



Key Largo Wastewater Treatment District
Board of Commissioner's Meeting
Tuesday, March 14, 2017
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 |
| Susan Heim | Commissioner |
| Stephen Gibbs | Commissioner |
| Robert Majeska | Commissioner |

DISTRICT STAFF:

| | |
|-------------------|-----------------|
| Peter Rosasco | General Manager |
| Ray Giglio | General Counsel |
| Katherine Jackson | District Clerk |

MISSION STATEMENT:

"The Mission of the Key Largo Wastewater Treatment District is to preserve and protect the delicate ecosystem of the Florida Keys while providing exceptional customer service."

| | |
|--|------------------|
| D. AGENDA ADDITIONS, CORRECTIONS OR DELETIONS | |
| 1. Approval of Agenda | <i>Action</i> |
| E. PUBLIC COMMENT | |
| F. APPROVAL OF MINUTES OF PREVIOUS MEETINGS | |
| 1. Minutes of March 7, 2017 | 3 <i>Action</i> |
| G. CONSTRUCTION REPORT | |
| 1. Monthly Construction Report | 13 |
| H. OPERATIONS REPORT | |
| I. ENGINEER’S REPORT | |
| J. ADMIN / CUSTOMER SERVICE REPORT | |
| K. COMMISSIONER’S ITEMS | |
| 1. Proposed Amendment to Practices and Policies Manual (Commissioner Gibbs) RESOLUTION DRAFT NO. 11-03-17 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT MODIFYING <i>BOARD PRACTICES AND POLICIES</i> ; AND PROVIDING FOR AN EFFECTIVE DATE. | 18 <i>Action</i> |
| 2. Proposed Amendment to Practices and Policies Manual (Commissioner Tobin) RESOLUTION DRAFT NO. 12-03-17 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT MODIFYING <i>BOARD PRACTICES AND POLICIES</i> ; AND PROVIDING FOR AN EFFECTIVE DATE. | 26 <i>Action</i> |
| 3. Key Largo Wastewater Attorney (Commissioner Heim) | 35 <i>Action</i> |
| L. GENERAL MANAGER’S REPORT | |
| 1. Next Meeting Date | 37 |
| M. LEGAL REPORT | |
| N. BUDGET AND FINANCE REPORT | |
| O. ROUNDTABLE DISCUSSION | |
| 1. Unfinished Business | |
| P. 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:
March 14, 2017

Agenda Item Number: F-1

Agenda Item Type:
Information / Presentation

Agenda Item Scope:
Review / Discussion

Recommended Action:
Action

Department:
District Clerk

Sponsor:
Katherine Jackson

Subject:
Minutes of March 7, 2017

Summary of Discussion:

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

Reviewed / Approved

Financial Impact

Attachments

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

\$ 0.00

Funding Source:

Budgeted:
N/A

1. Minutes of March 7, 2017

Approved By: _____
General Manager



Date: 3-9-17



MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on February 7, 2017. Present were Chairman David Asdourian and Commissioners Andrew Tobin, Susan Heim, and Stephen Gibbs. Commissioner Robert Majeska arrived at 4:05 PM. Also present were General Manager Peter Rosasco with Bishop, Rosasco & Co., General Counsel Ray Giglio, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Mr. Jered Primicerio led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS

- Commissioner Heim requested that Commissioner's Item (*L*) be moved after item *G-1*, that item *L-6* be removed, and that 2 items be added under Roundtable Discussion: 1) KLWTD Property and 2) Recent Check Register.
- Mr. Peter Rosasco added Lobbyist Reporting under General Manager's Report.

APPROVAL OF AGENDA

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

RECOGNIZE DISTRICT STAFF (E)

Mr. Tom Gould, Construction Inspector, was recognized as Employee of the Month for February 2017.

Mr. Beau Sponseller, Senior System Technician, was recognized as Employee of the Month for January 2017.

Ms. Laura Weinstock, Contracts Administrator, was recognized as Employee of the Month for December 2016.

PUBLIC COMMENT (F)

| <i>Name and Address</i> | <i>Subject</i> |
|--|----------------|
| Robert Manley 563 Palm Drive Key Largo, FL | Public Comment |

Dirk Smits
81990 Overseas Hwy
Islamorada, FL

Hiring of a New General Counsel

Christi Meder
225 Hibiscus Street
Tavernier, FL

Review of Mclnery Waggle Inc, Contiguous Vacant Waiver

John Sorensen
East Shore Drive
Key Largo, FL

Robert Manley – 563 Palm Drive

Public Comment: Mr. Robert Manley asked the Board to address and resolve his request that the District change the tie-in location for his house.

The Board added *Robert Manley – 563 Palm Drive* under Roundtable Discussion.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of February 21, 2017 (G-1)

Motion: Commissioner Gibbs made a motion to approve the Minutes of February 21, 2017 and Commissioner Heim seconded the motion. The motion passed without objection.

COMMISSIONER'S ITEMS

Hiring of a New General Counsel (Commissioner Gibbs) (H-1)

Public Comment: Mr. Dirk Smits addressed the Board and requested that his firm, *Vernis & Bowling of the Florida Keys*, be considered during the selection process for the District's new attorney.

Commissioner Gibbs requested that the Board discuss the pros and cons of having a full time versus part time attorney, as well as the pros and cons of in-house counsel versus outside counsel.

The consensus of the Board was that this item should be addressed under *Roundtable Discussion*.

Proposed Amendment to Practices and Procedures Manual (No Vote) (Commissioner Gibbs) (H-2)

Commissioner Gibbs requested that Board revise the *Board's Practices and Policies* manual to provide that a commissioner who has voted "nay" on an item may not bring it back more than once. Chairman Asdourian suggested revising the language to provide that a commissioner can bring back an item only once, regardless of whether that commissioner had voted "yay," "nay," or had not voted.

After discussion and deliberation, the Board requested that this item be brought back at a future meeting with the revised language inserted into the *Board's Practices and Policies* manual and with a draft resolution adopting the change.

Proposed Amendment to Practices and Procedures Manual (Commissioner Tobin) (H-3)

Commissioner Tobin requested that the Board revise the *Board's Practices and Policies* manual to address the issues of: the Clerk's duties with respect to the agenda; who has responsibility for the preparation of the draft agenda; and who should be able to add items to the draft agenda. Commissioner Majeska suggested adding a timeframe within which items must be submitted, in order for those items to be included in the draft agenda.

After discussion and deliberation, the Board requested this item be brought back at a future meeting with the revised language inserted into the *Board's Practices and Policies* manual and with a draft resolution adopting the change.

Washington, D.C. Trip (Chairman Asdourian) (H-4)

Chairman Asdourian requested that the Board take formal action regarding the selection of the commissioner who will be representing the District in Washington, D.C. Commissioner Majeska spoke to his qualifications to represent the District in Washington, D.C.

Motion: Commissioner Gibbs made a motion to appoint Commissioner Majeska to represent the District in Washington, D.C. and Commissioner Tobin seconded the motion.

Vote on Motion

| | |
|------------------------|-----|
| Commissioner Gibbs – | Aye |
| Commissioner Tobin – | Aye |
| Commissioner Majeska – | Aye |
| Commissioner Heim – | Aye |
| Chairman Asdourian – | Aye |

Motion Passed: 5 to 0

Proposed Agenda Format Changes (Commissioner Heim) (P-5)

Commissioner Heim requested that the Board consider adopting her revision of the order of agenda items and stated that business should be taken care of first. During the Board's discussion, it was noted that members can move items around at the meeting if they so choose.

The Board decided to retain the current agenda format as is.

OPERATIONS REPORT

Monthly Operations Report (J-1)

Mr. Ed Castle presented the monthly operations report and staff answered questions from the Board.

Chairman Asdourian requested that Islamorada Salinity be added to the report.

ADMIN / CUSTOMER SERVICE REPORT

Review of McInerny Waggle Inc, Contiguous Vacant Waiver (L-1)

Public Comment: Ms. Christi Meder asked the Board to reconsider the request of McInerny Waggle Inc, for a waiver of KLWTD's Wastewater System Development Charge for AK#1599352 as a Contiguous Vacant Parcel.

Mr. Ray Giglio informed the Board that because of the unusual, bifurcated nature of AK#1599352, it does not appear to fit within the definition of a Contiguous Vacant Parcel that is contained in Rule10.06(a)(i) of the KLWTD Rules and Regulations. However, since both McInerny Waggle Inc., and both parcels adjacent to AK#1599352 are owned by members of the same family, it would not be improper for the Board to grant the applicant's request for a waiver if all of the beneficial owners of AK#1599352 joined in the application.

Staff answered questions from the Board and the Board requested that Mr. Giglio ensure all the paperwork is submitted properly and bring this item back at a future Board meeting.

MCLA Conservation Waiver of Assessment – Winston Park

Mr. Rob Blukiewicz presented a Resolution DRAFT No. 10-03-17 granting the Monroe County Land Authority (MCLA) a Conservation Waiver of Assessment for AK#1668982 – Winston Park, which is being conveyed to the MCLA as conservation parcels; and staff answered questions from the Board.

Commissioner Tobin suggested Mr. Peter Rosasco speak with Mr. Roman Gastesi, Monroe County Administrator or with the MCLA regarding the future financial impact conservation waivers will have on the District.

Motion: Commissioner Heim made a motion to approve final Resolution No. 06-03-17 to remove AK#1668982 from the 2006 Non-Ad Valorem Assessment and Commissioner Gibbs seconded the motion.

Vote on Motion

| | |
|------------------------|-----|
| Commissioner Heim – | Aye |
| Commissioner Gibbs – | Aye |
| Commissioner Majeska – | Aye |
| Commissioner Tobin – | Aye |
| Chairman Asdourian – | Aye |

Motion Passed: 5 to 0

5 MIN BREAK: 5:41 PM

GENERAL MANAGER'S REPORT

Florida Keys Day (M-1)

Mr. Peter Rosasco informed the Board that Florida Keys Day is on April 18, 2017 and that he would like the Board to discuss which commissioner will be representing the District in

Tallahassee. Commissioner Gibbs and Commissioner Heim both expressed interest in attending the event.

Motion: Commissioner Gibbs made a motion that the District offer \$500 as a Sergeant-at-Arms sponsorship and Commissioner Majeska seconded the motion.

Vote on Motion

| | |
|------------------------|-----|
| Commissioner Gibbs – | Aye |
| Commissioner Majeska – | Aye |
| Commissioner Tobin – | Aye |
| Commissioner Heim – | Aye |
| Chairman Asdourian – | Aye |

Motion Passed: 5 to 0

EXTENSION: 5:59 PM

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

March Middle Meeting (M-2)

Mr. Peter Rosasco informed the Board that staff has a very limited number of items for inclusion in the March 21, 2017 agenda and requested that the Board consider moving the items on the March 21, 2017 agenda to the March 14, 2017 meeting, and cancelling the March 21, 2017 meeting.

The Board directed staff to move the March 21, 2017 items to the March 14, 2017 agenda and to cancel the March 21, 2017 meeting.

Lobbyist Reporting (M-3)

Mr. Peter Rosasco informed the Board that he will be asking the District's lobbyists to provide a written report on the matters they are—or will be—working on for the District, and on any upcoming opportunities for the District. Commissioner Heim suggested that the Board study the amount of work the lobbyists are doing for the District, with an eye toward scaling down that work in the future. Commissioner Tobin suggested that Ms. Cynthia Henderson, the District's lobbyist in Tallahassee, might be able to analyze some of the bills that she sends back to the District; and he further suggested that she call in periodically to update the Board on her activities.

ROUNDTABLE DISCUSSION

Unfinished Business (P-1)

Commissioner Tobin requested "Other Agency Bonuses" be taken off the list and added to placeholders so a presentation can be made to the Board at some time well before the next holiday season.

Commissioner Majeska suggested that if staff were to contact Airvac and ask them to give the District a sales presentation, such a presentation would likely include possible improvements to the District's system. He also suggested that "Airvac Presentation" be moved from unfinished business to placeholders.

KLWTD Property (Commissioner Heim) (P-2)

Commissioner Heim requested that staff investigate a truck that has been parked in front of Vacuum Station I with a "for sale" sign on it; that staff make sure the truck is not on District property; and that staff report back on this matter.

Check Register (Commissioner Heim) (P-3)

Commissioner Heim stated that she had multiple questions regarding the most recent check register. Staff informed the Board that the commissioners are welcome to sit with staff and that staff will be available for any questions that may arise.

EXTENSION: 6:30 PM

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

Bob Manley – 563 Palm Drive (P-4)

Public Comment: Mr. John Sorensen requested the Board negotiate the amount that the District is charging Mr. Robert Manley to move the cleanout and suggested that he would be willing to pay a lower fee.

Staff informed the Board that Mr. Manley was presented with three separate options for a new cleanout location, and stated the approximate cost of each option. Staff further advised the Board that Mr. Manley has refused all three options. The Board agreed that the fee to move the cleanout should be paid in full before work can commence and staff answered questions from the Board.

Hiring of a New General Counsel (Commissioner Gibbs) (P-5)

The Board discussed the advantages and disadvantages of a full-time versus a part-time attorney. Chairman Asdourian suggested that before making any decisions, the Board should wait until Mr. Peter Rosasco has had a chance to weigh-in on what kind of attorney he believes the District should hire.

ADJOURNMENT

The Meeting was adjourned at 7:02 PM.

David Asdourian, Chairman

Katherine Jackson, Clerk

RESOLUTION NO. 06-03-17

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 ONE TAX PARCEL 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 is 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 Parcel described in Section 1 will be used as a Conservation Parcel 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 Parcel designated in Section 1 below be and is excluded from the Key Largo Wastewater Treatment District 2006 Non Ad-Valorem Assessment.

Section 1.

PARCEL ID: 00545480-000000
AK NO. 1668982
PARCEL DESCRIPTION: BK 1 LT 13 WINSTON PARK SUB PB4-104 KEY LARGO OR297-77 OR725-791/792 OR822-2406-TR

Section 2.

Should any owner of the parcel listed in Section 1 above later desire wastewater service to the tax parcel, 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 7TH DAY OF MARCH 2017

The foregoing RESOLUTION was offered by Commissioner Heim, who moved its approval. The motion was seconded by Commissioner Gibbs, and being put to a vote the result was as follows:

| | AYE | NAY |
|----------------------|----------|-----|
| Chairman Asdourian | <u>✓</u> | ___ |
| Commissioner Gibbs | <u>✓</u> | ___ |
| Commissioner Heim | <u>✓</u> | ___ |
| Commissioner Majeska | <u>✓</u> | ___ |
| Commissioner Tobin | <u>✓</u> | ___ |

The Chairman thereupon declared this Resolution duly passed and adopted the 7th day of March, 2017.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: [Signature]
David Asdourian, Chairman

ATTEST:

Approved to as to form and legal sufficiency

[Signature]

Katherine Jackson, Clerk

[Signature]

Ray Giglio, General Counsel

SEAL



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

Meeting Date:
March 14, 2017

Agenda Item Number: G-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
Administration: _____
Finance: _____
District Counsel: _____
District Clerk: _____
Engineering: _____

\$ 0.00

Funding Source:
Grant(s)

Budgeted:
N/A

1. February Construction Update

Approved By: _____
General Manager



Date: 3-9-17



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: Peter Rosasco, General Manager
From: Ed Castle, P.E.
Date: March 2017
Re: Monthly Construction Report for February 2017

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 has not yet delivered the final record surveys for review.
- c. The Guardian telemetry transmitters have been installed in all control panels.
- d. HTT1100 Collectors that transmit the signals from the Guardians to the telemetry monitoring system in all non-FDOT locations have been placed into operation.
- e. Installation of nine posts for mounting the HTT1100 Collectors in the US 1 right of way have been completed.
- f. The installation of the HTT1100 Collectors by WRT in the FDOT RW is scheduled to begin shortly.
- g. Additional testing of radio signal strength is needed for an area with 8 homes on bayside to determine what telemetry system is best suited for the area. Testing by WRT is scheduled to begin shortly.

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 is purchasing pump skids and tanks at discounted rates.
- b. The three 8,700 gallon chemical storage tanks are ready for shipment. Delivery is being coordinated by Wharton Smith.
- c. The CEJ chemical pump skids are constructed and ready to ship. Delivery is being coordinated by Wharton Smith.
- d. The installation of the tanks and pump skids was awarded to Wharton-Smith. The Partial Notice to Proceed to Wharton Smith was issued on 8/17/16. According to Wharton Smith's construction schedule, the Sodium Hydroxide system will be installed in February, with the replacement of the remaining tanks and pumps following.

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. Demolition of the 100 HP Turblex blower and both of the 300 HP Turblex blowers has been completed. All four Aerzen blowers have been installed and are operational.
- d. Wastewater is being treated in SBRs #2 and #3, with SBR #1 filled with clear water and on stand-by mode.
- e. The District has approved the purchase of electric actuators for certain blower system valves to enhance automatic operation. The valves have been ordered. Delivery is expected in 4 – 6 weeks.
- f. A change order to Wharton Smith for wiring and integration of the valve actuators was approved by the Board. Wharton Smith will provide a schedule for the work after the District receives a firm delivery schedule from the manufacturer of the actuators.

4. Vacuum Station “E” Tank Replacement (Rehabilitation)

- a. Wharton-Smith was awarded the Vacuum Station “E” Tank Rehabilitation project. Wharton Smith mobilized on July 11, 2016.
- b. All steel repairs to the tank have been completed. The interior has been properly coated and the tank placed back into service. All work has been completed, including cleanup and restoration.
- c. The Certification of Final Completion was issued by the Engineer on January 26, 2017.

5. Vacuum Station “F” Booster Pump

- a. Weiler Engineering is working on a revised layout and piping diagram for the installation of a booster vacuum pump, with an upgraded pump proposed by Airvac.
- b. Airvac has submitted a quote for providing the booster vacuum pump and ancillary components as well as wiring and startup services. The quote is being presented to the Board for approval at the February 7, 2017 Board Meeting.

Respectfully Submitted,
Ed Castle, P.E.

Current Construction Projects

February 2017

| Project | Project Estimate | Contract Amount | Contract Start/End | Expended Prior to FY16 | Expended To Date FY16/17 | 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 | \$7,500.00 | \$3,075 | \$0 |
| Unique Properties Telemetry Post Installations | N/A | \$9,750 | TBD | N/A | \$0.00 | \$9,750 | \$0 |
| Current Project Total | | \$3,568,599 | | \$3,207,202 | \$348,572.00 | \$12,825 | |
| Chemical Storage and Feed System Wharton-Smith, Carl Eric Johnson | \$1,000,000 | \$721,183 | 2/10/2017 | N/A | \$382,427 | \$338,756 | \$10,000 |
| WWTP Blower Upgrades Wharton-Smith, Aerzen, Champion Controls, Chalmers & Kubeck | \$1,200,000 | \$2,637,244 | 7/5/2016 4/26/2017 | N/A | \$1,598,176 | \$154,636 | \$55,980 |
| Change Order No 1 | | \$4,930 | 9/15/2016 | | | | |
| Change Order No 2 | | \$3,253 | 12/7/2016 | | | | |
| Change Order No 3 | | -\$922,000 | 12/7/2016 | | | | |
| Change Order No 4 | | \$29,385 | 12/21/2016 | | | | |
| Current Project Total | | \$1,752,812 | | | \$1,598,176 | \$154,636 | |

| | | | | | | | |
|--|-----------|------------------|------------------------|-----|------------------|------------|-----|
| Vacuum Station "E" Tank Replacement (Rehabilitation) Wharton-Smith, Bilfinger | \$228,500 | \$216,275 | 4/27/2016 1/25/2017 | N/A | \$256,174 | \$0 | \$0 |
| Change Order No 1 | | \$0 | 8/9/2016 | | | | |
| Change Order No 2 | | \$35,437.50 | 10/5/2016 | | | | |
| Change Order No 3 | | \$4,251 | 10/16/2016 | | | | |
| Change Order No 4 | | \$1,785 | 12/21/2016 | | | | |
| Change Order No 5 | | (\$1,575) | 1/12/2017 | | | | |
| Current Project Total | | \$256,174 | | | \$256,174 | \$0 | |

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

Meeting Date:
March 14, 2017

Agenda Item Number: K-1

Agenda Item Type:
Information / Presentation

Agenda Item Scope:
Review / Discussion

Recommended Action:
Action

Department:
Commissioner's Item

Sponsor:
Commissioner Gibbs

Subject:
Proposed Amendment to Practices and Policies Manual

Summary of Discussion:
Proposed amendment to the Board's Practices and Policies manual.

| <u>Reviewed / Approved</u> | <u>Financial Impact</u> | <u>Attachments</u> |
|--|-------------------------|---|
| Operations: _____ | \$ | 1. Resolution DRAFT No. 11-03-17 2. Board Practices and Policies with Revised Language |
| Administration: _____ | | |
| Finance: _____ | Funding Source: | |
| District Counsel: <u></u> | | |
| District Clerk: _____ | Budgeted: | |
| Engineering: _____ | N/A | |

Approved By:  Date: 3-9-17
General Manager

RESOLUTION DRAFT NO. 11-03-17

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE KEY LARGO WASTEWATER TREATMENT
DISTRICT MODIFYING *BOARD PRACTICES AND
POLICIES*; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Board of Commissioners (“Board”) of the Key Largo Wastewater Treatment District (“District”), at a regularly scheduled meeting on January 17, 2017 adopted the *Board Practices and Policies* by resolution; and

WHEREAS, the *Board Practices and Policies* is a document that can be amended at any time; and

WHEREAS, The Board has determine that it would be in the best interest of the District to amend subsection (2) of paragraph “1” of the section entitled, “Conduct of Meetings”; and

WHEREAS, the District desires, by this resolution, to modify subsection (2) of paragraph “1” of the section entitled, “Conduct of Meetings” of the *Board Practices and Policies* to provide that a commissioner may bring back an item that has been voted on only once.

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. Board Practices and Policies Modification. Subsection (2) of paragraph “1” of the section entitled, “Conduct of Meetings” of the *Board Practices and Policies*, on page 1 of 4, which currently provides that:

1. *Commissioners have the right to request reconsideration of any item regardless of whether a commissioner was on the winning or losing side of a prior vote, ...*

is hereby amended to read,

1. *Commissioners have the right to request reconsideration of any item only once regardless of whether a commissioner was on the winning or losing side of a prior vote or did not vote; ...*

Chairman David Asdourian

ATTEST:
sufficiency

Approved to as to form and legal

Katherine Jackson, District Clerk

Ray Giglio, General Counsel

SEAL

BOARD PRACTICES AND POLICIES

CONDUCT OF MEETINGS

1. The Board usually applies the following "Meeting Rules" to its meetings: (1) It shall not be necessary to have a motion on the floor to discuss an item; (2) Commissioners have the right to request reconsideration of any item only once, regardless of whether a commissioner was on the winning or losing side of a prior vote, or did not vote; (3) A motion can be made by any Commissioner; (4) If the Chair makes a motion, it must pass the gavel to the Vice Chair; (5) A motion can be seconded by any Commissioner including the Chair, who need not pass the gavel; (6) A point of order normally take precedence over other matters; (7) On matters of extreme importance, a Commissioner may request the Board consider the matter at two separate hearings; (8) The Board should encourage full and open discussion of all items without regard to how long it takes to reach consensus; (9) The Board should not entertain items that have not been included in the Agenda; and (10) The Board should not take action on an items unless it has been provided sufficient back-up and an opportunity to review and to consider the matter.
2. The Board should update its "Meeting Rules" from time to time when appropriate.
3. The Board should be guided, but is not required to follow Robert's Rules of Order (Small Group Edition).

ROLE OF CHAIRMAN

4. The Chair should encourage full and open debate.
5. The Chair is not obliged to recognize a request to "call the question" unless and until there has been full and open discussion by the Board.
6. The Chair should discourage disrespectful comments.
7. The Chair's ruling on procedural matters is subject to a vote if challenged by any commissioner.

ABSTAINING FROM VOTING

8. A Commissioner should not abstain from voting unless, there is, or appears to be, a possible conflict of interest or unless a Commissioner lacks sufficient information to cast an informed vote.

RESOLUTIONS

9. Matters of importance should be resolved by a vote rather than by "giving direction."
10. Commissioners may request a formal vote on any issue.
11. The Board should adopt written resolutions on matters of importance.

THE RIGHT TO DISSENT

12. While a majority of the Board shall represent the official policy of the Key Largo Wastewater District. Notwithstanding any such vote, individual Commissioners shall have the right to publicly disagree with any vote or policy.

ELECTION OF OFFICERS

13. The Board elects a chairman, vice chairman, and treasurer annually. In years in which general elections are held pursuant to s. 189.405(2)(a), F.S, the Board elects officers at the first meeting following certification of results by the Supervisor of Elections. In non-election years, the election of officers is held on the second meeting in November.
14. Commissioners may nominate themselves for office.
15. No second is required for nominations.
16. Contested elections for Board officers may be held by signed ballots, which shall be opened by the Clerk and made a part of the record.

PUBLIC COMMENTS

17. The Board should welcome public participation and comments at all meetings.
18. A person who desires to speak should register his or her request with the Clerk.

19. The public may speak on any item, including “Bulk” items, during the public comment period, or may defer making comments until the item is called for discussion.
20. Public Comment is usually limited to three (3) minutes for an individual and five (5) minutes for representatives of organizations, unless the Board believes additional time is appropriate.
21. Public speakers may provide written material to the Board and request that the material be included in minutes; however, the Chair may decline the request for inclusion if the material is unduly voluminous or is offensive.
22. Commissioners and Staff should refrain from responding to public speakers but may do so with the consent of the Chair.

THE MINUTES OF THE MEETING

23. The minutes should be promptly recorded and should summarize the events of the meeting.
24. All motions made during the course of a meeting should be recorded in the minutes, including motions that fail to receive a second.
25. At the very least, the minutes should reflect the maker of the motion; the nature of the motion; the second, and the Commissioners voting yea/nay.

APPROVAL OF THE MINUTES

26. The draft minutes should be presented to the board for adoption at the next meeting.
27. The adoption of the minutes is *prima facie* evidence of the Board's decision, resolutions, and acts only. Comments included in the minutes are not to be considered as exact quotes
28. Commissioners have the right to request corrections to the minutes.

LENGTH OF MEETING

29. The Board should endeavor to complete business within two (2) hours.

30. A meeting can be extended by a motion duly made and adopted.

MOTIONS

31. A vote can only be called by the Chair after a motion has been made and seconded.

32. Motions that do not receive a second shall automatically fail.

33. When a motion has been moved and seconded, and following the end of the discussion of an item, the Chair must:

- Restate the motion, and
- Call for a vote by yeas and nays or by roll

34. Any Commissioner may request a roll call vote.

35. Only one motion at a time may be considered.

36. The Board may table a motion to the next meeting, at which time the Board shall resume debate.

ROUNDTABLE DISCUSSION

37. The Roundtable portion of the meeting is where Commissioners may have open and free discussions among themselves.

38. No motion shall be required for a matter to be raised and discussed.

39. The regular rules of conduct and procedure, including Roberts *Rules of Order*, shall not be in effect.

STAFF SUPPORT & LEGAL ADVICE

40. In order to carry out their legislative duties, Commissioners may request information, research or support from the General Manager, Senior Staff Members, Department Managers, or the District's Attorneys and Consultants provided that any such request is not unduly burdensome or excessive, i.e., will not take more than 1 hour per month. The District's staff shall have the right (but is not obligated) to ask the full board to authorize the request if the request is unduly burdensome.

RESOLUTION DRAFT NO. 12-03-17

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT MODIFYING *BOARD PRACTICES AND POLICIES*; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Commissioners (“Board”) of the Key Largo Wastewater Treatment District (“District”), at a regularly scheduled meeting on January 17, 2017 adopted the *Board Practices and Policies* by resolution; and

WHEREAS, the *Board Practices and Policies* is a document that can be amended at any time; and

WHEREAS, The Board has determined that it would be in the best interest of the District to amend the Board’s *Practices and Policies* to include a Section entitled, *DRAFT AGENDA*; and

WHEREAS, the District desires, by this resolution, to modify the *Board Practices and Policies* to establish procedures governing the preparation of the draft agenda.

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. Board Practices and Policies Modification. The Board’s Practices and Policies, modified to include “*DRAFT AGENDA*” on page 2 of 4 is hereby amended to read:

DRAFT AGENDA

- 1. The Clerk shall be responsible for the preparation, content, and form of the draft agenda with the assistance of the General Manager.*
- 2. Commissioners shall have the right to include items and materials in the draft agenda for dissemination to the other commissioners, to staff, and to the general public.*
- 3. In addition to Commissioners, the following persons shall have the right to include items in the draft agenda for dissemination the commissioners, the staff and the general public: 1) the General Manager, 2) the Director of Finance, 3) the Director of Operations, and 4) the General Counsel.*

Chairman David Asdourian

ATTEST:
sufficiency

Approved to as to form and legal

Katherine Jackson, District Clerk

Ray Giglio, General Counsel

SEAL

BOARD PRACTICES AND POLICIES

CONDUCT OF MEETINGS

1. The Board usually applies the following "Meeting Rules" to its meetings: (1) It shall not be necessary to have a motion on the floor to discuss an item; (2) Commissioners have the right to request reconsideration of any item regardless of whether a commissioner was on the winning or losing side of a prior vote; (3) A motion can be made by any Commissioner; (4) If the Chair makes a motion, it must pass the gavel to the Vice Chair; (5) A motion can be seconded by any Commissioner including the Chair, who need not pass the gavel; (6) A point of order normally take precedence over other matters; (7) On matters of extreme importance, a Commissioner may request the Board consider the matter at two separate hearings; (8) The Board should encourage full and open discussion of all items without regard to how long it takes to reach consensus; (9) The Board should not entertain items that have not been included in the Agenda; and (10) The Board should not take action on an items unless it has been provided sufficient back-up and an opportunity to review and to consider the matter.
2. The Board should update its "Meeting Rules" from time to time when appropriate.
3. The Board should be guided, but is not required to follow Robert's Rules of Order (Small Group Edition).

ROLE OF CHAIRMAN

4. The Chair should encourage full and open debate.
5. The Chair is not obliged to recognize a request to "call the question" unless and until there has been full and open discussion by the Board.
6. The Chair should discourage disrespectful comments.
7. The Chair's ruling on procedural matters is subject to a vote if challenged by any commissioner.

ABSTAINING FROM VOTING

8. A Commissioner should not abstain from voting unless, there is, or appears to be, a possible conflict of interest or unless a Commissioner lacks sufficient information to cast an informed vote.

RESOLUTIONS

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

Meeting Date:
March 14, 2017

Agenda Item Number: K-3

Agenda Item Type:
Information / Presentation

Agenda Item Scope:
Review / Discussion

Recommended Action:
Action

Department:
Commissioner's Item

Sponsor:
Commissioner Heim

Subject:
Key Largo Wastewater Attorney

Summary of Discussion:

Reviewed / Approved

Financial Impact

Attachments

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

\$

Funding Source:

Budgeted:
N/A

1. Key Largo Wastewater Attorney
Duties

Approved By: _____
General Manager



Date: 3-9-17

KEY LARGO WASTEWATER ATTORNEY

DUTIES – 20 hours/week. Salary DOE.

- Handle all corporate legal processes (e.g. intellectual property, mergers & acquisitions, financial/securities offerings, compliance issues, transactions, agreements, lawsuits, patents)
- Develop company policy and position on legal issues
- Research, anticipate and guard company against legal risks
- Guide managers and ensure compliance with rules and regulations
- Structure, draft and review reports and other legal documents
- Represent company in legal proceedings (administrative boards, court trials etc.)
- Draft and administer all contracts
- Negotiate deals and attend company meetings

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

Meeting Date:
March 14, 2017

Agenda Item Number: L-1

Agenda Item Type:
Information / Presentation

Agenda Item Scope:
Review / Discussion

Recommended Action:
Discussion

Department:
General Manager

Sponsor:
Peter Rosasco

Subject:
Next Meeting Date

Summary of Discussion:

The next Board of Commissioners Meeting is set for April 4, 2017.

| <u>Reviewed / Approved</u> | <u>Financial Impact</u> | <u>Attachments</u> |
|----------------------------|-------------------------|--------------------|
| Operations: _____ | \$ 0.00 | |
| Administration: _____ | | |
| Finance: _____ | Funding Source: | |
| District Counsel: _____ | | |
| District Clerk: _____ | Budgeted: | |
| Engineering: _____ | N/A | |

Approved By:  Date: 3-9-17
General Manager