MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on November 1, 2016. Present were Chairman David Asdourian and Commissioners Robert Majeska, Norman Higgins, and Stephen Gibbs. Commissioner Andrew Tobin appeared telephonically. Also present were General Manager Paul Christian, General Counsel Ray Giglio, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Commissioner Tobin led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS

- General Manager Paul Christian requested: 1) that item H-2 be removed; 2) that item N-1 be changed from action to discussion; 3) and, that District Staff be recognized at a future Board meeting.
- Commissioner Majeska requested that item H-2 be left on the agenda, but that it be changed from action to discussion.
- Commissioner Tobin requested that an update on the legal status of the wastewater infrastructure at the Harborage be added under General Manager’s Report.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Name and Address         Subject

Sue Heim                  Resolution to Adopt Board Practices and Policies
Key Largo

RECOGNIZE DISTRICT STAFF

General Manager Paul Christian thanked District staff for their hard work in planning and executing the Dedication Ceremony for the newly-christened Ken Sorensen Administration Building. Commissioner Gibbs stated that he too was very proud of the work staff had done.
APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Minutes of October 18, 2016

Commissioner Gibbs requested the word “count” on page 5 of the minutes be change to “county.”

Motion: Commissioner Gibbs made a motion to approve the Minutes of October 18, 2016 as amended and Commissioner Higgins seconded the motion. The motion passed without objection.

CONSTRUCTION REPORT

Monthly Construction Report

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

Recommendation of Intent to Award for Vacuum Main Extension

General Manager Paul Christian informed the Board that this item involves the extension of a vacuum main on Silver Lake Drive to provide a connection point for a parcel at the end of the block. Mr. Christian explained that KLWTD had solicited bids from licensed underground contractors and that two bids had been received. The General Manager explained that further investigation had revealed that the surrounding parcels are either conservation land or are already tied in. Therefore, staff will be investigating less costly ways to provide a connection point for this single parcel. Mr. Christian answered questions from the Board. As this item had been changed from action to discussion, no action was taken.

ADMIN / CUSTOMER SERVICE REPORT

Connection Status of Parcels

Assessment Coordinator Diane Bockelman gave a presentation on the connection status of all commercial parcels that are not currently tied in and answered questions from the Board.

GENERAL MANAGER’S REPORT

Legal Status of the Harborage Wastewater Infrastructure

Mr. Paul Christian gave information in regard to the easement at The Harborage Condominium Corporation, Inc. and staff answered questions from the Board.

LEGAL REPORT

Resolution to Adopt Board Practices and Policies

Public Comment: Ms. Sue Heim expressed her concerns regarding the adoption of the Board Practices and Policies through resolution.
Mr. Ray Giglio presented Resolution Draft No. 25-11-16 to the Board and explained that this Resolution formally adopts the Board Practices and Policies that the Board had previously approved. Commissioner Gibbs requested that Commissioner Tobin give his reasons for wanting the Board Practices and Policies adopted by resolution. Commissioner Tobin stated that he would like to memorialize the previous action taken by the Board. Staff answered questions from the Board.

Motion: Commissioner Majeska made a motion to re-open the agenda and Commissioner Gibbs seconded the motion. The motion passed without objection.

Motion: Commissioner Majeska made a motion to change Resolution to Adopt Board Practices and Policies from Discussion to Action and Commissioner Higgins seconded the motion. The motion passed without objection.

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

Motion: Commissioner Higgins made a motion to approve Resolution No. 25-11-16 and Commissioner Majeska seconded the motion.

Vote on Motion

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<tr>
<th>Commissioner</th>
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<tr>
<td>Commissioner Higgins</td>
<td>Aye</td>
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<td>Commissioner Majeska</td>
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<td>Commissioner Gibbs</td>
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<td>Commissioner Tobin</td>
<td>Aye</td>
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<tr>
<td>Chairman Asdourian</td>
<td>Aye</td>
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Motion Passed: 5 to 0

Charter Amendment

Mr. Ray Giglio presented Resolution Draft No. 26-11-16 to the Board, and explained that this resolution requests the assistance of State Representative Holly Raschein in amending the District’s Charter to make the District’s formal boundaries consistent with the District’s actual service area. Staff answered questions from the Board.

Motion: Commissioner Gibbs made a motion to approve Resolution No. 26-11-16 and Commissioner Higgins seconded the motion.

Vote on Motion

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<td>Commissioner Tobin</td>
<td>Aye</td>
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<tr>
<td>Chairman Asdourian</td>
<td>Aye</td>
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</table>

Motion Passed: 5 to 0
BUDGET AND FINANCE REPORT

Health Insurance Renewal – FY2017

Ms. Connie Fazio presented the fiscal year 2017 health insurance renewal rate for employees through the District’s current health insurance provider, Florida League of Cities, and answered questions from the Board.

Commissioner Tobin requested that staff include a health insurance cost trend-line in the back-up materials the next time this item is brought back to the Board.

**Motion:** Commissioner Higgins made a motion to approve FY2017 Health Insurance Renewal in an amount not to exceed $366,499.40 and Chairman Asdourian seconded the motion.

**Vote on Motion**

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

**Motion Passed: 5 to 0**

Unclaimed Property / Uncashed Checks

Ms. Connie Fazio informed the Board that six KLWTD checks totaling $5,031.75 are considered unclaimed funds in accordance with sec. 717.113 of the Florida Statutes and therefore, she turned the funds over to the state. Staff answered questions from the Board.

Sewer Backup Claim

Ms. Connie Fazio informed the Board that PGIT Insurance has been handling the sewer backup claim at 506 Caribbean Boulevard, and that the District will be required to pay the $25,000 deductible. Staff answered questions from the Board.

Islamorada Billing for KLWTD Plant Capacity Upgrade

Mr. Paul Christian informed the Board that staff has sent Islamorada an invoice for its share of the cost of FY2016 plant capacity upgrades and staff answered questions from the Board.

Commissioner Tobin stated that he would like to formalize communication with Islamorada with a resolution and he requested that communication with Islamorada be added to the agenda of a future Board meeting.

ROUNDTABLE DISCUSSION

Commissioner Majeska began a discussion regarding the November 8, 2016 Board meeting. The Board discussed what items would be on the agenda and the fact that November 8 was election date.
Motion: Commissioner Majeska made a motion to cancel the November 8, 2016 Board of Commissioners meeting and Commissioner Gibbs seconded the motion.

Vote on Motion
- Commissioner Majeska – Aye
- Commissioner Gibbs – Aye
- Commissioner Higgins – Nay
- Commissioner Tobin – Abstain
- Chairman Asdourian – Aye

Motion Passed: 3 to 1

ADJOURNMENT

The Meeting was adjourned at 5:15 PM.

Chairman

Katherine Jackson, Clerk
RESOLUTION NO. 25-11-16

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

WHEREAS, on July 12, 2016, at a regularly scheduled meeting, the Board of Commissioners ("Board") of the Key Largo Wastewater Treatment District ("District"), voted to adopt the Board Practices and Policies attached hereto.

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

Section 1. The Board of Commissioners shall follow the Board Practices and Policies, unless the Board votes to waive or suspend compliance with a particular provision in the interest of expeditious conduct of District business.

Section 2. The Board may amend the Board Practices and Policies at any time by a majority vote.

Section 2. Effective Date. The Board Practices and Policies attached hereto shall go into effect immediately upon the adoption of this resolution by the Board of Commissioners.

Section 3. Authorization of District Officials. The General Manager and/or his designee(s) and the District General Counsel are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 1st DAY OF NOVEMBER, 2016

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

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<tr>
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<tbody>
<tr>
<td>Chairman Asdourian</td>
<td>✓</td>
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<td></td>
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<tr>
<td>Commissioner Tobin</td>
<td>✓</td>
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</tbody>
</table>
The Chairman thereupon declared this Resolution duly passed and adopted the 1st day of November, 2016.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: David Asdourian, Chairman

ATTEST: Approved to as to form and legal sufficiency

Katherine Jackson, Clerk

Ray Giglio, General Counsel
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.

Submitted by Commissioner Tobin
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 NO. 26-11-16

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, REQUESTING THE ASSISTANCE OF STATE REPRESENTATIVE HOLLY RASCHEIN TO REVISE THE PROVISIONS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT ACT TO CHANGE THE DISTRICT’S FORMAL BOUNDARIES TO COINCIDE WITH THE DISTRICT’S ACTUAL SERVICE AREA.

WHEREAS, the Key Largo Wastewater Treatment District (hereinafter the “District”) was authorized and created by the Key Largo Wastewater Treatment District Act (Chapter 2002-337 of the Laws of Florida, as amended) (hereinafter, the "Act"), which Act became the District Charter; and

WHEREAS, subsection (2) of Section 3 of Section 1 of the Act, describes the land and territory embraced and included in the boundaries of the District; and

WHEREAS, subsection (2) of Section 3 of Section 1 of the Act, includes within the District’s boundaries certain areas north of Summerland Road on US-1, as well as certain areas north of Charlemagne Blvd on County Road 905; and

WHEREAS, the District’s service area includes the territory consisting of the island of Key Largo, including all lands east of Tavernier Creek, including Tavernier, Key Largo all in Monroe County, Florida, but does not include or embrace:
1. All areas north of Summerland Road on US-1, and
2. All areas north of Charlemagne Blvd on County Road 905 including Ocean Reef; and

WHEREAS, it is in the best interest of the District and the residents of both the included and excluded service areas to bring the District’s formal boundaries into conformity with the District’s actual service area; and

WHEREAS, the District desires the assistance of State Representative Holy Raschein in amending the Key Largo Wastewater Treatment District Act (ch. 2002-337, as amended) to revise the District’s boundaries to bring them into conformity with the District’s actual service area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT THE DISTRICT
RESPECTFULLY REQUESTS THE ASSISTANCE OF STATE REPRESENTATIVE HOLY RASCHEIN IN AMENDING THE KEY LARGO WASTEWATER TREATMENT DISTRICT ACT, SUBSTANTIALLY IN ACCORDANCE WITH THE ATTACHED EXHIBIT “A”:

RESOLVED AND ADOPTED THIS 1st DAY OF NOVEMBER 2016

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

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<th>Commissioner</th>
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<tr>
<td>Robert Majeska</td>
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<td>David Asdourian</td>
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<td>Steven Gibbs</td>
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The Chairman thereupon declared Resolution No. 16-11-16 duly passed and adopted the 1st day of November, 2016.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: [Signature]
David Asdourian, Chairman

ATTEST:

Approved as to form and legal sufficiency

Katherine Jackson, District Clerk
Ray Giglio, General Counsel
CHAPTER 2017-XXX

House Bill No. XXXX

An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida, as amended; revising provisions relating to the land and territory embraced and included in the boundaries of the Key Largo Wastewater Treatment District; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of Section 3 of Section 1 of chapter 2002-337, Laws of Florida, is amended to read:

Section 3. District; creation, jurisdiction, and purpose.—

(2) The district boundaries shall embrace and include the territory consisting of the island of Key Largo, including all lands east of Tavernier Creek, including Tavernier, and Key Largo, and Cross Key, with the exception of all areas north of Summerland Road on US-1 and all areas north of Charlemagne Blvd on County Road 905, all in Monroe County, Florida.

Section 2. This act shall take effect upon becoming a law.

CODING: Words stricken are deletions; words underlined are additions.