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
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 April 11, 2017  3  Action

H. GENERAL MANAGER’S REPORT
1. May/June Proposed Meeting Schedule  12
2. General Manager Ad  13
3. IT Services Update  15

I. BUDGET AND FINANCE REPORT
1. Fiscal Year 2018 Budget Calendar  16
2. Insurance Deductible Payment for Sewer Backup Claim on Oct. 12, 2016  18  Action
3. Life Insurance Policy for KLWTD Employees / Commissioners  22  Action

J. ADMIN AND CUSTOMER SERVICE REPORT
1. Code Compliance List – April 2017  24
2. New Parcels to be Considered for Unique Project  26
3. Pennekamp Waiver per Easement Agreement  30  Action

RESOLUTION NO. 14-04-17
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, APPROVING THE REQUEST OF BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA FOR THE REMOVAL OF ONE TAX PARCEL FROM THE 2012 NON-AD VALOREM ASSESSMENT; PROVIDING FOR AN EFFECTIVE DATE.

K. OPERATIONS REPORT

L. CONSTRUCTION REPORT

M. ENGINEER’S REPORT

N. LEGAL REPORT
1. Lake Surprise V. KLWTD Settlement Update  49

O. COMMISSIONER’S ITEMS
1. Florida Keys Day 2017 Update (Commissioner Majeska)  50

P. ROUNDTABLE DISCUSSION
1. Unfinished Business

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: April 25, 2017
Agenda Item Number: G-1

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

Department: Legal
Sponsor: Ray Giglio

Subject: Minutes of April 11, 2017

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

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

Financial Impact
$ 0.00

Attachments
1. Minutes of April 11, 2017

Approved By: [Signature]
Date: 4/20/17
General Manager
MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on April 11, 2017. Present were Chairman David Asdourian and Commissioners Andrew Tobin, Susan Heim, Stephen Gibbs, and Robert Majeska. Also present were General Manager Peter Rosasco with Bishop, Rosasco & Co., Ed Castle with Weiler Engineering, General Counsel Ray Giglio, District Clerk Katherine Jackson, and other appropriate District Staff.

Commissioner Tobin led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS (D)

- Commissioner Gibbs requested that item H-4 be changed from Action to Discussion and that solar energy conversion be added under Roundtable Discussion.
- Commissioner Majeska requested that item J be moved after item F.
- Chairman Asdourian added a discussion of commissioner life insurance under Roundtable Discussion.
- Mr. Ray Giglio added a discussion of Lake Surprise II V. KLWTD under Legal Report.

APPROVAL OF AGENDA

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

PUBLIC COMMENT (E)

Name and Address          Subject

Albert Brian
2 Seagate Boulevard       Public Comment

Public Comment: Mr. Albert Brian addressed the Board regarding his commercial property located at 2 Seagate Boulevard, Key Largo (the American Legion). Mr. Brian indicated to the Board that one of the mahogany trees on his property died after District installed the main sewer line in the right-of-way and that he would like the connection to be moved to a different location. The Board addressed Mr. Brian and requested that this item be added to a future agenda.
ADMIN AND CUSTOMER SERVICE REPORT

Contiguous Vacant Waiver – McInerny Waggle Inc AK#1599352 (F-1)

Mrs. Diane Bockelman presented Resolution No. 13-04-17, the Contiguous Vacant Waiver for McInerny Waggle Inc AK#1599352. Mr. Ray Giglio informed the Board that it would not be improper for the Board to grant the applicant’s request for a waiver since all the beneficial owners of AK#1599352 joined in the application. Staff answered questions from the Board.

Motion: Commissioner Gibbs made a motion to approve Resolution No. 13-04-17 and Commissioner Majeska seconded the motion.

Vote on Motion

<table>
<thead>
<tr>
<th>Commissioner Gibbs –</th>
<th>Aye</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Majeska –</td>
<td>Aye</td>
</tr>
<tr>
<td>Commissioner Tobin –</td>
<td>Aye</td>
</tr>
<tr>
<td>Commissioner Heim –</td>
<td>Nay</td>
</tr>
<tr>
<td>Chairman Asdourian –</td>
<td>Aye</td>
</tr>
</tbody>
</table>

Motion Passed: 4 to 1

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of March 14, 2017 (G-1)

Commissioner Gibbs noted that the minutes contained a request from the Board that a maintenance section be added to the monthly report. Mr. Ryan Dempsey, Maintenance Supervisor address that omission in this month’s report and informed the Board that there will be a maintenance section in the March 2017 Monthly Report.

Motion: Commissioner Gibbs made a motion to approve the Minutes of March 14, 2017 and Commissioner Majeska seconded the motion. The motion passed without objection.

GENERAL MANAGER’S REPORT

February 2017 Monthly Report (H-1)

Mr. Peter Rosasco informed the Board that each department head would discuss his or her section of the monthly report. Mr. Ed Castle presented the Operations and Construction section, Mrs. Diane Bockelman presented the Customer Service Section, and Mrs. Connie Fazio presented the Budget and Finance Section. Staff answered questions from the Board and Mr. Rosasco informed the Board that a debt service presentation will be given at a future meeting.

FY17/18 FKWQIP (H-2)

Mr. Peter Rosasco gave a report on the FY17/18 Florida Keys Water Quality Improvement Program (FKWQIP) trip to Washington, D.C. Mr. Rosasco informed the Board that he and Commissioner Majeska, along with representatives of the other Local Sponsors, met with and were well received by, members of the South Florida House Congressional Delegation, both of
Florida’s U.S. Senators, and Army Corps of Engineers staff. He indicated that the meetings were very productive and that all of the officials with whom they met expressed support for funding FY17/18 Corps of Engineers Environmental Infrastructure projects, the funding source that has provided over $50 million to the FKWQIP local sponsors for sewers. Mr. Rosasco directed the Board’s attention to the report in the Agenda that had been prepared and submitted by Mr. Fred Hicks, the District’s lobbyist in Washington, D.C., which provides a summary of events.

**M-Files Records Software Update (H-3)**

Mrs. Katherine Jackson presented a memo that informed the Board of the recent procurement of M-files records management software, and that outlined the need for and the functionality of that software. Mrs. Jackson informed the Board that the M-files software will be used to digitize existing District records to create a more manageable and functional records program, and that M-files will ensure that all State of Florida records retention requirements are met through an automated process. She further explained that it was for all of these reasons that staff recommended, and the General Manager approved, the purchase of M-files records retention software.

Staff answered questions from the Board.

**EssentialNet Solutions (ENS) Service Agreement (H-4)**

Mr. Peter Rosasco informed the Board that representatives from EssentialNet Solutions and Codified were present in the audience to make presentations to the Board regarding their respective proposals. Mr. John Redrup, Jr., ENS President, presented the EssentialNet Solutions proposal and Mr. Ernesto Milian, Codified CEO, presented the Codified proposal. Both representatives answered questions from the Board.

The Board directed staff to check references, costs, and company employees, and to compile and present a matrix to the Board at a future meeting.

**EXTENSION: 6:00 PM**

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

**5 MIN BREAK: 6:21 PM**

**General Manager Job Description (H-5)**

Mr. Peter Rosasco presented the proposed General Manager job description to the Board. By general consensus, the Board requested that staff condense the job description. However, Commissioner Heim requested that the Class “A” Wastewater Operator’s license still remain in the ad. Commissioner Tobin suggested that staff run the ad “as-is” and that changes could be made in the future if needed.

The Board directed Chairman Asdourian, Mr. Rosasco and Mr. Ed Castle to form a committee to condense the general manager job description, to indicate a starting salary between $90,000-$110,000 per year depending on qualification, and to run the ad in the appropriate publications.
through the end of May. The Board requested that this item be brought back at a future meeting.

LEGAL REPORT

Lake Surprise II V. KLWTD (M-1)

Mr. Ray Giglio informed the Board that Lake Surprise II accepted the District’s $5,000 counter-offer in full settlement of the matter, but that the District had made its counter-offer contingent upon the Redland Company’s acceptance of a settlement with Lake Surprise II. Mr. Giglio stated that as part of the settlement, the parties will exchange general releases that will release the District from all legal liability in the future.

Motion: Commissioner Gibbs made a motion to approve the settlement with Lake Surprise II in an amount not to exceed $5,000 and Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion Passed: 5 to 0

ROUNDTABLE DISCUSSION

Solar Energy (Commissioner Gibbs) (O-2)

Commissioner Gibbs led a discussion regarding the initiation of a solar energy project for the administration or vacuum station buildings. Commissioner Heim suggested that staff try to find solar initiative programs to fund the addition of solar panels for the District. Commissioner Tobin requested this item be placed on Unfinished Business until the District finds a permanent General Manager, General Counsel, and IT Contractor.

EXTENSION: 7:16 PM

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

Commissioner Life Insurance (Chairman Asdourian) (O-3)

Chairman Asdourian led a discussion regarding a life insurance policy for the Board of Commissioners. Chairman Asdourian stated that he asked Mrs. Connie Fazio to look into the cost of such a policy. Mrs. Fazio informed the Board that the policy would include a $10,000 term life insurance policy for sitting commissioners, and it would increase the annual insurance cost by approximately $1,000 per year for all 5 commissioners to be added to the policy.

The Board directed staff to bring this item back at a future meeting.
ADJOURNMENT

The Meeting was adjourned at 7:31 PM.

__________________________________________
David Asdourian, Chairman

__________________________________________
Katherine Jackson, Clerk
RESOLUTION NO. 13-04-17
A RESOLUTION OF THE BOARD OF COMMISSIONERS
APPROVING THE REQUEST OF MCINERNY WAGGLE
INC FOR THE REMOVAL OF ONE TAX PARCEL FROM
THE 2016 NON-AD VALOREM ASSESSMENT; AND
PROVIDING FOR APPLICABILITY AND AN EFFECTIVE
DATE.

WHEREAS, the Key Largo Wastewater Treatment District (District) assessed the
parcel listed below in Section 2 via Resolution 10-08-16 dated August 2, 2016, the 2016
Assessment Resolution; and

WHEREAS, the District has determined that the parcel described in Section 2 is
adjacent to the parcels described in Section 1, which adjacent parcels are developed and
are receiving wastewater service; and

WHEREAS, the District has determined that the parcel described in Section 2 fits
within the definition of a Contiguous Vacant Parcel contained in Rule 10.06(a)(i) of the
KLWTD General Rules and Regulations; and

WHEREAS, in accordance with Section 10.06(a)(i) of the KLWTD General Rules
and Regulations, the parcel owner(s) McInerny Waggle Inc. has waived the right to receive
wastewater service to the parcel described in Section 2, and has requested that the District
suspend collection of the SDC and all future non-ad valorem Assessments on that parcel; and

WHEREAS, pursuant to Section 10.06(b) of the KLWTD General Rules and
Regulations, the owner(s) of the parcel described in Section 2 have certified and agreed
that if they later desire wastewater service to the parcel, they would pay the full direct and
indirect District costs of providing the same.

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

Section 1.
PARCEL ID: 00486870-000000
AK NO. 1599336
PARCEL DESCRIPTION: PLAT OF SURVEY OF LIME GROVE EST PROPERTY
PB5-52 KEY LARGO PT TR 1 (TRACTS 3-4) OR345-126
OR375-583/85-E OR433-402 OR550-1 OR1596-1246/47
OR2454-442D/
PARCEL ID: 00486900-000100
AK NO. 1599361
PARCEL DESCRIPTION: PLAT OF SURVEY OF LIME GROVE ESTATES PROPERTY PB5-52 KEY LARGO PT TRACT 1 OR375-583/85E OR433-496 OR2441-1546/47ORD OR2441-1548/50WILL OR2441-1551ORD OR2510-464/68C OR2510-494/98C OR2510-526/34C

Section 2.
PARCEL ID: 00486900-000000
AK NO. 1599352
PARCEL DESCRIPTION: PLAT OF SURVEY OF LIME GROVE ESTATES PROPERTY PB5-52 KEY LARGO PT TRACT 1 TRS 1 AND 5 OR345-127/29 OR375-583/85E OR2510-449/53C OR2510-474/78C OR2510-

Section 3.
The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the parcel designated above in Section 2 from the Key Largo Wastewater Treatment District 2016 Non Ad-Valorem Assessment.

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

Section 5.
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 11th DAY OF APRIL, 2017

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

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<tr>
<td>Chairman Asdourian</td>
<td>✓</td>
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<tr>
<td>Commissioner Gibbs</td>
<td>✓</td>
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<tr>
<td>Commissioner Heim</td>
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<td>Commissioner Majeska</td>
<td>✓</td>
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<tr>
<td>Commissioner Tobin</td>
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The Chairman thereupon declared this Resolution duly passed and adopted the 11th day of April, 2017.
KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: __________________________
David Asdourian, Chairman

ATTEST: __________________________
Katherine Jackson, District Clerk

Approved to as to form and legal sufficiency

Ray Giglio, General Counsel
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017

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

Recommended Action: Discussion

Department: Sponsor:
General Manager Peter Rosasco

Subject:

May/June Proposed Meeting Schedule

Summary of Discussion:
Staff proposes the following dates for May and June 2017 Board Meetings: 1) May 2, 2017; 2) May 16, 2017; 3) June 6, 2017; 4) June 20, 2017

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

Approved By: General Manager  
Date: 4-20-17
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017

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

Department: General Manager
Sponsor: Peter Rosasco

Subject: **General Manager Ad**

Summary of Discussion:

General Manager Peter Rosasco to present the General Manager ad for information to the Board.

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<tr>
<th>Reviewed / Approved</th>
<th>Financial Impact</th>
<th>Attachments</th>
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<td>Funding Source:</td>
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<td>Engineering: ___</td>
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Approved By: [Signature]
Date: 4-20-17
General Manager
Key Largo Wastewater Treatment District

Located in the beautiful Florida Keys, the Key Largo Wastewater Treatment District ("District"), with its state-of-the-art, award-winning advanced wastewater treatment plant and vacuum collection system provides wastewater collection and biological treatment for over 9,000 homes and businesses in Key Largo, Florida. Our primary mission is to preserve and protect the delicate ecosystems of the Florida Keys while providing exceptional customer service.

For additional information, see our web page at www.klwtd.com

Essential Functions:
The following duties are normal for this position. Other duties may be required and assigned.
- Report to the District Board providing written or oral communications.
- Represent the District in public affairs.
- Ensure all operations are in compliance with regulations, standards, policies and procedures and ensure adherence to established safety procedures.
- Develop and manage CIP plan and all capital improvement projects.
- Develop and administer budgets for all District operations.
- Manage policy & procedural issues in all District operations.
- Maintain familiarity of applicable laws and regulations (including Sunshine Law).
- Develop and implement long and short term plans, goals and objectives.
- Attend all District Board meetings.

Education and/or Experience to include:
- Graduate of a four-year college preferred
- Minimum of 5 years’ direct utility supervisory/managerial experience (wastewater utility management preferred)
- Proficiency with MS Office, Gmail and utility maintenance & operations software programs

Salary range for the General Manager position is $90,000 - $110,000

To be considered, submit your cover letter, resume, current salary and contact information (including email addresses) for five work-related references to: Kim Carpenter, Human Resources, PO Box 491, Key Largo, Florida 33037 or to hr@klwtd.com

Applications are due no later than 5:00pm, Wednesday, May 31, 2017. EEO
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017
Agenda Item Number: H-3

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

Department: General Manager
Sponsor: Peter Rosasco

Subject:
**IT Services Update**

Summary of Discussion:
Staff to update the Board regarding the proposed IT services contracts.

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<th>Reviewed / Approved</th>
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<td>District Counsel: ______</td>
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<td>District Clerk: ______</td>
<td>Budgeted:</td>
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<td>Engineering: ______</td>
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Approved By: __________________________ Date: 4-20-17
General Manager
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017
Agenda Item Type: Information / Presentation
Department: Finance
Agenda Item Scope: Review / Discussion
Sponsor: Peter Rosasco
Agenda Item Number: I-1
Recommended Action: Discussion

Subject: Fiscal Year 2018 Budget Calendar

Summary of Discussion:
The FY18 budget planning and approval calendar will be discussed.

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

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

Attachments
Memo from Finance Dept.

Approved By: ___________________________ Date: 4-19-17
General Manager
KLWTD Fiscal Year 2018 Budget Planning Calendar

2017 Board Meetings with FY18 Budget Related Agenda Items

Tuesday August 22  
Presentation of KLWTD  
Preliminary 2017/18 Budget for discussion

Tuesday September 5  
Presentation of KLWTD Proposed 2017/18 Budget and Budget Resolution for possible approval

Tuesday September 19  
Alternate Date for Approval of KLWTD  
2017/2018 Budget and Resolution  
(must be approved by 9/30/17)
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017

Agenda Item Number: I-2

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

Department: Finance
Sponsor: Peter Rosasco

Subject:
Insurance Deductible Payment for Sewer Backup Claim on Oct. 12, 2016

Summary of Discussion:
The $13,051.56 expense for the insurance claim deductible for the sewer backup at 30 Poinciana Drive will be discussed.

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

Financial Impact
Operations: 
Administration: 
Finance: $ 13,051.56
District Counsel: 
District Clerk: 
Engineering: 

Attachments
Memo from Finance Dept.
PGIT Insurance Deductible Invoice

Approved By: General Manager  Date: 4-19-17
To: KLWTD Board  
From: Connie Fazio  

Subject: Homeowner Sewer Backup Claim Settlement Information  

April 7, 2017

On October 11, 2017, Susan Kolterman, property address 30 Poinciana Drive in Key Largo, experienced wastewater backup in her home. KLWTD Field Department responded immediately and assisted with the cleanup.

Both the homeowner’s insurance carrier and KLWTD insurance carrier were notified, and Preferred Government Insurance Trust (PGIT) handled the claim.

PGIT has settled the sewer backup claim. The total payment for this claim was $13,051.56. As our deductible is $25,000 per occurrence, KLWTD will be charged the full amount of $13,051.56. The invoice was received in March, 2017 and is now due and payable.

Please see the attached letter and invoice from the PGCS claims representative regarding this claim, as well as the Purchase Order.

The District respectfully requests approval of this purchase order in the amount of $13,051.56.

Respectfully submitted,

Connie Fazio  
Senior Finance Manager
Invoice

<table>
<thead>
<tr>
<th>Invoice</th>
<th>Invoice Date</th>
<th>Transaction Description</th>
<th>Amount</th>
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<tr>
<td>GLPD303643</td>
<td>2/28/2017</td>
<td>PACKAGE DEDUCTIBLE BILLED</td>
<td>13,051.56</td>
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<tr>
<td></td>
<td></td>
<td>Susan Kolteman - 303643</td>
<td></td>
</tr>
</tbody>
</table>

Invoice Notes:

Make Check Payable to: Preferred Governmental Insurance Trust
P.O. Box 958455, Lake Mary, FL 32795-8455
Phone (321) 832-1456 Fax (321) 832-1489
accounting@publicrisk.com
Administered by Public Risk Underwriters of FL, Inc.
**PREFERRED GOVERNMENTAL INSURANCE TRUST - CLAIMS DEDUCTIBLE BILLING AS OF 2/28/2017**

<table>
<thead>
<tr>
<th>Key Largo Wastewater Treatment District</th>
<th>POLICY PK2FL1 0444006 15-08</th>
<th>Fund Yr Ending 9/30/2017</th>
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<tbody>
<tr>
<td>LOSS DATE: 10/12/2016</td>
<td>REP DATE: 1/27/2017</td>
<td>Acc Des: Sewer back up</td>
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**Carrier File Num if applicable:**

<table>
<thead>
<tr>
<th>GL EVENT#</th>
<th>EV2016284676</th>
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</thead>
</table>

**CLAIMANT**  Kolteman, Susan

**CLAIM#** 303643

**CLOSE DATE:** 2/10/2017

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<th>Legal/Exp PTD</th>
<th>DEDPTD</th>
<th>LOSSPDTD</th>
<th>TOTPDTD</th>
<th>RESERVES</th>
<th>TOTCTD</th>
<th>TOT INCURRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>GLPD</td>
<td>$0.00</td>
<td>$13,051.56</td>
<td>$0.00</td>
<td>$13,051.56</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**SUMMARY OF CLAIM:**

| $0.00 | $13,051.56 | $0.00 | $13,051.56 | $0.00 | $0.00 | $13,051.56 |

**DEDUCTIBLE $25,000**

**DEDUCTIBLE COLLECTED TO DATE:** $0.00

**DEDUCTIBLE BALANCE DUE:** $13,051.56

**SUMMARY OF DEDUCTIBLE DUE by POLICY YEAR FOR KEY LARGO WASTE TREATMENT**

$13,051.56

---

**For additional claim detail - Please visit www.pgcis-tpa.com**

**Friday, March 10, 2017**

**NOTES:** The deductible balance due from the insured is the lesser of the Deductible or (the Deductible Paid to Date (DEDPTD) plus the Loss Paid to date (TOTPDTD) less any Deductible collected to date (DEDCTD). Total Paid to date (TOTPDTD) includes Expenses, which are generally not chargeable to the insured.
Subject: Life Insurance Policy for KLWTD Employees / Commissioners

Summary of Discussion:

Current employees receive a $10,000 life insurance policy. Commissioners are not included in this benefit at the present time. The options/cost were discussed at the April 11, 2017 board meeting, and the Board requested that it be brought back for action on April 25, 2017.
To: KLWTD Board
From: Connie Fazio

Subject: Life Insurance Policies for KLWTD Board of Commissioners

Key Largo Wastewater Treatment District provides a $10,000 life insurance policy for each full-time employee. The cost for Fiscal Year 2017 is $4.45 per employee per month, or $53.40 annually per employee.

Currently, KLWTD commissioners are not included in the policy. The District has reached out to Standard Insurance Company, the provider of the life insurance, to obtain pricing options for adding commissioners.

We received a quote of $6.40 per employee, when the commissioners are added to the group plan. This would increase the annual price per employee to $76.80.

We currently have 37 employees who receive the life insurance policy benefit. By adding 5 commissioners, 42 employees would be covered at $6.40 per month, and the annual expense would increase by $1,249.80.

<table>
<thead>
<tr>
<th>Current 37 employees:</th>
<th>Expense per employee:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Monthly: $4.45</td>
</tr>
<tr>
<td></td>
<td>Annual: $53.40</td>
</tr>
<tr>
<td></td>
<td>Total Monthly Expense for 37 employees: $164.65</td>
</tr>
<tr>
<td></td>
<td>Total Annual Expense for 37 employees: $1,975.80</td>
</tr>
<tr>
<td>Proposed 42 employees:</td>
<td>Expense per employee:</td>
</tr>
<tr>
<td></td>
<td>Monthly: $6.40</td>
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<tr>
<td></td>
<td>Annual: $76.80</td>
</tr>
<tr>
<td></td>
<td>Total Monthly Expense for 42 employees: $268.80</td>
</tr>
<tr>
<td></td>
<td>Total Annual Expense for 42 employees: $3,225.60</td>
</tr>
<tr>
<td>Increase in Price:</td>
<td>$1.95</td>
</tr>
<tr>
<td></td>
<td>$104.15</td>
</tr>
<tr>
<td></td>
<td>$1,249.80</td>
</tr>
</tbody>
</table>

Respectfully submitted,

Connie Fazio
Senior Finance Manager
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017
Agenda Item Number: J-1

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

Department: General Manager
Sponsor: Peter Rosasco

Subject: Code Compliance List - April 2017

Summary of Discussion:
Diane Bockelman will present a list of files to be turned over to Code Compliance in April 2017.

Reviewed / Approved

<table>
<thead>
<tr>
<th>Reviewed / Approved</th>
<th>Financial Impact</th>
<th>Attachments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations:</td>
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<td>Customer Service:</td>
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<td>Code Compliance List</td>
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<td>Finance:</td>
<td>Funding Source:</td>
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<td>District Counsel:</td>
<td></td>
<td></td>
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<tr>
<td>District Clerk:</td>
<td>Budgeted: N/A</td>
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<tr>
<td>Engineering:</td>
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Approved By: [Signature]
Date: 4-20-17
### Code Compliance List

#### April 2017

<table>
<thead>
<tr>
<th>Parcel 1:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>AK# 8681844</td>
<td>Nelson Darling Julia</td>
</tr>
<tr>
<td>1 Thurmond St</td>
<td>Service Area: G-1</td>
</tr>
<tr>
<td>Homestead: No</td>
<td></td>
</tr>
<tr>
<td>Original Notice to Connect</td>
<td>03/15/2011</td>
</tr>
<tr>
<td>Second Notice</td>
<td>01/24/2014</td>
</tr>
<tr>
<td>Final Notice</td>
<td>03/24/2015</td>
</tr>
<tr>
<td>Grant</td>
<td>10/01/2015</td>
</tr>
<tr>
<td>Grant – Voluntarily Withdraw</td>
<td>02/03/2017</td>
</tr>
<tr>
<td>Door Hanger</td>
<td>02/10/2017</td>
</tr>
<tr>
<td>Customer Non-Responsive</td>
<td>03/31/2017</td>
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<table>
<thead>
<tr>
<th>Parcel 2:</th>
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<tbody>
<tr>
<td>AK# 1619787</td>
<td>Scherbins Valdis</td>
</tr>
<tr>
<td>53 Coral Dr</td>
<td>Service Area: F-3</td>
</tr>
<tr>
<td>Homestead: Yes</td>
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<tr>
<td>Original Notice to Connect</td>
<td>09/15/2010</td>
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<td>Second Notice</td>
<td>11/25/2013</td>
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<tr>
<td>Grant</td>
<td>11/17/2015</td>
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<tr>
<td>Grant deemed ineligible</td>
<td>09/01/2016</td>
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<td>Customer requested extension</td>
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<td>02/13/2017</td>
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<tr>
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<tr>
<td>AK# 1599484</td>
<td>Casa Blanca Miami LLC</td>
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<tr>
<td>96160 Overseas Hwy</td>
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<td>Homestead: No</td>
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<td>Original Notice to Connect</td>
<td>06/24/2015</td>
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<tr>
<td>Second Notice</td>
<td>12/15/2016</td>
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<td>Final Notice</td>
<td>01/25/2017</td>
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<tr>
<td>Door Hanger</td>
<td>02/17/2017</td>
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<tr>
<td>Customer Non-Responsive</td>
<td>03/31/2017</td>
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<tr>
<th>Parcel 4:</th>
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<tbody>
<tr>
<td>AK# 1565032</td>
<td>Abreu Carlos Alberto</td>
</tr>
<tr>
<td>181 2nd Court</td>
<td>Service Area: E-KLTV</td>
</tr>
<tr>
<td>Homestead: No</td>
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<tr>
<td>Original Notice to Connect</td>
<td>11/23/2011</td>
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<td>Second Notice</td>
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<td>Door Hanger</td>
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Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017
Agenda Item Type: Information / Presentation
Agenda Item Scope: Review / Discussion
Recommended Action: Discussion

Department: Sponsor:
General Manager Peter Rosasco

Subject:
New Parcels to be Considered for Unique Project

Summary of Discussion:
Homeowners have contacted the District to request more information about joining the Unique Project.
Staff is requesting clarification from the Board regarding guidelines of the Project.

Reviewed / Approved
Operations:
Customer Service:
Finance:
District Counsel:
District Clerk:
Engineering:

Financial Impact
$ Funding Source:
Assessment Revenue
Budgeted:
No

Attachments
1. Memo
2. Parcel list

Approved By: General Manager
Date: 4-20-17
Memo

To: KLWTD Commissioners
From: Diane Bockelman, Customer Service Manager
Date: April 19, 2017
Re: New Parcels to be considered for Unique Property Project

Topic:
Homeowners have contacted the District, requesting more information about the Residential Unique Parcel Project. Staff would like clarification from the Board regarding aspects of the Unique Project.

The Residential Unique Parcel Project:
The District adopted the 2012 Grinder Pump Resolution on March 6, 2012 creating and outlining the Residential Unique Parcel Project (Unique Project). The Unique Project was developed to provide, install and maintain grinder pump systems for residential parcels that were provided force main connections.

Parcels that were eligible for the Unique Project were assessed an additional charge for the low-pressure equipment (equipment charge) in the amount of $3,300 (2012 rates). Parcel owners were required to complete paperwork, including an Acknowledgement of Intent to Participate (AOI) and an Easement Grant (Easement) to be included in the project.

If a parcel owner did not respond to the mailings, or opted out of the project, they were required to connect to the central wastewater system at their own expense. Those expenses include all equipment, installation labor, permits and ongoing maintenance.

A deadline to opt in was not established in the Resolution or Residential Unique Property Information Whitepaper (Whitepaper). However, the Whitepaper states that if a parcel owner decides they want to participate after the project is completed in their area they “may incur additional installation costs...”.

Other Parcels with Late Involvement:
Three parcels enrolled in the project after construction had begun but before it was completed in their area. The first stage of construction, open trench installation of the lateral, was completed when the parcels enrolled in the project. These homeowners were required to pay the difference between the original bid and a new quote. The difference was $7.90 per linear foot which was due in full to the District before construction would begin. This additional cost could not be added to the assessment as it’s not compliant with the uniform method of collecting non-ad valorem assessments.
**The New Parcels:**
The homeowners of the parcels in question did not complete the AOI or Easement forms. In compliance with the Whitepaper, the equipment charge was not removed from the assessments.

*The Whitepaper states that if the AOI is competed and:*
*If the homeowner opts out, they will receive a credit for the equipment charge.*
*If the homeowner opts in they “may incur additional installation costs”.*

**How to Proceed:**
Due to the small scale of this phase, Staff proposes that the final phase of the Unique Project be structured differently than the original project.

Parcels that opt in will be provided with a grinder pump for a plumber/contractor of their choice to install. The District will not assist with the installation of the system; however, the equipment charge will provide a grinder pump and the District will maintain the system in accordance with the Grinder Pump Resolution.

The following process is a proposed guideline of how the District will proceed:

- **Notify Parcel Owners**
The District will notify the eight parcel owners of the final phase. A non-response within 60 days will result in an opt out and the equipment charge will be removed from the assessment. Parcels that opt out, will be required to connect and maintain their system at their own expense.

- **Homeowners Complete Paperwork**
To be included in the final phase, homeowner will be required to opt in and grant the District access to maintain the system.

- **Construction**
Homeowners will be required hire a licensed plumber/contractor to tie-in to the central wastewater system. The District will provide the plumber/contractor with the grinder pump system and inspect the connection to confirm it complies with District standards.

- **Maintenance**
The District will maintain the grinder pump system in accordance with the Grinder Pump Resolution.

**What is Needed from the Board:**
- Will new parcels be permitted to join the Unique Project? (opt outs, non-response, new construction)
- Will a non-response to notification of this phase be accepted as an opt-out?
- Will an opt in deadline be established?
Key Largo Wastewater Treatment District
Residential Unique Parcel Project
April 19, 2017

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<thead>
<tr>
<th>AK</th>
<th>Name</th>
<th>Location</th>
<th>Assessed for GP</th>
<th>Interested in Program</th>
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<tr>
<td>1599484</td>
<td>CASA BIANCA MIAMI LLC</td>
<td>96160 OVERSEAS HWY</td>
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<tr>
<td>1629286</td>
<td>BASSETT ANTHONY AND CHRISTINE</td>
<td>105075 OVERSEAS HWY</td>
<td>Yes</td>
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<td>1626031</td>
<td>SCOTT STEVEN RAY</td>
<td>104400 OVERSEAS HWY</td>
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<td>1599735</td>
<td>CIPRIANO ANTONIO</td>
<td>92680 OVERSEAS HWY</td>
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<td>1696676</td>
<td>GEORGLADIS MARY ANN</td>
<td>269 CHARLEMAGNE BLVD</td>
<td>Yes</td>
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<tr>
<td>1692832</td>
<td>HERMAN SETH</td>
<td>16 PALM DR</td>
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<tr>
<td>1621919</td>
<td>SANTE CHRISTOPHER AND PAMELA</td>
<td>99308 OVERSEAS HWY</td>
<td>Yes</td>
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<td>1102385</td>
<td>COOPER ALAN R REVOCABLE TRUST</td>
<td>1525 OCEAN BAY DREXT</td>
<td>Yes</td>
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Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017

Agenda Item Number: J-3

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

Department: Legal
Sponsor: Ray Giglio

Subject: Pennekamp Waiver per Easement Agreement

Summary of Discussion:

The District entered into an Easement Agreement with the State of Florida on May 17, 2007. This easement allowed the District to install and maintain a vacuum station within Pennekamp State Park. In exchange, the District agreed to waive the wastewater assessment of all parcels owned by the State and being used as part of the Park.

AK#1684104 meets the criteria of a parcel eligible for a waiver per the Easement. The parcel was not included in the original list as it was initially assessed in 2012.

<table>
<thead>
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<td>2. Map</td>
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<tr>
<td>Finance:</td>
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<td>District Clerk:</td>
<td>Budgeted: No</td>
<td></td>
</tr>
<tr>
<td>Engineering:</td>
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Approved By: General Manager
Date: 4-20-17
RESOLUTION NO. 14-04-17

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, APPROVING THE REQUEST OF BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA FOR THE REMOVAL OF ONE TAX PARCEL FROM THE 2012 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on or about May 17, 2007, the Key Largo Wastewater Treatment District ("District") entered into an Easement Agreement ("Agreement") with the Board of Trustees of the Internal Improvement Trust Fund of The State of Florida ("State"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the State was and is the owner of the John Pennekamp Coral Reef State Park ("Park"); and

WHEREAS, the District desired an easement across a certain portion of the Park for the installation and maintenance of a vacuum pump station; and

WHEREAS, that Agreement provided, inter alia, that in exchange for the easement granted by the State, the District would:
   (a) Receive and pump wastewater generated by Park facilities and transmitted to the vacuum station.
   (b) Waive wastewater assessments against all parcels that meet all of the following criteria:
      i. The parcel was owned by the State as of the effective date of the Agreement;
      ii. The parcel was located within the District’s service area;
      iii. The parcel was designated by the State or any agency of the State as part of the John Pennekamp Coral Reef State Park; and
      iv. The parcel was improved, as of the date of the Agreement and with any improvements owned by the State of Florida, including, but not limited to, employee housing and any other facilities supporting the Park, and capable of generating or receiving wastewater that will be processed by the District’s wastewater management facilities; and

WHEREAS, attached to that Agreement was a list of all the parcels included in District’s assessments prior to the effective date of the Agreement that were known to meet all of the criteria listed above; and

WHEREAS, the Agreement specifically provided, in Paragraph “23: C” that, “As future assessment areas are identified, [the District] and [the State] will cooperate to identify any
additional parcels that meet such criteria, and [the District] will waive assessments for those parcels.”; and

WHEREAS, subsequent to the execution and filing of the Agreement, the District has identified an additional parcel, AK#1684104, that meets all of the criteria listed above; and

WHEREAS, that said parcel, AK#1684104 is more particularly described in Section 2 below.

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.  

The following Tax Parcel shall be and is excluded and removed from the Key Largo Wastewater Treatment District’s 2012 Non-Ad Valorem Assessment.

| PARCEL ID: | 00557800-000000 |
| AK NO. | 1684104 |
| PARCEL DESCRIPTION: | BK 4 LTS 6 THRU 24 KEY LARGO CITY GARDEN COVE PLAT PLAT #1 PB1-157 KEY LARGO OR339-238/239 OR339-237 OR834-1780 OR842-110 OR837-828/829C OR853-813 OR897-1149/1152 OR912-1351/1354 OR1038-2516/20 OR1056-292/300 |

Section 3.  

EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the Board of Commissioners.

Section 4.  

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

RESOLVED AND ADOPTED THIS 25TH DAY OF APRIL 2017

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:
Chairman Asdourian  
Commissioner Gibbs  
Commissioner Heim  
Commissioner Majeska  
Commissioner Tobin  

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<thead>
<tr>
<th>AYE</th>
<th>NAY</th>
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The Chairman thereupon declared Resolution No. 14-04-17 duly passed and adopted the 25th day of April, 2017.

KEY LARGO WASTEWATER TREATMENT DISTRICT

Chairman David Asdourian

ATTEST: Approved to as to form and legal sufficiency

Katherine Jackson, District Clerk Ray Giglio, General Counsel

SEAL
EASEMENT

Easement Number 31661

THIS EASEMENT, hereinafter referred to as "easement," made and entered into this 17th day of May, 2007, between the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, acting pursuant to its authority set forth in Section 253.03, Florida Statutes, hereinafter referred to as "GRANTOR," and KEY LARGO WASTEWATER TREATMENT DISTRICT, an independent special district of the State of Florida, hereinafter referred to as "GRANTEE".

WHEREAS, GRANTOR is the owner of the hereinafter described real property commonly referred to as John Pennekamp Coral Reef State Park, hereinafter referred to as the "Park"; and

WHEREAS, the Park is currently managed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF RECREATION AND PARKS (DRP), pursuant to Lease Number 3627 from GRANTOR; and

WHEREAS, GRANTEE desires an easement across a certain portion of the Park for installation and maintenance of one or more vacuum pump stations; and

WHEREAS, DRP has agreed to the proposed use of a certain portion of the Park by GRANTEE.

NOW THEREFORE, GRANTOR, for and in consideration of mutual covenants and agreements hereinafter contained, has granted, and by these presents does grant, a non-exclusive easement unto GRANTEE over and across the portion of the Park described in Exhibit "A" attached hereto and made a part hereof, hereinafter referred to as the 'Easement Area,' subject to the following terms and conditions:

1. DELEGATIONS OF AUTHORITY: GRANTOR'S responsibilities and obligations herein shall be exercised by the Division of State Lands, State of Florida Department of Environmental Protection.

2. TERM: The term of this easement shall be for a period of fifty years commencing on May 17, 2007 and ending on May 17, 2057 with option for renewal, unless sooner terminated pursuant to the provisions of this easement.

3. USE OF PROPERTY AND UNDUE WASTE: This easement shall be limited to the installation and maintenance of one or more vacuum pump stations, together with associated
pipelines, utilities, and access roads, for wastewater collection, transmission, and treatment, and shall have full right of ingress and egress thereto and there from over and across the Easement Area during the term of this easement. To the extent practicable and allowed by the GRANTOR, all improvements shall be underground, and the above-ground portions of all improvements shall be finished, decorated, landscaped, fenced, and maintained consistent with the surrounding improvements. GRANTOR retains the right of use of the existing road for the Park use including any portion within the Easement Area provided that such use does not unreasonably interfere with GRANTEE'S exercise of this easement and further retains the right to grant compatible uses to third parties during the term of this easement.

GRANTEE shall dispose of, to the satisfaction of GRANTOR, all brush and refuse resulting from the clearing of the land for the uses authorized hereunder. If timber is removed in connection with clearing this easement, the net proceeds derived from the sale of such timber shall accrue to GRANTOR. GRANTEE shall take all reasonable precautions to control soil erosion and to prevent any other degradation of the Easement Area during the term of this easement. GRANTEE shall not remove water from any source on this easement including, but not limited to, a watercourse, reservoir, spring, or well, without the prior written approval of GRANTOR. GRANTEE shall clear, remove and pick up all debris including, but not limited to, containers, papers, discarded tools and trash foreign to the work locations and dispose of the same in a satisfactory manner as to leave the work locations clean and free of any such debris. GRANTEE, its agents, successors, or assigns, shall not dispose of any contaminants including but not limited to, hazardous or toxic substances, petroleum, fuel oil, or petroleum by-products, chemicals or other agents produced or used in GRANTEE'S operations, on this easement or on any adjacent state land or in any manner not permitted by law. GRANTEE shall be liable for all costs associated with any cleanup of the subject property which is a result of GRANTEE'S operations and use of the Easement Area.

Upon termination or expiration of this easement GRANTEE shall restore the Easement Area to substantially the same condition as existed on the effective date of this easement. GRANTEE agrees that upon termination of this easement all authorization granted hereunder shall cease and terminate.
4. **PLACEMENT AND REMOVAL OF IMPROVEMENTS:** All fixed improvements required to implement the Management Plan and placed on the Easement Area by GRANTEE, using GRANTEE’S funds, will remain the property of the GRANTEE during the term of this easement. Within six (6) months after the termination or expiration of this easement, the GRANTEE shall have the right to remove, at its expense, any or all improvements it has funded and placed on the Easement Area. If GRANTEE fails to remove said improvements that it has placed on the Easement Area within six (6) months after the expiration or termination of this easement, all remaining improvements shall become the property of GRANTOR and the GRANTEE shall put no claim on any improvement. The GRANTOR agrees to reimburse the GRANTEE, upon request, for the appraised value of remaining improvements purchased with the GRANTEE’S funds, if the improvements were approved in advance and by their nature cannot be removed from the Easement Area upon termination or expiration of this easement.

5. **ASSIGNMENT:** This easement shall not be assigned in whole or in part without the prior written consent of GRANTOR. Any assignment made either in whole or in part without the prior written consent of GRANTOR shall be void and without legal effect.

6. **RIGHT OF INSPECTION:** GRANTOR or its duly authorized agents, representatives or employees shall have the right at any and all times to inspect this easement and the works of GRANTEE in any matter pertaining to this easement.

7. **NON-DISCRIMINATION:** GRANTEE shall not discriminate against any individual because of that individual’s race, color, religion, sex, national origin, age, handicaps, or marital status with respect to any activity occurring within this easement or upon lands adjacent to and used as an adjunct of this easement.

8. **LIABILITY:** Each party is responsible for all personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees and agents thereof. Nothing herein shall be construed as an indemnity or a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

9. **COMPLIANCE WITH LAWS:** GRANTEE agrees that this easement is contingent upon and subject to GRANTEE obtaining all applicable permits and complying with all
applicable permits, regulations, ordinances, rules, and laws of the State of Florida or the United States or of any political subdivision or agency of either.

10. **ARCHAEOLOGICAL AND HISTORIC SITES**: Execution of this easement in no way affects any of the parties' obligations pursuant to Chapter 267, Florida Statutes. The collection of artifacts or the disturbance of archaeological and historic sites on state-owned lands is prohibited unless prior authorization has been obtained from the State of Florida Department of State, Division of Historical Resources.

11. **PROHIBITIONS AGAINST LIENS OR OTHER ENCUMBRANCES**: Fee title to the lands underlying this easement is held by GRANTOR. GRANTEE shall not do or permit anything to be done which purports to create a lien or encumbrance of any nature against the real property of GRANTOR including, but not limited to, mortgages or construction liens against the Easement Area or against any interest of GRANTOR therein.

12. **PARTIAL INVALIDITY**: If any term, covenant, condition or provision of this easement shall be ruled by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

13. **SOVEREIGNTY SUBMERGED LANDS**: This easement does not authorize the use of any lands located waterward of the mean or ordinary high water line of any lake, river, stream, creek, bay, estuary, or other water body or the waters or the air space thereabove.

14. **ENTIRE UNDERSTANDING**: This easement sets forth the entire understanding between the parties and shall only be amended with the prior written approval of GRANTOR.

15. **TIME**: Time is expressly declared to be of the essence of this easement.

16. **RIGHT OF AUDIT**: GRANTEE shall make available to GRANTOR all financial and other records relating to this easement and GRANTOR shall have the right to audit such records at any reasonable time during the term of this easement. This right shall be continuous until this easement expires or is terminated. This easement may be terminated by GRANTOR should GRANTEE fail to allow public access to all documents, papers, letters or other materials made or received in conjunction with this easement, pursuant to Chapter 119, Florida Statutes.

17. **PAYMENT OF TAXES AND ASSESSMENTS**: GRANTEE shall assume full responsibility for and shall pay all liabilities that accrue to the easement area or to the
improvements thereon including any and all drainage and special assessments or taxes of
every kind and all mechanic’s or material man’s liens which may be hereafter lawfully assessed
and levied against this easement.

18. AUTOMATIC REVERSION: This easement is subject to an automatic
termination and reversion to GRANTOR when, in the opinion of GRANTOR, this easement is
not used for the purposes outlined herein, and any costs or expenses arising out of the
implementation of this clause shall be borne completely, wholly and entirely by GRANTEE,
including attorneys’ fees.

19. RECORDING OF EASEMENT: GRANTEE, at its own expense, shall record this
fully executed easement in its entirety in the public records of the county within which the
easement site is located within fourteen days after receipt, and shall provide to GRANTOR
within ten days following the recordation a copy of the recorded easement in its entirety which
contains the O.R. Book and Pages at which the easement is recorded. Failure to comply with
this paragraph shall constitute grounds for immediate termination of this easement agreement at
the option of GRANTOR.

20. GOVERNING LAW: This easement shall be governed by and interpreted
according to the laws of the State of Florida.

21. SECTION CAPTIONS: Articles, subsections and other captions contained in this
easement are for reference purposes only and are in no way intended to describe, interpret,
define or limit the scope, extent or intent of this easement or any provisions thereof.

22. SCOPE: All covenants, stipulations, terms, conditions, and provisions of this
easement shall extend to and be made binding upon respective successors and assigns of
GRANTEE and GRANTOR. It is intended that this easement shall be recorded and be binding
upon future owners of the Easement Area, GRANTEE, and their successors and assigns.
23: **SPECIAL CONDITIONS:** The parties have agreed to the following terms and conditions:

A. **GRANTEE shall:**
   
   (a) Design, construct, and operate the vacuum station facilities in compliance with all applicable permits and ordinances, and to the extent practicable, in a manner compatible with the nature of the Park, including exterior finishes to blend with other Park facilities, and including noise and odor control equipment consistent with normal design standards for such facilities.
   
   (b) Receive and pump wastewater generated by Park facilities and transmitted to the vacuum station.
   
   (c) Waive wastewater assessments against all parcels that meet all of the following criteria:
      1. Owned by GRANTOR;
      2. Located within GRANTEE'S service jurisdiction or area;
      3. Designated by GRANTOR or any agency of the State of Florida as part of the John Pennekamp Coral Reef State Park; and
      4. Improved as of the date of this easement with any improvements owned by the State of Florida, including, but not limited to, employee housing and any other facilities supporting the Park, and capable of generating or receiving wastewater that will be processed by GRANTEE'S wastewater management facilities.

B. Waiver of wastewater assessment does not include:
   
   (a) Parcels that are not owned by the State of Florida as of the effective date of this easement. However, it is the policy of GRANTEE to waive assessments against parcels that are owned by a government agency, provided that the agency certifies that the parcel is held for conservation purposes and will not be improved with facilities that are capable of generating or receiving wastewater that will be processed by GRANTEE'S wastewater management facilities. Such certification may take the form of a letter to GRANTEE, and shall remain effective until a change occurs in the use of the parcel.
   
   (b) Parcels that, as of the date of this easement, are not improved with facilities capable of generating or receiving wastewater that will be processed by GRANTEE'S wastewater management facilities.

C. Implementation of Waivers: GRANTEE'S assessment process is implemented on an annual basis. Each year, GRANTEE develops lists of parcels to be assessed. A list of parcels included in GRANTEE'S assessments prior to the date of this easement and known to meet all of the criteria in Section 23 A.(c), above is attached hereto as Exhibit "B" and made a part hereof. As future assessment areas are identified, GRANTEE and GRANTOR will cooperate to identify any additional parcels that meet such criteria, and GRANTEE will waive assessments for those parcels.

D. Dispute Resolution: The parties recognize that the operation of wastewater management facilities and the identification of parcel meeting the criteria in Section 23 A. (c), above are complex processes involving uncertainties that cannot be adequately identified or resolved as of the date of this easement. The parties therefore agree to cooperate in good faith to resolve any disagreements concerning the implementation of this easement.
IN WITNESS WHEREOF, the parties have caused this easement to be executed the
day and year first above written.

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

By: GLORIA C. BARBER, OPERATIONS
AND MANAGEMENT CONSULTANT
MANAGER, BUREAU OF PUBLIC LAND
ADMINISTRATION, DIVISION OF
STATE LANDS, STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

*GRANTOR*

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 1st day of
May 2007, by Gloria C. Barber, Operations and Management Consultant
Manager, Bureau of Public Land Administration, Division of State Lands, State of Florida
Department of Environmental Protection, acting as an agent on behalf of the Board of Trustees
of the Internal Improvement Trust Fund of the State of Florida. She is personally known to me.

Notary Public, State of Florida

Approved as to Form and Legality
By: DEP Attorney
KEY LARGO WASTEWATER DISTRICT, an independent special district of the State of Florida

By: Gary Bauman

Title: Vice Chairman (Acting Chairman)

"GRANTEE"

The foregoing instrument was acknowledged before me this 15th day of May 2007 by Gary Bauman, as Acting Chairman, on behalf of Key Largo Wastewater Treatment District, an independent special district of the State of Florida. He/she is personally known to me.

Carol Walker
Notary Public, State of Florida

Commission Number: DD468280
Commission Expires: Nov. 14, 2009
PUMP STATION EASEMENT

A portion of the South 60 feet of Section 15, Township 61 South, Range 39 East, Monroe County, Florida, the same appearing in the deed recorded in Official Records Book 222, at Page 61 of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Begin at a point on the South line of said Section 15, 95.00 feet East of the Northeast corner of Lot 20, Block 7, BAHIA MAR ESTATES, according to the Plat thereof recorded in Plat Book 4, at Page 79 of the Public Records of Monroe County, Florida; thence run along said South line an assumed bearing of WEST a distance of 154.00 feet; thence run SOUTH a distance of 60.00 feet to the Point of Beginning.

Contains 9,240 square feet more or less.

ACCESS, CONSTRUCTION & UTILITY EASEMENT

A portion of the South 60 Feet of Section 15, Township 61 South, Range 39 East, Monroe County, Florida, the same appearing in the deed recorded in Official Records Book 222, at Page 61 of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Begin at a point on the South line of said Section 15, 99.00 feet West of the Northeast corner of Lot 20, Block 7, BAHIA MAR ESTATES, according to the Plat thereof recorded in Plat Book 4, at Page 79 of the Public Records of Monroe County, Florida; thence run along said South line on an assumed bearing of WEST a distance of 264.18 feet to the intersection of the southeasterly right of way line of Old State Road 4a with the said South line of Section 15; thence run S.37° 27' 32" E. along said southeasterly right of way line a distance of 75.68 feet; thence run EAST along a line 60.00 feet North of and parallel with the aforesaid South line of Section 15 a distance of 218.06 feet; thence run SOUTH a distance of 60.00 feet to the Point of Beginning.

Contains 1,446 square feet more or less.

NOTE: This is a description and sketch of same. It does not represent a boundary survey and should not be used as such.

The information shown hereon was obtained from the public record.
AGREEMENT FOR VACUUM STATION EASEMENT

BY AND BETWEEN

KEY LARGO WASTEWATER TREATMENT DISTRICT (GRANTEE)

And

STATE OF FLORIDA

Exhibit B

List of Parcels

Following is a list of parcels included in District assessments prior to the Effective Date of this Agreement and known to meet all of the criteria in Section Error! Reference source not found. of the Agreement for Vacuum Station Easement:

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Exhibit B
Page 10 of 14
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Exhibit B
Page 11 of 14
Easement No. 31661
Legend

- Major Roads
- Centerline
- Hooks
- Road Center
- Rights of Way
- Condo Building
- Conservation Easement
- Key Names
- Subdivisions
- Parcels
Key Largo Wastewater Treatment District
Board of Commissioners Meeting
Agenda Item Summary

Meeting Date: April 25, 2017

Agenda Item Number: N-1

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

Department: Legal  Sponsor: Ray Giglio

Subject: Lake Surprise II v. KLWTD Settlement Update

Summary of Discussion:
Staff to give an update regarding the settlement between Lake Surprise II and KLWTD.

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Approved By: ___________________________ Date: 4-20-17

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

Meeting Date: April 25, 2017  
Agenda Item Number: O-1

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

Department:  
Sponsor:  
Commissioner's Item  
Commissioner Majeska

Subject:  
Florida Keys Day 2017 Update

Summary of Discussion:  
Commissioner Majeska to update the Board regarding Florida Keys Day 2017.

Reviewed / Approved  
Financial Impact  
Attachments

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

$  
Funding Source:  
Budgeted:  
N/A

Approved By:  
Date: 4/20/17

General Manager