



**DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**INFRASTRUCTURE TASK FORCE ADVISORY COMMITTEE**  
**MONDAY, JUNE 7, 2021 – 2:00 P.M. TO 5:00 P.M.**

CITY OF FORT LAUDERDALE

**February 2021-January 2022**

**Attendance**

Marilyn Mammano, Chair	P	5	0
Gerald Angeli	P	5	0
Shane Grabski	P	5	0
Charlie Ladd	A	3	2
Michael Marshall	P	4	1
Peter Partington	P	5	0
Jacquelyn Scott	P	5	0
Roosevelt Walters	P	5	0
Ralph Zeltman	P	5	0

As of this date, there are 9 appointed members to the Committee, which means 5 would constitute a quorum.

**Staff**

- Raj Verma, Director of Public Works
- Patricia Jolly, Sr. Administrative Assistant and Board Liaison
- Brandy Leighton, Senior Project Manager
- Felicia Powell, Senior Management Analyst
- Dr. Nancy Gassman, Assistant Director of Public Works – Sustainability
- Talal Abi-Karam, Assistant Director of Public Works – Utilities
- Victor Carosi, Assistant Director of Public Works -- Engineering
- Omar Castellon, Chief Engineer
- D’Wayne Spence, Assistant City Attorney
- Jamie Opperee, Recording Secretary, Prototype, Inc.

**Communication to the City Commission**

None.

**1. Call to Order**

**i. Roll Call**

Chair Mammano called the meeting to order at 2:00 p.m. and roll was called.

**ii. Approval of Agenda**

**Motion** made by Mr. Walters, seconded by Mr. Angeli, to approve the Agenda. The **motion** passed by unanimous consent.

### iii. **Approval of Previous Meeting Minutes May 3, 2021**

Mr. Partington noted the following corrections:

- P.10, paragraph 3: clarify that the last sentence means the Committee will seek direction from the Commission on how to move forward
- P.14, paragraph 6: change \$180 million to \$1.889 million

Mr. Zeltman noted the following corrections:

- P.7, paragraph 2: follow "...moratoriums issued" with "to other utilities in the past"
- P.12, paragraph 1: change "use" to "wastewater flows"

**Motion** made by Ms. Scott, seconded by Mr. Walters, to approve. In a voice vote, the **motion** passed unanimously.

## **2. General Discussion and Comments by Committee Members**

Mr. Zeltman addressed a proposal to the City for a tunnel for rail service, stating that he had concerns regarding the geology and conditions of South Florida which would affect this option. Ms. Scott added that she had attended a meeting at which the proposed tunnel was discussed, and characterized the option as extremely innovative. She added, however, that the Committee should not spend significant time discussing this proposal until more information is available, and requested that someone knowledgeable about this option be invited to discuss it further at a later meeting.

Mr. Walters commented that his primary concerns with the tunnel proposal were its feasibility as well as how it would be financed. He also requested clarification of whom the tunnel would be intended to serve, and advised that the City needs a better transportation system for working residents rather than a tunnel with few stops.

Mr. Partington felt the discussion is being driven by the Mayor's preference for a tunnel beneath, rather than a bridge above, the New River for Brightline rail service. The Florida Department of Transportation (FDOT) has estimated that a tunnel would be significantly more expensive than a bridge.

Ms. Scott advised that the City has not received a formal proposal for the tunnel. She noted that the boring company that has presented this option feels it would not take more than two years to construct a tunnel "from Brightline to the beach." She also pointed out that the City has difficulty transporting residents from the west to the beach, which affects several neighborhoods and corridors. She concluded that if a tunnel to the beach is successful, this effort can continue and provide north-south connections as well.

Chair Mammano agreed that the Committee should see a presentation on the tunnel option at their next meeting, as none of the members have extensive knowledge about

this option at present. She noted that the Committee's mission statement asks that they consider all the City's infrastructure systems, including transportation, and make recommendations, even though they have not been asked to comment specifically on the tunnel proposal.

Ms. Scott commented that the City should do a better job communicating with its residents to let them know about the work that is being done on the City's infrastructure. She suggested that the City undertake a public relations campaign to ensure the public is informed. Chair Mammano stated that this would be discussed further when the Committee and the City Commission meet for a joint workshop. Mr. Partington observed that the City's new Public Information Officer could be asked to disseminate information about work on the City's infrastructure to other organizations, such as the Chamber of Commerce, the Realtors' Association, and the local press.

### **3. Public Comments (at Each Item)**

Public comments were heard as each Item is discussed.

### **4. Old Business**

#### **i. Continued Discussion on Moratorium**

**Resolution Statement – *To evaluate and provide a recommendation on the feasibility and impact of implementing a moratorium on the acceptance of an application for or issuance of a development permit within the City.***

#### **ii. Update on Commission Communication Regarding the Moratorium from June 1, 2021**

Chair Mammano recalled that the Committee had sent their communication to the City Commission following their May 2021 meeting. The Mayor and Commissioners had agreed that the Commission and the Committee should meet for a workshop in September 2021 to discuss how the Committee reached their decision. The workshop would also address any other efforts the Commission wishes the Committee to undertake before the group sunsets in February 2022.

Ms. Scott observed that the Committee could continue in a manner similar to the Charter Review Committee, which does not meet regularly unless they have business to discuss. The Committee could meet to address City facilities, ongoing transportation or infrastructure issues, or other items as they arise. She cited the upcoming Item discussing unsolicited proposals for the water treatment plant on today's Agenda.

Mr. Partington commented that the Committee's primary charge was to bring pressure on the City to repair and replace its infrastructure. Another function could be to "keep

the pressure on” the Commission with regard to funding for these repairs and replacement.

Mr. Zeltman requested a status report on other aspects of the City’s infrastructure, as well as the current status of the infrastructure issues the Committee has already discussed. Mr. Partington suggested that this update could be provided at the Committee’s next meeting.

Chair Mammano concluded that there may be City residents who are disappointed that the Committee did not recommend a moratorium on development. She pointed out that the members reviewed all the information provided to them before coming to the agreement that they could not recommend a moratorium, although they did suggest changes to the City’s approval processes. She felt Staff could put together a comprehensive list of all the backup materials provided to the Committee at past meetings, some of which may have been updated, to show the depth of the work they have done.

Mr. Angeli pointed out that the best-case scenario for sewer infrastructure is that it goes unnoticed, as this means it is working properly. Ms. Scott did not agree, noting the progress the City and Staff have made in a relatively short period of time in addressing breaks and other issues, which she felt was worthy of notice and should be communicated to the public.

Mr. Walters spoke in favor of outreach, providing information to the public, and attending public meetings, such as homeowners’ associations and the Chamber of Commerce, to communicate this information. Ms. Scott proposed making a presentation to the Council of Fort Lauderdale Civic Associations to provide an update on the City’s progress in making infrastructure improvements. Chair Mammano reiterated that this could be suggested to the City Commission as a way to publicize the work the City has done.

Dr. Nancy Gassman, Assistant Director of Public Works (Sustainability), advised that infrastructure is one of the City Commission’s top priorities, and a monthly newsletter, LauderTrack, is sent out to provide updates to residents on these stated priorities. This information is also available on the City’s website. These notifications are also provided on NextDoor and are shared with the media as well as homeowners’ associations.

Chair Mammano concluded that Staff is asked to provide a comprehensive appendix of all the documents the Committee has reviewed at the August meeting.

The following Item was taken out of order on the Agenda.

## **5. New Business**

### **i. Ordinance Modification Discussion**

Chair Mammano explained that after the Committee's recommendation was sent to the City Commission, the City Manager sent a memorandum to the Commission stating that it would be difficult for the Committee to address the condition of infrastructure: they were tasked only with addressing capacity. The memo cited a number of procedural and conceptual problems that were likely to arise if condition is addressed.

Assistant City Attorney D'Wayne Spence advised that Memorandum 21-03, dated April 19, 2021, states that only the impacts on existing infrastructure which can be directly attributed to development can be considered. In considering permits for any development, the City must consider the effect of that specific development on the existing infrastructure. The current system, which is capacity-based, is relatively easy for engineers to calculate: a development can be expected to include a specific number of units and as a result would generate a specific amount of volume. This would be added to the existing capacity to determine the impact on existing infrastructure.

Attorney Spence continued that to determine the connection between proposed development and the public purpose the Committee is seeking to address, which is the condition of existing infrastructure, they must demonstrate some kind of formula that shows how the number of units in the development creates a certain impact in the pipes that would have a specific effect on the system. This would involve knowing the actual condition of all the pipes that would be affected by that development.

Ms. Scott requested clarification that the Public Works Department is aware of the condition of the City's pipes. Raj Verma, Director of Public Works, replied that this is true in most cases. Ms. Scott continued by asking if it has been calculated that a pipe will meet capacity, but the condition of the pipe is an issue, it can be determined whether or not the pipes may fail based on this condition. She asked how this could be tied into the Committee's purview, pointing out that the public is greatly concerned with overdevelopment and would be more comfortable knowing what can and cannot be handled by the City's existing infrastructure.

Attorney Spence explained that this becomes an engineering question that would be addressed by developers' attorneys: the City would be challenged to show that it is certain that a proposed development would cause specific pipes to fail.

Mr. Grabski recalled that the City has contracted for the creation of a risk matrix, which includes identification of the risk level of failure of specific pipes. Attorney Spence explained that the issue is more closely related to the criteria that are in place for the issuance or denial of a development permit. A legal determination was made that it would be very difficult to justify the denial of development permits based on the type of technical information referred to earlier.

Mr. Partington noted that the work done by consultant team Hazen and Sawyer includes the calculation of which infrastructure is at low, medium, or high risk of failure, particularly pump stations and force mains. If a proposed development will generate a

significant increase in flow on high-risk infrastructure, and if it is possible for engineering staff to opine that this infrastructure may fail as a result, Memorandum 21-03 suggests that the City cannot prohibit this development because the infrastructure has been permitted to deteriorate to this state through no fault of the incoming development.

Attorney Spence advised that this is addressed by Florida Statute 70.45, which prohibits any condition imposed by a governmental entity on property owners' use of their real property which lacks an essential nexus with legitimate public purpose and is not roughly proportionate to the impact of the proposed use. A development may contribute to the failure of an asset, but the failure is in proportion to the actual use by the development.

Mr. Partington asserted that it may be possible for an engineer to give the opinion that a high-risk piece of infrastructure is likely to fail due to the addition of new development. Attorney Spence confirmed this, but pointed out that the infrastructure was already at risk of failure before the new development is added. Chair Mammano also felt an engineer should be able to state with some certainty that adding more use to the high-risk infrastructure could result in its failure. She continued that the answer may not be to deny a permit for the new development, but to postpone construction until the high-risk infrastructure has been fixed.

Mr. Marshall stated that while the existence of failing infrastructure throughout a system would constitute the basis for a moratorium, what the Committee saw instead was that not all incoming development would connect to a piece of high-risk infrastructure. He felt the existence of this connection should be a sufficient basis to deny a permit; however, he acknowledged that the result would likely be disagreement among experts regarding whether or not the proposed development would accelerate the failure of that infrastructure.

Attorney Spence reiterated that the issue on the table is the role of adequate capacity in the City's adequacy review process. The Committee's recommendation was to consider amending this position so the City Commission may also consider the condition of infrastructure as well as capacity when reviewing development permits.

Ms. Scott emphasized that the Committee is no longer discussing a potential moratorium: instead, they are discussing the issue of individual projects in an area that includes infrastructure in high-risk condition. She asked if Staff can communicate to a developer applying for a permit that the area in which they plan to construct their project includes infrastructure in poor condition, and caution that this infrastructure may not be fixed for a number of months. She felt the developer, in this case, may wish to assist in the repairs. Chair Mammano also pointed out that the cost of the developer's assistance can be offset against his impact fees.

Attorney Spence reiterated that the issue is whether or not the condition of infrastructure, as part of adequacy review, can be a legal basis for denial. Ms. Scott

recommended that the discussion focus on the delay of permit issuance rather than the denial. Attorney Spence advised that this would not make a difference with regard to the issue at hand. Mr. Verma explained that it is the City's responsibility to maintain the system in a timely manner so it does not reach a condition at which infrastructure can potentially fail.

Chair Mammano expressed concern that this argument meant no development could be refused or denied for any reason other than capacity. If this is the case, she questioned why the Committee was tasked with reviewing the system and identifying weaknesses. Mr. Verma replied that if a developer has paid into the system, and the City has failed to maintain that system adequately in a timely manner, it is not proper to penalize that developer. In addition, if the City were to inform developers that the infrastructure in the area where they plan to build is likely to fail, this would accomplish nothing more than putting the developer on notice.

Chair Mammano recalled that the Committee had not been tasked with telling the Commission how to proceed: instead, they were asked to observe the weaknesses in the system and recommend that the Commission determine a way to deal with condition as well as capacity.

Chair Mammano continued that City Commissioner Ben Sorensen has indicated he would like the City Attorney's Office to conduct research into whether or not, and how, other municipalities have included condition in their development review process.

Mr. Partington commented that if the previous City Commission had been better informed regarding the state of the City's infrastructure, its condition might never have deteriorated to its recent state. He felt there would be value in informing every developer of the condition of the infrastructure on which new development would place an additional load. He concluded that the addition of condition to the Ordinance by which development review is governed should inform the City Commission of the state of infrastructure.

Attorney Spence advised that the Committee's dialogue on this issue, as well as their previous recommendations to the City Commission, was well thought out. He noted that Staff has the authority to add the information the Committee has discussed to their reports, so the City Commission will have more information on the City's infrastructure when projects come before them for review. He felt this information could be used to better prioritize infrastructure improvements, although it could not be used to deny projects.

Mr. Verma advised that Staff has already prioritized the improvements and/or repairs that need to be made to the City's infrastructure: providing the City Commission with additional information about condition would keep their attention focused on the need to make these improvements, so when Community Investment Plans (CIPs) are submitted, this would emphasize the need to prioritize those projects. The goal is to

ensure that all major pieces of infrastructure with higher likelihood of failure are prioritized in the near term.

Ms. Scott asked if Staff would also provide information on condition to the Planning and Zoning Board (PZB) as well. Mr. Verma replied that the PZB could be provided with this report for all projects.

Chair Mammano recommended placing this inclusion in an Ordinance so it is codified and will be provided into the future, even if Staff and the Commission turn over significantly. She requested that Attorney Spence consider how this might be done. Mr. Partington also requested that Mr. Verma ensure his Staff members who are conducting adequacy reviews are thoroughly familiar with the Hazen and Sawyer report, which addresses the risk levels of different facilities.

**ii. Discussion of Two (2) Unsolicited Proposals to Build the New Water Treatment Plant**

Mr. Verma advised that the City has received two unsolicited proposals with respect to construction of a new water treatment plant. There are two elements required of these proposals: technical sufficiency and financial sufficiency. The City was asked to consider the technical aspect. The technical sufficiency proposed by one of the proposals was deemed to be sufficient to advance forward. The financial component was reviewed by another consultant, who reviewed financial details. The proposals are expected to be brought forward at the next Commission meeting for further discussion.

Mr. Verma concluded that the City cannot discuss all the details of the proposals, and Staff is not yet privy to the findings of the consultant reviewing financial sufficiency. Since the Commission has expressed interest in reviewing these proposals, it has been determined that other parties may also submit competing proposals within the next 90 days.

Chair Mammano requested additional detail regarding the unsolicited proposals. Mr. Verma advised that detailed information cannot be shared due to the prohibitions of Florida Statute 255. He noted, however, that one of the entities submitting an unsolicited proposal extracted one of Staff's recommendations from the 2017 Reiss report and used this recommendation as the basis for their proposal.

Mr. Zeltman recalled that some time ago, a proposal was brought forward suggesting a pilot study be conducted at the Prospect wellfield and Fiveash Treatment Plant. He requested an update on this proposal. Mr. Verma replied that regardless of what may occur with the unsolicited proposal(s), it will be a number of years before a new treatment plant is constructed. Until that time, the current plant must be kept running, which requires some minimal upgrades that are underway. These include improvements at the wellfield, as well as additional tests and studies, all of which have already begun.

**iii. Status of City Representative regarding the Water Treatment Plant**

Mr. Verma continued that at the next City Commission meeting, there will be discussion of selecting an owner's representative for the City. Staff recommends retaining the services of consultant Hazen and Sawyer in this position to guide the City through this process. This was a result of the receipt of the two unsolicited proposals: Mr. Verma emphasized that absent those proposals, the City would have issued a request for proposal (RFP) for a representative.

**6. Public Works Update**

**i. Water & Sewer Breaks Report 2021 w/Mapping**

Chair Mammano noted that this map was included in the members' backup materials. She pointed out the existence of a cluster of breaks in the middle of the City, commenting that a comprehensive mapping and review of the City's water system is currently underway and can be used in the future to overlay these breaks.

Mr. Verma stated that there is a scope of work for this map, which must be completed as part of the City's water Consent Order. The existing maps are not sufficiently detailed to be useful to Staff in future years.

Mr. Verma further clarified that the City is under two Consent Orders, one for water and one for sewer. In addition, there are two parts of the mapping process: mapping of the water system from wells to the treatment plant, as well as from the treatment plant to the rest of the City. The latter part may take approximately two years, as it includes hundreds of lines. Chair Mammano requested that the Committee be provided with a copy of the water Consent Order.

Mr. Zeltman advised that one of his primary concerns was for fire flow testing, particularly static testing, which puts pressure on non-flowing hydrants to determine that they can reach 15 psi. Talal Abi-Karam, Assistant Director of Public Works (Utilities), stated that this testing has been carried out through the City's ongoing hydrant testing program in recent years, as discussed in previous meetings. Consultant Hazen and Sawyer is responsible for modeling the City's entire water system, including directional flushing, in addition to their other responsibilities.

**ii. CIP Financial Report**

This Item was not discussed.

**iii. Impact Fees – Usage**

Chair Mammano recalled that at the previous meeting, the Committee received a list of all impact fees over a certain period of time. She called the members' attention to a

memorandum from Business Operations Manager Kymberly Holcombe, which clarifies how these funds were spent. The memorandum states that \$2.7 million of these dollars was used toward the City's water and sewer bond debt payment, with the remaining funds used for other expenses.

Chair Mammano pointed out that while paying off the bond debt could be construed as adding capacity, she felt this described use of funds was broad and therefore a concern, particularly in light of a new state law that requires municipalities to account for the spending of all collected impact fees. Mr. Verma advised that he would look further into this and provide more information at a later date.

### **7. Next Regular Meeting – TBA Summer Break?**

Chair Mammano noted that the City Commission will be in recess for the month of July. She requested feedback from the Committee regarding whether or not to take a break in July and reconvene in August.

**Motion** made by Mr. Walters, seconded by Mr. Partington, that we skip the July meeting unless there is an emergency that requires it. In a voice vote, the **motion** passed unanimously.

The next meeting is scheduled for August 2, 2021.

### **8. Adjournment**

There being no further business to come before the Committee at this time, the meeting was adjourned at 4:25 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]

# **List of Material Reviewed by ITFAC August 2020 - Present**

**Infrastructure Task Force Advisory Committee Backup Material  
August 2020 - June 2021**

<b>Date</b>	<b>Document Name</b>
<b>17-Aug-20</b>	Resolution No. 20-30 Amendment to Resolution No. 17-46 which created the ITFAC
<b>21-Sep-20</b>	Wastewater Monthly Flows 2018 through 2020 ITFAC November 4, 2019 Minutes ITFAC August 17, 2020 Minutes Wastewater Consent Order Program Collection System Asset Management and Capacity, Management, Operation, and Maintenance Program Appendices to City of Fort Lauderdale Sanitary Sewer Overflow Response Plan
<b>19-Oct-20</b>	ITFAC September 21, 2020 Minutes Hazen Presentation to the Infrastructure Task Force Advisory Committee Public Works PowerPoint Presentation on Water & Sewer Budget/Expenditure Update
<b>7-Dec-20</b>	ITFAC October 19, 2020 Minutes Capacity Availability Analysis Consent Order Update presented by Omar Castellon and Patricia Carney (Hazen & Sawyer) Water and Force Main Breaks - January 2020 through November 2020 Brief Overview of Recent Rain Events and Impacts to the Wastewater Treatment System
<b>4-Jan-21</b>	ITFAC December 7, 2020 Minutes Impact Fee Allocations Guidelines for the Calculation of Sanitary Sewer Connection Fees CAM 19-0786 - Ordinance Amending Chapter 28, Sections 28-255 and 28-256 of the Code of Ordinances to amend the Wastewater Plant and Collection System Capital Expansion Fee and Potable Water Plant and Distribution Capital Expansion Fee Water and Force Main Breaks - January 2020 through December 2020 Water and Sewer Bond Expenditure Report Fire Hydrant Maintenance and Testing Dashboard
<b>1-Feb-21</b>	ITFAC January 4, 2021 Minutes Capital Expansion Impact Fees as of Sept. 30, 2020 Water and Sewer Bond Expenditure Report Consent Order Projects Financial Report Summary January 26, 2021

Map of Redundant Sewer Force Main Project  
Water and Force Main Breaks January 2020 - December 2020

**1-Mar-21**

ITFAC February 1, 2021 Minutes  
Draft CIP Forecast for Water & Sewer Master Plan - FY 2022 - 2026  
Water and Sewer Bond Expenditure Report  
Map of Force Main Breaks 2019  
Memorandum No: 21-014 Transportation Surtax Mobility Advancement Program (MAP) Update  
City of Fort Lauderdale Surtax Project Status  
City News - Fort Lauderdale Chose by EPA as WIFIA Loan Applicant  
Water and Force Main Breaks January 2021 - December 2021

**5-Apr-21**

ITFAC February 1, 2021 Minutes  
IFTAC March 1, 2021 Minutes  
Article - "If this bill passes what impact will it have on Fort Lauderdale Impact fees?"  
Adequacy of public infrastructure requirements  
PWD Capacity Analysis Data  
Impact of Committed Flows on NAPOT by Pump Station  
Map of Force Main Breaks 2019 & FM Likelihood of Failure (LOF)  
Force Main Condition Assessment Report - Development of Risk Matrix and Consequence of Failure Score  
Waster and Force Main Breaks Report 2021 w /Mapping  
Water and Sewer Bond Expenditure Report  
Consent Order Projects Financial Report Summary March 26, 2021

**3-May-21**

ITFAC April 5, 2021 Minutes  
  
Letter addressed to Congresswoman Wasserman Schultz from ITFAC Chair Marilyn Mammano  
Federal Earmark Projects Submitted and the Status  
Impact Fees Legislation amendment  
Breakers Avenue Streetscape Project  
Water and Force Main Breaks Report January 2021 - December 2021  
Water and Sewer Bond Expenditure Report  
Consent Order Projects Financial Report Summary April 21, 2021  
Impact Fees paid by Developers

ITFAC May 3, 2021 Minutes

**7-Jun-21**

Force Main Condition Assessment Report - Development of Risk Matrix and Consequence of Failure Score  
Memorandum No: 21-033 - Granting Authority for the Mayor and Commissioners to Deny Future Development Applications Based on  
Condition of the Surrounding Infrastructure  
Water and Force Main Breaks Report January 2021 - December 2021  
Water and Sewer Bond Expenditure Report  
Consent Order Projects Financial Report Summary June 1, 2021  
Impact Fees and Usage

**Communication From ITFAC**  
**Member R. Zeltman**

**From:** [Zeltman](#)  
**To:** [Patricia Jolly](#)  
**Subject:** Re: [-EXTERNAL-] STRUCTURAL FAILURES IN MULTI-STORY BUILDINGS  
**Date:** Monday, July 19, 2021 10:56:44 AM  
**Attachments:** [image002.png](#)

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Patricia,

Please forward both the email correspondence I sent to the Mayor/Commission dated 7/17/2021 along with the attached "draft" article titled "FAILURES IN MULTI-STORY BUILDINGS" to the ITFAC in accordance with the Florida State Sunshine Laws.

Thank you,  
Ralph Zeltman

On Monday, July 19, 2021, 09:52:50 AM EDT, Patricia Jolly <pajolly@fortlauderdale.gov> wrote:

You are most welcome. Please feel free to indicate that request in your original emails. I will forward only if it is requested of me.

Regards,

**Patricia Jolly, MPA**

Senior Administrative Assistant

Director's Office – Public Works Department

City of Fort Lauderdale

P: 954-828-7710

[PaJolly@fortlauderdale.gov](mailto:PaJolly@fortlauderdale.gov)



**BE PAPER WISE**  **THINK BEFORE PRINTING!**

**From:** Zeltman <zeltman@bellsouth.net>  
**Sent:** Monday, July 19, 2021 9:33 AM  
**To:** Patricia Jolly <PaJolly@fortlauderdale.gov>  
**Subject:** Re: [-EXTERNAL-] STRUCTURAL FAILURES IN MULTI-STORY BUILDINGS

Good morning Patricia,

Yes, please share with the ITFAC.

Much appreciated.

Thank you,

Ralph

On Monday, July 19, 2021, 09:08:31 AM EDT, Patricia Jolly <[pajolly@fortlauderdale.gov](mailto:pajolly@fortlauderdale.gov)> wrote:

Good Morning Mr. Zeltman,

Please let me know if this correspondence is to be shared with the ITFAC.

Regards,

**Patricia Jolly, MPA**  
Senior Administrative Assistant  
Director's Office – Public Works Department  
City of Fort Lauderdale  
P: 954-828-7710  
[PaJolly@fortlauderdale.gov](mailto:PaJolly@fortlauderdale.gov)



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**From:** Zeltman <zeltman@bellsouth.net>  
**Sent:** Saturday, July 17, 2021 8:01 AM  
**To:** Mayor Dean Trantalis <[dean@trantalis.com](mailto:dean@trantalis.com)>; Heather Moraitis <[HMoraitis@fortlauderdale.gov](mailto:HMoraitis@fortlauderdale.gov)>; Steven Glassman <[SGlassman@fortlauderdale.gov](mailto:SGlassman@fortlauderdale.gov)>; Robert McKinzie <[RMckinzie@fortlauderdale.gov](mailto:RMckinzie@fortlauderdale.gov)>; Ben Sorensen <[BSorensen@fortlauderdale.gov](mailto:BSorensen@fortlauderdale.gov)>  
**Cc:** Chris Lagerbloom <[CLagerbloom@fortlauderdale.gov](mailto:CLagerbloom@fortlauderdale.gov)>; Erica Franceschi <[EFranceschi@fortlauderdale.gov](mailto:EFranceschi@fortlauderdale.gov)>; Patricia Jolly <[PaJolly@fortlauderdale.gov](mailto:PaJolly@fortlauderdale.gov)>; Betty Shelley <[bjshelley5@gmail.com](mailto:bjshelley5@gmail.com)>; Carolyn Mariani <[carolynkretchman@yahoo.com](mailto:carolynkretchman@yahoo.com)>; Susannah Bryan <[sbryan@sunsentinel.com](mailto:sbryan@sunsentinel.com)>  
**Subject:** [-EXTERNAL-] STRUCTURAL FAILURES IN MULTI-STORY BUILDINGS

Dear Mayor; Vice Mayor & Commissioners,

Please find below a "Final" Draft of the subject newsletter article I authored and submitted for publication in the next Imperial Point Association Newsletter regarding south Florida's multi-story high rise building failures. I am identifying these concerns from my perspective, not only from my structural knowledge as a retired civil engineer, but as a resident of Fort Lauderdale concerned for my friends and neighbors who reside and/or work in these high rise buildings. Currently these building structures only have 20 and 40 year inspections and this number needs to be increased along with the quality of the inspections being performed by knowledgeable structural officials to avoid more tragic events such that occurred in Miami-Dade Surfside Condominiums.

Thank you for your continued efforts in making the City of Fort Lauderdale a safer and better place to reside and enjoy life.

Sincerely,

Ralph Zeltman  
(954) 771-9838

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## FAILURES IN MULTI-STORY BUILDINGS

By Ralph Zeltman

August/September 2021



South Florida has specific geological conditions requiring more specialized intense designs to combat the sandy soil conditions; high groundwater levels, especially where salt water intrusion exists near coastal properties; high external forces such as hurricanes and stormwater surges or flooding. No earthquakes in south Florida, but heavy vibration from nearby vehicular traffic; heavy construction (weight bearing pile driving or sea wall sheet piling pounding) traveling laterally to create a "liquefaction" effect causing the soil particles to become suspended rather than compacted to act more like quicksand reducing the building's foundation support and structural integrity.

The components generally experiencing structural failure consist of compressive, tensile, bending and buckling that individually or collectively result in catastrophic failure. The type of soil and underground strata conditions will determine the required foundation compaction and supportive fill and piling bearing strength compaction necessary to provide static stability support. The other common failure is the deterioration of the steel rebars that rust from moisture and fail over the years in maintaining the compressive strength of the reinforced concrete. Failures could also be the result of bad engineering design; improper and/or inadequate materials maintaining their strength; poor construction methods; lack of proper construction management and inspection supervision to insure the design and construction are achieved to survive the expected live load and dead load conditions.

My recommendation is for the South Florida Building Codes be reexamined and upgraded to deal with the many inherent and unique geological and weather conditions (hurricanes and ocean surges) and especially increasing the frequency of inspections from the current 20 and 40 year anniversary after construction to be performed at 1 or 2 years after construction before the builder's liability expires and then every 5 years thereafter to increase the chances of observing and testing the strength of the crucial structures with competent inspection officials to better detect and correct any potential failures before they become catastrophic.

It is crucial for the residents/owners and all of us visiting these high rise multi-story buildings to visually inspect them, especially on the ground floor parking areas to notice any cracks or rust staining in the concrete floors; walls and ceilings and the surrounding outside areas (pool; storm

drains and walkways, etc.) and immediately report any suspicious damage to the appropriate officials so they can formally investigate and determine if any corrective work is required.

# **Infrastructure Project Status Report**

## Project Status Report

Project Manager	Project Name	Budget	Planning	Design	Construction
Axel R. Martinez	Rio Vista Tarpon River Subaqueous Redundant Force Main	\$5,127,200			97% complete; minor restoration
Herb Stanley	George English I break, repair, clean up, restoration	\$1,200,000			100% complete
Herb Stanley	George English 2 break, repair, clean up, restoration	\$1,400,000			100% complete
Herb Stanley	NE 5th Street 500 FM	\$1,200,000			100% complete
Herb Stanley	NE 36th Street 1800 linear feet FM	\$400,000			100% complete
Herb Stanley	Bayview Country Club repair	\$260,000			100% complete
Herb Stanley	Birch Road water line	\$150,000			100% complete
Francisco Rios	Hector Park Stormwater Improvements	\$843,474			100% complete
Francisco Rios	Hector Park Improvements	\$74,500			95% complete; installing park signs
Francisco Rios					80% complete; restoration work
Krishan Kandial	North Redundant Sewer Force Main	\$29,250,000			98% complete. Restoration, close out, certification
Krishan Kandial	South Redundant Sewer Force Main	\$35,750,000			98% complete. Restoration, close out, certification

# **Tunnel Project**

**From:** [Krishan Kandial](#)  
**To:** [Patricia Jolly](#)  
**Cc:** [Jason Snifeld](#); [Krishan Kandial](#)  
**Subject:** RE: ITFAC Requests for August 2nd Meeting  
**Date:** Monday, July 26, 2021 2:23:59 PM  
**Attachments:** [image002.png](#)  
[Commission Agenda Memo 21-0693.pdf](#)  
[Exhibit 1 - Resolution.pdf](#)

---

Patricia,

For item 1, I have not seen the proposal for the tunnel project. The City Manager office has been taking the lead on this one as they have received the unsolicited proposal. Unsolicited proposals typically include proprietary and confidential information which cannot be shared with the public. All that I can offer at the moment is that the City Commission accepted the proposal on July 6, 2021, which will allow other companies to submit a proposal within 45 days. Attached is the CAM and resolution for this item.

---

**From:** Patricia Jolly <PaJolly@fortlauderdale.gov>  
**Sent:** Thursday, July 22, 2021 2:10 PM  
**To:** Brandy Leighton <BLEighton@fortlauderdale.gov>; Krishan Kandial <KKandial@fortlauderdale.gov>; Omar Castellon <OCastellon@fortlauderdale.gov>; Kymberly Holcombe <KHolcombe@fortlauderdale.gov>; Miguel Arroyo <MARroyo@fortlauderdale.gov>; Victor Carosi <VCarosi@fortlauderdale.gov>  
**Cc:** Talal Abi-Karam <TAbi-Karam@fortlauderdale.gov>; Jason Snifeld <JSnifeld@fortlauderdale.gov>; Felicia Ford-Powell <FFord-Powell@fortlauderdale.gov>  
**Subject:** ITFAC Requests for August 2nd Meeting

Good Afternoon Team,

During the ITFAC June 7<sup>th</sup> meeting, the committee made several requests they would like addressed during the August 2<sup>nd</sup> meeting. Please see requests below. I have attached a copy of the draft meeting minutes to provide reference.

1. Presentation/Report on the tunnel project
2. Update on, and a copy of the water Consent Order
3. Additional detail regarding the unsolicited proposals for the water plant
4. Update on proposed pilot study at Prospect Wellfield and Fiveash Water Plant
5. Impact Fees – the chair expressed concern regarding the use of the impact fees in light of a new state law that requires municipalities to account for the spending of all collected impact fees [F.S. 163.31801\(i\)](#)

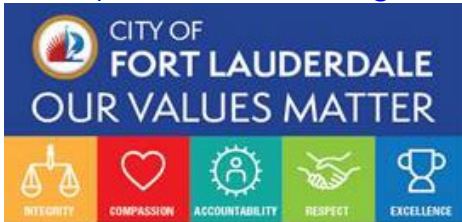
I will be out of the office until Wednesday, July 28<sup>th</sup>. If there are any questions before my return, please contact Felicia Ford-Powell. I will respond to your emails upon my return.

Best regards,

**Patricia Jolly, MPA**

Senior Administrative Assistant  
Director's Office – Public Works Department  
City of Fort Lauderdale  
P: 954-828-7710

[PaJolly@fortlauderdale.gov](mailto:PaJolly@fortlauderdale.gov)



**BE PAPER WISE**  **THINK BEFORE PRINTING!**



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#21-0693**

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**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** July 6, 2021

**TITLE:** Resolution Providing Notice of Intent to Enter into a Comprehensive Agreement for a Qualifying Project Submitted as an Unsolicited Proposal and Notice of Intent to Accept Other Proposals for the Same Project - **(Commission Districts 1, 2, 3 and 4)**

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**Recommendation**

Staff recommends the City Commission consider a Resolution providing notice of intent to enter into a Comprehensive Agreement for a qualifying project submitted as an unsolicited proposal to design, construct, operate, and maintain a subsurface public transportation system, and notice of intent to accept other proposals for the same project.

**Background**

On June 21, 2021, the City received an unsolicited proposal pursuant to Section 255.065, Florida Statutes, to design, construct, operate, and maintain a subsurface public transportation system connecting downtown Fort Lauderdale with Fort Lauderdale beach. The proposer submitted the required application fee of \$25,000 in accordance with Resolution No. 13-187.

The City is a responsible public entity. Pursuant to Section 255.065, Florida Statutes, if the responsible public entity receives an unsolicited proposal for a qualifying project and the responsible public entity intends to enter into a comprehensive agreement for the project described in the unsolicited proposal, the responsible public entity shall publish notice in the Florida Administrative Register and a newspaper of general circulation at least once a week for two weeks stating that the responsible public entity has received a proposal and will accept other proposals for the same project. A copy of the notice must also be mailed to each local government in the affected area.

The timeframe within which the responsible entity may accept other proposals shall be determined by the responsible public entity on a project-by-project basis. The timeframe for allowing other proposals must be at least 21 days, but no more than 120 days, after the initial date of publication. If adopted, a timeframe should be established in the resolution.

### **Resource Impact**

One cashier's check in the amount of \$25,000 from the proposer

### **Strategic Connections**

This item is a *2021 Top Commission Priority*, advancing the Infrastructure Initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- Infrastructure
- Goal 1: Build a sustainable and resilient community
- Objective: Build a multi-modal and pedestrian friendly community

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Infrastructure Focus Area
- Transportation And Mobility Element
- Goal 1: Ensure the equitable development of a Complete Network for transportation that prioritizes Safety and emphasizes multimodal mobility and accessibility.

### **Attachment**

Exhibit 1 – Resolution

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Prepared by: Luisa Agathon, City Manager's Office

Charter Officer: Chris Lagerbloom, ICMA-CM, City Manager

RESOLUTION NO. 21-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING NOTICE OF INTENT, PURSUANT TO SECTION 255.065, FLORIDA STATUTES (2020), TO ENTER INTO A COMPREHENSIVE AGREEMENT FOR A QUALIFYING PROJECT TO DESIGN, CONSTRUCT, OPERATE, AND MAINTAIN A SUBSURFACE PUBLIC TRANSPORTATION SYSTEM CONNECTING DOWNTOWN FORT LAUDERDALE WITH FORT LAUDERDALE BEACH, AND NOTICE OF INTENT TO ACCEPT OTHER PROPOSALS FOR THE SAME PROJECT, AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, on June 21, 2021, the City of Fort Lauderdale received an unsolicited proposal pursuant to Section 255.065, Florida Statutes, to design, construct, operate, and maintain a subsurface public transportation system connecting downtown Fort Lauderdale with Fort Lauderdale Beach; and

WHEREAS, the proposer has submitted the required application fee of \$25,000.00 in accordance with Resolution No. 13-187; and

WHEREAS, the City of Fort Lauderdale intends to enter into a comprehensive agreement for the project proposed in the unsolicited proposal;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission finds that the proposed project would serve a public purpose as a public facility or infrastructure that is used and will be used by the public at large or in support of an accepted public purpose or activity, and constitutes a qualifying project pursuant to Section 255.065, Florida Statutes (2020).

SECTION 2. That the City Commission of the City of Fort Lauderdale, pursuant to Section 255.065, Florida Statutes (2020), hereby declares its intent to enter into a comprehensive agreement for such a project.

SECTION 3. That the City of Fort Lauderdale will accept other proposals for the same project in accordance with Section 255.065, Florida Statutes (2020), for a period of \_\_\_\_\_ (\_\_\_\_) days after the initial date of publication.

SECTION 4. That the City Clerk shall cause a notice, in substantially the following form, to be published in the Florida Administrative Register and a newspaper of general circulation once a week for two weeks, and mailed to each local government in the affected area:

PLEASE TAKE NOTICE that the City of Fort Lauderdale, Florida, has received an unsolicited proposal from a private entity pursuant to Section 255.065, Florida Statutes, to design, construct, operate, and maintain a subsurface public transportation system connecting downtown Fort Lauderdale with Fort Lauderdale Beach. The City of Fort Lauderdale will accept other proposals for the same project on or before the \_\_\_\_\_ day after \_\_\_\_\_. Other proposals for the same project must be received in writing in the City of Fort Lauderdale City Manager’s Office, 100 North Andrews Avenue, Fort Lauderdale, Florida, 33301, before 5:00 p.m. local time on \_\_\_\_\_.

SECTION 5. That this Resolution shall be in full force and effect upon its adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI

# **Water Consent Order and Update**



# FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

July 24, 2020

Chris Lagerbloom, City Manager  
City of Fort Lauderdale  
100 N. Andrews Ave.  
Fort Lauderdale, FL 33301  
[clagerbloom@fortlauderdale.gov](mailto:clagerbloom@fortlauderdale.gov)

Re: City of Fort Lauderdale Public Water System  
PW Facility ID #4060486  
OGC Case #19-1637

Dear Mr. Lagerbloom:

Enclosed is the executed Consent Order to resolve the above referenced case. This copy is for your records. Please be mindful of all required deadlines within the Order to ensure compliance.

Should you have any questions or comments, please contact Zach Shulman at 561-681-6623 or via e-mail at [Zachary.Shulman@floridadep.gov](mailto:Zachary.Shulman@floridadep.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Andreotta", is written over a horizontal line.

Jason Andreotta  
Director, Southeast District  
Florida Department of Environmental Protection

Enclosure

ec: Lea Crandall, OGC [Lea.Crandall@dep.state.fl.us](mailto:Lea.Crandall@dep.state.fl.us)  
Raj Verma, Public Works Director [rverma@fortlauderdale.gov](mailto:rverma@fortlauderdale.gov)  
Alain Boileau, City Attorney [aboileau@fortlauderdale.gov](mailto:aboileau@fortlauderdale.gov)  
Rick Johnson, Utilities Manager [rjohnson@fortlauderdale.gov](mailto:rjohnson@fortlauderdale.gov)  
Fred Aschauer, Attorney [faschauer@llw-law.com](mailto:faschauer@llw-law.com)

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT	)	IN THE OFFICE OF THE
OF ENVIRONMENTAL PROTECTION	)	SOUTHEAST DISTRICT
	)	
v.	)	OGC FILE NO. 19-1637
	)	
CITY OF FORT LAUDERDALE	)	
	)	
_____	)	

**CONSENT ORDER**

This Consent Order (“Order”) is entered into between the State of Florida Department of Environmental Protection (“Department”) and the City of Fort Lauderdale (“Respondent”) to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and Respondent neither admits nor denies the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida’s water resources and to administer and enforce the provisions of the Florida Safe Drinking Water Act, Sections 403.850, et seq., Florida Statutes (“F.S.”), and the rules promulgated and authorized in Title 62, Florida Administrative Code (“F.A.C.”). The Department has jurisdiction over the matters addressed in this Order.
2. Respondent is a municipal corporation in the State of Florida and a person within the meaning of Section 403.031(5), F.S.
3. Respondent is the owner and is responsible for the operation of the City of Fort Lauderdale’s Community Water System, PWS No. 4060486, located at 4321 NW 9<sup>th</sup> Avenue, in Broward County, Florida (“System”).
4. The Department finds that the following violations occurred:
  - a) Respondent failed to properly exercise/maintain isolation valves in accordance with equipment’s manufacturing guideline or the System’s preventative maintenance program, in violation of sub-section 62-555.350(2), F.A.C. Specifically, on July 17<sup>th</sup>, 2019, a source water main break of the public water system occurred that led to the issuance of a city-wide boil water notice. Review of the incident report concluded that Respondent was unable to quickly isolate

the damage and redirect flow. Inaccurate maps of valve locations contributed to the extended time it took to correct in addition to isolation valves not being properly exercised/maintained.

b) Respondent failed to submit notifications to the Department following events that required the issuance of a boil water notice, in violation of subsection 62- 555.350(10), F.A.C. Specifically, an office file review of other abnormal events concluded that from the time that the Department acquired regulatory jurisdiction of Broward County public water systems in 2018; there were a total of 3 events that required the issuance of a boil water notice where the Department received no notification. The events are as follows:

Date of Event	Location of Event	Population Impacted
February 13, 2019	NW 7 <sup>th</sup> Ave & NW 14 <sup>th</sup> Way	343 Service Connections
April 23, 2019	NE 6 <sup>th</sup> Ct (1942 NE 6 <sup>th</sup> Ct)	Greater than 200 Service Connections
December 27, 2019	Isle of Venice	Population Greater than 350

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:

a) Within 60 days of the effective date of this Order, the Respondent shall submit a preventative maintenance plan to the Department for review that, at a minimum, exercises 100% of the source water line valves within the first year and 20% of the source water line valves annually thereafter, with the purpose of exercising all such source water line valves in a 5-year period. If the Department has any comments on the proposed plan, it will provide such comments within 15 days of receipt.

b) Beginning no later than January 1, 2021, Respondent shall implement the preventative maintenance plan referenced in sub-paragraph 5(a) above.

c) Upon implementation of the preventative maintenance plan referenced in sub-paragraph 5(a) above, Respondent shall submit annual reports for 2 years to the Department showing the number of source water line valves exercised. Upon implementation of the maintenance plan, reports shall be submitted to the Department no later than 13 months for the first year, and no later than 25 months for the second year. The reports shall demonstrate that 100% of source water line valves were exercised within the first year of the preventative maintenance plan and at least 20% of source water line valves were exercised in the second year of the preventative maintenance plan. Consistent with its permit for the System, Respondent shall also maintain annual records on the number of exercised valves and have such records available for Department review upon request.

d) Within 60 days of the effective date of this Order, Respondent shall submit a plan for developing a complete map of the existing water supply network within the city's geographic boundaries, including all existing source and distribution mains, control valves, and directional flow routes, to the Department for review and comment. Mapping of the services lines may be accomplished through mapping of the meters/meter boxes. If the Department has any comments on the proposed plan, it will provide such comments within 30 days of receipt. Directional flows, including flows to any facility not belonging to the Respondent, will be shown on the maps. Inactive mains and related appurtenances with shut-off valves should be illustrated and highlighted to define their unique operational status. Maps will be maintained in such a manner that they can be accessed quickly and easily by maintenance and repair crews at all times and from multiple locations, to facilitate a prompt and efficient response to emergencies. As new construction is completed, the Respondent will incorporate as-built drawings of the new components into the maps.

e) Within 36 months of the effective date of this Order, the Respondent shall complete all mapping and certify to the Department in writing that mapping is complete in accordance with the terms of sub-paragraph 5(d) above.

6. Notwithstanding any other time periods described above, Respondent shall complete all corrective actions required by paragraph 5 on or before August 1, 2023 and be in full compliance with chapter 62-555, F.A.C., other than those excused delays agreed to by Parties, as described in Paragraph 12.

7. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$ 19,099.65 in settlement of the regulatory matters addressed in this Order. This amount includes \$ 5,000.00 for civil penalties, \$ 13,599.65 for a delayed economic benefit and \$ 500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The civil penalties are apportioned as follows: \$ 1,000.00 for each of the three water main breaks that were not reported to the Department, \$ 1,000.00 for a failure to maintain or update system maps and the preventative maintenance program; and \$ 1,000.00 for failure to adequately respond to an emergency.

8. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

9. In lieu of making the cash payment of \$ 19,099.65 in civil penalties as set forth in paragraph 7 above, Respondent has elected to off-set this amount by implementing an in-kind penalty project, which has been approved by the Department. The proposed in-kind project attached hereto and incorporated herein as "Exhibit B" has been approved by the Department and involves the construction of 1,100 feet of exfiltration trench for flood mitigation within Hector Park at an estimated cost of \$ 600,000.00, which is at least one and a half times the civil penalty established in paragraph 7 of this Order. Notwithstanding the election to implement an in-kind project, payment of the remaining \$500.00 in costs must be paid within 30 days of

the effective date of the Consent Order. Respondent shall comply with all the requirements and time frames in Exhibit A entitled In-Kind Projects.

10. Except as otherwise provided, all submittals and payments required by this Order shall be sent to the Department of Environmental Protection, Southeast District, 3301 Gun Club Road, MSC 7210-1, West Palm Beach, FL 33406 or via e-mail at [SED.Drinkingwater@FloridaDEP.gov](mailto:SED.Drinkingwater@FloridaDEP.gov) , attention Zach Shulman.

11. Respondent shall allow all authorized representatives of the Department access to the System at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes administered by the Department.

12. If any event, including administrative or judicial challenges by third parties unrelated to Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of Respondent and could not have been or cannot be overcome by Respondent's due diligence. Neither economic circumstances nor the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines shall be considered circumstances beyond the control of Respondent (unless the cause of the contractor's late performance was also beyond the contractor's control). Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department by the next working day and shall, within seven calendar days notify the Department in writing of (a) the anticipated length and cause of the delay, (b) the measures taken or to be taken to prevent or minimize the delay, and (c) the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended. The agreement to extend compliance must identify the provision or provisions extended, the new compliance date or dates, and the additional measures Respondent must take to avoid or minimize the delay, if any. Failure of Respondent to comply with the notice requirements of this paragraph

in a timely manner constitutes a waiver of Respondent's right to request an extension of time for compliance for those circumstances.

13. The Department, for and in consideration of the complete and timely performance by Respondent of all the obligations agreed to in this Order, hereby conditionally waives its right to seek judicial imposition of damages or civil penalties for the violations described above up to the date of the filing of this Order. This waiver is conditioned upon Respondent's complete compliance with all of the terms of this Order.

14. This Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law. Entry of this Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

15. The Department hereby expressly reserves the right to initiate appropriate legal action to address any violations of statutes or rules administered by the Department that are not specifically resolved by this Order.

16. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation, and criminal penalties.

17. Respondent acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this Order. Respondent also acknowledges and waives its right to appeal the terms of this Order pursuant to section 120.68, F.S.

18. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

19. The terms and conditions set forth in this Order may be enforced in a court of competent jurisdiction pursuant to sections 120.69 and 403.121, F.S. Failure to comply with the

terms of this Order constitutes a violation of section 403.161(1)(b), F.S.

20. This Consent Order is a final order of the Department pursuant to section 120.52(7), F.S., and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, F.S. Upon the timely filing of a petition, this Consent Order will not be effective until further order of the Department.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF CONSENT ORDER

Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

The petition for administrative hearing must contain all of the following information:

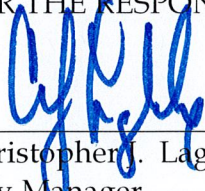
- a) The OGC Number assigned to this Consent Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Consent Order;
- d) A statement of when and how the petitioner received notice of the Consent Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Consent Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Consent Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action

petitioner wishes the Department to take with respect to the Consent Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov), within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at 3301 Gun Club Road, MSC 7210-1, West Palm Beach, FL 33406. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

21. Rules referenced in this Order are available at <http://www.dep.state.fl.us/legal/Rules/rulelist.htm>

FOR THE RESPONDENT:

  
\_\_\_\_\_  
Christopher J. Lagerbloom  
City Manager

0721 2020  
Date

DONE AND ORDERED this 24th day of July, 2020, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



---

Jason Andreotta  
Director  
Southeast District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



---

Clerk

July 24, 2020  
Date

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35

Exhibit A

**In-Kind Projects**

I. Proposal

a. Within 180 days of the effective day of this Order or in accordance with the approved schedule submitted, Respondent shall complete the entire in-kind project.

b. During the implementation of the in-kind project, Respondent shall place appropriate sign(s) at the project site indicating that Respondent's involvement with the project is the result of a Department enforcement action. Respondent may remove the sign(s) after the project has been completed. However, after the project has been completed Respondent shall not post any sign(s) at the site indicating that the reason for the project was anything other than a Department enforcement action.

c. In the event Respondent fails to timely submit any requested information to the Department, fails to complete implementation of the in-kind project or otherwise fails to comply with any provision of this paragraph, the in-kind penalty project option shall be forfeited, and the entire amount of civil penalties shall be due from the Respondent to the Department within 30 days of Department notice. If the in-kind penalty project is terminated and Respondent timely remits the \$19,099.65 penalty, no additional penalties shall be assessed under paragraph 9 for failure to complete the requirement of this paragraph.

d. Within 15 days of completing the in-kind project, Respondent shall notify the Department, by electronic mail, of the project completion and request a verification letter from the Department. Respondent shall submit supporting information verifying that the project was completed in accordance with the approved proposal and documentation showing the actual costs incurred to complete the project. These costs shall not include those incurred in developing the proposal or obtaining approval from the Department for the project.

e. If upon review of the notification of completion, the Department determines that the project cannot be accepted due to a substantially incomplete notification of completion or due to substantial deviations from the approved in-kind project; Respondent shall be notified,

in writing, of the reason(s) which prevent the acceptance of the project. Respondent shall correct and redress all the matters at issue and submit, by certified mail, a new notification of completion within 15 days of receipt of the Department's notice. If upon review of the new submittal, the Department determines that the in-kind project is still incomplete or not in accordance with the approved proposal, the in-kind penalty project option shall be forfeited, and the entire amount of civil penalty shall be due from the Respondent to the Department within 30 days of Department notice. If the in-kind penalty project is terminated and Respondent timely remits the \$19,099.65, no additional penalties shall be assessed under paragraph 9 for failure to complete the requirements of this paragraph.

## **Exhibit B**

### **In-kind Project, Proposed Consent Order, OGC Case # 19-1637**

City of Fort Lauderdale

The City is proposing the following stormwater water quality improvements as an in-kind project required in the proposed consent order, OGC Case #19-1637.

The prospective project lies in the area bounded by Ponce de Leon Drive on the north, SE 11<sup>th</sup> Street on the south and east and SE 9<sup>th</sup> Avenue on the west. Within this area lies a small neighborhood park, called Hector Park. The topography of this area is like a bowl with high water table conditions. The neighborhood is old and is built upon predominantly fine sandy soils. With very little green area for retention, pollutants resulting from storm events are discharged directly into the Tarpon River. In December 2019, the City had two sewer force main breaks in the Rio-Vista neighborhood (in the vicinity of Hector Park) which spewed several million gallons of raw sewage into the Tarpon River.

Over the next six months, the City will complete installation of new wastewater pipes. Initially, it intended to restore the Hector Park to its original condition, clean the catchbasins and repave the streets. However, the City would be willing to include flood mitigation by creating approximately 1,100 feet of exfiltration trench at an estimated cost of \$600,000. This will not only minimize water logging in this low-lying area, it would also improve the water quality by trapping pollutants and sediments in the exfiltration system first before discharging into the Tarpon River. Additionally, this will improve our compliance with the NPDES permit.

If approved, staff will begin finalizing the construction plans and complete this work within 12 months of the project approval.



# City of Fort Lauderdale Water Consent Order (CO) Status

OGC File No. #19-1637

July 30, 2021



Item No.	CO Paragraph	Project / Item	Completion Date			Status
			Required	Scheduled	Actual	
1	5a	Submit a Preventative Maintenance Plan (PMP)	9/22/2020	-	9/21/2020	PMP completed, and accepted by FDEP on 10/16/2020.
2	5b	Implement the Preventative Maintenance Plan	1/1/2021	-	8/10/2020	Implementation began before January 1, 2021 as required. Implementation is ongoing as planned.
3	5c	Exercise 100% of Source Water Line Valves in Year 1	8/10/2021	7/30/2021	-	100% of valves exercised. Last remaining inspection report anticipated to be completed on 7/30/2021.
4	5c	Submit an Annual Report showing the number of source water line valves exercised in Year 1	9/10/2021	8/10/2021	-	Ahead of schedule. Report 75% Complete.
5	5c	Exercise 20% of the Water Distribution System Valves per PMP in Year 2	8/10/2022	8/10/2022	-	Operations scheduled to begin exercising valves August 10.
6	5c	Submit an Annual Report showing the number of water line valves exercised in Year 2	9/10/2022	9/10/2022	-	On Schedule
7	5c	Exercise 20% of the Water Distribution System Valves per PMP in Year 3	8/10/2023	8/10/2023	-	On Schedule
8	5c	Exercise 20% of the Water Distribution System Valves per PMP in Year 4	8/10/2024	8/10/2024	-	On Schedule
9	5c	Exercise last 20% of the Water Distribution System Valves per PMP in Year 5	8/10/2025	8/10/2025	-	On Schedule
10	5d	Submit a plan to develop a complete map of the existing water supply network	9/22/2020	-	9/21/2020	Mapping plan completed, and accepted by FDEP on 10/16/2020.
11	5e	Complete all mapping and certify to the Department in writing	7/24/2023	7/24/2023	-	Under evaluation for funding. Procurement of services under way.
12	9	Implement an In-Kind Penalty Project: Hector Park Stormwater Improvements Project (water quality)	7/24/2021	-	4/17/2021	Substantial completion was reached on April 17, 2021.

# **Analysis of Infrastructure Condition as a Factor for Development Approval**



## Memorandum

**Memorandum No: 21-068**

**Date:** July 15, 2021

**To:** Honorable Mayor and Commissioners

**From:** Chris Lagerbloom, ICMA-CM, City Manager

**Re:** Infrastructure Condition as a Factor for Development Approval

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In response to the City Commission's request for staff to look at how other municipalities are handling infrastructure analysis as part of the development review process, staff reached out to other Broward County municipalities and asked how each is handling the condition of water, sewer, and stormwater infrastructure as a factor of development analysis. In addition to capacity, staff also asked what other factors municipalities consider in guiding development review and approval decisions, including but not limited to age and condition of infrastructure. To date, staff has received responses from the Cities of Oakland Park, Pompano Beach, Miramar, Deerfield Beach and Dania Beach as follows:

**City of Oakland Park:** The City of Oakland Park uses the concurrency review process for projects expected to affect infrastructure (larger than a small building, small addition, change of use, etc.), and a concurrency worksheet is part of their application form. They do not have a formal process for evaluating the condition or age of the utilities, specifically as part of site development plan review, but representatives from the Public Works Department and the City's Engineering consultant participate in the development review process. Public Works also performs regular inspections and maintenance including using Closed Circuit TV for service lines on an ongoing basis.

**City of Pompano Beach:** The City of Pompano Beach does not assess age and condition of infrastructure as part of development review. Engineering assesses the capacity of the system to accommodate the proposed project and if more capacity in the treatment, distribution, or collection system (sewer, water, drainage) needs to be made, engineering requests some cost sharing with the applicant. At this time, this is voluntary as the City does not have an ordinance requiring a fair share contribution, and there is the question of responsibility since wear and tear is largely caused by existing users.

**City of Miramar:** The City of Miramar staff indicated that they do not have recent issues other than recent CIP updates to their water lines for fire service since most of the infrastructure is fairly new (built after 1990) and they have not had significant density increases.

**City of Deerfield Beach:** The City of Deerfield Beach requires a separate conceptual engineering package at the first stage of major development review (modeled on Sunrise). Based on this information, their Engineering Department provides a one-time separate set of comments that the applicant uses to help them obtain their building permit. According to staff, they have not had issues with the condition of their infrastructure but would work with applicants to address and request the applicant pay their fair share of improvements for repairs.

**City of Dania Beach:** The City of Dania Beach relies on their Public Services Department (Dania Beach's version of Public Works) and their engineers to review infrastructure.

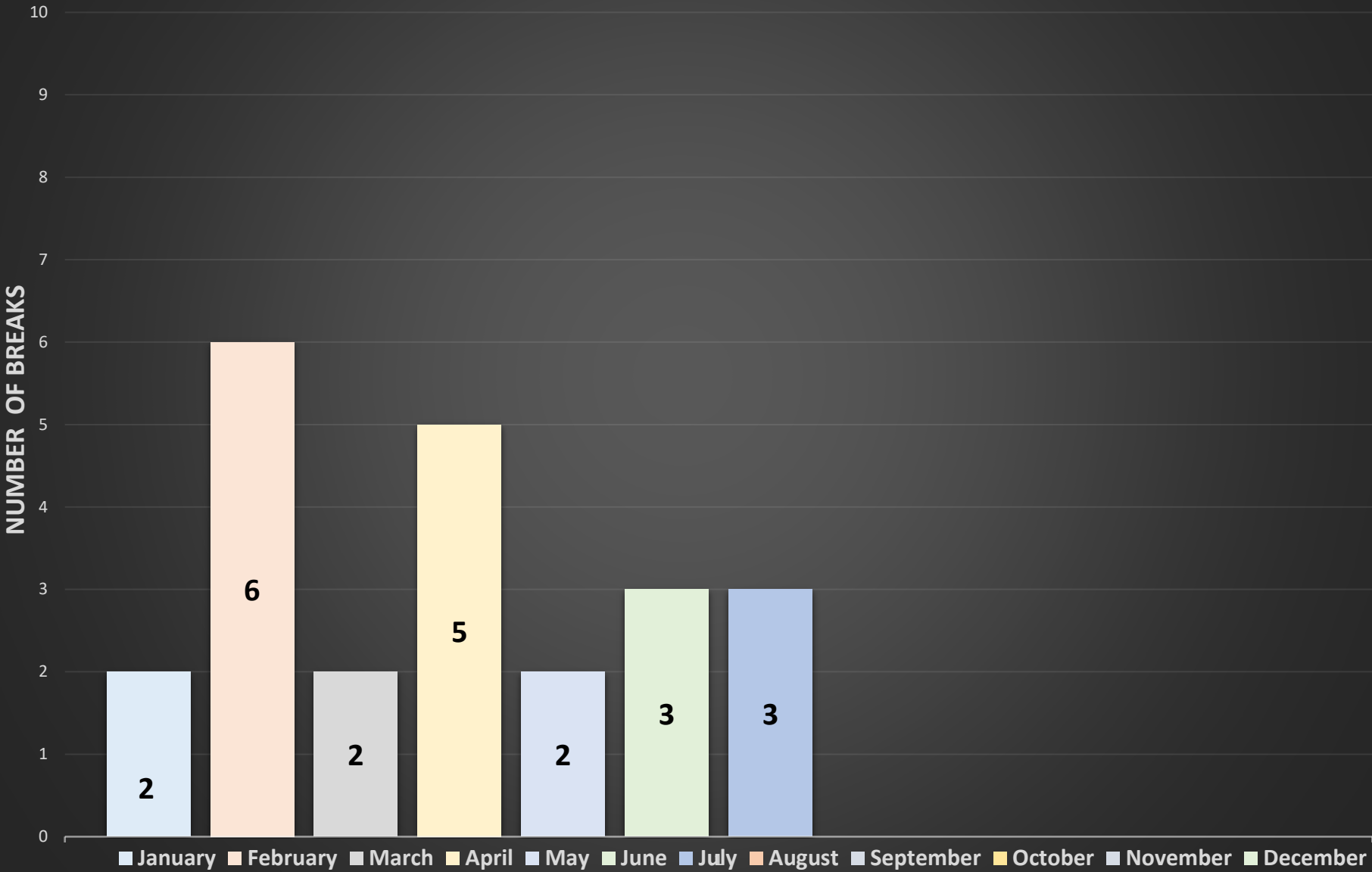
In conclusion, most of the Cities that were interviewed use City resources to address repair and replacement of their infrastructure and do not require the developer to be solely responsible for those improvements as a condition of development approval. In the instances of Pompano Beach and Deerfield Beach, an applicant may be requested to pay their fair share of any needed improvements on a voluntary basis, which is similar to the model Fort Lauderdale is already using. The Public Works Department conducts capacity reviews for all new development applications to ensure the additional demand will not exceed the capacity of the system. If repairs or increased capacity is needed, and the development schedule is ahead of any planned Capital Improvements, staff works with the applicant to determine how these improvements may be addressed, which in some cases has resulted in the developer constructing improvements beyond what would be required to directly offset the development impacts.

If you have any questions, staff is available to further discuss.

C: Tarlesha W. Smith, Esq., Assistant City Manager  
Greg Chavarria, Assistant City Manager  
Alain E. Boileau, City Attorney  
Jeffrey A. Modarelli, City Clerk  
John C. Herbst, City Auditor  
Department Directors  
CMO Managers

# **Water & Sewer Breaks Report 2021 w/Mapping**

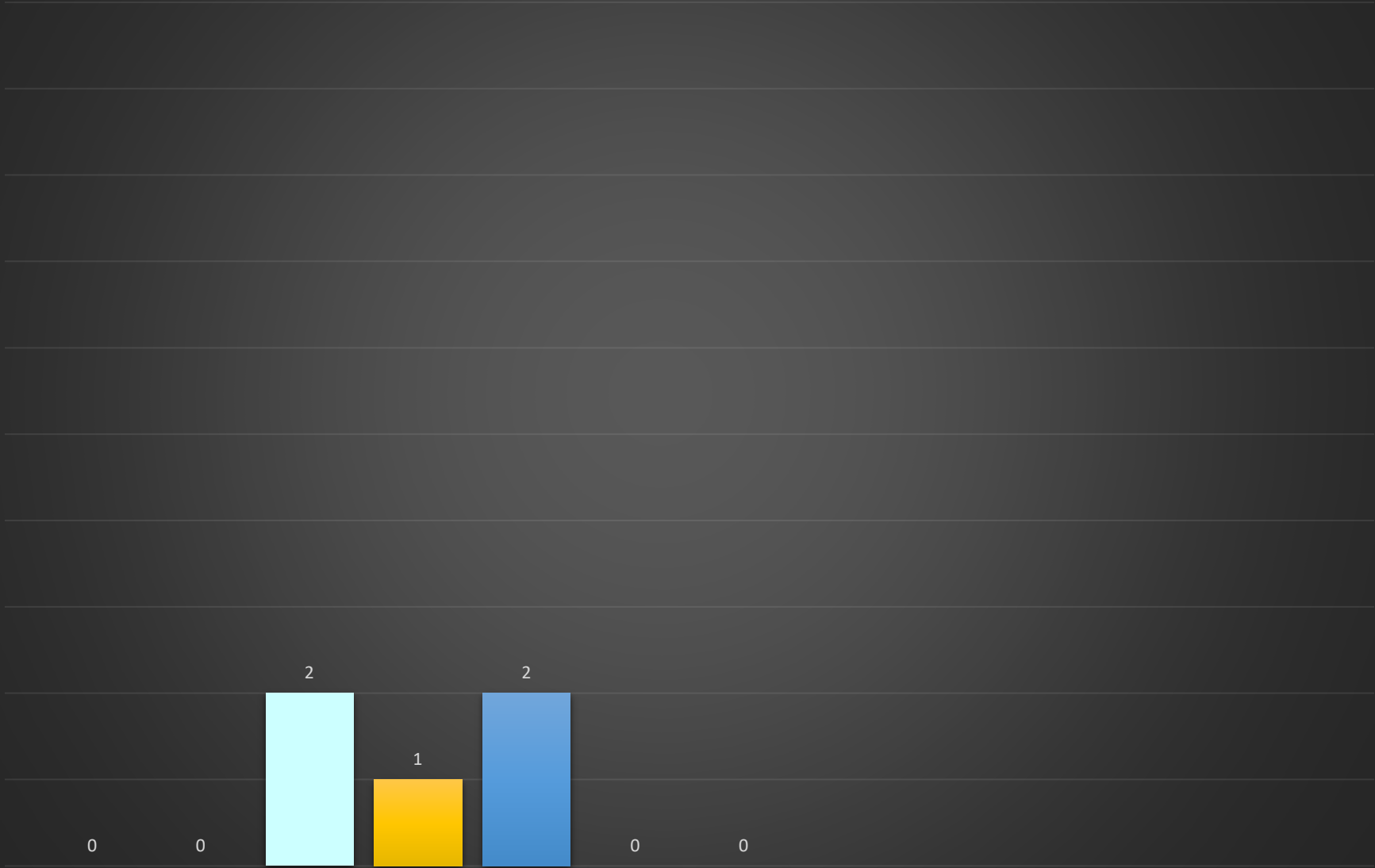
# Total Number of Water Main Breaks by Month January 2021 - December 2021



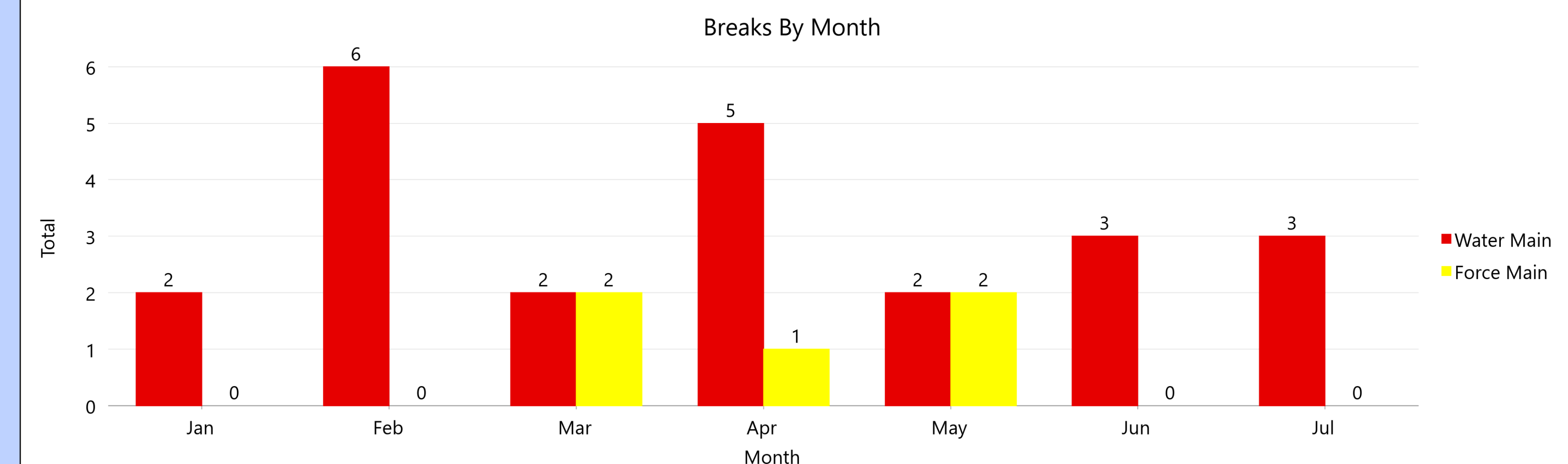
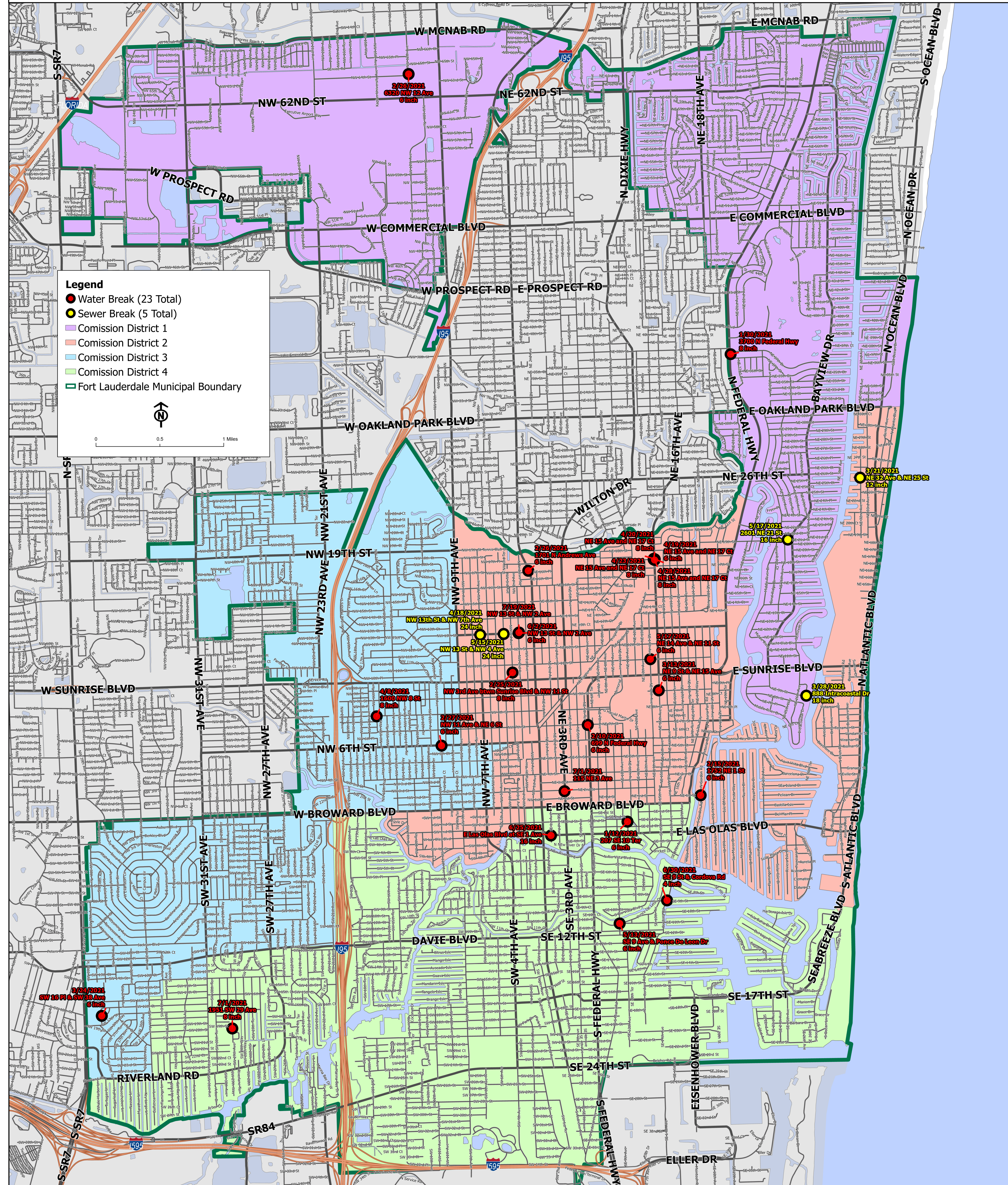
# Total Force Main Breaks by Month (2021)

## January 2021 - December 2021

NUMBER OF BREAKS



■ January ■ February ■ March ■ April ■ May ■ June ■ July ■ August ■ September ■ October ■ November ■ December



### Water Distribution Breaks

Date of Break/PBWN	Q-Alert	Address	Type	Size	Cause	PBWN Issued?	Impacted Properties
1/12/2021	718838	207 SE 10 Ter	Water Main	6 inch	Broke while contractor was installing a 54-inch force main	Y	40
1/30/2021	720906	3700 N Federal Hwy	Water Main	8 inch	Age	Y	74
2/10/2021	729728	699 N Federal Hwy	Water Main	6 inch	Contractor Hit Line	N	0
2/15/2021	730637	1752 NE 1 St	Water Main	6 inch	Leak on Mechanical Joint	Y	31
2/25/2021	703142	NW 3rd Ave btwn Sunrise Blvd & NW 11 St	Water Main	8 inch	Emergency Repairs for Insertion Valve	Y	40
2/26/2021	N/A	6320 NW 12 Ave	Water Main	6 inch	Contractor Performed Water Main Offset	Y	3
2/26/2021	736339	1701 N Andrews Ave	Water Main	6 inch	Emergency Repairs to Broken Water Main	N	0
2/27/2021	736429	NW 11 Ave & NE 6 St	Water Main	6 inch	Contractor Hit Line	N	0
3/13/2021	741874	NE 9 St & NE 15 Ave	Water Main	6 inch	Contractor Hit Line	N	N/A
3/24/2021	746102	SW 16 Pl & SW 38 Ave	Water Main	6 inch	Valve Leak	Y	25
4/8/2021	749660	1600 NW 8 St	Water Main	8 inch	Age	Y	5
4/19/2021	756961	NE 15 Ave and NE 17 Ct	Water Main	6 inch	Contractor Hit Line	Y	98
4/20/2021	756961	NE 15 Ave and NE 17 Ct	Water Main	8 inch	Contractor Hit Line	Y	98
4/23/2021	756961	NE 15 Ave and NE 17 Ct	Water Main	8 inch	Contractor Hit Line	Y	98
4/28/2021	756961	NE 15 Ave and NE 17 Ct	Water Main	8 inch	Contractor Hit Line	Y	43
5/13/2021	765890	SE 9 Ave & Ponce De Leon Dr	Water Main	6 inch	Water Line Break	Y	23
5/17/2021	766772	NE 14 Ave & NE 11 St	Water Main	6 inch	Bell Joint Leak	Y	5
6/2/2021	772178	NW 13 St & NW 2 Ave	Water Main	6 inch	Conflict with new force main	Y	2
6/25/2021	403185 & 178719	E Las Olas Blvd at SE 1 Ave	Water Main	16 inch	Damaged Valve	Y	16
6/30/2021	784339	SE 9 St & Cordova Rd	Water Main	4 inch	Damaged Water Main	Y	5
7/1/2021	N/A	115 NE 3 Ave	Water Main	Water Main	Damaged Water Main	Y	2
7/1/2021	784664	1951 SW 29 Ave	Water Main	8 inch	Damaged Water Main	Y	32
7/19/2021	772178	NW 13 St & NW 2 Ave	Water Main	Water Main	Conflict with new force main	Y	2

### Sewer Main Breaks

Date of Break/PBWN	Q-Alert	Address	Type	Size	Cause	Volume (Gal)	SSO Issued?	Impacted Properties
3/21/2021	744806	NE 32 Ave & NE 25 St	Force Main	12 inch	Undetermined, maybe due to contractor	10,060	Y	30
3/28/2021	747601	888 Intracoastal Dr	Force Main	18 inch	Age	2,000	Y	540
4/18/2021	756172	NW 13th St & NW 7th Ave	Force Main	24 inch	Age	12,750	Y	60
5/15/2021	766437	NW 13 St & NW 4 Ave	Force Main	24 inch	Age	1,000	Y	N/A
5/17/2021	767175	2601 NE 21 St	Force Main	16 inch	Contractor Damage	14,525	Y	173

# **CIP Financial Report**

Consent Order Projects Financial Report Summary  
July 23, 2021

Consent Order Projects by Category	Total Budget Amount	Actuals spent to Date as of July 23, 2021	% Spent to Date as of July 23, 2021	Encumbrances as of July 23,2021	Balance as of July 23, 2021
GTL Upgrades	600,000.00	124,245.50	21%	2.50	475,752.00
I&I	37,844,732.00	25,183,490.39	67%	6,311,292.83	6,349,948.78
Master Plan/Report	8,550,322.31	6,386,239.75	75%	2,006,354.14	157,728.42
Sewer Basin	2,195,642.05	2,163,242.37	99%	20,250.05	12,149.63
Sewer Force Main	135,427,098.68	91,294,470.97	67%	11,526,911.56	32,605,716.15
Stormwater	72,219,893.00	3,489,391.09	5%	5,490,507.27	63,239,994.64
Watermain	2,238,785.00	1,928,910.00	86%	-	309,875.00
<b>Grand Total</b>	<b>259,076,473</b>	<b>130,569,990</b>	<b>50%</b>	<b>25,355,318</b>	<b>103,151,165</b>

*No changes to Total Budget Amounts since 6/7/2021 ITFAC meeting*

Consent Order Projects Financial Report  
July 23, 2021

Index Code / Project Title	Category	Project Status	Budget	Actuals as of July 23, 2021	% Complete	Encumbrances as of July 23, 2021	Remaining Balances as of July 23, 2021
P11563.454 VICTORIA PARK SEWER BASIN A-19 REHAB			1,606,619	1,331,883		274,735	1
P11563.482 VICTORIA PARK SEWER BASIN A-19 REHAB			-	-		-	-
P11563.495 VICTORIA PARK SEWER BASIN A-19 REHAB			5,832,153	5,518,901		146,558	166,694
<b>P11563 TOTAL PROJECT COSTS</b>	<b>I&amp;I</b>	<b>Construction</b>	<b>7,438,772</b>	<b>6,850,784</b>	<b>92%</b>	<b>421,293</b>	<b>166,695</b>
P11566.454 RIO VISTA SEWER BASIN D-43 REHAB			3,523,431	2,062,899		718,646	741,886
P11566.482 RIO VISTA SEWER BASIN D-43 REHAB			381	381		-	-
P11566.495 RIO VISTA SEWER BASIN D-43 REHAB			4,268,936	3,717,854		357,367	193,715
<b>P11566 TOTAL PROJECT COSTS</b>	<b>I&amp;I</b>	<b>Construction</b>	<b>7,792,748</b>	<b>5,781,134</b>	<b>74%</b>	<b>1,076,013</b>	<b>935,601</b>
P11868.470 RIVER OAKS STORMWATER ANALYSIS			957,578	887,514		19,011	51,053
P11868.473 RIVER OAKS STORMWATER ANALYSIS			37,975,000	397,102		3,297,338	34,280,560
<b>P11868 TOTAL PROJECT COSTS</b>	<b>Stormwater</b>	<b>Bidding</b>	<b>38,932,578</b>	<b>1,284,616</b>	<b>3%</b>	<b>3,316,349</b>	<b>34,331,613</b>
P11879.454 PUMP STATION B-10 REHAB			1,908,427	1,908,427		-	-
<b>P11879 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Complete</b>	<b>1,908,427</b>	<b>1,908,427</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P11842.470 EDGEWOOD STORMWATER PRELIMINARY DATA & REPORT			1,928,448	1,821,153		12,152	95,143
P11842.473 EDGEWOOD STORMWATER PRELIMINARY DATA & REPORT			30,475,000	250,897		2,104,463	28,119,640
<b>P11842 TOTAL PROJECT COSTS</b>	<b>Stormwater</b>	<b>Design</b>	<b>32,403,448</b>	<b>2,072,051</b>	<b>6%</b>	<b>2,116,614</b>	<b>28,214,783</b>
P11881.454 PUMP STATION D-45 REHABILITATION			509,868	509,868		-	(0)
<b>P11881 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Complete</b>	<b>509,868</b>	<b>509,868</b>	<b>100%</b>	<b>-</b>	<b>(0)</b>
P11991.454 DOWNTOWN SEWER BASIN PS A-7 REHABILITATION			9,664,894	4,119,445		4,231,101	1,314,349
P11991.482 DOWNTOWN SEWER BASIN PS A-7 REHABILITATION			3,335	3,335		-	-
P11991.495 DOWNTOWN SEWER BASIN PS A-7 REHABILITATION			2,000,000	5,742		-	1,994,258
<b>P11991 TOTAL PROJECT COSTS</b>	<b>I&amp;I</b>	<b>Construction</b>	<b>11,668,229</b>	<b>4,128,522</b>	<b>35%</b>	<b>4,231,101</b>	<b>3,308,607</b>
P12001.454 SEWER BASIN D-40 REHAB			731,713	731,713		-	-
P12001.482 SEWER BASIN D-40 REHAB			3,766	3,766		-	-
<b>P12001 TOTAL PROJECT COSTS</b>	<b>Sewer Basin</b>	<b>Complete</b>	<b>735,479</b>	<b>735,479</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P12049.454 FLAGLER HEIGHTS SWR BASIN A-21 LATERALS			2,457,469	1,208,901		-	1,248,568
P12049.482 FLAGLER HEIGHTS SWR BASIN A-21 LATERALS			8,255	8,255		-	-
P12049.495 FLAGLER HEIGHTS SWR BASIN A-21 LATERALS			1,318,983	645,908		183,496	489,579
<b>P12049 TOTAL PROJECT COSTS</b>	<b>I&amp;I</b>	<b>Construction</b>	<b>3,784,707</b>	<b>1,863,064</b>	<b>49%</b>	<b>183,496</b>	<b>1,738,147</b>
P12055.454 BASIN A-18 SANITARY SWR COLL SYSTM REHAB			3,276,801	2,681,130		388,335	207,336
P12055.482 BASIN A-18 SANITARY SWR COLL SYSTM REHAB			-	-		-	-
P12055.495 BASIN A-18 SANITARY SWR COLL SYSTM REHAB			3,883,475	3,878,857		11,055	(6,437)
<b>P12055 TOTAL PROJECT COSTS</b>	<b>I&amp;I</b>	<b>Construction</b>	<b>7,160,276</b>	<b>6,559,987</b>	<b>92%</b>	<b>399,390</b>	<b>200,899</b>
P12124.454 CNTRL BCH ALLIANCE PUMP STN REPLAC D-41			2,132,448	2,132,448		-	-
<b>P12124 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Complete</b>	<b>2,132,448</b>	<b>2,132,448</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P12133.454 PUMP STN A-13 REDIRECTION E OF FEDERAL			4,454,899	4,130,630		64,867	259,402
P12133.495 PUMP STN A-13 REDIRECTION E OF FEDERAL			478,014	478,014		-	1
<b>P12133 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Construction</b>	<b>4,932,913</b>	<b>4,608,644</b>	<b>93%</b>	<b>64,867</b>	<b>259,403</b>
P12177.454 E LAS OLAS 12" FORCE MAIN REPLACEMENT			1,689,730	1,689,730		-	-
<b>P12177 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Complete</b>	<b>1,689,730</b>	<b>1,689,730</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P12202.454 LIFT STATN D-11 FLOW ANALYSIS & REDESIGN			206,143	205,156		0	987
P12202.495 LIFT STATN D-11 FLOW ANALYSIS & REDESIGN			1,254,020	1,222,608		20,250	11,162
<b>P12202 TOTAL PROJECT COSTS</b>	<b>Sewer Basin</b>	<b>Construction</b>	<b>1,460,163</b>	<b>1,427,763</b>	<b>98%</b>	<b>20,250</b>	<b>12,150</b>
P12264.470 CITYWIDE CANAL DREDGING PLAN - CYCLE 1			883,867	132,724		57,544	693,599
<b>P12264 CITYWIDE CANAL DREDGING PLAN - CYCLE 1</b>	<b>Stormwater</b>	<b>Design</b>	<b>883,867</b>	<b>132,724</b>	<b>15%</b>	<b>57,544</b>	<b>693,599</b>
P12319.454 EMERG REPAIR 30" FM - REPUMP TO GTL WWTP			13,182,064	13,182,064		-	-
P12319.495 EMERG REPAIR 30" FM - REPUMP TO GTL WWTP			2,697,299	2,697,299		-	-
<b>P12319 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Complete</b>	<b>15,879,363</b>	<b>15,879,363</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P12352.454 S MIDDLE RIVER FORCE MAIN RIVER CROSSING			874,016	874,015		0	(0)
P12352.495 S MIDDLE RIVER FORCE MAIN RIVER CROSSING			609,000	609,000		-	1
<b>P12352 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Complete</b>	<b>1,483,016</b>	<b>1,483,015</b>	<b>100%</b>	<b>0</b>	<b>1</b>
P12367.495 ASSET MANAGEMENT & CMOM PROGRAMS			66,017	66,017		-	-
P12367.496 ASSET MANAGEMENT & CMOM PROGRAMS			15,485	15,485		-	-
FD495.01 Water & Sewer Master Plan 2017			457,111	399,050		58,061	(0)
FD496.01 Water & Sewer Regional Master Plan 2017			107,224	93,604		13,619	1

Consent Order Projects Financial Report  
July 23, 2021

Index Code / Project Title	Category	Project Status	Budget	Actuals as of July 23, 2021	% Complete	Encumbrances as of July 23, 2021	Remaining Balances as of July 23, 2021
<b>P12367 TOTAL PROJECT COSTS</b>	<b>Master Plan/Report</b>	<b>Project Initiation &amp; Planning</b>	<b>645,837</b>	<b>574,157</b>	<b>89%</b>	<b>71,680</b>	<b>1</b>
P12368.495 SEWER CAPACITY ANLY FOR GRAVITY & FM			705,709	704,838		871	0
P12368.496 SEWER CAPACITY ANLY FOR GRAVITY & FM			34,571	34,528		43	0
PBS060101 UTLITIES ENGINEERING OPERATIONS			200,279	200,025		254	(0)
PBS670501 LOHMEYER REGIONAL PLANT SUPPORT			9,811	9,799		12	0
<b>P12368 TOTAL PROJECT COSTS</b>	<b>Master Plan/Report</b>	<b>Project Initiation &amp; Planning</b>	<b>950,370</b>	<b>949,190</b>	<b>100%</b>	<b>1,180</b>	<b>(0)</b>
P12375.451 PROG MGMT OF CONSENT ORDER PROJECTS			662,758	462,258		200,499	1
P12375.454 PROG MGMT OF CONSENT ORDER PROJECTS			1,013,442	207,735		647,980	157,727
P12375.495 PROG MGMT OF CONSENT ORDER PROJECTS			752,000	699,347		52,653	0
P12375.496 PROG MGMT OF CONSENT ORDER PROJECTS			115,000	107,264		7,736	0
<b>P12375 TOTAL PROJECT COSTS</b>	<b>Master Plan/Report</b>	<b>Project Initiation &amp; Planning</b>	<b>2,543,200</b>	<b>1,476,604</b>	<b>58%</b>	<b>908,868</b>	<b>157,728</b>
P12383.451 NE 25TH AVE FORCE MAIN REPLACEMENT			1,277,249	-	<b>0%</b>	-	1,277,249
P12383.496 NE 25TH AVE FORCE MAIN REPLACEMENT			4,784,890	329,458		551,532	3,903,900
<b>P12383 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Design</b>	<b>6,062,139</b>	<b>329,458</b>	<b>5%</b>	<b>551,532</b>	<b>5,181,149</b>
P12384.496 NE 38TH ST 42" FM & NE 19TH AV 24" FM			11,096,690	417,997		800,857	9,877,836
<b>P12384 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Design</b>	<b>11,096,690</b>	<b>417,997</b>	<b>4%</b>	<b>800,857</b>	<b>9,877,836</b>
P12387.496 EFFLUENT MAIN REHABILITATION			8,184,000	70,055		294	8,113,651
<b>P12387 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Project Initiation &amp; Planning</b>	<b>8,184,000</b>	<b>70,055</b>	<b>1%</b>	<b>294</b>	<b>8,113,651</b>
P12388.454 NE 13TH ST 24" FORCE MAIN REPLACEMENT			3,761,244	74,995		67,987	3,618,262
P12388.495 NE 13TH ST 24" FORCE MAIN REPLACEMENT			3,313,090	2,049,174		1,263,916	-
<b>P12388 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Construction</b>	<b>7,074,334</b>	<b>2,124,169</b>	<b>30%</b>	<b>1,331,903</b>	<b>3,618,262</b>
P12389.454 18" FM RPL ACROSS NEW RVR FRM 9TH/ BIRCH			988,620	39,708		30,417	918,496
P12389.495 18" FM RPL ACROSS NEW RVR FRM 9TH/ BIRCH			2,112,550	830,759		1,281,789	1
<b>P12389 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Construction</b>	<b>3,101,170</b>	<b>870,467</b>	<b>28%</b>	<b>1,312,206</b>	<b>918,497</b>
P12390.454 16" FM ALONG LAS OLAS BLVD PHASE 2			2,393,000	637,577		1,899	1,753,524
P12390.495 16" FM ALONG LAS OLAS BLVD PHASE 2			2,500,000	2,399,371		0	100,629
<b>P12390 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Construction</b>	<b>4,893,000</b>	<b>3,036,948</b>	<b>62%</b>	<b>1,899</b>	<b>1,854,153</b>
P12413.454 FM FROM PUMP STN D-35 TO D-36 UPSIZE			900,000	615,099		-	284,901
P12413.495 FM FROM PUMP STN D-35 TO D-36 UPSIZE			580,000	486,831		52,259	40,910
<b>P12413 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Warranty</b>	<b>1,480,000</b>	<b>1,101,931</b>	<b>74%</b>	<b>52,259</b>	<b>325,810</b>
P12418.495 WTR & W/WTR D & C SYSTEM MAPPING			3,441,352	2,416,726		1,024,626	0
<b>P12418 TOTAL PROJECT COSTS</b>	<b>Master Plan/Report</b>	<b>Project Initiation &amp; Planning</b>	<b>3,441,352</b>	<b>2,416,726</b>	<b>70%</b>	<b>1,024,626</b>	<b>0</b>
P12419.495 FORCE MAIN ASSESSMENT			8,956	8,956		-	-
P12419.496 FORCE MAIN ASSESSMENT			439	439		-	-
FD495.01 Water & Sewer Master Plan 2017			915,328	915,328		-	-
FD496.01 Water & Sewer Regional Master Plan 2017			44,840	44,840		-	-
<b>P12419 TOTAL PROJECT COSTS</b>	<b>Master Plan/Report</b>	<b>Complete</b>	<b>969,563</b>	<b>969,563</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P12529.451 EFFLUENT PUMPS STANDBY GENERATOR & ADMIN BLDG IMPROVEMENTS			600,000	124,246		3	475,752
<b>P12529 EFFLUENT PUMPS STANDBY GENERATOR &amp; ADMIN BLDG IMPROVEMENTS</b>	<b>GTL Upgrades</b>	<b>Project Initiation &amp; Planning</b>	<b>600,000</b>	<b>124,246</b>	<b>21%</b>	<b>3</b>	<b>475,752</b>
P12566.451 REDUNDANT SEWER FM NORTH TO GTL WWTP			4,524,621	4,152,322		115,435	256,864
P12566.496 REDUNDANT SEWER FM NORTH TO GTL WWTP			24,725,379	24,003,334		722,045	1
<b>P12566 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Construction</b>	<b>29,250,000</b>	<b>28,155,656</b>	<b>96%</b>	<b>837,479</b>	<b>256,865</b>
P12567.496 REDUNDANT SEWER FM SOUTH TO GTL WWTP			35,750,000	26,976,296		6,573,615	2,200,089
<b>P12567 TOTAL PROJECT COSTS</b>	<b>Sewer Force Main</b>	<b>Construction</b>	<b>35,750,000</b>	<b>26,976,296</b>	<b>75%</b>	<b>6,573,615</b>	<b>2,200,089</b>
P12569.495 NE 5TH STREET FORCE MAIN IMPROVEMENT			1,928,910	1,928,910		-	-
<b>P12569 TOTAL PROJECT COSTS</b>	<b>Watermain</b>	<b>Complete</b>	<b>1,928,910</b>	<b>1,928,910</b>	<b>100%</b>	<b>-</b>	<b>-</b>
P12570.495 36TH STREET FORCE MAIN IMPROVEMENT			309,875	-	<b>0%</b>	-	309,875
<b>P12570 TOTAL PROJECT COSTS</b>	<b>Watermain</b>	<b>Warranty</b>	<b>309,875</b>	<b>-</b>	<b>0%</b>	<b>-</b>	<b>309,875</b>
<b>Grand Total</b>			<b>259,076,473</b>	<b>130,569,990</b>	<b>50%</b>	<b>25,355,318</b>	<b>103,151,165</b>

Water & Sewer Master Plan 2017

Revenues Appropriated by City  
 Commission on 4.3.2018 (CAM #18-  
 0336)  
 Interest on Revenues

\$ 200,000,000.00  
 \$ 4,547,778.64

Total Appropriated Amount \$ 204,547,778.64

Bond Funded Projects by Category	Total Budget Amount	Actuals as of July 23, 2021	% Spent to Date as of July 23, 2021	Encumbrances	Remaining Balance as of July 23, 2021
Finance	21,806,754.00	16,830,922.00	77%	1,654,926.47	3,320,905.53
Fiveash Upgrades	25,681,557.00	5,330,320.94	21%	1,283,574.06	19,067,662.00
I&I	17,303,547.00	13,767,261.76	80%	698,476.33	2,837,808.91
Master Plan/Report	1,501,455.00	853,185.02	57%	359,844.30	288,425.68
Peele Dixie Upgrades	310,000.00	85,730.00	28%	74,075.21	150,194.79
Sewer Basin	1,788,257.00	1,240,094.12	69%	38,160.75	510,002.13
Sewer Force main	110,910,548.64	61,941,854.92	56%	13,700,238.48	35,268,455.24
Watermain	25,245,660.00	19,656,895.00	78%	1,954,651.27	3,634,113.73
<b>Grand Total</b>	<b>204,547,778.64</b>	<b>119,706,263.76</b>	<b>59%</b>	<b>19,763,946.87</b>	<b>65,077,568.01</b>

*No Changes to Total Budget Amounts since 6/7/2021 ITFAC meeting*

Water and Sewer Bond Expenditure Report - July 23, 2021

Index Code / Project Title	Category	Project Status	Budget	Actuals as of July 23, 2021	% Spent to Date as of July 23, 2021	Encumbrances	Remaining Balance as of July 23, 2021
FD495.01 WATER & SEWER MASTER PLAN 2017	Finance	Implementation	19,822,900.00	15,045,793.00	76%	1,560,576.71	3,216,530.29
FD496.01 WATER & SEWER REGIONAL MASTER PLAN 2017	Finance	Implementation	1,983,854.00	1,785,129.00	90%	94,349.76	104,375.24
P10814.495 CENTRAL NEW RIVER W/MAIN RIVER CROSSING	Watermain	Design	1,632,562.00	140,144.41	9%	722,524.93	769,892.66
P10850.495 VICTORIA PARK A NORTH-SMALL WATERMAINS	Watermain	Construction	4,435,773.00	4,431,013.79	100%	4,758.81	0.40
P11080.495 PORT CONDO SMALL WATER MAIN IMPROVEMENTS	Watermain	Bidding	557,559.00	50,388.10	9%	57,881.65	449,289.25
P11563.495 VICTORIA PARK SEWER BASIN A-19 REHAB	I&I	Construction	5,832,153.00	5,518,901.28	95%	146,557.72	166,694.00
P11566.495 RIO VISTA SEWER BASIN D-43 REHAB	I&I	Construction	4,268,936.00	3,717,853.81	87%	357,367.48	193,714.71
P11589.495 FIVEASH WTP DISINFECTION IMPROVEMENTS	Fiveash Upgrades	Construction	17,328,046.00	999,429.55	6%	1,223,009.14	15,105,607.31
P11901.495 VICTORIA PK STH SM WATERMAINS IMPROVEMNT	Watermain	Construction	5,149,658.00	5,147,566.38	100%	2,091.11	0.51
P11991.495 DOWNTOWN SEWER BASIN PS A-7 REHABILITATION	I&I	Construction	2,000,000.00	5,742.00	0%	-	1,994,258.00
P12049.495 FLAGLER HEIGHTS SWR BASIN A-21 LATERALS	I&I	Construction	1,318,983.00	645,908.00	49%	183,496.16	489,578.84
P12055.495 BASIN A-18 SANITARY SWR COLL SYSTM REHAB	I&I	Construction	3,883,475.00	3,878,856.67	100%	11,054.97	(6,436.64)
P12133.495 PUMP STN A-13 REDIRECTION E OF FEDERAL	Sewer Force main	Construction	478,014.00	478,013.50	100%	-	0.50
P12180.495 CROISSANT PARK SMALL WATER MAINS	Watermain	Finance	3,060,125.00	2,822,718.37	92%	-	237,406.63
P12184.495 DAVIE BLVD 18" WM ABAN I-95 TO SW 9 AVE	Watermain	On Hold	2,075,500.00	297,692.25	14%	55,603.75	1,722,204.00
P12202.495 LIFT STATN D-11 FLOW ANALYSIS & REDESIGN	Sewer Basin	Construction	1,254,020.00	1,222,607.61	97%	20,250.00	11,162.39
P12319.495 EMERG REPAIR 30" FM - REPUMP TO GTL WWTP	Sewer Force main	Complete	2,697,298.64	2,697,298.64	100%	-	-
P12352.495 S MIDDLE RIVER FORCE MAIN RIVER CROSSING	Sewer Force main	Warranty	609,000.00	608,999.50	100%	-	0.50
P12367.495 ASSET MANAGEMENT & CMOM PROGRAMS	Master Plan/Report	Project Initiation & Planning	-	-	0%	0.13	(0.13)
P12367.496 ASSET MANAGEMENT & CMOM PROGRAMS	Master Plan/Report	Project Initiation & Planning	-	-	0%	0.03	(0.03)
P12368.495 SEWER CAPACITY ANLY FOR GRAVITY & FM	Master Plan/Report	Project Initiation & Planning	-	-	0%	-	-
P12368.496 SEWER CAPACITY ANLY FOR GRAVITY & FM	Master Plan/Report	Project Initiation & Planning	-	-	0%	-	-
P12375.495 PROG MGMT OF CONSENT ORDER PROJECTS	Master Plan/Report	Project Initiation & Planning	752,000.00	699,346.76	93%	52,652.92	0.32
P12375.496 PROG MGMT OF CONSENT ORDER PROJECTS	Master Plan/Report	Project Initiation & Planning	115,000.00	107,263.76	93%	7,736.07	0.17
P12383.496 NE 25TH AVE FORCE MAIN REPLACEMENT	Sewer Force main	Design	4,784,890.00	329,457.80	7%	551,531.73	3,903,900.47
P12384.496 NE 38TH ST 42" FM & NE 19TH AV 24" FM	Sewer Force main	Design	11,096,690.00	417,996.74	4%	800,856.80	9,877,836.46
P12385.496 SE 10TH AV 48" FM REPL & 36" BYPASS	Sewer Force main	Cancelled	18,326.00	18,326.00	100%	-	-
P12386.496 54" FM RPL SE 9TH/10TH AV & NEW PARALLEL	Sewer Force main	Cancelled	6,072.00	6,072.00	100%	-	-
P12387.496 EFFLUENT MAIN REHABILITATION	Sewer Force main	Project Initiation & Planning	8,184,000.00	70,055.00	1%	294.00	8,113,651.00
P12388.495 NE 13TH ST 24" FORCE MAIN REPLACEMENT	Sewer Force main	Construction	3,313,090.00	2,049,174.14	62%	1,263,915.86	-
P12389.495 18" FM RPL ACROSS NEW RVR FRM 9TH/ BIRCH	Sewer Force main	Construction	2,112,550.00	830,759.14	39%	1,281,789.46	1.40
P12390.495 16" FM ALONG LAS OLAS BLVD PHASE 2	Sewer Force main	Construction	2,500,000.00	2,399,371.21	96%	0.23	100,628.56
P12391.495 BERMUDA RIVIERA SML WTRMN IMPROVEMENTS	Watermain	Construction	4,976,700.00	4,416,089.70	89%	415,165.02	145,445.28
P12395.495 PEELE DIXIE ELECTRICAL STUDIES	Peele Dixie Upgrades	Construction	210,000.00	60,578.00	29%	0.21	149,421.79
P12396.495 PEELE DIXIE SURGE PROTECTION UPGRADES	Peele Dixie Upgrades	Bidding	100,000.00	25,152.00	25%	74,075.00	773.00
P12399.495 FIVEASH WTP PCCP REPLACEMENT	Fiveash Upgrades	Complete	33,511.00	36,643.00	109%	-	(3,132.00)
P12400.495 PROSPECT WELLFIELD ELC STUDIES & TESTING	Master Plan/Report	Complete	185,000.00	1,168.00	1%	-	183,832.00
P12402.495 PEELE DIXIE WELLFIELD ELC STUD & TESTING	Master Plan/Report	Construction	150,000.00	45,406.50	30%	0.15	104,593.35
P12404.495 EXCAVATE & DISPOSE OF DRY LIME SLUDGE	Fiveash Upgrades	Warranty	4,600,000.00	4,228,973.31	92%	-	371,026.69
P12406.496 REDUNDANT FORCE MAIN FROM B-REPUMP	Sewer Force main	Bidding	10,377.00	10,377.00	100%	-	-
P12407.495 SUBACQUEOUS FM CROSSING REINSTATEMENT	Sewer Force main	Cancelled	-	-	0%	-	-
P12410.495 PUMP STATION C-1 REPLACEMENT	Sewer Force main	Bidding	620,000.00	11,136.00	2%	-	608,864.00
P12412.495 PUMP STATIONS A-16 UPGRADE	Sewer Force main	Design	3,000,000.00	14,094.00	0%	-	2,985,906.00
P12413.495 FM FROM PUMP STN D-35 TO D-36 UPSIZE	Sewer Force main	Warranty	580,000.00	486,831.12	84%	52,259.28	40,909.60
P12414.495 GRAVITY PIPE IMPV TO DWNTWN COL SYSTM	Sewer Force main	Bidding	3,143,000.00	191,730.15	6%	582,770.85	2,368,499.00
P12415.495 PUMP STATION A-7 UPGRADE	Sewer Force main	Construction	2,211,862.00	285,390.56	13%	1,756,155.84	170,315.60
P12418.495 WTR & W/WTR D & C SYSTEM MAPPING	Master Plan/Report	Project Initiation & Planning	-	-	0%	-	-

Water and Sewer Bond Expenditure Report - July 23, 2021

Index Code / Project Title	Category	Project Status	Budget	Actuals as of July 23, 2021	% Spent to Date as of July 23, 2021	Encumbrances	Remaining Balance as of July 23, 2021
P12419.495 FORCE MAIN ASSESSMENT	Master Plan/Report	Project Initiation & Planning	-	-	0%	-	-
P12419.496 FORCE MAIN ASSESSMENT	Master Plan/Report	Project Initiation & Planning	-	-	0%	-	-
P12456.495 SEWER BASIN D-40 REHAB	Sewer Basin	Project Initiation & Planning	169,237.00	11,831.51	7%	17,910.75	139,494.74
P12463.495 CORAL SHORES SML WATERMAIN IMPROVEMENTS	Watermain	Construction	1,118,998.00	422,372.00	38%	696,626.00	-
P12485.495 FIVEASH WTP FILTERS REHABILITATION	Fiveash Upgrades	Construction	3,720,000.00	65,275.08	2%	60,564.92	3,594,160.00
P12566.496 REDUNDANT SEWER FM NORTH TO GTL WWTP	Sewer Force main	Construction	24,725,379.00	24,003,333.58	97%	722,044.54	0.88
P12567.496 REDUNDANT SEWER FM SOUTH TO GTL WWTP	Sewer Force main	Construction	35,750,000.00	26,976,296.15	75%	6,573,615.05	2,200,088.80
P12569.495 NE 5TH STREET FORCE MAIN IMPROVEMENT	Watermain	Complete	1,928,910.00	1,928,910.00	100%	-	-
P12570.495 36TH STREET FORCE MAIN IMPROVEMENT	Watermain	Warranty	309,875.00	-	0%	-	309,875.00
P12618.495 DOLPHIN ISLES B-14 SEWER BASIN REHAB	Sewer Basin	Project Initiation & Planning	365,000.00	5,655.00	2%	-	359,345.00
P12619.495 BAYVIEW DR 16" FM TO PUMP STATION B-14	Sewer Force main	Design	2,570,000.00	57,142.69	2%	115,004.84	2,397,852.47
P12620.495 LAS OLAS MARINA PUMP STATION D-31	Sewer Force main	Project Initiation & Planning	2,500,000.00	-	0%	-	2,500,000.00
P12628.495 INTERLOCAL AGREEMENT WITH POMPANO BEACH	Master Plan/Report	Project Initiation & Planning	299,455.00	-	0%	299,455.00	-
<b>Totals</b>			<b>204,547,778.64</b>	<b>119,706,263.76</b>	<b>59%</b>	<b>19,763,946.87</b>	<b>65,077,568.01</b>

# **Impact Fees paid by Developers**

# WATER AND SEWER FEE REPORT

Fees Collected between 4/1/2021 and 7/29/2021

Permit ID	Account #	Permit Description	Issue Date	Amount	Payment Status	Project ID	Employee	Contact	
<b>ENG0021</b>									
<b>2021</b>									
<b>BLD-PBA-19110001</b>									
1948407	71935345	Permit by Affidavit	05/26/2021	1448510	\$12,753.09 Payment Applied	ENG0021	BLD-PBA-19110001	Aukela Holloway FTL Employee	
1948432	71935600	05/26/2021	1448565	-\$8,065.89	Void Payment Applied	ENG0021	BLD-PBA-19110001	Lori Grossfeld FTL Employee	
<b>BLD-PBA-19110002</b>									
Permit by Affidavit									
1948435	71935347	05/26/2021	1448509	\$21,020.79	Payment Applied	ENG0021	BLD-PBA-19110002	Aukela Holloway FTL Employee	
1948435	71935602	05/26/2021	1448570	\$14,361.06	Payment Applied	ENG0021	BLD-PBA-19110002	Aukela Holloway FTL Employee	
1949367	71940349	06/01/2021	1450786	\$21,671.79	Payment Applied	ENG0021	BLD-PBA-19110002	Aukela Holloway FTL Employee	
1949367	71940352	06/01/2021	1450786	\$13,710.06	Payment Applied	ENG0021	BLD-PBA-19110002	Aukela Holloway FTL Employee	
<b>PM-19080313</b>									
Commercial New Construction Permit									
1957535	71724565	07/15/2021	1343186	\$651.00	Payment Applied	ENG0021	PM-19080313	VEMGTLLC jm@vemgt.com Lake Ridge Residents	
<b>PM-19092692</b>									
Commercial New Construction Permit									
1955502	69429937	07/06/2021	1229348	\$18,243.72	Payment Applied	ENG0021	PM-19092692	BarronCD jmenkhus@barrondev Flagler Village Civi	
<b>ENG0022</b>									
<b>2021</b>									
<b>BLD-PBA-19110001</b>									
1948407	71935346	Permit by Affidavit	05/26/2021	1448510	\$27,151.74	Payment Applied	ENG0022	BLD-PBA-19110001	Aukela Holloway FTL Employee
1948432	71935601	05/26/2021	1448565	\$17,172.54	Payment Applied	ENG0022	BLD-PBA-19110001	Aukela Holloway FTL Employee	
<b>BLD-PBA-19110002</b>									
Permit by Affidavit									
1948435	71935348	05/26/2021	1448509	-\$44,753.94	Void Payment Applied	ENG0022	BLD-PBA-19110002	Aukela Holloway FTL Employee	
1948435	71935603	05/26/2021	1448570	-\$30,575.16	Void Payment Applied	ENG0022	BLD-PBA-19110002	Aukela Holloway FTL Employee	
1949367	71940351	06/01/2021	1450786	\$46,139.94	Payment Applied	ENG0022	BLD-PBA-19110002	Aukela Holloway FTL Employee	
1949367	71940353	06/01/2021	1450786	\$29,189.16	Payment Applied	ENG0022	BLD-PBA-19110002	Aukela Holloway FTL Employee	
<b>PM-19080313</b>									
Commercial New Construction Permit									
1957535	71724566	07/15/2021	1343186	\$1,386.00	Payment Applied	ENG0022	PM-19080313	VEMGTLLC jm@vemgt.com Lake Ridge Residents	
<b>PM-19092692</b>									
Commercial New Construction Permit									
1955502	69429938	07/06/2021	1229348	\$38,841.46	Payment Applied	ENG0022	PM-19092692	BarronCD jmenkhus@barrondev Flagler Village Civi	
<b>ENG0470</b>									
<b>2021</b>									
<b>BLD-CADD-20110002</b>									
1948772	71893783	Commercial Addition Permit	05/27/2021	1426068	\$2,473.28	Payment Applied	ENG0470	BLD-CADD-20110002	ECPE ecpermits954@gmail. Lake Ridge Civic Association,
<b>BLD-CALT-20060033</b>									
Commercial Alteration Permit									
1947378	71867017	05/20/2021	1414686	\$215.37	Payment Applied	ENG0470	BLD-CALT-20060033	Theresa Sisto FTL Employee Tarpon River Civic Association	
<b>BLD-CNC-20050002</b>									
Commercial New Construction Permit									
1955102	71826489	07/01/2021	1393750	\$394,327.68	Payment Applied	ENG0470	BLD-CNC-20050002	Sharese Bora FTL Employee Downtown Fort Lauderdale Civic	
<b>BLD-CNC-20080008</b>									
Commercial New Construction Permit									
1943700	71652994	05/04/2021	1293959	\$868.48	Payment Applied	ENG0470	BLD-CNC-20080008	Hope Baker FTL Employee Lake Aire Palm View Homeowners	
<b>BLD-CNC-20110004</b>									
Commercial New Construction Permit									
1948974	71827462	05/28/2021	1393684	\$5,097.60	Payment Applied	ENG0470	BLD-CNC-20110004	BarronCD jmenkhus@barrondev Flagler Village Civic Associat	
<b>BLD-CNC-20120013</b>									
Commercial New Construction Permit									
1950046	71941984	06/04/2021	1451652	\$9,251.20	Payment Applied	ENG0470	BLD-CNC-20120013	ricardow ricardow@gulfbuilding Victoria Park Civic Associatio	
<b>BLD-CNC-20120014</b>									
Commercial New Construction Permit									

1960110	72004875	07/28/2021	1488246	\$111,354.24 Payment Applied	ENG0470	BLD-CNC-20120014	Sharon Zedella	FTL Employee Progresso Village Civic Associ
<b>BLD-CNC-20120017</b>		Commercial New Construction Permit						
1950619	71908959	06/08/2021	1434008	\$32,851.20 Payment Applied	ENG0470	BLD-CNC-20120017	Matthew Anastasio	FTL Employee Colee Hammock Homeowners Assoc
<b>BLD-CNC-21060004</b>		Commercial New Construction Permit						
1956784	71962085	07/12/2021	1461271	\$42,536.64 Payment Applied	ENG0470	BLD-CNC-21060004	Matthew Anastasio	FTL Employee
1956940	71991081	07/13/2021	1480709	\$6,634.32 Payment Applied	ENG0470	BLD-CNC-21060004	Caroline Yeakel	FTL Employee
<b>BLD-CU-20110005</b>		Change of Use						
1948683	71875415	05/27/2021	1417913	\$3,738.24 Payment Applied	ENG0470	BLD-CU-20110005	Sheena Brownlee	FTL Employee Middle River Terrace Neighborh
<b>BLD-PBA-21060002</b>		Permit by Affidavit - Building						
1954327	71942670	06/28/2021	1451802	-\$111,354.24 Void Payment Applied	ENG0470	BLD-PBA-21060002	Sharon Zedella	FTL Employee Progresso Village Civic Associ
<b>ENG0471</b>								
<b>2021</b>								
<b>BLD-CADD-20120002</b>		Commercial Addition Permit						
1950452	71928850	06/08/2021	1445150	\$2,360.00 Payment Applied	ENG0471	BLD-CADD-20120002	Hope Baker	FTL Employee Edgewood Civic Association
<b>BLD-RADD-21010009</b>		Residential Addition Permit						
1942906	71903331	04/30/2021	1430807	\$1,888.00 Payment Applied	ENG0471	BLD-RADD-21010009	Monyck30	Monyck30@yahoo.co Harbor Beach Homeowners Associ
<b>BLD-RNC-20020002</b>		Residential New Construction Permit						
1940238	68879273	04/20/2021	1203909	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20020002	anonymous	anonymous@anonym Victoria Park Civic Associatio
<b>BLD-RNC-20060005</b>		Residential New Construction Permit						
1957222	71546655	07/14/2021	1243847	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20060005	Hope Baker	FTL Employee Shady Banks Civic Association
<b>BLD-RNC-20070008</b>		Residential New Construction Permit						
1943535	71800949	05/04/2021	1382352	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20070008	kdgrou	kaizerdesigngroup@g Hendricks and Venice Isles
<b>BLD-RNC-20080001</b>		Residential New Construction Permit						
1937000	71745316	04/01/2021	1352515	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20080001	Gorod	Gorodbuilders@gmail Riverside Park Residents Assoc
<b>BLD-RNC-20080017</b>		Residential New Construction Permit						
1940580	71639514	04/21/2021	1287851	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20080017	anonymous	anonymous@anonym LAUDERDALE
<b>BLD-RNC-20090009</b>		Residential New Construction Permit						
1945461	71659191	05/12/2021	1296661	\$3,776.00 Payment Applied	ENG0471	BLD-RNC-20090009	tgestido	tgestido@gestidocons Durrs Community Association, I
<b>BLD-RNC-20120007</b>		Residential New Construction Permit						
1944323	71852786	05/06/2021	1408109	\$7,552.00 Payment Applied	ENG0471	BLD-RNC-20120007	lwalker@coloneygrou	lwalker@coloneygrou Lake Ridge Civic Association,
<b>BLD-RNC-20120011</b>		Residential New Construction Permit						
1944909	71780800	05/10/2021	1370954	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20120011	Berni	bernardo.borgia@epc Tarpon River Civic Association
<b>BLD-RNC-20120012</b>		Residential New Construction Permit						
1959821	71898336	07/27/2021	1428286	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20120012	anonymous	anonymous@anonym Palm-Aire Village Homeowners A
<b>BLD-RNC-20120035</b>		Residential New Construction Permit						
1954705	71812464	06/29/2021	1387259	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20120035	NextGenBuilders20	nextgenbuilders20@g Historical Dorsey-Riverbend Ci
<b>BLD-RNC-20120039</b>		Residential New Construction Permit						
1959918	71818692	07/27/2021	1390040	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20120039	Berni	bernardo.borgia@epc Edgewood Civic Association
<b>BLD-RNC-20120044</b>		Residential New Construction Permit						
1949756	71899715	06/03/2021	1429197	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-20120044	irizzo	ileaner@bomarbuilder Coral Ridge Country Club Estat
<b>BLD-RNC-21010002</b>		Residential New Construction Permit						
1941407	71810520	04/26/2021	1386414	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-21010002	Rivens Desamour	FTL Employee Victoria Park Civic Associatio
<b>BLD-RNC-21020011</b>		Residential New Construction Permit						

1942205	71858168	04/28/2021	1410401	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-21020011	Rivens Desamour	FTL Employee Victoria Park Civic Associatio
<b>BLD-RNC-21030002</b>		Residential New Construction Permit						
1951427	71910120	06/11/2021	1434594	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-21030002	Hope Baker	FTL Employee Lauderdale West Association
<b>BLD-RNC-21030009</b>		Residential New Construction Permit						
1946627	71867603	05/18/2021	1414639	\$3,776.00 Payment Applied	ENG0471	BLD-RNC-21030009	citadel	justin.w.singer@gmail Durrs Community Association, I
<b>BLD-RNC-21030014</b>		Residential New Construction Permit						
1959209	71940499	07/23/2021	1450722	\$1,888.00 Payment Applied	ENG0471	BLD-RNC-21030014	Jennifer Agudelo	FTL Employee Durrs Community Association, I
<b>BLD-RNC-21050026</b>		Residential New Construction Permit						
1956774	71984405	07/12/2021	1477585	\$3,776.00 Payment Applied	ENG0471	BLD-RNC-21050026	Luke Rinkus	FTL Employee Durrs Community Association, I
<b>ENG0480</b>								
<b>2021</b>								
<b>BLD-CADD-20110002</b>		Commercial Addition Permit						
1948772	71893784	05/27/2021	1426068	\$2,589.87 Payment Applied	ENG0480	BLD-CADD-20110002	ECPE	ecpermits954@gmail. Lake Ridge Civic Association,
<b>BLD-CALT-20060033</b>		Commercial Alteration Permit						
1947382	71867018	05/20/2021	1414686	-\$12.63 Void Payment Applied	ENG0480	BLD-CALT-20060033	Theresa Sisto	FTL Employee Tarpon River Civic Association
<b>BLD-CNC-20050002</b>		Commercial New Construction Permit						
1955102	71826490	07/01/2021	1393750	\$412,916.22 Payment Applied	ENG0480	BLD-CNC-20050002	Sharese Bora	FTL Employee Downtown Fort Lauderdale Civic
<b>BLD-CNC-20080008</b>		Commercial New Construction Permit						
1943700	71652995	05/04/2021	1293959	\$909.42 Payment Applied	ENG0480	BLD-CNC-20080008	Hope Baker	FTL Employee Lake Aire Palm View Homeowners
<b>BLD-CNC-20110004</b>		Commercial New Construction Permit						
1948974	71827463	05/28/2021	1393684	\$5,337.90 Payment Applied	ENG0480	BLD-CNC-20110004	BarronCD	jmenkhus@barrondey Flagler Village Civic Associat
<b>BLD-CNC-20120013</b>		Commercial New Construction Permit						
1950046	71941985	06/04/2021	1451652	\$9,687.30 Payment Applied	ENG0480	BLD-CNC-20120013	ricardow	ricardow@gulfbuilding Victoria Park Civic Associatio
<b>BLD-CNC-20120014</b>		Commercial New Construction Permit						
1960125	72004876	07/28/2021	1488246	\$116,603.46 Payment Applied	ENG0480	BLD-CNC-20120014	Sharon Zedella	FTL Employee Progresso Village Civic Associ
<b>BLD-CNC-20120017</b>		Commercial New Construction Permit						
1948736	71908960	05/27/2021	1434008	-\$34,399.80 Void Payment Applied	ENG0480	BLD-CNC-20120017	Danielle Murray	FTL Employee Colee Hammock Homeowners Assoc
<b>BLD-CNC-21060004</b>		Commercial New Construction Permit						
1956784	71962086	07/12/2021	1461269	\$35,902.32 Void Payment Applied	ENG0480	BLD-CNC-21060004	Caroline Yeakel	FTL Employee
<b>BLD-CU-20110005</b>		Change of Use						
1948683	71875416	05/27/2021	1417913	\$3,914.46 Payment Applied	ENG0480	BLD-CU-20110005	Sheena Brownlee	FTL Employee Middle River Terrace Neighborh
<b>BLD-PBA-21060002</b>		Permit by Affidavit - Building						
1954327	71942671	06/28/2021	1451802	-\$116,603.46 Void Payment Applied	ENG0480	BLD-PBA-21060002	Sharon Zedella	FTL Employee Progresso Village Civic Associ
<b>ENG0481</b>								
<b>2021</b>								
<b>BLD-CADD-20120002</b>		Commercial Addition Permit						
1950452	71928851	06/08/2021	1445150	\$2,471.25 Payment Applied	ENG0481	BLD-CADD-20120002	Hope Baker	FTL Employee Edgewood Civic Association
<b>BLD-RADD-21010009</b>		Residential Addition Permit						
1942906	71903332	04/30/2021	1430807	\$1,977.00 Payment Applied	ENG0481	BLD-RADD-21010009	Monyck30	Monyck30@yahoo.co Harbor Beach Homeowners Associ
<b>BLD-RNC-20020002</b>		Residential New Construction Permit						
1940238	68879274	04/20/2021	1203909	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20020002	anonymous	anonymous@anonym Victoria Park Civic Associatio
<b>BLD-RNC-20060005</b>		Residential New Construction Permit						
1957222	71546656	07/14/2021	1243847	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20060005	Hope Baker	FTL Employee Shady Banks Civic Association

<b>BLD-RNC-20070008</b>	1943535	71800950	Residential New Construction Permit 05/04/2021	1382352	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20070008	kdgroup	kaizerdesigngroup@g Hendricks and Venice Isles
<b>BLD-RNC-20080001</b>	1937000	71745317	Residential New Construction Permit 04/01/2021	1352515	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20080001	Gorod	Gorodbuilders@gmail Riverside Park Residents Assoc
<b>BLD-RNC-20080017</b>	1940580	71639515	Residential New Construction Permit 04/21/2021	1287851	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20080017	anonymous	anonymous@anonym LAUDERDALE
<b>BLD-RNC-20090009</b>	1945461	71659192	Residential New Construction Permit 05/12/2021	1296661	\$3,954.00 Payment Applied	ENG0481	BLD-RNC-20090009	tgestido	tgestido@gestidocons Durrs Community Association, I
<b>BLD-RNC-20120007</b>	1944323	71852787	Residential New Construction Permit 05/06/2021	1408109	\$7,908.00 Payment Applied	ENG0481	BLD-RNC-20120007	lwalker@coloneygrou	lwalker@coloneygrou Lake Ridge Civic Association,
<b>BLD-RNC-20120011</b>	1944909	71780801	Residential New Construction Permit 05/10/2021	1370954	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20120011	Berni	bernardo.borgia@epc Tarpon River Civic Association
<b>BLD-RNC-20120012</b>	1959821	71898337	Residential New Construction Permit 07/27/2021	1428286	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20120012	anonymous	anonymous@anonym Palm-Aire Village Homeowners A
<b>BLD-RNC-20120035</b>	1954705	71812465	Residential New Construction Permit 06/29/2021	1387259	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20120035	NextGenBuilders20	nextgenbuilders20@g Historical Dorsey-Riverbend Ci
<b>BLD-RNC-20120039</b>	1959918	71818693	Residential New Construction Permit 07/27/2021	1390040	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20120039	Berni	bernardo.borgia@epc Edgewood Civic Association
<b>BLD-RNC-20120044</b>	1949756	71899716	Residential New Construction Permit 06/03/2021	1429197	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-20120044	irizzo	ileaner@bomarbuilder Coral Ridge Country Club Estat
<b>BLD-RNC-21010002</b>	1941407	71810519	Residential New Construction Permit 04/26/2021	1386414	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-21010002	Rivens Desamour	FTL Employee Victoria Park Civic Associatio
<b>BLD-RNC-21020011</b>	1942205	71858169	Residential New Construction Permit 04/28/2021	1410401	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-21020011	Rivens Desamour	FTL Employee Victoria Park Civic Associatio
<b>BLD-RNC-21030002</b>	1951427	71910121	Residential New Construction Permit 06/11/2021	1434594	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-21030002	Hope Baker	FTL Employee Lauderdale West Association
<b>BLD-RNC-21030009</b>	1946627	71867604	Residential New Construction Permit 05/18/2021	1414639	\$3,954.00 Payment Applied	ENG0481	BLD-RNC-21030009	citadel	justin.w.singer@gmail Durrs Community Association, I
<b>BLD-RNC-21030014</b>	1959209	71940500	Residential New Construction Permit 07/23/2021	1450722	\$1,977.00 Payment Applied	ENG0481	BLD-RNC-21030014	Jennifer Agudelo	FTL Employee Durrs Community Association, I
<b>BLD-RNC-21050026</b>	1956774	71984406	Residential New Construction Permit 07/12/2021	1477585	\$3,954.00 Payment Applied	ENG0481	BLD-RNC-21050026	Luke Rinkus	FTL Employee Durrs Community Association, I

**From:** Kymberly Holcombe  
**To:** [Patricia Jolly](#)  
**Cc:** [Susan Grant](#); [Laura Reece](#); [Talal Abi-Karam](#); [Omar Castellon](#)  
**Subject:** FW: Water and Sewer Impact Fees  
**Date:** Thursday, July 29, 2021 2:17:31 PM

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Last fiscal year, FY 2020, the City collected \$1,889,223 in Water expansion/impact fees and \$1,218,252 in Sewer expansion/impact fees, for a total of \$3,107,475. \$2,700,000 of that was used towards the Water and Sewer bond debt payment which appears to be allowable in [F.S. 163.31801\(j\)](#). The remaining funds, including those collected this fiscal year to date, will source other respective expansions consistent with the aforementioned statute.

Current Fiscal year 2021 to date (7/28/2021), the City has collected \$897,547 in Water expansion/impact fees and \$1,360,544 in Sewer expansion/impact fees, for a total of \$2,258,091.

FY 2022 Community Investment Plan (CIP) projects request appropriation of Water and Sewer expansion/impact fees to source the following expansion projects, respectively:

\$1,800,000 P12564 C-51 Reservoir (Water)

\$900,000 P12605 New Pumping Station Flagler Village A-24 (Sewer)

It is anticipated that additional expansion projects will be identified.

Kymberly Holcombe   
Business Operations Manager  
City of Fort Lauderdale  
Public Works | Engineering Services  
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## The 2020 Florida Statutes

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[Title XI](#)

COUNTY ORGANIZATION AND INTERGOVERNMENTAL  
RELATIONS

[Chapter 163](#)

INTERGOVERNMENTAL  
PROGRAMS

[View Entire  
Chapter](#)

**163.31801 Impact fees; short title; intent; minimum requirements; audits; challenges.—**

(1) This section may be cited as the “Florida Impact Fee Act.”

(2) The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction. Due to the growth of impact fee collections and local governments’ reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.

(3) At a minimum, an impact fee adopted by ordinance of a county or municipality or by resolution of a special district must satisfy all of the following conditions:

(a) The calculation of the impact fee must be based on the most recent and localized data.

(b) The local government must provide for accounting and reporting of impact fee collections and expenditures. If a local governmental entity imposes an impact fee to address its infrastructure needs, the entity must account for the revenues and expenditures of such impact fee in a separate accounting fund.

(c) Administrative charges for the collection of impact fees must be limited to actual costs.

(d) The local government must provide notice not less than 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A county or municipality is not required to wait 90 days to decrease, suspend, or eliminate an impact fee. Unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant, new or increased impact fees may not apply to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing a new or increased impact fee.

(e) Collection of the impact fee may not be required to occur earlier than the date of issuance of the building permit for the property that is subject to the fee.

(f) The impact fee must be proportional and reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.

(g) The impact fee must be proportional and reasonably connected to, or have a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.

(h) The local government must specifically earmark funds collected under the impact fee for use in acquiring, constructing, or improving capital facilities to benefit new users.

(i) Revenues generated by the impact fee may not be used, in whole or in part, to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or nonresidential construction.

(4) Notwithstanding any charter provision, comprehensive plan policy, ordinance, or resolution, the local government must credit against the collection of the impact fee any contribution, whether identified in a proportionate share agreement or other form of exaction, related to public education facilities, including land

dedication, site planning and design, or construction. Any contribution must be applied to reduce any education-based impact fees on a dollar-for-dollar basis at fair market value.

(5) If a local government increases its impact fee rates, the holder of any impact fee credits, whether such credits are granted under s. [163.3180](#), s. [380.06](#), or otherwise, which were in existence before the increase, is entitled to the full benefit of the intensity or density prepaid by the credit balance as of the date it was first established. This subsection shall operate prospectively and not retrospectively.

(6) Audits of financial statements of local governmental entities and district school boards which are performed by a certified public accountant pursuant to s. [218.39](#) and submitted to the Auditor General must include an affidavit signed by the chief financial officer of the local governmental entity or district school board stating that the local governmental entity or district school board has complied with this section.

(7) In any action challenging an impact fee or the government's failure to provide required dollar-for-dollar credits for the payment of impact fees as provided in s. [163.3180\(6\)\(h\)2.b.](#), the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee or credit meets the requirements of state legal precedent and this section. The court may not use a deferential standard for the benefit of the government.

(8) Impact fee credits are assignable and transferable at any time after establishment from one development or parcel to any other that is within the same impact fee zone or impact fee district or that is within an adjoining impact fee zone or impact fee district within the same local government jurisdiction and receives benefits from the improvement or contribution that generated the credits.

(9) A county, municipality, or special district may provide an exception or waiver for an impact fee for the development or construction of housing that is affordable, as defined in s. [420.9071](#). If a county, municipality, or special district provides such an exception or waiver, it is not required to use any revenues to offset the impact.

(10) This section does not apply to water and sewer connection fees.

(11) In addition to the items that must be reported in the annual financial reports under s. [218.32](#), a county, municipality, or special district must report all of the following data on all impact fees charged:

(a) The specific purpose of the impact fee, including the specific infrastructure needs to be met, including, but not limited to, transportation, parks, water, sewer, and schools.

(b) The impact fee schedule policy describing the method of calculating impact fees, such as flat fees, tiered scales based on number of bedrooms, or tiered scales based on square footage.

(c) The amount assessed for each purpose and for each type of dwelling.

(d) The total amount of impact fees charged by type of dwelling.

(e) Each exception and waiver provided for construction or development of housing that is affordable.

**History.**—s. 9, ch. 2006-218; s. 1, ch. 2009-49; s. 5, ch. 2009-96; s. 5, ch. 2011-14; s. 1, ch. 2011-149; s. 1, ch. 2019-106; s. 5, ch. 2019-165; s. 5, ch. 2020-27; s. 1, ch. 2020-58.