

**MINUTES OF PUBLIC MEETING**  
**OF THE**  
**LABOR COMMITTEE**  
**FLORIDA KEYS AQUEDUCT AUTHORITY**

**HELD ON**

**August 24, 2022**

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

**10:30 A.M.**

The following MEMBERS were present:

Cara Higgins. . . . . Labor Committee Chairman  
Richard J. Toppino. . . . . Labor Committee Member  
J. Robert Dean. . . . . Chairman of the Board  
Antoinette M. Appell. . . . . Secretary/Treasurer of the Board  
Nicholas W. Mulick. . . . . Member

Kerry Shelby. . . . . Executive Director  
Greg Veliz. . . . . Deputy Executive Director  
Robert T. Feldman. . . . . General Counsel  
Timothy Esquinaldo. . . . . Internal Auditor  
Peter Gomez. . . . . Director of Water Operations

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

## **LABOR COMMITTEE MEETING**

The Meeting was called to order by Chairman Higgins at 10:35 a.m.

### **AGENDA**

Chairman Higgins advised that annual performance reviews pursuant to Mr. Shelby and Mr. Veliz's contracts are due soon. She recommended that the reviews be included on the next meeting agenda.

By consensus, the Board requested that the annual performance reviews for Mr. Shelby and Mr. Veliz are to be included on the next meeting agenda.

#### **Review and Discuss Employment Contract of Gregory W. Veliz (Jan. 26, 2024 – Jan. 25, 2027, with an option to renew)**

Chairman Higgins asked Mr. Veliz if there was anything he would like the Board to consider regarding his proposed contract.

Mr. Veliz advised that the contract is similar to his current contract except for the job title and the request for a car allowance in place of using a company car.

Chairman Higgins asked the amount of the car allowance.

Mr. Veliz advised \$750.00.

Mr. Toppino asked if there was a fuel allowance in the contract.

Mr. Veliz stated no.

Mr. Toppino recommended that Mr. Veliz be given a fuel allowance with a monthly cap.

The Board concurred.

Ms. Appell asked if car insurance was included in the \$750 allowance.

Mr. Veliz advised yes.

#### **Review and Discuss Employment Contract of Robert T. Feldman, General Counsel**

Chairman Higgins asked Mr. Feldman if there was anything he would like the Board to consider regarding his proposed contract.

Mr. Feldman advised that the contract is for 1 year with two one-year options to renew.

The Board thanked Mr. Feldman for his years of service to the Authority.

### **Additional Comments**

Mr. Mulick recommended \$200 a month fuel allowance for Mr. Veliz.

By consensus, the Board approved a \$200 monthly capped fuel allowance be included in Mr. Veliz's contract.

Chairman Higgins advised that the proposed contracts are on the regular meeting agenda for the Board's consideration.

### **Review and Discuss Organizational Chart and other Labor Issues**

Chairman Higgins advised that during the current 2023 Budget review period issues have been brought to the Labor Committees attention regarding a couple of positions and changes that may need to be made to the organizational chart.

Chairman Higgins advised that copies have been provided of the current organizational chart and the re-organizational chart. She asked Mr. Veliz to provide an update on the proposed changes.

Mr. Veliz advised that the changes made to the proposed re-organizational chart are as follows:

- Director of Engineering and Director of Capital Projects have been combined into one position with one director.
- David Hackworth- Director of Engineering
- Water Quality moved from the Engineering Department to the Water Operations Department and will be called Water Quality and Treatment Department

Chairman Higgins advised that Mr. Veliz brought to the Labor Committees attention that a Board member had concerns regarding the Compliance and Planning Manager position.

Chairman Higgins advised that the position is under the Engineering Department and that the employee in the position is a tier 1 employee.

Chairman Higgins stated that after reviewing the organizational chart she questions why this position is considered a tier 1 since the position does not manage another employee.

Mr. Shelby explained that a previous Executive Director created a tier one position called the Director of Legislative Affairs which is held by the same employee that is currently Compliance & Planning Manager position.

Mr. Shelby advised that the Director of Legislative Affairs position was eventually eliminated as the Board wanted the Executive Director to take the lead in legislative and lobbying efforts.

Mr. Shelby explained that the Director of Legislative Affairs job description also included the management of the regulatory agencies. He advised that these duties were included in the Compliance & Planning Manager position and the tier one was carried over.

Mr. Shelby advised that this position does supervise one employee, who is also a tier one employee.

Chairman Higgins asked if the second tier one employee supervises anyone.

Mr. Shelby stated no.

Chairman Higgins asked if you must be a supervisor to be a tier one.

Mr. Shelby advised no.

Chairman Higgins asked if the tier one follows the job title.

Mr. Shelby stated yes.

Chairman Higgins stated that her concern in reviewing the job description is that the Legislative Affairs position that the Board eliminated was essentially renamed Compliance and Planning Manager.

Chairman Higgins stated that there is documentation that the employee that holds the Compliance and Planning Manager position was allowed to write the job description.

Chairman Dean stated that he was the Board member that asked Mr. Veliz about the Compliance and Planning Manager position. He explained that he became aware of the position for the first time at the last meeting.

Mr. Shelby explained that his interpretation of the direction that he received from the Board regarding this position was that they did not want the position to interact with the legislators or lobbyist and that all duties pertaining to these duties were removed.

Mr. Shelby advised job duties regarding regulatory duties were left in the job description.

Mr. Shelby advised that he requested that the Director of Engineering work with the employee that is currently the Compliance and Planning Manager to write a job description removing legislative and old Compliance and Planning tasks and duties and create a new position that includes regulatory agency compliance.

Chairman Higgins stated that there is some exact language from the Legislative Affairs job description on the current Compliance and Planning Manager description.

Chairman Dean asked what the process was when changes are made to a job description.

Mr. Shelby advised Human Resources reviews the job description and if merits re-grading it is sent out to be evaluated. He added that this position was not sent out.

Mr. Shelby advised that staff would review and rewrite the description and bring back to the Board for approval.

Mr. Toppino asked Mr. Shelby if he reviewed the description and completed a comparison prior to approving.

Mr. Shelby advised that he reviewed the description to ensure that there were no legislative duties in the new description.

Mr. Shelby advised that he agrees with Chairman Higgins that the job description needs to be rewritten and brought back to Board for review and sent out to be re-ranked if need be.

Mr. Veliz advised that in abundance of caution and for the record Chairman Higgins was not privy to the fact that Chairman Dean was the Board member that had questions regarding the Compliance and Planning Manager position. He added that there were no conversations taken back and forth other than the information solely as it was presented.

Chairman Higgins asked if the revised Organizational Chart would be the draft included in the 2023 Budget if approved.

Mr. Veliz stated yes.

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:12 a.m.

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FLORIDA KEYS AQUEDUCT AUTHORITY

By:   
\_\_\_\_\_  
Cara Higgins, Chairman

Attest:   
\_\_\_\_\_  
Richard Toppino, Labor Committee Member

**ATTENDANCE**

**BOARD MEMBERS**

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

**FCAA STAFF**

Tim Esquinaldo	Bob Feldman
Randy Acevedo	Greg Veliz
Kerry Shelby	George Wallace
Pam Albury	Krystal Waldner
Christine Ortiz	

**MEMBERS OF THE PUBLIC**

Shawn Smith

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

**HELD ON**

**August 24, 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
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.

### **PUBLIC HEARING #3 FOR PROPOSED BUDGET**

Chairman Dean opened the Public Hearing at 11:20 a.m.

Ms. Kondziela advised that today's meeting is the third and final advertised Public Hearing to adopt the proposed 2023 annual budget.

Ms. Kondziela reported that there has been one change to the proposed 2023 Budget since the last Public Hearing:

- Administration will be carrying over \$40,000 that was budgeted in 2022 into 2023 for the purchase of Bar Code Software

Ms. Higgins asked if the revised Organizational Chart will be included in the 2023 Budget.

Ms. Kondziela stated yes.

With there being no further discussion or comments from the public, the Public Hearing was closed at 11:31 a.m.

### **REGULAR MEETING**

The Regular Meeting was called to order by Chairman Dean at 11:21 a.m.

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

### **SERVICE AWARDS**

Aaron Sipe                      Water Quality Control Tech.      15 Years of Service

### **APPROVAL OF MINUTES**

On motion of Mrs. Appell, seconded by Ms. Higgins, the Board unanimously approved the Minutes from the Regular Board Meeting on August 9, 2022, as presented.

### **DELETIONS TO CONSENT AGENDA**

1. OOC – 01. Consideration to approve Interlocal Agreement (ILA) with Monroe County to reimburse Monroe County for its share of paving Eaton Street between Simonton and Whitehead (in the amount not to exceed \$50,000)

3. DOCP – 02. Consideration to approve final disbursement of \$15,164.98 and final reconciliation Change Order No. 01 in the amount of (\$47,643.12) to close-out Project #2357-20 "Duck Key Distribution System Upgrade-Bimini Bridge" for Murphy Pipeline Contractors, LLC (\$15,164.98)



## **APPROVAL OF AGENDA**

By consensus, the Board unanimously approved Agenda.

## **CONSENT AGENDA WATER /WASTEWATER**

On motion of Mr. Mulick, seconded by Mrs. Appell the Board unanimously approved the following item by Consent:

2. DOCP – 01. Approval of final disbursement of \$58,476.33 and final reconciliation Change Order No. 04 in the amount of (\$3,440.34) to close-out Project #7049-18AC “Rockland Key Workshop & Office Building” for D.L. Porter Constructors, Inc. (\$58,476.33)

## **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 Request from AMWA:**

Mr. Shelby reported that The Association of Metropolitan Water Agencies (AMWA) has been working with Senator Ed Markey of Massachusetts to draft a bill that would authorize a new EPA grant program to help offset the costs to participate in the Water Information Sharing and Analysis Center, or WaterISAC. He explained that WaterISAC is a dedicated information sharing network that collects, analyzes, and disseminates threat information such as terrorist activity, contamination events and other potential threats to drinking water and wastewater systems across the country.

Mr. Shelby advised that the Authority is an active member and that the grant funding would support WaterISAC memberships and would also direct EPA to cooperate with WaterISAC on incident data collection and water sector threat analysis activities.

Mr. Shelby reported that Senator Markey hopes to formally introduce the bill soon and plans to ask Senator Marco Rubio to be the lead Republican cosponsor. He added that AMWA is asking if the Authority would consider writing Senator Rubio’s office encouraging him to co-sponsor the bill.

By consensus, the Board concurred.

**E0-02. APPROVAL OF REEMPLOYMENT CONTRACT OF ROBERT T. FELDMAN FOR THE PERIOD OF NOVEMBER 22, 2022 - NOVEMBER 21, 2023, WITH TWO ONE-YEAR OPTIONS TO RENEW**

On recommendation of Mr. Shelby and motion of Mr. Mulick, seconded by Ms. Higgins, the Board approved the reemployment Contract of Robert T. Feldman for the period of November 22, 2022 - November 21, 2023, with two one-year options to renew.

**OFFICE OF COUNSEL**

**OOC-01. APPROVAL OF EMPLOYMENT CONTRACT OF GREGORY W. VELIZ FOR JANUARY 26, 2024 - JANUARY 25, 2027, AS EXECUTIVE DIRECTOR WITH AN OPTION TO RENEW**

Mr. Feldman advised that there is one amendment to the contract as was discussed at the Labor Committee Meeting to include a \$200 monthly gas allowance.

On recommendation of Mr. Feldman and motion of Mr. Mulick, seconded by Ms. Appell, the Board approved the employment Contract as amended of Gregory W. Veliz for January 26, 2024 - January 25, 2027, as Executive Director with an option to renew.

**OOC-02. APPROVAL OF INTERLOCAL AGREEMENT (ILA) WITH MONROE COUNTY TO REPLACE THE WATER MAINS FOR THE TWIN LAKES DISTRIBUTION SYSTEM (IN THE AMOUNT TO EXCEED \$1,500,000.)**

On recommendation of Mr. Feldman and motion of Mr. Mulick, seconded by Ms. Higgins, the Board approved an Interlocal Agreement (ILA) with Monroe County to replace the water mains for the Twin Lakes Distribution System in the amount to exceed \$1,500,000.

**DIVISION OF ADMINISTRATION**

**DOA-01. SUMMARY OF FINANCIAL INFORMATION FOR JULY 2022**

Ms. Kondziela reported that year to date net operating revenue is approximately 6% greater than the prior year and 7.5% great than budgeted projection. She added that operating expenses are 6.9% under current amended budget and approximately \$4.3 million over last year's expenses.

**DOA-02. APPROVAL OF RENEWAL OF CONTRACTS FOR EMPLOYEE GROUP HEALTH CARE CLAIMS ADMINISTRATION AND STOP LOSS COVERAGE TO FLORIDA BLUE (BLUE CROSS BLUE SHEILD OF FLORIDA) AND DENTAL AND VISION COVERAGE TO AMERITAS (FOR AN ESTIMATED ANNUAL COMBINED FIXED COST OF \$1,904,076.00 EFFECTIVE 10/01/22)**

On recommendation of Ms. Kondziela and motion of Mr. Mulick, seconded by Ms. Higgins, the Board approved renewal of contracts for employee group health care claims administration and stop loss coverage to Florida Blue (Blue Cross Blue Sheild of Florida) and

dental and vision coverage to Ameritas for an estimated annual combined fixed cost of \$1,904,076.00 effective 10/01/22.

**DOA-03. APPROVAL TO ADOPT THE BUDGET AND FINANCIAL PLAN FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023. THE BOARD OF DIRECTORS IS REQUIRED BY THE AUTHORITY'S ENABLING LEGISLATION TO ADOPT A BUDGET AT LEAST 30 DAYS PRIOR TO THE BEGINNING OF ITS FISCAL YEAR (OCTOBER 1). THE BUDGET HAS BEEN REVIEWED WITH THE BUDGET COMMITTEE AND THE BOARD HAS HELD THREE PUBLIC HEARINGS TO RECEIVE PUBLIC INPUT. THE BUDGET HAS BEEN PROPERLY ADVERTISED IN ACCORDANCE WITH THE ENABLING LEGISLATION. THREE PUBLIC HEARINGS WERE HELD ON JUNE 28, JULY 26, AND AUGUST 24, 2022**

On recommendation of Ms. Kondziela and motion of Mrs. Appell, seconded by Mr. Toppino, the Board approved to adopt the budget and financial plan for the fiscal year October 1, 2022 through September 30, 2023. The Board of Directors is required by the Authority's enabling legislation to adopt a budget at least 30 days prior to the beginning of its fiscal year (October 1). The budget has been reviewed with the budget committee and the board has held three public hearings to receive public input. The budget has been properly advertised in accordance with the enabling legislation. Three public hearings were held on June 28, July 26, and August 24, 2022.

**DIVISION OF CAPITAL PROJECTS**

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

Mr. Hackworth presented an update on the following projects:

- J. Robert Dean WTP Electrical Repairs
- United Street Water Main Replacement
- Duck Key Utility Relocates

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

Ms. Higgins complimented staff for a job well done in presenting the Authority's 2023 Budget to the Chamber.

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:38 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 J. Toppino  
Antoinette M. Appell  
Cara Higgins  
Nicholas W. Mulick

FKAA STAFF

Kerry Shelby	Krystal Waldner
Greg Veliz	Randy Acevedo
Pam Albury	Maghan Barber
Robert T. Feldman	Jay Miller
David Hackworth	Christina Ortiz
Cheryl Sargent	Aaron Sipe
Josh Peele	George Wallace
Cindy Kondziela	

MEMBERS OF THE PUBLIC

Shawn Smith  
Shawn Fleming