

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

**HELD ON**

**October 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
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 11:06 a.m.

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

Mr. Toppino declared a conflict of interest on item DOWW-01 on the Regular Agenda.

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

## **ADDITION TO CONSENT AGENDA**

3. OOC-01 Consideration to approve Amendment to the 2021 Employment Contract between Kerry G. Shelby and the Board of Directors of the FKAA

## **DELETION TO REGULAR AGENDA**

DOE-01 Consideration to approve contract negotiation with Control System Consulting, LLC for general support services and operational assistance with FKAA's SCADA system.

## **APPROVAL OF AGENDA**

By consensus, the Board unanimously approved the Agenda as revised.

## **CONSENT AGENDA WATER /WASTEWATER**

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

1. DOA -01. Approval of a one-year contract with Rapid7 LLC, a detection and response service subscription (\$64,715.00)

2. DOE - 01. Approval of bid award and contract for FKAA Project #5014-22 "Openpath Installations" to Saltex Group (\$68,572.00)

## **REGULAR AGENDA ITEMS**

## **EXECUTIVE DEPARTMENT**

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

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

### **Hurricane Ian Update:**

Mr. Shelby advised that the system wide inspection has been completed after Hurricane Ian. He advised that there was no significant damage to FKAA vehicles or property.

Mr. Shelby reported that protocols were followed closely and that employees worked hard to ensure that FKAA assets and equipment were stored correctly and out of harm's way.

### **Union Contract Update:**

Mr. Veliz reported that the Union Contract that was brought to the Board for consideration at the last meeting did not meet ratification and was voted down by the Union membership.

Mr. Veliz advised that he was contacted by the Key West Citizen requesting comments regarding a press release that the Union had published. Mr. Veliz stated that he did provide a brief statement but did not engage in questions regarding allegations made by the Union.

Mr. Veliz requested that a closed-door Special Executive Session be scheduled at the next meeting to discuss options.

The Board concurred.

Mr. Veliz stated that the Authority has filed an official impasse.

Mr. Veliz stated that wages are up for discussion and advised that other parts of the contract may need to be amended.

Chairman Dean asked if the Union signed the contract.

Mr. Veliz advised that the Union did sign the contract pending ratification by the Board and Union members.

Mr. Toppino asked if non-bargaining unit employees will receive the 8% on October 1<sup>st</sup>.

Mr. Veliz stated yes.

Mr. Veliz explained that until the contract is ratified bargaining unit employees will only receive a 1% to 2% merit increase which is based off their ranking.

Mr. Toppino stated that once both sides ratify the contract the Authority does not have to retro back increases to a certain date.

Mr. Veliz advised that is correct and that his recommendation would not be to retro back increases, but that decision would be up to the Board.

Ms. Higgins asked if the non-bargaining employees would receive the 8% and the 1% to 2% merit.

Mr. Veliz advised that non-bargaining employees only receive the 8%.

Ms. Higgins stated that outside of union negotiations raises were recently given to employees that were identified at the lower end of the pay scale and asked how many of those were bargaining unit employees.

Mr. Veliz stated thirty-nine.

Ms. Higgins asked out of how many.

Mr. Veliz advised there are 183 bargaining unit employees. He explained that 115 are dues paying members.

Ms. Higgins stated that the thirty-nine employees make up about 35% of the dues paying members.

Mr. Veliz explained that these raises do not include a program that was recently instituted that allows employees to receive a 5% raise by obtaining additional certifications even if not directly related to the employee's job but considered a value to the Authority. He added that many bargaining unit employees took advantage of this program.

Mrs. Appell asked how long the impasse could go on for.

Mr. Veliz stated that there is no way to be sure but that the impasse could go on for months.

#### **OFFICE OF COUNSEL**

#### **OOO-01. APPROVAL OF PAYMENT TO ALLEN, NORTON & BLUE, P.A. FOR AUGUST 2022 (IN THE AMOUNT OF \$6,600.68)**

On recommendation of Mr. Feldman and motion of Mr. Mulick, seconded by Mrs. Appell, the Board approved payment to Allen, Norton & Blue, P.A. for August 2022 in the amount of \$6,600.68.

#### **OOO-02. APPROVAL OF THE SALE OF 1010 KENNEDY DRIVE, UNIT 302 FOR \$300,000.00**

On recommendation of Mr. Feldman and motion of Mr. Toppino, seconded by Ms. Higgins, the Board approved the sale of 1010 Kennedy Drive, Unit 302 for \$300,000.00

## **DIVISION OF ADMINISTRATION**

### **DOA-01. MID-MONTH FINANCIAL UPDATE**

Ms. Kondziela reported that the total cash balance is \$70.6 million and in the first 11 days in October 245 checks were issued in the approximate amount of \$2.4 million.

### **DOA-02. APPROVAL OF ANNUAL MAINTENANCE AND SUPPORT FOR COGSDALE BUSINESS, FINANCIAL AND CUSTOMER SERVICE SOFTWARE (IN THE AMOUNT OF \$213,749.96)**

On recommendation of Ms. Kondziela and motion of Mrs. Appell, seconded by Mr. Mulick, the Board approved annual maintenance and support for Cogsdale business, financial and customer service software in the amount of \$213,749.96.

## **DIVISION OF WATER**

### **DOW-01. APPROVAL TO AWARD BID #FKAA-IFB-0029-22; ONE YEAR CONTRACT FOR GRANULAR/RICE QUICKLIME TO LHOIST NORTH AMERICA (ESTIMATED AMOUNT OF \$2,686,562.50)**

On recommendation of Mr. Gomez and motion of Mrs. Appell, seconded by Mr. Toppino, the Board approved to award Bid #FKAA-IFB-0029-22; One Year Contract for Granular/Rice Quicklime to Lhoist North America in the estimated amount of \$2,686,562.50.

### **DOW-02. APPROVAL OF THE PURCHASE OF A BOBCAT SKID STEER THROUGH FLORIDA SHERIFF'S ASSOCIATION CONTRACT #FSA20-EQU18.0 FROM CLARK EQUIPMENT (IN THE AMOUNT OF \$130,585.30)**

On recommendation of Mr. Gomez and motion of Ms. Higgins, seconded by Mr. Toppino, the Board approved the purchase of a Bobcat Skid Steer through Florida Sheriff's Association Contract #FSA20-EQU18.0 from Clark Equipment in the amount of \$130,585.30.

### **DOW-03. APPROVAL OF THE PURCHASE OF A CROWN FORKLIFT THROUGH FLORIDA SHERIFF'S FSA CONTRACT #FSA20-EQU18.0 FROM FEDERAL CONTRACT CORPS (IN THE AMOUNT OF \$59,175.27)**

On recommendation of Mr. Gomez and motion of Mr. Mulick, seconded by Mrs. Appell, the Board approved the purchase of a Crown Forklift through Florida Sheriff's FSA Contract #FSA20-EQU18.0 from Federal Contract Corps in the amount of \$59,175.27.

## **DIVISION OF WASTEWATER**

### **DOWW-01. APPROVAL TO AWARD CONTRACT FOR IFB-0026-22, FOR THE SEALING OF RISER RINGS IN APPROXIMATELY 1,000 MANHOLES, TO SEALING SYSTEMS INC., (IN THE AMOUNT NOT TO EXCEED \$689,500.00)**

On recommendation of Mr. Miller and motion of Ms. Higgins, seconded by Mrs. Appell, the Board approved and award a contract for IFB-0026-22, for the sealing of riser rings in approximately 1,000 manholes, to Sealing Systems Inc., in the amount not to exceed \$689,500.00.

**BOARD OF DIRECTORS**

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

Mr. Esquinaldo advised that item 3. OOC-03 was approved to be added to the Consent Agenda but was not voted on.

On recommendation of Mr. Feldman and motion by Ms. Higgins, seconded by Mrs. Appell the Board approved the Amendment to the 2021 Employment Contract between Kerry G. Shelby and the Board of Directors of the FKAA.

Chairman Dean requested roll call:

Roll Call:

Chairman Dean	Yes	Ms. Higgins	Yes
Mr. Toppino	Yes	Mr. Mulick	Yes
Mrs. Appell	Yes		

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:39 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
Tim Esquinaldo	Christina Ortiz
Krystal Waldner	George Wallace

**MEMBERS OF THE PUBLIC**