

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2008

Division: Engineering

Bulk Item: Yes  No

Department: Wastewater

Staff Contact Person/Phone #: Elizabeth Wood/292-4525

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**AGENDA ITEM WORDING:** Approval of an amendment to the September 20, 2006 Interlocal Agreement (ILA) to expand the Summerland/Cudjoe/Sugarloaf Regional Wastewater System to cover design for Big Pine Key through Ramrod Key and Lower Sugarloaf.

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**ITEM BACKGROUND:** This amendment authorizes County to appropriate from any lawfully available source, funds necessary to add the additional treatment and collection system design costs for Big Pine Key through Bay Point to the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System. The September 20, 2006 ILA will again be amended include planning and construction of those components necessary for the expanded service area. County has previously advanced the Florida Keys Aqueduct Authority \$2,000,000.00 and has appropriated another \$1,000,000.00 as provided by the September 20, 2006 ILA for the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System.

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**PREVIOUS RELEVANT BOCC ACTION:** On September 20, 2006, the BOCC approved the ILA for the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System. At the March 19, 2008 BOCC meeting, the BOCC supported a staff report to proceed with administration necessary to combine the Summerland/Cudjoe/Sugarloaf and Ramrod/Torch/Big Pine Key central service areas for a cost reduction over \$20,000,000.00.

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**CONTRACT/AGREEMENT CHANGES:** NA

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**STAFF RECOMMENDATIONS:**  
Approval.

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**TOTAL COST:** TBD

**BUDGETED:** Yes  No

**COST TO COUNTY:** \$ TBD **SOURCE OF FUNDS:** non-ad valorem revenue

**REVENUE PRODUCING:** Yes  No  **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty \_\_\_\_\_ OMB/Purchasing \_\_\_\_\_ Risk Management \_\_\_\_\_

**DOCUMENTATION:** Included  Not Required \_\_\_\_\_

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_



## **Engineering Division MEMORANDUM**

**To:** Dave Koppel, County Engineer

**From:** Elizabeth Wood, Sr. Administrator – Sewer Projects

**Date:** 4/7/2008

**Re:** Amendment to Summerland/Cudjoe/Sugarloaf Interlocal Agreement

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On September 20, 2006, the BOCC approved execution of the Interlocal Agreement for the Summerland/Cudjoe/Sugarloaf Regional Wastewater System. On March 19, 2006, the BOCC approved staff recommendation to expand the service area to include the Lower Sugarloaf through Big Pine Keys based on potential cost savings over \$20,000,000.00.

The April 16, 2008 ILA Amendment expands the design to cover the Big Pine through Lower Sugarloaf Keys. Additional amendments are anticipated once the design and construction estimates are established.

**INTERLOCAL AGREEMENT  
AMENDMENT  
FOR THE  
SUMMERLAND/CUDJOE/UPPER SUGARLOAF REGIONAL WASTEWATER SYSTEM  
TO BE EXPANDED TO COVER DESIGN FOR  
BIG PINE KEY THROUGH RAMROD KEY AND LOWER SUGARLOAF**

**THIS AMENDMENT TO INTERLOCAL AGREEMENT** is entered into pursuant to Sec. 163.01, FS, by and between Monroe County, a political subdivision of the State of Florida, (County), and the Florida Keys Aqueduct Authority, Inc., an independent special district, (FKAA).

**WHEREAS**, on September 20, 2006, the parties entered into an inter-local agreement (ILA) for the purpose of funding the costs associated with the administration, planning and development of a regional wastewater project; and

**WHEREAS**, the timing, costs of construction and operation of the system, permitting and land acquisition issues, and funding availability contemplated for this project and future projects to be conducted by the parties pursuant to a September 6, 2005 ILA and September 2005 Master Lease have been impacted by a variety of factors during the interim; and

**WHEREAS**, it is estimated that the acquisition of land and permitting for a treatment plant on Big Pine Key may exacerbate delays in completing a project for that area; and

**WHEREAS**, combining three proposed regional systems into one is expected to produce over \$11,000,000 in savings for capital costs as well as produce more cost-effective operations after the required connections are made thereto; and

**WHEREAS**, it is anticipated that obtaining a design to incorporate Big Pine, Ramrod and Lower Sugarloaf with the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System will provide sufficient cost savings information with which to make the final determination to build one regional plant, which would be a subject of another amendment to this ILA; now, therefore

**IN CONSIDERATION** of the mutual consideration and promises set forth below, the parties agree as follows:

1. Paragraph 1, County Funding, of the ILA dated September 20, 2006, for the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System shall be amended by adding the following sentences:

The County shall appropriate from any lawfully available source, a sum not to exceed \$4,500,000 for the design to add to the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System necessary collection systems to accommodate from Big Pine Key to Lower Sugarloaf, to be paid to the FKAA. These funds are additional to the dollars set forth in the original inter-local agreement dated September 20, 2006. The amount of the funding may be changed by written amendment to this Agreement approved by the parties.

2. Paragraph 2, Project, Paragraph 1, County Funding, of the ILA dated September 20, 2006, for the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System shall be amended by adding the following sentences:

The Project shall include design and cost estimates to expand the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System to encompass Big Pine Key through Lower Sugarloaf. The Parties will amend the original ILA dated September 20, 2006, to include planning and construction of those components of the expanded design to be incorporated into the Final Project.

3. Paragraph 2, Expenditure of Funds, of the ILA dated September 20, 2006, shall be re-numbered to Paragraph 3.

4. The numbers of all remaining paragraphs of the ILA dated September 20, 2006, shall be amended to run consecutively from the paragraph above.

5. All other provisions of the ILA dated September 20, 2006, for the Summerland/Cudjoe/Upper Sugarloaf Regional Wastewater System, not inconsistent herewith shall remain in full force and effect.

6. This Agreement will take effect on the \_\_\_\_ day of \_\_\_\_\_, 2008.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

**FLORIDA KEYS AQUEDUCT AUTHORITY  
KEY WEST, FLORIDA**

**BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA**

BY: \_\_\_\_\_  
James C. Reynolds, Executive Director

BY: \_\_\_\_\_  
Mayor Charles "Sonny" McCoy

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

**ATTEST:**

**ATTEST:**

DANNY L. KOLHAGE, CLERK

BY: \_\_\_\_\_

BY: \_\_\_\_\_

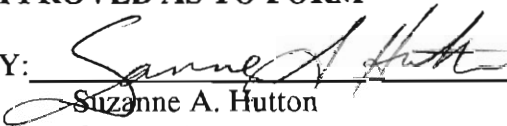
\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

**APPROVED AS TO FORM**

**APPROVED AS TO FORM**

BY: \_\_\_\_\_  
Kirk C. Zuelch  
FKAA General Counsel

BY:   
Suzanne A. Hutton  
County Attorney

Date: \_\_\_\_\_

Date: 4/4/08