2009 KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF COMMISSIONERS

AGENDA

Tuesday October 20, 2009 4:00 PM
98880 Overseas Hwy
Key Largo, FL 33037

Susan Hammaker	**Chair**
Norman Higgins	**Vice Chair**
Charles Brooks	**Secretary-Treasurer**
Andrew Tobin	**Commissioner**
Robert Majeska	**Commissioner**

.....

Charles F. Fishburn	**General Manager**
Thomas Dillon	**District Counsel**
Carol Walker	**District Clerk**

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 30-43-804 at least 48 hours in advance to request accommodations.

4:00 **A. CALL TO ORDER - PLEASE MUTE CELL PHONES**

4:01 **B. PLEDGE OF ALLEGIANCE**

4:02 **C. ROLL CALL**

4:03 **D. APPROVAL OF AGENDA WITH ANY ADDITIONS, DELETIONS, OR CONTINUANCES**

4:05 **E. PUBLIC COMMENT**

4:15

F. GENERAL MANAGER'S REPORT **TAB 1**

1. Basin I Change Orders
2. Paving Coordination with Monroe County

5:15

G. COMMISSIONER'S ITEMS **TAB 2**

3. Grant Assistant Form — Action
4. Request for Pledged Monies — Action
5. Additional Office Space — Action

5:30

H. BULK ITEMS — Action **TAB 3**

6. Minutes of Oct. 6, 2009
7. Pending Payments
8. Assessment Appeal Locust Center Limited/The Pink Plaza
9. RESOLUTION NO. 31-10-09

   A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF PORT LARGO CLUB CONDO ASSOCIATION INC. FOR THE REASSESSMENT OF CONDO 1, CONDO 2, AND PORT LARGO VILLAS ON THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

5:35

I. ENGINEER'S REPORT **TAB 4**

10. Deep Well Change Order — Action
11. Status Report

6:00

J. FINANCIAL REPORT **TAB 5**

12. FY2009 Financial Report
13. Capital Projects Status Report

6:20

K. LEGAL COUNSEL REPORT **TAB 6**

14. Assessment of Unique Parcels
15. Deep Well Legislative update

6:30

L. COMMISSIONERS ROUNDTABLE

7:00

M. ADJOURNMENT

TAB 1

KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: June 2, 2009 Agenda Item No. 1

[ ] PUBLIC HEARING [ ] RESOLUTION

[X] DISCUSSION [ ] BID/RFP AWARD

[ ] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Basin I Change Orders

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.2
Date: 10-16-09

Originating Department: General Manager	Costs: Approximately $13,000,000.00 Funding Source: Acct.	**Attachments:**
Department Review: [ ] District Counsel _____ [X] General Manager C.J.2 [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: Staff is planning to recommend awarding change orders for Basin I.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised6

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 2

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[X]	DISCUSSION	[ ]	BID/RFP AWARD
[ ]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: Paving Coordination with Monroe County

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.2
Date: 10-15-09

Originating Department: General Manager	Costs: Approximately $ Funding Source: Acct.	**Attachments**
Department Review: [ ] District Counsel [X] General Manager C.J.2 [ ] Finance	[ ] Engineering [ ] Clerk	**Advertised:** Date: Paper: [X] Not Required

Summary Explanation/Background: KLWTD is planning to make a presentation to the BOCC at the Nov. 18, 2009 meeting in Key Largo. The presentation will appeal to the County to coordinate paving with the KLWTD collection system projects. Specifically the KLWTD would like to apply the $1.8 million from the 905 curve project to KLWTD collection systems. Below are the conditions for the use of this funding.

(3) Expenditure of fair share fees and trust accounts shall be as follows:

a. The funds collected by reason of the establishment of the fair share transportation fee shall be used solely for the purpose of acquisition, expansion and development of the major road network system determined to be needed to serve new development, including, but not limited to:

1. Planning, design and construction plan preparation;
2. Right-of-way acquisition;
3. Construction of new through lanes;
4. Construction of new turn lanes;
5. Construction of new bridges;
6. Construction of new drainage facilities in conjunction with new roadway construction;
7. Purchase and installation of traffic signalization;
8. Construction of new curbs, medians and shoulders;
9. Construction of new bicycle paths;
10. Construction of new pedestrian pathways and sidewalks; and
11. Installation of new landscaping in conjunction with any of the projects listed in this subsection (i)(3)a.

TAB 2

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 3

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] DISCUSSION [ ] BID/RFP AWARD

[X] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Grant Assistant Form

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.R
Date: 10-15-09

Originating Department: Commissioner Hammaker	Costs: Approximately $ Funding Source:	**Attachments:**
Department Review: [ ] District Counsel _____ [ ] General Manager C.J.R [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: Ray Rhash, FKWAF President, would like the District to enter the request for grant assistance in electronic format file to make it more efficient,

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 4

[ ] PUBLIC HEARING [ ] RESOLUTION

[X] DISCUSSION [ ] BID/RFP AWARD

[ ] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Grant Pledge

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.H

Date: 10-14-09

Originating Department: Commissioner Hammaker	Costs: Approximately $9,000 Funding Source:	**Attachments:**
Department Review: [ ] District Counsel _____ [X] General Manager C.J.H [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: Ray Rhash will be coming to the Board to ask for the remaining $9,000 that the Board has pledged to FKWAF.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 5

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] DISCUSSION [ ] BID/RFP AWARD

[X] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Additional Office Space

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.2

Date: 10-16-09

Originating Department: Commissioner Hammaker	Costs: Approximately $ Funding Source:	**Attachments:**
Department Review: [ ] District Counsel _____ [X] General Manager C.J.2 [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background:

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation

PURPOSE

Temporary Transition Planning

Review

- **Cramped Quarters**
- **Multiple functions**
- **Noise and Interruptions**

Available Locations

- **Present KLWTD Rental Office**
- **White Rhino (Own)**
- **Honda (Rental)**
- **Prudential (Rental)**
- **Bank of America (Rental)**

Current Plant Location Not Included

Potential Costs

Estimated (Pat Mitchell)

- **$400/person to move**
- **$500/person to furnish**
- **$4,000/location (tech and machines)**
- **Remodeling Costs - $12,000+ (where applicable)**

Other

- **Signage**
- **Security**
- **Utilities**
- **Length of Rental Requirements**
- **Janitorial Services**

98880 Overseas Highway
(KLWTD Current Office)

- **Central Location**
  - **Well known**
  - **Easily accessible**
  - **Likely central location after construction**

White Rhino Office

- **Vacuum Station Site**
- **Construction Support**
  - **GIS**
  - **Inspectors**
  - **Field Crews**
  - **Storage**
  - **No Handicap Access, Security, Furnishings**

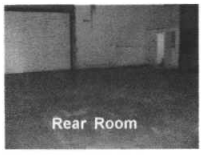
White Rhino Housing

- **Temporary Employee Boarding** (includes Handicap Access)
- **Requirements:**
  - **Furnishings**
  - **Security**
  - **Other?**

MM 100 Overseas Highway
(Honda Rental)

- **Requirements**
  - **$6800/Month, Triple Net Lease**
  - **Complete Interior Remodel, including new floors and bathroom(s) and temporary cubicle walls**
  - **All furnishings**
  - **No Utilities Included**

Honda Rental



- Owner Remodel Negotiable
- Length of Lease Negotiable
- 2 Lg. Bathrooms/1 Sm. Bathroom
- Vehicle Access and Storage

10040 Overseas Highway (Prudential Rental)

- Rental Requirements:
  - $700/Month plus (Lg. Back Room Office)
  - $100/Month for Utilities (Unfurnished)
  - $200/Month each additional office (includes desk & chair) plus utilities
  - Access through Real Estate Office and Back Door
  - KLWTD responsible for signage, janitorial services, receptionist time

Prudential Rental

Shared Services:
- Conference Rm
- Restrooms
- Front Access

Copies, Phones, Fax, Internet, Janitorial services extra

92300 Overseas Highway

(Bank of America)

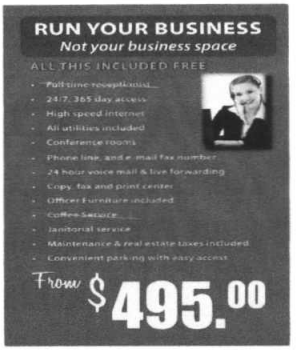
Temporary Construction Office

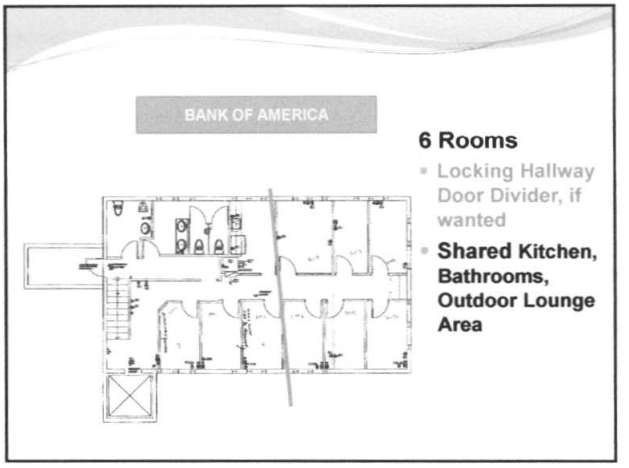
South Transmission Line

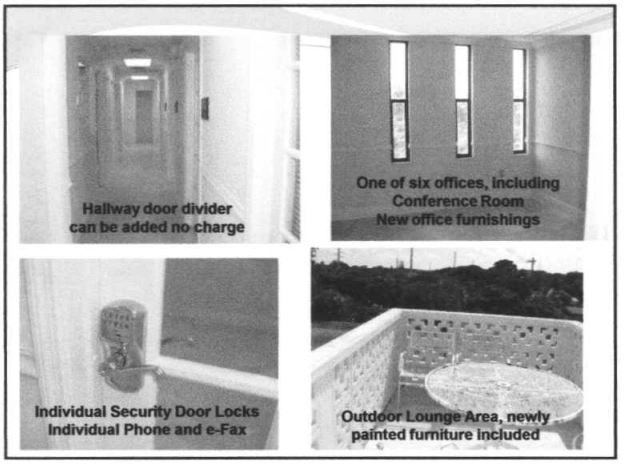
- General Manager Secondary Office
- Engineers
- Administrative Assistant
- Expeditors (Weis & Matthews)
- Contractor Interface
- Construction Files

B of A Rental Terms

- **Price: $1500/Month**
  - **1 year + 2 6-month options**
  - **Cancel any time on 60 days' notice**
- **Room for 4 employees**
- **Indiv. Phone, e-fax**
- **Sm. Conference room**
- **File room**
- **Signage, all utilities, janitorial service**







98880 Overseas Highway
(KLWTD Current Office)

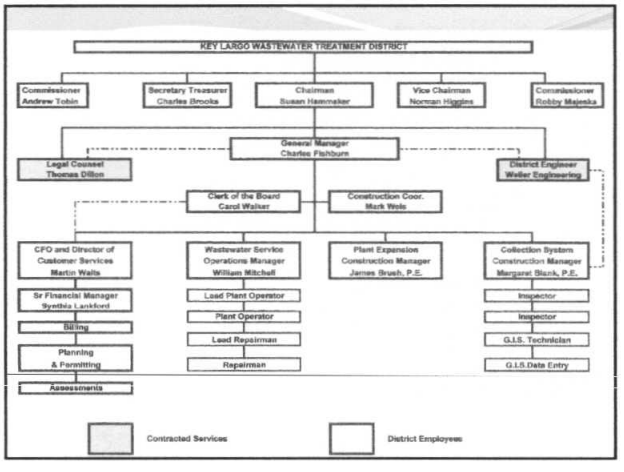
- General Manager
- CFO and Customer Services Personnel
- District Meetings
- Other Meetings
- General Central Files

Customer Services Department

CUSTOMER SERVICES DEPARTMENT

- Billing
- Customer Planning & Permitting
- Assessments
- Central Files
- All Public Interfaces
- Meetings

- **Marty**
  - Syndi
  - Carie
  - Carol



Temporary Transition Planning

Questions?

Direction to Staff?

TAB 3

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20 2009 Agenda Item No. 6

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] DISCUSSION [ ] BID/RFP AWARD

[X] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Minutes of Oct. 6, 2009

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.2

Date: 10-15-09

Originating Department: District Clerk	Costs: Funding Source:	**Attachments:** Minutes of Oct. 6, 2009
Department Review: [ ] District Counsel TD [X] General Manager C.J.2 [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background:

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

MINUTES
Key Largo Wastewater Treatment District (KLWTD) Board of Commissioners Meeting

October 6, 2009
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting at 4:00 PM. Present were Commissioners Norman Higgins, Andrew Tobin, Charles Brooks, Robert Majeska, and Chairwoman Susie Hammaker. Also present the General Manager Charles F. Fishburn, Thomas Dillon, District Counsel, Carol Walker, District Clerk, and other appropriate District Staff.

Commissioner Brooks led the Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Tobin requested that item F1 (Islamorada Meeting) be held until Councilman Dave Boerner, Islamorada, arrives. Commissioner Majeska requested that item F5, Truck Purchase, be moved to Bulk Items. Chairwoman Hammaker asked that item F7 (Vacuum Station G & I Change Order be changed to an action item. General Manager Charles Fishburn added an item F7 (a) Increase in Fred Hicks Contract.

Motion: **Commissioner Tobin made a motion to approve the agenda as amended. Commissioner Majeska seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	**X**		
Commissioner Higgins	**X**		
Commissioner Tobin	**X**		
Commissioner Brooks		**X**	
Commissioner Majeska	**X**		

Motion passed 4 to 1

PUBLIC COMMENT: The following persons addressed the Board: Robert Hauber, Sunset Acres asked what the Board has decided to do with Sunset Acres, they want out of the sewer business. Burke Cannon, Tavernier spoke on the Islamorada meeting.

ENGINEER'S REPORT
Basin B3, B5, C1, C2 Paving Change Order

The Board discussed Monroe County paving roads and the District working with Monroe County to pave roads.

Motion: **Commissioner Brooks made a motion to approve the Change Order for Basins B3, B5, C1, and C2 for paving. Commissioner Higgins seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska		X	

Motion passed 4 to 1

South Transmission Line Bid

Charles Fishburn, General Manager explained that the original Engineer's estimate was seven million dollars, the revised estimate was for six million and the bid from Metro Equipment was 3.8 million dollars. Staff recommends that the bid be awarded to Metro Equipment.

Motion: **Commissioner Brooks made a motion to approve awarding the South Transmission Line Bid to Metro Equipment. Commissioner Higgins seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

Motion passed 5 to 0

Arcadis Work Authorization Payment

Mr. Fishburn told the Board that there is still ongoing discussion over the total amount due. He recommends the payment be made.

Mr. Dillon explained that neither the District nor Arcadis is entering into any kind of a settlement; the District still retains any claims against Arcadis for any problems with the design. Neither party is waiving anything. They payment would be paid basically on account to satisfy the $100,000 change order.

Motion: **Commissioner Brooks made a motion to approve the payment on account to Arcadis Work Authorization in the amount of $84,195.00. Commissioner Higgins seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin		X	
Commissioner Brooks	X		
Commissioner Majeska	X		

Motion passed 4 to 1

Vacuum Stations G, I, and K Direct Purchase
Mr. Fishburn explained by direct purchase the District saves the sales tax.

CFO Martin Waits stated that the purchase is considered competitively procured.

Motion: **Commissioner Tobin made a motion to approve the direct purchase of the four generators and three oder control units for Vacuum Stations G, I, and K. Commissioner Higgins seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

Motion passed 5 to 0

Vacuum Station G & I Change Order

Motion: **Commissioner Tobin made a motion to bring the Vacuum Stations G, & Change Order to action and approve it. Commissioner Higgins seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

Motion passed 5 to 0

Fred Hicks Contract Extension

Motion: **Commissioner Brooks made a motion to amend Fred Hicks contract and add $3,000 to the contract through October, 2009. Commissioner Majeska seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	**X**		
Commissioner Higgins	**X**		
Commissioner Tobin	**X**		
Commissioner Brooks	**X**		
Commissioner Majeska	**X**		

Motion passed 5 to 0

COMMISSIONER'S ITEMS
Unique Properties

The Board discussed the properties that have not been assessed yet.

Motion: **Commissioner Higgins made a motion to direct Staff to do an analysis of Lake Surprise II and Sunset Acres to see what the costs would be to sewer the developments. Commissioner Tobin seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	**X**		
Commissioner Higgins	**X**		
Commissioner Tobin	**X**		
Commissioner Brooks	**X**		
Commissioner Majeska	**X**		

Motion passed 5 to 0

Motion: **Commissioner Brooks made a motion to have Staff do a matrix and define the most advantageous method of hookup for each area and contact each area by letter with the District's intention and ask for their feelings.**

Commissioner Brooks withdrew his motion.

BULK ITEMS
Minutes of Aug. 18, Sept. 1, & Sept. 15, 2009
Pending Payments
RESOLUTION NO. 30-10-09
A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF DAVID & TERRY HANN FOR REMOVAL OF ONE TAX PARCEL FROM THE 2007 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.
Truck Purchase

Motion: **Commissioner Brooks made a motion to approve Bulk Items with Pending Pyaments contingent upon the availability of funds. Commissioner Higgins seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	**X**		
Commissioner Higgins	**X**		
Commissioner Tobin	**X**		
Commissioner Brooks	**X**		
Commissioner Majeska	**X**		

Motion passed 5 to 0

ENGINEER'S REPORT

Monthly Status Report

Mr. Castle from Weiler Engineering reviewed his written report.

FINANCIAL REPORT

SRF Loan Amendment

Mr. Waits explained that the State Revolving Fund has authorized an additional $10 million in bond funded debt financing for the District at 2.69% interest.

Motion: **Commissioner Brooks made a motion to authorize the General Manager to execute the SRF Loan Amendment documents. Commissioner Tobin seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	**X**		
Commissioner Higgins	**X**		
Commissioner Tobin	**X**		
Commissioner Brooks	**X**		
Commissioner Majeska	**X**		

Motion passed 5 to 0

Liability Limit Report

The Board discussed different liability limits for the District.

Motion: **Commissioner Tobin made a motion to set a limit of $3 million on all District Insurance Policies. Commissioner Higgins seconded the motion.**

Commission Tobin amended his motion to a limit of $5 million on all District Insurance Policies. Commission Higgins amended his second.

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	**X**		
Commissioner Higgins	**X**		
Commissioner Tobin	**X**		
Commissioner Brooks	**X**		
Commissioner Majeska	**X**		

Motion passed 5 to 0

LEGAL REPORT

White Rhino Lease

District Counsel, Thomas Dillon, explained that the billboard lease can be terminated and removed for $15,000.

Motion: **Commissioner Majeska made a motion to pay the $15,000 for termination of the White Rhino Billboard Lease and removal. Commissioner Brooks seconded the motion.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin		X	
Commissioner Brooks	X		
Commissioner Majeska	X		

Motion passed 4 to 1

GENERAL MANAGER'S REPORT

Islamorada Meeting

The Board discussed various aspect of the Joint Meeting with Islamorada.

Motion: **Commissioner Tobin made a motion to amend the Joint Meeting agenda by removing item A (Expansion of the District's Boundaries' to include Islamorada), to add a Discussion on Plant Capacity, to add as the first item a Staff Presentation, and to have a moderator to be agreed upon by the District's Chairperson and Islamorada's Mayor. Motion seconded by Commissioner Majeska.**

Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins		X	
Commissioner Tobin	X		
Commissioner Brooks		X	
Commissioner Majeska	X		

Motion passed 3 to 2

The Board by consensus agreed to a time from of 5:30 PM to 8:30 PM on Oct. 19, 2009 for the Joint Meeting.

COMMISSIONER'S ROUNDTABLE

N/A.

ADJOURNMENT
The KLWTD Board adjourned the Board Meeting at 7:50 PM.

The KLWTD meeting minutes of Oct. 6, 2009 were approved on Oct. 20, 2009.

_____
Chairwoman Hammaker

_____
Carol Walker, CMC
District Clerk

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: October 20, 2009 Agenda Item No. 7

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[ ]	DISCUSSION	[ ]	BID/RFP AWARD
[X]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: Pending Payments Schedule

RECOMMENDED MOTION/ACTION: Approve Pending Payments schedule contingent upon availability of funds.

Approved by General Manager _____

Date: 10-15-09

Originating Department: Finance	Costs: Funding Source: Acct. #	**Attachments:** Pending Payments Schedule
Department Review: [ ] District Counsel _____ [X] General Manager _____ [X] Finance SHL	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case_____: Please initial one.

Summary Explanation/Background:

Pending Payments schedule for Board review and approval contingent upon availability of funds.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

Key Largo Wastewater Treatment District

Payments Pending 10/20/2009

Prepared by: S. T. Lankford Date: 10/16/2009

CONSOLIDATED CASH BALANCE FORWARD **$ (2,199,317.57)**

Administration & Operations

Cash Balance A&O Account Forward	$ (510,534.78)	
Plus: Service Charges	9,600.00	
MSTU Draw #35	296,119.81	
Wastewater Revenue	-	
Total Revenue:	305,719.81	
Less: Administration		
Sprint - Cellular and wireless services	292.72	
Eye Catcher Signs - Lettering front door	35.00	
Sign Guyz - Meeting notification sign	840.00	
FP Mailing Solutions - Postal meter	104.85	
FL Dept. of Community Affairs - Yearly Special District fee	175.00	
Thomas M. Dillon, P.A. - Legal fees	4,850.00	
Creative Services - Business cards	150.00	
Comcast - Cable	94.90	
Hicks-Richardson Assoc. - Lobbyist	1,672.00	
GSG - Assessment roll processing	2,500.00	
Staff salaries for month	27,644.96	
Less: Shared Expenses		
Bryant Answering Service - After hours service	79.95	
State of Florida - Phones	169.54	
Office Depot - Furniture, Computer Accessories, Supplies	716.62	
Keys Sanitary Service - Trash	151.50	
UniFirst - Staff uniforms	105.28	
Mountain Glacier LLC - Water for dispenser	128.86	
Federal Express - Shipping costs	238.67	
FMIT - Health Insurance premiums	8,642.16	
Paychex - Payroll processing fees	231.65	
Payroll benefits for month	3,341.50	
Less: Operations		
Xenco Laboratories - Lab testing	35.00	
Sanders Laboratories - Lab testing	744.00	
KLI - Supplies/Maintenance	199.95	
Sunshine State One Call - Location tickets	286.96	
Chris Wright - Expense report - Cellular phone	269.99	
FKEC - Electric	2,381.49	
NAPA Auto parts - Supplies/Repairs and maintenance	204.24	
DuMont Company - Plant chemicals	3,272.50	
AMSOIL - Chemicals	667.62	
Sweetwater Environmental - Pump digester/Haul sludge	1,400.00	
Staff Salaries for the month	24,322.06	
Sub-total Invoices	85,948.97	
		219,770.84
Cash Balance A&O Account If All Paid	$ (290,763.94)	

MSTU Draw #36 Submitted 06/11/09 $195,666

South Components

Cash Balance KLSC Account Forward	$ (409,602.10)	
Plus:		
Sub-total Receipts	-	
Less: Weiler Engineering - Design - Basins I/J/K - App #11	172,785.00	
Comcast - Cable Deposit - Vac Station G	55.01	
AirVac - Vacuum pits - South Construction	97,400.00	
Rick Floyd - Arborist Consulting services	258.75	
ArborTech - Deposit Tree clearing - Vac Station I	1,593.50	
Consulting Engineering & Science - Enviro study Vac stations	2,710.50	
Thomas M. Dillon, P.A. - Legal fees	1,525.00	
Staff salaries for month including benefits	12,779.36	
Sub-total Invoices	289,107.12	
		(289,107.12)
Cash Balance KLSC If All Paid	$ (698,709.22)	
$20M Grant Draw #17 Submitted 10/8/09 $ 323,744		

North Components

Cash Balance KLNC Account Forward	$ (1,279,180.69)	
Plus:		
Sub-total Receipts	-	
Less: KLI - Supplies - Construction RTP	242.04	
GPServ - Battery component - GIS units	285.00	
Tiger Direct - Replace DVD - C. Walker pc	37.98	
Ninehouser Appliance - Rental - Valve storage	500.00	
Richard Sante - Yard Maintenance - RTP construction	460.00	
Ted Beighey - Expense report - Mileage	465.85	
Mike Dempsey - Expense report - Mileage	489.50	
Maureen Schneider - Expense report - Mileage	3,486.45	
Mark Weis - Expense report - Mileage	169.72	
Hugh Grubb - Expense report - Mileage	277.20	
Pat Mitchell - Expense report - Turblex Missouri/WEFTEC	1,322.80	
Jered Primicierio - Expense report - Turblex Missouri	84.20	
Thomas M. Dillon, P.A. - Legal fees	2,250.00	
Arcadis - Deep Injection Well - App #6	6,285.50	
J.A. LaRocco Enterprise - Basin B-4 - App #24	227,710.82	
Fountain Engineering - Basin C-3 - App #28	572,564.23	
Wharton Smith - RTP - App #9	816,660.40	
Metro Equipment - Basin C-2 - App #10	729,885.22	
Staff salaries for month including benefits	62,634.29	
Sub-total Invoices	2,425,811.20	
		(2,425,811.20)
Cash Balance KLNC Account If All Paid	$ (3,704,991.89)	
ACOE Grant Draw #6 Submitted 09/21/09 $ 511,884		
RWA Loan Draw #2 Submitted 10/7/09 $2,507,841		
$20M Grant Draw #17 Submitted 10/8/09 $ 416,795		

CONSOLIDATED CASH BALANCE IF ALL PAID **$ (4,694,465.05)**

NOTE: A TOTAL OF $ 3,955,930 REQUESTED FOR REIMBURSEMENT IS OUTSTANDING

Approved for payment:

Susan F. Hammaker, Chair

Charles Brooks, Secretary/Treasurer

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: November 3, 2009 Agenda Item No. 8

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[ ]	DISCUSSION	[ ]	BID/RFP AWARD
[X]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: Assessment Appeal Locust Center Limited/The Pink Plaza

RECOMMENDED MOTION/ACTION: Approve modification in assessment for Locust Center Limited/The Pink Plaza

Approved by General Manager C.J.L

Date: 10-14-09

Originating Department: Finance	Costs: Funding Source: Acct. #	**Attachments:** Property owner letter, Report of review, letters substantiating leaks, property appraiser data
Department Review: [ ] District Counsel _____ [X] General Manager C.J.L [X] Finance SL	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case_____: Please initial one.

Summary Explanation/Background:

General Manager and staff recommendation for the Locust Center Limited/The Pink Plaza assessment appeal, as provided to Commissioners by hand delivery on October 13, 2009.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

KEY LARGO WASTEWATER TREATMENT DISTRICT
98880 OVERSEAS HWY, KEY LARGO, FL 33037
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
PHONE (305) 451-4019 FAX (305) 453-5807

REPORT OF REVIEW

PURSUANT TO SECTION 4.08 OF THE PRELIMINARY ASSESSMENT RESOLUTION

DATE RECEIVED: October 1, 2009

AK: 1573621

PROPERTY OWNER: LOCUST CENTER LIMITED

PHYSICAL ADDRESS: 103400 OVERSEAS HIGHWAY KEY LARGO

MAX EDU PER WATER CONSUMPTION CALCULATION: 56.4 EDU

RECOMMENDED CHANGE IN ASSESSMENT: AS DETAILED BELOW

REASON FOR APPEAL: TWO METERS LOCATED ON THE PROPERTY HAD BEEN LEAKING MASSIVELY, ONE OVER A PERIOD OF ELEVEN YEARS.

RESULTS OF REVIEW: THE PROPERTY OWNED BY THE LOCUST CENTER LIMITED IS THE PINK PLAZA, LOCATED AT MM 103.4 OCEAN SIDE KEY LARGO. THIS PROPERTY WAS INITIALLY ASSESSED BY THE DISTRICT ON THE 2006 TAX ROLL. IN 2006 THE LEGAL DESCRIPTION OF THE PROPERTY ENCOMPASSED THE PARCEL WHICH HOUSES THE PINK PLAZA SHOPPING CENTER, AS WELL AS THE ADJACENT SOUTHERN LOT, WHICH HOUSES CAPTAIN SHON'S SEAFOOD RESTAURANT.

IN 2008 THE PARCEL CONTAINING CAPTAIN SHON'S SEAFOOD RESTAURANT WAS SEPERATED FROM THE PINK PLAZA'S PROPERTY IDENTIFICATION NUMBER AND ISSUED A NEW ALTERNATE KEY NUMBER IN THE TAX COLLECTOR'S SYSTEM. THE NEW ALTERNATE KEY NUMBER IS 9090904. IN 2008 THIS PARCEL WAS CODED AS VACANT COMMERCIAL AND THEREFORE ASSESSED IN 2008 AS 1.0 EDU. AS OF 2009 THE RECORDS HAVE BEEN RE-CODED, DENOTING THIS PARCEL AS A RESTAURANT.

IN THE CORRESPONDENCE RECEIVED THE PROPERTY OWNER INDICATES THAT A METER ON THE PROPERTY HAS EXPERIENCED AN ON-GOING LEAK FOR A PERIOD OF ELEVEN YEARS, WHICH HAS CONTINUED TO ESCALATE OVER TIME. THIS METER HAS BEEN DE-COMMISSIONED, AS OF APRIL 2009. THIS METER HAD SERVED THE PUBLIC RESTROOM FACILITIES AT THE PLAZA. WATER SERVICE TO THE PUBLIC RESTROOM FACILITY HAS NOW BEEN ROUTED TO ANOTHER METER IN THE PLAZA.

IN MARCH 2009 A SECOND METER ON THE PROPERTY WAS ABANDONED AFTER A MASSIVE LEAK WAS DETECTED. THE PROPERTY OWNER DOES NOT INDICATE WHAT FACILITIES WERE BEING SERVED BY THIS METER. FKAA ISSUED THE PROPERTY OWNERS ABATEMENT FOR THIS OCCCURANCE.

ACTION SUGGESTED: RE-ASSESS THE PARCEL #9090904, CONTAINING CAPTAIN SHON'S SEAFOOD RESTAURANT; DURING THE ORIGINAL 2006 ASSESSMENT THE CONSUMPTION FOR THE PERIOD OF JANUARY 2004 THROUGH DECEMBER 2006 WAS CALCULATED AT 8.6 EDU. AS PART OF THIS ASSESSMENT APPEAL THE CONSUMPTION FOR THE PERIOD OF JANUARY 2006 THROUGH DECEMBER 2008 WAS CALCULATED. THIS CALCULATION INDICATED 8.7 EDU. THIS INDICATES A VERY CONSISTENT CONSUMPTION HISTORY FOR THE CAPTAIN SHON'S SEAFOOD RESTAURANT PARCEL. IT IS RECOMMENDED THIS PARCEL IS RE-ASSESSED ON THE 2010 ASSESSMENT AT 8.7 EDU'S. IT IS ALSO RECOMMENDED THE PROPERTY OWNER RECEIVE CREDIT FOR THE PRINCIPAL PAYMENTS MADE ON THIS ACCOUNT PRIOR TO THIS RE-ASSESSMENT.

THE PINK PARCEL HAS RECENTLY EXPERIENCED SIGNIFICANT RENOVATION AND LOSS OF ITS ANCHOR PROPERTY, WALGREENS DRUGS. AS INDICATED IN THE OWNERS CORRESPONDENCE, MASSIVE LEAKS ON THE PROPERTY HAVE ONLY RECENTLY BEEN ADDRESSED, THE METERS BEING DECOMMISSIONED IN SPRING OF 2009. IT IS UNCLEAR HOW THE DECOMMISSIONING AND RE-ROUTING OF THESE METERS WILL AFFECT THE PLAZA'S TOTAL CONSUMPTION.
IN ORDER TO CALCULATE ACCURATE CONSUMPTION DATA THE DISTRICT REQUIRES TWELVE MONTHS OF DATA. IT IS RECOMMENDED THAT THIS APPEAL BE HELD OPEN UNTIL SUCH TIME. I WOULD REQUEST PROPERTY OWNER CONTACT THE DISTRICT IN JUNE 2010. THE DISTRICT WILL RE-EVALUATE ALL METERS AND ISSUE A FINAL DETERMINATION ON THIS APPEAL AT THAT TIME. THIS WILL COINCIDE WITH THE CERTIFICATION OF THE 2010 TAX ROLLS, IN SO DOING AMMENDING THE CAPTAIN SHON'S AND PINK PARCEL PROPERTY SIMULTANEOUSLY.

SUBMITTED BY Cynthia Lankford
Synthia T. Lankford, KLWTD Assessment Coordinator

DATE 10/13/2009

APPROVED BY _____ **DATE** 10-13-09

KEY LARGO WASTEWATER TREATMENT DISTRICT
98880 OVERSEAS HWY, KEY LARGO, FL 33037
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
PHONE (305) 451-4019 FAX (305) 453-5807

Locust Center Limited
Att: Bruce Gerleman
303 Locust, Suite 150
Des Moines, IA 50309

October 12, 2009

AK # 1573621

Dear Mr. Gerleman,

Pursuant to your request the Key Largo Wastewater Treatment District has conducted an analysis of your Request for Review of the 2006 Assessment for the real estate parcel listed above. The preliminary determination of your appeal is attached for review.

At this time the District is unable to recommend reduction of your assessment. The District requires twelve months of data in order to make such a recommendation. Since the meters which apparently caused your high consumption were only recently decommissioned more time to gather water usage data is required. Please contact the District in June 2010 requesting your appeal be re-opened and a final determination issued.

If you choose not to accept the recommended decision, please notify the District Clerk within fifteen days of this mailing. You may request the Board hold a public hearing on the request for review, specifying any disputed facts that you consider to be material to the decision.

The District Clerk will place the recommendation on the Agenda for approval at the Board meeting on November 3, 2009. At that meeting the Board may decide to accept or modify the recommended decision. This meeting is open to the public if you desire to attend.

If you have any questions please contact me at 305-453-5804, Monday through Friday between 9:00 a.m. and 5:00 p.m.

Yours truly,

Charles F. Fishburn
General Manager
Key Largo Wastewater Treatment District

cc: District Clerk

Syndi Lankford

From: Thomas M Dillon
Sent: Tue 13-10-2009 10:10
To: 'Syndi Lankford'
Subject: RE: Pink plaza appeal
Modified: Tue 13-10-2009 10:10

Syndi,
Your approach is consistent with other parcels, and I approve it.
Tom

Thomas M Dillon PA
Board Certified in Construction Law
PO Box 370736
Key Largo, Florida 33037
Phone: 305-240-1767
Fax: 305-853-2693

From: Syndi Lankford [mailto:syndil@klwtd.com]
Sent: Monday, October 12, 2009 1:25 PM
To: lawtmd@gmail.com
Subject: Pink plaza appeal

Please review attached.

Thank you
Syndi

syndil@klwtd.com

Pink Plaza Center

103400 Overseas Highway
Key Largo, Florida

September 23, 2009

Mr. Synthia Lankford
Key Largo Wastewater
Key Largo, Fl.

Re: Pink Plaza Center

Dear Ms. Lankford:

Locust Center, Ltd. DBA the Pink Plaza Center, located at MM 103400 Overseas Highway, Key Largo is appealing the amount of the assessment for the new central sewer system levied by Key Largo Wastewater Treatment District.

I request that you review all data that was analyzed by the District in determining said assessment. Specifically, all water meters and their water usage currently in the Center. In the spring of 2009, two major water leaks were detected at the Plaza. The meters have both been abandoned and the water usage transferred to other existing meters. This has resulted in water savings of over 430,000 gallons in the month of March 2009 alone.

It has been determined that the leak for meter #63376118 has been ongoing and steadily worsening over the past 11 years. This meter serviced our 2 public restrooms at the Plaza and the underground sprinkler system. The underground sprinkler system was abandoned over 13 years ago. In April 2009, Seaway Plumbing abandoned this meter and connected the public restrooms to another meter in the Plaza. The usage for this meter is now zero.

Seaway Plumbing also abandoned Meter # 50734332 on March 10/11th after a massive leak was detected. The usage for this meter is now zero.

I am enclosing copies of the bills for all current meters in the name of Locust Center, Ltd. Also enclosed are letters from Seaway Plumbing describing their work. If you have any questions, or need additional information please give me a call.

Sincerely,

Bruce Gerleman
President Locust Center, Ltd.

RECEIVED
2009
KEY LARGO WASTEWATER

Bruce Gerleman, President, 303 Locust, Suite 150, Des Moines, IA 50309 (515) 244-1005, Fax (515) 244-1014

SEAWAY PLUMBING, INC.

September 24, 2009

Florida keys Aqueduct Authority
Attn: Christy

RE: Pink Plaza Building
Bruce Gerleman
103400 O/S Hwy

This letter is to inform you Meter # 63376118 and 50734332 are no longer active. They have been tied in into different meters. Change was requested by homeowner. If you have any questions or concerns please give us a call at your convenience.

Thank you,

Seaway Plumbing, Inc.

10 Barracuda Lane – Key Largo, FL 33037
Phone: (305) 367-3225 Fax: (305) 367-3331
E-mail: seawayinc@bellsouth.net

45302149 water meter for storage tank

Pink Plaza Center

103400 Overseas Highway
Key Largo, Florida

March 17, 2009

Florida Keys Aqueduct Authority

RE: Meter #63376118

Dear Sir or Madam;

This meter and the water line to the building had a serious leak that is being fixed this week by Bayside Plumbing

The attached bill of $1,436.87 was for water that leaked into the ground. Can you issue me a credit for this water?

Thank you.

Sincerely,

Bruce Gerleman

Bruce Gerleman
President
Locust Center, Ltd. dba Pink Plaza Center

Bruce Gerleman, President, 303 Locust, Suite 150, Des Moines, IA 50309 (515) 244-1005, Fax (515) 244-1014

Florida Keys Aqueduct Authority

1100 Kennedy Drive
P.O. Box 1479
Key West, Florida 33041-1479
Telephone (305) 296-2454
www.fkaa.com

LOCUST CENTER LTD
303 LOCUST ST - STE 150
DES MOINES, IA 50309-1762

Account Information	
Account Number	036319
Statement Number	1179962
Statement Date	09/10/2009
Number of Days Billed	33
Customer ID	527030
Due Date	09/30/2009

Service Address: 103400 O/S HWY SPRINKLE, KEY LARGO, FL

CUSTOMER MESSAGE

Hurricane season is a great time to update your emergency contact information. Visit FKAA.com and click the Priority Call tab or call 305.296.2454 to provide telephone and email information.

Meter #	Size	Service Dates	Read Type		Previous Read	Current Read	Usage(Gal)
63376118		08/07/2009 - 09/08/2009	Actual	Subtract Meter			-100

Monthly Usage History

Sep	2009	-100
Aug	2009	0
Jun	2009	1,700
May	2009	0
Apr	2009	125,300
Mar	2009	171,500
Feb	2009	165,600
Jan	2009	195,000
Dec	2008	151,600
Nov	2008	158,600
Oct	2008	129,400
Sep	2008	161,800
Aug	2008	138,800

Your meter shows no water use for this month

Explanation of Charges

Previous Balance	63.95
Payment	(63.95)
Water base facility charge	64.25
Total Current Charges	63.71
Previous Balance	0.00
Total Amount Due	

March 16-20 is National Fix a leak Week. Visit www.fkaa.com to learn how to save water by fixing small leaks which can lead to big savings on your water bill.

Meter #	Size	Service Dates	Read Type	Previous Read	Current Read	Usage(Gal)
63376118	1.50	02/06/2009 - 03/06/2009	Actual	4742800	4914300	171,500

Monthly Usage History		
Mar	2008	82,200
Apr	2008	108,500
May	2008	158,600
Jun	2008	124,600
Jul	2008	136,800
Aug	2008	138,800
Sep	2008	161,800
Oct	2008	129,400
Nov	2008	158,600
Dec	2008	151,600
Jan	2009	195,000
Feb	2009	165,600
Mar	2009	171,500

Your account is overdue. If past due amount is not paid by this statement's due date your service will be disconnected. Please pay immediately.

Explanation of Charges	
Previous Balance	1,248.79
Water base facility charge	62.82
Water usage charge	1,374.05
Total Current Charges	**1,436.87**
Previous Balance	**1,248.79**
Total Amount Due	**2,685.66**

Detach and return remittance portion of the bill with your payment

Payment Coupon

Please include your Location ID on your check & make payable to FKAA

PREVIOUS BALANCE	CURRENT CHARGES	TOTAL DUE	AMOUNT ENCLOSED
1,248.79	1,436.87	$ 2,685.66	
		Check Number	

Service Address: 103400 O/S HWY SPRINKLE, KEY LARGO, FL

Location ID	036319
Statement Number	870133
Bill Date	03/09/2009
Due Date	04/08/2009

LOCUST CENTER LTD
303 LOCUST ST - STE 150
DES MOINES, IA 50309-1762

2551

Florida Keys Aqueduct Authority
P.O. Box 1479
Key West, Florida 33041-1479

Pink Plaza Center

103400 Overseas Highway
Key Largo, Florida

March 17, 2009

Florida Keys Aqueduct Authority

RE: Meter #50734332

Dear Sir or Madam;

This meter and the water line to the building had a tremendous leak that was fixed by Seaway Plumbing on March 10th and 11th by Seaway Plumbing.

The attached bill of $2,598.78 was for water that leaked into the ground. Can you issue me a credit for this water?

The meter has been abandoned and we are obtaining water from another meter in the Building. Please decommission this meter and refund whatever deposit that has been held to secure it.

Thank you.

Sincerely,

Bruce Gerleman

Bruce Gerleman
President
Locust Center, Ltd. dba Pink Plaza Center

Bruce Gerleman, President, 303 Locust, Suite 150, Des Moines, IA 50309 (515) 244-1005, Fax (515) 244-1014

Florida Keys
Aqueduct Authority
Post Office Box 1239
1100 Kennedy Drive
Key West, Florida 33041-1239
Telephone (305) 296-2454
www.fkaa.com

David C. Ritz
Chairman
Key Largo

Elena Z. Herrera
Vice-Chairman
Rockland Key

Rose M. Dell
Secretary/Treasurer
Big Pine Key

J. Robert Dean
Key West

Antoinette M. Appell
Marathon

James C. Reynolds
Executive Director

April 24, 2009

Locust Center Ltd
303 Locust St, Suite 150
Des Moines, IA 50309

Re: FKAA Location No. 036403, Customer No. 520010

Dear Sir or Madam:

I am pleased to inform you that your request for a leak abatement has been approved. A credit in the amount of $2,793.38 will be made to your account. The remaining balance of $31.67 is due on or before May 11, 2009.

Further, for your information, please be advised that in accordance with FKAA policy, the Authority will only consider one (1) abatement, for one (1) billing period, within a single twelve (12) month period to each premises served. Additionally, if the leak was located in the service line we will be unable to grant any further abatements until such time as the service line is replaced.

I trust this information is found satisfactory. If you have any questions regarding this matter, please feel free to contact me at (305) 853-1999.

Sincerely,

FLORIDA KEYS AQUEDUCT AUTHORITY

Sue Reich
Customer Service Manager, Tavernier

Pd. 31.67
5.4.09

SR/dp

cc: File

100023

Florida Keys Aqueduct Authority

1100 Kennedy Drive
P.O. Box 1479
Key West, Florida 33041-1479
Telephone (305) 296-2454
www.fkaa.com

LOCUST CENTER LTD
303 LOCUST ST - STE 150
DES MOINES, IA 50309-1762

FINAL BILL

Account Information	
Location ID	036403
Statement Number	899827
Statement Date	03/23/2009
Number of Days Billed	18
Customer ID	520010
Due Date	04/22/2009

Service Address: 103400 O/S HWY, KEY LARGO, FL

CUSTOMER MESSAGE

March 16-20 is National Fix a leak Week. Visit www.fkaa.com to learn how to save water by fixing small leaks which can lead to big savings on your water bill.

Meter #	Size	Service Dates	Read Type	Previous Read	Current Read	Usage(Gal)
50734332	1.00	03/06/2009 - 03/23/2009	Actual	7772100	7778000	5,900

Monthly Usage History

Mar	2009	272,900
Feb	2009	2,700
Jan	2009	2,500
Dec	2008	6,200
Nov	2008	2,600
Oct	2008	2,000
Sep	2008	2,200
Aug	2008	2,500
Jul	2008	2,300
Jun	2008	2,700
May	2008	2,500
Apr	2008	2,700
Mar	2008	2,500

Your account is overdue. If past due amount is not paid by this statement's due date your service will be disconnected. Please pay immediately.

Explanation of Charges

Previous Balance	2,639.92
Payment	(41.14)
Refund Credit Balance	(75.00)
Water base facility charge	17.80
Water usage charge	31.09
Total Current Charges	48.89
Previous Balance	**2,606.06**
Total Amount Due	**2,572.67**

Ervin A. Higgs, CFA
Property Appraiser
Monroe County, Florida

office (305) 292-3420
fax (305) 292-3501

2008 ASSMT
P.C.O. $ 260 2008
$ 260 2009

Property Record View

Alternate Key: 9090904 Parcel ID: 00468472-009711

Ownership Details

Mailing Address:
LOCUST CENTER LTD
303 LOCUST
STE 150
DES MOINES, IA 50309

Property Details

PC Code:	21 - RESTAURANTS & CAFETERIAS
Millage Group:	500K
Affordable Housing:	No
Section-Township-Range:	14-61-39
Property Location:	OVERSEAS HWY KEY LARGO
Subdivision:	CROSS KEY WATERWAYS EST SEC 2
Legal Description:	CROSS KEY WATERWAYS ESTATES SECTION TWO KEY LARGO PB6-60 NE'LY 120' OF SW 820' TRACT A & PT OF THE ADJ SR HIGHWAY 4 OR478-196/198 OR582-30 OR585-214 OR586-799 OR602-523 OR649-378 OR721-644/655 OR723-697/708 OR767-1778/1780 OR767-1861/1862 OR839-123Q/COR849-1729/1721 OR905-1992 OR909-853 OR944-1982 OR944-1993Q/C OR944-1994Q/C OR944-1995/1996/AFF OR945-994Q/C OR945-995 OR956-2019/2021 OR956-2022/2025 OR956-2026/2027 OR1018-436/438 OR1099-1312 OR1130-1633 OR1300-1303/06 OR1319-2468/72 OR1555-900/03 OR2341-1028/31Q/C

Parcel Map

Land Details

Land Use Code	Frontage	Depth	Land Area
100H - COMMERCIAL HIGHWAY	120	158	18,950.52 SF
100H - COMMERCIAL HIGHWAY	50	120	6,000.00 SF

Building Summary

RE-ASSESS AK 9090904
CAPTAIN SHON'S SEAFOOD

Location	027675	
Customer Number	542262	
Customer Name	SHON CAPTAIN NICKEL	
Mailing Address	103360 OVERSEAS HWY	
P.O. Number		
City	KEY LARGO	
ST	FL	
ZIP	330372819	
Service Address	TRACT A MM 103	
City, St, Zip	KEY LARGO, FL 33037	
UMTAR	W RES 5/8	
Assessor ID	00468472009700	
Units		1
Status		2
Deposit	$	90.00
Phone	30589849070000	
Addr, Code		90299

01/2006	155
02/2006	182
03/2006	173
04/2006	238
05/2006	218
06/2006	209
07/2006	231
08/2006	251
09/2006	315
10/2006	231
11/2006	169
12/2006	210
01/2007	238
02/2007	175
03/2007	194
04/2007	259
05/2007	187
06/2007	144
07/2007	138
08/2007	155
09/2007	208
10/2007	177
11/2007	144
12/2007	212
1/2008	212
2/2008	222
3/2008	407
4/2008	436
5/2008	330
6/2008	549
7/2008	167
8/2008	260

RE-ASSESS AK 9090904
CAPTAIN SHON'S SEAFOOD

9/2008	232
10/2008	134
11/2008	164
12/2008	132
JFM06	17000
FMA06	19800
MAM06	21000
AMJ06	22200
MJJ06	21900
JJA06	23000
JAS06	26600
ASO06	26600
SON06	23800
OND06	20300
NDJ06	20600
DJF06	20800
JFM07	20200
FMA07	20900
MAM07	21300
AMJ07	19700
MJJ07	15600
JJA07	14600
JAS07	16700
ASO07	18000
SON07	17600
OND07	17800
NDJ07	18900
DJF07	21500
JFM08	28000
FMA08	35500
MAM08	39100
AMJ08	43800
MJJ08	34900
JJA08	32500
JAS08	22000
ASO08	20900
SON08	17700
OND08	14300
MAX3	43800
AVG3	22797
MAX ADF	1460
AVG ADF	760
RATIO	1.9
MAX EDU	8.7
AVG EDU	4.6

Ervin A. Higgs, CFA
Property Appraiser
Monroe County, Florida

office (305) 292-3420
fax (305) 292-3501

Property Record View

Alternate Key: 1573621 Parcel ID: 00468472-009700

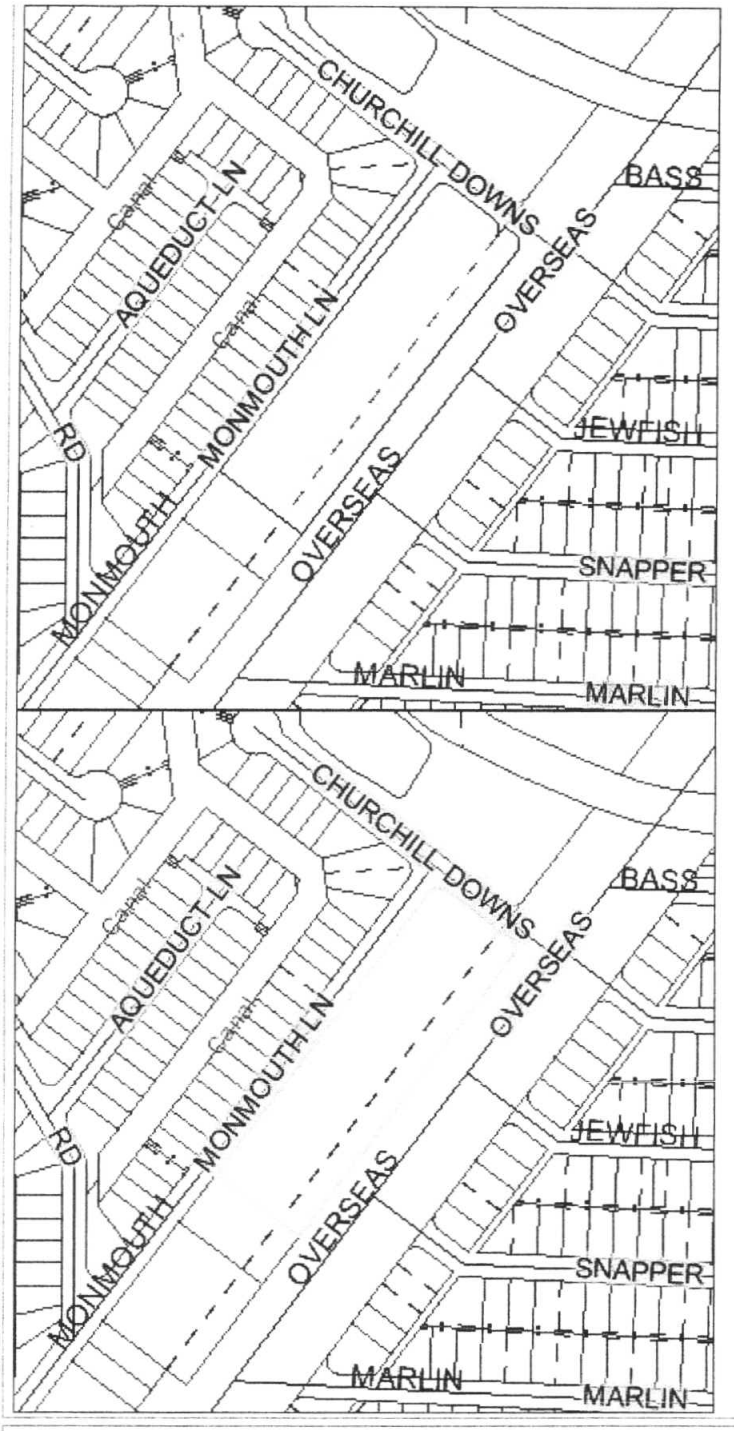
Ownership Details

Mailing Address:
LOCUST CENTER LTD
303 LOCUST
STE 150
DES MOINES, IA 50309

Property Details

PC Code:	16 - COMMUNITY SHOPPING CENTERS
Millage Group:	500K
Affordable Housing:	No
Section-Township-Range:	14-61-39
Property Location:	103400 OVERSEAS HWY KEY LARGO
Subdivision:	CROSS KEY WATERWAYS EST SEC 2
Legal Description:	CROSS KEY WATERWAY ESTATES SECTION TWO PB6-60 KEY LARGO NE 702.67 FT OF TRACT A & PT OF S R NO 5 (US1) R/W (LOT 705) OR478-196/198 OR582-30 OR585-214 OR586-799 OR602-523 OR649-378 OR721-644/655 OR723-697/708 OR767-1778/1780 OR767-1861/1862 OR839-123Q/COR849-1729/1721 OR905-1992 OR909-853 OR944-1982 OR944-1993Q/C OR944-1994Q/C OR944-1995/1996/AFF OR945-994Q/C OR945-995 OR956-2019/2021 OR956-2022/2025 OR956-2026/2027 OR1018-436/438 OR1099-1312 OR1130-1633 OR1300-1303/06 OR1319-2468/72 OR1555-900/03

Parcel Map



Land Details

Land Use Code	Frontage	Depth	Land Area
100H - COMMERCIAL HIGHWAY	0	0	2.55 AC
100H - COMMERCIAL HIGHWAY	0	0	33,542.00 SF

Building Summary

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 9

[ ]	PUBLIC HEARING	[x]	RESOLUTION
[ ]	DISCUSSION	[ ]	BID/RFP AWARD
[x]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Action		

SUBJECT: Resolution No. 31-10-09

RECOMMENDED MOTION/ACTION: Approval

Approved by General Manager C.J.C.

Date: 10-16-09

Originating Department: Legal	Costs: Funding Source:	**Attachments:** Resolution No. 31-10-09
Department Review: [X] District Counsel TD [X] General Manager C.J.C. [X] Finance S.T.	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: This resolution will allow the District to redo the assessment on the Port Largo Club Condo Association Inc. property.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

RESOLUTION NO. 31-10-09

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF PORT LARGO CLUB CONDO ASSOCIATION INC. FOR THE REASSESSMENT OF CONDO 1, CONDO 2, AND PORT LARGO VILLAS ON THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Port Largo Club Condo Association Inc. have submitted documentation consisting of Monroe County Property Record Cards, supporting a request for reassessment from the Wastewater Assessment; and

WHEREAS, the documentation shows that there are nine real state parcels; and

WHEREAS, the District is only furnishing one connection to the Port Largo Club Condo Association Inc.,

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

The re-assessment of the parcels be accomplished as follows:

Section 1. -Nine real estate parcels will share a single KLWTD connection. Cost of connection per 2008 assessment is $2,250.00. Each of the parcels will incur 1/9th of the connection charge equaling $250.

Section 2. RE-ASSESSMENT - CONDO 1- Port Largo Club Condo
1.0 EDU $2,950.00 and 1/9th connection $250.00
Total Re-Assessment per parcel: $3,200.00

PARCEL ID:	00453475-019212
AK NO.	8802331
PARCEL DESCRIPTION:	UNIT B PORT LARGO CLUB A CONDOMINIUM BLDG 5 OR1129-308C/T OR1211-1745/1746 OR2111-1729

PARCEL ID:	0045345-019211
AK NO.	8694741
PARCEL DESCRIPTION:	PORT LARGO CLUB A CONDOMINIUM BLDG 5 UNIT A & 1/24 COMMON ELEMENTS OR952-8/9 OR1039-27C OR1129-308C/T OR1211-1743/44 OR1778-1715 OR2100-1712/14

PARCEL ID:	00453475-00453475-019210
AK NO.	8694733
PARCEL DESCRIPTION:	PORT LARGO CLUB A CONDOMINIUM BLDG 4 UNIT B & 1/24 INT COMMON ELEMENTS OR908-2203 OR1099-2426QC OR1099-2422 OR1214-2396 OR1738-2482(CTT)

PARCEL ID:	00453475-019209
AK NO.	8694725
PARCEL DESCRIPTION:	PORT LARGO CLUB A CONDOMINIUM BLDG 4 UNIT D & 1/24 INT IN COMMON ELEMENTS OR888-2133 OR1027-184 OR1540-2454(LG)

PARCEL ID:	00453475-019301
AK NO.	8736525
PARCEL DESCRIPTION:	BLDG 5 UNIT D PORT LARGO CLUB A CONDOMINIUM PORT LARGO FIFTHADD KEY LARGO PB6-109 PT LOTS 484 485 486 487 488 489 TR J &TR F & 1/24TH INT COMMON ELEMENTS OR828-1375/1453DEC OR908-2204/6 OR954-1328/9 OR999-1209/10 OR999-1211 OR1003-461/2 OR1035-752CT(JB) OR1119-2094(JB) OR1275-1325(JB)

PARCEL ID:	00453475-019200
AK NO.	1557013
PARCEL DESCRIPTION:	BLDG 5 UNIT C PORT LARGO CLUB A CONDOMINIUM OR796-2450 OR821-249/50 OR823-501/504 OR828-1373/1374 OR828-1357/1453DEC OR864-2457Q/C OR908-2204/2206 OR954-1328/29AG OR999-1209/10 OR999-1211 OR1100-653 OR1100-654 OR1003-461/462 OR1059-2381/2382 OR1660-1684AFFD/DC OR2286-1368

Section 3. RE-ASSESSMENT CONDO 2 – Port Largo Club Condo
1.0 EDU $2,950.00 and 1/9th connection $250.00
Total Re-Assessment per parcel: $3,200.00

PARCEL ID:	00453476-000100
AK NO.	
PARCEL DESCRIPTION:	BLDG 4 UNIT C PORT LARGO CLUB A CONDOMINIUM PORT LARGO FIFTHADD KEY LARGO PB6-109 PT LOTS 484 485 486 487 488 489 TR J &TR F & 1/24TH INT COMMON ELEMENTS OR828-1375/1453DEC OR877-1073 OR976-2146 OR1014-946 OR1062-1059 OR1099-2420 OR1240-1801(LG) OR1423-697(JMH)PR1601-161(JMH) OR1601-162/65/AFF(JMH)

PARCEL ID:	00453476-000000
AK NO.	8640285
PARCEL DESCRIPTION:	BLDG 4 UNIT A PORT LARGO CLUB CONDOMINIUM PORT LARGO FIFTH ADD KEY LARGO PB6-109 PT LOTS 484 485 486 487 488 489 TR J &TRACT F & 1/24TH INT COMMON ELEMENTS OR796-2450 OR828-1375/ 1453-DEC OR821-249/250 OR823-501/504 OR828-1373/4 OR877-1073OR969-646Q/C OR976-2233(LD) OR1014-945(LD) OR976-2146/7(LD) OR1014-946(LD) OR1062-1059(LG) OR1131-880/81LT(JB) OR1448- 1608(JB)

Section 4. RE-ASSESSMENT TIMESHARE – Port Largo Villas
16 * $2,950.00 = $47,200.00 and 1/9th connection $250.00
Total Assessment per parcel: $47,450.00

PARCEL ID:	00453475-020000
AK NO.	8640269
PARCEL DESCRIPTION:	PORT LARGO CLUB A CONDOMINIUM-ALL TIME SHARE INTERVALS IN BLDGS 1 2 3 & 6 - PT LOTS 484 485 486 487 488 489 TRACT J & TRACT F OR796-2450 OR821-249/250 OR823-501/504 OR828-1375/1453 OR828-1373/1374 OR884-1571/1574 OR884-1557/1563-AMD DEC

Section 5. APPLICABILITY AND EFFECTIVE DATE.

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 20th DAY OF OCT. 2009

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

	AYE	NAY
Chairwoman Hammaker	____	____
Commissioner Higgins	____	____
Commissioner Brooks	____	____
Commissioner Tobin	____	____
Commissioner Majeska	____	____

The Chairman thereupon declared Resolution No. 31-10-09 duly passed and adopted the 20th day of Oct. 2009.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY:_____
Chairwoman Hammaker

ATTEST:

_____
Carol Walker, District Clerk

Approved to as to form and legal sufficiency

_____
District Counsel, Thomas M. Dillon

SEAL

TAB 4

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 10

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[ ]	DISCUSSION	[ ]	BID/RFP AWARD
[X]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: Deep Well Work Authorization

RECOMMENDED MOTION/ACTION: Authorize the Manager to execute a change order to Arcadis Work Authorization No. 1 for additional bidding phase services for the rebid of Deep Injection Well in the amount of $9,272.00

Approved by General Manager _____

Date: 10-15-09

Originating Department: Engineering	Costs: $9,272.00 Funding Source: Capital Projects Funds	**Attachments:** Invoice
Department Review: [ ] District Counsel _____ [X] General Manager _____ [ ] Finance _____	[X] Engineering EC [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: The initial bid of the Deep Injection Well construction project was rejected. The District requested that Arcadis modify the bid documents and provide bid evaluation services for the rebidding of the DIW. Arcadis performed additional work beyond their original scope performing the requested services.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

ARCADIS

April 14, 2009
Project No:
Invoice No: 0270305

KEY LARGO WASTEWATER TREATMENT
DISTRICT
ATTN: CHARLES F. FISHBURN
GENERAL MANAGER
P.O. BOX 491
KEY LARGO, FL 33037

EXPANSION AND DEVELOPMENT OF DISTRICT FACILITIES
SECOND BID
Professional Services from June 23, 2008 to September 21, 2008

Professional Personnel

	Hours	Rate	Amount	
PRINCIPAL SCI/ENG/ARCH				
SMITH, DAVID	57.95	160.00	9,272.00	
Totals	57.95		9,272.00	
Total Labor				**9,272.00**

Total this Invoice **$9,272.00**

Bank: Wells Fargo Bank NA
Account number: 1018164751
Account Name: ARCADIS U.S., Inc. Lockbox Account

ACH bank routing (ABA) number: 102000076
Wire transfer bank routing (ABA) number: 121000248

Please Remit To: ARCADIS U.S., Inc
Dept. 547, Denver, Colorado 80291-0547, 720.344.3500
TERMS: Net 30 days

Billing Backup

Tuesday, April 14, 2009

ARCADIS **Invoice 0270305 Dated 4/14/09** *8:17:18 AM*

Professional Personnel

			Hours	Rate	Amount
PRINCIPAL SCI/ENG/ARCH					
10681	SMITH, DAVID	6/29/08	1.25	160.00	200.00
	Prepare Bid schedule				
10681	SMITH, DAVID	7/6/08	1.70	160.00	272.00
	Bid prep and conference call				
10681	SMITH, DAVID	7/6/08	1.00	160.00	160.00
	Bid review and call with attorney				
10681	SMITH, DAVID	7/13/08	.20	160.00	32.00
	Discussions with owner				
10681	SMITH, DAVID	7/13/08	.50	160.00	80.00
	Revised Bid Schedule				
10681	SMITH, DAVID	7/20/08	2.50	160.00	400.00
	Bid prep				
10681	SMITH, DAVID	7/27/08	1.00	160.00	160.00
	Bid Prep				
10681	SMITH, DAVID	7/27/08	1.00	160.00	160.00
	Bid prep (corrections)				
10681	SMITH, DAVID	7/27/08	1.50	160.00	240.00
	Pre Bid mtg prep				
10681	SMITH, DAVID	8/3/08	5.00	160.00	800.00
	Addendum prep				
10681	SMITH, DAVID	8/3/08	3.00	160.00	480.00
	Addendum prep and release				
10681	SMITH, DAVID	8/3/08	3.50	160.00	560.00
	Bid Meeting Minutes, Addendum prep, FRP and Drill capacity Q's				
10681	SMITH, DAVID	8/3/08	7.00	160.00	1,120.00
	Pre-bid mtg prep and meeting				
10681	SMITH, DAVID	8/10/08	.50	160.00	80.00
	Addendum circulation				
10681	SMITH, DAVID	8/10/08	.50	160.00	80.00
	Bid Questions				
10681	SMITH, DAVID	8/17/08	2.50	160.00	400.00
	Bid evaluation				
10681	SMITH, DAVID	8/17/08	.30	160.00	48.00
	YBI Bid Question				
10681	SMITH, DAVID	8/24/08	2.00	160.00	320.00
	Bid evaluation - Contractor request for further information				
10681	SMITH, DAVID	8/24/08	.50	160.00	80.00
	Bid evaluation - telecom with Ed Castle				

Billing Backup		Invoice 0270305 Dated 4/14/09				Tuesday, April 14, 2009 - 8:17:18 AM
10681	SMITH, DAVID	8/31/08	1.50	160.00	240.00	
	Construction Scheduling and Owner questions					
10681	SMITH, DAVID	9/7/08	1.00	160.00	160.00	
	Bd Evaluation					
10681	SMITH, DAVID	9/14/08	1.50	160.00	240.00	
	Bid evaluation and WWTP Design Review					
10681	SMITH, DAVID	9/14/08	2.50	160.00	400.00	
	Bd Evaluation					
10681	SMITH, DAVID	9/21/08	11.00	160.00	1,760.00	
	Bd Evaluation					
10681	SMITH, DAVID	9/21/08	5.00	160.00	800.00	
	Bd Evaluation and pricing for construction					
	Totals		57.95		9,272.00	
	Total Labor					**9,272.00**
					Total this report	**$9,272.00**

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 11

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[x]	DISCUSSION	[ ]	BID/RFP AWARD
[ ]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: Monthly Projects Status Report

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager C.J.2

Date: 10-14-09

Originating Department: Weiler Engineering	Costs: $ Funding Source:	**Attachments:**
Department Review: [ ] District Counsel _____ [X] General Manager C.J.2 [ ] Finance _____	[X] Engineering DS [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: A representative from Weiler Engineering will give a verbal monthly status report.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

TAB 5

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: October 20, 2009 Agenda Item No. 12

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] DISCUSSION [ ] BID/RFP AWARD

[ ] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[X] STATUS REPORT

SUBJECT: FY2009 Financial Report

RECOMMENDED MOTION/ACTION: None

Approved by General Manager C.J.R
Date: 10-14-09

Originating Department: Finance	Costs: Funding Source:	**Attachments:**
Department Review: [ ] District Counsel ___ [X] General Manager C.J.R [X] Finance ___	[ ] Engineering____ [ ] Clerk____	**Advertised:** Date: ___ Paper: ___ [ ] Not Required

Summary Explanation/Background:

The attached financial report for the full year FY2009 his accompanied by a written report to the Board.

Staff will address questions and comments on the report.

KEY LARGO WASTEWATER TREATMENT DISTRICT
P.O. BOX 491; KEY LARGO, FLORIDA 33037
(305) 453-5804 FAX (305) 453-5807

Memo

To: Board of Commissioners

From: Marty Waits

Date: 10/12/09

Re: FY2009 Financial Report

Commissioners,

The District financial report for the FY2009 ending September 30th is attached for your review. I offer the following comment to assist you in identifying the information which I feel is particularly worthy of note:

Consolidated Financial Performance Summary (Page 1)

Administration & Construction Management expenses exceeded budget by $49,941 (5.5%). A significant over run in postage resulted from mailing one year notices to virtually the entire service area. However, this was substantially offset by a significant under run in Professional Services.

Wastewater Service Operations revenue was $37,804 (5.2%) less than projected in the budget due to fewer than expected new US 1 commercial connections. This was more than offset, however, by a lower than expected payroll and direct plant operating expenses. After setting aside $51,375 in the Renewal & Replacement reserve, a surplus of $28,347 was recorded.

On a consolidated basis, a surplus of $34,373 was generated, compared with a surplus of $2,480 projected in the budget.

Administration & Construction Management Detail (Page 2)

Employee salaries and wages were essentially as budgeted. With the addition of monthly transition meetings between Board meetings, however, Board Meeting Compensation was $11,200 over budget.

General Administrative Expenses were reasonably close to budgeted amounts in most all accounts except Supplies and Postage Expense. Numerous unanticipated computer workstations and support equipment for new employees inflated the cost of supplies, and the cost of issuing one year notices to virtually the entire service area (over $70,000) was overlooked in the budget.

Professional Services expenses were $55,607 (22%) under budget, even with the addition of a PRMG study. Engineering Services were less than half of expectations, fortunately no litigation expense was incurred, and the engagement of a State lobbyist in Tallahassee was delayed for several months.

As a net result of all these factors, Administration and Construction Management expenses totaled $950,502 vs. $895,773 budgeted, which is $55,607 (6.2%) over budget.

Wastewater Service Operations Detail (Page 3)

Wastewater Service Operations revenue was $37,804 less (11%) than projected in the budget due to fewer than expected new US 1 commercial connections. However, total operating expenses were $71,339 under (11.3%) the budgeted projection, resulting in a $96,382 operating surplus for the full year compared a $62,907 surplus budgeted.

Employee payroll and benefits were 13.9% less than budget. A reduction in chemical consumption of $32,982 was essentially offset by higher than anticipated repairs and maintenance (such as the cracked pit replacement in Key Largo Park) of $26,307. Supplies were also $11,652 higher than anticipated.

Consolidated Revenues & Expenses (Pages 4 & 5)

The District collected $5,225,617 in assessment revenue during FY2009, and a total of $13,750,367 since inception of the assessment program in 2005. Total assessment revenue upon completion of the program is expected to exceed $82,000,000.

Grant and loan reimbursement for project costs totaled $30,359,189 in FY2009, and was split approximately 30% grants and 70% loans.

Employee payroll totaled $1,231,338 and was split 26% Administration & Construction Management, 18% Wastewater Service Operations, and 56% Capital Projects.

Engineering Services (essentially Weiler Engineering) totaled $805,194 - 96% direct to projects.

Legal expenses totaled $98,728, split approximately 55% Administration and 45% Projects.

Nearly $2.3 million was spent on engineering & design services, and nearly $28 million was spent directly on construction services and construction materials during FY2009.

CONSOLIDATED KLWTD FINANCIAL PERFORMANCE SUMMARY

FY2009 - Budget vs. Actual / Outlook

Prepared By: Marty Waits Date: October 12, 2009

	Full Year - FY2009 Actual	Full Year - FY2009 Budget	Fav (Unfav) To Budget
Administration & Construction Management (See Page 2)			
Revenue:			
MSTU & Other Income	$ 721,740	$ 745,000	$ (23,260)
Line of Credit	238,000	158,773	79,227
	$ 959,740	$ 903,773	55,967
Expenses:			
Payroll, including Benefits (Page 5)	450,807	448,548	(2,259)
General Administrative Expenses	304,002	196,425	(107,577)
Professional Services	195,193	250,800	55,607
Capital Expenditures	3,712	8,000	4,288
	953,714	903,773	(49,941)
Surplus (Deficit)	**$ 6,026**	**$ -**	**$ 6,026**
Wastewater Service Operations (See Page 3)			
Revenue:			
Monthly Billings	$ 670,736	$ 708,540	$ (37,804)
Expenses:			
FKAA Billing Service	16,110	16,500	390
Payroll, including Benefits	271,896	315,844	43,948
Direct plant operations	182,851	213,494	30,643
Other Operating Expenses	103,047	99,795	(3,252)
Capital Expenditures	17,110	25,000	7,890
Renewal and Replacement Reserve	51,375	35,427	(15,948)
	642,389	706,060	63,671
Surplus (Deficit)	**$ 28,347**	**$ 2,480**	**$ 25,867**
Total Administration, Construction Management and Wastewater Service Surplus (Deficit)	**$ 34,373**	**$ 2,480**	**$ 31,893**
Assessment Revenue (Restricted)	**$ 5,225,617**	**$ 5,000,000**	**$ 225,617**
Memo: Total 2005 - 2008 Assessments revenue	$ 8,524,750		

KLWTD ADMINISTRATION & CONSTRUCTION MANAGEMENT

FY2009 - Budget vs. Actual / Outlook

Prepared By: Marty Waits Date: October 12, 2009

	Full Year - FY2009		Fav (Unfav)
	Actual	Budget	To Budget
Operating Revenue			
363102 - Non Ad Valorum Assessments	$ 4,034,144	$ 4,500,000	(465,856)
384007 - Line of Credit	238,000	158,773	79,227
363101 - SDC Prepayments	1,191,473	500,000	691,473
311001 · MSTU (incl. Receivable)	654,278	720,000	(65,722)
343608 · Miscellaneous Service Charges	67,462	25,000	42,462
361001 · Investment Earnings	174,674	260,000	(85,326)
Total Revenues	$ 6,360,031	$ 6,163,773	196,258
Operating Expenses			
511001 · Board Meeting Compensation	49,200	38,000	(11,200)
512000 · Employee Payroll			
512010 · General Manager	62,240	75,900	13,660
512020 · Board Clerk	64,024	63,000	(1,024)
513010 · Chief Financial Officer	93,758	81,000	(12,758)
513013 - Sr. Financial Manager	60,365	55,172	(5,193)
513012 · Engineer	13,687	14,250	563
513011 - Operations Manager	3,613	1,800	(1,813)
513019 - Temporary, Plant, Other	20,567	29,100	8,533
Total 512000 · Employee Payroll	318,254	320,222	1,968
511200 · Payroll Taxes			
511211 · P/R Tax - FICA	21,797	22,234	437
511212 · P/R Tax - Medicare	5,147	5,170	23
511213 - Unemployment Compensation	3,025	-	(3,025)
511216 - Retirement Program	3,115	32,022	28,907
511215 - Group Health Insurance	50,269	30,900	(19,369)
Total 511200 · Payroll Taxes	83,353	90,326	6,973
511000 · General Administrative Expenses			
511011 · Rents & Leases	31,335	32,430	1,095
511013 · Electric	4,396	3,952	(444)
511018 - Water	237	208	(29)
511023 - Repairs & Maintenance	1,288	1,500	212
511012 · Telephone	6,903	8,320	1,417
511007 · Legal Advertisements	10,703	7,000	(3,703)
511008 · Supplies	50,764	25,000	(25,764)
511003 · Postage Expense	103,347	30,015	(73,332)
511002 · Copy Expense	2,445	4,500	2,055
511010 · Travel	13,829	12,000	(1,829)
511214 · Workers Comp Insurance	16,432	16,500	68
511015 · Liability Insurance	31,831	30,000	(1,831)
511015 - Property Insurance	1,076	1,000	(76)
511009 · Dues & Subscriptions	3,436	1,500	(1,936)
511006 · Miscellaneous Expenses	21,053	15,000	(6,053)
512005 - GSG Tax Roll Services	2,500	4,500	2,000
511099 · Reserve For Contingencies	2,427	3,000	573
Total 511000 · General Administrative Expenses	304,002	196,425	(107,577)
514000 · Professional Services			
514010 · Computer Support	7,328	2,500	(4,828)
514006 · Audit & Accounting Services	23,000	23,500	500
514005 · Engineering Services	32,757	68,800	36,043
514003 · Utility Rate Consultant	21,821	1,000	(20,821)
514001 · Legal - General Counsel	54,053	55,000	947
514002 · Legal - Litigation Reserve	-	20,000	20,000
514017 - Lobbyists	56,234	80,000	23,766
Total 514000 · Professional Services	195,193	250,800	55,607
Total Operating Expenses	950,002	895,773	(54,229)
Non-Operating Expenses			
591001 - Capital Expenditures	3,712	8,000	4,288
591005 - Debt Service (SRF KLP Loan)	58,380	58,380	-
591004 · Transfer To Capital Reserve	5,341,911	5,201,620	(140,291)
Total 591000 · Non-Operating Expenses	5,404,003	5,268,000	(136,003)
Total Expenses	6,354,005	6,163,773	
Admin & Construction Mgmt Surplus (Deficit) *	$ 6,026	$ -	

KLWTD WASTEWATER SERVICE OPERATIONS

FY2009 - Budget vs. Actual / Outlook

Prepared By: Marty Waits Date: October 12, 2009

	Full Year - FY2009		Fav (Unfav)
	Actual	Budget	To Budget
Operating Revenue			
343605 · Wastewater Service Revenue	670,736	$ 708,540	(37,804)
Operating Expenses			
512010 - General Manager	2,539	4,260	1,721
513011 - Operations Manager	18,775	-	(18,775)
513015 - Maintenance	107,985	127,722	19,737
513014 - Plant Operators	80,374	109,580	29,206
512012 - Engineer	1,193	5,240	4,047
513019 - Temporary / Part Time	9,136	18,760	9,624
511211 · P/R Tax - FICA	13,420	16,460	3,040
511212 · P/R Tax - Medicare	2,741	3,855	1,114
511215 - Group Health Insurance	35,733	22,000	(13,733)
511216 - Retirement Program	-	7,967	7,967
Total Payroll, including Benefits	271,896	315,844	43,948
511013 · Electric	27,193	39,347	12,154
511018 - Water	2,499	1,700	(799)
511019 - Chemicals	31,660	64,642	32,982
511020 - Sludge Hauling	59,150	54,805	(4,345)
511024 - Supp. Operating Support	-	5,000	5,000
511021 - Lab Services	11,042	13,000	1,958
511023 - Repairs & Maintenance	51,307	25,000	(26,307)
511099 - Reserve For Contingencies	-	10,000	10,000
Total Direct Plant Operations	182,851	213,494	30,643
Total FKAA Billing Services	16,110	16,500	390
514013 - Vehicle Expense	13,057	13,000	(57)
511010 - Travel	2,972	2,200	(772)
511012 · Telephone	6,903	7,300	397
511008 · Supplies	26,652	15,000	(11,652)
511214 - Workers Comp Insurance	8,466	9,295	829
511015 - Property Insurance	36,483	38,500	2,017
511017 - Donations	-	9,000	9,000
511006 · Miscellaneous Expenses	8,514	5,500	(3,014)
Total Other Operating Expenses	103,047	99,795	(3,252)
Operating Surplus (Deficit)	**96,832**	**$ 62,907**	33,925
Non-Operating Expenses			
591001 - Capital Expenditures	17,110	25,000	7,890
591002 · Renewal & Replacement	51,375	35,427	(15,948)
Total Non-Operating Expenses	68,485	60,427	(8,058)
Wasterwater Service Surplus (Deficit)	**28,347**	**$ 2,480**	

Prepared By: Marty Waits

Date: 09/30/09

Key Largo Wastewater Treatment District

CONSOLIDATED REVENUES & EXPENSES

Full Year, October - September, FY2009

	Adminisration & Const. Mgmt.	Wastewater Service Operations	Capital Projects	Total Consolidated
INCOME				
384005 · SRF Loan Proceeds	$ -	$ -	21,288,640	$ 21,288,640
363102 · Non Ad Valorum Assessments	-	-	4,034,144	4,034,144
363101 · System Development Fees	-	-	1,191,473	1,191,473
334355 - FDEP $6M Grant	-	-	3,332,277	3,332,277
337309 · County $20M Grant	-	-	4,284,555	4,284,555
334356 - ACOE Grants	-	-	1,453,717	1,453,717
384007 - Line of Credit	238,000	-	-	238,000
311001 · MSTU Ad Valorem Taxes	654,278	-	-	654,278
343605 · Wastewater Service Revenue	-	670,736	-	670,736
343608 · Miscellaneous Service Charges	67,462	-	-	67,462
361001 · Investment Earnings	-	-	174,674	174,674
Total Income	$ 959,740	$ 670,736	$ 35,759,480	$ 37,389,956
EXPENSES			-	
511001 · Board Meeting Compensation	49,200	-	-	49,200
512000 · Employee Payroll				
512010 · General Manager	62,240	2,539	97,304	162,083
512020 · Board Clerk	64,024	-	-	64,024
513010 · Chief Financial Officer	93,758		8,512	102,270
513013 · Sr Financial Manager	60,365	-	901	61,266
513012 · Engineer	13,687	1,193	80,170	95,050
513011 · Project Manager	3,344	-	94,596	97,940
513016 - Operations Manager	3,613	18,775	50,060	72,448
513015 · Inspectors / Maintenance	677	107,985	170,327	278,989
513014 · Plant Operators	-	80,374	-	80,374
513019 · Temporary / Part Time	16,546	9,136	191,212	216,894
Total 512000 · Employee Payroll	318,254	220,002	693,082	1,231,338
511200 · Payroll Taxes & Benefits				
511211 · P/R Tax - FICA	21,797	13,420	40,445	75,662
511212 · P/R Tax - Medicare	5,147	2,741	9,475	17,363
511213 - Unemployment Compensation	3,025	-	-	3,025
511215 · Group Health Insurance	50,269	35,733	1	86,003
511216 - Retirement Program	3,115	-	-	3,115
Total 511200 · Payroll Taxes & Benefits	83,353	51,894	49,921	185,168
511000 · General A & O Expenses				
511011 · Rents & Leases	31,335	-	5,000	36,335
511013 · Electric	4,396	27,193	3,956	35,545
511018 · Water	237	2,499	72,284	75,020
511019 · Chemicals	-	31,660	-	31,660
511020 · Sludge Hauling	-	59,150	-	59,150
511021 · Lab Services	-	11,042	-	11,042
511023 · Repairs & Maintenance	1,288	51,307	10,675	63,270
511012 · Telephone	6,903	6,903	5,627	19,433
511007 · Legal Advertisements	10,703	-	3,879	14,582
511008 · Supplies	50,764	26,652	6,253	83,669
511003 · Postage Expense	103,347	-	147	103,494

Continued on next page.

	Adminisration & Const. Mgmt.	Wastewater Service Operations	Capital Projects	Total Consolidated
511000 · General A & O Expenses (Cont'd)				
511002 · Copy Expense	2,445	-	-	2,445
511010 · Travel	13,829	2,972	22,291	39,092
511214 · Workers Comp Insurance	16,432	8,466	-	24,898
511015 · Liability Insurance	31,831	537	-	32,368
511016 · Property Insurance	1,076	36,483	-	37,559
511009 · Dues & Subscriptions	3,436	-	879	4,315
514013 · Vehicle Expense	696	13,057	-	13,753
511006 · Miscellaneous Expenses	25,284	7,977	253,582	286,843
Total 511000 · General A & O Expenses	304,002	285,898	384,573	974,473
514000 · Professional Services				
514014 · FKAA Billing Services	-	16,110	-	16,110
514010 - Computer Support	7,328	-	17,888	25,216
514006 · Audit & Accounting Services	23,000	-	-	23,000
514003 - Utility Rate Consultant	21,821	-	-	21,821
514005 · Engineering Services	32,757	-	772,437	805,194
514001 · Legal - General Counsel	54,053	-	44,675	98,728
514017 · Lobbyists	56,234	-	-	56,234
514007 · Project Planning Contingency	-	-	2,313	2,313
Total 514000 · Professional Services	195,193	16,110	837,313	1,048,616
515000 · Other Expenses				
514016 · Engineering & Design	-	-	2,274,067	2,274,067
514008 · Construction Services	-	-	23,356,138	23,356,138
514011 · Construction Materials	-	-	4,424,640	4,424,640
514019 - Construction Equipment	-	-	92,045	92,045
Total 515000 · Other Expenses	-	-	30,146,890	30,146,890
591000 · Non-Operating Expenses				
591001 · Capital Expenditures A&O	3,712	17,110	-	20,822
591002 - Renewal & Rplacement	-	51,375	-	51,375
591005 · Debt Service (SRF KLP Loan)	-	-	58,380	58,380
Total 591000 · Non-Operating Expenses	3,712	68,485	58,380	130,577
Total Expense	$ 953,714	$ 642,389	$ 32,170,159	$ 33,766,262
SURPLUS (DEFICIT)	**$ 6,026**	**$ 28,347**	**$ 3,589,321**	**$ 3,623,694**

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: October 20, 2009 Agenda Item No. 13

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] DISCUSSION [ ] BID/RFP AWARD

[ ] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[X] STATUS REPORT

SUBJECT: Capital Projects Status Report

RECOMMENDED MOTION/ACTION: None

Approved by General Manager C.J.R
Date: 10-14-09

Originating Department: Finance	Costs: Funding Source:	**Attachments:**
Department Review: [ ] District Counsel [X] General Manager C.J.R [X] Finance MP	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [ ] Not Required

Summary Explanation/Background:

The attached report on Sources & Uses of Funds for the District's capital projects is accompanied by a written report to the Board.

Staff will address questions and comments on the report.

KEY LARGO WASTEWATER TREATMENT DISTRICT
P.O. BOX 491; KEY LARGO, FLORIDA 33037
(305) 453-5804 FAX (305) 453-5807

Memo

To: Board of Commissioners

From: Marty Waits

Date: 10/13/09

Re: Capital Projects Status Report

Commissioners,

The financial report of all Sources & Uses of Funds for capital projects through September 30, 2009, is attached for your review. I offer the following comment to assist you in identifying the information which I feel is particularly worthy of note:

Consolidated Project Sources & Uses of Funds (Page 1)

The North Components and South Components projects combined are currently projected to cost $142,500,279. When combined with the cost of the KLTV/KLP demonstration project, total system construction cost is projected to total $154,395,934 upon completion of the system.

Grants now in hand total $44,290,243 and will constitute 29% of total funding if no additional grants are obtained. Assessments are projected to fund $79,563,611 in loans. The balance of funding required is currently projected to be $29,542,080. This requirement is a worst case scenario because it assumes no additional grant funding will be obtained and that the cost of the South Components collection systems will approach Weiler's 2005 Facilities Plan estimates.

North Components Sources & Uses of Funds (Page 2)

The North Components project is currently projected to cost $71,598,833 and is totally funded with $21,038,000 in grants (29%) and $50,560,156 (71%) in loans, essentially all SRF related debt. Since virtually all work is either completed or under contract, this projected cost upon completion is considered a very accurate estimate.

On a financial basis, the North Components project is 63% complete.

North Components Collection System Detail (Page 3)

All collection systems are either complete or under contract except for the unique parcels in Basin D, Phase 4 and Rt. 905. The completed cost of $35,523,181 for Basins A – D is projected to be approximately 8% less than Weiler's 2005 Facilities Plan estimate.

South Components Sources & Uses of Funds (Page 4)

The South Components project is currently projected to cost $70,902,123. At this time approximately $29 million in funding has not been specifically identified, and will have to be provided by additional grants and/or loans funded by monthly rates. Since construction is just being initiated and only 5 collection system phases out of a total of 23 are under contract, this total cost estimate is not very accurate. However, construction cost estimates are based primarily upon Weiler's 2005 Facility Plan estimates and from experience in the north are believed to represent a worst case scenario.

On a financial basis, the South Components project is 6% complete.

South Components Collection System Detail (Page 5)

Five phases is Basins E and F are under contract and we have 90% engineering estimates for the remaining two phases. Construction of Basins E and F are projected to cost $10,282,689. Weiler's 2005 Facilities Plan estimate was $14,637,000.

If this pattern of actual cost compared with Facilities Plan estimates were to hold for Basins G – K, the completed cost of the South Components project would be nearly $15 million less than the current estimate and the unidentified funding requirement would drop to about $16 million.

Key Largo Wastewater Treatment District

TOTAL PROJECT SOURCES AND USES OF FUNDS

Prepared By: Marty Waits Date: October 9, 2009

FUNDING PROJECTION	North & South Components	Demonstration Project	Total Project
Grants (Committed):			
Various Federal, State & Local	$ -	$ 11,002,243	$ 11,002,243
FDEP Grant	6,038,000		6,038,000
Corps of Engineers	8,250,000		8,250,000
Monroe County Grant	19,000,000		19,000,000
	33,288,000	11,002,243	44,290,243
	23%	92%	29%
SDC Prepayments	1,000,000		1,000,000
	1%		1%
Loans (Required):			
SRF Related Loans	48,670,199	893,412	49,563,611
Bank Loan (November, 2009)	30,000,000		30,000,000
New Grants or Operations Funded Loans	29,542,080		29,542,080
	108,212,279	893,412	109,105,691
	76%	8%	70%
Total Funds	**$ 142,500,279**	**$ 11,895,655**	**$ 154,395,934**

ESTIMATED PROJECT COST			
Design, Engineering & Const. Mgmt:			
Weiler Engineering - Const. Mgmt.	$ 2,100,000	$ 365,872	2,465,872
Transmission Lines	490,748		490,748
Collection Systems	5,174,151		5,174,151
Treatment Plant	1,340,424		1,340,424
Plant Site Mitigation	423,797		423,797
Other Expenses	2,000,000	71,268	2,071,268
KLWTD Staff Expense (Mgmt, Legal)	3,450,000	311,643	3,761,643
	14,979,120	748,783	15,727,903
Construction:			
Design Build Contract	-	11,146,872	11,146,872
Transmission Lines	6,176,690		6,176,690
Collection Systems & Vacuum Stations	94,738,870		94,738,870
Regional Plant	25,705,599		25,705,599
Land Acquisition	900,000		900,000
	127,521,159	11,146,872	138,668,031
Total Expenses	**$ 142,500,279**	**$ 11,895,655**	**$ 154,395,934**

Key Largo Northern Half

TOTAL PROJECT SOURCES AND USES OF FUNDS

Prepared By: Marty Waits Date: October 9, 2009

FUNDING COMMITMENT	Total	Received & Requested	Balance Due	% Utilized
Grants:				
FDEP Grant	$ 6,038,000	$ 6,038,000	$ -	100%
Corps of Engineers	4,000,000	1,965,427	2,034,573	49%
Monroe County Grant	11,000,000	10,200,941	799,059	93%
	21,038,000	18,204,368	2,833,632	87%
	29%			
Loans:				
SRF Preconstruction Loan	2,670,199	2,670,199	-	100%
SRF Loan Commitments (Incl. 9/09)	20,000,000	10,000,000	10,000,000	50%
SRF/RWA Bridge Loan	16,000,000	7,479,678	8,520,322	47%
SRF Bond Funded Loan	10,000,000	10,000,000	-	100%
2009 Bank Loan Requirement	1,889,957	-	1,889,957	
	50,560,156	30,149,877	20,410,279	60%
	71%			
Total Funds	**$ 71,598,156**	**$ 48,354,245**	**$ 23,243,911**	68%

ESTIMATED PROJECT COST	Est. Total Completed Cost	Billings to 9/30/2009	Balance To Complete	% Expended
Design, Engineering & Const. Mgmt:				
Weiler Engineering - Const. Mgmt.	$ 1,400,000	$ 920,709	$ 479,291	66%
Transmission Line - CPH	206,351	206,351	-	100%
Basins A & D - CPH	694,608	676,434	18,174	97%
-Vacuum Station C.O.	11,610	-	11,610	0%
Basin B - Eckler	470,601	470,601	-	100%
- CPH (Survey)	93,478	93,478	-	100%
Basin C - Wade Trim	385,578	346,442	39,136	90%
- CPH (Survey)	106,876	106,876	-	100%
Treatment Plant - Arcadis	742,400	742,400	-	100%
- C.O.	174,282	174,282	-	100%
- Deep Well Oversight	324,142	306,119	18,023	94%
- Plant Oversight	99,600	15,405	84,195	15%
Plant Site Mitigation	423,797	423,797	-	100%
Other Expenses	1,000,000	779,977	220,023	78%
KLWTD Staff Expense (Mgmt, Legal)	1,850,000	1,396,878	453,122	76%
	7,983,323	6,659,749	1,323,574	83%
Construction:				
Transmission Line - LaRocco	2,386,053	2,386,053	-	100%
Collection Systems (Schedule A)	35,523,181	22,910,921	12,612,260	64%
Disposal Well - Youngquist / Ozone	5,272,362	5,272,362	-	100%
Treatment Tanks - Precon	3,546,237	3,350,627	195,610	94%
Treatment Plant - Wharton-Smith	16,887,000	4,286,938	12,600,062	25%
	63,614,833	38,206,901	25,407,932	60%
Total Expenses	**$ 71,598,156**	**$ 44,866,650**	**$ 26,731,506**	63%
Facilities Plan Estimate	$ 68,049,675			

Schedule A

NORTHERN HALF COLLECTION SYSTEM CONSTRUCTION COSTS

Prepared By: Marty Waits Date: October 9, 2009

		Est. Total Completed Cost	Billed through 09/30/2009 Construction	Billed through 09/30/2009 Materials	Est. Balance To Complete	% Expended
Basin A						
Phase 1	**(Fountain $1,179,001)**	$ 1,323,876	$ 1,081,347	$ 144,875	$ 97,654	93%
Phase 2	**(GlobeTec $ 964,488)**	1,091,254	964,488	126,766	-	100%
Phase 3	**(GlobeTec $1,189,390)**	1,418,776	1,189,390	229,386	-	100%
Phase 4	**(Fountain $ 828,335)**	979,247	749,819	150,912	78,516	92%
Phase 5	**(Fountain $1,183,241)**	1,427,718	1,073,128	244,477	110,113	92%
		$ 6,240,871	$ 5,058,172	$ 896,416	$ 286,283	**95%**
Basin B						
Phase 1	**(Ric Man $1,022,530)**	1,230,788	960,241	208,258	62,289	95%
Phase 2	**(Ric-Man $1,150,980)**	1,243,151	898,692	156,948	187,511	85%
Phase 3	**(Metro $1,232,060)**	1,452,390	1,166,115	220,330	65,945	95%
Phase 4	**(LaRocco $1,353,611)**	1,592,051	872,137	238,440	481,474	70%
Phase 5	**(Metro $1,070,144)**	1,266,329	953,438	196,185	116,706	91%
Phase 6	**(Fountain $1,408,500)**	1,489,992	662,143	81,492	746,357	50%
		$ 8,274,701	$ 5,512,766	$ 1,101,653	$ 1,660,282	**80%**
Basin C						
Phase 1	**(Metro $2,105,632)**	2,449,684	689,396	344,052	1,416,236	42%
Phase 2	**(Metro $1,359,956)**	1,565,180	1,167,917	205,224	192,039	88%
Phase 3	**(Fountain $1,967,246)**	2,247,920	543,337	280,674	1,423,909	37%
Phase 4	**(Metro $3,460,917)**	3,762,717	-	301,800	3,460,917	8%
		10,025,501	2,400,650	1,131,750	6,493,101	**35%**
Basin D						
Phase 1	**(LaRocco $1,737,803)**	1,973,225	1,573,074	235,422	164,729	92%
Phase 2	**(LaRocco $1,717,300)**	1,934,613	1,589,682	217,313	127,618	93%
Phase 3	**(LaRocco $1,322,770)**	1,531,028	1,140,364	208,258	182,406	88%
Phase 4	Engineer's Guestimate	2,500,000	-	-	2,500,000	0%
		$ 7,938,866	$ 4,303,120	$ 660,993	$ 2,974,753	**63%**
Vacuum Stations						
Basins A/B	**(Overholt $961,267)**	1,509,004	18,890	498,000	992,114	34%
Basins C/D	**(Overholt $986,501)**	1,534,238	780,774	547,737	205,727	87%
		$ 3,043,242	$ 799,664	$ 1,045,737	$ 1,197,841	**33%**
TOTAL CONSTRUCTION COST		**$ 35,523,181**	**$ 18,074,372**	**$ 4,836,549**	**$12,612,260**	**64%**
Facilities Plan Estimate		$ 38,545,512				

Key Largo Southern Half

TOTAL PROJECT SOURCES AND USES OF FUNDS

Prepared By: Marty Waits Date: October 9, 2009

FUNDING PROJECTION	Total	Received & Requested	Balance Due	% Utilized
Grants (Committed):				
Corps of Engineers	4,250,000	-	4,250,000	0%
Monroe County Grant	8,000,000	2,677,792	5,322,208	33%
	12,250,000	2,677,792	9,572,208	22%
	17%			
SDC Prepayments	1,000,000	636,853	363,147	64%
	1%			
Loans (Required):				
Bank Loan (November, 2009)	28,110,043	-	28,110,043	0%
New Grants or Operations Funded Loans	29,542,080	-	29,542,080	0%
	57,652,123	-	57,652,123	0%
	81%			
Total Funds	**$ 70,902,123**	**$ 3,314,645**	**$ 67,224,331**	5%

ESTIMATED PROJECT COST	Est. Total Completed Cost	Billings to 9/30/2009	Balance To Complete	% Expended
Design, Engineering & Const. Mgmt:				
Weiler Engineering - Const. Mgmt.	$ 700,000	$ 32,709	$ 667,291	5%
Transmission Line - CPH	284,397	284,397	-	100%
Basins E & F - Eckler	875,839	850,207	25,632	97%
Basins G & H - McCain	712,535	435,778	276,757	61%
Basins I, J & K - Weiler	1,823,026	953,418	869,608	52%
Other Expenses	1,000,000	32,631	967,369	3%
KLWTD Staff Expense (Mgmt, Legal)	1,600,000	116,055	1,483,945	7%
	6,995,797	2,705,195	4,290,602	39%
Construction:				
Transmission Line - Metro	3,790,637	-	3,790,637	0%
Collection Systems - Basins E - K	59,215,689	693,099	58,522,590	1%
Land Acquisition	900,000	604,854	295,146	67%
	63,906,326	1,297,953	62,608,373	2%
Total Expenses	**$ 70,902,123**	**$ 4,003,148**	**$ 66,898,975**	6%
Facility Plan Estimate	$ 72,140,000			

Schedule A

NORTH COMPONENTS COLLECTION SYSTEM CONSTRUCTION COSTS

Prepared By: Marty Waits Date: October 9, 2009

		Est. Total Completed Cost	Billed through 09/30/2009 Construction	Billed through 09/30/2009 Materials	Est. Balance To Complete	% Expended
Basin E + F-1						
	(Redland $1,870,273)	$ 2,239,323	-	$ 369,050	$ 1,870,273	16%
Basin F						
Phase 2	**(LaRocco $3,209,221)**	3,465,421	-	256,200	3,209,221	7%
Phase 3	**(Metro $1,711,195)**	1,961,295	-	67,849	1,893,446	3%
Phase 4	Engineer's Estimate	1,639,800	-	-	1,639,800	0%
Phase 5	Engineer's Estimate	976,850	-	-	976,850	0%
		$ 8,043,366	$ -	$ 324,049	$ 7,719,317	**4%**
	Current Estimate E & F	$ 10,282,689				
	Weiler Estimate E & F	$ 14,637,000				
Basin G						
Phase 1	Engineer's Estimate		-	-	-	
Phase 2	Engineer's Estimate		-	-	-	
Phase 3	Engineer's Estimate		-	-	-	
Phase 4	Engineer's Estimate		-	-	-	
Phase 5	Engineer's Estimate		-	-	-	
	Weiler Estimate	$ 6,831,000	$ -	$ -	$ 6,831,000	**0%**
Basin H						
Phase 1	Weiler Estimate	$ 5,087,000	-	-	5,087,000	
Basin I						
Phase 1	Engineer's Estimate		-	-	-	
Phase 2	Engineer's Estimate		-	-	-	
Phase 3	Engineer's Estimate		-	-	-	
Phase 4	Engineer's Estimate		-	-	-	
Phase 5	Engineer's Estimate		-	-	-	
	Weiler Estimate	$ 13,190,000	$ -	$ -	13,190,000	**0%**
Basin J						
Phase 1	Engineer's Estimate		-	-	-	
Phase 2	Engineer's Estimate		-	-	-	
Phase 3	Engineer's Estimate		-	-	-	
	Weiler Estimate	$ 10,404,000	$ -	$ -	10,404,000	**0%**
Basin K						
Phase 1	Engineer's Estimate		-	-	-	
Phase 2	Engineer's Estimate		-	-	-	
	Weiler Estimate	$ 8,771,000	$ -	$ -	8,771,000	**0%**
Vacuum Stations						
Basins G/H	Estimate	1,550,000	-	-	1,550,000	
Basin I	Estimate	1,550,000	-	-	1,550,000	
Basins J/K	Estimate	1,550,000	-	-	1,550,000	
	Staff Estimate	$ 4,650,000	$ -	$ -	$ 4,650,000	**0%**
TOTAL CONSTRUCTION COST		$ 59,215,689	$ -	$ 693,099	$58,522,590	**1%**

TAB 6

KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 14

[ ] PUBLIC HEARING [ ] RESOLUTION

[X] DISCUSSION [ ] BID/RFP AWARD

[ ] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Action

SUBJECT: Assessment of Unique Parcels

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.2

Date: 10-15-09

Originating Department: Legal	Costs: Funding Source:	**Attachments:** Memo
Department Review: [ ] District Counsel TM [X] General Manager C.J.2 [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background:

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised

MEMORANDUM

FROM: Thomas M. Dillon, Attorney at Law
Board Certified in Construction Law
P.O. Box 370736
Key Largo, Florida 33037-0736

Tel: 305-240-1767
Fax: 305-853-2693
E-mail lawtmd@gmail.com

To: Charles F. Fishburn, General Manager
Key Largo Wastewater Treatment District Board

Date: October 15, 2009

Subject: Assessment of unique parcels

This memo will address the legal parameters for assessment of unique parcels.

There are four types of unique parcels to be assessed:

1. Gated communities, which will be served by gravity or vacuum;
2. Parcels south of MM 106, which will connect to the District collection system, but which cannot connect via a gravity connection at the property line;
3. CR 905 parcels, for which extension of the District's vacuum collection system is not economical.
4. Condominiums

Generally speaking, the District has broad discretion in setting system development charge (SDC) rates, provided that the SDC cannot exceed the cost of providing the connection.

Further, when the District assesses a property, the District is committed to provide wastewater service to the property.

Gated Communities:

These communities include Ocean Kay, Seven Acres, and Coral Coast. They do not include condominiums.

As I understand the facts, the cost and complexity of serving these communities is not materially different from the cost and complexity of serving most communities within the rest of the area served by the District. Therefore, I am aware of no basis to charge these parcels in these communities at a rate different from the typical SDC, currently $5,200.

Properties that cannot connect by gravity at the property line:

These parcels are generally long narrow lots, with improvements at a lower elevation than the District collection system. Since wastewater will not flow uphill without

assistance, these parcels will require a low pressure system, such as a grinder pump to be installed near the houses. The grinder pump will send wastewater to a connection at the property line. Once the wastewater reaches the property line, the cost and complexity of receiving and transporting the wastewater to the District plant is not significantly different from the cost and complexity of handling wastewater from a house that is connected to the District system by gravity. Therefore, the system development charges for these parcels could be the same as other parcels.

The difference between these parcels and other, typical parcels within the District is that these parcels require installation of low pressure systems to send wastewater from the house to the District facilities. The estimated cost of providing and installing these systems will be in the neighborhood of $10,000, as opposed to the $3,000 to $5,000 cost to install a lateral on a typical residential lot.

The District is not legally required to provide the low pressure systems to these parcels, any more than it is required to provide the lateral connection to other parcels. The District has many options available to it with respect to these parcels:

1. Provide no assistance, and require the parcel owners to procure and install the low pressure equipment to connect to the District facilities;
2. Provide the low pressure equipment to the parcel owner, and add all or a portion of the cost of the equipment to the SDC;
3. Provide and install the low pressure equipment on an easement provided by the parcel owner, and add all or a portion of the equipment and installation costs to the SDC.

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Because of the remoteness and low density of this area, the District will serve these parcels, if at all, by a low pressure system. The District has the option of charging all or a portion of the cost of this system as part of the SDC for these parcels.

Condominiums

Until now, the District has not installed infrastructure on private property, including condominium communities. The Monroe County Code provides that a wastewater district may install collection systems in condominium communities, provided that appropriate easements are provided. However, the District's financial models are based on the premise that condominium communities will be responsible for their own collection systems.

Of the condominium communities, Calusa Campground, Lake Surprise II, and Sunset Acres have all asked the District to install collection systems in their communities.

The District declined to install a collection system at Calusa Campground because the District elected not to install infrastructure on private property. As it turned out, Calusa Campground chose to redevelop the property, installing new water and wastewater utilities, and new roads. This type of redevelopment was outside the scope of the District's mission.

Lake Surprise II and Sunset Acres are not seeking to redevelop their properties, and installation of collection systems on these properties would be more like installation in a typical non-condominium community. However, we cannot predict the effect of a decision to build collection systems in these communities. It is possible that, if the District elected to build in a condominium community, the District would see a great number of similar requests from other communities. The effect on District resources, including financial resources, is not known.

KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: Oct. 20, 2009 Agenda Item No. 15

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[X]	DISCUSSION	[ ]	BID/RFP AWARD
[ ]	GENERAL APPROVAL OF ITEM	[ ]	CONSENT AGENDA
[ ]	Action		

SUBJECT: Deep Well Legislative Update

RECOMMENDED MOTION/ACTION:

Approved by General Manager C.J.2
Date: 10-15-09

Originating Department: Legal	Costs: Funding Source:	**Attachments:**
Department Review: [ ] District Counsel _____ [X] General Manager C.J.2 [ ] Finance _____	[ ] Engineering_____ [ ] Clerk_____	**Advertised:** Date: _____ Paper: _____ [X] Not Required

Summary Explanation/Background: The Deep Well Legislation appears to be introduced as a General Bill rather than a Local Bill.

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised