

**VERO BEACH UTILITIES COMMISSION MEETING
WEDNESDAY, OCTOBER 11, 2023 - 9:30 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

A G E N D A

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
 - A) August 1, 2023**
- 3. NEW BUSINESS**
- 4. OLD BUSINESS**
 - A) Further Analysis on the Potential Date(s) prior to July 1, 2030, for the Required STEP Conversion within the City of Vero Beach – Mr. Rob Bolton**
 - B) Update on the Waste Water Treatment Plant – Mr. Rob Bolton, Water and Sewer Director**
 - C) Update on Line to John’s Island – Mr. Rob Bolton, Water and Sewer Director**
 - D) BMAP Nutrient Reduction Update – Mr. Matt Mitts, Public Works Director**
- 5. PUBLIC COMMENT**
- 6. CHAIRMAN’S MATTERS**
- 7. MEMBER’S MATTERS**
- 8. CITY ATTORNEY’S MATTERS**
- 9. ADJOURNMENT**

This is a Public Meeting. Should any interested party seek to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the City’s Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting.

VERO BEACH UTILITIES COMMISSION MINUTES
TUESDAY, AUGUST 1, 2023 9:30 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA

PRESENT: Chairman Jane Burton; Vice Chairman, Taylor Dingle; Member Bill Eggers and Alternate Member, Mark Mucher **Also Present:** John Turner, City Attorney; Rob Bolton, Water and Sewer Director and Tammy Bursick, City Clerk

Excused Absence: Mr. Bob Auwaerter

Unexcused Absences: Mr. James Maxwell and Mr. Peter Dold

1. CALL TO ORDER

The Chairman called today's meeting to order at 9:30 a.m.

2. APPROVAL OF MINUTES

A) June 13, 2023

Mr. Eggers made a motion to approve the June 13, 2023 minutes. Mr. Dingle seconded the motion and it passed unanimously.

3. NEW BUSINESS

A) Letter from the Indian River Neighborhood Association (IRNA) regarding potential contamination from a group of chemicals known as Per-and Polyfluoroalkyl Substances (PFAS) – Requested by Mr. Rob Bolton, Water and Sewer Director

Mr. Rob Bolton, Water and Sewer Director, stated that they received a letter from the Indian River Neighborhood Association (IRNA) about their concerns with Per-and Polyfluoroalkyl Substances (PFAS) in their water. There has been a lot in the Press about PFAS. He mentioned a movie that came out entitled "Dark Waters" and prior to that there was a documentary entitled "The Devil We Know" that made people aware of this situation and then there were lawsuits that took place. Mr. Bolton said that he asked the Airport Director if there were any other areas that could contain these substances and be a potential site for PFAS other than the area right behind the Fire Station on 43rd Avenue. The Airport Director gave him three (3) other possible locations, which he showed on the screen where all the sites are located. He also showed after testing was done what the results were. Mr. Bolton briefly went through the PFAS timeline. He said they are actually looking at this to make sure that everything is safe and they periodically test all of their wells. They are aware of the issue, which is complex and if a problem is found they will continue to monitor this and notify the public if they need to.

4. OLD BUSINESS

A) Mr. Keith Drewett to report on the Clean Water Coalition (CWC) Project to Connect Lower Income Households to the STEP System

Mr. Keith Drewett, Vice President of the Clean Water Coalition (CWC), was at today's meeting to give an update on septic tanks. He said so far the City has connected 629 homes to the STEP System and 929 are

still eligible and need to be connected. He said that this project has been going on for at least seven (7) years. The typical cost is around \$17,000 to hook up and a lot of families are financially unable to afford to do it. He said that the CWC has started a pilot program to help these families in need to get connected from septic to sewer. He said the "Team" consists of CWC, Indian River Land Trust, the Economic Opportunities Council, and the Indian River Community Foundation. He said this is a very good Team working on this pilot project. The idea is to look at what is involved in connecting lower income households to the City Step System to make this happen. He is just talking about the mainland for this pilot project and not the barrier island. He showed the homes on septic by the assessed value of their homes. From \$0 to \$100,000 there are 172 homes and 44 of those are in the Atlantic Basin. In the \$100,000 to \$150,000 range there are 147 homes and 24 homes are in the Atlantic Basin. Then with the range from \$150,000 to \$200,000 there are 78 homes and 9 of those homes are in the Atlantic Basin. Mr. Bolton went over the median household income conducted by the Census Tract (on file in the Clerk's office). This information shows the financial challenge that they have moving forward. He said there are a lot of people in this community who are not wealthy and the data speaks for itself. He explained that they are only considering homes that are homesteaded and not commercial dwellings or rentals. He showed what the household income limits by household size looks like. He reiterated hooking up to the City STEP System is a real issue financially for a lot of people. He went over the summary of a typical installation. The STEP equipment costs \$5,425; the installation of the STEP equipment and getting permits costs \$7,700 and the connection fees costs \$3,390, which amounts to \$16,515. He said with this program the homeowner would pay 10%, which is \$542.50 and the balance in nine (9) annual payments of \$542.50 at zero interest rate. The donors they have will pay 100% at household income and up to 200% federal poverty level. The City will waive the connection fees and all this requires is City Council approval. So far they have \$225,000 allocated for the pilot project, which will allow 30 installations.

Mr. Eggers asked if the contractors would be bidding on all of the projects at once.

Mr. Drewett explained that there will be five (5) conversion projects going on at the same time. They are getting a lot of interest from contractors and the rollout is going well so far.

Mr. Mucher asked if the income for a household is for the whole City or just the project area.

Mr. Drewett said it is for City homes on the mainland.

Mr. Eggers asked what the future plans for this group are.

Mr. Drewett hoped that the project would be successful. He commented on the new mandates being passed down by the State with no money attached. The issue is to get all sewers connected to sewer systems or the STEP System. He said CWC will probably be rolling out another phase if this first phase is successful. If they connect 100 or 150 to sewer in the City they would define this as a success.

Mr. John Turner, City Attorney, brought up the sign that CWC has been working on to go in people's yards and asked if they have finalized the layout. He said the only issue he saw with it is that it has the City logo on it so it will need to be approved by the City Council and to make sure that it complies with the sign Code.

Mr. Drewett said someone from the Water & Sewer Department was working on that.

B) Water and Sewer Department to give a report on the STEP System – Requested by the Utilities Commission

Mr. Bolton gave an update on the 2023 Florida Legislative Session where they adopted House Bill 1370 and Senate Bill 1632. As far as the Basin Management Action Plans (BMAPs) go it requires a list of projects that achieve 5-year implementation milestones and meet the total maximum daily load allocations. With the Indian River Lagoon (IRL) they are saying it will enhance protections for the IRL by establishing dedicated funding for restoration projects, a comprehensive water quality monitoring program and new requirements and prohibitions on septic systems with the IRL watershed. The start date for prohibition on the installation of new septic systems where sewer is available is January 1, 2024. It requires BMAPs to be updated every five (5) years. The deadline for existing septic systems to connect to central sewer or upgrade to enhanced nutrient-reducing systems will be July 1, 2030. These Bills passed reflect the whole State and the Governor has signed the final order. This new law would require local governments to include BMAP projects in their Comprehensive Plans so that these projects can be better prioritized. Except for rural areas it requires local governments to assess the feasibility of providing sanitary sewer for developments of more than 50 lots, on a 10-year planning horizon. The deadline for Comprehensive Plans to be updated with new sanitary sewer requirements is July 1, 2024. Mr. Bolton said that he has put in his budget additional funding to expand the STEP System into the County area because they serve that area and own infrastructure in that area. Mr. Bolton said that he sent a notification to Indian River Shores and has not heard back from them as to what they want to do. He said that individuals on the septic systems will be able to connect to either central sewer or upgrade to an enhanced nutrient reducing system. He will be having a meeting in August with Indian River County to discuss this and to establish language that they will be using in their Comprehensive Plan that they are working on for the City. He reiterated that July 1, 2030, was the deadline for central sewer or upgrade to the enhanced nutrient reducing system. By 2033, all waste water facilities discharging to an impaired waterway must be upgraded to an advanced wastewater treatment. He has concerns with Indian River County and how they are going to handle all of the homes that are on sewers and get this project done by the deadline. He sees a lot of problems with that. There are only so many companies that do this work and they will be backlogged when they get closer to the deadline of having this completed. He doesn't know logistically how this can happen. He would like the Utilities Commission to come up with suggestions on handling this. He felt that they needed to concentrate on the sewers that still reside in the City of Vero Beach and leave the sewers residing outside of the City, but are their utility customers, alone for now. He said they don't see anything saying what the fine will be if this doesn't occur. They will need to go out in the community and talk to people about this and come back with some ideas.

Mr. Mucher asked if this Commission was responsible for areas outside of the City or only inside the City.

Mr. Bolton explained this Commission is responsible for the whole territory. However, the City does not have any jurisdiction over the County when it comes down to enforcement.

Mr. Mucher asked if the County has a Utilities Commission. Mr. Bolton said that they do not have a Utilities Commission anymore.

Mr. Eggers said perhaps this Commission could come up with the language for the Comprehensive Plan.

Mr. Bolton explained that the language for the Comprehensive Plan will come from the Planning Director. He would like to see this Commission incorporate some sort of policy on how these things can be done and make a recommendation to the City Council. He said they would need to have meetings to discuss it and get input from the community to find out what they are in favor of or what they object to.

5. PUBLIC COMMENT

6. CHAIRMAN'S MATTERS

7. MEMBER'S MATTERS

Mr. Mucher brought up the stormwater utility that Sebastian has in place. He said they started out imposing \$5.00 per household for the stormwater utility, then it went up to \$10.00 per household and now they are looking at raising it again another \$2.00 for next year. He has heard that the City of Vero Beach will be going to \$70.00 annually, instead of the \$7.00 that is being charged now.

Mr. Bolton understood that the increase would be from \$60.00 a year to \$120.00 a year for Sebastian.

Mr. Mucher asked what they are doing. He asked if their stormwater utility charge is going up to \$70.00 a year.

Mr. Matt Mitts, Public Work's Director, explained that currently the City homeowner is paying a fee of \$7.00 a year for the stormwater utility. The amount their consultant was recommending was \$75.00 a year, subsidizing the budget with other funds. This year they will still be using the money from the American Rescue Plan's Act to help with the stormwater utility this year, but next year Council will need to decide what they want to do. He said there is no plan to escalate it behind that point now.

Mr. Bolton commented that stormwater utilities can cover many things. He went over what some cities use their funds from their stormwater utility for.

Mr. Mucher brought up that the County is reorganizing a lot of their departments and one of the departments that they are adding is a Lagoon Department. He agrees this is a countywide function and should not be the full responsibility of the City. He said maybe the City Council would like to talk to the County about having them responsible for a large portion of the Lagoon.

Mr. Eggers brought up the bad rainstorm that occurred yesterday and asked if there was any major flooding that occurred in the City.

Mr. Mitts was not aware of any. He said that they continuously have problems in the Miracle Mile and Royal Palm area when there is a lot of rain. He said the best way to solve the problem was to have bigger pipes, which he does not see happening. He said sometimes they have to close certain roads when they have bad flooding.

Mr. Turner gave an update on the court case between Indian River Shores and the City of Vero Beach. He said that the Judge found in favor of the City of Vero Beach. He would not address if Indian River Shores had any further recourse, but hoped that the matter was finally over.

8. ADJOURNMENT

Today's meeting adjourned at 10:44 a.m.

/tb

Basin Management Action Plan (BMAP) 2023 Updates



Presentation to Utilities Commission - City of Vero Beach

By: Matthew T. Mitts, P.E., Public Works Director

Wednesday October 11, 2023

What are TMDLS, BMAPS and other Government Acronyms of Importance?

- ▶ **FDEP** = Florida Department of Environmental Protection
 - ▶ State's Environmental Agency. Manages and presumably enforces mandates to restore the Indian River Lagoon.
- ▶ **TN** and **TP** = Total Nitrogen and Total Phosphorus (Nutrients)
 - ▶ Nutrients are primary pollutant of concern for Lagoon. Usually expressed in loading of pounds per year. Nutrients fuel algae blooms, create muck, block sunlight, consume oxygen.
- ▶ **TMDL** = Total Maximum Daily Load
 - ▶ TMDL is a model that estimates how many pounds of nutrients can be *safely* dumped into the Lagoon per year. Lagoon TMDL completed in 2009
- ▶ **BMAP** = Basin Management Action Plan
 - ▶ Policy instrument designed to outline how all of the stakeholders in the Lagoon watershed will meet the TMDLs. Due to size of the Lagoon and varying hydrology and environmental factors, Lagoon is split into three BMAPs. Originally adopted in 2013 and most recently updated in 2021.

How does FDEP Track Our Status?

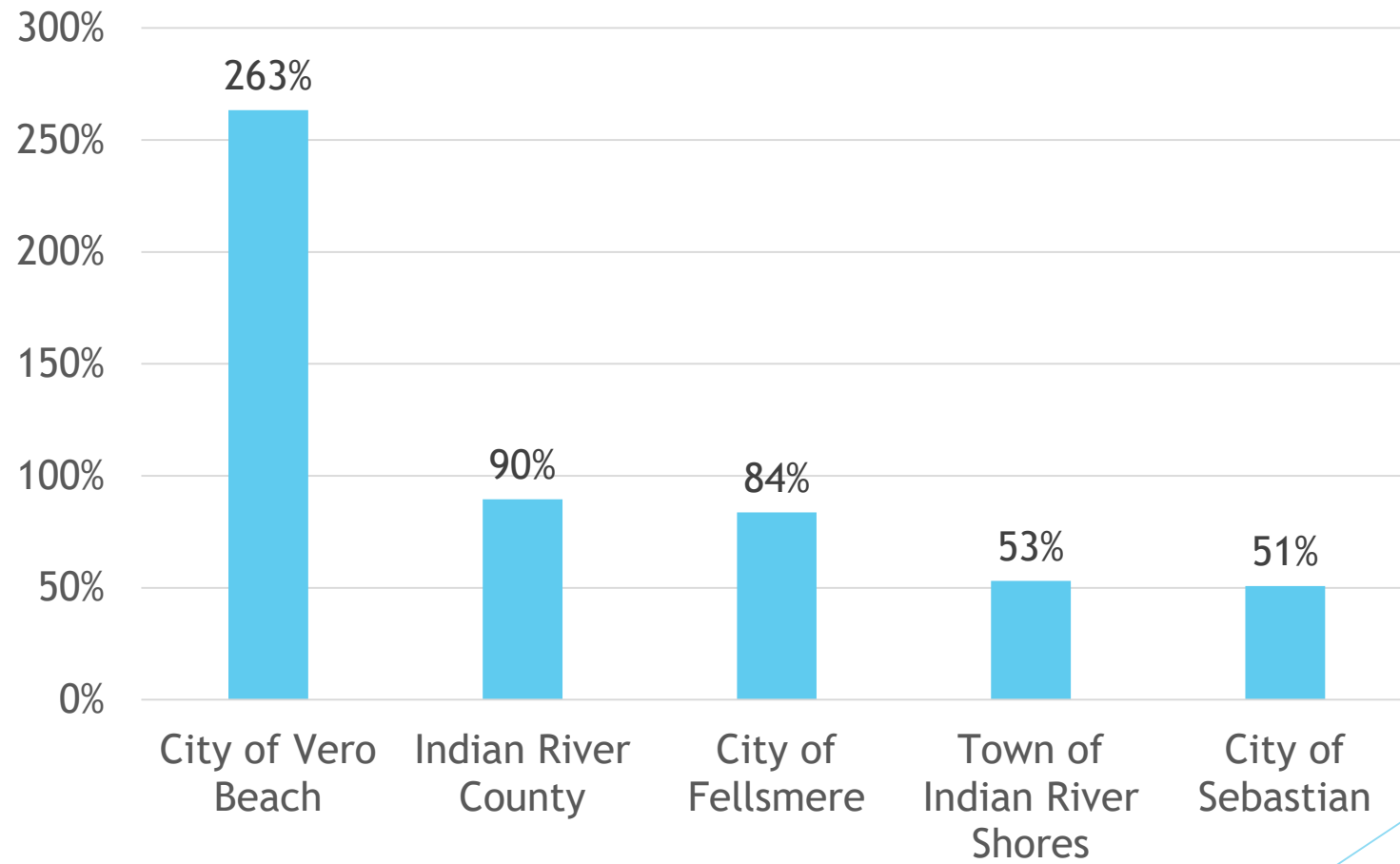
Select your BMAP:	Central Indian River Lagoon	
Select your stakeholder group:	City of Vero Beach	
	Total Nitrogen (TN)	Total Phosphorus (TP)
Required Reduction (lbs/yr):	30,713	3,998

Total Nitrogen Milestones	TN Overall Percent Reduction Requirement	Entity Requirement TN (lbs/yr)	TN Reductions Achieved as of 2022	TN Reduction % Achieved
2025 Milestone	35%	10,749	28,305	263%
2030 Milestone	70%	21,499		132%
2035 Milestone	100%	30,713		92%

Total Phosphorus Milestones	TP Overall Percent Reduction Requirement	Entity Requirement TP (lbs/yr)	TP Reductions Achieved as of 2022	TP Reduction % Achieved
2025 Milestone	35%	1,399	2,521	180%
2030 Milestone	70%	2,799		90%
2035 Milestone	100%	3,998		63%

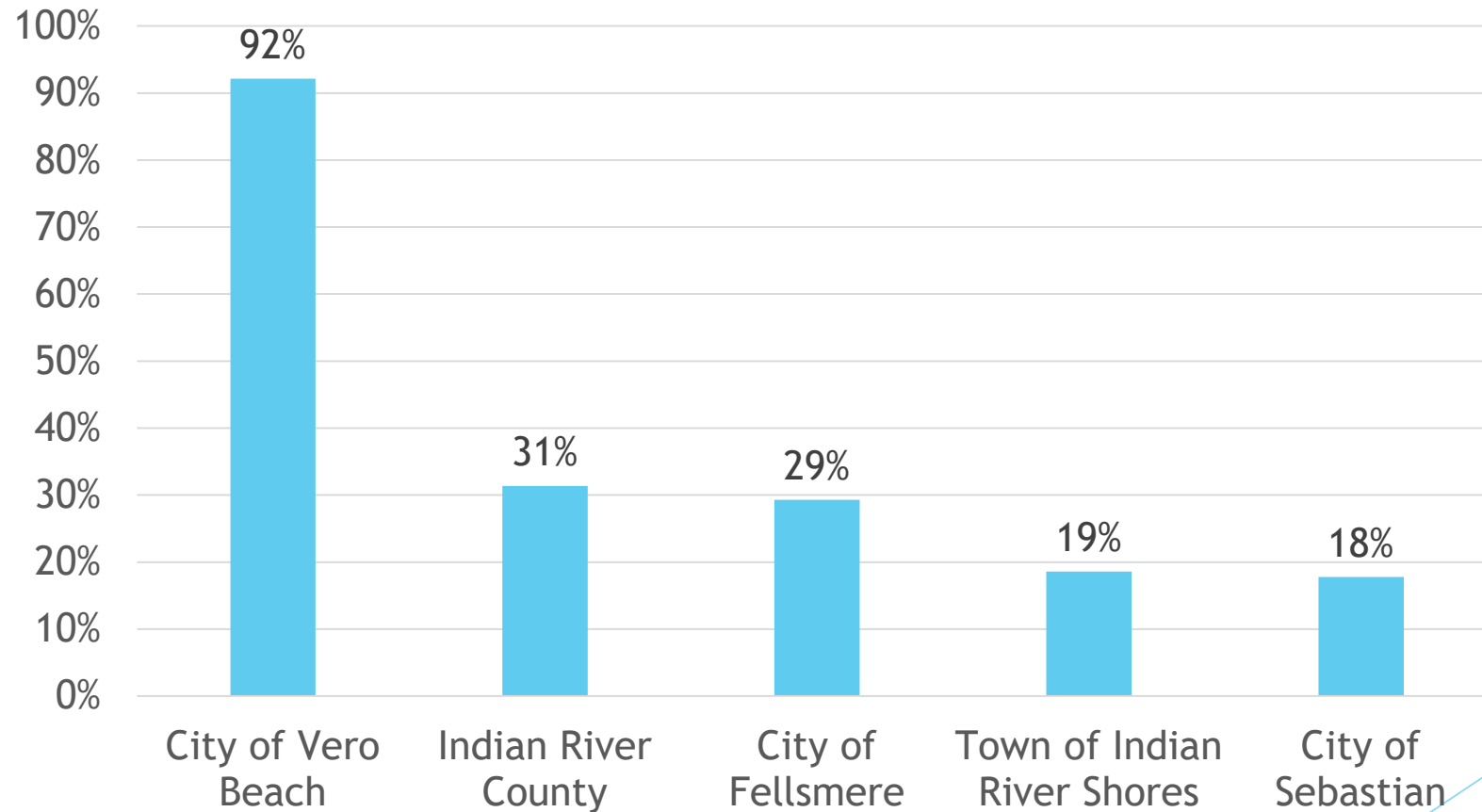
Tracking Stakeholders in IRC - 2025

Total Nitrogen - 2025 Milestones



Tracking Stakeholders in IRC - 2035

Total Nitrogen - 2035 Milestones



Projects not yet Counted for City

- ▶ Main Canal Stormwater Irrigation Project to John's Island
 - ▶ Will divert 3 MGD from IRFWCD Main Relief Canal
 - ▶ 9,700 lbs TN 1,400 lbs TP
- ▶ New Water Reclamation Facility (WRF)
 - ▶ Reclaimed water sent from new WRF will be treated to Advanced Water Treatment (AWT) standards
- ▶ Stormwater Management Plan (SWMP)
 - ▶ 25 Public Works to capture and treat urban stormwater runoff
 - ▶ 25,000 lbs TN 4,700 lbs TP