

RESOLUTION NO. 16-09-08

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE KEY LARGO WASTEWATER TREATMENT DISTRICT ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 2009 FOR THE DISTRICT LOCATED IN MONROE COUNTY, FLORIDA; PROVIDING FOR THE GENERAL MANAGER TO EXPEND FUNDS ON BEHALF OF THE DISTRICT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

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

Section 1. DISTRICT.

Pursuant to the Key Largo Wastewater Treatment District Act (Ch. 2002-337, Laws of Florida, as amended) (the "Act"), the Board of Directors of the Key Largo Wastewater Treatment District (the Board) has the power and the duty to adopt budgets for and on behalf of the Key Largo Wastewater Treatment District (the "District").

Section 2. ADOPTION OF THE BUDGET AND AUTHORIZATION TO EXPEND FUNDS.

(A) The District Utility System Operating Budget, and Capital Improvement Budget for the Fiscal Year ending September 30, 2009, attached hereto as Exhibits "A" and "B", respectively, are incorporated herein and are hereby adopted. Collectively, the Operating Budget and the Capital Improvement Budget shall be hereinafter known as the "Budgets."

(B) Subject to the limitation in Section 2(G), below, the General Manager is hereby authorized to expend funds of the District for official purposes of the operation, maintenance, billing, customer services, construction, debt service payment, capital improvements and other business activities of the District in accordance with the adopted Budgets.

(C) No contract or other commitment of funds, written or oral, shall be entered into without the certification of the Chief Financial Officer, that such contract or other commitment of funds is in the budget and that sufficient cash to meet the contractual or other commitment of funds will be available within the time allowed for payment under the Florida Prompt Payment Act. When such certification is made, the Chief Financial Officer shall record this action in the financial records of the District so to encumber those funds and prevent their being used for other expenditures prior to the completion of the commitment for which the funds were approved. The Chief Financial Officer may adjust the actual restricted amount as he determines that such a change is warranted due to the activities related to the commitment.

(D) The Operating Budget contains the following categories of Operating Revenue, Operating Expenses, and Non-Operating Expenses. The amounts shown within such categories are established as a target level for each specific type of revenue or expenditure indicated. Recognizing that the items listed in the Budgets may actually be higher or lower than those estimated, the Chief Financial Officer is authorized to reallocate the adopted Budgets within each category. Allocation of funds from one category to another is prohibited. Only the Board is authorized to increase the budgeted amounts for a category.

(E) The General Manager is authorized to spend funds not in the Budgets in the event of an emergency related to the KLWTD Utility System which is reasonably believed may result in danger or injury to persons, damage to assets of the District, or the material loss of the district to provide wastewater services. As soon as possible thereafter the General Manager or Chief Financial Officer shall report to the Chairman any such actions taken or to be taken in such circumstances. However, such communication shall occur no later than 24 hours after such actions or events.

(F) The Chief Financial Officer shall notify the Board when he determines that the actual revenues of a utility system are likely to be less than those indicated in the adopted Budgets and shall also prepare proposed revised Budgets for the Board's review and consideration.

(G) Pursuant to Resolution 01-01-05, any disbursement in excess of \$10,000, other than emergency contracts as provided in Sections 2(E) of this Resolution, must be approved by the Board prior to entering into such a contract.

(H) Pursuant to Resolution 01-01-05, except for emergency expenditures under Section 3(E), above, any work order equal to or in excess of \$10,000 for a professional services contract previously approved by the Board, must be approved by the Board prior to accepting such a work order. Those work orders less than \$10,000 for such contracts do not require prior Board approval but will be presented to the Board for ratification.

(I) The Board authorizes the General Manager and the Chief Financial Officer to do all acts and things required of them by this Resolution and the Budgets for the full, punctual, and complete performance thereof, and the Chairman and each member of the Board, officers, attorneys, and other agents of the District are hereby authorized and directed to execute and deliver any and all papers and instruments and to do and cause to be done all acts and things necessary or proper for carrying out the Budgets and transactions contemplated by this Resolution, or Florida Statutes.

Section 3. APPLICABILITY AND EFFECTIVE DATE.

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


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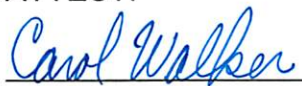
RESOLVED AND ADOPTED this 16th of September, 2008.


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

	AYE	NAY
Chairman Gary Bauman	_____	<u> X </u>
Commissioner Claude Bullock	<u> X </u>	_____
Commissioner Susan Hammaker	<u> X </u>	_____
Commissioner Norman Higgins	<u> X </u>	_____
Commissioner Andrew Tobin	<u> X </u>	_____

The Chairman thereupon declared Resolution No. 16-09-08 duly passed and adopted the 16th day of September, 2008.

KEY LARGO WASTEWATER TREATMENT DISTRICT
BY: 
Chairman Gary Bauman

ATTEST:

Carol Walker, Clerk

Approved to as to form and legal sufficiency

District Counsel, Thomas M. Dillon

SEAL

EXHIBIT A

Key Largo Wastewater Treatment District FY 2009 Operating Budget

	<u>FY 2009</u>		<u>FY 2009</u>
OPERATING REVENUE		OPERATING EXPENSES (Continued)	
Wastewater Service Revenue	\$ 708,540	Wastewater Service Operations Expenses	
MSTU Revenue	720,000	Operating Payroll	265,562
Bank Line of Credit	158,773	Payroll Taxes	20,315
Miscellaneous Service Charges	25,000	Retirement Program	7967
Subtotal Operating Revenue	<u>1,612,313</u>	Health Insurance	22,000
		Workers Comp Insurance	9,295
NON-OPERATING REVENUE		Property Insurance	38,500
SDC Prepayments	500,000	Vehicle Expense	13,000
Non Ad Valorem Assessments	4,500,000	Electric	39,347
Interest Income	260,000	Water	1,700
Subtotal Non-Operating Revenue	<u>5,260,000</u>	Chemicals	64,642
		Sludge Hauling	54,805
TOTAL REVENUES	<u><u>\$6,872,313</u></u>	Supplies	15,000
		Lab Services	13,000
OPERATING EXPENSES		Supplemental Operating Support	5,000
Administrative & Project Development Expenses		Telephone	7,300
Board Meeting Compensation	38,000	Repairs and Maintenance	25,000
Administrative Payroll	320,222	Billing Service	16,500
Payroll Taxes	27,404	Travel Expense	2,200
Retirement Program	32,022	Donations	9,000
Health Insurance	30,900	Miscellaneous Expenses	5,500
Workers Comp Insurance	16,500	Reserve for Contingency	10,000
Copier Expense	4,500	Sub-total Wastewater Operations Expenses	<u>645,633</u>
Postage/Delivery Expense	30,015	Professional Services	
Liability Insurance	30,000	Legal - General Counsel	55,000
Property Insurance	1,000	Legal - Litigation Reserve	20,000
Legal Advertisements	7,000	Utility Rate Consultant	1,000
Office Supplies	25,000	Engineering Services	68,800
Travel	12,000	Audit Fees	23,500
Rents & Leases	32,430	Computer Support	2,500
Electric	3,952	Lobbyists	80,000
Water	208	Subtotal Professional Services	<u>250,800</u>
Telephone	8,320		
Repairs & Maintenance	1,500	Total Operating Expenses	<u><u>\$1,541,406</u></u>
Dues & Subscriptions	1,500	NON-OPERATING EXPENSES	
GSG Tax Roll Services	4,500	Admin. & Project Devmpt. Capital Expenditures from Operating Account	8,000
Miscellaneous Expenses	15,000	Wastewater Operations Capital Expenditures from Operating Account	25,000
Reserve for Contingencies	3,000	Renewal and Replacement Transfer	35,427
Sub-total Administrative & Project Development Expenses	<u>644,973</u>	Total Non-Operating Expenses Paid From Operating Revenue	<u>68,427</u>
		Debt Service Transfer (SRF Loan)	58,380
		Transfer To (From) Operating Reserve	2,480
		Transfer To (From) Capital Reserve	5,201,620
		Total Non-Operating Expenses Paid From Non-Operating Revenue	<u>5,262,480</u>
		TOTAL EXPENSES	<u><u>\$6,872,313</u></u>

EXHIBIT B

KEY LARGO WASTEWATER FACILITIES BUILD-OUT FINANCIAL PLAN

	Capital Spending and Funding Plan (\$000's)						Unit Cost		
	FY 2007 & Prior	Outlook FY 2008	Capital Budget FY 2009	Projection			Total Cost	EDU's Served	Cost Per EDU
				FY 2010	FY 2011	FY 2012			
Actual / Estimated Project Costs:									
Initial Treatment Plant (0.183 mgd)	\$ 3,626						\$ 3,626		
Collection Basin E (KLTV & KLP)	8,319						8,319	880	13,574
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Regional Treatment Plant (2.3 mgd)	655	650	24,000	3,695			29,000		
North Transmission Line	2,592						2,592		
South Transmission Line		240	4,050				4,290		
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Collection Basin A	2,192	4,355	1,953				8,500	1,066	10,651
Collection Basin B	255	1,075	11,000	670			13,000	1,784	9,964
Collection Basin C	127	700	9,173				10,000	1,034	12,348
Collection Basin D	451	1,675	5,874				8,000	1,004	10,645
Collection Basin E (Remainder)		85	2,915				3,000	331	11,740
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Collection Basin F		325	4,670	7,005			12,000	2,470	7,535
Collection Basin G		50	2,220	5,230			7,500	2,051	6,334
Collection Basin H		50	1,600	4,850			6,500	768	11,141
Collection Basin I			1,200	13,000	1,800		16,000	1,253	15,446
Collection Basin J			1,000	9,000	1,000		11,000	581	21,610
Collection Basin K			900	8,000	1,100		10,000	1,075	11,979
Total Spending Projection	18,217	\$ 9,205	\$ 70,555	\$ 51,450	\$ 3,900	\$ -	\$ 153,327	14,297	\$ 10,724
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Capital Funding Sources:									
Federal Grants	5,344						5,344		
ACOE Grants		150	850	1,000	804		2,804		
State Grants	4,874	2,565	2,605				10,044		
County Grants	4,454	2,200	8,846	4,500			20,000		
SRF Loans	3,545	4,290	5,726				13,561		
RWA Interim Funding Loans			25,000	11,337			36,337		
Other RWA/SRF Loan Programs			27,528	2,574			30,102		
Identified Sources & Commitments	\$ 18,217	\$ 9,205	\$ 70,555	\$ 19,411	\$ 804	\$ -	\$ 118,192		
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Unidentified Funding Requirement				\$ 32,039	\$ 3,096	\$ -	\$ 35,135		

Assessment Loan Capacity
\$80 million