

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

**HELD ON**

**September 30, 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.

## **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.

### **SERVICE AWARDS**

Damian Waldner      Valve/Hydrant & Meter Technician      25 Years of Service

William Sawyer      Facility Maintenance Mechanic A      30 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 September 13, 2022, as presented.

## **ADDITION TO REGULAR AGENDA**

OOC-04 Consideration to approve the Collective Bargaining Agreement with Communications Workers of America, AFL-CIO effective October 1, 2022 through September 30, 2025

## **APPROVAL OF AGENDA**

By consensus, the Board unanimously approved Agenda.

## **CONSENT AGENDA WATER /WASTEWATER**

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

1. OOC -01. Approval of payment to Bryant, Miller & Olive for professional services rendered and expenses incurred for the month of August 2022 regarding defense of declaratory judgement, Maschal vs FKAA and Monroe County (\$1,140.00)
2. OOC - 02. Approval of payment to Bryant, Miller & Olive for professional services rendered and expenses incurred for the month of May 2022 regarding defense of Crawford vs FKAA and Monroe County (\$870.00) Case No.: 3D2022-754
3. OOC - 03. Approval of Separation Agreement and General Release between FKAA and employee Julie Cheon (\$120,370.27)

## **REGULAR AGENDA ITEMS**

Ms. Higgins declared a conflict of interest on item OOC-01 on the Regular Agenda.

### **OFFICE OF COUNSEL**

#### **OOO-01. APPROVAL OF PAYMENT TO ALLEN, NORTON & BLUE, P.A. FOR AUGUST 2022 (IN THE AMOUNT OF \$3,932.50 RE: WALKER, THOMAS: GC2021099959)**

On recommendation of Mr. Feldman and motion of Mr. Toppino, seconded by Mrs. Appell, the Board approved payment to Allen, Norton & Blue, P.A. for August 2022 in the amount of \$3,932.50 RE: Walker, Thomas: GC2021099959.

#### **OOO-02. APPROVAL OF SETTLEMENT AGREEMENT WITH BLUEWATER KEY FOR EXPENSES INCURRED OR ANTICIPATED BY BLUEWATER KEY (IN THE AMOUNT OF \$98,798.00)**

On recommendation of Mr. Feldman and motion of Mrs. Appell, seconded by Ms. Higgins, the Board approved Settlement Agreement with Bluewater Key for expenses incurred or anticipated by Bluewater Key in the amount of \$98,798.00.

#### **OOO-03. APPROVAL OF THE INTERLOCAL AGREEMENT WITH ISLAMORADA, VILLAGE OF ISLANDS TO SET FORTH THEIR RESPECTIVE OBLIGATIONS WITH RESPECT TO THE TRANSMISSION LINE REPLACEMENT PROJECT AND THE DEP GRANT FUNDING FOR SAID PROJECT. EXHIBIT "B" IS A CONSENT TO ASSIGNMENT OF GRANT AGREEMENT ASSIGNING TO THE AUTHORITY ALL OF THE RIGHTS AND OBLIGATIONS OF THE GRANT FROM ISLAMORADA TO THE AUTHORITY WHICH WILL PERFORM ALL TASKS AND PROVIDE THE MATCHING FUNDS REQUIRED BY THE GRANT**

On recommendation of Mr. Feldman and motion of Mr. Mulick, seconded by Ms. Higgins, the Board approved the Interlocal Agreement with Islamorada, Village of Islands to set forth their respective obligations with respect to the Transmission Line replacement Project and the DEP Grant funding for said project. Exhibit "B" is a Consent to Assignment of Grant Agreement assigning to the Authority all of the rights and obligations of the Grant from Islamorada to the Authority which will perform all tasks and provide the matching funds required by the Grant.

#### **OOO-04. APPROVAL OF THE COLLECTIVE BARGAINING AGREEMENT WITH COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO EFFECTIVE OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2025**

On recommendation of Mr. Feldman and motion of Ms. Higgins, seconded by Mr. Toppino, the Board approved the Collective Bargaining Agreement with Communications Workers of America, AFL-CIO effective October 1, 2022 through September 30, 2025.

## **DIVISION OF ADMINISTRATION**

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

Ms. Kondziela reported that total cash balance is \$78.4 million and unrestricted cash for future projects is \$33.2 million.

### **DOA-02. APPROVAL OF RENEWAL OF FKAA'S GROUP LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D) COVERAGE EFFECTIVE OCTOBER 1, 2022 (FOR AN ESTIMATED ANNUAL PREMIUM OF \$159,389 WITH SUN LIFE FINANCIAL WITH A TWO-YEAR RATE GUARANTEE)**

On recommendation of Ms. Kondziela and motion of Ms. Higgins, seconded by Mrs. Appell, the Board approved renewal of FKAA's Group Life Insurance and Accidental Death and Dismemberment (AD&D) Coverage effective October 1, 2022 for an estimated annual premium of \$159,389 with Sun Life Financial with a two-year rate guarantee.

## **DIVISION OF ENGINEERING**

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

Mr. Hackworth presented an update on the following projects:

- J. Robert Dean WTP Accelerator No. 2 Rehabilitation
- Unit Street Water Main Replacement
- Stock Island Distribution Pump Station

### **DOE-02. APPROVAL OF AWARD BID CONTRACT TO KEY HONEY CONTRACTING USING EMERGENCY PROCUREMENT PROCEDURES FOR PROJECT "4090-21 CITY OF KEY WEST WASTEWATER FORCEMAIN" (IN THE AMOUNT OF \$689,843.00)**

On recommendation of Mr. Hackworth and motion of Mrs. Appell, seconded by Mr. Mulick, the Board approved award bid contract to Key Honey Contracting using Emergency Procurement Procedures for Project "4090-21 City of Key West Wastewater Forcemain" in the amount of \$689,843.00.

### **DOE-03. APPROVAL OF CONTRACT WITH CONTROL SYSTEM CONSULTING, LLC FOR PROGRAMMING AND CONTROL SYSTEM CONSULTING SERVICES FOR ONGOING AND FUTURE CAPITAL IMPROVEMENT PROJECTS (IN THE AMOUNT OF \$323,670.)**

On recommendation of Mr. Hackworth and motion of Ms. Higgins, seconded by Mr. Toppino, the Board approved contract with Control System Consulting, LLC for programming

and control system consulting services for ongoing and future capital improvement projects in the amount of \$323,670.

**DOE-04. APPROVAL OF PAYMENT FOR THE FY2021 ANNUAL FEE FOR MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM) WELLFIELD PROTECTION PROGRAM (IN THE AMOUNT OF \$216,151.73)**

On recommendation of Mr. Hackworth and motion of Mr. Mulick, seconded by Mrs. Appell, the Board approved payment for the FY2021 Annual Fee for Miami-Dade County Department of Environmental Resource Management (DERM) Wellfield Protection Program in the amount of \$216,151.73.

**DOE-05. APPROVAL OF BID PROPOSAL AND AWARD CONTRACT FOR PROJECT #7067-21 "WATER TRANSMISSION SYSTEM SUBAQUEOUS CROSSINGS SIGNAGE" TO UNDERWATER ENGINEERING SOLUTIONS, INC. (IN THE AMOUNT NOT-TO-EXCEED \$182,735.00)**

On recommendation of Mr. Hackworth and motion of Mrs. Appell, seconded by Mr. Toppino, the Board approved bid proposal and award contract for Project #7067-21 "Water Transmission System Subaqueous Crossings Signage" to Underwater Engineering Solutions, Inc. in the amount not-to-exceed \$182,735.00.

**DOE-06. APPROVAL TO REJECT ALL BIDS FOR THE STEEL VALVES FOR PROJECT #1163-18 ISLAMORADA TRANSMISSION PIPE REPLACEMENT**

On recommendation of Mr. Hackworth and motion of Mr. Toppino, seconded by Mr. Mulick, the Board approved to reject all bids for the Steel Valves for Project #1163-18 Islamorada Transmission Pipe Replacement.

**DIVISION OF WATER**

**DOW-01. APPROVAL OF THE PURCHASE OF THREE REPLACEMENT GOULD'S PUMP ASSEMBLIES FOR KEY LARGO BOOSTER STATION FROM HUDSON PUMP AND EQUIPMENT (IN THE AMOUNT OF \$932,771. ALONG WITH A BUDGET AMENDMENT OF \$150,771.00)**

On recommendation of Mr. Gomez and motion of Mr. Mulick, seconded by Mrs. Appell, the Board approved the purchase of three replacement Gould's pump assemblies for Key Largo Booster Station from Hudson Pump and Equipment in the amount of \$932,771. along with a budget amendment of \$150,771.00.

**DOW-02. APPROVAL OF BUDGET AMENDMENT AND THE ADDITION OF FOUR TEMPORARY EMPLOYEE POSITIONS FOR A TAPE WRAP PROJECT ON LONG KEY BRIDGE (ESTIMATED TOTAL OF \$250,000.)**

On recommendation of Mr. Gomez and motion of Mrs. Appell, seconded by Ms. Higgins, the Board approved a budget amendment and the addition of four temporary employee positions for a tape wrap project on Long Key Bridge estimated total of \$250,000.

**BOARD OF DIRECTORS**

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

Mr. Mulick asked for a storm update.

Mr. Shelby reported that the water system did well. He explained that the wastewater system was more of a challenge due to flooding and hightides.

Mr. Shelby thanked the wastewater crews for keeping the system online during the storm under challenging conditions.

Mrs. Appell asked if FKAA crews would be assisting in the Ft. Myers area.

Mr. Shelby advised that staff are participating in the statewide coordination and that crews are standing by and are ready to assist once notified.

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:35 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	Cindy Kondziela
Greg Veliz	Randy Acevedo
Pam Albury	Maghan Barber
Robert T. Feldman	Jay Miller
David Hackworth	Christina Ortiz
Krystal Waldner	George Wallace
Tim Esquinaldo	Damian Waldner
Billy Sawyer	

**MEMBERS OF THE PUBLIC**