KEY LARGO WASTEWATER TREATMENT DISTRICT
BOARD OF COMMISSIONERS
AGENDA

January 18, 2011 4:00 PM
98880 Overseas Hwy
Key Largo, FL 33037

Robert Majeska
Chair

Andrew Tobin
Vice Chair

Susan Hammaker
Secretary-Treasurer

Norman Higgins
Commissioner

Charles Brooks
Commissioner

Charles F. Fishburn
General Manager

Thomas Dillon
District Counsel

Carol Walker
District 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 District Clerk at 305 451-4019 at least 48 hours in advance to request accommodations.

A. CALL TO ORDER - PLEASE MUTE CELL PHONES

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF AGENDA WITH ANY ADDITIONS, DELETIONS, OR CONTINUANCES

E. PUBLIC COMMENT
   Individual comments have a 3 minute limit; Organizations have a 5 minute limit. General comment (non-agenda items) will be heard at this time; Specific agenda items will be heard right before the item.

F. FINANCIAL REPORT
   1. Pending Payments
   2. Disclosure Agreement with TIB Bank

TAB 1

KLWTD Agenda
January 18, 2011
G. GENERAL MANAGER’S REPORT
3. WWTP Change Order No. 6 Action
4. Basin F-1 Change Order for Redland Construction Action
5. So. Transmission Main Change Order for Metro Action
6. Basin I-5 Change Order LaRocco Action
7. Employee Identification
8. Customer Service Survey
9. Lateral Policy
10. County Road Overlay Requirement

H. COMMISSIONER’S ITEMS
11. 17 Acre Preserve (Commissioner Brooks)
12. Unique Properties (Commissioner Hammaker)
13. Wire Transfer Protocol (Commissioner Tobin)

I. BULK ITEMS

J. ENGINEER’S REPORT
15. Status Report

K. LEGAL COUNSEL REPORT

L. COMMISSIONERS ROUNDTABLE

M. ADJOURNMENT
KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: Jan. 18, 2011  Agenda Item No. 1

[ ] PUBLIC HEARING  [ ] RESOLUTION
[ ] DISCUSSION  [ ] BID/RFP AWARD
[X] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA
[ ] Other:

SUBJECT: Pending Payments Schedule

RECOMMENDED MOTION/ACTION: Approve Pending Payments schedule contingent upon availability of funds.

Approved by General Manager ___________________________ Date: 1-13-11

<table>
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<tr>
<th>Originating Department: Finance</th>
<th>Costs:</th>
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<td>Funding Source:</td>
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<tr>
<th>Department Review:</th>
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<tbody>
<tr>
<td>[ ] District Counsel</td>
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<tr>
<td>[X] General Manager</td>
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<tr>
<td>[ ] Finance</td>
</tr>
</tbody>
</table>

| [ ] Engineering |
| [ ] Clerk |

| Attachments: Pending Payments Schedule |

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<th>Advertised:</th>
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<tr>
<td>Date:</td>
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<tr>
<td>Paper:</td>
</tr>
<tr>
<td>[X] Not Required</td>
</tr>
</tbody>
</table>

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:
Pending Payments schedule for Board review and approval contingent upon availability of funds.

Resulting Board Action:
☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
### Key Largo Wastewater Treatment District

**Payments Pending 1/18/2011**

Prepared by: Connie Fazio  Date: 1/13/2011

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**CONSOLIDATED CASH BALANCE FORWARD**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Administration &amp; Operations</strong></td>
<td></td>
</tr>
<tr>
<td>Cash Balance A&amp;O Account Forward</td>
<td>$(618,476.95)</td>
</tr>
<tr>
<td>Plus: Miscellaneous Service Charges</td>
<td>$2,815.33</td>
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<tr>
<td>Wastewater Service Revenue</td>
<td></td>
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<tr>
<td>Total Revenue</td>
<td>$2,815.33</td>
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<td><strong>Less: Administration</strong></td>
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<tr>
<td>Key Largo Chamber of Commerce: Annual Dues</td>
<td>$75.00</td>
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<td>FP Mailing: Postage Meter</td>
<td>$104.85</td>
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<td>The Reporter: Legal Notices</td>
<td>$159.75</td>
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<td>Comcast: Internet Service</td>
<td>$159.85</td>
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<td>Cooke Communications: Legal Advertisements</td>
<td>$171.48</td>
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<td>Dean Weismantle: Office Cleaning</td>
<td>$180.00</td>
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<td>Rebecca Orozco: Reimbursement: Supplies</td>
<td>$226.63</td>
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<td>FKEC: Electricity</td>
<td>$435.68</td>
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<td>Florida Dept. of Revenue: Unemployment Tax 10/1/10-12/31/10</td>
<td>$615.80</td>
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<td>Test Masters: PE Exam: Richard Crow</td>
<td>$1,545.00</td>
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<td>The UPS Store: Deposit for Phase 5 Certified Letter 30 Day Notices</td>
<td>$2,000.00</td>
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<td>Grau and Associates: Audit FY2010</td>
<td>$2,500.00</td>
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<td>Cynergy Consulting: Gov't Consulting Services: January 2011</td>
<td>$3,000.00</td>
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<td>PRMG: Utility Rate Consultants</td>
<td>$3,293.11</td>
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<td>Hicks-Richardson: Lobbyists Services: December 2010</td>
<td>$3,380.00</td>
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<td>Manson Law Group: Outside Legal Council</td>
<td>$6,350.00</td>
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<td><strong>Less: Shared Expenses</strong></td>
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<td>Federal Express: Shipping</td>
<td>$76.30</td>
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<td>Unifirst Corporation: Employee Clothing</td>
<td>$201.82</td>
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<td>Sprint Nextel: Wireless Service</td>
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<td>Terra NovaNet: Broadband Internet Service</td>
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<td>Keys Sanitary Service: Trash</td>
<td>$578.14</td>
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<td>Office Depot: Supplies</td>
<td>$2,118.70</td>
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<td>FKAA: Billing Service</td>
<td>$2,837.64</td>
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<td>Group Health Fees</td>
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<td>Staff Salaries Including benefits</td>
<td>$80,165.05</td>
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<td>TR Jones: Policy Change: Hurricane Catastrophe Fund</td>
<td>$5.08</td>
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<td>Bryant Answering Service</td>
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<td>Florida Department of Environmental Protection: Paul Hunter: C License Course</td>
<td>$100.00</td>
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<td>Arvac: Supplies</td>
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<td>Sunshine State One Call of Florida: Monthly Assessment Billing</td>
<td>$256.60</td>
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<td>Keys Supply of Key Largo: Supplies</td>
<td>$301.73</td>
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<td>KLI: Supplies</td>
<td>$378.26</td>
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<td>Pronto Delivery Corp: Courier Service: Samples to US Water</td>
<td>$500.00</td>
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<td>Sanders Laboratories: Lab Testing</td>
<td>$804.00</td>
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<td>NAPA Auto Parts: Supplies</td>
<td>$885.16</td>
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<td>HD Supply Waterworks: Equipment</td>
<td>$980.00</td>
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<td>Shell Fleet: Gasoline for Vehicles</td>
<td>$1,416.52</td>
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<td>Dumont Company: Chemicals</td>
<td>$4,280.00</td>
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**Sub-total Invoices** $134,074.09

Cash Balance A&O Account If All Paid $(749,735.71)

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**South Components**

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<td>Plus: Redland Reimbursement</td>
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<td><strong>Sub-total Receipts</strong></td>
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<td>Keys Sanitary Service: Trash</td>
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<td>Safety Supply Warehouse.com: Placards for Portable Generator Fuel Tanks</td>
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<td>Sprint Nextel: Wireless Service</td>
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<td>Mark Weis: Expense Report: Mileage Reimbursement</td>
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<td>NAPA Auto Parts: Supplies</td>
<td>$72.01</td>
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$(9,764,813.67)
Sub-total Invoices $2,263,696.04

Cash Balance KLSC If All Paid $ (5,233,704.27)

North Components
Cash Balance KLNC Account Forward $ (1,626,439.93)

BB&T Loan Draw #5 $826,308.69

Sub-total Receipts $826,308.69

Less:
Mark Weis: Expense Report: Mileage Reimbursement $66.45
Sprint Nextel: Wireless Service $110.54
Ryan Dempsey: Expense Report: Mileage Reimbursement $121.38
Eckler Engineering: Service Area B: Liability Insurance Excess $757.50
Israel Verticals: Blinds for Plant $800.00
Ronnie's Fencing & Fence Repair: Removal/Replacement Plant & Storage Yard $1,175.00
Cottrell Welding & Fabricating: Ramp $1,845.00
Staff Salaries Including benefits $23,152.52
LaRocco Construction: Application #5 - Basin B4 $107,914.96
Aqua-Aerobic Systems, Inc.: Plant Expansion Equipment $154,675.35

Sub-total Invoices $290,618.70

Cash Balance KLNC Account If All Paid $ (1,086,749.94)

SRF Loan Draw #11 Submitted 12/27/10 $3,431,174.00

CONSOLIDATED CASH BALANCE IF ALL PAID

$ (7,072,189.92)

NOTE: A TOTAL OF $4,822,521 REQUESTED FOR REIMBURSEMENT IS OUTSTANDING

Approved for payment:

Robert Majeska, Chair Date

Susan Hammaker Secretary/Treasurer Date
KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: January 18, 2011

[ ] PUBLIC HEARING [ ] RESOLUTION
[ ] DISCUSSION [ ] BID/RFP AWARD
[X] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA
[ ] Other:

SUBJECT: Wire transfer policy change letter to TIB Bank of the Keys

RECOMMENDED MOTION/ACTION: Require all debt payment wire instruction letters be signed by the appropriate personnel as per Resolution 14-08-08 at the bank on or before the due date of the debt payment so as to eliminate the current “Customer Not Present Wire Transfer Disclosure” form. This form currently indemnifies the Bank from any and all losses in the event of a fraudulent transfer. This policy shall remain in effect until a more comprehensive Treasury Management review and evaluation is performed.

Approved by General Manager ___________________________
Date: __________________

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<tr>
<th>Originating Department:</th>
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<th>Clerk</th>
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[X] Not Required

Summary Explanation/Background: The current policy of the district allows for wire transfers to be used only to the extent a district lender requires the use of wire transfers to remit funds to that lender. Currently the district is remitting debt payments to the Florida Dept of Environmental Protection for the (SRF) loans payments and for the BB & T Bond debt payments.

Resulting Board Action:

☐ Approved       ☐ Tabled       ☐ Disapproved       ☐ Recommendation Revised
January 13, 2010

Ms. Laura Brown  
Assistant Vice President and Branch Manager  
TIB Bank of the Keys  
99451 Overseas Highway  
P.O. Box 545  
Key Largo, Florida 33037

Dear Ms. Brown:

The Key Largo Wastewater Treatment District currently makes wire transfer payments of certain Principal and Interest Payments from its Debt Service Accrual Account number 20154385706 pursuant to the District’s Resolution 14-08-08.

It has come to the attention of the District’s Board of Commissioners that these transfers were subject to the Bank’s “Customer Not Present Wire Transfer Disclosure” which provided for the Bank to execute appropriately authorized wire transfer requests received by the bank via telephone, facsimile, and mail courier.

In an effort to minimize the risk and liability of fraudulent wire transfers, it has been decided that effective immediately, all wire transfer request forms must be signed by the duly authorized signatories of the District at the branch located at 99451 Overseas Highway. The transfer requests should be signed in the presence of a Bank representative authorized to effect the District’s wire transfers on or before the date of execution of the transfers.

This policy will remain in effect until such time the District performs a more comprehensive review and implementation of its Treasury Management systems.

Thank you in advance for your cooperation with this matter.

Sincerely,

Charles F. Fishburn  
District General Manager
CONFIDENTIALITY NOTE: The information contained in this facsimile message may be legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telexcopy is strictly prohibited. If you have received this telexcopy in error, please notify us immediately and return the original message to us at the above address via the United States Postal Service. Thank you.

Date: 1/13/11
To: SaJ
Fax: 305-453-0236
From: Laura

This is an updated wire disclosure. It is applicable if you are present or not.

Pages including this cover sheet: 2

Laura Brown
Phone 305-451-0211
Fax 305-453-0236
TIB BANK

WIRE TRANSFER DISCLOSURE

This Wire Transfer Disclosure ("Disclosure") governs the means by which the Customer may direct and authorize TIB Bank (the "Bank") to receive and execute funds transfer requests from Authorized Persons (as listed on the Customer's Account Resolution or the personal signature card).

In accordance with this Disclosure, the Bank may transfer funds from the Customer's account(s) to other accounts at the Bank and to financial institutions that are correspondents of the Bank, or that have the capability of receiving funds transfer orders from the Bank. The Bank is authorized to execute funds transfer instructions and to debit the Customer's account(s) in the amount requested, when such request is made by an Authorized Person, by telephone, mail courier, or by facsimile. All wire transfers initiated in this manner will require a call back. The Bank will verify the request by calling back the Authorized Person at a phone number contained in Customer's records with the Bank. The Bank requires that the Authorized Person(s) identify themselves in connection with any funds transfer order. The Bank will not execute any transfer without sufficient identification.

The Bank, at its sole discretion, may require confirmation from the Customer before executing any funds transfer request made by an Authorized Person. If the Bank elects to require such confirmation and is unable to confirm the request with Customer by telephone or other means acceptable to the Bank by no later than 3:30 p.m. Eastern Standard Time on the day the transfer is to be made, the Bank may elect not to execute such transfer until confirmation satisfactory to the Bank can be made. All funds transfer requests shall be made prior to 3:30 p.m. Eastern Standard Time on the banking day on which such transfers are to be effected, unless on the day the order is made, the Bank closed earlier than 3:30 p.m., in which case the request must be made prior to closing.

The Bank shall not be obligated at any time to transfer from an account an amount in excess of the collected balance on deposit in such account at the time the request is received or at the time the funds are to be transmitted. The Customer shall promptly report any discrepancies between the Customer's records and the confirmation mailed to the Customer by the Bank. By making wire transfer requests pursuant to this Disclosure, the Customer waives any claims that it might otherwise have with respect to any funds transfer, if such discrepancy is not reported to the Bank within fourteen days of the date the Bank mailed the confirmation to the Customer. The Customer agrees to pay fees to the Bank as set forth in the current fee schedule.

The Bank's duties and responsibilities concerning wire transfers are strictly limited to those described in this Disclosure. In no event will the Bank be liable to the Customer for any consequential or special loss or damages hereunder, including but not limited to, lost profits or loss of the bargain. The Customer will indemnify and hold harmless the Bank from any and all loss or damage arising hereunder, including but not limited to, claims, demands, expenses (including reasonable attorney's fees), arising out of the Bank's acting upon funds transfer requests made by Authorized User(s) in accordance with this Disclosure. The Customer further agrees that it will prevent disclosure both inside and outside of its organization, except to Authorized Person(s), of any of the Bank's funds transfer procedures. If the confidentiality of the Bank's funds transfer procedure is compromised, the Customer will notify the Bank immediately.

Customer Not Present Acknowledgement (If customer is not present)

Customer's signature below indicates acceptance by the Customer of the terms and conditions of this Disclosure. All inquiries concerning wire transfer requests must be made by the Customer directly to the Bank by calling: (305) 451-4660 or (800) 233-6330 and asking for your branch. The individual signing this form acknowledges receipt of the Wire Transfer Disclosure. This form must be signed and returned to the bank before the wire will be initiated.

Account Title: ____________________________ Person Authorizing Wire transfer ____________________________

Customer
Signature ____________________________________________

12/2008
TAB 2
Key Largo Wastewater Treatment District

Agenda Request Form

Meeting Date: Jan. 18, 2011

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] GENERAL APPROVAL OF ITEM
[ ] Other:

Subject: Wharton Smith Change Order

Recommended Motion/Action:

Approved by General Manager
Date: 1-17-11

Originating Department: General Manager
Costs: $729,205.17
Funding Source: Acct.
Attachments: Change Orders

Department Review:
[ ] District Counsel
[X] General Manager
[ ] Finance
[ ] Engineering
[ ] Clerk

Advertised:

Date: ______________
Paper: ______________
[X] Not Required

Summary Explanation/Background: A number of modifications to the site and yard piping, and mechanical, electrical, communications, and control systems, have been required to complete construction of the District's new WWTP. This CO #6 for $729,154.17 includes the last of these changes, with the exception of a few proposals totaling approximately $115,000 for which Staff and Wharton-Smith are currently negotiating upon price. This price negotiation is expected to result in a significant reduction in cost to the District, and will be presented at the next Board meeting as CO #7 for the project final close-out.

Resulting Board Action:

☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
SECTION 00950

CHANGE ORDER FORM

Change Order No.: 6

Project Title: Wastewater Treatment Facility Expansion and Upgrade

Bid No.:  

Owner: Key Largo Wastewater Treatment District

Contractor: Wharton-Smith, Inc

Agreement Date: 5 January 2009

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:

(1) Original Contract Price $16,887,000.00
(2) Current Contract Price (Adjusted by Previous Change Orders) $13,565,946.02
(3) Total Proposed Change in Contract Price $729,154.17
(4) New Contract Price (Item 2 + Item 3) $14,295,100.19
(5) Original Contract Time 460 Days
(6) Current Contract Time (Adjusted by Previous Change Orders) 580 Days
(7) Total Proposed Change in Contract Time 0 Days
(8) New Contract Time (Item 6 + Item 7) 580 Days
(9) Original Contract Substantial Completion Date 4/19/10
(10) New Contract Substantial Completion Date 8/25/10

CHANGES ORDERED

ITEM 1- WDC W-S Proposal No.53 Rev 1 Dated August 31, 2010

Description of Change: Electrical grounding modifications

Reason for Change: Necessary for safe equipment operation

Change in Contract Price: $99,320.37

Change in Contract Time: 0 days
ITEM 2- WDC W-S Proposal No.67 Rev 0 Dated February 9, 2010

Description of Change: Upgrade NEMA 3R Disconnects to NEMA 4X.
Reason for Change: Modifications for Electrical Revisions 1 and 2.
Change in Contract Price: $37,878.00
Change in Contract Time: 0 days

ITEM 3- WDC W-S Proposal No.76 Rev 0 Dated November 24, 2010

Description of Change: Booster Pump Station modifications per RFI No. 144.
Reason for Change: Modifications needed to place panel above 100 YR flood.
Change in Contract Price: $13,370.46
Change in Contract Time: 0 days

ITEM 4- WDC W-S Proposal No.84 Rev 0 Dated October 21, 2010

Description of Change: Site Grading Modifications.
Reason for Change: Modifications for revised drainage system, landscaping and grading.
Change in Contract Price: $141,427.80
Change in Contract Time: 0 days

ITEM 5- WDC W-S Proposal No.88 Rev 0 Dated July 20, 2010

Description of Change: Sampling Port per VE Drawing No. MS-2 and MS-5.
Reason for Change: Value engineering showed sampling port cost-effective.
Change in Contract Price: $1,274.44
Change in Contract Time: 0 days

ITEM 6- WDC W-S Proposal No.89 Rev 1 Dated December 17, 2010

Description of Change: Ductbank Relocation and Items per Electrical Revisions 2.
Reason for Change: Modifications for Electrical Revisions 2.
Change in Contract Price: $45,769.56
Change in Contract Time: 0 days
ITEM 7- WDC W-S Proposal No. 91 Rev 0 Dated August 2, 2010

Description of Change: Additional air pipe hangers.
Reason for Change: Added for enhanced pipe support.
Change in Contract Price: $4,776.39
Change in Contract Time: 0 days

ITEM 8- WDC W-S Proposal No. 93 Rev 0 Dated October 22, 2010

Description of Change: Odor Control Piping and support modifications.
Reason for Change: Rerouting of piping needed because of condensation build up.
Change in Contract Price: $9,324.46
Change in Contract Time: 0 days

ITEM 9- WDC Proposal No. 97 Rev 1- Dated October 21, 2010

Description of Change: Site Lighting Modifications-
Reason for Change: Additional lighting for better night visibility
Change in Contract Price: $80,931.30
Change in Contract Time: 0 days

ITEM 10- WDC W-S Proposal No. 98 Rev. 1- Dated December 17, 2010

Description of Change: Wiring for Blower valves-
Reason for Change: Necessary for equipment operation.
Change in Contract Price: $22,338.52
Change in Contract Time: 0 days

ITEM 11- WDC W-S Proposal No. 99 Rev. 0- Dated September 9, 2010

Description of Change: SCADA alarm dial-out system-
Reason for Change: Necessary for operator notification of alarms.
Change in Contract Price: $3,784.17
Change in Contract Time: 0 days
ITEM 12- WDC W-S Proposal No. 100 Rev. 0- Dated October 21, 2010

Description of Change: Additional yard hydrants-
Reason for Change: Necessary for maintenance access washing of tanks.
Change in Contract Price: $7,473.51
Change in Contract Time: 0 days

ITEM 13- WDC W-S Proposal No. 101 Rev. 0- Dated October 12, 2010

Description of Change: Miscellaneous welding work
Reason for Change: Necessary for minor adjustments to equipment.
Change in Contract Price: $1,474.68
Change in Contract Time: 0 days

ITEM 14- WDC W-S Proposal No. 102 Rev. 1- Dated December 17, 2010

Description of Change: Connect fiber-optic from Vac E to Control Building-
Reason for Change: To provide fiber-optic communication between Vac E Building and the Control Building
Change in Contract Price: $17,879.53
Change in Contract Time: 0 days

ITEM 15- WDC W-S Proposal No. 103 Rev. 1- Dated December 17, 2010

Description of Change: Telephone System for Elevator and Fire Alarm System-
Reason for Change: Modifications needed to meet code
Change in Contract Price: $5,803.88
Change in Contract Time: 0 days

ITEM 16- WDC W-S Proposal No. 105 Rev. 1- Dated December 17, 2010

Description of Change: Headworks Stairway Lighting
Reason for Change: Necessary for better visibility
Change in Contract Price: $10,929.31
Change in Contract Time: 0 days

00950-4
ITEM 17 - WDC W-S Proposal No. 106 Rev. 0- Dated October 11, 2010

Description of Change: Aluminum Sulfate piping modification.
Reason for Change: Optional feed point for better phosphate removal.
Change in Contract Price: $3,123.90
Change in Contract Time: 0 days

ITEM 18 - WDC W-S Proposal No. 107 Rev. 0- Dated October 11, 2010

Description of Change: Force Main Additional Modifications
Reason for Change: Pipe size changes and relocations.
Change in Contract Price: $55,648.87
Change in Contract Time: 0 days

ITEM 19 - WDC W-S Proposal No. 108 Rev. 0- Dated November 5, 2010

Description of Change: Monitoring Well Sink Drain Modifications
Reason for Change: Alternate piping configuration for more efficient well purging.
Change in Contract Price: $5,693.15
Change in Contract Time: 0 days

ITEM 20 - WDC W-S Proposal No. 110 Rev. 0- Dated November 5, 2010

Description of Change: Back flow Preventer Installation
Reason for Change: Required by FKAA.
Change in Contract Price: $16,959.62
Change in Contract Time: 0 days

ITEM 21 - WDC W-S Proposal No. 111 Rev. 0- Dated November 5, 2010

Description of Change: Change 4 PLC fixtures to Directional Fixtures
Reason for Change: Required by RFI No. 134.
Change in Contract Price: $2,343.50
Change in Contract Time: 0 days
ITEM 22- WDC W-S Proposal No. 113 Rev. 0- Dated November 4, 2010

Description of Change: Additional Sampler at Disinfection Basin
Reason for Change: Requested by Owner for added sampling automation.
Change in Contract Price: $3,396.77
Change in Contract Time: 0 days

ITEM 23- WDC W-S Proposal No. 115 Rev. 0- Dated November 5, 2010

Description of Change: Convert outdoor hardware and JBoxes to 316SS.
Reason for Change: As per WEC December 10, 2009 email.
Change in Contract Price: $44,212.50
Change in Contract Time: 0 days

ITEM 24- WDC W-S Proposal No. 117 Rev. 0- Dated November 29, 2010

Description of Change: Misc. Panel Circuit Changes and Upgrades
Change in Contract Price: $54,259.57
Change in Contract Time: 0 days

ITEM 25- WDC W-S Proposal No. 118 Rev. 0- Dated December 17, 2010

Description of Change: Monitor Well Level Transducers
Reason for Change: Required for recording monitor well water levels.
Change in Contract Price: $9,492.74
Change in Contract Time: 0 days

ITEM 26- WDC W-S Proposal No. 119 Rev. 0- Dated December 17, 2010

Description of Change: Installation of the two (2) new Owner furnished HACH C17 chlorine analyzers.
Reason for Change: Required for measuring total chlorine.
Change in Contract Price: $4,727.31
ITEM 27- WDC W-S Proposal No. 120 Rev. 0- Dated December 17, 2010

Description of Change: Overhead Door Modification per WEC Drawing No. SK-21.
Reason for Change: Alternate door mounting requested as per WEC drawing No. SK-21.
Change in Contract Price: $1,789.97
Change in Contract Time: 0 days

ITEM 28- WDC W-S Proposal No. 121 Rev. 0- Dated December 17, 2010

Description of Change: Communication from Generator to annunciator and DCU.
Reason for Change: A generator was added to project and needed to be connected to annunciator and DCU.
Change in Contract Price: $8,267.96
Change in Contract Time: 0 days

ITEM 29- WDC W-S Proposal No. 122 Rev. 0- Dated December 17, 2010

Description of Change: Coordination with ABB Tech support and Square D for ATS Breaker replacement.
Reason for Change: Required for trouble shooting Generator and ATS operation.
Change in Contract Price: $1,409.37
Change in Contract Time: 0 days

ITEM 30- WDC W-S Proposal No. 124 Rev. 0- Dated December 17, 2010

Description of Change: Above ground electrical handholes.
Reason for Change: Requested for better access.
Change in Contract Price: $987.26
Change in Contract Time: 0 days

ITEM 31 WDC W-S Proposal No. 125 Rev. 0- Dated December 17, 2010

Description of Change: Separate control and shielded wiring for the Booster Pump and IW pump VFD’s.
Reason for Change: Additional conduits to isolate control wiring from electrical wiring.
Change in Contract Price: $5,343.35
Change in Contract Time: 0 days

ITEM 32- WDC W-S Proposal No. 128 Rev. 0- Dated December 17, 2010

Description of Change: Lightning Protection Modifications.
Reason for Change: Modifications needed due to added handrail around SBRs.
Change in Contract Price: $7,741.95
Change in Contract Time: 0 days

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Change in Contract Price</th>
<th>Change in Contract Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-WDC W-S Prop No.53 Rev.1</td>
<td>Electrical grounding modifications</td>
<td>$99,320.37</td>
<td>0 days</td>
</tr>
<tr>
<td>2-WDC W-S Prop No.67 Rev.0</td>
<td>Upgrade NEMA 3R Disconnects to NEMA 4X</td>
<td>$37,878.00</td>
<td>0 days</td>
</tr>
<tr>
<td>3-WDC W-S Prop No.76 Rev. 2</td>
<td>Booster Pump Station modifications per RFI No. 144.</td>
<td>$13,370.46</td>
<td>0 days</td>
</tr>
<tr>
<td>4-WDC W-S Prop No. 84 Rev.0</td>
<td>Site Grading Modifications</td>
<td>$141,427.80</td>
<td>0 days</td>
</tr>
<tr>
<td>5-WDC W-S Prop No. 88 Rev.0</td>
<td>Sampling Port per VE Drawing No. MS-2 and MS-5.</td>
<td>$1,274.44</td>
<td>0 days</td>
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<tr>
<td>6-WDC W-S Prop No.89 Rev. 1</td>
<td>Ductbank Relocation and Items per Electrical Revisions 2.-</td>
<td>$45,769.56</td>
<td>0 days</td>
</tr>
<tr>
<td>7-WDC W-S Prop No. 91 Rev 0</td>
<td>Additional air pipe hangers.-</td>
<td>$4,776.39</td>
<td>0 days</td>
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<tr>
<td>8-WDC W-S Prop No.93 Rev 0</td>
<td>Odor Control Piping and support modifications-</td>
<td>$9,324.46</td>
<td>0 days</td>
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<tr>
<td>Project</td>
<td>Description</td>
<td>Cost</td>
<td>Time</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------</td>
<td>----------</td>
<td>--------</td>
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<tr>
<td>9-WDC W-S Prop No. 97 Rev 1</td>
<td>Site Lighting Modifications-</td>
<td>$80,931.30</td>
<td>0 days</td>
</tr>
<tr>
<td>10-WDC W-S Prop. No. 98 Rev 1</td>
<td>Wiring for Blower valves</td>
<td>$22,338.52</td>
<td>0 days</td>
</tr>
<tr>
<td>11-WDC W-S Prop No 99 Rev 0</td>
<td>SCADA alarm dial-out system</td>
<td>$3,784.17</td>
<td>0 days</td>
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<tr>
<td>12-WDC W-S Prop. 100 Rev 0</td>
<td>Additional yard hydrants</td>
<td>$7,473.51</td>
<td>0 days</td>
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<tr>
<td>13-WDC W-S Prop No. 101 Rev 0</td>
<td>Miscellaneous welding work</td>
<td>$1,474.68</td>
<td>0 days</td>
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<tr>
<td>14-WDC W-S Prop No. 102 Rev 1</td>
<td>Connect fiber-optic from Vac E to Control Building-</td>
<td>$17,879.53</td>
<td>0 days</td>
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<tr>
<td>15-WDC W-S Prop No. 103 Rev 1</td>
<td>Telephone System for Elevator and Fire Alarm System-</td>
<td>$5,803.88</td>
<td>0 days</td>
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<tr>
<td>16-WDC W-S Prop No. 105 Rev 1</td>
<td>Headworks Stairway Lighting</td>
<td>$10,929.31</td>
<td>0 days</td>
</tr>
<tr>
<td>17 WDC W-S Prop No.106 Rev 1</td>
<td>Aluminum Sulfate piping modification-</td>
<td>$3,123.90</td>
<td>0 days</td>
</tr>
<tr>
<td>18 WDC W-S Prop No.107 Rev 0</td>
<td>Force Main Additional Modifications</td>
<td>$55,648.87</td>
<td>0 days</td>
</tr>
<tr>
<td>19 WDC W-S Prop No.108 Rev 0</td>
<td>Monitoring Well Sink Drain Modifications</td>
<td>$5,693.15</td>
<td>0 days</td>
</tr>
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<td>20 WDC W-S Prop No.110 Rev 0</td>
<td>Back flow Preventer Installation</td>
<td>$16,959.62</td>
<td>0 days</td>
</tr>
<tr>
<td>WDC Code</td>
<td>W-S Prop No.</td>
<td>Rev</td>
<td>Description</td>
</tr>
<tr>
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<td>--------------</td>
<td>-----</td>
<td>-------------</td>
</tr>
<tr>
<td>21 WDC W-S Prop No.111 Rev 0</td>
<td>Change 4 PLC fixtures to Directional Fixtures</td>
<td>$2,343.50</td>
<td>0 days</td>
</tr>
<tr>
<td>22 WDC W-S Prop No.113 Rev 0</td>
<td>Additional Sampler at Disinfection Basin</td>
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<td>0 days</td>
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<td>0 days</td>
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<td>Coordination with ABB Tech support and Square D for ATS Breaker replacement</td>
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<td>0 days</td>
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<td>30 WDC W-S Prop No.124 Rev 0</td>
<td>Above ground electrical handholes.</td>
<td>$987.26</td>
<td>0 days</td>
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<td>31 WDC W-S Prop No.125 Rev 0</td>
<td>Separate control and shielded wiring for the Booster Pump and IWQ pump VFDs</td>
<td>$5,343.35</td>
<td>0 days</td>
</tr>
<tr>
<td>32 WDC W-S Prop No.128 Rev 0</td>
<td>Lightning Protection Modifications.</td>
<td>$7,741.95</td>
<td>0 days</td>
</tr>
</tbody>
</table>
TOTAL $729,154.17 0 Days

WAIVER

This Change Order constitutes full and mutual accord and satisfaction for the adjustment of the Contract Price and Contract Time as a result of increases or decreases in cost and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between OWNER and CONTRACTOR that the Change Order represents an equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR’s complete acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) pursuant to this Change Order.

APPROVAL AND CHANGE ORDER AUTHORIZATION

ACKNOWLEDGMENTS

The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement and specifically changed by this Change Order; and

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Agreement other than matters expressly provided herein.

ATTEST:

Contractor

(Secretary)

Printed Name and Title of Officer

Date

By (Signature)

(Corporate Seal)

Date

ATTEST:

Owner

(Signature)

Printed Name and Title

By (Signature)

(Seal)

Date

END OF SECTION
Subject: Basin F-1 Change Order for Redland Construction

Recomended Motion/Action:

Approved by General Manager

Date: 1-13-11

Originating Department: General Manager
Costs: $103,796.00
Funding Source: Acct.
Attachments: Change Order

Department Review:
[ ] District Counsel
[ ] Engineering
[ ] Finance
[ ] Clerk
[ ] General Manager

Advertised:
Date: ________________
Paper: ________________
[ ] Not Required

Summary Explanation/Background:
Basin F: Mill/Overlay US-1 turn lane in Basin F-1, US-1 Trench Patch, Concrete Ballast and additional trenching for Mini-Vacuum Station.

Resulting Board Action:
[ ] Approved  [ ] Tabled  [ ] Disapproved  [ ] Recommendation Revised
Due to unforeseen conflicts throughout the construction, please approve the following change order requests from Redland Company.

- Concrete Ballast for Remote VPS in Basin F.
- FDOT Restoration for Basin F, Phase 1.

The backups for these change order requests are enclosed.
SECTION 00950

CHANGE ORDER FORM

<table>
<thead>
<tr>
<th>Change Order No.</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title</td>
<td>Vacuum Collection System – Basin E, Phase 1 &amp; 2 - Basin F, Phase 1</td>
</tr>
<tr>
<td>Bid No.</td>
<td>N/A</td>
</tr>
<tr>
<td>Owner:</td>
<td>Key Largo Wastewater Treatment District</td>
</tr>
<tr>
<td>Contractor:</td>
<td>The Redland Company, Inc</td>
</tr>
<tr>
<td>Agreement Date:</td>
<td>July 30, 2009</td>
</tr>
</tbody>
</table>

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Original Contract Price</td>
</tr>
<tr>
<td>2</td>
<td>Current Contract Price (Adjusted by Previous Change Orders)</td>
</tr>
<tr>
<td>3</td>
<td>Total Proposed Change in Contract Price</td>
</tr>
<tr>
<td>4</td>
<td>New Contract Price (Item 2 + Item 3)</td>
</tr>
<tr>
<td>5</td>
<td>Original Contract Time</td>
</tr>
<tr>
<td>6</td>
<td>Current Contract Time (Adjusted by Previous Change Orders)</td>
</tr>
<tr>
<td>7</td>
<td>Total Proposed Change in Contract Time</td>
</tr>
<tr>
<td>8</td>
<td>New Contract Time (Item 6 + Item 7)</td>
</tr>
<tr>
<td>9</td>
<td>Original Contract Substantial Completion Date</td>
</tr>
<tr>
<td>10</td>
<td>New Contract Substantial Completion Date</td>
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</table>
### CHANGES ORDERED

<table>
<thead>
<tr>
<th>ITEM 1</th>
<th>Description of Change: Concrete Ballast for Vacuum Pump Station in Basin F.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reason for Change:</td>
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<tr>
<td></td>
<td>Change in Contract Price: $14,246.00</td>
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<td></td>
<td>Change in Contract Time: 0 days</td>
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<table>
<thead>
<tr>
<th>ITEM 2</th>
<th>Description of Change: Mill/Overlay US-1 Turn Lane in Basin F-1.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reason for Change:</td>
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<tr>
<td></td>
<td>Change in Contract Price: $46,000.00</td>
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<td></td>
<td>Change in Contract Time: 0 days</td>
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<table>
<thead>
<tr>
<th>ITEM 3</th>
<th>Description of Change: US-1 Trench Patch</th>
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<tbody>
<tr>
<td></td>
<td>Reason for Change:</td>
</tr>
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<td></td>
<td>Change in Contract Price: $43,550.00</td>
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<tr>
<td></td>
<td>Change in Contract Time: 0 days</td>
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</table>

<table>
<thead>
<tr>
<th>ITEM 4</th>
<th>Description of Change:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Reason for Change:</td>
</tr>
<tr>
<td></td>
<td>Change in Contract Price:</td>
</tr>
<tr>
<td></td>
<td>Change in Contract Time:</td>
</tr>
</tbody>
</table>
ITEM 5

Description of Change:

Reason for Change:

Change in Contract Price:

Change in Contract Time:

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Change in Contract Price</th>
<th>Change in Contract Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Add Basin F, Phase 4 &amp; 5 and Remote Vac Stn</td>
<td>$1,913,012.50</td>
<td>270 Days</td>
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<tr>
<td>2</td>
<td>Additional Transmission Line to STM Project</td>
<td>$390,639.40</td>
<td>0 Days</td>
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<tr>
<td>3</td>
<td>Add Basin JK, Phase 5 &amp; 6</td>
<td>$1,803,399.50</td>
<td>120 Days</td>
</tr>
<tr>
<td>4</td>
<td>Add Additional Connections for NTM</td>
<td>$174,695.00</td>
<td>0 Days</td>
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<tr>
<td>5</td>
<td>NTM Extension for Additional Connections</td>
<td>$152,285.00</td>
<td>0 Days</td>
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<tr>
<td>6</td>
<td>Add Basin JK, Phase 4 &amp; 9</td>
<td>$1,117,677.00</td>
<td>0 Days</td>
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<tr>
<td>7</td>
<td>Concrete Ballast for VPS &amp; FDOT Restoration for F1</td>
<td>$103,796.00</td>
<td>0 Days</td>
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<tr>
<td>TOTAL</td>
<td></td>
<td>$5,655,504.40</td>
<td>390 Days</td>
</tr>
</tbody>
</table>

WAIVER This Change Order constitutes full and mutual accord and satisfaction for the adjustment of the Contract Price and Contract Time as a result of increases or decreases in cost and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between OWNER and CONTRACTOR that the Change Order represents an equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR's complete acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) pursuant to this Change Order, either separately or cumulatively with all previous change orders.

00950-3
APPROVAL AND CHANGE ORDER AUTHORIZATION

ACKNOWLEDGMENTS

The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement and specifically changed by this Change Order; and It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Agreement other than matters expressly provided herein.

ATTEST:

___________________________________________________________
Contractor

____________
(Secretary)

Printed Name and Title of Officer

____________
Date

By (Signature)

____________
(Corporate Seal)

Date

ATTEST:

___________________________________________________________
Key Largo Wastewater Treatment District
Owner

______________________________
(Signature)

Charles F. Fishburn, General Manager
Printed Name and Title

______________________________
Date

By (Signature)

______________________________
(Seal)

Date

END OF SECTION

00950-4
Change Order Request

To: Margaret Blank, P.E.  
Key Largo Wastewater Treatment District  
P.O. Box 491  
98880 Overseas Hwy  
Key Largo, FL 33037

From: Jude Kolb  
The Redland Company  
48 NE 15th Street  
Homestead, FL 33030

Description: US 1 Trench Patch

| Qty: 1,675.00LF @ $26.00 Unit Price | Total Lump Sum: $43,550.00 |

Scope: Area F-1, West Side of US 1

- Due to existing utilities that were not shown on the plans we were directed to locate the line closer to US 1.
- Portions of this line were installed in the US 1 Turn lanes. FDOT is requiring Full depth asphalt replacement in the trench. Full Lane Width patching is NOT required in these areas due to imminent work under a FDOT Contract.
- Our Trench Patch pay item is not applicable for repair of these areas. FDOT is requiring a minimum asphalt thickness of 4 inches.

The pricing is for repairs in this changed condition.

NOTES:
1. No additional permit or submittal items are included.
2. No work shall proceed until this RFCO is approved in writing.
3. Payment is to be by Lump Sum (percent complete) and shall be placed as a billable change order on the current billing documents.
4. A contract time extension in the amount of 0 days is required for this work to be performed once a signed change order is received.
5. This RFCO is only valid if the work included herein is completed simultaneously with the corresponding similar work throughout the remainder of the project and prior to construction of subsequent activities.
6. This RFCO does not include any related delays to other activities as a result of this added/unforeseen work.
7. All work is based on normal working days and hours (M-F, 7am-3:30pm) and does not include any overtime, night work, weekend, or holiday work.
8. All previous contract provisions shall remain in full effect except as specifically modified herein.
9. Does not include industry related price increases (metals, plastic, PVC, concrete, trucking, fill, aggregates, petroleum)

By:  
Jude Kolb Project Manager

APPROVED BY: ___________________________ DATE: ___________________________
APPROVED IN THE AMOUNT OF: ___________________________
CHANGE ORDER NO. ____________ TO BE ISSUED BY: [ ] (OWNER) [ ] (CONTRACTOR)

The Redland Company, INC.
Main, Office, & Mailing: 48 NE 15 Street, Homestead, FL 33030 T:305.247.3226, F:305.247.1756
www.redlandcompany.com  
CGC: 1509248, Miami-Dade License E952601
Redland Company

Change Order Request

Change Order Request: 005

Date: 7/13/2010

To: Margaret Blank, P.E.
Key Largo Wastewater Treatment District
P.O. Box 491
38660 Overseas Hwy
Key Largo, FL 33037

From: Jude Kolb
The Redland Company
48 NE 15th Street
Homestead, FL 33030

Description: Mill/Overlay US 1 Turn Lane

Qty: 920.00 @ $50.00 Unit Price
Total Lump Sum: $46,000.00

Scope:
Area F-1, West Side of US 1.

Due to existing utilities that were not shown on the plans we were directed to locate the line closer to US 1.

Portions of this line were installed in the US 1 turn lane. FDOT is requiring full lane restoration in the portions of the roadway that are not being rehabilitated under a separate contract.

It is estimated that the area addressed here is 920 SY.

Included in this price: compaction testing to meet FDOT requirements, asphalt for trench patch, asphalt for temporary trench patch, milling, replacement with 1.5” S-1, temporary striping and permanent striping.

NOTES:
1. No additional permit or submittal items are included.
2. No work shall proceed until this RFCO is approved in writing.
3. Payment is to be by Lump Sum (percent complete) and shall be placed as a billable change order on the current billing documents.
4. A contract time extension in the amount of 0 days is required for this work to be performed once a signed change order is received.
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6. This RFCO does not include any related delays to other activities as a result of this added/unforeseen work.
7. All work is based on normal working days and hours (M-F, 7am-3:30pm) and does not include any overtime, night work, weekend, or holiday work.
8. All previous contract provisions shall remain in full effect except as specifically modified herein.
9. Does not include industry related price increases (metals, plastic, PVC, concrete, trucking, fill, aggregates, petroleum

By:
Jude Kolb Project Manager

APPROVED BY: ________________________ DATE: __________
APPROVED IN THE AMOUNT OF: _________________________________
CHANGE ORDER NO. _________ TO BE ISSUED BY: | | (OWNER) | | (CONTRACTOR)
CC: TRC distribution

The Redland Company, INC.
Main, Office, & Mailing: 48 NE 15th Street, Homestead, FL 33030 T:305.247.3226, F:305.247.1756
www.redlandcompany.com
CGC: 1509248, Miami-Dade License E95280
Change Order Request

Waste Water Collection System Service Area 'E'
And 'F' Phase E-I, E-II & F-I

Project # 09-029
The Redland Company

Change Order Request: 004 Date: 3/8/2010

To: Margaret Blank, P.E.
Key Largo Wastewater Treatment District
P.O. Box 491
98880 Overseas Hwy
Key Largo, FL 33037

From: Jude Kolb
The Redland Company
48 NE 15th Street
Homestead, FL 33030

Description: Concrete Ballast Around Vacuum Station

Qty: 1.00 @ $14,246.00 Unit Price
Total Lump Sum: $14,246.00

Scope: Place Concrete Ballast Around Vacuum Station.

NOTES:
1. No additional permit or submittal items are included.
2. No work shall proceed until this RFCO is approved in writing.
3. Payment is to be by Lump Sum (percent complete) and shall be placed as a billable change order on the current billing documents.
4. A contract time extension in the amount of 0 days is required for this work to be performed once a signed change order is received.
5. This RFCO is only valid if the work included herein is completed simultaneously with the corresponding similar work throughout the remainder of the project and prior to construction of subsequent activities.
6. This RFCO does not include any related delays to other activities as a result of this added/unforeseen work.
7. All work is based on normal working days and hours (M-F, 7am-3:30pm) and does not include any overtime, night work, weekend, or holiday work.
8. All previous contract provisions shall remain in full effect except as specifically modified herein.
9. Does not include industry related price increases (metals, plastic, PVC, concrete, trucking, fill, aggregates, petroleum

By: Jude Kolb Project Manager

APPROVED BY: __________________________ DATE: ________________
APPROVED IN THE AMOUNT OF: __________________________
CHANGE ORDER NO. _________ TO BE ISSUED BY: | | (OWNER) | | (CONTRACTOR)
CC: TRC distribution

The Redland Company, INC.
Main, Office, & Mailing: 48 NE 15 Street, Homestead, FL 33030 T:305.247.3226, F:305.247.1756
www.redlandcompany.com
CGC: 1509248, Miami-Dade License E952401

Prolog Manager Printed on: 12/7/2010 RedlandCompany
KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form

Meeting Date: Jan. 18, 2011  
Agenda Item No. 5

[ ] PUBLIC HEARING  
[ ] DISCUSSION  
[X] GENERAL APPROVAL OF ITEM  
[ ] Other:

SUBJECT: Change Order for South Transmission Main for Metro.

RECOMMENDED MOTION/ACTION: 

Approved by General Manager
Date: 1-13-10

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Costs: $33,170.00</th>
<th>Attachments: Change Order</th>
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<tr>
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<td>Funding Source:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Acct.</td>
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<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>[ ] District Counsel</td>
<td>Date:</td>
</tr>
<tr>
<td>[ ] General Manager</td>
<td>Paper:</td>
</tr>
<tr>
<td>[ ] Finance</td>
<td>[X] Not Required</td>
</tr>
</tbody>
</table>

Summary Explanation/Background: 
STM: Sidewalk restoration & Horizontal direction bore due to existing FKAA transmission water main.

Resulting Board Action:
☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
Memo

To: Chuck Fishburn, KLWTD General Manager
From: Richard Crow, KLWTD Project Engineer
CC: 
Date: January 12, 2011
Re: Metro Construction Change Order #2 for South Transmission Main Project

Due to unforeseen existing utility conflicts, the force main could not be installed as designed. As a result, the force main was relocated within the sidewalk and adjacent to the existing catch basins; which incurred a field change order.

- Price for sidewalk restoration: $3,500

A 36" FKAA transmission line and its ARV (air release valve) were installed in direct conflict with the force main. KLWTD’s proposed design for slip-line was unfeasible due to this conflict. As a result, the contractor installed 250 LF of 12" HDPE via horizontal directional drill; which incurred a field change order.

- Horizontal Directional Drill: $29,670
This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

<table>
<thead>
<tr>
<th>THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:</th>
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<tbody>
<tr>
<td>(1) Original Contract Price</td>
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<tr>
<td>(2) Current Contract Price (Adjusted by Previous Change Orders)</td>
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<td>(3) Total Proposed Change in Contract Price</td>
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<tr>
<td>(4) New Contract Price (Item 2 + Item 3)</td>
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<tr>
<td>(5) Original Contract Time</td>
</tr>
<tr>
<td>(6) Current Contract Time (Adjusted by Previous Change Orders)</td>
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<tr>
<td>(7) Total Proposed Change in Contract Time</td>
</tr>
<tr>
<td>(8) New Contract Time (Item 6 + Item 7)</td>
</tr>
<tr>
<td>(9) Original Contract Substantial Completion Date</td>
</tr>
<tr>
<td>(10) New Contract Substantial Completion Date</td>
</tr>
<tr>
<td>ITEM</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>ITEM 1</td>
</tr>
<tr>
<td>ITEM 2</td>
</tr>
<tr>
<td>ITEM 3</td>
</tr>
<tr>
<td>ITEM 4</td>
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</table>
Change in Contract Time:

ITEM 5

Description of Change:

Reason for Change:

Change in Contract Price:

Change in Contract Time:

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>Remove portion of STM</td>
<td>$(461,634.50)</td>
<td>0 Days</td>
</tr>
<tr>
<td>2</td>
<td>Horizontal Direction Bore Field Change</td>
<td>$29,670.00</td>
<td>0 Days</td>
</tr>
<tr>
<td>2</td>
<td>Silt Fence on Bike Path</td>
<td>$3,500.00</td>
<td>0 Days</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>$(428,464.50)</td>
<td>0 Days</td>
</tr>
</tbody>
</table>

**WAIVER** This Change Order constitutes full and mutual accord and satisfaction for the adjustment of the Contract Price and Contract Time as a result of increases or decreases in cost and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between OWNER and CONTRACTOR that the Change Order represents an equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR's complete acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) pursuant to this Change Order, either separately or cumulatively with all previous change orders.
ACKNOWLEDGMENTS

The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement and specifically changed by this Change Order; and

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Agreement other than matters expressly provided herein.

ATTEST:  
_________________________________________  Contractor

______________________________  Printed Name and Title of Officer
(Secretary)

______________________________  By (Signature)
Date

______________________________  (Corporate Seal)
Date

ATTEST:  
_________________________________________  Key Largo Wastewater District
Owner

______________________________  Charles F. Fishburn, General Manager
(Signature)
Printed Name and Title

______________________________  By (Signature)
Date

______________________________  (Seal)
Date

END OF SECTION
Meeting Date: Jan. 18, 2011
Agenda Item No. 6

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] GENERAL APPROVAL OF ITEM
[ ] Other:

SUBJECT: Basin I-5 LaRocco Change Order

RECOMMENDED MOTION/ACTION: 

Approved by General Manager

Date: 1-13-11

<table>
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<tr>
<td>[ ] District Counsel</td>
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<td></td>
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<tr>
<td>[X] General Manager</td>
<td></td>
<td></td>
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<tr>
<td>[ ] Finance</td>
<td></td>
<td></td>
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<tr>
<td>Engineering</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ ] Clerk</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Advertised:

Date: 
Paper: 
[X] Not Required

Summary Explanation/Background:
Basin I: Lift Station upgrade from original design in Basin I-5

Resulting Board Action:
[ ] Approved 
[ ] Tabled 
[ ] Disapproved 
[ ] Recommendation Revised6
Memo

To: Chuck Fishburn, KLWTD General Manager
From: Richard Crow, KLWTD Project Engineer
CC: 
Date: January 12, 2011
Re: LaRocco Construction Change Order

When the area was first designed the District did not realize it was two separate communities. Travel Trailer Town was on a package plant and Winken, Blinken, and Nod was on septic. Staff recommended to combine the two communities into one collection system. Therefore, Travel Trailer Town collection system was added to Winken, Blinken, and Nod collection system after the project was under contract with the contractor. The system was redesigned and the added flows required the proposed lift to be upgraded.

- Lift Station Upgrade $6,800
SECTION 00950
CHANGE ORDER FORM

Change Order No. 12
Project Title Vacuum Collection System – Basin D. Phase 2
Bid No. N/A
Owner: Key Largo Wastewater Treatment District
Contractor: J.A. LaRocco Enterprises, Inc.
Agreement Date: August 10, 2007

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:

(1) Original Contract Price $ 1,694,300.00
(2) Current Contract Price (Adjusted by Previous Change Orders) $14,760,741.49
(3) Total Proposed Change in Contract Price $ 6,800.00
(4) New Contract Price (Item 2 + Item 3) $14,767,541.49
(5) Original Contract Time 270 Days
(6) Current Contract Time (Adjusted by Previous Change Orders) 950 Days
(7) Total Proposed Change in Contract Time 0 Days
(8) New Contract Time (Item 6 + Item 7) 950 Days
(9) Original Contract Substantial Completion Date August 13, 2008
(10) New Contract Substantial Completion Date March 22, 2011
## CHANGES ORDERED

<table>
<thead>
<tr>
<th>ITEM 1</th>
<th>Description of Change:</th>
<th>Lift Station Upgrade for Basin I, Phase 5</th>
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<tbody>
<tr>
<td></td>
<td>Reason for Change:</td>
<td>Additional service for sufficient system.</td>
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<td>Change in Contract Price:</td>
<td>$6,800.00</td>
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<table>
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<td></td>
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<tr>
<td></td>
<td>Change in Contract Price:</td>
</tr>
<tr>
<td></td>
<td>Change in Contract Time:</td>
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<table>
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<tr>
<td></td>
<td>Change in Contract Price:</td>
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<tr>
<td></td>
<td>Change in Contract Time:</td>
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<table>
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<tr>
<th>ITEM 4</th>
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<tr>
<td></td>
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</tr>
<tr>
<td></td>
<td>Change in Contract Price:</td>
</tr>
<tr>
<td></td>
<td>Change in Contract Time:</td>
</tr>
</tbody>
</table>
ITEM 5

Description of Change:

Reason for Change:

Change in Contract Price:

Change in Contract Time:

---

### CHANGE ORDER SUMMARY

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Change in Contract Price</th>
<th>Change in Contract Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Extend 8-inch vm on Palm Drive to US1 r/w</td>
<td>$ 23,000.00</td>
<td>0 Days</td>
</tr>
<tr>
<td>2</td>
<td>Add Basin D, Phase 3 to contract</td>
<td>$1,110,090.00</td>
<td>270 Days</td>
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<tr>
<td>3</td>
<td>Add Basin D, Phase 1 to contract</td>
<td>$1,556,533.50</td>
<td>270 Days</td>
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<tr>
<td>4</td>
<td>Additional paving work in Phase 3</td>
<td>$ 212,680.00</td>
<td>0 Days</td>
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<tr>
<td>5</td>
<td>Add Basin B, Phase 4 to contract</td>
<td>$1,353,610.60</td>
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<tr>
<td>6</td>
<td>Increase asphalt qtls in D-1</td>
<td>$ 181,269.50</td>
<td>0 Days</td>
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<tr>
<td>7</td>
<td>Add Basin F, Phase 2 to contract</td>
<td>$1,800,198.65</td>
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<tr>
<td>8</td>
<td>Add Basin I, Phase 2 &amp; 3 to contract</td>
<td>$2,165,255.05</td>
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<tr>
<td>9</td>
<td>Add Basin I, Phase 1 &amp; 5 to contract</td>
<td>$1,906,617.19</td>
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<tr>
<td>10</td>
<td>Add Vacuum Pump Station Upgrade to contract</td>
<td>$348,090.00</td>
<td>0 Days</td>
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<tr>
<td>11</td>
<td>Add Basin JK, Phase 7 &amp; 8</td>
<td>$2,409,097.00</td>
<td>70 Days</td>
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<tr>
<td>12</td>
<td>Lift Station Upgrade for Basin I, Phase 5</td>
<td>$   6,800.00</td>
<td>0 Days</td>
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<tr>
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<td>TOTAL</td>
<td>$13,073,241.49</td>
<td>950 Days</td>
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**WAIVER**

This Change Order constitutes full and mutual accord and satisfaction for the adjustment of the Contract Price and Contract Time as a result of increases or decreases in cost and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between OWNER and CONTRACTOR that the Change Order represents an equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR's complete acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) pursuant to this Change Order. Work for Basin JK, Phase 7 & 8 shall be completed in accordance with the conformed documents prepared by Weiler Engineering. This change order is subject to approval by the Army Corps of Engineers. It shall not become effective until such approval is received by the District. Work approved under this Change Order shall be completed in accordance with Specification Section 00805 – Army Corps Requirements, which is now part of the contract documents. Specification Section 00805 shall apply to Basin JK, Phase 7 & 8.

00950-3
ACKNOWLEDGMENTS

The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement and specifically changed by this Change Order; and

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Agreement other than matters expressly provided herein.

ATTEST:

__________________________
(Secretary)

__________________________
Date

__________________________
(Corporate Seal)

ATTEST:

__________________________
Contractor

__________________________
Printed Name and Title of Officer

__________________________
By (Signature)

__________________________
Date

__________________________
Key Largo Wastewater Treatment District

__________________________
Owner

__________________________
Charles F. Fishburn, General Manager

__________________________
Printed Name and Title

__________________________
By (Signature)

__________________________
Date

__________________________
(SEal)

END OF SECTION
Due to unforeseen existing utility conflicts, the force main could not be installed as designed. As a result, the force main was relocated within the sidewalk and adjacent to the existing catch basins, which incurred a field change order.

- Price for sidewalk restoration: $3,500

A 36” FKAA transmission line and its ARV (air release valve) were installed in direct conflict with the force main. KLWTD’s proposed design for slip-line was unfeasible due to this conflict. As a result, the contractor installed 250 LF of 12” HDPE via horizontal directional drill; which incurred a field change order.

- Horizontal Directional Drill: $29,670
SECTION 00950
CHANGE ORDER FORM

<table>
<thead>
<tr>
<th>Change Order No.</th>
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<tr>
<td>Project Title</td>
<td>South Transmission Main</td>
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<tr>
<td>Bid No.</td>
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<tr>
<td>Owner</td>
<td>Key Largo Wastewater Treatment District</td>
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<tr>
<td>Contractor</td>
<td>Metro Equipment Services, Inc.</td>
</tr>
<tr>
<td>Agreement Date</td>
<td>October 19, 2009</td>
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</tbody>
</table>

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:

1. Original Contract Price $3,790,637.40
2. Current Contract Price (Adjusted by Previous Change Orders) $3,329,002.90
3. Total Proposed Change in Contract Price $33,170.00
4. New Contract Price (Item 2 + Item 3) $3,362,172.90
5. Original Contract Time 240 Days
6. Current Contract Time (Adjusted by Previous Change Orders) 240 Days
7. Total Proposed Change in Contract Time 0 Days
8. New Contract Time (Item 6 + Item 7) 240 Days
9. Original Contract Substantial Completion Date September 1, 2010
10. New Contract Substantial Completion Date September 1, 2010
### CHANGES ORDERED

**ITEM 1**

**Description of Change:**
250 LF of horizontal directional bore between stations 278+40 and 279+30.

**Reason for Change:**
Conflicts with existing utilities.

**Change in Contract Price:**
$29,670.00

**Change in Contract Time:**
0 days

---

**ITEM 2**

**Description of Change:**
Sidewalk restoration.

**Reason for Change:**
Offset FM line onto sidewalk due to conflict with existing utilities.

**Change in Contract Price:**
$3,500.00

**Change in Contract Time:**
0 days

---

**ITEM 3**

**Description of Change:**

**Reason for Change:**

**Change in Contract Price:**

**Change in Contract Time:**

---

**ITEM 4**

**Description of Change:**

**Reason for Change:**

**Change in Contract Price:**

---

00950-2
Change in Contract Time:

ITEM 5

Description of Change:

Reason for Change:

Change in Contract Price:

Change in Contract Time:

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<th>No.</th>
<th>Description</th>
<th>Change in Contract Price</th>
<th>Change in Contract Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Remove portion of STM</td>
<td>$(461,634.50)</td>
<td>0 Days</td>
</tr>
<tr>
<td>2</td>
<td>Horizontal Direction Bore Field Change</td>
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<td>Silt Fence on Bike Path</td>
<td>$3,500.00</td>
<td>0 Days</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>$(428,464.50)</strong></td>
<td><strong>0 Days</strong></td>
</tr>
</tbody>
</table>

**WAIVER** This Change Order constitutes full and mutual accord and satisfaction for the adjustment of the Contract Price and Contract Time as a result of increases or decreases in cost and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between OWNER and CONTRACTOR that the Change Order represents an equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR’s complete acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) pursuant to this Change Order, either separately or cumulatively with all previous change orders.

00950-3

SPECLIB120902
ACKNOWLEDGMENTS

The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement and specifically changed by this Change Order; and

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Agreement other than matters expressly provided herein.

ATTEST: ________________________________________

___________________________________________
(Secretary)

___________________________________________
Date

___________________________________________
(Corporate Seal)

ATTEST: ________________________________________

Key Largo Wastewater District

___________________________________________
Owner

___________________________________________
(Signature)

Charles F. Fishburn, General Manager

___________________________________________
Printed Name and Title

___________________________________________
By (Signature)

___________________________________________
Date

___________________________________________
(Seal)

___________________________________________
Date
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: January 18, 2011

Agenda Item No. 7

[ ] PUBLIC HEARING

[ ] RESOLUTION

[X] DISCUSSION

[ ] BID/RFP AWARD

[ ] GENERAL APPROVAL OF ITEM

[ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Employee Identification

RECOMMENDED MOTION/ACTION:

Approved by General Manager

Date: 1-18-11

Originating Department:

Costs: Approximately

Funding Source: Acct.

Attachments:

Department Review:

[] District Counsel

[X] General Manager

[] Finance

[] Engineering

[] Clerk

Advertised:

Data: 

Paper:

[X] Not Required

Summary Explanation/Background: Staff recommends the use of safety vests with easily identified LOGO AND KLWTD stenciled on them. Employees are also required to be able to produce a photo ID badge on request.

Resulting Board Action:

[] Approved

[] Tabled

[] Disapproved

[] Recommendation Revised
KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: January 18, 2011
Agenda Item No. 8

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] GENERAL APPROVAL OF ITEM
[ ] Other:

SUBJECT: Customer Service Feedback Survey

RECOMMENDED MOTION/ACTION: Approve or make further recommendations on the attached Customer Service Survey

Approved by General Manager
Date: 1-17-11

<table>
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<tr>
<th>Originating Department: Finance</th>
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<tbody>
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<tr>
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<th>[] District Counsel</th>
<th>[X] General Manager</th>
<th>[ ] Finance</th>
</tr>
</thead>
</table>

| [] Engineering | [] Clerk | |

| Advertised: | |
| Date: | |
| Paper: | |
| [X] Not Required |

Yes I have notified everyone___________
or
Not applicable in this case___________:
Please initial one.

Summary Explanation/Background:
At the transition meeting of 01/10/2011 Board gave staff direction to design a survey form for Customer's to give feedback to the District on their experiences with Customer Service. The attached Survey form is presented for your review and comment. Once approved by Commission staff can have these forms available in the lobby for hand delivery to customers, and mailed to customers who register an issue within the "trouble ticket database".

Resulting Board Action:
[ ] Approved  [ ] Tabled  [ ] Disapproved  [ ] Recommendation Revised
CUSTOMER SERVICE SURVEY

One of the KLWTD’s objectives is to provide superior levels of customer service. Your feedback telling us what is going well and what needs improvement is essential to our success in our efforts to better serve you. Please take a moment to complete this survey. Thank you for your feedback. – The KLWTD Board of Commissioners

What was the nature of your contact with us?

_____ General Information  _____ Problem Resolution

_____ Permitting Assistance  _____ Other: ________________________________

<table>
<thead>
<tr>
<th>Please check as appropriate</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff was courteous and helpful.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff provided complete, accurate information to you.</td>
<td></td>
<td></td>
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<tr>
<td>A timely response was provided.</td>
<td></td>
<td></td>
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<tr>
<td>Staff made a diligent effort to resolve my concerns.</td>
<td></td>
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<tr>
<td>My overall experience was positive.</td>
<td></td>
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</tbody>
</table>

Please indicate the name(s) of any staff person you would like to commend: __________________________________________________________

Comments: __________________________________________________________

If you feel we fell short in meeting your service expectations, please describe the situation, and the date the incident occurred: __________________________________________________________

As a result of your experience with us, what service-related improvements can you recommend? __________________________________________________________

YOUR CONTACT INFORMATION (OPTIONAL):

NAME: __________________________________________________________

E-MAIL: __________________________________________________________

DAYTIME PHONE: _________________________________________________

ADDRESS: _______________________________________________________

Please return via fax (305) 453-5807, via mail to KLWTD, P.O. Box 491, Key Largo, FL 33037 or drop off to our Customer Service Survey box located in the KLWTD lobby. Thank you for your participation.
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: January 18, 2011

Agenda Item No. 9

[ ] PUBLIC HEARING
[X] DISCUSSION
[ ] GENERAL APPROVAL OF ITEM
[ ] Other:

SUBJECT: Lateral Policy

RECOMMENDED MOTION/ACTION: __________

Approved by General Manager

Date: __________

Originating Department: General Manager

Costs: $

Funding Source: Acct.

Attachments:

Department Review:

[] District Counsel
[X] General Manager

[ ] Finance

[X] Engineering

[ ] Clerk

Advertised:

Date: __________

Paper: __________

[X] Not Required

Summary Explanation/Background: The current KLWTD policy (adopted Dec, 2009) on moving lateral connections. When a prepayment of $50/ft ($500 Min.) has resulted in six residents paying to have their lateral moved.

It is the policy of the District NOT to move lateral connections from the original design, except when:

1. A District engineer detects a engineering flaw in the design.
2. A District inspector, during construction in the area, discovers a reason why the original design cannot be followed. For example, an unanticipated obstacle makes the original design infeasible.
3. Upon a customer request, under the following conditions:
   4. a. The change in lateral connection results in NO difference to neighboring properties AND results in NO additional cost to the District.
   b. If the change can be made without effecting the connections on other properties, but does result in additional cost to the District, the property owner requesting the change will be given the option of paying for the additional costs to achieve the results he/she desires. Costs will include a trenching cost of $50 per foot (plus the costs of additional materials and labor if required).
   c. The request for the change is received in a timely manner so as not to cause construction delays.

Resulting Board Action:

[] Approved  [] Tabled  [] Disapproved  [] Recommendation Revised
**Vote on Motion**

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<thead>
<tr>
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<th>Yes</th>
<th>No</th>
<th>Other</th>
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<tr>
<td>Commissioner Hammaker</td>
<td>X</td>
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<tr>
<td>Chairman Higgins</td>
<td>X</td>
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<tr>
<td>Commissioner Tobin</td>
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<tr>
<td>Commissioner Brooks</td>
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<tr>
<td>Commissioner Majeska</td>
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Motion passed 5 to 0

**Laguna Drive Update**

Mr. Fishburn stated no one has taken advantage of the procedure yet.

**Motion:** Commissioner Hammaker made a motion to approve the program to move laterals at $50 a foot with a $500 minimum charge for the future construction in the District. Commissioner Brooks seconded the motion.

<table>
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<tr>
<th>Member</th>
<th>Yes</th>
<th>No</th>
<th>Other</th>
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<tr>
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<tr>
<td>Commissioner Brooks</td>
<td>X</td>
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Motion passed 3 to 2

**COMMISSIONER’S REPORT**

**Islamorada Inter-Local**

A discussion was held on having a formal resolution on committing the District to work with Islamorada.

Mr. Dillon expressed reservation.

Commissioner Brooks stated for the record that he is 100% opposed to any inter-local agreement with Islamorada based on their past performance: The potential of inter-governmental litigation that may be strapped to the Key Largo Board for the next twenty five years in an inter-local agreement. He would like a cost estimate for any time spent by the District in relationship with an agreement with Islamorada.

Commissioner Tobin recommended that the vote be memorialized in a resolution.

Commissioner Brooks opposed this.

Commissioner Tobin requested that Mr. Dillon bring back a draft for the Board to review.

**BULK ITEMS**

*Pending Payments of December 1, 2009*

KLWTD Board of Commissioners
Board Meeting
Dec. 1, 2009
SEWER CONNECTION LOCATION CHANGE REQUEST

Property Owner(s) ___________________________________________________________

Property Address __________________________________________________________

Contact Information ___________________(phone) ___________________(email)

Property AK # ___________________________ Date _____________________________

I (we) hereby request that an additional length of 6” gravity lateral piping be installed by the District in the right of way bordering my (our) property to change the engineered connection location for service to the above referenced property. I (we) have sketched a general description of the location change requested on the attached form.

Additional Piping ____________ feet @ $35 / ft of pipe = $ _____________________

I (we) understand this Location Change Request is subject to the following conditions:

1. Restoration of the excavation required for installation is limited to filling the trench with 57 stone and compacting to the original surface elevation.

2. Improvements in the right of way (such as a concrete driveway) will be removed as necessary to perform the installation. Except as set forth above, restoration of such improvements will be the responsibility of the owner.

3. This request is subject to final acceptance and approval by a representative of the District Engineering Department.

I (we) herewith have submitted our non-refundable payment in full for installation of the additional lateral piping to change the connection location for service to my (our) property. However, if upon investigation it is determined that the request cannot be approved for engineering reasons, our owner’s payment will be refunded.

Property Owner(s) ____________________________

Signature(s) __________________________________________

Received By _____________________________________________

Customer Service Representative

Acceptance & Approval _____________________________________________

Engineering Department
KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form

Meeting Date: Jan. 18, 2011  Agenda Item No. 10

[ ] PUBLIC HEARING  [ ] RESOLUTION
[X] DISCUSSION  [ ] BID/RFP AWARD
[ ] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA
[ ] Other:

SUBJECT: County Road Overlay Requirement

RECOMMENDED MOTION/ACTION: 

Approved by General Manager

Date: 1-13-11

<table>
<thead>
<tr>
<th>Originating Department: General Manager</th>
<th>Costs: $</th>
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<td>District Counsel</td>
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<td>General Manager</td>
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<td>Date:</td>
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<tr>
<td>Paper:</td>
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<tr>
<td>[X] Not Required</td>
</tr>
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</table>

Summary Explanation/Background: The attached is the Counties request that the KLWTD overlay all roads where our lines are installed longitudinally in the County Road.

Resulting Board Action:

☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
January 12, 2011

Mr. Charles Fishburn
General Manager
Key Largo Wastewater Treatment District
98880 Overseas Highway
Key Largo, Florida 33037

Re: Restoration of County Rights of Way (ROW)

Dear Mr. Fishburn:

In our meeting on November 3, 2010 Monroe County staff discussed the proper method for restoring county rights of way (ROW) as required by Monroe County Code Section 19-42 and as outlined in the Monroe County Public Works Manual (1995); my letter to you dated November 4, 2010 reiterated that overlay of the full lane width, at a minimum, where sewer lines are installed longitudinally within the lane, is the required method of restoration and requested that you direct Key Largo Wastewater Treatment District’s (KLWTD) contractors to adhere to this requirement. On November 9, 2010 the County Attorney’s Office notified your attorney as to a hyperlink through which he could access the Public Works Manual as it was adopted by the Board of County Commissioners, to see the requirement for the overlay. The Engineering Department forwarded an electronic copy of the current manual to Mr. Mark Weis at KLWTD on November 16, 2010.

Please provide written confirmation that you have instructed the District’s contractors to adhere to the Monroe County Codes by providing full lane width overlay, at a minimum, where required, and that all future KLWTD projects on County rights of way will adhere to this requirement.
In addition, please advise us as to the anticipated date that the rights of way on the attached list will be overlaid to bring them into compliance with the Code. The list is comprised of roads from various contracts that were completed by KLWTD in the past year that were not properly restored.

Sincerely,

Roman Gastesi, Jr.
County Administrator

cc: Heather Carruthers, County Mayor
    Thomas Dillon, KLWTD District Counsel
    Norman Higgins, KLWTD Board member
    Suzanne Hutton, County Attorney
    Robert Majeska, KLWTD Board Chairman
    Sylvia Murphy, District 5 County Commissioner
Monroe County Roads  
That Do Not Meet Pavement Restoration Requirements

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>PROJECT</th>
<th>STREET</th>
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<tbody>
<tr>
<td>Metro / C &amp; W</td>
<td>Basin C - Phase IV</td>
<td>Monmouth Ln.</td>
</tr>
<tr>
<td>La Rocca</td>
<td>Area 1 - Phase 3</td>
<td>Seaside Ave.</td>
</tr>
<tr>
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<td>Area 1 - Phase 3</td>
<td>Lime St.</td>
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<tr>
<td>Fountain</td>
<td>Area 1 - Phase 4</td>
<td>Coconut Dr.</td>
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<td>Fountain</td>
<td>Area 1 - Phase 4</td>
<td>N. Bay Harbor Dr. / US1 to Sunset Dr.</td>
</tr>
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<tr>
<td>Fountain</td>
<td>Area 1 - Phase 4</td>
<td>Snapper Ln.</td>
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MEMORANDUM

To: Chuck Fishburn
From: Ed Castle, PE
Date: November 14, 2009
Re: Monroe County Impact Fees

In response to your inquiry as to whether overlay of the roads in the Key Largo Wastewater Treatment District is consistent with the intended use of funds generated by the Fair Share Transportation Impact fees, I offer the following.

It is my understanding that Monroe County Code Chapter 126 states that the funds generated by the Fair Share Impact fees shall be used for acquisition, expansion and development of the County’s roads. The need for the acquisition, expansion and development of roads is, at least in part, a result of development in the County.

Development not only may create a need for new roads, but also generates a need to expand and improve the load bearing capacity of the existing roads to accommodate the increased traffic loads. As areas are developed and as infill development occurs, the number and nature of trips on existing roads changes. While development is underway, there is a significant increase in loading on the roads as excavating equipment, concrete trucks, material delivery trucks and the vehicles used by construction crews move into and out of the construction area.

After the construction is completed, there is an increase in the number of trips made by passenger vehicles such as cars, SUVs and pickup trucks, and an increase in the number of trips made by heavier vehicles such as school buses, delivery trucks and garbage trucks. The increase in loading applied to the existing roads creates the need for roadways that are able to withstand the heavier loading.

Many roads in the Key Largo Wastewater Treatment District consist of a single thin layer of asphaltic concrete that does not meet current design standards. Loads applied to this thin layer of asphalt may be transmitted to the underlying road base without adequate dispersion of the loads. The resultant compression, repeated over time, will cause cracking of the asphalt, further impairing the ability of the asphalt to adequately disperse the loads evenly across the road base. The result can be a rapidly failing roadway.

The existing roads may be improved and their load-bearing ability expanded to accept the increased loading that accompanies development by applying an additional layer of
asphaltic cement over the existing asphalt. The overlay is bonded to the underlying asphalt, resulting in a thicker, impervious surface that has added structural strength to more effectively distribute the traffic loads over larger areas of the road base, reducing the potential for compression, movement and subsequent failure of the road.

In my opinion, the application of an overlay course will enhance the load bearing ability of the existing roads. This is consistent with my understanding of the intended use of the Fair Share Transportation Impact fees. The current asphalt patching of the roads that is required in the KLWTD sewer project serves to maintain the roads in their current condition. Application of an overlay increases the load bearing capacity of the roads and should be considered an improvement or expansion, rather than maintenance.
MEMORANDUM

FROM Thomas M. Dillon, Attorney at Law
Board Certified in Construction Law
P.O. Box 370736
Key Largo, Florida 33037-0736
Tel 305-240-1767
Fax 305-853-2893
E-mail lawtmd@gmail.com
To Charles F. Fishburn, General Manager
Key Largo Wastewater Treatment District

Date November 9, 2009
Subject Monroe County Impact Fee

You have requested my opinion on whether the Fair Share Transportation impact fees can be used to repair, improve, or expand the County's road network as a result of the impacts on such roads as a result of construction of the central sewer system.

FACTS

As I understand the facts, the County currently has $1.8 million collected in Fair Share Transportation Impact fees. County staff has tentatively earmarked the funds to construct a bicycle lane along the bay side of U.S. 1 in Key Largo. The District is requesting that these funds be used instead to pay a portion of the cost of paving County streets under which the District has constructed sewer collection lines. The District has shown that the cost of patching a street after sewer installation is 2 - 3 times the cost of overlaying the street from side to side and end to end. In other words, for the same cost of patching a square yard of street surface after construction of sewer lines, the District can pave two to three square yards of the same street as part of an overlay. The District proposes to combine the funds that it would otherwise use for patching with the County's $1.8 million to overlay streets under which construction takes place, thus mitigating the impact of sewer construction on County roads.

ANALYSIS

Monroe County Code Chapter 126, Section 8(i)(3)(a) states:

A. The funds collected by reason of the establishment of the Fair Share transportation fee shall be used solely for the purpose of acquisition, expansion and development of the major road network system determined to be needed to serve new development, including but not limited to:

1. Planning, design, and construction plan preparation
2. Right-of-way acquisition
3. Construction of new through lanes
4. Construction of new turn lanes
5. Construction of new bridges
6. Construction of new drainage facilities

...

The answer to your query turns on the question whether mitigation of roads impacted by sewer construction is a type of expenditure that would be consistent with the ordinance. I believe that the answer is "yes."

Clearly, the above list of uses for the funds was not intended to be exclusive, but was intended to be illustrative of the intent of the Commissioners in adopting the ordinance and other types of expenditures would be permissible, as well, provided they constitute acquisition, expansion, or development of the road network needed to serve new development.

Note that the term "major road network" is not defined in the impact fee ordinance or any other County ordinance or any state statute. Thus, I conclude that inclusion of that term in the impact fee ordinance was not intended to limit the use of funds to any particular set of County roads.

Under the County Code the term "development" (except for minor exceptions) is broadly defined as anything that is done to property. Therefore, any work, improvements, repairs, paving or re-surfacing to the existing roads or any work that expands an existing road (including subsurface work or shoulder improvements) or that improves drainage, landscaping or shoulders would qualify as development of the road network.

The Fair Share Impact funds are collected on every building permit issued within the County. Development of the County since adoption of the ordinance has generally been on a lot-by-lot basis, rather than on a subdivision basis. This development is one of the contributing factors resulting in the need for sewers. Therefore, I believe that mitigation of the roads impacted by sewer construction can reasonably be found to be needed to serve the new development.

CONCLUSION

Although construction of wastewater infrastructure was probably not considered to be "development" when the ordinance was adopted, it is clear that increased development and increased population tends to increase the need to provide for safe and sanitary disposal of the waste generated by that population. In other words, the Commissioners can reasonably conclude that repaving of roads disturbed by sewer construction is a goal that is proper under the Fair Share Impact Ordinance and consistent with it.

Based on the foregoing, I conclude that use of the funds to mitigate the effects of sewer construction on County roads would be consistent with the intent of the Commissioners in adopting the impact fee ordinance.
November 4, 2010

Mr. Charles Fishburn
General Manager
Key Largo Wastewater Treatment District
98880 Overseas Hwy
Key Largo, FL 33037

Re: Restoration of County Rights of Way (ROW)

Dear Mr. Fishburn:

At our meeting on November 3, 2010 at the Nelson Building to discuss above subject you indicated that you do not believe the Key Largo Wastewater Treatment District (KLWTD) is required to abide by the requirements of Monroe County Code Section 19-42 including Standard Detail R-17.2 of the Public Works Manual (1995). County staff have contacted the KLWTD on several occasions since your August 26, 2010 email to Monroe County’s Director of Engineering Services, indicating that KLWTD will no longer be restoring roads with complete overlay where the sewer line has been installed longitudinally within the asphalt road way, as required by Monroe County Codes. Proper restoration of the County’s streets as required by the code is a requirement of the KLWTD’s special status with respect to the exemption from the requirement for County permits. The below paragraphs reiterate the code requirements for your reference. Copies of the pertinent sections are attached.

Section 19-42 of the Monroe County Codes, Construction Standards and Specifications states, “All construction, repairs and/or restorations within county public rights-of-way and easements shall conform to the technical standards and specifications as contained in the 1995 edition of the ‘Monroe County Public Works Manual’, which manual is hereby adopted pursuant hereto and, by reference, incorporated herein.”

Public Works Manual Standard Road Detail R 17.2 Pavement Restoration For Trenches Cut in Public Rights of Way states, “pavement restoration for longitudinal cuts shall include full lane width resurfacing for each lane within which the cut extends, in some cases it will be necessary to overlay more than one (1) lane with asphaltic concrete to satisfy pavement slope.” A copy of Standard Road Detail R 17.2 is attached for your reference.
Section 19-36 *Public and private utility: special provisions and general permits* exempts KLWTD from the requirement to obtain right of way permits; however, part (8) of Section 19-36 specifically incorporates the requirement to adhere to Section 19-42 and the Public Works Manual. Furthermore, while HB 1231 grants KLWTD relief from the local permitting process, it requires the District to comply with the substantive regulations other than permitting, of the local agency.

Accordingly, this letter Monroe County formally advises the KLWTD that overlay of the full lane width, at a minimum, where sewer lines are installed longitudinally within the lane, is the required method of restoration for Monroe County rights of way. Please notify your contractors and reinstate the process of properly restoring the rights of way.

Sincerely,

[Signature]

Roman Gastesi
County Administrator

cc: Thomas Dillon, KLWTD District Counsel
    Norman Higgins, KLWTD Chairman
    Suzanne Hutton, County Attorney
    Sylvia Murphy, County Mayor


TRENCH BACKFILLED IN 9" COMPACTED LAYERS

DIRECT BURIAL CABLE OR CONDUIT

SELECTED MATERIAL 100% TO PASS 1" SIEVE. COMPACT IN 6" LAYERS.

CABLE & CONDUIT

CLEAN SAND

NOTE

PAVEMENT RESTORATION FOR LONGITUDINAL CUTS SHALL INCLUDE FULL LANE WIDTH RESURFACING FOR EACH LANE WITHIN WHICH THE CUT EXTENDS. IN SOME CASES IT WILL BE NECESSARY TO OVERLAY MORE THAN ONE (1) LANE W/ ASPHALTIC CONCRETE TO SATISFY PAVEMENT SLOPE.

ASPHALTIC CONCRETE

G2.0

UTILITY PLACEMENT

B2-13

ITEM

CROSS. REF.

SPEC. REF.

SECTION A-A

PIPE OR STRUCTURE

VARIABLE

TRENCH BACKFILLED TO A LEVEL ONE (1) FOOT ABOVE PIPE OR STRUCTURE, IN 6" COMPACTED LAYERS.

CONSTRUCT NEW PAVEMENT

EXISTING PAVEMENT SHALL BE TRIMMED ALONG A NEAT, STRAIGHT LINE

PLAN VIEW

TYPE S-1 ASPHALTIC CONCRETE THICKNESS TO BE THE SAME AS EXISTING ROADWAY OR 1" MIN. WHICHEREVER IS GREATER.

REMOVE OLD ASPHALT SURFACE

SAW CUT & APPLY TACK COAT TO ALL SURFACES AND EDGES.

EXISTING PAVEMENT

Q OF ROADWAY

PLAN VIEW

1' - 9" MIN.

1' - 9" MIN.

1' - 9" MIN.
October 20, 2009

Roman Gastesi
Administrator, Monroe County, Florida
1100 Simonton Road
Key West, FL 33040

Subject: Impact Fee Uses

Dear Mr. Gastesi:

The Key Largo Wastewater Treatment District understands that there is $1.8 million available in Impact Fees from New Development for a project(s) in Key Largo. It is also our understanding that no project has yet been identified, but a new bike path on the Bayside is a likely candidate.

This is to request that this money be used for full overlays rather than patching of roads in Key Largo, when required, during sewer construction. We understand that there might be some restrictions in County Code that do not permit the use of Impact Fees to repave roads after laying sewer pipe. We would like to work with you to find a way to allow the use of Impact Fees on “new” Sewer Construction throughout the County. The purpose of sewering the Keys is the protection of our near shore waters that are being threatened (impacted) by the past 20 years of “new” development.

Some of the roads we have dug and patched need full overlays, not from sewer construction but from poor design, inadequate construction, and years of traffic and erosion. These roads would have been repaved had the county had sufficient gas tax money on hand. It is now our understanding that there are no plans to repave any roads in the county until sufficient funds are available and until bridge work is complete. Releasing the funds to the sewer construction and letting our contractors perform the repaving, based on the Monroe County 7-year Road Repair Plan, seems a perfect win-win situation.

If we can find a way to move some of these Impact Fees to sewer construction costs, the County will have secured another source of funds to complete our sewer mandate without asking the homeowners for a larger assessment to perform road work. We would like the opportunity of meeting with you and your staff to discuss and resolve where the Impact Fee money gets spent.

Sincerely,

Susan Hammaker
Chairman, KLWTD

Meeting Date: January 18, 2011

[ ] PUBLIC HEARING  [ ] RESOLUTION
[X] DISCUSSION  [ ] BID/RFP AWARD
[ ] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA
[ ] Other:

SUBJECT: 17 Acre Preserve

RECOMMENDED MOTION/ACTION:

Approved by General Manager  C.F.Z
Date: 1-12-11

Originating Department: Commissioner Brooks
Costs: Approximately $  
Funding Source:

Department Review:  
[ ] District Counsel  
[ ] General Manager  
[ ] Finance

Attachments: Letter from US Dept. of Interior

[ ] Engineering  
[ ] Clerk

Advertised:
Date: ______________________
Paper: ______________________
[X] Not Required

Summary Explanation/Background: The Key Largo Nature Preservation Inc a 501- C-3 Public Charities Foundation was formed for the purpose of creating Public Passive Parks in Key Largo.

We would like to request the Transfer of the remaining 17 Acres of the Original 21 Acre Sewer Plant site in Key Largo to the KLNP Inc. for the creation of a public passive park under the guidelines of the State of Florida for such properties.

This passive park will be maintained and operated by the KLNP and available for public use. In the event the KLNP cease to exist in the future for whatever reason the property would revert to the municipality in which it exists.
October 10, 2006

Claude Bullock
Chairman, Key Largo Wastewater Treatment District
Post Office Box 491
Key Largo, Florida 33037

Dear Mr. Bullock:

Thank you for your request for technical assistance with the Fish and Wildlife Service (Service) on the proposed addition to the Key Largo Wastewater Treatment Plant. You propose to construct a new facility, additional access, and additional accessories on about 1.6 acres. The project is located at Mile Marker 100.5, on the Island of Key Largo, Monroe County, Florida.

Site Description

The 21-acre parcel is occupied in part by an existing wastewater treatment facility. About 18.4 acres of the parcel are undeveloped and vegetated with tropical hardwood hammock plant species. A vegetation survey you submitted lists over 50 native plant species on the property, including several State-listed species. Hammock quality is generally high quality. The property is bounded to the west by U.S. Highway 1.

Effects Analysis

The native species documented on the lot include wild coffee (*Psychotria nervosa*), wild lime (*Zanthoxylum fagara*), torchwood (*Amyris elemifera*), and yellowroot (*Morinda royoc*), all species preferred by the federally endangered Schaus swallowtail butterfly (*Heraclides aristodemus ponceanus*) for breeding and feeding. The site is shown on the Service's Geographic Information System database as being part of a larger hammock identified as potential for the Schaus swallowtail butterfly, the Stock Island tree snail (*Orthalicus reses reses*), and the eastern indigo snake (*Drymarchon corais couperi*). Continuity with additional potential or known habitat is an important factor in evaluating the suitability of habitat for a species and impacts of proposed projects. At the Service's request, surveys for presence or absence of the Stock Island tree snail and the Schaus swallowtail butterfly were conducted. No evidence of the

Take Pride in America
Claude Bullock

Schaus swallowtail butterflies or Stock Island tree snails were found within or adjacent to the proposed construction footprint. A small mammal study did not reveal the presence of any protected small mammal species on the property.

To mitigate any potential deleterious effects to protected species, you propose three actions. You propose to hand-clear native vegetation on the proposed site and have a supervising biologist knowledgeable of tree snails on-site during clearing to identify any protected tree snails, and, if any are found, relocate them according to a relocation protocol you submitted to the Service for review. Eastern indigo snake protection measures will be employed during construction. You intend to contribute $424,000 to the Monroe County Environmental Land Management and Restoration Fund (MCELMRF) to provide financial resources for the restoration of hardwood hammock habitat on the island of Key Largo. This figure is based on the estimated cost of restoring an area equal or greater than 1.6 acres and brings the total funds available for hardwood hammock restoration as a result of the two project phases to $719,000. The Service recommends the $424,000 be transferred to the MCELMRF prior to onset of clearing and construction. The Service has agreed the funds may be used cooperatively with the Florida Department of Environmental Protection (FDEP) to restore tropical hardwood hammock on the island of Key Largo.

To ensure long-term preservation of the remaining hardwood hammock habitat, you propose to transfer title of 16.8 acres of the remaining adjacent tropical hardwood hammock habitat to the FDEP. If FDEP is unwilling to accept the property, the Monroe County Land Authority would be the secondary recipient. You propose a deed of conservation easement be placed on the property with Monroe County and the Service as co-grantees. The Service recommends the removal of trash and debris on the remainder of the property prior to title conveyance.

**Determination**

The Service believes the project as submitted, including on-site conservation measures, monetary contributions for restoration, and land title transfer, has sufficient measures to minimize any adverse impacts to the Stock Island tree snail and the Schaus Swallowtail butterfly. The Service further believes relocation of any protected tree snails, according to the plan submitted, will not result in take in the form of harm or harassment of this species. The Service recommends title transfer of the remaining property and monetary contribution occur as soon as practicable and the Service is notified in writing of the date of the transfer and the grantee.

The Service commends the Key Largo Wastewater Treatment District (District) on its commitment to protect the unique and sensitive environment of the Florida Keys and believes this project should serve as an exemplary action for future public service projects in Monroe County. The results obtained could not have been achieved without the District's early and close coordination with the Service. We look forward to continuing working closely with the District, Monroe County Land Authority, and FDEP to ensure restoration and preservation of native habitat.
Please note Service review of this project in no way implies compliance with other Federal, State, county, or municipal regulations. It is the applicant’s responsibility to ensure the project meets all applicable regulations.

If modifications are made to the project, if additional information involving potential effects to listed species becomes available, if a new species is listed, or if designated critical habitat may be adversely affected by the project, reinitiation of technical assistance may be necessary.

Thank you for your assistance in protecting the environment of the Florida Keys. Please direct any questions or related correspondence to Winston Hobgood at the address above or contact him by telephone at 772-562-3909, extension 306.

Sincerely yours,

[Signature]
Paul Souza
Field Supervisor
South Florida Ecological Services Office

cc:
Florida Department of Community Affairs, Marathon, Florida (Robin Branda)
FWC, West Palm Beach, Florida (Ricardo Zambara)
Monroe County Land Authority, Marathon, Florida (Mark Rosch)
FDEP, Key Largo, Florida (Pat Wells)
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: January 18, 2011

[ ] PUBLIC HEARING

[ ] DISCUSSION

[X] GENERAL APPROVAL OF ITEM

[ ] Other:

SUBJECT: Unique properties

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 1-12-11

| Originating Department: Commissioner Hammaker |
| Costs: Approximately $ |
| Funding Source: |
| Attachments: |

Department Review:

[ ] District Counsel

[X] General Manager

[ ] Finance

| Engineering |
| Clerk |

Advertised:

Date: __________________________

Paper: __________________________

[X] Not Required

Summary Explanation/Background: Commissioner Hammaker will discuss policy for the remaining unique properties.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Jan. 18, 2011

[ ] PUBLIC HEARING
[X] DISCUSSION
[ ] GENERAL APPROVAL OF ITEM
[ ] Other:

SUBJECT: Wire Transfer Protocol

RECOMMENDED MOTION/ACTION:

Approved by General Manager

Date: 1-12-11

Originating Department: Commissioner Tobin

Costs: 
Funding Source: 

Department Review: 

[ ] District Counsel
[ ] General Manager
[ ] Finance

[X] Engineering
[ ] Clerk

Advertised:

Date: 
Paper: 
[X] Not Required

Summary Explanation/Background: Commissioner Tobin will discuss Wire Transfer Protocol having the transfers done in person only.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised


### Agenda Request Form

**Meeting Date:** January 18, 2011  
**Agenda Item No.:** 14

- [ ] PUBLIC HEARING  
- [] DISCUSSION  
- [X] GENERAL APPROVAL OF ITEM  
- [] Other:

**SUBJECT:** Minutes of Dec. 21, 2010 & Jan. 4, 2011

**RECOMMENDED MOTION/ACTION:** Approval

Approved by General Manager  
**Date:** 1-12-11

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**Summary Explanation/Background:**

**Resulting Board Action:**

- [ ] Approved  
- [] Tabled  
- [] Disapproved  
- [] Recommendation Revised
Key Largo Wastewater Treatment District (KLWTD) Meeting

Dec. 21, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular Meeting at 4:00 PM. Present were Chairman Robert Majeska, Commissioners Norman Higgins, Charles Brooks, Andrew Tobin, and Susie Hammaker. Also present were the District Counsel Thomas Dillon, District Clerk Carol Walker, and other appropriate District Staff.

Commissioner Higgins led Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Hammaker added an item making Margaret Blank Interim Manager until Mr. Fishburn comes back from vacation. She would like items 3, Review of Decision Making Process in Selection of CFO and 4, Reconsideration of Board Vote of CFO combined into one item. Also, she would like a policy set that would send any accusation of wrong doing to the State Attorney’s office. Commissioner Higgins deleted item 5, Customer Service and asked that item 8, Employees’ Salaries be moved to the beginning of Commissioner’s Items. Commissioner Tobin deleted items 8, Ad on Contractors Retainage and 9, Very Low Income. Margaret Blank requested that Customer Service be placed back on the agenda. Item 7, CDBG was moved to 4:30 PM.

Motion: Commissioner Tobin made a motion to approve the agenda as amended. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 4 to 1

PUBLIC COMMENT
The following persons addressed the Commission:

Speaker; Donna Dietrick 46 Dolphin Rd  Subject; Hook up at her property
Speaker; David Asdourian, 156 S. Bay Harbor Dr. Subject; Commissioner Hammaker’s remarks
Speaker; Burke Cannon, Hammer Point  Subject; Work at Hammer Point
Speaker; Sue Heim, Key Largo             Subject; Salaries

KLWTD Board of Commissioners
Board Meeting
Dec. 21, 2010
FINANCIAL REPORT
Pending Payments
Syndi Lankford explained the added invoice.

Motion: Commissioner Brooks made a motion to approve the pending payments as amended contingent upon the availability of funds. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 5 to 0

CDBG
Mr. O'Brien called in to answer questions about the Community Development Block Grants. (See Exhibit “B”)

PRMG Contract
Mr. Dillon stated that the current contract meets the District standards.

Motion: Commissioner Tobin made a motion to approve the PRMG Contract. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 4 to 1

GENERAL MANAGER
Interim Manager
Board decided it was not necessary.

Customer Service
Margaret Blank would like to have Greg Matthews moved to customer service.
COMMISSIONER’S ITEMS

Employee Salaries
Commissioner Higgins would like the Board to approve employee raises.

Motion: Commissioner Tobin made a motion to approve moving $45,000 into the Operation Payroll Budget under the control of the Operations Manager to be used for employee salaries, new jobs and or increases as deemed appropriate by the General Manager. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 3 to 1

Review of Decision Making Process in Selection of CFO
Commissioner Hammaker explained why she thinks the Board should review the decision making process for CFO.

Commissioner Hammaker stated: “Our hiring process was controversial from the start. The ad soliciting the applicants was controversial since it was vague and set up a competitive bidding process. There was debate among the committee that until we knew who we were and stated the same it would be difficult to hire an appropriate candidate. Certain candidates never had a chance to go through the process. And at least one rejected candidate became a candidate due to perceived unfairness. Then the way the candidates were interviewed continued a competitive bidding process which was not fair to all. Some were asked improperly if they own a business and the hourly rate that that business charges and some were asked salary requirements and others not.”

Dr. Bloetscher made a point that PERCEPTION IS REALITY and from the huge number of phone calls I have received, the perception is that our Board’s selection CFO process appears to the public to have been governed by and influenced by individual commissioners catering to special interests.

Commissioner Hammaker also stated: “By offering two candidates myself, I presented this appearance to the public as well. Despite some of our best intentions, this Board cannot afford to convey an appearance that it is influenced by special interests, actual or only perceived, and expect to maintain public confidence in the integrity of the Board’s policy direction and operating process properly and in an impartial manner to restore public confidence. I move that this Board clean up our act and begin anew process setting out specifics of the job and the individual we require. Anything worth doing is worth doing well.”

Chairman Majeska asked District Counsel Thomas Dillon for his opinion.
Mr. Dillon stated: “If I were setting up a model organization to take action, I wouldn’t set this up as a model but not for any legal issues. I don’t think were any legal improprieties. There were some statements by Commissioner Hammaker that probably were not appropriate as to the gender of some of the candidates but for the most part, in general, I would say there was no flaw -- we could have done better, more rationally.”

Chairman Majeska stated: “I agree a lot with Susan because I didn’t know what we were going to hire, I was not looking for this whether it was part time or contractor to do contract work or whether for full time because we didn’t make it plain as day who we wanted to hire and this is how I faced the interviews and seeing what each of the candidates could give us. We did it legally and I don’t think we need to do move on this particular item and I don’t think it’s going to go anywhere.”

Reconsideration of Board Vote on CFO
Commissioner Higgins stated that he would like to withdraw his vote for Mr. Zappulla.

Board discussed their previous decision.

Motion: Commissioner Higgins made a motion to not hire Mr. Zappulla for CFO. Commissioner Hammaker seconded the motion.

Vote on Motion

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Motion failed 2 to 3

Grant Advertisement
Commissioner Higgins would like an ad in the paper for the grants. Chairman Majeska will bring back a format to the next meeting.

BULK ITEMS
Minutes of November 16, December 7, and December 13, 2010

RESOLUTION NO. 27-12-10

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING DESIGNATION OF ONE TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2009 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

Motion: Commissioner Brooks made a motion to approve Bulk Items. Commissioner Higgins seconded the motion.
Vote on Motion

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Motion passed 5 to 0

ENGINEER’S REPORT
Ed Castle presented his verbal status report.

LEGAL COUNSEL REPORT
CFO Contract
Mr. Dillon presented the CFO contract to the Board.

Motion: Commissioner Tobin made a motion to approve the CFO contract. Commissioner Brooks seconded the motion.

Vote on Motion

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Motion passed 4 to 1

Assumption of Collection System Maintenance Responsibilities in Calusa

RESOLUTION NUMBER 25-12-10
A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REGARDING MAINTENANCE OF THE COLLECTION SYSTEM AT CALUSA CAMPGROUND; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Tobin requested that the resolution becomes effective when Calusa Campground approved it and that there be a 60 termination clause with notice. This resolution will be brought back to the next meeting.

Deferral of Connection Requirements for Low Income Residents
RESOLUTION NUMBER 26-12-10
A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT PROVIDING FOR TEMPORARY DEFERRAL OF CONNECTION REQUIREMENTS AND CREDITS FOR WASTEWATER FEES COLLECTED FROM LOW-INCOME RESIDENTS; AND PROVIDING AN EFFECTIVE DATE.
Mr. Dillon will change the name from Meridian to Monroe County Housing Authority in the resolution.

**Motion:** Commissioner Higgins made a motion to approve Resolution No. 26-12-10 Commissioner Tobin seconded the motion.

**Vote on Motion**

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Motion passed 5 to 0

**COMMISSIONER'S ROUNDTABLE**

Commissioner Hammaker discussed the State Attorney's office handling complaints of staff taking bribes.

Commissioner Tobin discussed giving the residents on the South Transmission a longer period of time before the Thirty Day Notices are sent out.

Commissioner Higgins asked what the General Manager's hours will be after Jan. 1st.

Commissioner Brooks discussed having the entire Board making the decision for presentations that are to be given to the Board.

**ADJOURNMENT**

The KLWTD Board adjourned the Board Meeting at 7:37 PM.

The KLWTD meeting minutes of Dec. 21, 2010 were approved on Jan. 18, 2011

__________________________
Chairman Majeska

__________________________
Carol Walker, CMC
District Clerk
EXHIBIT "A"
1. What is the deadline for application? **There is no deadline.**

2. How will the funds be made available? Will Meridian contract directly for the work, or will the contracting be done by others? **Meridian will select the contractors for the work. Homeowners will sign the contracts. The County will pay the contractors directly.**

3. We believe that there are a number of contractors who are willing to provide low-priced connections for low-income residents. Will they be able to work with Meridian to provide the connections? **Meridian has sought participation by all licensed plumbers in Monroe County. When a property is selected for assistance, Meridian will seek prices from qualified plumbers, and will award the work to the lowest-priced plumber.**

4. Is there a role for a non-profit foundation (e.g., Florida Keys Wastewater Assistance Foundation) in delivering the connections to low-income residents? **No.**

5. What will the grants cover? We understand that they will cover construction of lateral connections to the sewer system, but will there also be funding to cover a portion of the non-ad valorem property assessments? Are there any other things the grants will cover? **The grants will cover permits, construction of lateral connections, site restoration, and abandonment of septic systems.**

6. What are the eligibility criteria? **Income (80% of Monroe County median income); for owner-occupied housing, the home must be the primary residence of the applicant (normally evidenced by homestead declaration); current on taxes and mortgage.**

7. Once a completed application is received, how long will it take to determine that the applicant is eligible for funding? **Estimated 6 months.**

8. Once the determination of eligibility is made, how long will it take to make the funds available for the actual sewer connection? **The funds are available now.**

9. What is the maximum amount of the grant that can be made for a single-family home? **There is no pre-determined maximum.**

10. Will grant funding be made available to landlords who participate in the Section 8 low-income housing program? **Yes.**

11. Will grant funding be made available to landlords who commit to rent to low income renters, exclusively? **Yes.**

12. Will grant funding be made available to commercial properties, e.g., multi-family rental properties? **Yes.** What about non-residential properties? **No.**

13. How can we coordinate with you so that we know when Key Largo residents have applied for grants, when eligibility is determined, and when the residents have been found to be ineligible? **Monroe County will cooperate with the District.**

14. We understand the sensitivity of disclosing the names of applicants. However, in order for the Board to take action, such as deferring connection requirements, someone in the District will need to know the name and address of each applicant who applies for assistance, who is determined to be eligible, and who is rejected. Once the District receives the information, it will become a public record. Do you have any suggestions as to how to protect the privacy of applicants? **The names and addresses are public records.**

15. Please comment on the draft low-income resolution sent previously. I'm attaching it to this email as well. **Minor comments addressed in resolution.**
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Meeting

January 4, 2011
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular Meeting at 4:00 PM. Present were Chairman Robert Majeska, Commissioners Norman Higgins, Charles Brooks, Andrew Tobin, and Susie Hammaker. Also present were the General Manager Charles F. Fishburn, District Counsel Thomas Dillon, District Clerk Carol Walker, and other appropriate District Staff.

Commissioner Hammaker led the Pledge of Allegiance

APPROVAL OF AGENDA
Commissioner Tobin requested that F2, Pollution Legal Liability, be moved to discussion and he would like two items, Customer Service, and Perfect Construction under Commissioner’s Round Table. Commissioner Hammaker pulled the minutes off of the agenda. Commissioner Brooks would like Items G3, Appoint Deputy General Manager, and H5, General Manager’s Contract to be combined into one and made a discussion item. He will also talk about minutes under Commissioner’s Round Table. Chairman Majeska moved Item L16 to after the General Manager’s Report. He added and item on Non Interference under Commissioner’s Round Table. Chairman Majeska also pulled Items I9, Assessment Appeal Nelson Government Center, and I 10, Assessment Appeal Marr 100 be pulled from the Bulk Items. District Counsel, Thomas Dillon requested that Item L16, Resolution No. 25-12-10 be changed to discussion.

Motion: Commissioner Tobin made a motion to approve the agenda as amended. Commissioner Brooks seconded the motion.

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Motion passed 5 to 0
PUBLIC COMMENT
The following persons addressed the Commission:
Speaker; Sue Heim, Key Largo
Subject; Comments in newspaper about contractors and what should be in the minutes.

FINANCIAL REPORT
Pending Payments
An amended Pending Payments list was presented.

Motion: Commissioner Brooks made a motion to approve the Pending Payments of January 4, 2011 contingent upon the availability of funds. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 5 to 0

Pollution Legal Liability (Operations)
Debbie McAfee, of TR Jones, explained the need for the policy. Commissioner Tobin asked Ms. McAfee to find out if the policy covers State fines and penalties. He also would like to know the coverage available for homeowner damage.

The Board requested that Mr. Dillon look into the optional coverage available.

GENERAL MANAGER’S REPORT
47 Dolphin
Mr. Fishburn talked about the options for moving the pit on to the property line. The District will pay the owner $2,000 to help cover the connection cost.

LEGAL COUNSEL REPORT
RESOLUTION NUMBER 25-12-10
A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REGARDING MAINTENANCE OF THE COLLECTION SYSTEM AT CALUSA CAMPGROUND; AND PROVIDING AN EFFECTIVE DATE.

Mr. Dillon will talk to the attorneys for Calusa to determine a structure for a contract to do the maintenance for their collection system.
The following persons addressed the Commission:
Speaker; Jacob Gonzales, Key Largo
Speaker; Patricia Beskos

Subject: Calusa Campground financing
Subject: Calusa Campground’s cost to put system in.

COMMISSIONER’S ITEMS

General Manager’s Contract & Appoint Deputy General Manager
Commissioner Higgins stated that if Mr. Fishburn is not going to renew his contract at the end of April the Board should start considering who will be brought in to replace him.

Chairman Majeska asked if Mr. Fishburn is working for Islamorada and the District would it be a conflict of interest.

Mr. Dillon, District Counsel stated that there would be a conflict of interest if Mr. Fishburn works for Islamorada and continues to play a pivotal role in negotiation of the interlocal agreement or if his work for Islamorada interferes with his ability to perform services for the District.

Commissioner Tobin does not think that the District needs to replace Mr. Fishburn with a General Manager. He would like Mr. Fishburn to work until construction is completed.

Commission Brooks would like to put Ms. Blank in as Interim Manager with no plans to make the position permanent. He pointed out that she is currently Operations Manager.

Commissioner Hammaker feels it would be appropriate to have Ms. Blank as Deputy Manager.

Commissioner Higgins would like to know what hours Mr. Fishburn is planning on working.

Mr. Fishburn stated he is planning on supporting the Board Meetings and overseeing construction, working only three days a week.

Commissioner Brooks suggested that Mr. Fishburn work as General Manager for the next 30 days and that Mr. Fishburn prepare a list of what Margaret Blank can take over and what she is doing now. Commissioner Brooks would also like the process of how a construction contract is handled from start to finish. Commissioner Brooks then asked if there is Board consensus. Commissioner Higgins said yes. Commissioner Hammaker stated that Margaret Blank has two areas of expertise, Engineering and Construction and that she feels that Mr. Fishburn should shepherd Ms. Blank in that capacity. Chairman Majeska stated that the item should be talked about at the next transition meeting. Commissioner Brooks stated that he thought that there was a Board consensus to keep the status quo for the next 30 days until the end of January and Ms. Blank and Mr. Fishburn are going to work together on the issue and construction. Does anybody disagree on that? Commissioner Tobin stated it should be revisited in 30 days and maybe the solution is that Mr. Fishburn should be doing less construction and just be General Manager since Ms. Blank is doing 50% construction. He would like to see things sit for 30 days and bring back the item to the next transition meeting in February. Commissioner Brooks stated so we all
agree and Commissioner Tobin said yes and that it was deferred to the February 7 meeting. Commissioner Brooks again stated that they all agree and Commissioner Tobin said yes.

Grant Ad
Chairman Majeska passed out an ad. (See exhibit “A”)

Motion: Commissioner Brooks made a motion to place the ad in the next 4 editions of the Free Press and the Reporter. Commissioner Tobin seconded the motion.

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<th>Member</th>
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Motion passed 5 to 0

Thirty Day Notice
Commissioner Tobin requested that the line that says you will be billed in 30 days be changed to 60 days.

Commissioner Brooks would like to see numbers from the Chief Financial Officer, Sal Zappulla on how delaying the 30 Day Notice would affect the budget.

The Board left it to staff to determine when the 30 Day Notices should be set out.

Commissioner Brooks expressed concern over passing the Resolution No. 26-12-10 for refunds for Grant Applicants. He would like to establish a procedure with FKAA for processing refunds.

Synthia Lankford, Senior Finance Manager explained that the District has an Inter-Local Agreement with the FKAA that has an established procedure for processing credits within it.

BULK ITEMS
Assessment Appeal Nelson Government Center
Motion: Commissioner Tobin made a motion to approve Nelson Government Center Assessment Appeal. Commissioner Brooks seconded the motion.

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Motion passed 5 to 0
**Assessment Appeal Marr 100**

**Motion:** Commissioner Brooks made a motion to approve Marr 100 Assessment Appeal. Commissioner Higgins seconded the motion.

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Motion passed 5 to 0

**STATUS REPORTS**

*Package Plant Status Report*
Greg Mathews presented his report.

*Customer Service Status Report*
Synthia Lankford presented her report.

*Tie In Status Report*
Carol Walker presented her report.

*Operations Status Report*
Margaret Blank presented her report.

**ENGINEER’S REPORT**
Ed Castle presented his status report.

**COMMISSIONER’S ROUNDTABLE**

*Non Interference Ordinance (See Exhibit B)*
Chairman Majeska passed out a Non Interference Ordinance.

*Customer Service*
Commissioner Tobin would like follow up by sending out an email asking about their service or have phone follow up by someone other than customer service.

*Perfect Construction*
Commissioner Tobin would like the next 6 months of construction to be perfect.

**ADJOURNMENT**
The KLWTD Board adjourned the Board Meeting at 7:23 PM.
The KLWTD meeting minutes of January 4, 2011 were approved on January 18, 2011.

__________________________
Chairman Majeska

__________________________
Carol Walker, CMC
District Clerk
EXHIBIT "A"

Key Thacker, Key Largo
I have had 300 people have complained
about KLDTD plant and
the smell... it is amazing. Last
Tuesday evening around 9:30 PM
and there was a definite smell
witnessed by Arturo Robi
and myself. Also I was
just told that the phone company
is laying it really thick and
smells at the plant
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Jan. 18, 2011

[ ] PUBLIC HEARING

[x] DISCUSSION

[ ] GENERAL APPROVAL OF ITEM

[ ] Other:

SUBJECT: Monthly Projects Status Report

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager

Date: 1-13-11

 Originating Department: Weiler Engineering
 Costs: $
 Funding Source:

Department Review:

[ ] District Counsel
 [x] General Manager
 [ ] Finance

[ ] Engineering

[ ] Clerk

Attachments:

Advertised:

Date: ____________________

Paper: ____________________

[X] Not Required

Summary Explanation/Background: A representative from Weiler Engineering will give a verbal monthly status report.

Resulting Board Action:

[ ] Approved  [ ] Tabled  [ ] Disapproved  [ ] Recommendation Revised