

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

**HELD ON**

**JANUARY 25, 2022**

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

**11:06 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

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 11:06 a.m.

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

Mr. Toppino declared a conflict of interest on item DOCP-01 on the Consent Agenda.

### **APPROVAL OF MINUTES**

On motion of Ms. Higgins, seconded by Mrs. Appell, the Board unanimously approved the Minutes from the Regular Board Meeting on January 11, 2022, 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 December 2021 (\$1,118.65)
2. OOC – 02. Approval of payment to Bryant, Miller & Olive for professional services rendered and expenses incurred for the month of December 2021 regarding defense of declaratory judgement, Maschal vs FKAA and Monroe County (\$4,710.00)
3. DOCP – 01. Approval of Contingency Allowance Change Directive (CACD) No. 4 to Charley Toppino & Sons Inc for project #7052-18AC, Stock Island Distribution Pump Station (\$51,506.38)
4. DOE – 01. Approval of final deduct change order No. 07 in the amount of \$441,416.37 and final payment of \$21,611.07 for Project #4075-18 “Wastewater Continuing Construction Services” for Key Honey Contracting LLC (\$21,611.07)
5. DOE – 02. Approval of Automatic Vehicle Location (AVL) LiGO® elematics GPS system annual maintenance subscription and LiGO® Access maintenance from PreCise MRM (Company previously known as MarshallGIS) (\$50,540.)
6. DOE – 03. Approval of No objection to 6-foot parcels of land being a part of Lots 4 and 13, Block 6 of Plantation Island Subdivision, Duck Key, according to the Plat thereof as recorded in Plat Book 5, Page 82, of the Public Records of Monroe County

### **REGULAR AGENDA ITEMS**

#### **EXECUTIVE DEPARTMENT** **EO-01. EXECUTIVE DIRECTOR'S REPORT**

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

**Legislative Update:**

Mr. Shelby reported that Mr. Veliz and himself traveled to Tallahassee and met with several lobbyist and legislators. He advised that the dialogue regarding the Authority's infrastructure needs, and appropriations request were productive.

**Meeting with Cheryl Meads, Board Member of SFWMD:**

Mr. Shelby reported that he met with Cheryl Meads, an Islamorada resident who sits on the board of the South Florida Water Management District. He advised that discussion was held regarding water in Monroe County, infrastructure needs, reclaimed water, federal funding, and growth in demand.

**Community Meetings:**

Mr. Shelby reported that he will be the guest speaker that the Noon Rotary on February 3<sup>rd</sup>.

Mr. Shelby advised that Mrs. Reynolds provided an update to Reef Relief per their request regarding wastewater connections and that the presentation was well received.

**Additional Comments:**

Mr. Shelby advised that he and Mr. Veliz met with Mr. Pappadakis regarding his grievances and concerns.

Mr. Shelby advised that the nepotism concern was reviewed by staff. He explained that it was for a position that Mr. Pappadakis had applied for. Mr. Shelby stated that no signs of nepotism were found.

Mr. Shelby advised that he spoke with Mr. Miller, Director of Wastewater, regarding Mr. Pappadaskis comment regarding the lack of training. Mr. Shelby advised that Mr. Miller disagreed with the lack of training comment. Mr. Shelby stated that staff would follow up further on the training comment.

Mr. Shelby stated that Mr. Pappadaskis demanded that he receive a raise and promotion by the end of the business day. Mr. Shelby informed Mr. Pappadaskis that would not happen.

**DIVISION OF ADMINISTRATION**

**DOA-01. SUMMARY FINANCIAL INFORMATION FOR DECEMBER 2021**

Ms. Kondziela reported that operating expenses are 4.1% under budget and unrestricted cash available for future projects is \$36.2 million.

**DIVISION OF CAPITAL PROJECTS**

**DOCP-01. MONTHLY STATUS REPORT ON ALL CURRENT CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS**

Mr. Hackworth presented key project highlights as follows:

- Rockland Construction Yard Building: 60% project completion
- Kermit H. Lewin Reverse Osmosis Facility: 5% project completion
- Stock Island Pump Station: 65% project completion
- J. Robert Dean WTP Electrical Repairs: 20% project completion

### **DIVISION OF WASTEWATER**

#### **DOWW-01. APPROVAL OF THE PURCHASE OF E-ONE REPLACEMENT PARTS FOR LOW PRESSURE GRINDER PUMP REPAIRS, FROM FJ NUGENT AND ASSOCIATES, INC. (\$79,640.80)**

On recommendation of Mr. Veliz and motion of Mrs. Appell, seconded by Mr. Mulick, the Board approved the purchase of E-One replacement parts for low pressure grinder pump repairs, from FJ Nugent and Associates, Inc. in the amount of \$79,640.80.

#### **Additional Comments:**

Mr. Veliz advised that the sludge removal at the J. Robert Dean Water Treatment Plant in Florida City will begin tomorrow.

### **BOARD OF DIRECTORS**

#### **BOD-01. APPROVAL INTERNAL COMPLIANCE AUDIT REPORTS FOR THE PERIOD FROM OCTOBER 1, 2020, TO SEPTEMBER 30, 2021 (SPONSOR: MR. RICHARD TOPPINO, AUDIT COMMITTEE CHAIRMAN)**

On recommendation of Mr. Esquinaldo and motion of Mr. Toppino, seconded by Mrs. Appell, the Board approved Internal Compliance Audit Reports for the period from October 1, 2020, to September 30, 2021. (Sponsor: Mr. Richard Toppino, Audit Committee Chairman)

#### **BOD-02. BOARD OF DIRECTORS DISCUSSION (SPONSOR: J. ROBERT DEAN)**

Ms. Higgins asked if there was an update regarding the instituting of local's preference policy as discussed at a prior meeting.

Mr. Shelby advised that staff has been working on the policy and will provide an update at the next Board meeting.

Mr. Toppino inquired about the status of the property search for an additional wellfield.

Mr. Shelby advised that Mr. Kirk Martin is finalizing his property recommendations and an update will be provided in February.

Chairman Dean allowed time for Mr. Pappadakis to speak.

Mr. Pappadakis stated that Mr. Shelby's statement was untrue.

Mrs. Appell asked for a COVID update.

Mr. Shelby advised that three (3) employees are currently out with COVID.

Ms. Higgins inquired what is the policy for employees who have tested positive for COVID.

Mr. Shelby advised that we are following the CDC guidelines which include 5 days of isolation and 24 hours with no symptoms prior to returning to work.

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:29 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	Randy Acevedo
Cindy Kondziela	

**MEMBERS OF THE PUBLIC**

Ernesto Cabrera (Union Rep.)  
Joe Pappadakis