

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

**HELD ON**

**FEBRUARY 22, 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.

## **APPROVAL OF MINUTES**

On motion of Mrs. Appell, seconded by Mr. Mulick, the Board unanimously approved the Minutes from the Regular Board Meeting on February 8, 2022, as presented.

## **DELETIONS TO THE REGULAR AGENDA**

1. OOC – 01. Consideration to approve Resolution #22-03 and the Interlocal Agreement between the Authority and the City of Key West (City) to accept sufficient wastewater flow from the Authority Big Coppitt service area for the term of twenty 20 years
2. DOCP – 03. Consideration to approve award of contract to Baxter Woodman for design, bidding, and construction phase services for the Big Coppitt Wastewater Transmission System Improvements (FKAA Project 4090-21) (\$378,424.80)

## **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 Bryant, Miller & Olive for professional services rendered and expenses incurred for the month of January 2022 regarding defense of declaratory judgement, Maschal vs FKAA and Monroe County (\$2,640.00)
2. OOC – 02. Approval of payment to Allen, Norton & Blue, P.A. for January 2022 (\$1,560.00)
3. DOE – 01. Approval of No Objection to abandonment of easement for portions of Lots 17 and 18 of Block 3 of Ocean Reef Plat No. 3, according to the Plat thereof, as recorded in Plat Book 4, Page 91 of the Public Records of Monroe County, Florida

## **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 the trip to Tallahassee for Florida Keys Days was successful. He advised that the session is half over and that the Authority has \$20 million in the senate budget and \$1 million in the house budget. Mr. Shelby advised that our lobbying group is optimistic that the Authority will receive funding through these budgets.

**Status of Alternative Wellfield Study:**

Mr. Shelby reported that staff has received the draft of the Alternative Wellfield study. Mr. Shelby advised that staff would review the findings and report back to the Board.

**Additional Information:**

Mr. Shelby reported that staff just received the ruling regarding the Florida Power & Light case. He advised that the judge ruled against the Authority's objection to the permit issuance. He added that the order is lengthy and will be reviewed further by Mr. Feldman.

**OFFICE OF COUNSEL**

**OOC-01. CONSIDERATION TO APPROVE RESOLUTION #22-03 AND THE INTERLOCAL AGREEMENT BETWEEN THE AUTHORITY AND THE CITY OF KEY WEST (CITY) TO ACCEPT SUFFICIENT WASTEWATER FLOW FROM THE AUTHORITY BIG COPPITT SERVICE AREA FOR THE TERM OF TWENTY 20 YEARS**

OOC-01 was deleted from the agenda.

**OOC-02. APPROVAL OF COMMERCIAL CONTRACT FOR SALE AND PURCHASE OF UNIT 302 OF THE BBT BUILDING TO DENISE Y. ROHRER CPA PA AND LESLIE VALANT ON THE TERMS AND CONDITIONS AS SET FORTH IN THE ATTACHED CONTRACT (\$328,147.00)**

On recommendation of Mr. Feldman and motion of Mrs. Appell, seconded by Mr. Mulick, the Board approved Commercial Contract for sale and purchase of unit 302 of the BBT building to Denise Y. Rohrer CPA PA and Leslie Valant on the terms and conditions as set forth in the attached contract in the amount of \$328,147.00.

## **DIVISION OF ADMINISTRATION**

### **DOA-01. SUMMARY OF FINANCIAL INFORMATION FOR JANUARY 2022**

Ms. Kondziela reported that operating expenses at 3.6% under budget and that unrestricted cash available for future projects is \$32.2 million.

### **DOA-02. APPROVAL OF SOLE SOURCE PURCHASE OF WATER METERS, METER PARTS, AND METER ANTENNAS FROM FERGUSON WATERWORKS FOR FISCAL YEAR 2022 (ESTIMATED AMOUNT OF \$719,000.00.)**

On recommendation of Ms. Kondziela and motion of Mrs. Appell, seconded by Mr. Toppino, the Board approved the sole source purchase of water meters, meter parts, and meter antennas from Ferguson Waterworks for fiscal year 2022 in the estimated amount of \$719,000.00.

Ms. Higgins asked if there was a cost increase from last year.

Ms. Kondziela advised that she would check to see if there was an increase and report back to the Board.

Mr. Toppino asked staff to check with other Neptune customers to see if compatible alternatives may be available.

Mr. Shelby advised that staff would research and provide the Board with an update.

## **DIVISION OF CAPITAL PROJECTS**

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

Mr. Hackworth presented an update on the following projects:

- Rockland Construction Yard Building
- Front and Whitehead Water Main Replacement
- Stock Island Distribution Pump Station

### **DOCP-02. APPROVAL OF AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND BIDDING OF THE CRAWL KEY DISTRIBUTION SYSTEM UPGRADES TO CPH, INC. (\$122,000.00.)**

On recommendation of Mr. Hackworth and motion of Mr. Toppino, seconded by Mrs. Appell, the Board approved award of contract for professional engineering services for the design and bidding of the Crawl Key Distribution System Upgrades to CPH, Inc. in the amount of \$122,000.00.

**DOCP-03. CONSIDERATION TO APPROVE AWARD OF CONTRACT TO BAXTER WOODMAN FOR DESIGN, BIDDING, AND CONSTRUCTION PHASE SERVICES FOR THE BIG COPPITT WASTEWATER TRANSMISSION SYSTEM IMPROVEMENTS (FKAA PROJECT 4090-21) (\$378,424.80)**

DOCP-03 was deleted from the agenda.

**DOCP-04. APPROVAL OF FINAL RECONCILIATION DISBURSEMENT AND CHANGE -ORDER NO 07 DEDUCT OF (\$203,044.81) TO CLOSE-OUT PROJECT #7054-18 "NEW JOE PINDER ADMINISTRATION BUILDING" FOR GULF-KEYSTAR, LLC (\$117,208.95)**

On recommendation of Mr. Hackworth and motion of Ms. Higgins, seconded by Mr. Mulick, the Board approved final reconciliation disbursement and Change -Order No 07 deduct of (\$203,044.81) to close-out Project #7054-18 "New Joe Pinder Administration Building" for Gulf-Keystar, LLC in the amount of \$117,208.95.

**DOCP-05. APPROVAL OF AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND BIDDING OF THE NAS BOCA CHICA EAST FIRE PUMPING STATION TO CPH, INC. (\$188,500.00.)**

On recommendation of Mr. Hackworth and motion of Mrs. Appell, seconded by Mr. Toppino, the Board approved award of contract for professional engineering services for the design and bidding of the NAS Boca Chica East Fire Pumping Station to CPH, Inc. in the amount of \$188,500.00.

**DIVISION OF ENGINEERING**

**DOE-01. APPROVAL OF RANKINGS FROM SELECTION COMMITTEE AND AUTHORIZE CONTRACT NEGOTIATION WITH HIGHEST RANKED FIRM (JACOBS ENGINEERING GROUP INC.) FOR CONSENT ORDER PROGRAM MANAGEMENT AND REPORTING AS DESCRIBED IN FKAA-RFQ-0004-2022**

On recommendation of Mrs. Reynolds and motion of Mr. Mulick, seconded by Mrs. Appell, the Board approved rankings from Selection Committee and authorize contract negotiation with highest ranked firm (Jacobs Engineering Group Inc.) for Consent Order Program Management and Reporting as described in FKAA-RFQ-0004-2022.

**DOE-01. APPROVAL OF AGREEMENT WITH FDOT AND PRE-PAY REVISED ESTIMATED COST OF UTILITY WORK FOR FKAA PROJECT #2372-21, "SOUTH ROOSEVELT UTILITY RELOCATES" (\$1,303,782.98.)**

On recommendation of Mrs. Reynolds and motion of Mr. Toppino, seconded by Mrs. Appell, the Board approved agreement with FDOT and pre-pay revised estimated cost of utility work for FKAA Project #2372-21, "South Roosevelt Utility Relocates" in the amount of \$1,303,782.98.

**BOARD OF DIRECTORS**

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

Chairman Dean allowed time for Mr. Pappadakis to speak.

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:32 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	Jay Miller
George Wallace	

MEMBERS OF THE PUBLIC

Elliot Wells  
Joe Pappadakis  
Parker Simpson  
Denise Rohrer  
Leslie Valant