KEY LARGO WASTEWATER TREATMENT DISTRICT
BOARD OF COMMISSIONERS
COMMISSION MEETING AGENDA

April 23, 2013 4:00 PM
98880 Overseas Hwy
Key Largo, FL 33037

Robert Majeska                  Chair
Andrew Tobin                    Vice Chair
Norman Higgins                   Secretary-Treasurer
Steve Gibbs                      Commissioner
David Asdourian                  Commissioner
Margaret Blank                   General Manager
Ray Giglio                       General 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. Speaker cards must be turned in before the meeting starts.
F. **BULK ITEMS**

1. Minutes of April 9, 2013
2. RESOLUTION NO. 11-04-13
   A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING DESIGNATION OF TWO TAX PARCELS AS PARCELS EXCLUDED FROM THE 2009 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE
3. RESOLUTION NO. 12-04-13
   A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF ONE TAX PARCEL FROM THE 2012 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
4. Snapper’s Restaurant EDU Reduction

G. **FINANCIAL REPORT**

5. Pending Payments

H. **COMMISSIONER’S ITEMS**

6. Laundromat Definition of (Commissioner Tobin)

I. **ENGINEER REPORT**

J. **OPERATIONS REPORT**

7. FDOT Update

K. **LEGAL COUNSEL REPORT**

L. **GENERAL MANAGER’S REPORT**

M. **COMMISSIONERS ROUNDTABLE**

N. **ADJOURNMENT**
TAB 1
KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: April 23, 2013
Agenda Item No. 1

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] ACTION ITEM
[ ] Other:

SUBJECT: Minutes of April 9, 2013

RECOMMENDED MOTION/ACTION: Approval

Approved by General Manager
Date: 4/18/2013

<table>
<thead>
<tr>
<th>Originating Department: Clerk</th>
<th>Costs: $0</th>
<th>Funding Source:</th>
<th>Attachments: Minutes</th>
</tr>
</thead>
</table>
| Department Review:          | [ ] Engineering  
[ ] District Counsel  
[ ] General Manager  
[ ] Finance | [ ] Engineering  
[ ] Clerk  
[ ] Operations | [X] Not Required |

Summary Explanation/Background:

Resulting Board Action:

☑ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Meeting

April 9, 2013
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a Commission Meeting at 4:00 PM. Present were Chairman Majeska, Commissioners Andy Tobin (4:12 PM), Norman Higgins, David Asdourian, and Steve Gibbs. Also present were the General Manager Margaret Blank, General Counsel, Ray Giglio, District Clerk Carol Walker, and other appropriate District Staff.

Bryan Conover led the Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Asdourian pulled the minutes from Bulk Items and added an item on emails. Chairman Majeska added an item on assessment refunds. The General Manager added a presentation by Victoria Messina, Water ReSource Technologies and an item on the April 23 meeting. General Counsel Ray Giglio added an item on legal updates.

Motion: Commissioner Asdourian made a motion to approve the agenda as amended. Commissioner Gibbs seconded the motion.

Vote on Motion

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<th>Member</th>
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Motion passed 4 to 0

PUBLIC COMMENT

Name & Address
Sue Heim, Key Largo

Subject
No longer trust Commission on comments on agenda items

EOne
Victoria Messian, Vice President Water ReSource Technologies

Ms. Messian explained what the company is about. It is a designed to fit company. The are currently working for the city of Stewart.
BULK ITEMS
RESOLUTION NO. 08-04-13
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF ONE TAX PARCEL FROM THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE

RESOLUTION NO. 09-04-13
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF THE CHURCH OF NAZARENE FOR REMOVAL OF FOUR TAX PARCEL FROM THE 2005 PRELIMINARY NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE

RESOLUTION NO. 10-04-13
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF ONE TAX PARCEL FROM THE 2009 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE

Assessment & Billing Adjustment AK #1577111

Motion: Commissioner Tobin made a motion to approve Bulk Items. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 4 to 1

Minutes of March 19, 2013

Commissioner Asdourian corrected his vote on Resolution No. 03-03-13, from a yes vote to a no vote. Commissioner Gibbs corrected the word lays to lanes on the top of page 2.

Motion: Commissioner Gibbs made a motion to approve the Minutes of March 19, 2013 as corrected. Commissioner Asdourian seconded the motion.

Vote on Motion

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Motion passed 5 to 0
FINANCIAL REPORT  
Flood Insurance Policy

Motion: Commissioner Gibbs made a motion to approve the Flood Insurance. Commissioner Asdourian seconded the motion.

Vote on Motion

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Motion passed 5 to 0

Pending Payments
Commissioner Gibbs stated he had reviewed the Pending Payments at the Staff meeting and was satisfied with them.

Motion: Commissioner Higgins made a motion to approve the Pending Payments of April 9, 2013 contingent upon the availability of funds. Commissioner Gibbs seconded the motion.

Vote on Motion

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Motion passed 5 to 0

BS&A Contract
The Board directed management to work out payment in two or three year payments.

Motion: Commissioner Higgins made a motion to approve the BS&A Contract. Commissioner Gibbs seconded the motion.

Vote on Motion

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Motion passed 5 to 0
COMMISSIONER’S ITEMS

Public Relations Position
Commissioner Gibbs discussed having a public relations person. The Board decided that a public relations person is not needed at this time.

Emails
Commissioner Asdourian discussed the mails coming in from staff over the last few weeks. He feels most of them were not necessary.

Rebate of Passed Assessment Charges
Chairman Majeska asked what amount of assessment and billing is refunded on EDU changes.

The rate resolution goes back 60 days to make a correction.

Staff was directed to contact PRMG and ask for an option on the financial impact of commercial refunds.

LEGAL COUNSEL REPORT

Coral Coast
Mr. Giglio stated that the association is requesting changes to the easement grant and he recommends against that. A few other changes will be brought back to the Board.

Mr. Giglio reported that the District’s Bill is coming up for a vote in the Legislation and it looks like it will pass.

Ray Giglio Contract
This item will be brought back on May 7th.

GENERAL MANAGER REPORT

KLWTD Conflict with FDOT Project
Dan Saus reported there is a problem with the placement of part of the Vacuum Main; it is in the wrong place.

Staff was directed to Contact Ed Castle and request a cost estimate on the required engineering.

Islamorada Report
Dan Saus reported that he attended the Islamorada coordination meeting and he reported the proposed construction.

April 23, 2013 Meeting
Chairman Majeska asked to cancel the April 23, 2013. The Board decided not to cancel the April 23, 2013 meeting.

COMMISSIONER’S ROUNDTABLE
Commissioner Asdourian does not like giving monies back to current property owners instead of the previous owners who paid the money.
Staff explained that the District makes an attempt to refund it to the person who paid it.

*White Rhino*
Use as meeting room. Bathroom is not handicap accessible. Cost to make it accessible is $12,000.

**ADJOURNMENT**
The KLWTD Board adjourned the Board Meeting 6:54 PM.

The KLWTD meeting minutes of April 9, 2013 were approved on April 23, 2013

__________________________
Chairman Majeska

__________________________
Carol Walker, CMC District Clerk
SUBJECT: Exemption of AK#1101541 – Purchased for Conservation

RECOMMENDED MOTION/ACTION: Approval of Staff Recommendation (See Summary/Background)

Summary Explanation/Background:
Parcel purchased by Monroe County Land Authority for conservation.
Staff recommends exemption for this parcel is granted in accordance with KLWTD Resolution 06-03-13.

Resulting Board Action:
☐ Approved   ☐ Tabled   ☐ Disapproved   ☐ Recommendation Revised
### Summary Explanation/Background:

Parcel purchased by Monroe County Land Authority for conservation.

Staff recommends exemption for this parcel is granted in accordance with KLWTD Resolution 06-03-13.

### Resulting Board Action:

- □ Approved  
- □ Tabled  
- □ Disapproved  
- □ Recommendation Revised
RESOLUTION NO. 11-04-13

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

WHEREAS, the Monroe County Comprehensive Plan Land Authority has
submitted documentation showing that the parcels described herein have been
purchased for conservation, and are not capable of being improved with facilities
that will generate wastewater; and

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

Section 1.
PARCEL ID: 00089680-000000
AK NO. 1101541
PARCEL DESCRIPTION: 27 62 38 ISLAND OF KEY LARGO PB 1-64 PT LOT 30
OR553-118 OR2248-662 OR2295-185/86

PARCEL ID: 00089700-000000
AK NO. 1101567
PARCEL DESCRIPTION: 27 62 38 ISLAND OF KEY LARGO PB1-64 PT LOT 30
OR365-695/96 OR566-458D/C OR640-937 OR871-1199
OR1581-333D/C OR1611-527/28 OR1906-1660D/C
OR2460-1846

Section 2.
The Key Largo Wastewater Treatment District Board of
Commissioners does hereby exclude the deleted tax parcels
designated above from the Key Largo Wastewater
Treatment District’s 2009 Non-ad Valorem Assessment in
accordance with the provisions and requirements outlined
in Resolution No. 06-03-13

Section 3.
APPLICABILITY AND EFFECTIVE DATE.
This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 23rd DAY OF APRIL 2013
The foregoing Resolution was offered by Commissioner, who moved its approval. The motion was seconded by Commissioner, and being put to a vote the result was as follows:

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<thead>
<tr>
<th>Commissioner</th>
<th>AYE</th>
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</table>

The Chairman thereupon declared Resolution No. 11-04-13 duly passed and adopted the 23rd day of April, 2013.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: __________________________
    Chairman Robert Majeska

ATTEST: Approved to as to form and legal sufficiency

______________________________  ______________________________
Carol Walker, District Clerk    District Attorney, Ray Giglio

SEAL
DISCLAIMER: The Monroe County Property Appraiser's Office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's Office cannot guarantee the accuracy of any data or information provided. Likewise, data provided with regard to prior years may not be applicable or applicable to any other purpose. Likewise, data provided regarding one tax year may not be applicable or applicable to any other purpose. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied upon for any other purpose.
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: April 23, 2013

Agenda Item No. 3

[ ] PUBLIC HEARING  [X] RESOLUTION

[ ] DISCUSSION  [ ] BID/RFP AWARD

[X] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Resolution 11-04-13 - Waiver of Wastewater Assessment - Diersing & Gladson - AK# 1692506

RECOMMENDED MOTION/ACTION: Approval of Staff Recommendation (See Summary / Background)

Approved by General Manager Date: 4/18/2013

Originating Department: Customer Service

Costs: $0
Funding Source: Acct. #

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

Attachments:
1. Map
2. Resolution
3. Request for Waiver
4. Waiver of Service and Acknowledgement of Potential Cost

Advertised:
Date: 
Paper: 
[X] Not Required

Summary Explanation/Background:

- Staff recommendation is to approve Resolution 11-04-13 to waive the wastewater assessment for AK# 1692506.

- It is the owner's request to waive the vacant lot from wastewater assessment, keeping the developed parcel AK# 1692514 as the serviced parcel.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

Prepared: 03/07/2012
Request for Wastewater Assessment Waiver or Exemption

All fields must be completed, unless indicated as optional, before the request will be reviewed.

Property Owner of Record: Diersing Bryant L & Nancy Gladson (H/W)

Name of Request Initiator: Bryant L. Diersing

Email (optional): diersing@bellsouth.net

Phone: 305-453-9387

PARCEL 1
RE/Parcel ID: 005654000000296040
Alternate Key: 1692506

Parcel Legal Description: Vacant Land Key Largo Blk 5 LI 9 Gulfstream Shores

PARCEL 2
RE/Parcel ID: Alternate Key:

Parcel Legal Description:

PARCEL 3
RE/Parcel ID: Alternate Key:

Parcel Legal Description:

☐ I request a WAIVER of wastewater assessment because I own a parcel that has been assessed, is serviced by central sewer and is adjacent to the parcel(s) referenced above. I understand that I will pay an administrative fee of $200 to process the waiver. (Fee is not due with the submission of this request form.) I further understand, should I later combine the parcels with Monroe County and the waived alternate key referenced above becomes the surviving alternate key for the combined parcel, the assessment will be transferrable to the surviving alternate key.

Alternate Key for Serviced Parcel: 1692514

☐ I request an EXEMPTION of wastewater assessment for the parcel(s) listed above for the reason(s) stated below:

Signature: ____________________________

Date: 3/28/2013

The completed request form may be mailed to the address below, faxed to 305-453-5807 or hand delivered to the District office located at 98880 Overseas Hwy, Key Largo, FL 33037.

Mailing Address: PO Box 491, Key Largo, FL 33037
RESOLUTION NO. 12-04-13
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF ONE TAX PARCEL FROM THE 2012 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District (hereinafter “District”) has determined that it will not provide wastewater infrastructure to serve the Tax Parcel shown in Section 1; and

WHEREAS, The District has previously levied Non-Ad Valorem Assessments for the Tax year 2012 for the Parcel shown in Section 1; and

WHEREAS, The District desires to cause refunds and/or credits to be made for all payments made on account of non-ad valorem assessments levied against the parcel;

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

Section 1.
PARCEL ID: 00565410-000000
AK NO.: 1692506
PARCEL DESCRIPTION: BK 5 LT 9 GULFSTREAM SHORES PB3-61 KEY LARGO OR531-928 OR541-127 OR811-2110 OR928-2373 OR1104-1532 OR1471-2331

Section 2. The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the deleted tax parcel designated above from the Key Largo Wastewater Treatment District’s 2012 Non-ad Valorem Assessment, provided that if the District in its sole discretion later provides Wastewater Service to any of the Excluded Parcels, the then-current owner(s) shall be required to pay to the District all direct and indirect costs and expenses, including, but not limited to, an amount fairly representing the special benefit that the Tax Parcel(s) will receive, as determined by the District. The amount charged at the time of later connection is expected to be significantly greater than the 2008 non-ad valorem assessment.

Section 3. The District hereby authorizes the Monroe County Tax Collector to credit the Tax Parcels shown in Section 1 with all payments received on account of them, following the Monroe County Tax Collector’s standard methodology as directed by the District.

Section 4. APPLICABILITY AND EFFECTIVE DATE. This resolution shall take effect upon adoption by the Board of Commissioners

RESOLVED AND ADOPTED THIS 23rd DAY OF APRIL 2013
The foregoing RESOLUTION was offered by Commissioner __________________, who moved its approval. The motion was seconded by Commissioner __________________, and being put to a vote the result was as follows:

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The Chairman thereupon declared Resolution No. 12-04-13 duly passed and adopted the 23rd day of April 2013

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY:__________________________
Chairman Majeska

ATTEST: Approved to as to form and legal sufficiency

__________________________
Carol Walker, District Clerk

__________________________
General Counsel, Ray Giglio

SEAL
KEY LARGO WASTEWATER TREATMENT DISTRICT

WAIVER OF WASTEWATER SERVICE

AND

ACKNOWLEDGEMENT OF POTENTIAL COSTS

THIS WAIVER of wastewater service and acknowledgement of potential costs is executed on the date(s) shown below:

WHEREAS, on August 21, 2012, the Key Largo Wastewater Treatment District ("District") adopted a Final Assessment Resolution levying non-ad valorem assessments against each of the Tax Parcels listed in Attachment A under and in accordance with Chapter 197.3632, Florida Statutes; and

WHEREAS, the purpose of the non-ad valorem assessments is to recover a portion of the costs of providing wastewater service to the Tax Parcels listed in Attachment A; and

WHEREAS, the undersigned are all of the owners of the Tax Parcels listed in Attachment A; and

WHEREAS, in order to induce the District to waive the non-ad valorem assessment against one or more of the Tax Parcels listed in Attachment A ("Excluded Parcels"), (1) the undersigned are certifying that the Tax Parcels listed in Attachment A are being utilized as a single parcel for development purposes, and that the undersigned do not intend to separate the parcels for development, and (2) the undersigned are waiving their right to receive wastewater service to the Excluded Parcels; and

WHEREAS, even though the Excluded Parcels will not receive wastewater service at this time, the Excluded Parcels will nevertheless receive a special benefit from construction by the District of wastewater collection, transmission, and treatment facilities, but relying on the representations above, the District is willing to forego an assessment against the Excluded Parcels at this time; and

WHEREAS, the District has advised the undersigned that, if they or their successors desire to have wastewater service provided to any of the Excluded Parcels the cost to the District, and the cost to the undersigned persons or their successors, of providing the service will be significantly greater than the costs of providing service at this time;

NOW, THEREFORE, in consideration of the premises and in further consideration of the promises below, the undersigned agree:

1. The undersigned certify that they are all of the owners, or legal representatives of all of the owners, of the Tax Parcels, as shown in the records of the Monroe County Property Appraiser, listed in Attachment A.

2. The undersigned certify that they desire to receive wastewater service to the Tax Parcel listed in Attachment A and designated as the Tax Parcel receiving wastewater service, and further hereby waive their right to receive wastewater to the Tax Parcel(s) listed in Attachment A and designated as Excluded Parcel(s).

3. The undersigned certify that the Tax Parcels listed in Attachment A are being utilized as a single parcel for development purposes, and that the undersigned do not intend to separate the parcels for development.
4. If the District later provides Wastewater Service to an Excluded Parcel, the then-current owner(s) shall be required to pay to the District an amount fairly representing the special benefit that the Tax Parcel will receive, as determined by the District. The undersigned understand and acknowledge that the amount charged at the time of later connection is expected to be significantly greater than the non-ad valorem assessment.

5. In reliance on the certifications and statements of the undersigned, the District will forego its right to impose the non-ad valorem assessment on the excluded parcels.

6. The District will advise the Monroe County Tax Collector to remove the assessment(s) against the Excluded Parcel(s). The District has been advised by the Monroe County Tax Collector that upon receipt of such advice, the Monroe County Tax Collector will issue amended tax bills reflecting the removal of the assessment(s) from the Excluded Parcels. If the assessment(s) have already been paid, the District will take steps to refund the amount(s) received by the District to the then-current owner(s) of the Excluded Parcels. However, the District will not be obligated to refund any amounts charged by the Monroe County Tax Collector for collecting the assessment(s).

7. The District acknowledges receipt of an administrative fee of $200.00.

8. The undersigned mortgagee(s) hereby consent to this waiver of wastewater service and acknowledgement of potential costs, and all of its terms.

9. This waiver and all of its terms shall be binding upon, and inure to the benefit of, the signatories, their successors and assigns, and all subsequent owners of the Tax Parcels listed in Attachment A, and each of them.

IN WITNESS WHEREOF, the undersigned, comprising all of the owners of the Tax Parcels listed in Attachment A have executed this waiver of wastewater service and acknowledgement of potential costs on the dates shown opposite their names.

Signed, Sealed and Delivered in the presence of these Witnesses (one of whom may be the Notary):

Sign: [Signature]
Owner or Co-Owner

Sign: [Signature]
Owner or Co-Owner

Sign: [Signature]
Witness

State of: FL

County of: Monroe

The foregoing instrument was acknowledged before me this 04-05-2013 (date), by [Bryant & Nancy Weisinger], who is personally known to me or who has produced FL DL (type of identification) as identification.

Notary Public

Commission Expiration Date

Key Largo Wastewater Treatment District
Waiver of Wastewater Service and Acknowledgement of Potential Costs
KLWTD Form F-10
WAIVER OF WASTEWATER SERVICE
AND
ACKNOWLEDGEMENT OF POTENTIAL COSTS
Attachment A

Tax Parcel receiving wastewater Service:

Alternate Key Number: 1692514
RE Number: 00565420-000000
Physical Location: 20 OCEAN DR KEY LARGO
Legal Description: BK 5 LT 10 GULFSTREAM SHORES PB3-61 KEY LARGO OR613-139
OR818-55 OR902-1711 OR971-205 OR983-529 OR1138-2142
OR1181-1428/30 OR1188-1723/25 OR1265-1475

Excluded Parcels:

Excluded Parcel

Alternate Key Number: 1692506
RE Number: 00565410-000000
Physical Location: VACANT LAND KEY LARGO
Legal Description: BK 5 LT 9 GULFSTREAM SHORES PB3-61 KEY LARGO
OR531-928 OR541-127 OR811-2110 OR928-2373
OR1104-1532 OR1471-2331
Snappers Restaurant is requesting an appeal after an irrigation meter was installed. Meter was installed over 12 months before customer request, giving KLWTD the required 12 months of water usage data. Water usage calculations revealed a new EDU assignment of 18.8 EDU.

Staff recommends an EDU reduction from 34.7 to 18.8 EDU.
Request for Review of Initial Pre-Payment amount or Monthly Base Charge and Adjustment of Fees and Charges for Wastewater Service

*Name: Swappers Restaurant  Date of Request: 2/26/13

*Service Address: 139 Seaside Ave  Key Largo, FL 33037
    
    This is a Residential Dwelling  This is a non-residential Dwelling

*Phone: 305-852-5956  Email: howie56@yahoo.com

Alternate Key (AK): 1608505  RE/Parcel ID: 004-92250-000000

FKAA Account No: 5191533,0000471  FKAA Meter No: 1823039954

*Reason for Request: I have installed an irrigation meter over a year ago and to show non-sewerage water usage and would like my EDU reduced

*A copy of your latest FKAA bill must be provided with this request

*Initial only one:

☑ I, the undersigned, certify that I am the OWNER of the parcel listed above and hereby request that the Key Largo Wastewater Treatment District (the District) review my current Equivalent Dwelling Unit (EDU) assignment for this property and that my assessment be adjusted accordingly as outlined in the District's Assessment Resolutions. I further request that my monthly base charge for wastewater services as billed monthly on my current water bill be adjusted to meet the new EDU assignment. I understand and accept that this review may result in an INCREASE of the EDU assignment for this property and if so, will result in an increase of my monthly base charge and assessment for the parcel.

☐ I, the undersigned, certify that I am the TENANT of the unit or parcel listed above and hereby request that the Key Largo Wastewater Treatment District (the District) review my current Equivalent Dwelling Unit (EDU) assignment and that my monthly base charge for wastewater services as billed monthly on my current water bill be adjusted accordingly. I understand that, should a change be required, the entire parcel and all current tenants' EDU assignments may also be reviewed at the District's discretion. I further understand and accept that this review may result in an INCREASE of the EDU assignment for this property and if so, will result in an increase of my monthly base charge and possibly, the assessment for the parcel.

*Signature  Date  2/26/13

"*" Denotes Required Fields
### Water Usage Calculations

**Notes/Comments:** Twelve months of water consumption is used to calculate EDU assignment after irrigation meter was installed.

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<th>Month</th>
<th>Exemption (All ex are rounded to nearest 0.0)</th>
<th>Monthly Consumption (Gal)</th>
<th>Monthly Consumption Removing Exemptions</th>
<th>Monthly Consumption With Mean Substitutions</th>
<th>Monthly Consumption 3 STD DEV Correction</th>
<th>Monthly Consumption 2 STD DEV Correction</th>
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**Average:** 80892

**Std Dev:** 17938.8082
AK: 1608505 / FKAA Acct: 534533-006471
DANCING BEAR PROPERTIES LLP
139 SEASIDE AVE
KEY LARGO, FL 33037-3892

For property located at: 139 SEASIDE AVE, KEY LARGO

Dear Customer,

This letter is your official notification for the findings of the review and recommended decision regarding the request for adjustment in the EDU assignment for the above referenced property. A review of water usage for the time period from 1/1/2012 to 12/31/2012, per Key Largo Wastewater Treatment District (KLWTD) Rate Resolution No 16-10-10, resulted in the findings below:

<table>
<thead>
<tr>
<th>EDU Assignment</th>
<th>Prior to Review</th>
<th>Adjusted</th>
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</thead>
<tbody>
<tr>
<td>Monthly Wastewater Base Charge</td>
<td>$1,165.92</td>
<td>$631.68</td>
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</tbody>
</table>

(On FKAA Bill: EDU Assignment X $33.60)

Wastewater monthly base charges billed on or after 12/28/2012 (sixty days prior to date review request was submitted) will be based on the adjusted EDU assignment of 18.8 EDUs. Future wastewater monthly base charges will be adjusted accordingly.

As is mandated by KLWTD Rate Resolution No 16-10-10, this recommended decision will be presented to the KLWTD Board of Commissioners for review and approval, tentatively at the first Board of Commissioners regular meeting after 30 days from the date of this letter (please contact the District Clerk for confirmation of meeting date at 305-451-4019 ext 205 or at carol.walker@klwtd.com.) If you agree with the findings of this review, no further action is required. However, should you choose, it is your right to have a public hearing before the Board of Commissioners where you may submit any evidence that you have disputing these findings. To do so, you must notify the District Clerk within 15 calendar days of the date of this letter.

Please contact me at (305) 451-4019 ext 210 or diane.oberheu@klwtd.com, should there be further questions.

Sincerely,

Diane Oberheu
Assessment Coordinator
Key Largo Wastewater Treatment District

Margaret Blank
General Manager
Key Largo Wastewater Treatment District

CC: KLWTD Commissioners

(Enclosure - KLWTD FI-1)
AK: 1608505
DANCING BEAR PROPERTIES LLP
139 SEASIDE AVE
KEY LARGO, FL 33037-3892

For property located at: 139 SEASIDE AVE, KEY LARGO

Dear Property Owner:

In accordance with the Key Largo Wastewater Treatment District’s (KLWTD) Resolution No 63-08-12 (2012 Final Assessment Resolution), a review of your Wastewater Assessment was conducted (in response to your request received February 26, 2013) for the parcel listed above. This letter is your official notification for the findings of this review and recommended decision that will be presented to the KLWTD Board of Commissioners for action and your rights pertaining to these findings.

The 2012 Final Assessment Resolution dictates that your “Equivalent Dwelling Unit” (EDU) assignment be based upon a

"...review [of] the available FKAA metered water consumption (in gallons) for the Tax Parcel during the thirty-six consecutive months immediately prior to the year in which the calculation is made." The Resolution further explains that “The District will identify the highest three consecutive months in that period, and calculate their average. The District will divide the resulting average by 5,010, and round the quotient up to the next one-tenth. In no case will the number of EDU’s assigned to the parcel be less than 1.0.”

Using this formula, a revised study of your water usage was conducted and the following determination has been made:

<table>
<thead>
<tr>
<th>EDU Assignment</th>
<th>Prior to Review*</th>
<th>Adjusted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>34.7</td>
<td>18.8</td>
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</tbody>
</table>

*Based on current outstanding assessment balance.

As is mandated by the 2012 Final Assessment Resolution, this recommended decision will be presented to the Key Largo Wastewater Treatment District Board of Commissioners for review and approval tentatively at the first Board of Commissioners regular meeting after 30 days from the date of this letter (contact the District Clerk for confirmation of meeting date at 305-451-4015 ext 205 or at carol.walker@klwtd.com). If you agree with the findings of this review, no further action is required. However, should you choose, it is your right to have a public hearing before the Board of Commissioners where you may submit any evidence that you have disputing these findings. To do so, you MUST notify the District Clerk within 15 calendar days of the date of this letter. Should the Board of Commissioners accept these recommendations by majority vote, your 2013 non-ad valorem tax assessment will be calculated using the adjusted EDU assignment reflected above.

Please direct questions to the KLWTD Assessment Coordinator at 305-451-4019 ext 210 or via email diane.oberheu@klwtd.com.

Sincerely,

Diane Oberheu
Assessment Coordinator
Key Largo Wastewater Treatment District

Margaret Blank
General Manager
Key Largo Wastewater Treatment District

CC: KLWTD Commissioners

Revised: 10/04/2012
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: April 23, 2013

Agenda Item No. 5

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] GENERAL APPROVAL OF ITEM
[ ] CONSENT AGENDA

SUBJECT: Pending Payments/Report of Cash, Revenues and Expenditures

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

Approved by General Manager __________________________ Date: 4/18/2013

Originating Department: Finance

Costs: $138,054.76

Funding Source:

Acct. # see attached

Department Review:

[ ] District Counsel ________
[ ] General Manager ________
[X] Finance ________

[X] Engineering______

[] Clerk______

Attachments: Report of Cash, Revenue & Expenditures Schedule

Advertised:

Date: ____________

Paper: ____________

[X] Not Required

Yes I have notified everyone___________

or

Not applicable in this case___________:

Please initial one.

Summary Explanation/Background:

Report of Cash, Revenues and Expenditures for Board review and approval contingent upon availability of funds.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised
Consolidated Cash in Banks at 3/31/2013

BB&T General Operating Account (reconciled) $4,195,299.94
BB&T Payroll Account (reconciled) $292,936.16
Capital Bank Operating Account (reconciled) $230,728.55
Community Bank of Florida Operating Account (reconciled) $10,005.23
Petty Cash Account - Hurricane Emergency $0.00

Total Operating Accounts $4,728,969.88

Operating Revenues

Misc. Deposits $875.00

* Total Current Deposits: $875.00

* Bank Acct Balances + Deposits: $4,729,844.88

Less Expenditures April 23, 2013 Payments (see next page) $138,054.76

* Cash Balance after April 23, 2013 payments $4,591,790.12

* Electronic Deposits During Pending Payment Period April 5 through April 17, 2013 Will Be Reported On Next Pending Payments
Key Largo Wastewater Treatment District  
Pending Payments (Report of Cash, Revenues & Expenditures) for the period April 5 through April 17, 2013

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<td>State of Florida, Dept of Transportation: State Road #5 Deposit for Engineer Srvc</td>
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<td>Florida Keys Aqueduct Authority: March 2013 Wastewater Billing: 9,270 accounts</td>
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Approved for payment

Reoccurring Invoices/Cks >10K paid this RCRE period:

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Acting Chairman Andrew Tobin

Norman Higgins, Secretary/Treasurer

Date
KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: April 26, 2013
Agenda Item No. 0

[ ] PUBLIC HEARING  [ ] RESOLUTION
[X] DISCUSSION  [ ] BID/RFP AWARD
[ ] ACTION ITEM  [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Laundromat Definition

RECOMMENDED MOTION/ACTION:

Approved by General Manager
Date: 4/18/2013

Originating Department: Commissioner Tobin
Costs: $
Funding Source:

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

[ ] Engineering
[ ] Clerk
[Operations]

Advertisements:
Date:
Paper:
[X] Not Required

Summary Explanation/Background: Commissioner Tobin would like to discuss the following definition:
Laundromat: A Stand Alone facility opened to the public and accessible (7 days per week during normal business hours) and is not part or a hotel or RV Development shall be assessed 1 EDU.

Laundromats that are part of a hotel, motel, or RV Development shall be assessed in the same manner as a commercial development.

Laundromats that are part of a residential development shall be deemed to be an assessor to the residential development and shall not be separately assessed.

Resulting Board Action:

☑ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
Meeting Date: April 23, 2013

[ ] PUBLIC HEARING
[X] DISCUSSION
[ ] ACTION ITEM
[ ] Other:

SUBJECT: FDOT Update

RECOMMENDED MOTION/ACTION:

Approved by General Manager: [Signature]

Date: [Date]

Originating Department: Operations Manager
Costs: $0
Funding Source:

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

[ ] Engineering
[ ] Clerk
[Operations]

Advertisements:

Date: [Date]
Paper: [Paper]

Not Required

Summary Explanation/Background: Dan Saus will give an update.

Resulting Board Action:

☐ Approved
☐ Tabled
☐ Disapproved
☐ Recommendation Revised