



**MINUTES  
POLK REGIONAL WATER COOPERATIVE**

May 17, 2017 - 2:00 p.m.  
Lake Myrtle Sports Complex  
2701 Lake Myrtle Park Road  
Auburndale, Florida 33823

Member Governments in Attendance:

City of Auburndale ..... Commissioner Richard Hamann, Alternate  
City of Bartow ..... Commissioner William Simpson, Primary  
City of Davenport ..... Commissioner Tom Fellows (Secretary/Treasurer), Primary  
Town of Dundee ..... Vice Mayor Bertram Goddard, Primary  
City of Eagle Lake ..... Commissioner Michael Burdelak, Primary  
City of Frostproof ..... Mayor Rodney Cannon, Primary  
City of Haines City ..... Commissioner Horace West, Alternate  
City of Lake Alfred ..... Mayor Charles Lake, Primary  
Town of Lake Hamilton ..... Mayor Marlene Wagner, Primary  
City of Lake Wales ..... Mayor Eugene Fultz, Primary  
City of Lakeland ..... Commissioner Justin Troller, Alternate  
City of Polk City ..... Mayor Joe LaCascia, Primary  
Polk County ..... Commissioner John Hall, Alternate  
City of Winter Haven ..... Mayor Nathaniel Birdsong, Primary

Member Governments in Absence:

City of Fort Meade  
City of Mulberry  
City of Winter Haven

**1. Call to Order**

In the absence of Chairman Lindsey and Vice Chairman Pospichal, Secretary Fellows called the meeting to order at 2:03 PM and asked all representatives to introduce themselves.

**2. Recognition of new primary/alternate appointees of members**

Eagle Lake  
Haines City

### **3. Agenda Revisions**

Mr. Heath, PRWC Coordinator, stated there was one revision on item 10.B.4 regarding City of Lakeland taking the lead on the Request For Qualifications and voting for adoption of their standards. Mr. Mattiacci from the City of Lakeland will introduce this action.

### **4. Public Comments (Will be limited to 3 minutes per person or group)**

Secretary Fellows invited public comment from the audience, reminding those who would like to speak to provide their name and address for the record.

David Gore, resident of 2900 Crane Drive – Mr. Gore said at the last meeting he stated his opinion that the projects being undertaken are not based on sound science, they are not based on prudence. \$300M will be spent to take water from the same source. They [CFWI] came up with this idea about alternative sources but all flow always, always comes from the water table, it doesn't matter if it comes from a spring or where, if you draw water that is where it comes from. If you do not in some way increase the water table then that is not a solution to our problem. Mr. Gore stated he hated to see this thing going on because it is taking attention from what we should be doing. We should be managing water at a higher level at the water table. Every day we are handing out permits and maintaining the water table at a lower level and causing a loss of water in the system. That's where the water source takes place. We should be increasing the water table. You can't ignore sound science. This plan that they [CFWI] came up with is really deceiving the people and is greedy. Their coming up with ideas that are not based on sound science. What I have seen when you start analyzing recharge. Recharge is just a flow of water. Recharge and discharge are the same exact flow. If you try to recharge the aquifer what you are doing is creating drainage. It is a big giant drainage system down there. We are sucking out of the drainage system down there. They chose 5 people to steer the CFWI system and none of them have any kind of record about being concerned about our environment and our natural systems. There have been a lot of people out there that have made comment and are just being ignored. I just hope that somewhere even the people that work in the water management district should be speaking up about this. They should know this and I think they do. Politics is just letting this go. The water management district and DEP should do it. They just want to take more water from the same system.

Secretary Fellows let Mr. Gore know he had reached his time limit and that his comments were noted and appreciated.

Mr. Gore stated \$300,000,000 dollars down the drain.

Secretary Fellows asked if any other members of the audience would like to comment. There were no additional comments presented.

### **5. Consent Items:**

- a. Approval of 3/16/2017 Board Meeting Minutes.

Motion made and seconded to approve 3/16/2017 meeting minutes as presented. Motion approved unanimously.

## **DISCUSSION ITEMS:**

### **6. SWFWMD Position Re: Landscape Irrigation Wells (Jason Mickel – Water Supply Section Manager at the Water Management District).**

Mr. Mickel provided a brief description of SWFWMD's role in landscape irrigation wells and stated that all well owners are bound by the District's water conservation measures. SWFWMD maintains a database of well drilling permits issued and legally drilled and estimate the quantity of water withdrawn every 5 years. Current estimates (not an exact number) show Polk County withdrawing 2 mgd for irrigation with a District wide total of 25 – 27 MGD.

### **7. Heartland Headwaters Protection and Sustainability Act (Frank Bernardino) No Action Required**

Mr. Bernardino provided a synopsis of the Heartland Headwaters Protection and Sustainability Act. The state has declared it is a state interest to protect the water resources in Polk County. An annual report will be submitted by December 1<sup>st</sup> to the Governor, House and Senate. Mr. Bernadinao acknowledged legislative assistance from David Schep representing the City of Lakeland, Jim Spratt representing the City of Bartow, and Tom Singleton representing the City of Winter Haven.

Mr. Heath asked what the status is of CFWI budget funding in this year's budget.

Mr. Bernardino stated last year the Governor included just over \$10M in his proposed budget to the legislature. It received no funding in this year's budget. The principle reason is the CFWI became an orphan. The budget process is a member driven process, there was not a single legislator in the CFWI area that identified that money as critical to them. The goal is to prevent this from happening next year.

Mr. Heath reminded the Board that they had submitted a request to CFWI to be considered for funding in anticipation in getting a leg up on receiving money from the state. The PRWC needs to be aware that funding through CFWI will not be forthcoming this year and may not be next year, which is why multiple funding source options need to be evaluated.

Mr. Bernardino stated that if there is no support there will be no money, the state prioritizes the issues and needs to understand their importance.

Mayor LaCascia stated that money is an issue, but sometimes the timing is even more important. He asked if this means we will move out of Phase 1 without more of a guarantee of money available before the projects are implemented.

Mr. Heath stated we have taken a look at other options including member contributions, the money guaranteed by the water management district which is 50%, a state revolving fund application, and the approved application for a line of credit. Any additional state funding would be additional and would help reduce the cost, but the projects are not dependent on them to move forward.

Mayor LaCascia asked if Phase 1 was going to take 5 years.

Mr. Heath stated that Mayor LaCascia was correct.

Commissioner Goddard asked if you would treat the state funds as reserves at this point.

Mr. Bernardino stated that the PRWC cannot plan any project depending on future state appropriations, it is too unpredictable. Legislative funding cannot be the principle source and should be considered a financial relief.

Mr. Heath stated the PRWC will get through Phase 1 based on current options. Phase 2 is anticipated to be a 30 year bond issue due to its size. We are not dependent on state funding.

Mr. Bernardino stated the take home message is that the state is going to commit tens of millions of dollars to issues like this all over the state. The question is what does the PRWC need to do to secure funds. The lesson learned is that the delegation is the one that takes the charge by jumping in aggressively and tries to bring as many resources home as possible. The Florida Keys pulled down 23 million for 4 years to tackle similar issues, it can be done.

#### **8. Tentative FY 2018 Administrative Budget (Gene Heath) No Action Required**

Mr. Heath provided a description of the budget for FY 2018 included in the board package including a summary of what has been accrued for FY 2017. He stated the PRWC is still in an interesting phase in development, and is not sure how costs are going to be derived.

Mr. Heath asked if there were any questions on line items. No questions were raised.

Mr. Heath stated the PRWC is in the process of doing an audit of FY 2016, how costs have come through the County and how they will be passed to the PRWC. The Interlocal agreement requires a 30 day notice before the Board takes action on the budget. Next board meeting will be in July or August. Mr. Heath stated the same process used in 2017 was used for 2018. If the audit shows something that needs to be adjusted the Board members will be notified.

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#### **9. Tentative Projects Budgets (Katie Gierok) No Action Required**

Ms. Gierok provided a description of the tentative Combined Projects budget for Phase 1 totaling \$23 million including SWFWMD cooperative funding and \$308 million for Phase 2. Phase 1 is expected to be complete in 4–5 years, and Phase 2 is projected to be complete in 25 years. Total Phase I cost did not change, but some money was moved to current FY for Phase 1. Phase 2 cost did not change, but moved some money forward for compliance with the South Florida Water Management District water use permit for the Southeast Wellfield. The loss of the City of Frostproof from joining the Implementation Agreement results in a loss of less than \$100,000. The current proposal is to work within the budget of \$22.9 million instead of the \$23 million.

Mayor LaCascia asked what is driving the increase costs in those 4 years. Is it the cost of the projects?

Ms. Gierok stated that there has been no change to the overall budget, but the final design and construction costs timing have been moved up by six to twelve months.

Ms. Gierok stated all members should be seriously considering how they will fund their portion of the projects. Some options include a bank line of credit, state funds, and bond anticipation.

Mr. Heath stated that at this point in time, a bond anticipation note is still an option but would be more pricey than the other options currently available.

Ms. Gierok stated that the agreement provides 30 days for the members to look at and approve or deny at the next board meeting.

## 10. Combined Projects Implementation Agreement

### a. Status Report (Ed de la Parte) Action: Memorialize Effective Date

Mr. de la Parte stated that the contract specifies that the Board is required to memorialize the agreements as recorded with clerk of court 5/1/2017. For the Combined Implementation Agreement Board, 5/1/2017 is suggested as the effective date.

Motion made and seconded to approve 5/1/2017 as the Combined Implementation Agreement Project effective date. Motion approved unanimously.

Mr. de la Parte stated that now that an effective date has been approved, deadlines need action by the board w/in 30 days of effective date of May 1st. The Board must select a Combined Projects Administrator and select Project Managers for each of the projects. Mr. de la Parte suggested taking a vote to fill those positions since the 30 day deadline will pass prior to the next Board meeting.

Mr. Heath stated he would be honored to fill those positions until someone else is selected to remain in compliance with the agreement.

Motion made and seconded to select Gene Heath as the Combined Projects Administrator and Project Managers until a replacement is selected. Motion approved unanimously.

Mr. de la Parte stated the next agreement is the Conservation Project Implementation agreement, signed by all 16 parties and recorded by the Clerk's office on 5/1/2017. Mr. de la Parte suggested an effective date for the agreement of 5/1/2017

Motion made and seconded to approve 5/1/2017 as the Conservation Project Implementation Agreement Project effective date. Motion approved unanimously.

Mr. de la Parte stated that the agreement calls for a Project Administrator and Project Managers to be selected within the time frames previously mentioned.

Motion made and seconded to select Gene Heath as the Combined Projects Administrator and Project Managers until a replacement is selected. Motion approved unanimously.

Mr. de la Parte stated the Combined Projects Implementation Agreement requires the selection of a technical consultant within 120 days of the effective date which will be discussed as item 10.b. on the Agenda.

Mr. Heath stated that the agreements require the members to select a representative for the member government within 30 days. Mr. Heath stated a notice will be sent to the members requesting the name and contact information for each representative and suggests the representative be someone familiar with utilities.

**b. Request for Consultant Qualifications (Gene Heath, Tom Mattiacci)**

**i. Organization Structure**

(There was no discussion on this topic as presented in the BOD package)

**ii. Scope of Work**

Mr. Heath stated that the PRWC has put applications in to the SWFWMD noting 3 projects. The project plan in the applications will serve as the Scope of Work for each of the projects. Mr. Heath provided a summary of the plans for the Peace Creek project as an example and stated the other projects are in similar format. The projected cost numbers will come under scrutiny as the contract is developed with the selected consultant(s).

**iii. Evaluation Criteria**

Mr. Heath stated one of the things required in a Request For Qualifications (RFQ) is the material that will be used to assess and evaluate the proposals. Evaluations will be based on project specific items as well as material that is included in the City of Lakeland's standard procurement packages.

**iv. Committee Members and Process**

**Action:** Approve Committee and Process Approach

Mr. Heath stated that the Board needs to determine the members of the selection committee and asked the Board to consider a minimum composition of a utility representative from Winter Haven, Lakeland, and Polk County since there will be significant interaction by those three utilities in the three projects; a small utility representative; a City Manager from a small entity, along with Gene Heath as the PRWC Coordinator. This would result in six members of the selection committee; there could be more at the Board's request. The time line for the process is 4 months.

A question was raised regarding the definition of a small utility.

Mr. Heath stated the definition of a small utility could be a Dundee, Eagle Lake, Lake Alfred, Lake Wales, or similar.

Mr. de la Parte stated the proposed action must indicate specific staff for the selection committee.

Mr. Heath suggested the following individuals to be used for the selection committee:

- Marjorie Craig – Polk County
- Robert Kniss – Lakeland
- David Bayhan – Winter Haven
- John Dixon – Auburndale
- Ryan Leavengood – Lake Alfred
- Gene Heath – PRWC Coordinator

Motion made and seconded to approve the Combined Projects Implementation Agreement Project consultant selection committee suggested by Mr. Heath. Motion approved unanimously.

**v. Tentative Selection Timeline**

**Action:** Approve adding two additional BOD meeting dates of August 16 and October 18, 2017

Mr. Heath provided a brief description of how the selection process will occur. The selection committee shall short list qualified submittals based on the RFQ submittals. Those selected for the short list will be asked to make a presentation to the selection committee. The selection committee will then create a ranked list of consultants to be presented to the Combined Projects Implementation Board of Directors. The consultants can submit for 1, 2, or 3 of the projects. All of the options will be on the table for the Board to base their decision.

Mr. Mattiacci provided a summary of state laws regarding procurement and the Consultants Competitive Negotiation Act (CCNA) and requested authorization for the City of Lakeland to act on behalf of the PRWC in the solicitation and receipt of qualifications associated with Phase 1 of the Combined Implementation Agreement accepting City of Lakeland standard procurement practices as it relates to the request for qualifications.

Motion made and seconded to authorize the City of Lakeland to act on behalf of the PRWC in the solicitation and receipt of qualifications associated with Phase 1 of the Combined Implementation Agreement accepting City of Lakeland standard procurement practices as it relates to the request for qualifications. Motion approved unanimously.

Mr. Mattiacci stated he will serve as the contract manager in this endeavor. He will not be a reviewer; he will be keeping the process moving forward. The RFQ has not gone out yet, but there will be a lot of consultants competing for this. If anyone gets contacted by consultants prior to or after the RFQ being posted, have them contact Mr. Mattiacci at the City of Lakeland. The RFQ will be posted on City of Lakeland and the Cooperative website as a courtesy.

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Mr. Heath stated that two additional dates will be needed for the procurement process. Aug 16 & Oct 18 are days when the Lake Myrtle complex is open for the additional meetings.

Mayor Wagner stated that August 16<sup>th</sup> is the first day of the Florida League of Mayors roundtable discussion with the Florida League of City's Conference.

Mr. Heath suggested moving the date ahead one day to August 15<sup>th</sup>. The meetings will be at the Lake Myrtle Complex at the same time, 2:00 PM.

Motion made and seconded to add Board of Director meetings on 8/15/2017 and 10/18/2017 at the Lake Myrtle Sports Complex starting at 2:00 PM. Motion approved unanimously.

**11. Open Discussion**

No topics were raised for open discussion.

**12. Adjournment**

Meeting adjourned at 3:15 PM.