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."
Please mute cell phones
After each report, staff will give a verbal update and be available for questions

D. AGENDA ADDITIONS, CORRECTIONS OR DELETIONS
1. Approval of Agenda

E. PUBLIC COMMENT

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

G. OPERATIONS REPORT

H. ENGINEER'S REPORT

I. ADMIN / CUSTOMER SERVICE REPORT
1. Administrative Building Progression Timeline
2. Code Compliance – September 2015
3. 2015 Non-Ad Valorem Assessment Update

J. LEGAL REPORT
1. Resolution Denying the Appeal of Geoffrey Bailey
   RESOLUTION DRAFT NO. 23-09-15
   A RESOLUTION OF THE BOARD OF COMMISSIONERS
   OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT,
   DENYING THE APPEAL OF GEOFFREY BAILEY TO HAVE HIS PARCEL
   INCLUDED IN THE DISTRICT'S UNIQUE PROPERTY PROGRAM; AND
   PROVIDING FOR AN EFFECTIVE DATE
2. Administrative Appeals Procedure Resolution
   RESOLUTION DRAFT NO. 24-09-15
   A RESOLUTION OF THE BOARD OF COMMISSIONERS
   OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT,
   ADOPTING A POLICY AND PROCEDURE FOR ADMINISTRATIVE
   APPEALS; AND PROVIDING FOR AN EFFECTIVE DATE

K. BUDGET AND FINANCE REPORT

L. GENERAL MANAGER'S REPORT

M. COMMISSIONER'S ITEMS / ROUNDTABLE
1. Motion to Reconsider Resolution Approving Costs for Public
   Records Requests (Commissioner Tobin)
   RESOLUTION DRAFT NO. 25-09-15
   A RESOLUTION OF THE BOARD OF COMMISSIONERS
   OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT,
   REVISIGN AND AMENDING THE SCHEDULE OF FEES AND CHARGES
   FOR COPYING AND PROVIDING PUBLIC RECORDS; AND PROVIDING
   FOR AN EFFECTIVE DATE
2. Roundtable Discussion

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: September 8, 2015

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

Department: District Clerk
Sponsor: Katherine Jackson

Subject: Minutes of September 1, 2015

Summary of Discussion:

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<thead>
<tr>
<th>Reviewed / Approved</th>
<th>Financial Impact</th>
<th>Attachments</th>
</tr>
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<tbody>
<tr>
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<td>Minutes of September 1, 2015</td>
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<tr>
<td>Engineering:</td>
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</table>

Reviewed / Approved: __________    Financial Impact: $    Attachments: Minutes of September 1, 2015

Approved By: ____________________ Date: 9/4/2015

General Manager
MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on September 1, 2015. Present were acting Chairman Andrew Tobin, Commissioners Stephen Gibbs, and Norman Higgins. Commissioner Majeska arrived at 4:03 PM. Also present were General Manager Paul Christian, Chief Information Officer Rob Bulkiewicz, General Counsel Ray Giglio, Finance Manager Connie Fazio, Ed Castle with Weiler Engineering, Finance Director Peter Rosasco, acting District Clerk Katherine Jackson, and other appropriate District Staff.

Acting Chairman Andrew Tobin led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Commissioner Gibbs requested a report regarding the Request for Proposals for the Administration Building Remodel project to be added to the Administration Building Progression Timeline.
- Acting Chairman Tobin requested item O-1 – Complaint Procedure for Board of Commissioners Against General Manager (Commissioner Tobin) to be removed from the agenda.
- Acting Chairman Tobin requested the Proposed Budget FY 2016 be moved to after item G-1 – Minutes of August 18, 2015.

APPROVAL OF AGENDA

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

RECOGNIZE DISTRICT STAFF

Jered Primicerio, Wastewater Treatment Plant Supervisor, and Mike Dempsey, Collections Supervisor were recognized as Employees of the Month for August 2015.
Ms. Sue Heim expressed her opinion regarding the conduct of business in the District.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

*Minutes of August 18, 2015*

**Motion:** Commissioner Gibbs made a motion to approve the Minutes of August 18, 2015, and Commissioner Majeska seconded the motion. The motion passed without objection.

**BUDGET AND FINANCE REPORT**

*Proposed Budget FY 2016*

Public Comment: Ms. Sue Heim made comments regarding the Proposed Budget FY 2016.

Mr. Paul Christian and Mr. Peter Rosasco presented the Proposed Budget for FY 2016 to the Board. Mr. Christian brought to the attention of the Board the apparent increase of approximately $3M from the Draft Budget for FY 2016—which had been presented on August 18, 2015—to the Proposed Budget. Mr. Christian and Mr. Rosasco explained that this apparent increase was actually part of a plan to use approximately $3.3 million of the District’s reserve to pay down debt. They further detailed how using this reserve to pay down debt would virtually eliminates the future gap between revenues and debt service and would put the future finances of the District into balance. Commissioner Majeska raised concerns over Proposed Budget for FY 2016 being increased by 20% over the FY 2015 estimated actuals. Staff addressed those concerns by explaining the need to plan for funding all reasonable projected expenditures, including proposed capital projects.
Acting Chairman Tobin expressed his opinion that the District should look into the legality of giving the low income budget item to an organization to help offset the costs of low income sewer hookups. Commissioners Gibbs, Tobin, and Majeska asked questions regarding specific line items of the budget, which were answered by staff.

Commissioner Majeska stated that he recognized the hard work of staff in preparing the budget and commended them.

**Motion:** Commissioner Gibbs made a motion to approve the Proposed Budget 2016 as presented by Staff. Commissioner Higgins seconded the motion.

**Vote on Motion**

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<thead>
<tr>
<th>Member</th>
<th>Yes</th>
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<th>Other</th>
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<tbody>
<tr>
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<td>Commissioner Higgins</td>
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<td>Chairman Asdourian</td>
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Motion passed 4 to 0

**2 MIN BREAK: 5:26 PM**

**CONSTRUCTION REPORT**

*Construction Progress Report*

Mr. Ed Castle presented the status of construction projects within the District, and answered questions of the Board.

**ADMIN / CUSTOMER SERVICE REPORT**

*Administration Building Progression Timeline*

Mr. Rob Bulkiewicz gave a report on the Administration Building Project Timeline and also gave an update on the Request for Proposals for Phase III of the Administration Building Remodel project, noting that 6 local contractors and 8 other contracts have either downloaded or picked up a copy of the documents. Mr. Bulkiewicz stated there is a mandatory pre-bid meeting for contractors on Thursday, September 3, 2015 at 1:30 PM at 103355 Overseas Highway.

Mr. Bulkiewicz and staff answered questions from the Board.
Geoffrey Bailey Customer Appeal – AK#1640646

Public Comment: Dr. Geoffrey Bailey appeared before the Board to request that his property be considered for the Unique Property Program.

Mr. Rob Bulkiewicz presented to the Board Dr. Bailey’s Case History leading up to his appeal. Mr. Bulkiewicz advised the Board that Staff had concluded that Dr. Bailey was ineligible for the Unique Property Program because his property had been provided with a gravity connection.

Acting Chairman Tobin had questions about how the appeal proceeding should be conducted. Mr. Ray Giglio informed the Board that the proceeding should be conducted as a formal hearing and gave a summary and analysis of applicable law.

Commissioner Gibbs noted that the parcels surrounding Dr. Bailey’s parcel appear to be similarly situated, and appear to have already connected to the central sewer system.

Commissioner Majeska indicated that he had talked to Dr. Bailey in the past, and that he thought Dr. Bailey would qualify for the Unique Property Program; but that he had urged him to speak with staff to verify his eligibility. Commissioner Majeska asked Mr. Giglio if the Board or Staff has the authority to get Dr. Bailey out of Code Enforcement. Mr. Giglio advised the Board that the District did not have that authority.

Mr. Ed Castle spoke briefly on the types of technologies that are available and that might help lower costs for Dr. Bailey. Mr. Paul Christian advised Dr. Bailey to consult with his own engineer for further guidance.

Motion: Commissioner Gibbs moved that the Geoffrey Bailey Customer Appeal – AK#1640646 be denied. Commissioner Tobin seconded the motion.

Vote on Motion

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<tr>
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Motion tied 2 to 2
Acting Chairman Tobin ruled that as the Geoffrey Bailey Customer Appeal had not received the affirmative vote of a majority of the governing board members present that the appeal had failed and that staff’s determination that Dr. Bailey was ineligible for the Unique Property Program would prevail.
Acting Chairman Tobin requested a formal resolution of the final decision denying Mr. Bailey his Customer Service Appeal.

EXTENSION: 6:00PM

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

LEGAL REPORT

Failed Gate Footer at Lake Surprise II/Paradise Point

Commissioner Tobin recommended the staff prepare a Formal Appeal Procedure Policy and present this case under those procedures.

Resolution to Establish Fees and Charges for Records Requests

Public Comment: Ms. Sue Heim stated her concerns regarding the wording of the Resolution to Establish Fees and Charges for Records Requests.

Mr. Ray Giglio presented Resolution # 18-08-15 to Establish Fees and Charges for Records Requests with approved changes to the Board for ratification.

Commissioner Tobin expressed his concern about the District charging for multiple requests in a one month period of time. Mr. Giglio informed the Board this wording had been included in an effort to strike a balance between Staff’s need to conduct the business of the District and the public’s right to inspect and copy public records.

Commissioner Tobin stated that he would like the time limit for a single records request, before a special service charge is imposed, to be changed from 15 minutes to 20 minutes; and would like the wording imposing a special service charge for multiple records request taking over 1 hour per calendar month to be removed from the resolution. He also requested that the chart in Section 2 A be amended to reflect those changes and the fact that the fees are not just for copying. The Board discussed proposed changes to the resolution.

Motion: Commissioner Higgins made a motion to ratify Resolution # 18-08-15 to Establish Fees and Charges for Records Requests with the proviso that the time limit for a single records request be changed from 15 minutes to 20 minutes, before a special service charge is imposed; and that the time limit for multiple requests by the same person per calendar month be changed from one (1) hour to two (2) hours, before a special service charge is imposed. Commissioner Majeska seconded the motion.
Vote on Motion

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Motion passed 4 to 0

EXTENSION: 6:41 PM

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

GENERAL MANAGER’S REPORT

Operations Manager Selection

Mr. Paul Christian introduced Charles B. Adams, as the newly appointed Operations Manager and requested ratification of his appointment. Mr. Adams introduced himself to the Board and answered questions.

Motion: Commissioner Gibbs made a motion to ratify the contract of Operations Manager Charles B. Adams. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 4 to 0
ADJOURNMENT

The Meeting was adjourned at 6:56 PM.

____________________________________
David Asdourian, Chairman

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

Meeting Date: September 8, 2015

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

Department: Sponsor:
Admin /Customer Service 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.

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

Financial Impact

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

Attachments
103355 Overseas Hwy Project Schedule

Reviewed By: [Signature]
Date: 9/4/2015

General Manager
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

Column Removal | Construction
7/13/2015 - 9/9/2015

Remodel | Bid Spec Completed and RFP posted
8/10/2015

Remodel | Bid period
8/10/2015 - 9/24/2015

Remodel | Selection Committee
9/17/2015 - 9/24/2015

Remodel | Award at Board Meeting
10/6/2015

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

Move In Day
1/25/2016

Demolition Complete
6/23/2015

Bid Period Ends
9/24/2015

Remodel Complete
1/18/2016

Color Board
7/14/2015

Column Removed
9/9/2015

Remodel Start
10/13/2015

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

Meeting Date: September 8, 2015

Agenda Item Number: 1-2

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

Department: Admin /Customer Service
Sponsor: Rob Bulkiewicz

Subject: Code Compliance - September 2015

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

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

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

Attachments
Code Compliance List

Approved By: ____________________________ Date: 9/4/2015
General Manager
# Code Compliance List

## September 2015

### Parcel 1:
- **AK#: 1641324**
- **Palm Properties LLC**
- **202 W Canal Dr**
- **Service Area G-2**
- **Homestead: No**

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<td>Re-Applying for Grant</td>
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<td>Final Notice to Connect</td>
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<tr>
<td>Applicant Deemed Ineligible</td>
<td>9/3/2015</td>
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### Parcel 2:
- **AK#: 1613720**
- **Semel Phill Craig**
- **15 N Bounty Ln**
- **Service Area G-4**
- **Homestead: Yes**

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<td>No Grant Application on Record</td>
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### Parcel 3:
- **AK#: 1590339**
- **Bickel Matthew M**
- **163 Cort Ln**
- **Service Area I-2**
- **Homestead: No**

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<td>Final Notice to Connect</td>
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### Parcel 4:
- **AK#: 1680338**
- **Haber Adeline H Estate**
- **C/O Horschel Marcus P/R**
- **9 E Second St**
- **Service Area H-1**
- **Homestead: No**

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<td>UPPER KEYS MARINE CONSTRUCTION INC</td>
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<td>Service Area H-1</td>
<td>Commercial</td>
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Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: September 8, 2015

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

Department: Finance
Sponsor: Assessment Coordinator

Subject: 2015 Non-Ad Valorem Assessment Status

Summary of Discussion:
Attached is an update and breakdown of the 2015 Non-Ad Valorem Assessment for your review.

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Reviewed / Approved

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<th>Department</th>
<th>Reviewer</th>
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Financial Impact

- $4,225,243.08
- Income
- Funding Source: Assessment Revenue
- Budgeted: Yes

Attachments

1. Memo
2. 2015 Assessment Timeline

Approved By: [Signature]
General Manager
date: 9/4/2015
Memo

To: Key Largo Wastewater Treatment District Board of Commissioners
From: Diane Bockelman, Assessment Coordinator
CC: Paul Christian, General Manager
Date: 9/3/2015
Re: 2015 Non-Ad Valorem Assessment Status

Dear Commissioners,

This is to notify you that the 2015 Non-Ad Valorem Assessment Roll has been finalized and reviewed by Government Services Group, Inc. (GSG). The breakdown of the assessment can be seen below.

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<tr>
<th>Project Name</th>
<th>AK Count</th>
<th>Total Beg Balance</th>
<th>Total Annual Asmt</th>
<th>Govt AK Count</th>
<th>Govt Annual Asmt</th>
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<td>$347.42</td>
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<td>2,408</td>
<td>$9,786,650.93</td>
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Total 10,891 $37,564,221.71 $4,200,154.56 20 $25,088.52

On September 9th GSG will submit the assessment roll to Monroe County Tax Collector (MCTC). GSG will confirm receipt, totals and data validly with MCTC and report the results to the District. The District will then certify the assessment roll to MCTC by September 15th.

Best Regards,

Diane Bockelman
Assessment and Billing Coordinator
## 2015 Assessment Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Item</th>
<th>Notes</th>
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<tbody>
<tr>
<td><strong>Resolution to use Uniform Method of Collecting Non-Ad Valorem Assessments</strong></td>
<td></td>
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<tr>
<td>Beginning</td>
<td>Notice must be published four consecutive weeks before public hearing.</td>
<td>✓</td>
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<tr>
<td>January 14, 2015</td>
<td></td>
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<tr>
<td>February 10, 2015</td>
<td>Present Board with a Resolution stating the District's intent to use the uniform method of collecting Non-Ad Valorem special assessments.</td>
<td>✓</td>
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<tr>
<td>*Public Hearing</td>
<td></td>
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<tr>
<td>February 20, 2015</td>
<td>Resolution mailed to Monroe County Property Appraiser (&quot;MCPA&quot;), Monroe County Tax Collector (&quot;MCTC&quot;) and Department of Revenue.</td>
<td>✓</td>
</tr>
<tr>
<td><strong>Public Hearing for Final Assessment Resolution and Increased Assessments</strong></td>
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<tr>
<td>July 15, 2015</td>
<td>Notice must be published 20 days before public hearing. Letters must be mailed to owners of affected parcels.</td>
<td>✓</td>
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<tr>
<td>August 4, 2015</td>
<td>Board to approve increasing assessments and 2015 Final Assessment Resolution.</td>
<td>✓</td>
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<tr>
<td>*Public Hearing</td>
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<tr>
<td><strong>Tax Roll to GSG</strong></td>
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<tr>
<td>August 31, 2015</td>
<td>District provides tax roll to GSG. GSG compares tax roll to MCPA's data. GSG then provides the District with a preliminary assessment roll and exceptions.</td>
<td>✓</td>
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<tr>
<td>September 9, 2015</td>
<td>GSG submits assessment roll to MCTC and confirms accuracy. GSG reports results to the District.</td>
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<tr>
<td>September 15, 2015</td>
<td>District must certify a Non-Ad Valorem Assessment and submit to MCTC.</td>
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*DEADLINE!*
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: September 8, 2015
Agenda Item Number: J-1

Agenda Item Type: Resolution
Agenda Item Scope: Review / Discussion
Recommended Action: Action: Approval

Department: Legal
Sponsor: Ray Giglio

Subject: Resolution Denying the Appeal of Geoffrey Bailey

Summary of Discussion:
A Resolution of the Board of Commissioners of the Key Largo Wastewater Treatment District, denying the appeal of Geoffrey Bailey to have his parcel included in the District's Unique Property Program; and providing for an effective date.

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

Financial Impact
Funding Source: 
Budgeted: N/A

Attachments
Resolution DRAFT No. 23-09-15

Approved By: General Manager
Date: 9/8/2015
RESOLUTION DRAFT NO. 23-09-15

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, DENYING THE APPEAL OF GEOFFREY BAILEY TO HAVE HIS PARCEL INCLUDED IN THE DISTRICT'S UNIQUE PROPERTY PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Resolution No. 39-12-13 established the Residential Unique Property Program for the Key Largo Wastewater Treatment District ("District"); and

WHEREAS, that said Resolution No. 39-12-13 relates to the provision, installation, and maintenance of low pressure collection ("grinder pump") systems on unique residential parcels; and

WHEREAS, that said Resolution No. 39-12-13 defines a Residential Unique Parcel as a single-family Residential Tax Parcel that cannot connect to the District's sanitary sewer system by means of a gravity connection and which must tie directly into the District's force main via a Grinder Pump System; and

WHEREAS, Dr. Geoffrey Bailey ("Dr. Bailey") has requested the District include his parcel of real property located at 98801 Overseas Highway (AK#1640646) in the Residential Unique Property Program and/or that the District provide him with a grinder pump free of charge; and

WHEREAS, after a thorough review of the facts and circumstances surrounding this matter, District Staff ("Staff") concluded that Dr. Bailey was ineligible for the Unique Property Program because his property had been provided with a gravity connection and he was not required to tie directly into the District's force main; and

WHEREAS, the District does not have a program or policy for providing a grinder pump at no cost to a parcel that has been provided with a gravity connection but is in need of a pump; and

WHEREAS, Staff have determined that the in the absence of such a policy or program, the District is not permitted to make a gratuitous transfer of District property, such as a grinder pump, to private individuals such as Dr. Bailey; and

WHEREAS, Staff have determined that Dr. Bailey did not demonstrate that the application of the District's eligibility requirements for the Residential Unique Property Program or the application of the District's mandatory connection requirement affects him in a manner significantly different from the way it affects other similarly situated persons who are subject to those same rules; and
WHEREAS, Staff have determined that if the District were to grant Dr. Bailey’s request that the District include his parcel in the Residential Unique Property Program and/or provide him with a grinder pump at no cost, the District would be giving him a special privilege that is denied to other similarly situated persons at public expenses; and

WHEREAS, Dr. Bailey requested, and was afforded, the proper Customer Service procedure in connection with his request; and

WHEREAS, Dr. Bailey requested, and was afforded, a final appeal to the District’s Board; and

WHEREAS, that said appeal was heard by the Board on September 1, 3013; and

WHEREAS, subsequent to that September 1, 3013 hearing, and after due deliberation and discussion, the Board voted on Dr. Bailey’s Customer Appeal; and

WHEREAS, as Dr. Bailey’s Customer Appeal did not receive the affirmative vote of a majority of the governing board members present, it was the ruling of the Chair that the said Customer Appeal had failed; and

WHEREAS, the Chair further ruled that as Dr. Bailey’s Customer Appeal had failed, Staff’s determination that Dr. Bailey was not eligible to be included in the District’s Residential Unique Property Program and/or to be provided with a grinder pump at no cost, would prevail.

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

Section 1. Recitals. That the above recitals are true and correct and are incorporated into this Resolution by reference.

Section 2. The Customer Appeal of Dr. Geoffrey Bailey, requesting that the District include his parcel of real property located at 98801 Overseas Highway (AK#1640646 ) in the Residential Unique Property Program and/or that the District provide him with a grinder pump free of charge has been denied.

Section 3. That this denial is the final decision of the District.

Section 4. That Dr. Geoffrey Bailey be sent a copy of this resolution

Section 5. Effective Date. That this Resolution shall take effect upon adoption by the Board of Commissioners.
RESOLVED AND ADOPTED THIS 8th DAY OF SEPTEMBER, 2015

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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<tr>
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<tr>
<td>Chairman Asdourian</td>
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<td>Commissioner Gibbs</td>
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<td>Commissioner Higgins</td>
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<td>Commissioner Majeska</td>
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<td>Commissioner Tobin</td>
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The Chairman thereupon declared Resolution DRAFT No. 23-09-15 duly passed and adopted the 8th day of September, 2015.

KEY LARGO WASTEWATER TREATMENT DISTRICT

________________________________________
Chairman David Asdourian

ATTEST: Approved to as to form and legal sufficiency

________________________________________
Katherine Jackson, District Clerk

Ray Giglio, General Counsel

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

Meeting Date:
September 8, 2015

Agenda Item Type: Resolution
Agenda Item Scope: Review / Discussion
Recommended Action: Discussion

Department: Legal
Sponsor: Ray Giglio

Subject:
2015 Administrative Appeals Policy Resolution

Summary of Discussion:
A Resolution of the Board of Commissioners of the Key Largo Wastewater Treatment District, adopting a policy and procedure for administrative appeals; and providing for an effective date.

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

Financial Impact
- $

Funding Source:
- N/A

Budgeted:
- N/A

Attachments
Resolution DRAFT No. 24-09-15

Approved By: ____________________________ Date: 9/4/2015
General Manager
RESOLUTION DRAFT NO. 24-08-15

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, ADOPTING A POLICY AND PROCEDURE FOR ADMINISTRATIVE APPEALS; AND PROVIDING FOR AN EFFECTIVE DATE

THIS RESOLUTION MAY BE REFERRED TO AS THE "2015 ADMINISTRATIVE APPEALS POLICY RESOLUTION"

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

Section 1. The following procedure shall be the ADMINISTRATIVE APPEALS POLICY of the Key Largo Wastewater Treatment District:

- Customer requests and complaints shall be made to the District’s Customer Service Coordinator, who shall route the matter to the appropriate staff member(s) for service.

- A customer may ask to speak to the appropriate supervisor, who shall have the power to overturn the decision of staff, if the supervisor determines that the decision or action was the result of a clerical error.

- If the customer is not satisfied with the decision of the supervisor, the customer may request that the matter be reviewed by the General Manager, who shall make a decision and findings, which shall be provided to the customer in writing.

- Within thirty (30) calendar days of the General Manager’s decision, the customer may appeal that decision to the KLWTD Board of Commissioners, by filing a written request for a formal Hearing and Review with the District Clerk.

- After receipt of the customer’s request for a formal Hearing and Review, as well as any required information and/or documentation, the District Clerk shall schedule the Hearing and Review of the matter at a regular meeting of the Board, which meeting shall be held not less than thirty (30) calendar days after receipt of the customer’s request.
During the Hearing and Review, the customer or the customer’s representative may appear before the Board and/or introduce evidence, but is not required to do so.

During or after the Hearing and Review, the Board may decide to accept, reject, or modify the decision of the General Manager, in whole or in part. Once a decision has been made by the Board, the District Clerk shall promptly mail a copy of that decision to the customer.

The Board’s decision shall be the final District action on the matter.

Within thirty (30) calendar days of the Board’s decision, the customer may appeal that decision to a court of competent jurisdiction located in Monroe County pursuant to applicable rules. Failure to file such an appeal within thirty (30) calendar days shall be deemed a waiver of the customer’s right to seek judicial review.

Section 2. Effective Date. This Resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 8th DAY OF SEPTEMBER, 2015

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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<td>Commissioner Tobin</td>
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</table>

The Chairman thereupon declared Resolution DRAFT No. 24-08-15 duly passed and adopted the day of September, 2015.

KEY LARGO WASTEWATER TREATMENT DISTRICT
Chairman David Asdourian

ATTEST: Approved to as to form and legal sufficiency

Katherine Jackson, District Clerk Ray Giglio, General Counsel

SEAL
Meeting Date: September 8, 2015

Agenda Item Number: M-1

Agenda Item Type: Resolution
Agenda Item Scope: Review / Discussion
Recommended Action: Discussion

Department: Operations
Commissioner's Item: Motion to Reconsider Resolution Approving Costs for Public Records Requests
Sponsor: Commissioner Tobin

Summary of Discussion:
A Resolution of the Board of Commissioners of the Key Largo Wastewater Treatment District, revising and amending the schedule of fees and charges for copying and providing public records; and providing for an effective date.

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

Financial Impact
$ 

Funding Source:

Budgeted:
N/A

Attachments
Resolution DRAFT No. 25-09-15

Approved By: 
General Manager

Date: 9/4/2015
RESOLUTION DRAFT NO. 25-09-15

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE KEY LARGO WASTEWATER TREATMENT
DISTRICT, REVISING AND AMENDING THE SCHEDULE
OF FEES AND CHARGES FOR COPYING AND
PROVIDING PUBLIC RECORDS; AND PROVIDING FOR
AN EFFECTIVE DATE

WHEREAS, the Key Largo Wastewater Treatment District ("District") is subject to
Chapter 119 of the Florida Statutes; and

WHEREAS, pursuant to Chapter 119, District records are open for personal inspection
and copying by any person desiring to do so, at any reasonable time, under reasonable
conditions, and under supervision by the custodian of the public records; and

WHEREAS, Fl. Stat. sec. 119.07(4) mandates that requested records be furnished upon
payment of the fee prescribed or authorized by law; and

WHEREAS, Fl. Stat. sec. 119.07(4) authorizes the imposition of a special service
charge to inspect or copy public records when the nature or volume of public records to be
inspected is such as to require extensive use of information technology resources, or extensive
clerical or supervisory assistance, or both; and

WHEREAS, the District has determined that a request requires extensive use of
information technology resources and/or extensive clerical or supervisory assistance when a
requestor:
  • Makes a single request that takes more than 20 minutes, or
  •—Makes multiple requests that take a combined time of more than two (2)
hours, per calendar month.

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

Section 1. Recitals. The above recitals are true and correct and are incorporated into this
Resolution by reference.
Section 2. Fees and Charges

A) Unless specifically stated otherwise in the laws, rules, or regulations of the State of Florida, the following fees apply to the copying of public records by the District:

<table>
<thead>
<tr>
<th>MATERIAL TO BE COPIED AND PROVIDED</th>
<th>REQUIRED FEES, AND CHARGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single sided page of not more than 14 inches by 8 1/2 inches</td>
<td>$0.15 per page, after the first pages</td>
</tr>
<tr>
<td>Double sided page of not more than 14 inches by 8 1/2 inches</td>
<td>$0.20 per page, after the first pages</td>
</tr>
<tr>
<td>Certified copies of public records</td>
<td>$1.00 per page</td>
</tr>
<tr>
<td>Maps, Aerial Photographs, Large Format Photos or Documents</td>
<td>Actual costs of material and supplies used to duplicate</td>
</tr>
<tr>
<td>A single request that takes more than 20 minutes; or any request that requires extensive use of information technology resources, or extensive clerical or supervisory assistance, or both. Multiple requests from the same requestor that take a combined time of more than two (2) hours, per calendar month.</td>
<td>A special service charge to be determined by the District based upon the nature and volume of the request.</td>
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</table>

B) The special service charge for extensive use of information technology resources and/or extensive clerical or supervisory assistance shall be reasonable and shall be based on the labor and/or IT and/or computer costs actually incurred by the District.

C) Where there will be a cost for responding to a records request, and especially where there will be a special service charge imposed, the District shall prepare a cost estimate for the requestor.
   1. This cost estimate shall represent the District’s best estimate of the work and materials required and the cost for that work and materials.
   2. The cost estimate shall not be, and shall not be construed as, a guarantee or an unconditional commitment of the cost to provide the requested materials.

D) The District shall require prepayment of the cost estimate amount before the requested materials shall be copied.

E) The District shall require payment in full of all required fees, costs, and charges (including the special service charge) before the requested materials shall be provided to the requestor.

F) The District shall have the option to waive any or all of the above costs, fees, and charges where, in the sole judgment of the General Manager it would be fair, equitable, and appropriate to do so.

Section 3. Authorization. The General Manager and/or District Clerk be and are authorized to collect the fees and charges in accordance with Section 2, above.
Section 4. Effective Date. This Resolution shall take effect immediately upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS ____ DAY OF __________ 2015

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 DRAFT No. 25-09-15 duly passed and adopted the ____ day of ________________, 2015.

KEY LARGO WASTEWATER TREATMENT DISTRICT

________________________________________
Chairman David Asdourian

ATTEST: Approved to as to form and legal sufficiency

________________________________________
Katherine Jackson, District Clerk

________________________________________
Ray Giglio, General Counsel

SEAL