

VERO BEACH UTILITIES COMMISSION MINUTES
TUESDAY, MARCH 9, 2021 – 9:30 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA

PRESENT: Chairman, Jane Burton; Vice Chairman, John Cotugno; Members: Judy Orcutt and John Sanders **Also Present:** Water and Sewer Director, Rob Bolton; Assistant City Attorney, Jenny Flanigan and Deputy City Clerk, Sherri Philo

Unexcused Absences: Mark Mucher and John McCord

1. CALL TO ORDER

The Chairman called today's meeting to order at 9:30 a.m. and the Deputy City Clerk performed the roll call.

2. APPROVAL OF MINUTES

A) February 9, 2021

Mr. Cotugno made a motion to approve the minutes of the February 9, 2021 Utilities Commission meeting. Mr. Sanders seconded the motion.

Mrs. Orcutt referred to page two (2) of the February 9, 2021 Utilities Commission minutes when the St. John's Water Management District (SJRWMD) grant applications were discussed. She wanted to be sure that everyone understood that the two (2) things that SJRWMD is requesting for an alternative water supply grant is to have irrigation Ordinances and a water conservation rate structure.

The motion passed unanimously.

At this time, Mrs. Burton said that she would like to make a few comments regarding two (2) items that a member wanted added to today's agenda (on file in the City Clerk's office). She reported that in discussions with staff it was determined that the first item is in litigation and the Commission members are not permitted to discuss it in public, so this item was not placed on today's agenda. The second item involved action that the Commission took in 2019 and 2020, which the Commission made a recommendation to the City Council and the City Council made a determination of action that was going to be taken. She explained that once the City Council takes action, the question is no longer on the table for the Commission to discuss. Therefore, that item also was not placed on today's agenda. She wanted to clarify that she, nor did staff, arbitrarily not put items on the agenda.

Ms. Jenny Flanigan, Assistant City Attorney, reported that this was a determination of the office of the City Attorney. She reported that at the April 7, 2020, City Council meeting, a motion was unanimously passed to instruct City staff to move forward with the Water Treatment Plant. She explained that the determination of the office of the City Attorney is that it would be outside of the role of the Utilities Commission to render advice on a matter that had already been decided on by the City Council. She noted that this could be raised

under public comments to the City Council as an individual, but not as a member of this Commission.

Mr. Rob Bolton, Water and Sewer Director, clarified that the first item is what was just discussed and the second item had to do with the lawsuit.

3. PUBLIC COMMENT

None

4. NEW BUSINESS

None

5. OLD BUSINESS

A) Update on Stormwater Main Canal Project and John's Island Water Management (JIWM) Pipeline – Mr. Rob Bolton, Water and Sewer Director

Mr. Bolton said last summer with the passing of Senate Bill 712 and the Clean Waterway's Act, there were grant funds made available to different communities in two (2) forms; alternative water supply projects and Indian River Lagoon projects and the City applied for both. He said one (1) project was for the canal intake structure to offset reclaimed water. He said currently, the City pulls water from the canal to supplement reclaimed water, they run it through the Waste Water Treatment Plant and then it ends up in the reclaimed water tanks and is put out for consumption. However, with the new membrane bioreactor they were afraid that some of the biological items that might be in the canal water would attach to the membranes and cause millions of dollars worth of problems. Therefore, they looked at repurposing part of the existing Water Treatment Plant filters. He said they have the capacity for probably 14-million gallons of treatment of water and the Plant is only treating a maximum of six (6) million gallons per day. Therefore, they are repurposing four (4) million gallons of that capacity and putting an intake structure into the Main Canal with a pump station that would pump it into the Water Plant and that would be tied to the reclaimed water system. When the City first started the process of the grants, they were also approached by the John's Island Water Management (JIWM). Staff then submitted a grant application to be used for a pipeline that would go from the Water Treatment Plant to the JIWM system on A1A. However, most of those funds went to the Central Florida area. He reported that the City was successful in receiving funding from the Indian River Lagoon grant, which was used for the intake structure. He then showed on the screen a copy of the City's Letter of Intent (LOI) that was mailed to JIWM on September 8, 2020, (attached to the original minutes). He briefly went over the LOI with the Commission members.

Mrs. Orcutt said it was stated that there were two (2) areas, with one (1) being Bee Gum and the second was from the canal to the dock. However, there also was the subaqueous crossing. She questioned so there really is three (3) components.

Mr. Bolton said that is correct. He showed on the screen the Match Line North and South map (attached to the original minutes). He explained that the first component is the green line that goes from the Water Treatment Plant up to 41st Street along the railroad tracks, under the railroad tracks out to Indian River Boulevard and north along Indian River Boulevard to 45th Street, to the Gifford Boat Dock area, and then it will go under the river to Bee Gum Point where the water main comes across Grand Harbor. It will then go from Bee Gum Point to John's Island gate where it will tie into John's Island and into some of the City's reclaimed water lines. He noted that the City would be repurposing that section of the reclaimed water lines to stormwater.

Mrs. Orcutt said then it would be going at some type of angle up the river.

Mr. Bolton clarified that it would be going under the river.

Mrs. Orcutt said but it is not just going straight across a short distance, but going up the river.

Mr. Bolton said that is correct. He said it would then tie into John's Island's lines and the City would use John's Island's lines to fill their lakes.

Mr. Bolton reported that in addition to that, the City would be looking at drilling some new wells. He said the line on the map that is in blue is the well line. He said there are three (3) wells that are on the well line that come from the Water Treatment Plant that they will be abandoning. He said the first well is located in Troy Moody Park, the second well is located in the middle of the old Jimmy Graves Foundation property, which will need to be moved and redrilled and the third well is located between the High School and the Elementary School, which is drawing up too much salt. He reported that the City would be redrilling some wells on the Airport property when they abandon these wells. He said they would be repurposing the line for irrigation so they will be able to irrigate the Cemetery, the High School, the Freshman Learning Center, Troy Moody Park, etc.

Mrs. Orcutt asked is the City going to formally abandon the wells and give up their Consumptive Use Permit (CUP). She said the Clean Water Coalition is concerned about not just clean water, but having sufficient ground water. She felt if the City was going to do an alternative water supply project that it was very important to abandon the (CUP's). She said theoretically, the Water Management District should know how much water they have in the ground and diligently dole out CUP's not to exceed the supply they have in the ground. She said if the City is not going to use those wells anymore, formally abandoning the CUP's seems like the responsible thing to do.

Mr. Bolton said the CUP is for the City as a whole, not per well.

Mrs. Orcutt questioned if the City is supplying this water to John's Island, would they then abandon some of their wells.

Mr. Bolton said John's Island has talked about plugging some of their wells, just as the City would look at plugging some of the wells that are no longer needed. He said part of the CUP is that SJRWMD would make a determination if the City would plug a well or use it for monitoring services.

Mrs. Orcutt referred to the nutrient reductions. She said that she would like Mr. Bolton to provide the Commission members something in concrete in order for her to analyze the information to see if it makes sense to her. She explained that it doesn't make sense to her to take water from a canal and not do anything to remove the nutrients. She said they might be doing this a little bit by filtering out some of the solids. She said they are not really doing anything to remove the nitrogen phosphorus, they are just putting it somewhere else. She said to her they are just moving the nutrients around. They are not removing them.

Mr. Bolton said the grass is.

Mrs. Orcutt said not the phosphorous. She said that she is seeing a lot of research that is showing that grass can only take up so much phosphorous and after that it is just flushing it. She said they have been putting reuse water on the grass at John's Island for a long time so it is probably phosphorous full.

Mr. Bolton said this project is going to offset that reclaimed water need. He said this project will free up a million gallons of reclaimed water for other residents.

Mrs. Orcutt said that she is having a hard time understanding the justification of all the nutrient reduction on this project.

Mr. Bolton explained that this project will take a million gallons of reclaimed water that normally goes to JIWM and it will be offset with stormwater.

Mrs. Orcutt said that water is still going somewhere. It is not disappearing.

Mr. Bolton questioned what water.

Mrs. Orcutt said the water that the City was sending to John's Island.

Mr. Bolton said it would go down the Deep Injection Well until they have needs for someone else and at that point it will be cleaner.

Mr. Sanders asked does the intake structure go in the canal at Aviation Boulevard.

Mr. Bolton showed on the screen the Stormwater intake station and filtration system proposed site plan C01, the intake structure and intake station site plan C02, the repump station site plan C03, and the intake station sections S04 (attached to the original minutes).

Mrs. Orcutt asked has the City entertained conversations with the Land Trust.

Mr. Bolton reported that they walked through the entire project with the Land Trust, the Indian River Neighborhood Association (IRNA) Representatives, the Mosquito Lagoon people, the Vero Man Archeology group, SJRWMD, Indian River Farms and will be dealing with the Department of Environmental Protection (DEP).

Mrs. Orcutt questioned the environmental impact.

Mr. Bolton said that is all part of the design.

Mrs. Orcutt questioned so that is all in the future.

Mr. Bolton explained that the City is in the process of going after grants at this time.

Mrs. Orcutt asked doesn't the City have to have a permit to receive a grant.

Mr. Bolton answered no. He said the process is that they will see where the grant lies in April, they are working on an agreement with JIWM and once that agreement is signed, the City would start the design of the subaqueous crossing. He said there are two (2) environmental components of that crossing, which is the crossing from the Gifford Dock Park to Bee Gum Point and then there is another portion that has wetlands and another crossing.

Mrs. Orcutt referred to the grant funding. She said it was stated that the grant was for 25% of the construction costs. She asked where is the other 75% going to come from.

Mr. Bolton replied from JIWM.

Mrs. Orcutt said then it would not cost the City anything.

Mr. Bolton said that is correct for that pipeline. The other pipeline, the intake structure, etc., will be funded by the City.

Mrs. Orcutt said there is a record of a fault line.

Mr. Bolton responded that there was not a record of a fault line. He said that he researched this and has not found anything. If there is a fault, it is way below where the City is looking at drilling.

The Chairman opened and closed public comments at 10:09 a.m., with no one wishing to speak.

Mrs. Orcutt asked Ms. Flanigan if the City has an Ordinances in place that would make them eligible for the grant.

Ms. Flanigan reported that the City Attorney has the intent to have this on the City Council agenda in April or May. Their office is currently researching this.

Mrs. Orcutt thought the Ordinances had to be in place before the City can receive the grant.

Ms. Flanigan said it is her understanding that as long as they are actively researching them and have plans to put them on the City Council agenda for consideration of the City Council that they are still allowed to proceed.

Mr. Bolton explained that by the time the City would accept the grant and enter into an agreement, the Ordinances would be in place.

6. CHAIRMAN'S MATTERS

None

7. MEMBER'S MATTERS

None

8. ADJOURNMENT

Today's meeting adjourned at 10:13 a.m.

/sp