

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

PRESENT: Chairman, Jane Burton; Members: Mark Mucher, John Sanders, Judy Orcutt, Member at Large, JT Mooney and Indian River Shores Representative, Bob Auwaerter
Also Present: Director of Public Works, Matt Mitts; Assistant City Attorney, Jenny Flanigan and Deputy City Clerk, Sherri Philo

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

A) September 14, 2021

Mr. Auwaerter made a motion to approve the minutes of the September 14, 2021 Utilities Commission meeting. Mr. Sanders seconded the motion and it passed unanimously.

3. PUBLIC COMMENT

None

4. NEW BUSINESS

A) Stormwater Master Plan Update – Mr. Matthew Mitts, Director of Public Works

Mr. Matt Mitts, Director of Public Works, reported that the City is going out to bid for Requests for Qualifications (RFQ) for engineering firms to help the City develop the Stormwater Master Plan. He said this is a big project for the City and staff would like some feedback from the Commission members regarding the technology and scope they are using and to also ask if a Commission member, who resides in the City, wanted to serve on the Selection Committee. If no one wants to serve on the Committee, staff would provide the Commission with updates on the process as they occur.

Mr. Mucher said that he has always argued that stormwater was divided into two (2) parts, street flooding and Lagoon water quality. He asked if the Stormwater Master Plan was going to be divided in that respect. He said that he also thinks that the County should take over the Lagoon water quality because they do their work under the General Fund and the City pays for that as well, in addition to paying for the City's own Lagoon water quality efforts.

Mr. Mitts said since the history of the City, their first mission has always been flood protection, to keep water out of people's homes. Within the stormwater arena, there is water treatment or water quality and the flood protection part could be considered separate.

He said they are restricted by funds so they start with flood protection and if there is an opportunity to do water quality projects inclusive with flood protection they would want to pursue it because it is a win/win situation. The Stormwater Master Plan they are proposing has a little bit of both.

At this time, Mr. Mitts went over staff's report and the RFQ (attached to the original minutes), accompanied by an aerial map of the City of Vero Beach and an aerial map of the stormwater system (located on the City's website) with the Commission members.

Mrs. Orcutt referred to page three (3) of the RFQ where it discusses enhanced flood protection for the Oakmont Park residential subdivision. She said there is a church near this neighborhood that owns some vacant land where they dug out a lot of the rock to create significant stormwater ponds. She asked if anyone was going to look to see if acquiring land like this could hold enough water that it would have an impact on Oakmont Park. She asked if that could be done to prevent flooding in Oakmont Park.

Mr. Mitts said that is one (1) of the reasons they want to get input from a consultant.

Mrs. Orcutt asked Mr. Mitts to discuss what kind of grant funding they could tap into in that there is a lot of grant funds available.

Mr. Mitts said it is typically easier to receive grants for larger scale water quality projects, such as an Airport project. He said with the Airport project it is possible that they could receive grant funding from the Federal Aviation Administration (FAA), the State, etc.

The Chairman asked for public comment, with no one wishing to be heard.

Mrs. Burton asked the Commission members if anyone wanted to sit on the Selection Committee.

Mr. Mucher asked what amount of time would be involved in serving on the Committee.

Mr. Mitts said it is a big commitment with regards to time in that they would receive a lot of material to review, then the Committee would hold a meeting to select their top three (3) or so firms to be interviewed, and then they would meet to hold their interview and at that meeting or a meeting shortly after the interview process they would select the firm that they would like the City to pursue a contract with.

Mrs. Burton said since no one from the Commission wanted to serve on the Selection Committee that the Commission would keep in touch with Mr. Mitts and ask that he come back before the Commission to give them an update at this moves forward and if at some point a Commission member wanted to get more involved they would consider it at that time.

5. OLD BUSINESS

None

6. CHAIRMAN'S MATTERS

None

7. MEMBER'S MATTERS

Mrs. Orcutt urged the Commission members to look at the flood maps because they do have a serious concern with sea level rise. She thought the City recently received \$500,000 from a lease for a cell tower, which she felt that it would be a good idea to dedicate that money towards a grant share type of funding to help with this type of a project. She suggested that the Commission make a recommendation to the City Council that they dedicate this money towards grant share funding.

Mr. Mucher said not knowing other fiscal requirements, he didn't know that they knew enough to recommend this project as opposed to some other need that they don't know about.

Mrs. Burton suggested that they table this item until they have time to do some research on the issue.

Ms. Jenny Flanigan, Assistant City Attorney, pointed out that the City Council recently amended the responsibilities of the Commission and they were clear that the Commission was not to provide recommendations or advise to the City Council about stormwater rates or fees. She said this might be outside of that, but she would caution the Commission members to relook at the Ordinance.

Mrs. Burton thought it was that no one outside the City would make those recommendations or vote, that the Commission could still make a recommendation as long as the members outside the City limits did not vote on the issue.

Ms. Flanigan said that she would relook at the Ordinance so that the Commission members are clear on the City Council's direction. She noted that a Commission member as an individual can always make appeals to the City Council.

Mrs. Burton said they would table this item at this time and see where it goes.

Mr. Auwaerter said it would be strange for something to be in front of the Commission where only certain members could vote on it and other members could not.

Ms. Flanigan said that is correct. She said that she would send the Commission members a copy of the Ordinance.

8. ADJOURNMENT

Mrs. Orcutt made a motion to adjourn today's meeting at 10:26 a.m. Mr. Auwaerter seconded the motion and it passed unanimously.

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