



**MEETING MINUTES
CITY OF FORT LAUDERDALE
INFRASTRUCTURE TASK FORCE ADVISORY COMMITTEE
MONDAY, DECEMBER 5, 2022 – 2:00 P.M. TO 5:00 P.M.**

CITY OF FORT LAUDERDALE

January-December 2022

Attendance

Marilyn Mammano, Chair	P	9	0
Peter Partington, Vice Chair	A	6	4
Gerald Angeli	P	8	1
Shane Grabski	A	5	4
James LaBrie	P	9	0
Roosevelt Walters	P	6	3
Ralph Zeltman	P	9	0

As of this date, there are 7 appointed members to the Committee, which means 5 would constitute a quorum.

Staff

- Alan Dodd, Director of Public Works
- Chris Bennett, Assistant Director of Public Works
- Omar Castellon, Assistant Director of Public Works – Engineering
- Dr. Nancy Gassman, Assistant Director of Public Works – Sustainability
- Daphnee Sainvil, Government Affairs and Economic Development Manager
- Sylejman Ujkani, Program Manager
- Jill Prizlee, Chief Engineer
- Vickie Beauvais, Senior Administrative Assistant
- Betty Crews, Senior Administrative Assistant
- Pauline Ricketts, Administrative Supervisor
- Carla Blair, 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 2:08 p.m. Roll was called and it was noted a quorum was present.

ii. Approval of Agenda

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

iii. Approval of Previous Meeting Minutes November 7, 2022

Motion made by Mr. Walters, seconded by Mr. Angeli, to approve with or without corrections. In a voice vote, the **motion** passed unanimously.

2. Old Business

i. Update on Comprehensive Agreement for Water Treatment Plant

Chair Mammano recalled that Staff has provided the Committee members with a more recent draft of the City's comprehensive agreement with IDE Ridgewood, the private entity that will construct the new water treatment plant. This draft addresses many of the issues with which the Committee had expressed concern at the November 7, 2022 meeting. The draft agreement recommends a "Town Hall" presentation to the public, as suggested by the Committee in November. Another recommendation in the agreement is the creation of a public website to house the project's documents.

Chair Mammano continued that the comprehensive agreement is tentatively scheduled to go before the City Commission for consideration on December 20, 2022, assuming that any unfinished business will be complete by that time. Omar Castellon, Assistant Director of Public Works (Engineering), confirmed that the agreement is not yet complete, which would mean the December 20 date may not be accurate.

Mr. Walters asked if the Town Hall presentation would take place at City Hall, as well as whether or not it will be preceded by additional community outreach. Mr. Castellon replied that this will be a very short virtual presentation. Mr. Walters and Chair Mammano expressed concern that this would limit the audience to which the presentation may be made.

Mr. Walters advised that the purpose of the Town Hall meeting was to inform the general public about the project, and requested information about its proposed date. Mr. Castellon explained that no date has been set at this time, as Staff is working toward completion of the comprehensive agreement and presentation of the project to the City Commission on December 20.

Chair Mammano commented that while it may be possible to track the number of individuals participating in the meeting, Staff would not be able to track where these individuals are from or when they joined or left the call. Mr. Walters emphasized the need to go into the City's communities and hold meetings at different locations for different groups, such as homeowners' and civic associations.

Chair Mammano continued that the City Commission is scheduled to discuss the draft comprehensive agreement at its December 6, 2022 meeting as well. She advised that she plans to attend that Commission meeting in order to offer input on behalf of the

Committee. Mr. LaBrie stated that he planned to attend this meeting as well, but would defer to the Chair to represent the Committee, as only one member of an advisory entity may speak at a City Commission meeting in order to avoid violating the Sunshine Law.

Chair Mammano reviewed the draft agreement, which included a chronology of activity leading up to the creation of the agreement itself. She pointed out that in June 2021, the City chose to entertain other proposals for public-private partnerships (P3s) rather than to enter into a comprehensive agreement at that time, recommending that this change be made to the document for accuracy. It was also June 2021 when the City's representative, Hazen and Sawyer, came on board.

Chair Mammano continued that in January 2022, the City Commission saw a technical and financial review of the P3 proposals, at which time the Committee also requested an opportunity to provide feedback on them. On February 15 of this year, the Committee recommended that the City send out a request for proposal (RFP) rather than proceed with a P3. In March 2022 City Commission opted to move forward with the P3, and selected the IDE Ridgewood proposal in May. The comprehensive agreement is still being worked through by Staff and the private entity.

Chair Mammano asked how close Staff and the private partner might be to the completion of the comprehensive agreement. Mr. Castellon estimated that the agreement is roughly 95% complete. Chair Mammano asked if the Committee would be able to receive the most up-to-date version of the agreement. Mr. Castellon advised that he was not certain whether or not the most recent version could be shared at this time.

Chair Mammano also recalled that during previous discussion of the draft agreement, the Committee had requested additional information about the private entity and its qualifications, including projects they have previously undertaken. She observed that not all of the projects listed by this entity are water treatment plants: they also include significant desalinization and pipeline projects. Mr. Castellon confirmed that the private entity has experience with water treatment facilities, also pointing out that desalinization is a much more complex process. Mr. Zeltman recommended that the water treatment facilities on which the private entity has worked be included in the list of their projects.

Chair Mammano continued that the overview of the proposed plant was helpful to see, as she had not realized the proposed plant would be located at some distance from the Prospect Wellfield. She also noted that the IDE Ridgewood team has modified the design originally proposed by consultant Carollo at an earlier time, which is intended to guarantee the plant can treat a broader range of possible water quality issues. Mr. Castellon clarified that if the condition of water from the wellfield changes in the future, the City would be required to pay for any changes necessary to process that water.

Mr. Zeltman requested clarification of the type of treatment(s) proposed for use at the plant. Mr. Castellon replied that this would be 70% nanofiltration and 30% ion exchange.

Chair Mammano noted that the updated draft agreement now holds the private entity responsible for both physical and cybersecurity at the plant.

Chair Mammano requested additional information regarding the anticipated construction period from the date of notice to proceed, which is estimated at 42 months. Mr. Castellon confirmed that this is the expected time frame for construction, beginning once the comprehensive agreement has been signed. The design and permitting phases are already underway.

Mr. LaBrie asked if the other Broward municipalities listed on a map attached to the comprehensive agreement will be served by the new water treatment plant. Chris Bennett, Assistant Director of Public Works, replied that not all of these communities are part of the new plant's customer service area. Mr. LaBrie requested a breakdown of how many millions of gallons of water produced at the plant will be sent to customers outside Fort Lauderdale. Mr. Castellon further clarified that the Peele-Dixie Water Treatment Plant also serves some of these communities.

Mr. Zeltman commented that the Peele-Dixie plant has the production capacity for approximately 12 million gallons, while the plant that will replace Fiveash will have significantly larger capacity. Mr. LaBrie recalled that at the November meeting, the Committee had discussed the fact that the City is going to pay for the production of 50 million gallons per day at the new plant, and asked if it made sense for Peele-Dixie to remain in operation when the new plant has such greater capacity. Mr. Castellon explained that the City's high demand for water requires the use of both plants.

Chair Mammano commented that in the future, the City's entire water system could come from the new plant. She recalled that she had also been concerned with the production of 50 million gallons of water when that amount was not yet needed, but upon further reflection, she had realized that the City continues to grow and will need the additional capacity. The City currently uses 38 to 42 million gallons per day, produced at the Fiveash and Peele-Dixie plants.

Chair Mammano next addressed enabling works to be provided by the City, requesting additional information on wellfield modifications. Mr. Castellon stated that the wellfield will have booster pumps to increase pressure. There will also be new filtration systems to address sand intrusion. These modifications would have been necessary even if the city built the new plant. The City will also make modifications to the distribution pipes used at Fiveash, which are old and require upgrades.

Chair Mammano also asked for a list of possible events that could extend the contract time for construction. Mr. Castellon advised that these include hurricanes and other storm events. A list is provided in later drafts of the comprehensive agreement. Mr. Walters noted that some events, such as storms, are considered no-fault events.

Chair Mammano commented that there is the possibility of monetary damages to the private entity if water quality and/or quantity does not meet the established standards. She pointed out that these damages can be made up in ways that do not include money. She also observed that if the City wishes to exit the P3 early, they must repay the full 30-year costs to the private partner. Mr. Castellon stated that this may be changed in subsequent drafts of the agreement.

Chair Mammano continued that the draft agreement refers to the plant being operated by IDE Ridgewood, which she felt was inaccurate, as it is supervised and maintained by that entity. City employees will staff the new plant. Mr. Castellon explained that IDE Ridgewood will be in charge of the new plant's operations and decisions, which means they are operating the facility. Chair Mammano suggested the agreement could make it clear that the plant will be operated with City employees.

Additional enabling works the City will provide to the plant will include chemicals, water, and electricity. Chair Mammano pointed out that later in the agreement, there is no further mention of electricity among these works.

Mr. LaBrie asked what will happen to the responsibilities of the existing management of the Fiveash plant. Mr. Castellon replied that some of these employees will remain at that water distribution facility, which is managed and controlled by the City. Others will move to the IDE Ridgewood facility. The timeline for this change will be included in the final comprehensive agreement.

Mr. LaBrie also asked if there will be training of employees for eventual management positions. Mr. Castellon stated that IDE Ridgewood will provide the training necessary to operate their plant.

Mr. LaBrie asked if there will be training of City employees to manage the IDE Ridgewood plant. Mr. Castellon replied that this will need to be determined at a later time, as it is not yet known what kind of personnel will be brought in by the private partner to operate the new plant. Mr. LaBrie noted that 30 years after the plant's construction, the City will become responsible for its operations.

Chair Mammano continued that a previous version of the agreement, established in December 2020, had estimated 36 months for completion of the new plant. The current agreement states the project will take 42 months and also changes the initial rate, rate of increase, and the division of capital expenses. Mr. Castellon explained that not all of these changes are fully spelled out, such as the cost of electricity.

Chair Mammano noted that in September 2021, the City established that its water rates would increase by 3.6% each year. Another 5% annual increase would go toward the cost of the new plant, totaling 8.6% for the first five years of the project. Dr. Nancy Gassman, Assistant Director of Public Works (Sustainability), further clarified that the

5% surcharge is already being collected so funds can be banked toward the construction of the new plant.

Mr. Castellon added that after the fifth year, the 5% surcharge will be reduced to 2.5%. Chair Mammano asserted that this change will require the passage of an Ordinance. The members of Public Works Staff confirmed this.

Chair Mammano continued that once the new plant comes online, the 3.6% and 5% increases will change to \$1.61 per gallon. Increases will be measured by the cost of water rather than by percentage increases. In the first year of operations, water will cost \$29 million, plus chemicals, electricity, and labor. This means the City's Enterprise Fund will need to come up with over \$31 million to pay for water from the new plant. She requested clarification of how much money is in the Enterprise Fund every year. Mr. Castellon replied that he did not have this information.

Mr. LaBrie requested clarification of where IDE Ridgewood's investment in the project can be found. It was explained that this was approximately \$121 million, or 25% of the total \$485 million cost. Mr. LaBrie continued that after six years, the private partner is expected to have made back this investment, after which time the agreement will continue for the remainder of the 30-year period. The private entity will also be responsible for maintenance and repairs over the length of this period. Mr. LaBrie felt this could be an excessive level of profit for the private partner.

Mr. LaBrie continued that the discussion at the November 2022 meeting had included an estimate stating that if the City paid for the new water treatment plant on its own, the cost would be roughly 2.7% less. He asked if this is estimated over the course of 30 years. Mr. Castellon replied that this estimate refers to the capital costs of building the plant. Mr. LaBrie expressed concern with the fact that the private entity would recoup its investment within six years and the City's investment in the project.

Chair Mammano noted that the City is facing a hard deadline of December 20, 2022, at which time the City Commission will make its decision on whether or not to approve the comprehensive agreement. She did not feel the Commission would be able to make this decision, and pointed out that IDE Ridgewood will be able to walk away from the project up until December 30. Mr. Castellon advised that IDE Ridgewood can also walk away if no decision is reached on December 20; December 30 is the date on which the costs of the agreement would increase if it is not accepted by then.

Chair Mammano concluded that there should be a public component to the process, and that the more the Committee looks into the actual costs of the proposed agreement, the more concerns they have regarding its total cost. She strongly expressed concern with the December 20 deadline, which she did not feel was realistic. Public Works Director Alan Dodd emphasized that this is a target date, and acknowledged that it may be unrealistic to accomplish everything that would need to happen before the comprehensive agreement is presented for City Commission approval.

Mr. Dodd continued that public engagement is also key, and that documents must be provided in time to allow for their review. He concluded that the timeline is very challenging.

Chair Mammano reiterated that she plans to attend the December 6 City Commission meeting and address the Commission regarding the comprehensive agreement. This would include expressing her concern that the documents are not yet ready for approval. Mr. Dodd commented that the City Manager has expressed a similar position and concerns with the draft agreement.

Mr. Walters asked what would happen next if the agreement is not ready for a Commission vote on December 20. Mr. Dodd replied that three new City Commissioners will be seated at the December 6 meeting and will see a presentation on the proposed project. He anticipated one-on-one sessions with each of the Commissioners to bring them up to speed on the proposal. He emphasized the importance of the decision and the need to ensure the Commissioners are not required to vote on it until they are comfortable with the topic.

Mr. Dodd continued that the Commissioners will have three choices when voting on the proposal:

- Approval
- Disapproval
- Deferral to a later date, with more data collection and/or more changes to the comprehensive agreement

He advised that at least two Commissioners do not feel they have a sufficiently clear understanding to vote on the project at this time. Staff will work with them to ensure they have enough information to discuss the issue further.

Mr. Walters asked if the new Commissioners are aware that the cost of the project is set to increase by December 30. He pointed out that this forces them to make a decision whether they feel ready to do so or not, as further delay would be more expensive. Mr. Dodd confirmed this, adding that even the Mayor and returning Commissioners may not be fully versed in the details of the comprehensive agreement.

Chair Mammano asked why the agreement is on the December 20 City Commission Agenda if the Commission is not expected to be ready for a vote. Mr. Dodd replied that while this was the target date, there is not anything to put on the agenda at this point. To be placed on the agenda, the comprehensive agreement will need to include complete annexes, a labor service agreement, an operations and maintenance agreement, and other documentation.

Mr. LaBrie asked if the City Commission is expected to meet with the Committee on this issue. Mr. Dodd replied that the Commission will need to discuss things further at the

December 6 meeting and determine how they wish to proceed, which could include a workshop or a public meeting. He encouraged the Committee members to contact their individual Commissioners and share their concerns and experience regarding the proposed project. This would also be an appropriate time for the members to suggest a joint meeting between the Committee and the Commission.

Mr. LaBrie proposed that Chair Mammano suggest a joint meeting between the Commission and the Committee when speaking at tomorrow's Commission meeting. Mr. Zeltman added that he also felt it was imperative to schedule a meeting with the new Commissioners so they can address the most critical areas of the proposed agreement and give the new Commissioners a better idea of the Committee members' thoughts and concerns on the proposal.

3. New Business

i. Year-End (2022) Wrap Up of Grants

Government Affairs and Economic Development Manager Daphnee Sainvil explained that she oversees lobbying for the City at the state and federal levels. The recent bipartisan infrastructure package passed by the federal government includes \$1.2 trillion over a five-year period. This package includes a number of federal funding opportunities, some of which have already been released, such as the Bridge Investment Program, Consolidated Rail Infrastructure and Safety Improvements (CRISI), Rebuilding American Infrastructure with Sustainability and Equity (RAISE), Reconnecting Communities, and others. The City has applied for some of these grants and is awaiting a response.

The State Legislative session has not yet begun, and the City is not yet certain what grants may be available on that level. Ms. Sainvil advised that she has asked Mr. Dodd and Public Works Staff to keep her apprised of state projects for which Fort Lauderdale may be eligible. She concluded that she can provide a more comprehensive update in January 2023.

The City has a federal lobbyist who keeps them informed of notices of funding opportunities for grant projects. There is also an in-house Budget and Grants Department. The Public Works Department advises Staff of any grants in that area for which they may be eligible.

Chair Mammano observed that certain criteria must be met in order to qualify for federal infrastructure grants, including a criterion regarding underserved communities. Ms. Sainvil explained that in Fort Lauderdale, an underserved community is located in the historic Sistrunk Boulevard area on the west side of the City. Another federal criterion is equity, which may include the righting of a historic wrong. This may have an impact on the Reconnecting Communities grant, as a bridge over the New River, for example, may

serve to physically separate the east and west sides of the City, while a tunnel would not demonstrate the same physical separation.

Ms. Sainvil continued that the criteria related to equity help the City to show that a project may be more needed here than in another community due to the size of Fort Lauderdale's underserved population.

Mr. Walters requested a more thorough clarification of the term "underserved." Ms. Sainvil replied that one way to define this term refers to areas of the City that are not widely known about. The term may be population-based or resource-based: for example, resources may be typically directed toward some communities but not others. In terms of population, it may be used to refer to the City's minority population. The federal government is striving for equity through its infrastructure bill by providing grant funding opportunities by assisting underserved communities.

Mr. Walters advised that in the past, grant funds that may have been intended for use on underserved communities have instead been used toward the areas that typically receive a significant amount of resources, such as the Fort Lauderdale Beach or Downtown areas. He strongly emphasized the need to ensure this does not recur. Ms. Sainvil stated that the City hopes to meet the criteria for equity and the righting of a historic wrong as well, which will help direct services to the appropriate areas.

Chair Mammano asked how the City's Community Redevelopment Agencies (CRAs) affect grant funding. Ms. Sainvil pointed out that the State Legislature passed a bill requiring all CRAs to sunset by 2026.

Chair Mammano also requested a list of both available grants and those for which the City has already applied. Program Manager Sylejman Ujkani stated that the City has already applied for the following grants:

- Reserve Florida Grant Program: the City applied in September for projects located in the Dorsey Riverbend and Progresso neighborhoods as well as for the Oseloa Canal restoration
- 2022 Local Support Grant Program: the City submitted proposals to this program for projects including the Himmarshee Canal seawall, Las Olas seawall improvements, and a mobility improvements project; these funds are currently held up at the state level
- Bridge Investment Program: the City submitted an application for various City-wide bridge improvements

ii. Projected Grants for 2023

4. Public Works Update

i. November Water and Wastewater Break Report

The Committee reviewed the list of cumulative water and wastewater breaks for 2022. Chair Mammano noted that there did not seem to be a pattern or consistent area in which breaks occur. Mr. Dodd added that breaks are trending downward due to the City's investments in high-risk areas. Mr. Zeltman commented that a list of the materials of which breaking pipes are made could be helpful, as this could suggest which other pipes may break in the future.

Chair Mammano recalled that Staff previously provided the Committee with a list of pump stations and the upgrades they were receiving, as well as how these upgrades have affected productivity. She asked if it would be possible to provide this type of list for sewer breaks as well, suggesting that it could show progress better than the current spreadsheet. Mr. Dodd replied that the asset management program the City plans to use in the future will reflect improvements more clearly. He added that the Utilities Department already tracks information regarding where pipes have broken, and examines historic data as a potential indicator of where critical breaks may occur.

Chair Mammano asked if asset management is currently complete for the City's sewer system. Mr. Bennett confirmed that 100% of the sewer system has been entered into the CityWorks asset management software.

Chair Mammano recalled that on the water and sewer bond expenditures summary, there was a \$17 million budget for inflow and infiltration (I&I) projects, of which the City has spent nearly \$15 million thus far. She asked if bond funds are the only money going into I&I projects. It was clarified that the summary tracks output. Mr. Castellon added that more I&I work is planned over the next five years.

Mr. Dodd noted that within the overall Capital Improvements Program (CIP) the City has between \$22 million and \$25 million in funded projects moving forward. There have been discussions of accelerating the I&I program in key neighborhoods where it is having a significant impact on flow to the George T. Lohmeyer Wastewater Treatment Plant.

ii. Financial Report

5. General Discussion and Comments

i. Committee Members

Mr. Zeltman recalled that he had sent an email to Chief Engineer Jill Prizlee including questions about the Fiveash Water Treatment Plant. He advised that he had intended this document to be distributed to the Committee members.

Chair Mammano advised that Committee member Michael Marshall has been notified that he had accumulated four absences, for which members are typically removed from City advisory entities. After speaking with Mr. Marshall, she has reached out to Mr. Dodd

to determine whether or not Mr. Marshall could be reinstated, as he has been a valuable member of the Committee. Mr. Dodd advised that Mr. Marshall should be reinstated with the next round of appointments to advisory bodies.

ii. Public Comments

Boyd Corbin, private citizen, spoke in opposition to the privatization of water and sewer services, which he asserted would waste money on interest payments and shareholder profits. He pointed out that the projected cost of the P3 water treatment plant project has increased by approximately \$31 million since it was discussed at the November 2022 meeting. He also expressed concern with the new plant's proposed nanofiltration system, which he believed would waste 2.2 billion gallons of water annually.

Mr. Corbin continued that refurbishing the Fiveash plant and using ozone and carbon filtration methods could save 2.2 billion gallons. He recommended this in lieu of the P3, and stated that ammonia should not be put into City water, as it is used to create a less effective disinfectant than chlorine alone. He felt this contributes to the discoloration of City water. He provided the members with a pamphlet on the use of chloramine.

Chair Mammano asked if ammonia would be used at the new water treatment plant. Mr. Castellon replied that the new facility will use chemicals that are different from those currently used at Fiveash, although this will still include "a type of ammonia" with a different chemical formula. Chair Mammano requested additional information on this at a later date.

Chair Mammano also asked if the water system's pipes contribute to discoloration of water. Mr. Zeltman stated this was the case, as older pipes are rusting internally. Chair Mammano noted that over time, the older cast iron pipes will be replaced.

Motion made by Mr. Walters, seconded by Mr. Angeli, to submit the documents from Mr. Corbin and Mr. Zeltman, and be included in the minutes. In a voice vote, the **motion** passed unanimously.

Mr. LaBrie asked if the different type of ammonia that will be used at the new water treatment plant also contributes to the formation of chloramine. Mr. Castellon replied that it does form chloramine. Chair Mammano reiterated that this will be discussed on a future Agenda.

6. Adjournment – NEXT SCHEDULED MEETING DATE: Monday, January 9, 2023

There being no further business to come before the Committee at this time, the meeting was adjourned at 4:07 p.m.

Infrastructure Task Force Advisory Committee

December 5, 2022

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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.]