee (including an impact fee) for development, environment, or similar permits, or for right of way use;

**NOW, THEREFORE**, the Key Largo Wastewater Treatment District respectfully requests that Monroe County add the District to the list of named government entities conditionally exempt from county building permit and application fees.

**THE REST OF THIS PAGE WAS LEFT BLANK INTENTIONALLY**

The foregoing RESOLUTION NO. 15-11-05 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
Commissioner Gary Bauman	___	___
Commissioner Claude Bullock	___	___
Commissioner Charles Brooks	___	___
Commissioner Andrew Tobin	___	___
Chairman Glenn Patton	___	___

The Chairman thereupon declared Resolution No. 15-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

**KEY LARGO WASTEWATER TREATMENT  
DISTRICT GOVERNING BOARD**

By \_\_\_\_\_  
Glenn Patton, Chairman

Attest:

Approved as to form and content:

By \_\_\_\_\_  
Carol Walker, Board Clerk

By \_\_\_\_\_  
District Counsel

Sec. 6-27. Fees.

(a) *Purpose:* The purpose of this section is to establish the authority, schedule, and exemptions for permitting and related fees.

(b) *Authority and Fee Schedule:* Except as specifically established by this chapter, the board of county commissioners may by resolution establish a fee schedule for, but not limited to permit applications, permits, plans examination, certificates of competency, re-inspections, permit renewals, administrative fees, variance requests, and administrative appeals.

(c) *Fees Required:* Except as authorized by this chapter, no permit shall be issued without payment of all appropriate fees. Where a nonrefundable application fee is charged, the fee may be applied to off-set the total permit fee at the time the permit is issued, except where the application fee exceeds the total permit fee. In this case, the application fee shall become the total permit fee.

(d) *Fee Exemptions:* Fees may be exempted for only those entities and activities specifically listed below:

→(1) *Conditional exemptions:* The following governmental entities are exempt from county building permit and application fees, but only if the listed entity does not charge the county a fee (including an impact fee) for development, environment, or similar permits, or for right-of-way use:

- a. The State of Florida including the South Florida Water Management District;
- b. The United States;
- c. Municipalities wholly located within the county;
- d. City Electric System;
- e. Florida Keys Electric Co-op; and
- f. Florida Keys Aqueduct Authority.

→(2) *Full exemptions:* The following entities or work are exempt from the county building permit and application fees:

- a. Monroe County;
- b. Volunteer fire departments;
- c. Volunteer emergency medical departments; and,
- d. Construction of affordable housing projects, as defined under the Florida Statutes or chapter 9.5, receiving financial assistance from Monroe County.

(e) *Fee Waivers:* Not-for-profit organizations with 501(c)(3) status from the Internal Revenue Service for construction of affordable or low income housing as defined by Florida Statutes and lessees of county-owned property for construction on said property may apply to the board of county commissioners for fee waivers from the permit and application fees.

(f) *Fee Refunds:* No fees paid for building permit fees shall be refunded without the approval of the board of county commissioners upon the recommendation of the county administrator. Permit application fees are not refundable.

(Ord. No. 010-2002, § 6; Ord. No. 019-2003, § 1)

certified to make submarine excavations, to remove from underwater locations, materials such as rock, gravel, silt, mud, marl or clay, to excavate canals, channels, lakes, borrow areas, to construct fills, embankments or stockpiles, using floating hydraulic dredging equipment.

Class III      Sub-Engineering Contractor

- a.      Land Clearing and Grubbing Engineering Contractor is an engineering contractor having the experience and skill gained by not less than one year as a general superintendent for an engineering contractor or education equivalent thereto, or a combination thereof, and qualified and certified to clear land of surface debris and vegetation growth, including the grubbing of roots, the removal of the debris therefrom and the general leveling of the surface thereafter and work incidental thereto. A Class III engineering contractor may take out permits for work falling within his particular speciality or specialities except in those trades for which a master is specifically required; he shall subcontract with a qualified contractor holding a current certificate of competency in the field. All permits for soakage pits, dry wells, catch basins, and connection pipes or filled property shall be secured from the proper authority and installation made in accordance with the Standard Building code and/or the Public Works Manual.

#### **A1.04 INSURANCE**

All engineering contractors shall maintain at all times liability insurance coverage as prescribed by Section 6-64(2) of the Code. In the case of work under contract with Monroe County, the insurance shall be as required by the contract specifications. For work within the County's road right-of-way the liability insurance coverage shall be as called for under Chapter 16, Sec. 8 of Ordinance 19-1983 of the Code.

#### **→ A1.05 PERMITS AND FEES (Refer to Chapter 16 Ordinance 19-1983 of the Code)**

##### **1.05.01 Permits**

A permit issued by the Monroe County Public Works Department is required for all construction, excavation, alteration, repair, installation, and relocation of public works facilities within easements or road and canal rights-of-way.

A person or firm contracting for any of the above work without a valid certificate of competency is subject to the penalties prescribed in the Code.

The purpose of the permit is to provide a means for controlling the

construction and installation of public works facilities and to assure that such construction conforms with existing standards and specifications and does not endanger the health, welfare or safety of the general public. The County may at its option waive these permit requirements.

#### 1.05.02 Permit Fees

A fee will be charged for each permit issued for work within the County's road right-of-ways except when waived for governmental agencies. Appendix "A" (attached) is an excerpt from the code relating to permit fees. (See Chapter 16, Ordinance 19-1983 of the Code.)

#### 1.05.03 Where Permits are Obtained

Permits for public works construction, excavation, alteration, repair, installation, and relocation may be obtained at the Office of the Public Works Department.

### **A1.06 TESTING OF MATERIALS**

#### 1.06.01 Time for Inspection

All work performed pursuant to a permit issued by the Public Works Department and not subject to a contract with Monroe County with its special inspection requirements will be subject to inspection during its progress. The engineering contractor shall request an inspection at the time specified by the following:

##### a. Concrete Work

- (1) After reinforcement and forms are in place and ready to receive concrete.
- (2) During concrete placing (structural concrete members only).
- (3) After concrete is poured and finished.

##### b. Underground Installations Other Than Drainage

- (1) After excavation has been completed and underground facility has been placed, but prior to backfilling.
- (2) After excavation is backfilled.



# TAB 14

KEY LARGO WASTEWATER TREATMENT DISTRICT  
**Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

14

☐ PUBLIC HEARING

☐ RESOLUTION

☒ DISCUSSION

☐ BID/RFP AWARD

☐ GENERAL APPROVAL OF ITEM

☐ CONSENT AGENDA

☐ Other:

**SUBJECT:** KLWTD Property Information Database

**RECOMMENDED MOTION/ACTION:** Discussion

**Approved by General Manager**

**Date:**

11-10-05 

<b>Originating Department:</b> Engineering	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<b>Department Review:</b> <input type="checkbox"/> District Counsel _____ <input type="checkbox"/> General Manager _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** A property information database is being developed to coordinate and track District actions regarding individual lots.

**Resulting Board Action:**

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised

# Memo

**To:** KLWTD Board  
**From:** Margaret Blank, PE  
**CC:** Chuck Fishburn, Tom Dillon, Martin Waits  
**Date:** November 9, 2005  
**Re:** Property Information Database

---

## Introduction:

District staff has begun to assemble a Property Information Database with lots of help from Chairman Glenn Patton. Thanks, Glenn. Once completed, the database will enable staff to perform certain functions more efficiently. These tasks include permit and inspections tracking, coordinating with code enforcement and other agencies, and managing assessments.

## Database Project to Date:

A draft of the permit and inspections tracking database is complete. It is currently under review. Once completed, it will be added to the KLWTD website and password protected so that it can be modified only by authorized personnel from the KLWTD, Building Department, and Health Department.

Property owners in Key Largo Trailer Village have begun the process of connecting to the sanitary sewer collection system. Several have obtained permits, and at least two have begun construction. The KLWTD will perform a camera inspection to insure that no rocks or debris will enter the system and damage it. The Building Department will observe a hydrostatic leak test. The Health Department will inspect the septic tank abandonment. The database will allow all three agencies to properly sequence, coordinate, and follow up on their activities.

## Other Applications:

The database can be expanded to assist staff with other activities. For instance, staff will need to track certain data to obtain help from code enforcement in dealing with property owners who fail to connect to the collection system. The database will also be useful in keeping track of, and perhaps calculating assessments.



# TAB 15

# **Key Largo Wastewater Treatment District Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

15

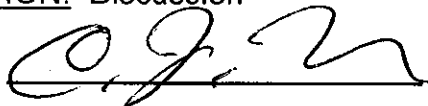
- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION            |
| <input type="checkbox"/> Ordinance on Second Reading |  |
| <input type="checkbox"/> Public Hearing              | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                      |  |

SUBJECT: Vacuum Station Lot Purchase Program

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 11-11-05



<b>Originating Department:</b> General Manager	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Memo
<div style="border: 1px solid black; padding: 5px;"> <b>Department Review:</b>  <input checked="" type="checkbox"/> District Counsel <i>TD</i>  <input checked="" type="checkbox"/> General Manager <i>CM</i>  <input type="checkbox"/> Finance       </div>	<input checked="" type="checkbox"/> Engineering <i>MB</i> <input type="checkbox"/> Clerk	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one.

**Summary Explanation/Background:** Staff is preparing a recommendation to purchase the first lot for a vacuum station. The SRF Loans require purchase by June 2006 for the North Components Project.

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 11, 2005  
**Re:** Vacuum Station Lots

---

The Northern Components Project will most likely require a vacuum station in the Sexton Cove area and the Largo Gardens area. Staff and a local realtor have located two lots that appear to meet all the criteria:

- ▶ Price
- ▶ Location
- ▶ Elevation
- ▶ Environmental Requirements

I propose to enter into a contract in mid December with the property owner with a 90-day Due Diligence period. During this period the Sexton Cove / Lake Surprise Collection System Design will have progressed to the point that we will have made a decision on vacuum versus gravity. Any environmental issues will also have been resolved.

The next purchase in the North Components Project will be for a site in the Largo Gardens area.

# TAB 16



**Key Largo Wastewater Treatment District  
Agenda Request Form**

Meeting Date: November 16, 2005

Agenda Item No.

16

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> Ordinance on Second Reading |   |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> DISCUSSION     |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input type="checkbox"/> BID/RFP AWARD  |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    | <input type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> Other:           |   |

SUBJECT: MSTU Ten Percent Reduction

RECOMMENDED MOTION/ACTION: Action

Approved by General Manager

Date: 11-10-05

<b>Originating Department:</b> General Manager	Costs: \$  Funding Source:  Acct. #	<b>Attachments:</b> Letter
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager <input type="checkbox"/> Finance	<input type="checkbox"/> Engineering <input type="checkbox"/> Clerk	<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required
<b>Advertised:</b> Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** The County has unilaterally reduced the District's MSTU by 10% for the current budget year. I am recommending that this be brought to the County Administrator's attention so that the District can be involved in the process next year.

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
98880 OVERSEAS HWY, KEY LARGO, FL 33037  
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037  
PHONE (305) 453-5804 FAX (305) 453-5807**



November 16, 2005

Tom Willi  
Monroe County Administrator  
1100 Simonton Street  
Key West, FL 33040

RE: KLWTD MSTU

Dear Mr. Willi:

Having just received my personnel property tax notice, I notice that the MSTU tax levied to support the Key Largo Wastewater Treatment District has been unilaterally reduced by ten percent from 0.35 mills to 0.3185 mills.

The District is well aware of the increase in property values and the need for roll back. However, the District is planning on the increased revenue generated from the 0.35 mills to pay for administration, planning, and development costs for our rapidly growing District beyond the expiration of the MSTU in 2007.

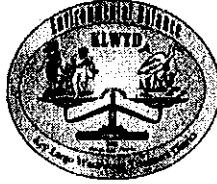
What does the District need to do to be involved in the budget process next year so that our MSTU rate will not be reduced without our input? Our 2005 /2006 budget and SRF Loan documents are based on the 0.35 millage rate.

Sincerely,

Charles F. Fishburn  
General Manager KLWTD

B. of Commissioners: Chairman Glenn Patton, Commissioners Gary Bauman, Andrew Tobin, Charles Brooks, & Claude Bullock

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037  
(305) 451-5105**



**CALUSA CAMPGROUND WASTEWATER PROJECT  
OFFICIAL ONE-YEAR NOTIFICATION**

**November 10, 2005**

**Dear Property Owner:**

Our most recent records from the Monroe County Appraiser's Office show that you are a property owner of record in the area commonly known as Calusa Campground, Key Largo, Florida, and that the property is improved and served by an onsite sewage treatment and disposal system.

In accordance with Florida Law, you are hereby officially notified that a central sewer system will be available to Calusa Campground property not less than one calendar year from the date of this Official One-Year Notification, shown above.

Calusa Campground is responsible to connect to the operational sewer collection system within thirty calendar days after official notification by the Key Largo Wastewater Treatment District that operational service is available, or within a timeframe officially specified by the Key Largo Wastewater Treatment District greater than thirty calendar days after such notification.

You will need to obtain a permit from the Monroe County Health Department for installation of a connection to our system and proper abandonment of your onsite sewage treatment plant and disposal system.

This Official One-Year Notification is certified to be in accordance with applicable law.

Yours,

---

**Charles F. Fishburn  
General Manager**

# Memo

**To:** KLWTD Board  
**From:** Carol Walker, CMC  
**Date:** November 15, 2005  
**Re:** Additional Agenda Item

---

Staff will request that the attached resolution be added to the agenda.

**RESOLUTION NO. 19-11-05**

**ANNUAL RESOLUTION OF THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT DESIGNATING  
SPECIFIC COMMISSIONERS AS AUTHORIZED  
SIGNATORIES OF THE KEY LARGO WASTEWATER  
TREATMENT BOARD'S BANK ACCOUNT: AND  
PROVIDING FOR AN EFFECTIVE DATE.**

---

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desires to designate and authorize certain Officials to sign bank checks, bank drafts, and other obligations and instruments on behalf of the Key Largo Wastewater Treatment District; and

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desires to increase the authority of the General Manager to approve the encumbrance or expenditure of District Funds;

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

Section 1. The following officials of the Key Largo Wastewater Treatment District are hereby designated as authorized signatories at TIB BANK OF THE KEYS, for the account of the Key Largo Wastewater Treatment District, account number 20154139006, and such other accounts as the Board may authorize to open in the future. The signatories are comprised of two groups, as follows:

- a. District Officers: Glenn Patton, Chairman, Claude Bullock; Vice Chairman, and Andrew Tobin, Secretary/Treasurer.
- b. District Staff: Charles Fishburn, General Manager and Carol Walker, Clerk.

Section 2. It is the official policy of the Board of Commissioners and this District to require that:

- a. all bank checks or bank drafts in excess of \$10,000.00 (Ten Thousand Dollars) shall require the signatures of two signatories, at least one of which must be a District Officer.

- b. All bank checks or bank drafts of \$10,000 (Ten Thousand Dollars), or less, but in excess of \$1,000 (One Thousand Dollars) shall require the signatures of two signatories.
- c. All bank checks or bank drafts of \$1,000, (One Thousand Dollars), or less, should be signed by two signatories, but, in exigent circumstances, may be signed by one signatory.

Section 3. The following officials are authorized to approve encumbrances and expenditures without prior Board approval:

- a. The General Manager is authorized to approve the encumbrance or expenditure of amounts not to exceed Ten Thousand Dollars (\$10,000.00) per transaction without prior approval of the Board of Commissioners. This approval is contingent on the General Manager ensuring that the total amount encumbered or expended does not exceed the amount budgeted for that purpose.
- b. The Clerk is authorized to approve the encumbrance or expenditure of amounts not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) per transaction without prior approval of the Board of Commissioners. This approval is contingent on the Clerk ensuring that the total amount encumbered or expended does not exceed the amount appropriated for that purpose.
- c. The General Manager shall provide on a monthly basis to the Board of Directors for ratification, a listing of all encumbrances and payments approved by the General Manager or the Clerk.
- d. Neither the General Manager nor the Clerk is authorized to divide a single transaction into smaller amounts in order to reduce the amount of the transaction to a level within the General Manager's authority or the Clerk's authority.

Section 4. This Resolution and authority shall supersede and replaces all prior authorizations by this Board relating to the authority of individuals to sign checks or bank drafts and relating to the authority of the General Manager and of the Clerk.

Section 5. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

**RESOLVED AND ADOPTED this 16th day of November, 2005.**

The foregoing RESOLUTION NO. 19-11-04 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
Commissioner Gary Bauman	_____	_____
Commissioner Claude Bullock	_____	_____
Commissioner Charles Brooks	_____	_____
Commissioner Andrew Tobin	_____	_____
Chairman Glenn Patton	_____	_____

The Chairman thereupon declared Resolution No. 19-11-05 duly passed and adopted the 16<sup>th</sup> day of November, 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_  
Chairman Glenn Patton

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_

Carol Walker, Clerk

\_\_\_\_\_

District Counsel, Thomas Dillon

SEAL

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** November 15, 2005  
**Re:** TAB 1, Additional Information

---

## CAMPGROUNDS KLWTD

	Mile Marker	EDU's
Key Largo Ocean Resort		252.3
Calusa Camp Resort		117.2
Camper Cove	101.6 MM	
Captain Jax	103.1 MM	
King Campground	103.1 MM	
Key Largo Kamp Gound	101.5 MM	
Ocean Cove Trailer Park		10.6
Largo Park	101.6 MM	
Riptide RV Park & Motel		97.68
America Outdoors		116.8
Coral Sands Trailer Park		81.6
Mandalay Trailer Park		22.1
Driftwood Trailer Park		17.8
Riptide Trailer Park		16.8
Silver Shores		



# Memo

**To:** KLWTD Board  
**From:** Martin Waits, Finance Director  
**Date:** November 15, 2005  
**Re:** General Information

---

Please see attached general information.

# Memo

**To:** Board of Commissioners

**From:** Marty Waits

**Date:** 11/15/05

**Re:** FY2005 Budget vs. Actual

---

**Commissioners,**

Attached for your information and review is a report on the District's actual revenues and expenses compared with budgeted amounts. The actual information is derived from the District's unaudited internal financial records.

Please note that the FY2005 budget assumed that we would begin direct billing of wastewater capacity fees in the amount of \$2,700 per EDU in July, and therefore revenue of \$81,000 representing collection from 30 EDU's (5%) before year end was budgeted. The District of course elected to institute a non ad valorem assessment in the amount of \$4,770 instead.

Also note that the budget anticipated District staff expenses in the amount of \$42,823 would be directly associated with capital project planning and implementation, and therefore paid with grant funding. In reality, considerably more staff effort was expended in this area (including the addition of an unbudgeted Engineer and an Inspector), and total staff effort in the amount of \$189,354 was supported by grant funding.

The bottom line deficit of revenues to expenses represents two MSTU reimbursement requests which were not received until after the year end close.

**Marty Waits**

**KLWTD**  
**FY2005 Operating Budget vs. Actual**  
October 1, 2004 through September 30, 2005

	Actual FY2005	Budget FY2005	Fav (Unfav) To Budget	Note: Grant Funding
<b>Operating Revenue</b>				
311001 · MSTU Ad Valorem Taxes	\$ 356,141	\$ 827,685	\$ (471,544)	
343605 · Wastewater Capacity Fees	-	81,000	(81,000)	
343617 · Grant Operating Reimbursement	See note	42,823	See note	189,354
343608 · Miscellaneous Service Charges	-	3,000	(3,000)	
361001 · Investment Earnings	3,326	1,000	2,326	
<b>Total Revenues</b>	<b>359,467</b>	<b>955,508</b>	<b>(596,041)</b>	
<b>Operating Expenses</b>				
511001 · Board Meeting Compensation	41,700	45,000	3,300	
<b>512000 · Employee Payroll</b>				
512010 · General Manager	63,448			28,556
512020 · Board Clerk	52,186			814
513010 · Finance Officer	46,990			2,203
513011 · Inspector/Engineer	6,114			108,365
512000 · Employee Payroll - Other	-	195,700		
<b>Total 512000 · Employee Payroll</b>	<b>168,738</b>	<b>195,700</b>	<b>26,962</b>	<b>139,938</b>
<b>511200 · Payroll Taxes</b>				
511211 · P/R Tax - FICA	13,047			6,817
511212 · P/R Tax - Medicare	3,051			1,594
511213 · P/R Tax - FUTA	624			
511200 · Payroll Taxes - Other	-	18,414		
<b>Total 511200 · Payroll Taxes</b>	<b>16,722</b>	<b>18,414</b>	<b>1,692</b>	<b>8,411</b>
<b>511000 · General Administrative Expenses</b>				
511011 · Rents & Leases	14,875	30,000	15,125	
511013 · Utilities	2,227	6,128	3,901	
511012 · Telephone	7,824	6,000	(1,824)	
511007 · Legal Advertisements	9,906	4,818	(5,088)	
511008 · Office Supplies	14,946	4,500	(10,446)	
511003 · Postage Expense	10,133	2,330	(7,803)	
511002 · Copy Expense	3,321	8,200	4,879	
511010 · Travel	2,288	2,000	(288)	
511214 · Workers Comp Insurance	7,645	6,000	(1,645)	
511016 · Liability Insurance	8,512	7,500	(1,012)	
511009 · Dues & Subscriptions	602	325	(277)	
515002 · Regulatory / Permit Fees	-	2,000	2,000	
511006 · Miscellaneous Expenses	12,100	19,156	7,056	
511099 · Reserve For Contingencies	5,263	4,778	(485)	
<b>Total 511000 · General Administrative Expenses</b>	<b>99,642</b>	<b>103,735</b>	<b>4,093</b>	
<b>514000 · Professional Services</b>				
514010 · Computer Support	1,309	10,000	8,691	
514006 · Audit & Accounting Services	10,520	10,600	80	
514005 · Engineering Services	24,636	50,000	25,364	
514007 · Project Planning Contingency	-	120,000	120,000	
514004 · Financial Advisor	6,802	-	(6,802)	
514003 · Utility Rate Consultant	27,879	15,000	(12,879)	
514001 · Legal - General Counsel	47,948	60,000	12,052	30,669
514002 · Legal - Litigation Reserve	-	20,000	20,000	10,251
512005 · GSG Management Services	1,194	2,694	1,500	85
<b>Total 514000 · Professional Services</b>	<b>120,288</b>	<b>288,294</b>	<b>168,006</b>	<b>41,005</b>
<b>Non-Operating Expenses</b>				
591001 · Capital Expenditures A&O	9,859	15,000	5,141	
591002 · Renewal & Replacement Transfer	-	4,365	(4,365)	
591003 · Transfer To Operating Reserve	-	204,000	(204,000)	
591004 · Transfer To Capital Reserve	-	81,000	(81,000)	
<b>Total 591000 · Non-Operating Expenses</b>	<b>9,859</b>	<b>304,365</b>	<b>294,506</b>	
<b>Total Expenses</b>	<b>456,949</b>	<b>955,508</b>	<b>498,559</b>	<b>189,354</b>
<b>Surplus (Deficit)</b>	<b>\$ (97,482)</b>	<b>\$ -</b>		

# Memo

**To:** Board of Commissioners  
**From:** Marty Waits  
**Date:** 11/09/05  
**Re:** Project Sources and Uses of Funds

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Commissioners,

Reports on the status of our funding sources and the uses of those funds for our three active capital projects are attached for your review.

If you have any questions or wish to discuss them in more detail, please call me or add them as an Agenda item for general discussion at the Board meeting on November 16, 2005.

Marty Waits

## Key Largo Park

### TOTAL PROJECT SOURCES AND USES OF FUNDS

October 31, 2005

#### FUNDING COMMITMENT

	<u>Total</u>	<u>Received</u>	<u>Balance Due</u>	<u>% Rec'd</u>
<b>Federal:</b>				
Army Corps Of Engineers (Potential)	500,000	\$ -	\$ 500,000	0%
	17%			
<b>State:</b>				
FDEP Grant	1,660,000	325,162	1,334,838	20%
FDEP Grant Amendment 2	187,312	-	187,312	0%
DCA Cesspit Grant	107,580	-	107,580	0%
Subtotal State Funds	1,954,892	325,162	1,629,730	17%
	66%			
<b>Local:</b>				
304 Fund	356,000	356,000	-	100%
148 Fund (Cesspit Match)	100,000	-	100,000	0%
304 Fund (Cesspit Match)	50,000	-	50,000	0%
Subtotal Local Funds	506,000	356,000	150,000	70%
	17%			
<b>Total Funds</b>	<b>\$ 2,960,892</b>	<b>\$ 681,162</b>	<b>\$ 2,279,730</b>	<b>23%</b>

Budgeted source to cover shortfall in grant funding is System Development Fees.

#### ESTIMATED PROJECT COST

	<u>Est. Total Completed Cost</u>	<u>Billings to 10/31/2005</u>	<u>Balance To Complete</u>	<u>% Expended</u>
FCAA Spending	326,691	326,691	-	100%
Weiler Engineering	100,260	95,078	5,182	95%
Haskell Change Order (Eng'g)	73,767	66,065	7,702	90%
ADB Contract	2,400,000	502,120	1,897,880	21%
Direct Purchases (Airvac)	200,000	77,321	122,679	39%
Misc. Construction Expense (contingency)	150,000	8,192	141,808	5%
GSG (incl. Feb-May, 03 Engineering)	18,365	18,365	-	100%
KLWTD Staff Expense (Insp / Mgmt / Legal)	60,000	35,130	24,870	59%
<b>Total Expenses</b>	<b>\$ 3,329,083</b>	<b>\$ 1,128,962</b>	<b>\$ 2,200,121</b>	<b>34%</b>

## Key Largo Northern Components

### TOTAL PROJECT SOURCES AND USES OF FUNDS

October 31, 2005

#### FUNDING COMMITMENT

	<u>Total</u>	<u>Received</u>	<u>Balance Due</u>	<u>% Rec'd</u>
<b>State:</b>				
SRF Preconstruction Loan	\$ 2,670,199	-	\$ 2,670,199	0%
SRF Construction Loan (Estimate)	12,329,801	-	12,329,801	0%
	<u>15,000,000</u>	<u>-</u>	<u>15,000,000</u>	<u>0%</u>
<b>Local:</b>				
Monroe County Grant	20,000,000	1,000,000	19,000,000	5%
Non Advalorem Assessments (Estimate)	1,780,013	-	1,780,013	0%
	<u>21,780,013</u>	<u>1,000,000</u>	<u>20,780,013</u>	<u>5%</u>
<b>Total Funds</b>	<b>\$ 36,780,013</b>	<b># \$ 1,000,000</b>	<b>\$ 35,780,013</b>	<b>3%</b>

#### ESTIMATED PROJECT COST

	<u>Est. Total Completed Cost</u>	<u>Billings to 10/31/2005</u>	<u>Balance To Complete</u>	<u>% Expended</u>
<b>Design &amp; Engineering:</b>				
Weiler Engineering	\$ 35,158	\$ 4,299	\$ 30,859	12%
CPH - Transmission Line	207,847	38,456	169,391	19%
CPH - Collection Systems	694,608	-	694,608	0%
MWH/Arcadis - Treatment Plant (Est.)	742,400	-	742,400	0%
KLWTD Staff Expense (Mgmt, Legal)	100,000	19,929	80,071	20%
	<u>1,780,013</u>	<u>62,684</u>	<u>1,717,329</u>	<u>4%</u>
<b>Construction:</b>				
Transmission Line (Estimate)	5,000,000	-	\$ 5,000,000	0%
Collection Systems (Estimate)	14,000,000	-	\$ 14,000,000	0%
Treatment Plant (Estimate)	16,000,000	-	\$ 16,000,000	0%
	<u>35,000,000</u>	<u># -</u>	<u>\$ 35,000,000</u>	<u>0%</u>
<b>Total Expenses</b>	<b>\$ 36,780,013</b>	<b>\$ 62,684</b>	<b>\$ 36,717,329</b>	<b>0.2%</b>