Key Largo Wastewater Treatment District
Board of Commissioner's Meeting
Tuesday, October 4, 2016
4:00 PM

AGENDA

Board of Commissioners Meeting
103355 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 — *Action*

E. RECOGNIZE DISTRICT STAFF

F. PUBLIC COMMENT

G. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. Minutes of September 20, 2016 — *Action*

H. CONSTRUCTION REPORT

1. Monthly Construction Report
2. Wharton-Smith, Inc. Change Order No. 2 for Vacuum Station "E" Tank Repair — *Action*
3. Update on Wharton-Smith, Inc. Change Order No. 1 for the WWTP Blower Upgrade Project

I. OPERATIONS REPORT

J. ENGINEER'S REPORT

K. ADMIN / CUSTOMER SERVICE REPORT

1. Marina Exemption – Peninsula Way — *Action*

   RESOLUTION DRAFT NO. 17-10-16

   A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT APPROVING THE REMOVAL OF THREE TAX PARCELS FROM THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

2. MCLA Conservation Waiver of Assessment – AK#1568481 & AK#1667277 — *Action*

   RESOLUTION DRAFT NO. 18-10-16

   A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT APPROVING THE REQUEST OF MONROE COUNTY LAND AUTHORITY FOR REMOVAL OF TWO TAX PARCELS AS CONSERVATION LAND FROM THE 2006 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

L. COMMISSIONER'S ITEMS

1. Adoption of a Formal Procedure to Resolve Complaints Against Commissioners and the Manager (Commissioner Tobin)

M. GENERAL MANAGER'S REPORT

N. LEGAL REPORT

O. BUDGET AND FINANCE REPORT

P. ROUNDTABLE DISCUSSION

Q. 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: October 4, 2016

Agenda Item Number: G-1

Agenda Item Type: Information / Presentation

Agenda Item Scope: Review / Discussion

Recommended Action: Action

Department: District Clerk

Sponsor: Katherine Jackson

Subject:

Minutes of September 20, 2016

Summary of Discussion:

Staff to present the minutes of the previous board meeting to the Board for approval.

Reviewed / Approved		Financial Impact	Attachments
Operations:	_____	$ 0.00	1. Minutes of September 20, 2016
Administration:	_____		
Finance:	_____	Funding Source:	
District Counsel:	_____		
District Clerk:	KMJ	Budgeted:	
Engineering:	_____	N/A	

Approved By: _____ **Date:** 9/30/2016

General Manager

MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on September 20, 2016. Present were Chairman David Asdourian, Commissioners Andrew Tobin, Robert Majeska, Norman Higgins and Stephen Gibbs. Also present were General Manager Paul Christian, General Counsel Ray Giglio, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Commissioner Majeska led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS

- Chairman Asdourian moved item K-2 after Budget and Finance Report.
- Mr. Paul Christian requested: 1) Item L-2 be moved after the Approval of Agenda; 2) Item J-2 be moved after Public Comment; and 3) Items H-2 and H-3 be combined.
- Mr. Ray Giglio withdrew his request for a closed attorney-client session with reference to Lake Surprise II/Paradise Point v. KLWTD and the Redland Co.

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.**

GENERAL MANAGER'S REPORT

Update on Dedication of Administration Building

Ms. Kim Carpenter informed the Board that the Dedication Ceremony is set for November 1, 2016 and that State Representative Holly Raschein will be in attendance. The Board briefly discussed alcohol and refreshments for the event. Staff answered questions from the Board.

Motion: **Commissioner Gibbs made a motion to not have alcohol at the dedication ceremony and Chairman Asdourian seconded the motion.**

Vote on Motion

Commissioner Gibbs –	Aye
Chairman Asdourian –	Aye
Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Commissioner Tobin –	Aye

Motion Passed: 5 to 0

PUBLIC COMMENT

Name and Address	*Subject*
Dottie Moses 1 Harbor Drive	Public Comment
Sue Heim Key Largo	Public Comment
Suyapa Rivero 156 Marina Ave.	Tier I Waiver – Rivero

Public Comment: Ms. Dottie Moses thanked the District for adding the landscaping in front of the plant, and informed staff that a travel trailer has been placed on District property at Vacuum Station K.

Public Comment: Ms. Sue Heim gave praise to Field Operations for their quick response time to a callout.

ADMIN / CUSTOMER SERVICE REPORT

Tier I Waiver - Rivero

Ms. Diane Bockelman introduced Resolution Draft No. 16-09-16, a resolution for a Tier I Waiver for AK#1623253, AK#1623261 and AK#1623270, vacant parcels located at Sunset Cove, for Ms. Suyapa Rivero. Mr. Paul Christian stated that Ms. Rivero is also requesting a refund of money previously paid. Mr. Christian informed the Board, that according to Section 10.06(ii) of the District's Rules and Regulations, staff cannot authorize a refund to the parcel owner.

Public Comment: Ms. Suyapa Rivero requested that the Board authorize a refund to her of the assessment monies paid since she was assessed in 2011 on these parcels, due to her unique circumstances.

The Board questioned Staff about this matter and requested that staff bring the issue of a refund back to the Board at a future meeting.

Motion: Commissioner Gibbs made a motion to approve Resolution 16-09-16, and Commissioner Higgins seconded the motion.

Vote on Motion

Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Commissioner Tobin –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Minutes of September 6, 2016

Motion: **Commissioner Majeska made a motion to approve the Minutes of September 6, 2016, Commissioner Gibbs seconded the motion. The motion passed without objection.**

Vote on Motion

Commissioner Majeska –	Aye
Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Tobin –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

CONSTRUCTION REPORT

Wharton-Smith, Inc. Change Order No. 1 for WWTP Blower Upgrade Project

Mr. Ed Castle presented the Wharton-Smith, Inc. change order no. 1 for the WWTP Blower Upgrade for Power Step Downs in the blower control panels. The Board questioned various charges in the change order, and after staff's explanation, discussed various not-to-exceed dollar amounts.

Staff answered questions from the Board.

Motion: **Commissioner Tobin made a motion to approve Wharton-Smith, Inc. Change Order No. 1 for the WWTP Blower Upgrade Project in an amount not to exceed $4,930 and Commissioner Gibbs seconded the motion.**

Vote on Motion

Commissioner Tobin –	Aye
Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

OPERATION REPORT

Aqua-Aerobics, Inc. Change Order No. 4 for SCADA Upgrade Project

Mr. Rob Bulkiewicz presented Change Order No. 4 for the SCADA Upgrade Project. He informed the Board that this change order is for updating the SCADA system to support the new blowers and the chemical upgrade, and that it would have an additional financial impact of $9,600.

Staff answered questions from the Board.

Motion: **Commissioner Gibbs made a motion to approve Aqua-Aerobics, Inc. Change Order No. 4 for the SCADA Upgrade Project and Commissioner Higgins seconded the motion.**

Vote on Motion

Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Commissioner Tobin –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

Monthly Operations Report

Mr. Ed Castle presented the August Monthly Operations Report. Mr. Jered Primicerio gave a presentation on the tree trimming at the plant and the upcoming bio mass solids transfer. Mr. Mike Dempsey gave a presentation on the AirVac controllers that are installed in the District's system.

Staff answered questions from the Board.

ADMIN / CUSTOMER SERVICE REPORT

Code Compliance – September 2016

Mr. Rob Bulkiewicz presented the September 2016 code compliance list and staff answered questions from the Board.

COMMISSIONER'S ITEMS

Procurement Policy Suggested Changes (Commissioner Tobin)

Mr. Ray Giglio requested the Board give him direction on how to proceed with updating the District's Procurement Policy. Staff answered questions from the Board.

The Board directed staff to email the procurement policy and bring this item back at a future meeting if needed.

GENERAL MANAGER'S REPORT

Letter of No Objection – Proposed Street Abandonment

Mr. Paul Christian presented the *Letter of No Objection* to the abandonment by Monroe County of a portion of East 1st Street with the attached executed utility easement, and staff answered questions from the Board.

Motion: **Commissioner Tobin made a motion to approve the Letter of No Objection and Commissioner Gibbs seconded the motion.**

Vote on Motion

Commissioner Tobin –	Aye
Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

BUDGET AND FINANCE REPORT

Weiler Engineering Work Authorization Renewal for FY17

Mr. Ed Castle presented the Fiscal Year 2017 Weiler Work Authorizations to the Board and indicated that this amount was previously approved in the budget.

Staff answered questions from the Board.

Motion: **Commissioner Higgins made a motion to approve the Weiler Engineering Work Authorization Renewal for FY17 and Commissioner Majeska seconded the motion.**

Vote on Motion

Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Commissioner Gibbs –	Aye
Commissioner Tobin –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

5 MIN BREAK: 5:48 PM

August 2016 Monthly Financial Report

Mr. Paul Christian presented the monthly finance report for August 2016 and answered questions from the Board.

COMMISSIONER'S ITEMS

Staff Contact (Chairman Asdourian)

Chairman Asdourian led a discussion regarding contact between commissioners and staff. In light of recent incidents, he suggested the following change to the Board's Practices and Policies:

> *"41. Commissioners will make all such requests via e-mail with the General Manager always being copied. If a face-to-face meeting is*

required with any Senior Staff member, Manager or Consultant, the General Manager or the District's Attorney will be present."

The Board discussed the pros and cons of this proposal, and each commissioner shared his opinion of the discussion item. Commissioner Tobin handed out emails and a memo, which are attached to these minutes as "Attachment A." Mr. Ray Giglio informed the Board that he is available at any time and to discuss any subject matter.

Motion: **Commissioner Tobin made a motion to keep the discussion among commissioners. The motion failed due to lack of a second.**

ADJOURNMENT

The Meeting was adjourned at 6:56 PM.

_____
David Asdourian, Chairman

_____
Katherine Jackson, Clerk

Public Comments

***Disclaimer**: Public comments that are submitted to the Board for inclusion into the Official Minutes are the views and opinions of the commenters alone and do not necessarily reflect the official policy of the Key Largo Wastewater Treatment District or the opinions of its Commissioners.*

Andrew M. Tobin Attorney

From: Andrew M. Tobin Attorney <tobinlaw@terranova.net>
Sent: Thursday, August 18, 2016 2:35 PM
To: Commissioners (Commissioners@klwtd.com)
Cc: Paul Christian; Rob Bulkiewicz; 'connie.fazio@klwtd.com'; Ed Castle; Peter L. Rosasco; Ray Giglio
Subject: STAFFING PLAN

Commissioners,

1) Four weeks ago, in a private meeting, Paul explained that he transferred Nicole to the CIO because Jered and Mike could not properly manage Nicole's workload.

2) Three weeks ago Paul repeated that in a public meeting, which I found to be demeaning to the Operations Dept.

3) At our staffing plan workshop two weeks ago Paul changed his position: He now claims the CIO (soon to be the Director of Administration) would treat the Operations Dept like "customers" and give them full support.

4) Since Rob will now "manage" Nicole and provide "customer support" to Operations, I thought I should meet with Rob to find out the specific facts that resulted in Nicole's transfer and what specific issues or problems Rob believed required his managerial support.

5) He answered by repeating Paul's comments about treating Operations like customers and providing all necessary support for whatever they needed.

6) I again asked him for specifics, at which time he said I should talk to Paul.

7) I also suggested that it seemed reasonable (at least to me) to give Director Ed, Manager Mike, Manager Jered, and Supervisor Ryan, some readily available (face to face) administrative help, i.e. please order this, please schedule that, please call this person, please remind me of this, please organize these papers, etc. etc.

8) I then asked him for his opinion on whether he believed that such (face to face) administrative help would be of assistance to Ed, Mike, Jered and Ryan. Again, rather than answer, he directed me to speak to Paul.

I live in a world of FACTS. That means when I tell a judge that my client will be irreparably harmed by something, the judge requires me to produce FACTS not generalized conclusions. The same holds true for commissioners. We need FACTS to make informed decisions.

Thus far there are no facts to support Rob managing anyone in the Operations Department.

We hired Ed to Direct Operations and we promoted Mike, Jered, and Ryan. We owe it to them to give them administrative, face to face, help free from Rob's management oversight.

Please do not respond to this email. It is for informational purposes only.

Regards,

Andy

Tobinlaw@Terranova.Net
Tobinlaw2@Gmail.Com

From: Paul Christian [mailto:paul.christian@klwtd.com]
Sent: Thursday, August 18, 2016 2:35 PM
To: Commissioners; Ray Giglio
Subject: Bullying by Commissioners

Commissioners,

It is my sad duty to report an incident at the District office this morning.

During a brief absence from the office this morning (I was attending a meeting with Islamorada), Commissioner Tobin came to the District Office.

His visit started with HR: asking to see personnel files for several members of staff and then questioning Kim about particular items in each person's file. He then asked Kim to provided him an electronic version of the staffing plan so that he can manipulate it.

He then visited with Rob in his office and asked several questions about Rob, his qualification, his job and how easily it could be "outsourced" to another outside agency. He also asked about the Ops Admin and demanded to know why he was more qualified to supervisor her than Jered and Mike in a dual supervisory role.

Both employees categorized the visit as intimidating, threatening, confrontational and bullying.

As the General Manager, I must respectfully insist that no Commissioner be allowed to personally attack and bully members of Staff during work.

Paul Christian
General Manager
Key Largo Wastewater Treatment District
Office: 305-451-4019
Fax: 888-480-3572

Andrew M. Tobin Attorney

From: Andrew M. Tobin Attorney <tobinlaw@terranova.net>
Sent: Thursday, August 18, 2016 3:20 PM
To: 'Paul Christian'; 'Commissioners'; 'Ray Giglio'
Subject: My Visit.

Paul,

First and foremost, it is not your DUTY to accuse me of bullying, and espcially without first calling me to inquire about my perception of the visit, which follows.

This is the second time I have asked Kim to review personnnel files, which by the way are public records, and which you have sanctioned. I asked it she had a moment, which she did. I then asked to review your resume and Rob's becaues I am still interested in Rob's qualifications to manage operations (which I did not share with Kim). I also asked if she was involved in the "educational" program which the District has from time to time sponsored. I I also asked about how she creates the staffing plan and whether I could get a copy of the program. She told me it was a word file and shared some tips on how to use it.

I then visited Rob who has sent me several email invitations recently to meet with him.

The first topic was the Board's direction (last year) that Rob and I work together to find a company that would audit our IT Dept. He explained a few things about IT and that he was in that business in the past.

The second topic was related to his management of Nicole, which I related in a prior email. What I left out was his reaction to my request for facts. He clammed up, told me to talk to you, and accused me of bullying (Steve favorite line).

I then left, knowing full well that you would send an email repeating what he said.

I assure you that my conduct was professional and respectful. Kim's was too.

Rob however became very defensive and hostile which I understand given the recent newspaper articles. And by the way, which I did not mention in my earlier email.

We have a system which encourages Commissioners to be involved in District business. Paying lip service to our system is not enough. You need to be true to the system personally and by insisting that your staff communicate information willingly, even if they "feel" intimidated.

My suggestion is to let this pass.

Andy

ANDREW M. TOBIN, P.A.
Attorney at Law
P. O. Box 620
Tavernier, FL 33070
T: 305.852.3388

Andrew M. Tobin Attorney

From: Paul Christian <paul.christian@klwtd.com>
Sent: Thursday, August 18, 2016 3:32 PM
To: Andrew M. Tobin Attorney
Cc: Commissioners; Ray Giglio
Subject: Re: My Visit.

Commissioner Tobin,

I challenge your statement of "I assure you that my conduct was professional and respectful. Kim's was too" considering you "then left, knowing full well that [I] would send an email repeating what he said."

You are entitled to and I have sanctioned an open line of communication with staff as pertains to information gathering to facilitate your position as a governing member of this organization. I am personally aware of your propensity to bully and intimidate under the guise of providing "good government" and, as pertains to your treatment of me and Ray, I've tolerated it as I consider it part of my job (and his). However, I will not stand idly by while you continue bullying of any member of staff.

Nor will I "let it pass."

Respectfully,

Paul Christian
General Manager
Key Largo Wastewater Treatment District
Office: 305-451-4019
Fax: 888-480-3572

On Thu, Aug 18, 2016 at 3:20 PM, Andrew M. Tobin Attorney <tobinlaw@terranova.net> wrote:

Paul,

First and foremost, it is not your DUTY to accuse me of bullying, and espcially without first calling me to inquire about my perception of the visit, which follows.

This is the second time I have asked Kim to review personnnel files, which by the way are public records, and which you have sanctioned. I asked it she had a moment, which she did. I then asked to review your resume and Rob's becaues I am still interested in Rob's qualifications to manage operations (which I did not share with Kim). I also asked if she was involved in the "educational" program which the District has from time to time sponsored. I I also asked about how she creates the staffing plan and whether I could get a copy of the program. She told me it was a word file and shared some tips on how to use it.

Andrew M. Tobin Attorney

From: Andrew M. Tobin Attorney <tobinlaw@terranova.net>
Sent: Thursday, August 18, 2016 6:32 PM
To: Commissioners (Commissioners@klwtd.com); Paul Christian; Ray Giglio; Rob Bulkiewicz
Cc: Charlotte Twine; Goodhue, David
Subject: Lunch Invitation from Rob

All;

Here is just one of the invitations I received from Rob to have lunch with him.

Good thing I declined. Imagine Paul's reaction if Rob complained that I bullied him with questions while we were eating.

ANDREW M. TOBIN, P.A.
Attorney at Law
P. O. Box 620
Tavernier, FL 33070
T: 305.852.3388
Tobinlaw@Terranova.Net
Tobinlaw2@Gmail.Com

On Thu, Jul 21, 2016 at 9:10 AM, <tobinlaw@terranova.net> wrote:
Rob,

It would be more convenoent to stop by the office sometime next week. Let me know if that works and we can pick a day.

Regards,

Andy

Quoting Rob Bulkiewicz <rob.bulkiewicz@klwtd.com>:

Andy,

Good afternoon. Let me know if you are free for lunch tomorrow.

Have a great night.

Rob

Date: September 20, 2016

To: Commissioners, KLWTD

From: Andrew Tobin, Commissioner

Re: Staff Contact

Mr. Christian admitted in the Free Press article of September 14, 2016, that it was inappropriate to "scold" a commissioner publicly.

Yet he did just that [and more] in several public emails. And he did so without first calling me to find out my side of the story, which he later "challenged" as untrue.

With respect to our Director of Administration's "feelings" that he was intimidated, threatened, or bullied by questions related to his job, I cannot help but question whether such a person is suitable for a senior managerial position.

Let's be honest.

Mr. Bulkiewicz and Mr. Christian manufactured the entire incident as pay back for my recent comments about the staffing plan.

The notion that I "bullied" Rob or anyone else is - to put it in perspective - BULL.

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

Meeting Date: October 4, 2016

Agenda Item Number: H-1

Agenda Item Type: Information / Presentation

Agenda Item Scope: Review / Discussion

Recommended Action: Discussion

Department: Construction

Sponsor: Ed Castle

Subject:

Monthly Construction Report

Summary of Discussion:

Ed Castle, P.E. has provided an update on the status of KLWTD current and planned construction projects.

Reviewed / Approved		Financial Impact	Attachments
Operations:	Memo	$ 0.00	1. September Construction Update
Administration:			
Finance:		Funding Source: Grant(s)	
District Counsel:			
District Clerk:		Budgeted: N/A	
Engineering:			

Approved By: _____ **Date:** 9/30/2016

General Manager

Key Largo Wastewater Treatment District
103355 Overseas Highway, Key Largo, FL 33037
Post Office Box 491, Key Largo, FL 33037
Phone (305) 451-4019 • www.klwtd.com

Memo

To: KLWTD Commissioners

Cc: Paul Christian, General Manager

From: Ed Castle, P.E.

Date: September 2016

Re: Monthly Construction Report

Project Specific Notes

1. Grinder Pump Installation Program:

a. All on-site installations of pump stations and control panels are completed.
b. The Zurwelle-Whittaker record drawings of the US 1 properties were found to be unacceptable. The task for providing surveyed record drawings for these properties has been put out for bid again.
c. The Guardian telemetry transmitters have been installed in all but two control panels.
d. HT1100 Collectors that transmit the signals from the Guardians to the telemetry monitoring system have been received and installed in all non-FDOT locations. These units have been placed into operation.
e. Installation of five posts for mounting the HT1100 Collectors in the US 1 right of way was awarded to J.A. LaRocco in the amount of $9,750. Construction can't start until the FDOT Utility Permit is issued.
f. FDOT permit application for the posts was submitted on May 31st via email, followed by hand-delivery. The response to the FDOT Request for Additional Information was submitted on July 22nd. A second RAI was received, with the response submitted on September 27th. Issuance of the permit is pending.

2. Chemical Storage and Feed System

a. Piggyback Agreement with Carl Eric Johnson (CEJ), Inc. and Hillsborough County was executed 3/15/16, allowing District to purchase pump skids and tanks at discounted rates.
b. The shop drawings from CEJ for the three 8,700 gallon chemical storage tanks have been approved and the tanks are under production. Delivery is scheduled for October 10th, 2016.
c. The shop drawings from CEJ for the chemical pump skids have been reviewed and approved. The projected lead time for the pump skids is 14 – 16 weeks,

putting the delivery date at the end of December to mid-January. CEJ has proposed an alternative rotor material for the pumps to expedite delivery. The proposal is under review.

d. The installation of the tanks and pump skids has been awarded to Wharton-Smith. The Partial Notice to Proceed to Wharton Smith was issued on 8/17/16 to allow for shop drawing submittals and NaOH concrete pad work.

3. WWTP Blower Upgrades

a. Project was awarded to Wharton-Smith, contract price $1,681,110
b. District direct-purchased the blowers and control panels for $922,000 to save sales tax
c. Mobilization occurred July 5, 2016. Demolition of the 100 hp Turblex blower has been completed and new blowers #3 and #4 have been placed in the blower room on the second floor of the Operations Building.
d. The control panels for blowers #3 and #4 have been set in place and have been wired in.
e. The new blowers #3 and #4 have been run both in hand and in automatic, with air discharging into SBR #3, which is currently filled with clear water.
f. The upgraded ventilation systems for heat control in the blower room is currently being installed and should be completed the week of October 1st.
g. Transfer of biosolids from SBR #2 to SBR #3 is scheduled for the second week of October. After the transfer of biosolids, SBR #2 will be taken off line and work the air piping and installation of new Blower #2 will begin.

4. Vacuum Station "E" Tank Replacement (Rehabilitation)

a. Wharton-Smith has been awarded the Vacuum Station "E" Tank Rehabilitation project for $207,750.
b. Wharton Smith mobilized on July 11, 2016.
c. District has rented the temporary vacuum tank from Airvac. Wharton Smith has set the temporary tank in place and has constructed the temporary piping.
d. Initial testing of the wiring and controls for the temporary tank was performed on September 29th.
e. The existing corroded tank was opened up and re-inspected. Additional areas were identified for repair. Wharton Smith has proposed a change in cost in order to perform the additional repair. This proposed change order is presented in the Agenda for the October 4th meeting.

Respectfully Submitted,

Ed Castle, P.E.

Current Construction Projects

September 2016

Project	Project Estimate	Contract Amount	Contract Start/End	Expended Prior to FY16	Expended To Date	Project Balance	Budgeted FY17
Unique Properties Fountain Engineering, Keys Contracting, WRT	$3,846,912	$3,548,274	11/25/2012 6/06/2016	$3,207,202	$341,072.00	$0	$0
Unique Properties Zurwelle-Whittaker Final Surveys	N/A	$10,575	4/06/2016 6/06/2016	N/A	$0.00	$10,575	$0
Unique Properties Telemetry Post Installations	N/A	$9,750	TBD	N/A	$0.00	$9,750	$0
Current Project Total		**$3,568,599**					
Chemical Storage and Feed System Wharton-Smith, Carl Eric Johnson	$1,000,000	$721,183	TBD	N/A	$65,380.00	$655,803	$10,000
WWTP Blower Upgrades Wharton-Smith, Aerzen, Champion Controls	$1,200,000	$2,603,110	7/5/2016 1/1/2017	N/A	$1,250,041	$1,353,069	$55,980
Vacuum Station "E" Tank Replacement (Rehabilitation) Wharton-Smith, Bilfinger	$228,500	$216,275	7/11/2016 8/14/2016	N/A	$111,742	$104,533	$0

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

Meeting Date: October 4, 2016

Agenda Item Number: H-2

Agenda Item Type: Information / Presentation

Agenda Item Scope: Review / Discussion

Recommended Action: Action

Department: Construction

Sponsor: Ed Castle

Subject:

Wharton-Smith, Inc. Change Order No. 2 for Vacuum Station "E" Tank Repair

Summary of Discussion:

Staff will present Change Order No. 2 for the Vacuum Station "E" Tank Repair. The proposed changes include additional materials, tools and labor to perform additional repairs to the vacuum tank. There is a 60 day proposed increase in contract time and there is an additional financial impact of $35,437.50.

Reviewed / Approved

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

Financial Impact

$ 35,437.50

Expense

Funding Source: Rate Revenue

Budgeted: No

Attachments

1. Memo from Ed Castle
2. Memo from Wharton-Smith, Inc.
3. Wharton-Smith, Inc. Change Order No. 2
4. Cost comparison tables

Approved By: _____ **Date:** 9/30/2016

General Manager

WEILER ENGINEERING CORPORATION

x ellence in engineering

201 WEST MARION AVENUE - SUITE 1306 | PUNTA GORDA | FL 33950
TEL 941-505-1700 | FAX 941-505-1702 | WWW.WEILERENGINEERING.ORG

6805 OVERSEAS HIGHWAY | MARATHON | FL 33050
TEL (305) 289-4161 | FAX(305) 289-4162

MEMORANDUM

To: KLWTD Board

From: Ed Castle, PE

Date: September 29, 2016

Re: Vacuum Station E Tank Rehabilitation Change Order No. 2

The vacuum tank at Station E began experiencing leaks due to corrosion in 2013. The individual leaks were sealed by welding steel patches onto the exterior of the tank, but the corrosion continued to spread. In the fall of 2015, the Operations Manager began an evaluation of the tank, performing visual inspections of the interior and had a company perform ultrasonic thickness testing (UTT) of the tank in February 2016.

Based on the results of the UTT in February, and on photos taken of the interior of the tank in November 2015, it was determined that the cost of cutting out the corroded areas and welding in new steel, followed by a high performance tank coating, would be significantly less than the cost of replacing the tank. At that point in time, it was estimated that no more than 25% of the tank surface area would need to be replaced.

The repair project was put out to bid and Wharton Smith was the only bidder, with a bid of $218,750. After Recommendation of Award, Wharton Smith entered into negotiations resulting in a reduction in the project cost to $207,750. Wharton Smith mobilized to the site and performed a more extensive UTT to prepare for the job. The Wharton Smith UTT, performed approximately 6 months after the original UTT, was much more comprehensive with measurements taken in a 1-foot grid over the entire tank. These UTT results indicated that the corrosion might be more extensive than indicated by the earlier UTT.

On August 12, District staff entered the tank again and inspected the interior. The interior coating of the tank exhibited extensive blistering above the high water level. Steve Suggs of Weiler Engineering schedule a visit and entered the tank to examine the blistering. He found that the steel beneath each blister that he tested was significantly corroded. Steve estimated that the entire top half of the tank had extensive blisters. He also determined that the steel inlet pipes were corroded as well, with approximately half of the metal thickness gone.

Weiler Engineering met with Wharton Smith and their welding subcontractor to discuss the change in scope needed due to the extent of the corrosion as determined in August.

Matt Cottrell recommended removing the entire top of the tank from about the high water line. He proposed to fabricate a new tank top, re-using the existing manways and replacing the fittings at penetrations. The inlet pipes will also be replaced.

Wharton Smith prepared the proposed change in cost for the project based on the new scope. The changes include:

- Replace 210 ft^2 of steel at \$250/ft^2 in lieu of 75 ft^2 at \$336/ft^2
- Replace nozzles and fittings as needed at no additional cost
- Replace the 10" steel inlet pipes at no additional cost

The end result of this rehabilitation will be a tank that is better than a new steel tank. The volume and strength of the tank will be as-new, but the tank will have a high-performance coating applied within strict guidelines for metal prep, priming and final coating. The coating, when completed, will be tested using the NACE International Standard Discontinuity Testing procedure to verify that there are no holidays in the coating.

Wharton-Smith, Inc.
CONSTRUCTION GROUP

September 23, 2016

Mr. Ed Castle, P.E.
The Weiler Engineering Corporation
6805 Overseas Highway
Marathon, FL 33050

Re: Change Order Proposal No. ~~03~~ 02
Key Largo Wastewater Treatment District
KLWTD Vacuum Tank E Repair
Vacuum Tank Additional Repairs

Dear Mr. Castle:

As requested, we have developed Proposal Summary No. ~~03~~ 02 for additional repairs to the vacuum tank. Included in the proposal is the cost of furnishing all necessary materials, labor, equipment, tools, supervision, and subcontractor costs required for the specified scope of work.

Attached to this letter you will find our detailed Proposal Summary for the amount of ~~$36,966.00~~ $35,437.50 with all associated back-up documentation.

An additional summary of the costs associated with this work is as follows:

- Base bid budget for tank rehab was $25,200.00 for replacement of 75 sf, which equals $336.00 / sf
- Based upon field measurements and engineer's recommendation actual area in need of rehab is approximately 210 sf, which is 135 sf more than original budget
- Subcontractor welding costs at a reduced rate of $250.00 / sf x 135 sf equals $33,750.00

Only the items listed in the Proposal Summary are to be considered as included in our scope of work. No cost allowance has been made for items of work not contained in the Proposal Summary, and are specifically excluded from this proposal. This Lump Sum proposal is valid for 5 calendar days.

We request a contract time extension of 60 calendar days to allow for completion of this work. This time extension is broken down as follows:

- 7 calendar days for Engineer review/approve proposal and materials
- 30 calendar days for Vendor fabricate and deliver materials
- 23 calendar days for Contractor install materials

Please furnish a formal Change Order so we may proceed with the work identified in our Proposal Summary, if found acceptable.

Please do not hesitate to call if you should have any questions or wish to discuss this matter further.

Wharton-Smith, Inc.
CONSTRUCTION GROUP

Sincerely,
Wharton-Smith, Inc.

James M. Contino
Project Manager

C.c.: File 16-040/C-08A

Wharton-Smith, Inc. CONSTRUCTION GROUP

CHANGE ORDER COST PROPOSAL NO. 03

Revision 00

KLWTD Vacuum Station E Tank Rehab

PROPOSAL SUMMARY

9/23/2016

#		DESCRIPTION						NOTES
1		Furnish all necessary labor, materials, tools, equipment and supervision required to rehab the existing vaccum						
2		tank as follows:						
3		Demolish approximately 70% of the tank via torch cutting. Install pre-rolled steel sheets fit into place and						
4		fillet welded on interior and exterior. Existing manway to be reused and reinstalled as necessary.						
5								
6		Assumed base bid budget for tank rehab was $25,200.00 for replacement of 75 sf = $336.00 / sf.						
7		Actual tank rehab required is approximately 210 sf or 135 sf additional x reduced rate of $250.00 / sf =						
8		$33,750.00						
9								
10		The duration for the additional work outlined in this proposal is 60 calendar days.						
11		The Contract Time Extension due to this Change Order is 60 calendar days.						
12		**MATERIALS**					**TOTAL**	
13		From Page 2					$ -	
14			Tax	7.50%	$ -		$ -	Article 12.01(C)(2)(a)
15			Markup	15.0%	$ -		$ -	
16							**$ -**	
17								
18		**LABOR**	**HRS**			**AVG $ / HR**	**TOTAL**	
19		From Page 3	~~0~~			$ 120.00	$ ~~0.00~~	Article 12.01(C)(2)(a)
20				Markup	15.0%	$ ~~0.00~~	$ 1,104.00	
21							**$ ~~1,104.00~~**	
22								
23		**TOOLS & EQUIPMENT**					**TOTAL**	
24		From Page 4					$ ~~16.40~~	
25			Tax	7.50%	$ ~~3.48~~		$ ~~43.88~~	Article 12.01(C)(2)(a)
26			Markup	15.0%	$ 7.48		$ 57.36	
27							**$ ~~57.36~~**	
28								
29		**SUBCONTRACTS**					**TOTAL**	
30		From Page 5					$ 33,750.00	
31							$ -	
32								
33								
34			Subtotal				$ 33,750.00	Article 12.01(C)(2)(c)
35			Markup	5.0%	$ 1,687.50		$ 35,437.50	
36							**$ 35,437.50**	
37								
38		**OTHER**	**QTY**			**REFERENCE**	**TOTAL**	
39		Extended Overhead		Days * Cost Per Day		$ -	$ -	
40		Additional Insurance	0.45%	M + L + T&E + S		$ 36,598.86	$ ~~164.69~~	
41		Additional Bond	0.55%	M + L + T&E + S		$ 36,763.56	$ ~~202.20~~	
42				Subtotal			$ ~~366.89~~	Article X.X (X) (X)
43				Markup	0.0%	$ 366.89	$ -	
44							**$ ~~366.89~~**	
45								
46		**FINAL QUOTE TOTAL**					**TOTAL**	
47							$ 36,966.00	
48								
49						**$ 35,437.50**	**~~36,966.00~~**	

Wharton-Smith, Inc.
CONSTRUCTION GROUP

CHANGE ORDER COST PROPOSAL NO. 03

Revision 00

KLWTD Vacuum Station E Tank Rehab

MATERIAL ESTIMATE

#		MATERIALS	INV	QTY	UNIT	UNIT RATE	TOTAL	NOTES
1							$ -	
2							$ -	
3							$ -	
4							$ -	
5							$ -	
6							$ -	
7							$ -	
8							$ -	
9							$ -	
10							$ -	
11							$ -	
12							$ -	
13							$ -	
14							$ -	
15							$ -	
16							$ -	
17							$ -	
18							$ -	
19							$ -	
20							$ -	
21							$ -	
22							$ -	
23							$ -	
24							$ -	
25							$ -	
26							$ -	
27							$ -	
28							$ -	
29							$ -	
30							$ -	
31							$ -	
32							$ -	
33							$ -	
34							$ -	
35							$ -	
36							$ -	
37							$ -	
38		MATERIAL SUBTOTAL					TOTAL	
39							$ -	
40						$	-	

Wharton-Smith, Inc.
CONSTRUCTION GROUP

CHANGE ORDER COST PROPOSAL NO. 03

Revision 00

KLWTD Vacuum Station E Tank Rehab

LABOR ESTIMATE

#		LABOR	HRS ST	HRS OT	RATE ST	RATE OT	COST ST	COST OT	COST TOTAL	NOTES
1		Superintendent	0		$ 95.00	$ 142.50	$ -	$ -	$ -	
2		Asst. Superintendent	0		$ 85.00	$ 127.50	$ -	$ -	$ -	
3		Surveyor	0		$ 65.00	$ 97.50	$ -	$ -	$ -	
4		Craft Foreman	0		$ 65.00	$ 97.50	$ -	$ -	$ -	
5		Operator	0		$ 60.00	$ 90.00	$ -	$ -	$ -	
6		Rodbuster	0		$ 50.00	$ 75.00	$ -	$ -	$ -	
7		Carpenter	0		$ 50.00	$ 75.00	$ -	$ -	$ -	
8		Pipefitter	0		$ 50.00	$ 75.00	$ -	$ -	$ -	
9		Plumber	0		$ 50.00	$ 75.00	$ -	$ -	$ -	
10		Finisher	0		$ 45.00	$ 67.50	$ -	$ -	$ -	
11		Laborer	0		$ 40.00	$ 60.00	$ -	$ -	$ -	
12						$ -	$ -	$ -	$ -	
13						$ -	$ -	$ -	$ -	
14						$ -	$ -	$ -	$ -	
15						$ -	$ -	$ -	$ -	
16						$ -	$ -	$ -	$ -	
17						$ -	$ -	$ -	$ -	
18						$ -	$ -	$ -	$ -	
19						$ -	$ -	$ -	$ -	
20						$ -	$ -	$ -	$ -	
21			0.0	0.0			$ -	$ -		
22			0.0						$ -	
23										

		ADJUSTMENTS	%	HRS		RATE / HR	TOTAL	
24								
25		Material Handling	7.0%	0		$ 30.00	$ -	
26		Testing & Cleaning	2.5%	0		$ 30.00	$ -	
27		Warranty & Punchlist	1.5%	0		$ 35.00	$ -	
28				0			$ -	
29								

		PROJECT MANAGEMENT	HRS		RATE / HR	TOTAL	
30							
31		Project Manager	8		$ 120.00	$ 960.00	
32		Asst. Project Manager	0		$ 105.00	$ -	
33		Project Engineer	0		$ 75.00	$ -	
34			8.0			$ 960.00	
35							

		LABOR SUBTOTAL				HRS	AVG $ / HR	TOTAL	
36									
37		Manhours	-	0.0	8.0	8.0	$ 120.00	$ 960.00	
38						8.0			
39							$	~~960.00~~	
40									

Wharton-Smith, Inc.
CONSTRUCTION GROUP

CHANGE ORDER COST PROPOSAL NO. 03

Revision 00

KLWTD Vacuum Station E Tank Rehab

EQUIPMENT ESTIMATE

#		TOOLS	DESCRIPTION	REF		RATE	TOTAL	
1		Small Tools	4% Labor Cost	$ 960		4%	$ 38.40	
2		Consumables	$1.00 / Labor Hr	8.0		$ 1.00	$ 8.00	
3							$ -	
4							**$ 46.40**	
5								
6		**EQUIPMENT**	**DESCRIPTION**	**QTY**	**UNIT**	**RATE**	**TOTAL**	
7		Pickup Truck			Day	$ 43.50	$ -	
8		Air Compressor			Day	$ 350.00	$ -	
9		Backhoe/Loader			Day	$ 465.00	$ -	
10		Manlift			Day	$ 450.00	$ -	
11		Generator			Day	$ 68.50	$ -	
##							$ -	
##								
##		**RENTALS**	**DESCRIPTION**	**QTY**	**UNIT**	**RATE**	**TOTAL**	
##		Backhoe			Week	$ 698.00	$ -	
##		Plate Compactor			Week	$ 324.00	$ -	
##		MOT Barriers			Week	$ 250.00	$ -	
##		Dewatering Pump			Week	$ 250.00	$ -	
##					Week	$ 250.00	$ -	
##		Concrete Pump			Day	$ 960.00	$ -	
##		Excavator			Day	$ 465.00	$ -	
##		150 Ton Crane			Day	$ 3,500.00	$ -	
##		Core Drill			Day	$ 85.00	$ -	
##							$ -	
##								
##		**FUEL**	**DESCRIPTION**	**Rate**		**REF**	**TOTAL**	
##		Equipment Fuel	12% Fueled Equipment Cost	12%		$ -	$ -	
##							**$ -**	
##								
##								
##		**EQUIPMENT SUBTOTAL**					**TOTAL**	
##							$ 46.40	
##								
##						**$**	**46.40**	

Wharton-Smith, Inc.
CONSTRUCTION GROUP

CHANGE ORDER COST PROPOSAL NO. 03

Revision 00

KLWTD Vacuum Station E Tank Rehab

SUBCONTRACT ESTIMATE

#		SUBCONTRACTOR	SCOPE	INV	TOTAL	NOTES
1		Welder	Demolish approximately upper 2/3 of existing tank. Install pre-rolled steel sheets welded inside and out.		$ 33,750.00	
2						
3						
4						
5						
6						
7						
8						
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14						
15						
16						
17						
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25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38		SUBCONTRACT SUBTOTAL			TOTAL	
39					$ 33,750.00	
40				$	33,750.00	

Labor Breakdown				Hours															
	Quantity	Unit	Duration (Days)	Project Manager	Asst. Project Manager	Project Engineer	Superintendant	Asst. Superintendant	Surveyor	Craft Foreman	Operator	Rodbuster	Carpenter	Pipefitter	Plumber	Finisher	Laborer		Totals
Compile Change Order, Issue Change Orders				8.0															8.0
Supervision, coordinate subcontractors																			0.0
																			0.0
																			0.0
																			0.0
																			0.0
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																			0.0
																			0.0
																			0.0
																			0.0
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				8.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	**8.0**

SECTION 00950
CHANGE ORDER FORM

CONTRACTOR ("Contractor"): Wharton-Smith, Inc. 125 Indiantown Rd. Ste 201 Jupiter, FL 33458	CHANGE ORDER No. 2 PROJECT TITLE: Vacuum Station "E" Tank Rehabilitation PROJECT No.
OWNER: Key Largo Wastewater Treatment District ("Owner" or "District") 103355 Overseas Highway Key Largo, FL 33037	ENGINEER`: Weiler Engineering 6805 Overseas Hwy Marathon, Florida 33050
DATE OF ISSUE: October 5, 2016	EFFECTIVE DATE: October 5, 2016, contingent upon approval by the District's Board of Commissioners. Contractor shall commence work only after receipt of notification to proceed by the District's Contract Manager.

Description of Work to be Performed: The Contractor is hereby authorized and directed to perform the following Work, generally described as: Increase the area of cutting and replacing steel in the vacuum tank from approximately 75 square feet to approximately 210 square feet.

Reason for Change: The inspections and measurement performed in December of 2015 were used as the basis for estimating the scope of the repair needed for bidding the project. The tank was re-inspected in August 2016 after the project was awarded. It was found at that time that the corroded area was greater than the area determined in 9 months earlier. The increased area of tank to be replaced increases the scope of work.

Work to be Performed is more specifically described as (add additional sheets if necessary):

Attachments: (*List documents supporting change and justifying cost and time)*

Total Proposed Increase (decrease) in Contract Price and Contract Time for this Change Order

Increase ~~(decrease)~~ in Contract Price: $35,437.50	**Increase ~~(decrease)~~ in Contract Time (Calendar days): 60**

Acknowledgments:

The aforementioned change, and work affected thereby, is subject to and governed by all provisions of the original Agreement and RFP. It is expressly understood and agreed that the approval of this Change Order shall have no effect on the original Agreement, including all GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS, other than matters expressly provided herein.

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

Original Contract Price: $207,750.00	Original Contract Time: 30 (calendar days or dates)

SUMMARY OF CHANGE ORDERS

C-O NO.	Description of Change	Change in Contract Price	Change in Contract Time
1	Request for additional time	$0.00	30 Days
2	Increase metal repair area	$35,437.50	60 Days
3		$	Days
4		$	Days
5		$	Days
6		$	Days
TOTAL OF ALL PRIOR CHANGES		**$0.00**	**30 Days**
CURRENT CONTRACT PRICE AND TIME (Adjusted by Prior Change Orders BUT before adjusting for this Change Order)		**$207,750.00**	**60 Days**
NEW CONTRACT PRICE AND TIME (Adjusted by Prior Change Orders AND this Change Order)		**$243,187.50**	**120 Days**

Original Contract Substantial Completion Date: August 7, 2016	New Contract Substantial Completion Date: November 6, 2016

APPROVAL AND CHANGE ORDER AUTHORIZATION

Contractor: Wharton-Smith, Inc.	Owner: **Key Largo Wastewater Treatment District**
_____ By (Signature)	_____ By (Signature)
_____ (Printed Name and Title of Officer)	Paul Christian, General Manager (Printed Name and Title of Officer)
(Date)_____	(Date)_____
ATTEST:	ATTEST:
_____ (Secretary)	_____ Katherine Jackson, District Clerk
(Corporate Seal)	(Seal)

Actual Cost for Repair of Existing Tank	
Description	**Cost**
Rental of Temporary Tank	$8,525
Installation of Temporary Tank and Piping	$141,025
Repair of Steel Tank	$60,438
Coating of repaired tank	$30,000
Bonds & Insurance	$3,200
Mobilization	$0
Total	**$243,188**

Estimated Cost to Replace Tank with Stainless Steel	
Rental of Temporary Tank	$8,525
Installation of Temporary Tank and Piping	$141,025
Removal of Building Roof	$28,500
Removal of Building Floor	$24,000
Remove Existing Steel Tank	$18,000
Purchase Stainless Steel Tank	$101,675
Install Stainless Steel Tank	$37,500
Replace Floor (hollow-core and grout)	$31,000
Replace Roof (hollow-core and grout)	$40,000
Replace Roofing Membrane System	$15,000
Bonds & Insurance	$6,678
Mobilization	$15,000
Total	**$466,903**

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

Meeting Date: October 4, 2016

Agenda Item Number: H-3

Agenda Item Type: Information / Presentation

Agenda Item Scope: Review / Discussion

Recommended Action: Discussion

Department: Operations

Sponsor: Ed Castle

Subject:

Update on Wharton-Smith, Inc. Change Order No. 1 for the WWTP Blower Upgrade Project

Summary of Discussion:

Staff to give a verbal update on the status of Wharton-Smith, Inc. Change Order No. 1.

Reviewed / Approved		Financial Impact	Attachments
Operations:	_____	$ 0.00	
Administration:	_____		
Finance:	_____	Funding Source:	
District Counsel:	_____		
District Clerk:	_____	Budgeted:	
Engineering:	_____	N/A	

Approved By: _____ **Date:** 9/30/2016

General Manager

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

Meeting Date: October 4, 2016

Agenda Item Number: K-1

Agenda Item Type: Resolution

Agenda Item Scope: Customer Service

Recommended Action: Action: Approval

Department: Customer Service

Sponsor: Rob Bulkiewicz

Subject:

Marina Exemption - Peninsula Way

Summary of Discussion:

In accordance with the KLWTD Rules & Regulations Section 10.05(b), three boat slips (AK#8932342, 8932353, 8932397) are designated as "PC 20 - Marina" by the Monroe County Property Appraiser and do not have facilities that could send wastewater to the District's facilities.

Staff recommends removal from the tax roll.

Reviewed / Approved

Operations: _____

Administration: _____

Finance: _____

District Counsel: _____

District Clerk: _____

Engineering: _____

Financial Impact

$ 0.00 Refunded

$ 8,580.00 Uncollected

Funding Source: Assessment Revenue

Budgeted: No

Attachments

1. Resolution DRAFT 17-10-16
2. Map

Approved By: _____ General Manager **Date:** 9/30/2016

RESOLUTION NO. DRAFT 17-10-16

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT APPROVING THE REMOVAL OF THREE TAX PARCELS FROM THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District (District) assessed the parcels listed below in Section 1 (Parcels) via Resolution 12-06-08 dated June 17, 2008, the 2008 Final Assessment Resolution; and

WHEREAS, the Parcels do not have any facilities capable of creating or collecting wastewater that will enter the District's wastewater facilities; and

WHEREAS, the District has determined that it will not provide wastewater facilities to the Parcels; and

WHEREAS, the Parcels are recognized by the Monroe County Property Appraiser as "Marina" by definition of the assigned PC Code; and

WHEREAS, the Parcels are being used only as boat slips.

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

Section 1.

PARCEL ID:	00500660-000103
AK NO.:	8932342
PARCEL DESCRIPTION:	BK 13 PT LTS 24 AND 25 KEY LARGO OCEAN SHORES ADDN PB4-124 (A/K/A DOCK SLIP D-3 THE PENINSULA AT KEY LARGO YACHT CLUB) OR1577-1311/1401DEC OR1575-1623
PARCEL ID:	00500660-000104
AK NO.:	8932353
PARCEL DESCRIPTION:	BK 13 PT LTS 24 AND 25 KEY LARGO OCEAN SHORES ADDN PB4-124 (A/K/A DOCK SLIP D-4 THE PENINSULA AT KEY LARGO YACHT CLUB) OR1577-1311/1401DEC OR1604-1103
PARCEL ID:	00500660-000108
AK NO.:	8932397
PARCEL DESCRIPTION:	BK 13 PT LT 24 KEY LARGO OCEAN SHORES ADDN PB4-124 (A/K/A DOCK SLIP D-8 THE PENINSULA AT KEY LARGO YACHT CLUB) OR1577-1311/1401DEC OR2005-1222/23 OR26

Section 2. The Board of Commissioners does hereby exclude the deleted Parcels above from the 2008 Non-ad Valorem Assessment, provided that if the District in its sole discretion later provides Wastewater Services to any of the 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 Parcel(s) will receive, as determined by the District. The amount charged at the time of any such later connection is expecting to be significantly greater than the 2008 non-ad valorem assessment.

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

Section 4. AUTHORIZATION OF DISTRICT OFFICIALS. The General Manager and/or his designee(s) are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 4th DAY OF OCTOBER 2016

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:

	AYE	NAY
Chairman Asdourian	____	____
Commissioner Gibbs	____	____
Commissioner Higgins	____	____
Commissioner Majeska	____	____
Commissioner Tobin	____	____

The Chairman thereupon declared this Resolution duly passed and adopted the 4th day of October 2016.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: _____
Chairman Asdourian

ATTEST:

_____
Katherine Jackson, District Clerk

Approved to as to form and legal sufficiency

_____
General Counsel, Ray Giglio

SEAL

Boat Slip Exemption

Key Largo Ocean Shores - Peninsula Way (Slip 3, 4, 8)

MONROE COUNTY PROPERTY APPRAISER OFFICE

THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

1:1,384

Date: 9/27/2016

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

Meeting Date: October 4, 2016

Agenda Item Number: K-2

Agenda Item Type: Resolution

Agenda Item Scope: Customer Service

Recommended Action: Action: Approval

Department: Customer Service

Sponsor: Rob Bulkiewicz

Subject:

MCLA Conservation Waiver of Assessment - AK#1568481 & 1667277

Summary of Discussion:

Monroe County Land Authority requested the waiver of wastewater service and assessment for two parcels (AK#1568481 & 1667277) to be used as conservation.

Reviewed / Approved

Operations: _____

Administration: _____

Finance: _____

District Counsel: _____

District Clerk: _____

Engineering: _____

Financial Impact

$ 0.00 Refunded

$ 4,970.00 Uncollected

Funding Source: Assessment Revenue

Budgeted: No

Attachments

1. Resolution DRAFT 18-10-16
2. Request for waiver
3. Map

Approved By: _____ **Date:** 9/30/2016

General Manager

RESOLUTION NO. DRAFT 18-10-16

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT APPROVING THE REQUEST OF MONROE COUNTY LAND AUTHORITY FOR REMOVAL OF TWO TAX PARCELS AS CONSERVATION LAND FROM THE 2006 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Tax Parcels described in Section 1 are being conveyed to the Monroe County Land Authority ("Land Authority"), a local agency, for the purpose of protecting the natural environment and preserving wildlife habitat under the provisions of Chapter 380, F.S. and/or Monroe County Code section 2-397; and

WHEREAS, the Tax Parcels described in Section 1 will be used as Conservation Parcels and will not be improved with facilities that will generate wastewater; and

WHEREAS, the Land Authority has made an application to the Key Largo Wastewater Treatment District ("District") for a waiver of all future assessments of the District's System Development Charge; and

WHEREAS, pursuant to Section 10.06(a)(iii), of the District's General Rules and Regulations, the Owner(s) may request that the District exclude such Tax Parcels and waive all future assessments of the System Development Charges, for those Tax Parcels.

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

The Tax Parcels designated in Section 1 below be and are excluded from the Key Largo Wastewater Treatment District 2006 Non Ad-Valorem Assessment.

Section 1.

PARCEL ID:	00465060-000000
AK NO.	1568481
PARCEL DESCRIPTION:	BK 6 LT 30 PAMELA VILLA KEY LARGO OR502-770 OR2248 -2413/2414(ORDER) OR2280-2430Q/C
PARCEL ID:	00543750-000000
AK NO.	1667277
PARCEL DESCRIPTION:	BK 3 LT 3 BAHIA MAR EST PB4-79 KEY LARGO OR268-157 OR428-428 OR810-476 OR1370-2499DC(JB) OR1806-1626 T/D(JMH)

Section 2. Should any owner of the parcels listed in Section 1 above later desire wastewater service to the tax parcel(s), or develop the parcel(s) with any structure capable of producing wastewater, they agree to pay all direct and

indirect District costs of providing service as well as any unpaid portions of the assessment herein waived.

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

Section 4. AUTHORIZATION OF DISTRICT OFFICIALS. The General Manager and/or his designee(s) are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 4TH DAY OF OCTOBER 2016

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:

	AYE	NAY
Chairman Asdourian	____	____
Commissioner Gibbs	____	____
Commissioner Higgins	____	____
Commissioner Majeska	____	____
Commissioner Tobin	____	____

The Chairman thereupon declared this Resolution duly passed and adopted the 4th day of October, 2016.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: _____
David Asdourian, Chairman

ATTEST:

_____
Katherine Jackson, Clerk

SEAL

Approved to as to form and legal sufficiency

_____
Ray Giglio, General Counsel

MONROE COUNTY LAND AUTHORITY
1200 Truman Avenue, Suite 207, Key West, FL 33040
Phone: (305) 295-5180 Fax: (305) 295-5181

September 27, 2016

Diane Bockelman
Key Largo Wastewater Treatment District
PO Box 491
Key Largo, FL 33037

Re: Request to Remove Property from KLWTD Assessment Roll for Pending Acquisition of Conservation Land
AK# 1667277 / Block 3, Lot 3, Bahia Mar Estates
AK# 1568481 / Block 6, Lot 30, Pamela Villa

Dear Ms. Bockelman:

The above referenced property is under contract for purchase by the Monroe County Comprehensive Plan Land Authority as conservation land. Conservation lands acquired by the Authority will be maintained as natural areas, will not be developed, will not generate wastewater, and therefore will not need a connection to the Key Largo Wastewater Treatment District wastewater system.

I am requesting that the subject property be removed from the KLWTD assessment roll prior to closing. This action is necessary prior to closing because the Monroe County Tax Collector's Office does not accept partial payments (the payment of just the ad valorem portion of the outstanding taxes when a non-ad valorem assessment is also still outstanding).

Thank you for your assistance with this matter. Please contact me should you require any additional information.

Sincerely,

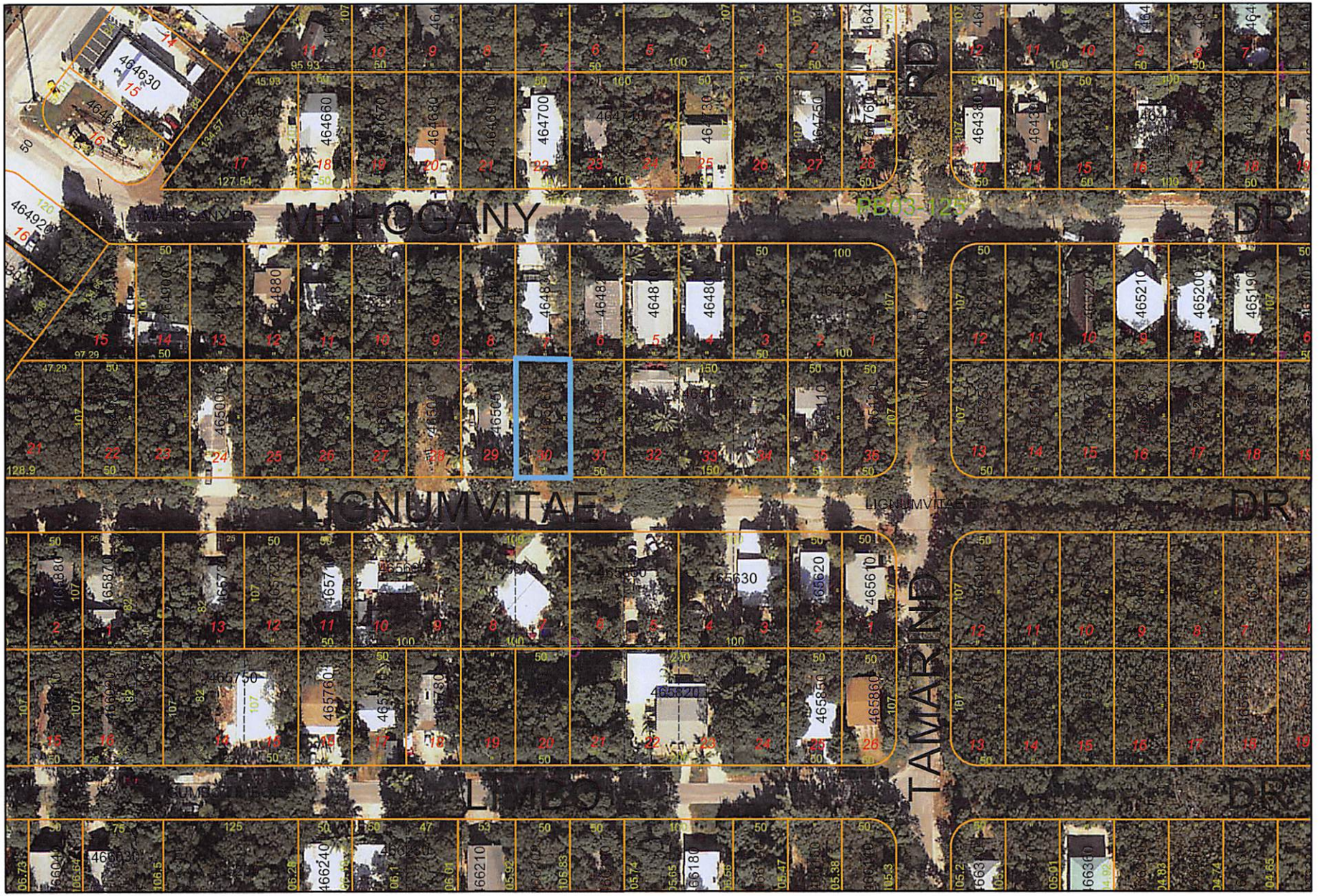
Charles G. Pattison

Charles G. Pattison
Executive Director

MCLA Conservation Waiver

MM 102 - AK#1568481

MONROE COUNTY PROPERTY APPRAISER OFFICE



THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

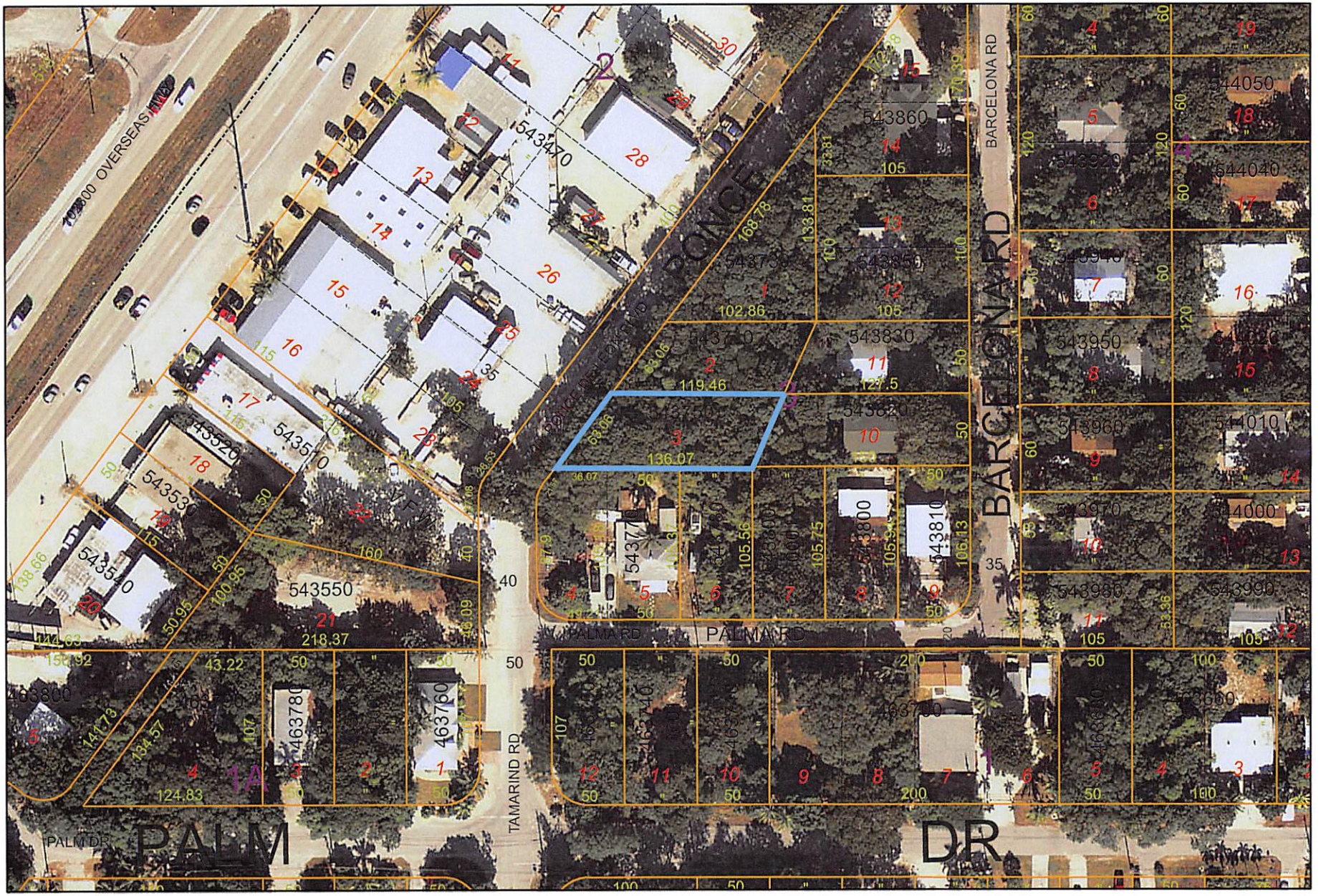
1:1,616

Date: 9/30/2016

MCLA Conservation Waiver

MM 102 - AK#1667277

MONROE COUNTY PROPERTY APPRAISER OFFICE



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1:1,212

Date: 9/30/2016

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

Meeting Date: October 4, 2016

Agenda Item Number: L-1

Agenda Item Type: Information / Presentation

Agenda Item Scope: Review / Discussion

Recommended Action: Discussion

Department: Commissioner's Item

Sponsor: Commissioner Tobin

Subject:

Adoption of a Formal Procedure to Resolve Complaints Against Commissioners and the Manager

Summary of Discussion:

Commissioner Tobin to discuss the adoption of a procedure to resolve complaints against commissioners and the manager.

Reviewed / Approved		Financial Impact	Attachments
Operations:	_____	$ 0.00	1. Memo from Commissioner Tobin
Administration:	_____		
Finance:	_____	Funding Source:	
District Counsel:	_____		
District Clerk:	_____	Budgeted:	
Engineering:	_____	N/A	

Approved By: _____ **Date:** 9/30/2016

General Manager

Date: September 21, 2016

To: Commissioners, KLWTD

From: Andrew Tobin, Commissioner

Re: Procedure for Resolving Staff Complaints

Commissioners;

I would like to suggest that we adopt a formal procedure for dealing with complaints of wrongdoing by commissioners and the manager.

The current "procedure" where the manager accuses a commissioner of wrongdoing is unacceptable.

My suggestion would be to institute a procedure whereby employees could make a confidential complaint against a commissioner or the manager to our attorney or a designated "neutral" who would then interview the complainant and the accused to determine if there is any basis for complaint, and whether the matter should be brought to the Board.

Respectfully,

Andrew Tobin