Key Largo Wastewater Treatment District
Board of Commissioner's Meeting
Tuesday, August 11, 2015
4:00PM

AGENDA

Board of Commissioners Meeting
98880 Overseas Highway
Key Largo, FL 33037

A. CALL TO ORDER
B. PLEDGE OF ALLEGIANCE
C. ROLL CALL

BOARD MEMBERS:
David Asdourian       Chairman
Andrew Tobin         Vice Chairman
Robert Majeska       Commissioner
Norman Higgins       Commissioner
Stephen Gibbs       Commissioner

DISTRICT STAFF:
Paul Christian       General Manager
Ray Giglio           General Counsel
Katherine Jackson   District Clerk

MISSION STATEMENT:
"The Mission of the Key Largo Wastewater Treatment District is to preserve and protect the delicate ecosystem of the Florida Keys while providing exceptional customer service."
D. AGENDA ADDITIONS, CORRECTIONS OR DELETIONS
   1. Approval of Agenda
   2. Recognize District Staff

E. PUBLIC COMMENT

F. APPROVAL OF MINUTES OF PREVIOUS MEETINGS
   1. Minutes of August 4, 2015

G. OPERATIONS REPORT

H. ENGINEER’S REPORT

I. ADMIN / CUSTOMER SERVICE REPORT
   1. Administrative Building Progression Timeline
   2. Code Compliance – August 2015

J. LEGAL REPORT
   1. Public Records Request Presentation

K. BUDGET AND FINANCE REPORT
   1. FY2016 Budget Planning: Staffing Plan
   2. Proposed Changes to District’s Deferred Compensation Retirement Plan

L. GENERAL MANAGER’S REPORT

M. COMMISSIONER’S ITEMS / ROUNDTABLE
   1. Memo from Commissioner Tobin

N. ADJOURNMENT

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

Meeting Date: August 11, 2015

Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion
Recommended Action: Action: Approval

Department: Legal
Sponsor: Ray Giglio

Subject: Minutes of August 4, 2015

Summary of Discussion:

Reviewed / Approved

Operations: 
Administration: 
Finance: 
District Counsel: 
District Clerk: 
Engineering: 

Financial Impact

Operations: $ 
Finance: Funding Source: 
District Counsel: 
District Clerk: 
Engineering: 

Attachments
Minutes of August 4, 2015

Approved By: _______________________________ Date: 8/12/2015
General Manager
MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on August 4, 2015. Present were Chairman David Asdourian, Commissioners Stephen Gibbs, Norman Higgins, and Andrew Tobin. Commissioner Robert Majeska attended via teleconference. Also present were General Manager Paul Christian, Chief Information Officer Rob Bulkiewicz, General Counsel Ray Giglio, Finance Manager Connie Fazio, Operations Manager Daniel Saus, Ed Castle with Weiler Engineering, acting District Clerk Katherine Jackson, and other appropriate District Staff.

Commissioner Steve Gibbs led the pledge of allegiance.

AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- General Manager Paul Christian added an updated change order for Dave Boerner Architect, P.A.
- Mr. Christian added a plan for the Operations Manager search.
- Mr. Christian added a verbal update of plant security.

APPROVAL OF AGENDA

Motion: Commissioner Gibbs made a motion to approve the agenda as amended, and Commissioner Higgins seconded the motion. The motion passed without objection.

PUBLIC COMMENT

Name and Address | Subject
---|---
Phil Burkard | District’s Sewering Plan for Manatee Bay
800 Morris Ave |
Sue Heim | Proposed Changes to Deferred Compensation Retirement Plan
Key Largo |
Ken Larrivee | Ken Larrivee – Lake Surprise II/ Paradise Point
Patriot Property Services |

Mr. Burkard expressed his concerns about the Manatee Bay sewering project; and he asked the Board to provide feedback on the District’s intended course of action. General Manager Paul Christian updated the Board on the difficulties associated with acquiring property for a wastewater treatment facility at that location and reviewed the terms of Draft Resolution No. 19-07-05, which outlined the conditions under which the District would give further consideration to
extending its wastewater service area to include Monroe Park and the Manatee Bay Club. Chairman Asdourian informed Mr. Burkard that the project is currently on hold.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of July 21, 2015

Motion: Composer Higgins made a motion to approve the Minutes of July 21, 2015, and Commissioner Majeska seconded the motion. The motion passed without objection.

OPERATIONS REPORT

Review of Water Reuse Requirements

Mr. Daniel Saus presented to the Board a memo outlining water reuse requirements.

Commissioner Gibbs expressed his view that there is a growing need for water reuse and that eventually it will be necessary to recycle—especially during droughts. Commissioner Majeska suggested that it would be more prudent for the District to hold off on reuse until large-volume customers have expressed an interest in purchasing reuse water.

Mr. Saus and Mr. Castle answered questions from the Board.

CONSTRUCTION REPORT

Construction Progress Report

Mr. Daniel Saus gave an update to the Board on the current status of current construction projects at the District and answered questions from the Board.

Change Order No. 5 – Wharton-Smith for Biosolids Digester Project

Mr. Daniel Saus presented Change Order No. 5 to the Board. He explained that, due to the drought, the Aqueduct Authority has lowered the water pressure and that the pump is needed to raise that pressure so that the system will function without problems. Mr. Saus also stated that the change order covered both the purchase and the installation of the equipment, and he answered questions from the Board.

Motion: Commissioner Gibbs made a motion to approve Change Order No. 5 – Wharton-Smith for Biosolids Digester Project. Commissioner Higgins seconded the motion.
Vote on Motion

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<thead>
<tr>
<th>Member</th>
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<th>Other</th>
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<td>Chairman Asdourian</td>
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Motion passed 5 to 0

ADMIN / CUSTOMER SERVICE REPORT

Administration Building Progression Timeline

Mr. Rob Bulkiewicz reported that Phase 2 of the Administration Building renovation project — column removal—is nearing completion. He informed the Board that the Phase 3 — Remodel — bid documents should be ready by Friday of this week, and answered additional questions from the Board.

BUDGET AND FINANCE REPORT

FY 2015 3rd Quarter Financial Report

Mrs. Connie Fazio presented the 3rd Quarter Financial Report, and Mr. Fazio addressed questions from the Board.

Proposed Changes to Deferred Compensation Retirement Plan

Ms. Sue Heim made a public comment regarding her feelings on the District spending more of ratepayer's money on employee retirement. Ms. Heim also shared her opinion on the budget formulation Mrs. Connie Fazio used.

Mr. Paul Christian stated that this recommendation was brought before the Board because some of the Commissioners wanted to explore the retirement options for the District, and that raising the District match under the 457(b) plan from 3% to 6% was the most cost effective option.

Mrs. Fazio presented the plan and numbers to the Board, and answered questions.

GENERAL MANAGER’S REPORT

The Florida Keys Environmental Stewardship Act 2016

Mr. Paul Christian informed the Board of the County’s intent to re-introduce a bill drafted last year that would bring $500M to the Keys for various environmental projects (including wastewater). Mr. Christian reminded the Board of a meeting with Representative Holly Raschein on Wednesday, August 5, 2015 at the Marathon Government Center.
Commissioner Gibbs stated that he was planning on going to the meeting hosted by Representative Raschein. Mr. Christian informed the Board that if any of the other Commissioners would like to go, the meeting has been advertised in advance as an open meeting under the Sunshine Law.

Mr. Christian answered questions from the Board.

*Updated Change Order for Dave Boerner Architect, P.A.*

Mr. Paul Christian presented to the Board the updated architect change order, and informed the Board that Architect Dave Boerner was available to answer questions.

Mr. Boerner presented his updated change order to the Board and answered questions.

Mr. Christian advised the Board that if more work is assigned to Mr. Boerner, the District will see additional invoices.

**Motion:**  Commissioner Higgins made a motion to approve the Updated Change Order for Dave Boerner Architect, P.A. Commissioner Tobin seconded the motion.

**Vote on Motion**

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

**LEGAL REPORT**

*Public Hearing to Consider a Resolution to Amend Section 10.09, 10.13, and Article XIII of the KLWTD Rules and Regulations – 5:00 PM*

**Public Meeting Closed: 5:00 PM**

Chairman Asdourian closed the regular meeting and opened the Public Hearing to Consider a Resolution to Amend Section 10.09, 10.13, and Article XIII of the KLWTD Rules and Regulations. There were no public comments made regarding the changes to the Rules and Regulations. Chairman Asdourian closed the Public Hearing and reopened the regular meeting.

**Regular Meeting Reconvened: 5:01 PM**

**Motion:**  Commissioner Higgins made a motion to accept the Resolution to Amend Section 10.09, 10.13, and Article XIII of the KLWTD Rules and Regulations. Commissioner Majeska seconded the motion.
Vote on Motion

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Motion passed 5 to 0

Public Hearing to Consider the KLWTD 2015 Assessment Resolution – 5:00 PM

Public Meeting Closed: 5:02 PM

Chairman Asdourian closed the regular meeting and opened the Public Hearing to Consider adoption of the KLWTD 2015 Assessment Resolution. There were no public comments made regarding the proposed resolution. Chairman Asdourian closed the Public Hearing and reopened the regular meeting.

Regular Meeting Reconvened: 5:04 PM

Motion: Commissioner Gibbs made a motion to accept and adopt the KLWTD 2015 Assessment Resolution. Commissioner Higgins seconded the motion.

Vote on Motion

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<td>Chairman Asdourian</td>
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Motion passed 5 to 0

GENERAL MANAGER’S REPORT

Plan for Operations Manager Search

Mr. Paul Christian presented a plan for the new Operations Manager search. Mr. Christian informed the Board that he, Mr. Daniel Saus, Mr. Ed Castle, and Ms. Kim Carpenter will all be involved in the search for potential candidates.

Commissioner Tobin expressed his concern that the position might not garner enough attention to bring in a well-qualified candidate. Commissioner Tobin also stated that he would like to see
notes from the preliminary interviews that take place, and would even like to meet the candidates.

Commissioner Gibbs expressed his view that the search committee should deal with the preliminary candidates, and that the Board should only meet the most qualified applicants.

Commissioner Majeska expressed his opinion that the Board should be active in the decision making procedure and should follow the process used in hiring District Counsel Ray Giglio.

Chairman Asdourian expressed his concern about the Board putting too much pressure on the search committee to meet the new candidates.

Mr. Castle suggested that the District needs to focus on finding qualified candidates for the Operations Manager Position first, and that the search committee can figure out the rest of the details after that.

Mr. Christian answered questions from the Board.

Plant Security

Mr. Paul Christian gave a brief oral update on plant security. He advised the Board that that the recently-issued ID badges now control gate access and that the security guard is now on duty only 12 hours per day – from 6 AM to 6 PM.

Mr. Christian answered questions from the Board.

COMMISSIONER'S ROUNDTABLE

Ken Larrivee – Lake Surprise II/Paradise Point

Mr. Ken Larrivee made a public comment regarding the failed gate footer at Lake Surprise II/Paradise Point. Mr. Larrivee stated that the gate had been repaired on two separate occasions by Redland Construction, that the gate failed both times, and that that he feels KLWTD has an obligation to correct this situation.

Mr. Ray Giglio outlined the “Doctrine of Latches” and indicated that he needed to conduct research and to review the case in order to make a well-informed legal decision.

Commissioner Gibbs requested Mr. Larrivee forward all documentation over which he has control to Mr. Giglio for review.

The Board decided to postpone any decisions on this item pending review of the documentation from Mr. Larrivee.

Staff and Mr. Larrivee answered questions from the Board.

Mr. Giglio will bring this item back at a future meeting.
EXTENSION: 6:00PM

Motion: Commissioner Gibbs made a motion to extend the meeting 30 minutes and Commissioner Higgins seconded the motion. The motion passed without objection.

ADJOURNMENT

The Meeting was adjourned at 6:06 PM.

__________________________________________
David Asdourian, Chairman

__________________________________________
Katherine Jackson, Clerk
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: August 11, 2015

Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion
Recommended Action: Discussion

Department: Admin /Customer Service
Sponsor: Rob Bulkiewicz

Subject:

**Administrative Building Progression Timeline**

Summary of Discussion:

Staff will give an update on our project schedule for the new administration building located at 103355 Overseas Highway, including construction cost estimates.

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<th>Financial Impact</th>
<th>Attachments</th>
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<td>Operations:</td>
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<td>103355 Overseas Hwy Project Schedule</td>
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<td>Finance:</td>
<td>Funding Source:</td>
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<td>District Counsel:</td>
<td>Budgeted: N/A</td>
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<td>District Clerk:</td>
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<tr>
<td>Engineering:</td>
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Approved By: General Manager  
Date: 8/7/2015
103355 Overseas Highway Project Schedule
All dates subject to change

Demolition | Award at Board Meeting
6/2/2015

Demolition | Demolition Period
6/8/2015 - 6/12/2015

Column Removal | Bid period
5/18/2015 - 6/4/2015

Column Removal | Award Change Order at Board Meeting
6/16/2015

Remodel | Remodel Start
10/13/2015

Remodel | Color Board
7/14/2015

Remodel | Column Removed
8/21/2015

Remodel | Award at Board Meeting
8/25/2015

Remodel | Construction
10/13/2015 - 1/18/2016

Move In Day
1/25/2016
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date:
August 11, 2015

Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion

Department: Admin /Customer Service
Sponsor: Rob Bulkiewicz

Subject: Code Compliance - August 2015

Summary of Discussion:
List of properties to be turned over to Code Compliance in August 2015.

Reviewed / Approved
Operations: 
Administration: 
Finance: 
District Counsel: 
District Clerk: 
Engineering: 

Financial Impact
Operations: $
Finance: Funding Source:
District Counsel: Budgeted:
District Clerk: N/A
Engineering: 

Attachments
Code Compliance List

Approved By: General Manager
Date: 8/12/2015
## Code Compliance List
### August 2015

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<td>COHER AND COHER INVESTMENT CO LTD</td>
<td>Second Notice to Connect 4/7/2015</td>
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<td>103100 OVERSEAS HWY UNIT: 1-10 Cross Key Square</td>
<td>Final Notice to Connect 5/26/2015</td>
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<td>LARGO EAST LLC</td>
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<td>42 GUMBO LIMBO AVE</td>
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<td>TOBICZYK GARY F AND VALERIE A</td>
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<tr>
<td>117 TWEEDY PIE TER</td>
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Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: August 11, 2015
Agenda Item Number: J-1

Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion
Recommended Action: Discussion

Department: Legal
Sponsor: Ray Giglio

Subject:
Public Records Request Presentation

Summary of Discussion:

Reviewed / Approved
Operations: 
Administration: 
Finance:
District Counsel:
District Clerk:
Engineering:

Financial Impact

Financial Impact

Funding Source: 
Budgeted: N/A

Attachments

Approved By: General Manager
Date: 8/17/2015
FY2016 Budget Planning: Staffing Plan

Summary of Discussion:

The KLWTD staffing plan and organizational chart for Fiscal Year 2016 will be presented to the board for review.
Key Largo Wastewater Treatment District
FY16 Organizational Chart and Staffing Plan

Board of Commissioners
- Vice Chair
- Secretary / Treasurer
- Chairperson
- Commissioner
- Commissioner

District Engineer
- Operations Manager

General Manager

Legal Counsel

District Clerk

Sr Finance Manager

Finance

Operations
- WWT Plant Operator I (A)
- WWT Plant Operator II (B) (2)
- WWT Plant Operator II (C) (2)
- WWT Plant Operator Apprentice

- Collections / Maintenance Supervisor
  - Lead Cross-Training Tech (x2)
  - Maintenance Mechanic (x2)
  - Collections Inspector (x2)

- SCADA / I&C Technician
- Administrative Assistant
- Construction Project Administrator
- Construction Inspector

- Lead System Tech (x4)
- System Tech (x2)

- *Senior Lead Technician

- WWT Plant Operator II (B) (2)
- Lead Maintenance Mechanic (x2)
- Collections Inspector (x2)
- *Senior Lead Technician

CIO
- Human Resources Coordinator
- Construction Project Administrator
- Records Custodian
- Senior Desktop Analyst
- Billing / Assessment Coordinator
- IT Administrator
- Custodian
- Financial Analyst

District Engineer
- Operations Manager

General Manager

Legal Counsel

Maintenance
- System Tech (x2)
- Maintenance Mechanic (x2)
- Collections Inspector (x2)
- Lead Cross-Training Tech (x2)
- Lead System Tech (x4)
- *Senior Lead Technician

*Not budgeted in FY2016
----- = Indirect report
------ = Direct report

August 6, 2015
## KLWTD FY2015 Staffing Summary

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**Total Estimated** $2,408,879.86

**Total Budget** $2,709,593.23

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## KLWTD FY2016 Proposed Staffing Summary

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<td>$767,605.39</td>
<td>$251,854.02</td>
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<td>$158,972.29</td>
<td>$282,860.28</td>
<td>-$123,887.99</td>
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<td><strong>KLWTD TOTAL</strong></td>
<td><strong>38</strong></td>
<td><strong>$2,151,313.07</strong></td>
<td><strong>$671,281.51</strong></td>
<td><strong>$2,822,594.58</strong></td>
<td><strong>$2,709,593.23</strong></td>
<td><strong>$113,001.35</strong></td>
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**Total Estimated** $2,822,594.58

**Total Budget** $2,709,593.23

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### KLWTD FTE Departmental Details:

#### Administration Department
- Net reduction of 1.7 employees (Management Consultant and Administrative Assistant) and 1 position allocation (Custodian 30%)

#### Plant
- 2 additional positions (Plant Operator B and Plant Operator Apprentice) and 4 position allocations (Operations Manager 50%, SCADA Tech 40%, Administrative Assistant 20%, Custodian 10%)

#### Collections
- 1 additional position (System Tech) and 4 position allocations (Operations Manager 50%, SCADA Tech 60%, Administrative Assistant 50% and Custodian 30%)

#### Construction
- Net reduction of 2 employees (Construction Inspector positions), and position allocation (Operations Manager 10%)
### Key Largo Wastewater Treatment District
#### FY16 Non-exempt Pay Scale (hourly)

<table>
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<th>PAY GRADE</th>
<th>0 - 6 months</th>
<th>6 mths - 1 year</th>
<th>&lt;2 years</th>
<th>&lt;3 years</th>
<th>&lt;4 years</th>
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<th>&lt;7 years</th>
<th>&lt;8 years</th>
<th>&lt;9 years</th>
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<th>10+ years</th>
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HR-NEPS Form July 28, 2015
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: August 11, 2015
Agenda Item Number: K-2

Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion
Recommended Action: Action: Approval

Department: Sponsor:
Finance Connie Fazio

Subject: Proposed Changes to District's Deferred Compensation Retirement Plan

Summary of Discussion:
Per the Board's request at the August 4, 2015 meeting, we have brought this item back.

Reviewed / Approved Financial Impact Attachments
Operations: _______ $ 127,502.00 Memo regarding plan and budgetary impact
Administration: _______
Finance: CF Funding Source: Rate Revenue
District Counsel: _______
District Clerk: _______
Engineering: _______

Approved By: _________________________ Date: 8/17/2015
General Manager
August 6, 2015

To: K LWTD Board
From: Connie Fazio
CC: Paul Christian

Subject: District 457(b) Deferred Compensation Plan Update Recommendations

In an effort to enhance and increase the benefits of our deferred compensation plan in Fiscal Year 2016, staff asks the Board to consider a change to the District 457(b) deferred compensation plan match from 50 percent to 100 percent up to the first 6 percent of compensation deferred.

Since January 2013, the District has offered a District match to the 457(b) program of 50 percent of 6 percent of employee's contribution up to a maximum of 6 percent (3 percent District match). Currently 83 percent of KLWTD employees participate in the 457(b) program.

An assessment of local governmental entities shows that a majority of the other utilities offer a one to one match. This change would provide a more robust retirement option for employees and would contribute to an increased retention rate and a more attractive benefit package for prospective new employees.

**Current Financial Impact: Fiscal Year 2015:**

Amount budgeted for 457(b), including expected District match and administrative fees: $63,178

(This current budgeted amount assumes that all KLWTD employees will choose to contribute at least 6 percent of their gross wages, which would support the maximum District match of 50 percent of 6 percent.)

Estimated FY15 Total Expenses: $35,000

**Expected Financial Impact: Fiscal Year 2016: (with recommended changes):**

Based on the computation methodology stated above, that all KLWTD employees will choose to contribute at least 6 percent of their gross wages, and a 100 percent employer match, the projected budget amount for Fiscal Year 2016 (Oct. 1, 2015– Sept. 30, 2016), is $127,502.

In summary, this recommended change will be beneficial to employees without a major impact on the overall FY16 budget.

Respectfully submitted,

Connie Fazio
Senior Finance Manager

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Connecting is an improvement in environmental balance.
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: August 11, 2015
Agenda Item Number: M-1

Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion
Recommended Action: Action: Approval

Department: Commissioner's Item
Sponsor: Andrew Tobin

Subject:
Memo from Commissioner Tobin

Summary of Discussion:

Reviewed / Approved
Operations: 
Administration: 
Finance: 
District Counsel: 
District Clerk: 
Engineering: 

Financial Impact
$ Funding Source:

Attachments
Memo from Commissioner Tobin

Budgeted: N/A

Approved By: General Manager
Date: 8/11/2015
To: District Clerk Katherine Jackson  
From: Commissioner Andrew Tobin  
Date: August 6, 2015  

Re: Agenda for August 11, 2015

Please add the following to the Agenda for Action.

Whether to reprimand General Manager Paul Christian for conduct unbecoming a General Manager of the Key Largo Wastewater District based on the following incidents, to wit:

1) On June 2, 2015, Mr. Christian, in writing deliberately failed to provide information to a Commissioner concerning the reason for a proposed salary increase to a member of the Senior Staff. Mr. Christian later provided the information (five hours later) but only after the District Counsel advised him it was his duty to provide the information.

and

2) On June 3, 2015, at a meeting with Mr. Christian and District Counsel Ray Giglio for the express purpose of understanding the reason for proposed salary increases, Mr. Christian failed to provide information concerning an alleged "problem" related to the performance of the District's Operations Manager. Mr. Christian informed the Commissioner that he would not disclose the "problem" unless the Commissioner promised the information would not be repeated. When the Commissioner advised Mr. Christian that it was his duty to keep Commissioners informed and that his contract expressly required him to disclose such information, Mr. Christian changed his story, and advised the Commissioner there were "no problems."

Subsequently, Mr. Giglio confirmed the "problem" was that Mr. Christian blamed the Operations Manager for acid damages to one of the tanks.

Recommendation: A public reprimand is necessary for the proper administration of the District.