

**MINUTES OF REGULAR MEETING
OF THE
BOARD OF DIRECTORS
FLORIDA KEYS AQUEDUCT AUTHORITY**

HELD ON

JANUARY 11, 2022

**Florida Keys Aqueduct Authority
1100 Kennedy Drive
Key West, Florida 33040**

11:00 A.M.

The following MEMBERS were present:

J. Robert Dean.	Chairman
Richard J. Toppino.	Vice-Chairman
Antoinette M. Appell.	Secretary/Treasurer
Cara Higgins.	Member
Nicholas W. Mulick.	Member
Kerry Shelby.	Executive Director
Greg Veliz.	Deputy Executive Director
Robert T. Feldman.	General Counsel
Timothy Esquinaldo.	Internal Auditor
Cindy Kondziela.	Director of Finance
David Hackworth.	Director of Capital Projects
Jolynn Reynolds.	Director of Engineering
Peter Gomez.	Director of Water Operations
Jay Miller.	Director of Wastewater Operations

A LIST OF ATTENDANCE IS RETAINED WITH THE PERMANENT RECORD OF THIS MEETING.

REGULAR MEETING

The Regular Meeting was called to order by Chairman Dean at 11:00 a.m.

Pam Albury presented the invocation and Chairman Dean led the Pledge of Allegiance.

FKAA BOARD OF DIRECTORS ORGANIZATION – ELECTION OF OFFICERS

J. Robert Dean was nominated as Chairman by Mrs. Appell seconded by Ms. Higgins. No further nominations were made, and nominations were closed.

Richard J. Toppino was nominated as Vice Chairman by Ms. Higgins seconded by Mr. Mulick. No further nominations were made, and nominations were closed.

Antoinette M. Appell was nominated as Secretary/Treasurer by Mr. Toppino and seconded by Mr. Mulick. No further nominations were made, and nominations were closed.

The Board unanimously elected officers as follows:

Chairman: J. Robert Dean
Vice Chairman: Richard J. Toppino
Secretary/Treasurer: Antoinette M. Appell

Mr. Toppino declared a conflict of interest on Item DOCP-02 on the Consent Agenda.

APPROVAL OF MINUTES

On motion of Mrs. Appell, seconded by Ms. Higgins, the Board unanimously approved the Minutes from the Regular Board Meeting on December 14, 2021, as presented.

APPROVAL OF AGENDA

By consensus, the Board unanimously approved Agenda.

CONSENT AGENDA WATER /WASTEWATER

On motion of Ms. Higgins seconded by Mr. Toppino, the Board unanimously approved the following items by Consent:

1. OOC – 01. Approval of payment to Allen, Norton & Blue, P.A. for November 2021 (\$3,897.50)
2. DOCP – 01. Approval of Final Reconciliation disbursement to close-out Project# 1152-17C "C-905 - (Card Sound Rd) Phase III Transmission Main Upgrade" for Key Honey Contracting, LLC (\$51,686.13)

3. DOCP – 02. Approval of Final Reconciliation disbursement and Final Change Order No. 01 in the amount of (\$48,995.75) to Close-Out Project# 2332-17 "Distribution System Upgrade- No Name Key Water Main Extension" for Charley Toppino (\$31,831.67)
4. DOE – 01. Approval of maintenance support agreement for Neptune Technology Group R900 Advanced Metering Infrastructure gateways to Ferguson Waterworks (\$67,938.)
5. DOW – 01. Approval of the purchase of a VFD pump from Barney's Pump Inc. (\$69,806.00)
6. DOW – 02. Approval of the purchase of six 20" butterfly valves from Tom Evans Environmental (\$84,864.00)

REGULAR AGENDA ITEMS

EXECUTIVE DEPARTMENT

EO-01. EXECUTIVE DIRECTOR'S REPORT

The Board accepted the Executive Director's Report with additional comments as presented.

Update on Joe Pinder Building:

Mr. Shelby reported that the move for employees transitioning from temporary office spaces to the new building has been completed.

Mr. Shelby advised that Customer Service opened to the public on January 3rd.

Status of Temporary Office Space:

Mr. Shelby reported that most of the furniture in the temporary office spaces have been relocated to other offices throughout the system that needed furniture and to one non-profit organization.

Mr. Shelby advised that the units at BB&T have been appraised and the listing agreements completed.

Mr. Shelby reported that the coordination has begun to schedule a date for the trailers that were used as temporary office spaces on Stock Island to be removed.

Mr. Shelby advised that the lease for the temporary Customer Service space located at the Overseas Market terminates at the end of February.

Legislative Update:

Mr. Shelby reported that the 2022 Florida legislative session begins today. He advised that he will be traveling to Tallahassee along with Deputy Executive Director Greg Veliz on January 18th to meet with the lobbyists at the Southern Group and with state legislators about upcoming issues that may affect the Authority and to discuss the appropriations request.

Mr. Shelby advised that Ms. Higgins, Mr. Veliz, and himself are scheduled to attend Florida Keys Days in Tallahassee in February.

Chairman Dean requested that information regarding Florida Keys Days be provided to the Board. Mr. Shelby advised that he would provide the information to Board Members.

Additional Comments:

Ms. Kondziela provided a brief financial update. She advised that the cash balance as of yesterday was \$95.5 million and that 103 checks were issued over the last two (2) weeks in the approximate amount of \$1 million.

Chairman Dean requested a COVID update.

Mr. Shelby reported that three (3) employees are out at the moment after testing positive for COVID and that one (1) employee is in quarantine.

Mr. Shelby thanked Mrs. Appell for her suggestion to have COVID testing kits on hand for employees to use if necessary. He advised that approximately one hundred (100) kits have been ordered.

DIVISION OF CAPITAL PROJECTS

DOCP-01. APPROVAL OF CONTRACT CHANGE ORDER #01 FOR PROJECT #1150-17A KERMIT H. LEWIN REVERSE OSMOSIS FACILITY WITH TLC DIVERSIFIED TO REDUCE THE CONTRACT AMOUNT OF \$4,806,630. AND APPROVE OWNER DIRECT PURCHASE OF THE REVERSE OSMOSIS EQUIPMENT

On recommendation of Mr. Hackworth and motion of Mr. Mulick, seconded by Mrs. Appell, the Board approved contract Change Order #01 for Project #1150-17A Kermit H. Lewin Reverse Osmosis Facility with TLC Diversified to reduce the contract in the amount of \$4,806,630. and approve Owner Direct Purchase of the Reverse Osmosis equipment.

Mr. Toppino suggested that staff should ask vendors about additional savings when purchasing materials. He added that many will provide a discount when materials are paid in full and within a specific time frame.

Mr. Hackworth concurred and advised that staff would check with vendors.

DIVISION OF ENGINEERING

DOE-01. APPROVAL OF BUDGET AMENDMENT AND CONTRACT FOR PROFESSIONAL SERVICES WITH JACOBS ENGINEERING GROUP FOR FKAA PROJECT #4087-21 "CUDJOE REGIONAL AWRF - DEEPWELL MIT AND REHABILITATION (\$86,761.18)

On recommendation of Mrs. Reynolds and motion of Mr. Toppino, seconded by Mrs. Appell, the Board approved budget amendment and contract for professional services with Jacobs Engineering Group for FKAA Project #4087-21 "Cudjoe Regional AWRF - Deepwell MIT and Rehabilitation in the amount of \$86,761.18.

DIVISION OF WATER

DOW-01. APPROVAL TO AWARD BID #FKAA-IFB-0019-21 A BUDGET AMENDMENT; FOR A ONE-TIME REMOVAL OF APPROXIMATELY 30,000+/- CUBIC YARDS OF LIME SLUDGE FROM J. ROBERT DEAN WTP TO WASTE MANAGEMENT AT \$75.00 PER CUBIC YARD (IN THE AMOUNT NOT TO EXCEED \$2,250,000.)

On recommendation of Mr. Veliz and motion of Mr. Toppino, seconded by Ms. Higgins, the Board approved to award Bid #FKAA-IFB-0019-21 a Budget Amendment; for a one-time removal of approximately 30,000+/- cubic yards of lime sludge from J. Robert Dean WTP to Waste Management at \$75.00 per cubic yard in the amount not to exceed \$2,250,000.

Mr. Toppino asked if the cost of the tipping at \$75 is that by the ton or by the yard.

Mr. Veliz advised that the Waste Management calculation is by the ton, but the bid request was by a cubic yard and that the complete price for the loading, hauling, and tipping came in at the \$75 a cubic yard.

Mr. Toppino asked if there was a possibility of being fined for having the current amount of sludge stored onsite.

Mr. Veliz advised that there is a permit to house the sludge onsite but there is no more space.

Mr. Greg Sullivan from Waste Management addressed the Board. He advised that there are two (2) steps to this project; The first is to get the site cleaned up and secondly to come up with a long-term solution.

Ms. Higgins asked if Waste Management had a receiving site that has been designated and approved to take the sludge.

Mr. Sullivan advised yes.

Mr. Mulick requested that the Board receive a copy of the RFP regarding the long-term plan for the sludge removal.

Mr. Veliz stated that a copy of the RFP will be provided to the Board.

DOW-02. APPROVAL OF THE PURCHASE OF A GOULDS PUMP FROM HUDSON PUMP AND EQUIPMENT ASSOCIATES, INC. (\$107,445.00)

On recommendation of Mr. Gomez and motion of Mrs. Appell, seconded by Ms. Higgins, the Board approved the purchase of a Goulds pump from Hudson Pump and Equipment Associates, Inc. in the amount of \$107,445.00.

BOARD OF DIRECTORS

BOD-01. BOARD OF DIRECTORS DISCUSSION
(SPONSOR: J. ROBERT DEAN)

Chairman Dean allowed time for Mr. Pappadakis to speak.

Mr. Pappadakis advised that he had already spoken to staff and wanted the Board to be made aware of the issues as well.

Mr. Pappadakis stated that he had hoped that Mr. Shelby would have reached out to him after the last meeting, but he did not.

Mr. Pappadakis advised that the meeting with Mr. Miller and Mr. Veliz did not accomplish anything and made matters worse once the Union got involved in a way that should not have happened. He further advised that at the meeting accusations were made which now will become public because the management at the Aqueduct has refused to do what is right and just.

Mr. Pappadakis asked for his comments be included in the meeting Minutes.

Mr. Pappadakis requested a complete copy of the December 14, 2021, meeting Minutes.

Chairman Dean stated that the Board and staff have reviewed Mr. Pappadakis's opinions on the issues he presented during the December 14, 2021 Board Meeting and that no changes will be made.

Mr. Shelby stated that it was his understanding that Mr. Pappadakis was to reach out to management to schedule a meeting and that did not happen.

Mr. Shelby stated that he has never met with Mr. Pappadakis as he has said, but there has been no refusal to do so.

Mr. Shelby advised Mr. Pappadakis to work with his supervisor and find a time that is acceptable to schedule a meeting with management. Mr. Shelby stated that once the date has been set, let management know and we will be available to meet.

Mr. Shelby assured Mr. Pappadakis that no one has refused to meet with him.

Additional Comments:

Mrs. Appell asked if there was an update on the Sombrero Beach Road property in Marathon. She added that the property is overgrown and does not have a sale sign posted.

Mr. Feldman advised the property is still up for sale and will have a sign posted.

Mr. Toppino requested that the property be cleaned up.

Mr. Veliz advised that staff would get the property cleaned up.

ADJOURNMENT

With there being no further business, the meeting was adjourned at 11:50 a.m.

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FLORIDA KEYS AQUEDUCT AUTHORITY

By: 
J. Robert Dean, Chairman

Attest:


Antoinette M. Appell Secretary/Treasurer

ATTENDANCE

BOARD MEMBERS

J. Robert Dean
Richard Toppino
Antoinette M. Appell
Cara Higgins
Nicholas W. Mulick

FKAA STAFF

Kerry Shelby	Greg Veliz
Tim Esquinaldo	Peter Gomez
David Hackworth	Pam Albury
Robert T. Feldman	Krystal Waldner
Jolynn Reynolds	Blasé Knabl
Cindy Kondziela	Jay Miller

MEMBERS OF THE PUBLIC

Melinda Rodriguez (Union Rep.)
Joe Pappadakis
Greg Sullivan