

**UTILITIES COMMISSION MINUTES
TUESDAY, APRIL 11, 2023 9:30 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Chairman, Jane Burton; Vice Chairman and Indian River Shores Representative, Bob Auwaerter; Members: Taylor Dingle, James Maxwell, Peter Dold, Bill Eggers, Member at Large, JT Mooney and Alternate Member, Mark Mucher **Also Present:** Water and Sewer Director, Rob Bolton; Finance Director, Cindy Lawson; Public Works Director, Matthew Mitts; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

1. CALL TO ORDER

The Chairman called today's meeting to order at 9:34 a.m. and the Deputy City Clerk performed the roll call.

2. APPROVAL OF MINUTES

A) November 29, 2022

Mr. Eggers made a motion to approve the minutes of the November 29, 2022 Utilities Commission meeting. Mr. Dingle seconded the motion and it passed unanimously.

3. ELECTION OF OFFICERS

A) Chairman

Mr. John Turner, City Attorney, opened the floor for nominations for Chairman of the Utilities Commission.

Mr. Mucher nominated Mrs. Jane Burton for Chairman of the Utilities Commission. Mr. Mooney seconded the nomination. There were no other nominations. Mrs. Jane Burton was unanimously appointed Chairman of the Utilities Commission.

B) Vice Chairman

Mrs. Burton opened the floor for nominations for Vice Chairman of the Utilities Commission.

Mr. Auwaerter nominated Mr. Taylor Dingle for Vice Chairman of the Utilities Commission. Mr. Eggers seconded the nomination. There were no other nominations. Mr. Taylor Dingle was unanimously appointed Vice Chairman of the Utilities Commission.

4. NEW BUSINESS

None

5. OLD BUSINESS

A) Report on the STEP System and any new financing options – Water & Sewer Director

Mr. Rob Bolton, Water and Sewer Director, suggested because there were some new members on the Commission that he would like to introduce himself and give some of his background and then have each member introduce themselves and give some of their background.

At this time, Mr. Bolton gave some of his background and each member introduced themselves and gave some of their background.

Mr. Bolton said that he would be giving a few updates and then ask Mr. Keith Drewett to speak on the Step System and financing options.

Mr. Bolton gave a brief update on the new Water Reclamation Facility (WRF). He reported that they were close to 60% done with the design plans. He said that they were in the process of doing the modeling of the process, the sizing of the tanks, final site plan ideas, etc. He hopes to make a presentation in May or June to show where they are. He reported that the consulting team is working on a website for public outreach that will have different dashboards of the process, the benefits, funding possibilities, etc., which would probably be launched this summer. He reported that they were on schedule to complete the design in November.

Mr. Bolton gave an update on the stormwater pipeline project. He reported that the intake structure of the canal project is under construction. He said they are 100% completed on the mainland portion of the pipeline project and about 90% completed on the barrier island.

Mr. Bolton said regarding septic to sewer, the City Council instructed staff to look at what the County was going to be doing as to mandatory connection. They were also instructed to work with realtors to find out how they could get mandatory connection to the STEP System during the sale of a house.

At this time, Mr. Bolton asked Mr. Drewett to speak with the Board regarding the pilot project they were working on.

Mr. Keith Drewett said this was a little awkward in the sense that the incentives they asked for to make the project work would be voted on by the City Council next week. He said that he would give the Commission an overview of the project and if the project moves forward he would be happy to come back and give the Commission a presentation. The team working on the project are the Clean Water Coalition, the Indian River Land Trust, The Community Foundation, and the Economic Opportunity Council. The project is pledged at \$225,000, which they think should enable them to connect 35 homes to the STEP System, which would mainly be located in the Atlantic basin. He noted that this was a pilot project so the incentives they are requesting would only apply to this project. They looked at the incomes and assessed values and there were hundreds of homes with the assessed value of less than \$100,000 and the median incomes ranged from \$45,000 to \$60,000. He said it was not difficult to imagine that these people would struggle to connect to the STEP System with a \$16,000 connection charge without financial assistance. He said the basic idea was that the team would provide the contractor and installation fees, the City would offer their financing program, and that they waive the fees. He felt that staff supported the program and they hope that the City Council will also support it.

The Chairman opened public comments at 10:05 a.m.

6. PUBLIC COMMENT

None

7. CHAIRMAN'S MATTERS

None

8. MEMBER'S MATTERS

A) PFAS constituents in City's Drinking Water and ongoing or future plans to study – Requested by Bill Eggers

Mr. Eggers said the Environmental Protection Agency (EPA) lowered the threshold for reporting for municipalities that run water treatment plants. He asked is that something the City is keeping on top of and if they have had any exceedances since the threshold was lowered.

Mr. Bolton said that he reviewed the initial Polyfluoroalkyl (PFOS) evaluation and it was below the levels in the final drinking water, however they did find in two (2) or three (3) wells that there were trace elements that were above the drinking water standard. However, through the treatment process it was below that level going out. He said they are monitoring this and are going to look at treatment or closure of the wells. He said currently this is not at a level of concern with the drinking water in the City.

B) Update on Service Agreement between the City and South Beach Barrier Island Territory – Requested by Taylor Dingle

Mr. Dingle said it has been a while since the Commission last met and this item has been discussed by the County Commission so he felt it would be appropriate and prudent to get an update for the citizens.

Mr. Monte Falls, City Manager, reported that they were able to successfully negotiate and enter into a new franchise agreement with Indian River County for the service of mainly the south beach area. He said the City offered the same service level to them that they offer to all their customers in the City's service territory with no surcharge and everyone pays the same rate. He reported that the County Commission unanimously passed the agreement.

Mr. Bolton reported that with the passing of the Franchise Agreement, the City would be expanding the STEP System into the County area.

Mr. Mucher asked for an update on the mandatory septic tank inspections.

Mr. Bolton said they turned over all the failures on the barrier island that didn't connect to the Step System to the Health Department. On the mainland they did the 14th Street basin and a lot of people connected to the STEP System through the inspection process or they didn't do the inspection and just

went ahead and hooked up to the STEP System. The last area is the Atlantic basin, which they were holding off on in that they were working with Mr. Drewett on the new pilot program.

Mr. Mucher asked for an update on the water pipe leakage issues in the City and in the County.

Mr. Bolton said that he has not done a recent update. He felt it wasn't as much of a City issue as it was a County issue.

Mr. Turner reported that there were two Bills pending in front of the Legislature regarding municipal utilities, which were House Bill 1331 and Senate Bill 1380. Both Bills relate to municipal utilities and the jurisdiction of the Public Service Commission over water and wastewater utilities, as well as the transferring of funds to the general account from the utilities enterprise funds. The City has been providing information to the Delegation to encourage them that these Bills were not in the best interest of their customers. He said it appeared that these Bills were dead for this session and staff would continue to monitor this and report to the Commission the final decision.

Mr. Turner reported that the Fourth District Court of Appeals heard oral arguments on the Town of Indian River Shores (IRS) in the rate case that they filed against the City under the franchise agreement on reuse rates. He reported that Judge Croom granted judgement to the City of Vero Beach finding that the City had the right to set a reasonable rate that would cover their costs and expenses and IRS appealed that decision. He felt the arguments went very well in favor of the City. He reported that the oral arguments are available on the City's website for review.

9. ADJOURNMENT

Today's meeting adjourned at 10:38 a.m.

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