



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

August 13, 2020

9:00 AM

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FINAL

1. Call to Order - Chauncey Goss, Chairman, Governing Board
2. Pledge of Allegiance
3. Employee Recognitions
 - August Employee of the Month: Kevin Pagan, Sr. Purchasing Specialist
 - August Team of the Month: C-139 Abiaki Prairie Restoration Project - Gopher Tortoise Survey Team
4. Agenda Revisions
5. Agenda Item Abstentions by Board Members
6. Audit & Finance Committee Report - Jay Steinle, Chairman
7. Consider Approval of the Minutes for the July 9th Meeting and the July 29th Lunch & Learn Workshop
8. General Public Comment
9. Board Comment

Consent Agenda

10. Move Consent Agenda Items to Discussion Agenda
11. Public Comment on Consent Agenda Items

12. Cattle Grazing Lease with Diamond 3 Cattle Company, LLC, St. Lucie County (Staff contact, Stephen M. Collins)

Agenda Item Background:

The District wishes to lease 314.28 acres for low density cattle grazing as an effective tool for managing District lands by helping to control invasive vegetation and creating and maintaining enhanced wildlife habitat. Provisions of the Lease provide for a reduction of the acreage as land is needed by District and Corps contractors for equipment staging and surplus material stockpiles during construction of the adjacent C-23/C-24 Stormwater Treatment Area (STA) project. The Lease will be awarded to the highest bidder, Diamond 3 Cattle Company, LLC, for an initial term of 10 years with a six-month notice termination provision. The Lease also allows the District to add additional water storage features when needed. The Lease prohibits the application of fertilizer and requires the Lessee to implement Florida Department of Agriculture and Consumer Services (FDACS) Best Management Practices (BMPs) such as water troughs to keep cattle out of streams and canals, and development of a grazing plan and fencing to exclude cattle from sensitive areas. The annual rent is based on one Animal Unit per six acres (low density) with rent adjusted each year to correlate rental payments more closely with market conditions. In addition to the value of land management services provided by cattle grazing, the first-year anticipated revenue will be approximately \$8,346.

Recommended Action:

Resolution No. 2020 - 0801 Authorize a 10-year cattle grazing lease on 314.28 acres, more or less, in St. Lucie County with Diamond 3 Cattle Company, LLC. (Contract Number 4600004282)

13. Land Acquisition, Pennsuco Project, Miami-Dade County (Staff contact, Stephen M. Collins)

Agenda Item Background:

The District is acquiring land from willing sellers in the Pennsuco Wetlands Project (Pennsuco) in northwestern Miami-Dade County. Two 5-acre tracts within Pennsuco are to be acquired from a willing seller for \$80,000. Funding for the purchase, along with \$3,972.40 for associated costs, will come from the Lake Belt Mitigation Fund. Acquisition and restoration of the Pennsuco wetlands is a key component of the Miami-Dade County Lake Belt Plan.

Recommended Action:

Resolution No. 2020 - 0802 Acquire land interests containing 10 acres, more or less, in the amount of \$80,000, located in the Pennsuco Wetlands Project in Miami-Dade County, for which dedicated funds (Lake Belt Mitigation Fund) are budgeted in Fiscal Year 2019-2020.

14. Release of Reservations (Staff contact, Stephen M. Collins)

Agenda Item Background:

The District has certain reserved rights to construct canal and road right of ways. Applications requesting release of these reservations are received as they constitute a defect on title which must be resolved prior to a property sale, especially when financing is involved. Applications are reviewed to determine if there is a present or future need. If it has been determined there is no present or future need, the reservations are released for payment of a value equal to one percent of the appraised value of the land

on the property appraiser's website in the county where the property is located. It has been determined that there is no present or future need for the reservations listed below.

Staff Recommendation:

Staff recommends approval of the following:

Palm Beach County

Release District canal and road reservations for Elegance Stables, Inc. (File No. 18851) for 4.89 acres, more or less; subject to payment of release value of \$3,227.40.

Recommended Action:

Resolution No. 2020 - 0803 Release District canal and road reservations.

15. Partial Release of Easement, Henderson Creek Canal, Collier County (Staff contact, Stephen M. Collins)

Agenda Item Background:

Staff seeks Governing Board approval to release approximately 0.09 acre (4,039 square feet) of a maintenance and staging easement for the Henderson Creek Canal to Florida Department of Transportation, Collier County. The release is requested due to modifications to the I-75 Interchange at State Road 951 (Collier Blvd.), including the widening of the Henderson Creek Canal and construction of an onramp on the east side of Collier Blvd. The new onramp over State Road 84 (Davis Blvd.) will provide better direct access to I-75 to local residents.

Recommended Action:

Resolution No. 2020 - 0804 Release a portion of a maintenance and staging easement containing 0.09 acre, more or less, located in Section 2, Township 50 South, Range 26 East, Collier County, Henderson Creek Canal Project, to the Florida Department of Transportation at no cost.

16. Water Sampling and Access License Agreement, Miles Grant Country Club Inc., Martin County (Staff contact, Stephen M. Collins)

Agenda Item Background:

In connection with the District's ongoing efforts to improve and document its right of access to and use of water monitoring and water sampling sites, this Water Sampling and Access License Agreement ("License Agreement") will allow the District access for the purpose of monitoring regional water quality by collecting data from a privately owned Floridan aquifer production well on property owned by Miles Grant Country Club, Inc. The District and the landowner have agreed upon the terms and conditions of this no cost License Agreement, and the owner has executed and delivered the License Agreement to the District. The term of the License Agreement is perpetual and terminates only upon a 180-day notice from either party.

Recommended Action:

Resolution No. 2020 - 0805 Approve for the purpose of monitoring regional water quality, the acquisition of a Water Sampling and Access License Agreement, at no cost, to collect data from an aquifer production well on property owned by Miles Grant Country Club, Inc., in Martin County.

17. Comprehensive Everglades Restoration Plan Biological Control Implementation Project (Staff contact, Francois Laroche)

Agenda Item Background:

District staff is requesting Governing Board approval to enter into a five-year agreement with the U.S. Department of Agriculture (USDA) Agricultural Research Service (ARS) to fund ongoing operations at the ARS Biological Control Center located in Davie, FL. Work performed under this agreement supports ongoing operations of the Comprehensive Everglades Restoration Plan (CERP) Biological Control Implementation Project (Project). The Project seeks to improve control of the most aggressive, widespread, and problematic invasive exotic plants in South Florida, including Brazilian pepper and Old World climbing fern, by introducing federally-approved biological controls from the invasive species' country of origin that will serve to control the exotics while not harming native vegetation. Use of biological controls is one of the components of the District's integrated pest management approach to invasive species control.

The United States Army Corps of Engineers (USACE) and the District entered into a Project Partnership Agreement for the Project, dated July 30, 2010, which provides for the USACE to reimburse the District for 50% of the not-to-exceed value of \$3,307,680 for the five-year agreement. This proposed agreement is a continuation of the Project, now entering its ninth year in operation.

Recommended Action:

Resolution No. 2020 - 0806 Authorize entering into a five-year agreement with the United States Department of Agriculture - Agricultural Research Service for the Comprehensive Everglades Restoration Plan Biological Control Implementation Project in the amount of \$3,307,680 for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2020-2021 Adopted Budget and Governing Board approval of future years budgets. (Contract Number 4600004274)

18. Mowing Contract, Fort Lauderdale Field Station Area of Responsibility (Staff contact, Rich Virgil)

Agenda Item Background:

Maintenance of District lands is required to ensure that vegetation is controlled at the appropriate height to provide for optimal performance and operational efficiency of the District's flood control system. This is a proposed contract for flat mowing services of approximately 4,488 acres of various District lands and canal and levee rights of way in the Fort Lauderdale Station area of responsibility within Broward County. The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids (RFB) procurements, this item was competitively bid through a sealed bid process.

Recommended Action:

Resolution No. 2020 - 0807 Authorize entering into a 3-year contract with two 1-year renewal options with In Shape Maintenance, Inc., the lowest responsive and responsible bidder, for flat mowing services of various District lands and canal and levee rights of way in Broward County, in an amount not-to-exceed \$444,070 for which \$88,814 in Ad Valorem funds are subject to

**Governing Board approval of the Fiscal Year 2020-2021 Adopted Budget and the remainder is subject to Governing Board approval of future years budgets.
(Contract Number 4600004225)**

19. Pump Stations G-310, G-335, S-319 and S-362 Control Panel Upgrade Project, Palm Beach County (Staff contact, Alan Shirkey)

Agenda Item Background:

As part of the Operations and Maintenance Capital Improvement Program, the Control Panel Upgrade Project is for the G-310, G-335, S-319 and S-362 pump stations. These pump stations enable STA-1E, STA-1W and STA-2 to function, providing water quality improvement for stormwater runoff prior to discharge into the Water Conservation Areas.

The purpose of the project is to upgrade the engine control systems' programmable logic controllers to allow implementation of security measures as recommended by Homeland Security. The Original Equipment Manufacturer is being utilized to facilitate equipment upgrade and to ensure equipment operability and reliability.

This project will address one pump station each fiscal year and will be accomplished in two phases for each pump station. Phase 1 involves design, build and testing of control panel upgrades, and will take four to five months. Phase 2 includes installation, startup and commissioning of the control panel upgrades, and will take the following two months and must be done during the dry season.

Recommended Action:

Resolution No. 2020 - 0808 Authorize entering into purchase order agreements with Fairbanks Morse LLC, the original equipment manufacturer of each engine control panel at Pump Stations G-310, G-335, S-319 and S-362, for the design, build, test, installation, startup and commissioning for the Control Panel Upgrade Project for an amount not-to-exceed \$4,000,000 for which \$1,300,000 in Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2020-2021 Adopted Budget and the remainder is subject to Governing Board approval of future years budgets.

20. Concurrence on Emergency Orders 2020-026-DAO; 2020-027-DAO; and 2020-028-DAO, and Order 2020-030-DAO (Staff contacts, Jennifer Smith and Carolyn Ansay)

Agenda Item Background:

To prepare for and respond to Hurricane Isaias, the District issued Emergency Orders 2020-026-DAO; 2020-027-DAO; and 2020-028-DAO on July 31, 2020. These Orders enable the District to continue to perform public work, and take prudent action to ensure the health, safety, and welfare of the community during and after a significant storm event impacting the District. On August 6, 2020, District Order 2020-030-DAO terminated Emergency Order 2020-027-DAO. This item requests the Governing Board's concurrence with issuance of Emergency Orders 2020-026-DAO; 2020-027-DAO; and 2020-028-DAO and Order 2020-030-DAO in compliance with section 373.119(2) of the Florida Statutes, and any subsequent termination orders.

A. Emergency Order, Order, and Concurrence

SFWMD 2020-026-DAO	Emergency Authorization for Repairs, Replacement, Restoration, and Certain Other Measures Made Necessary by Hurricane Isaias
SFWMD 2020-027-DAO	Emergency Authorization for Procurement of Goods and Services Made Necessary by Hurricane Isaias
SFWMD 2020-028-DAO	Emergency Authorization for Pumping and Other Measures to Address Flooding Caused by Hurricane Isaias
SFWMD 2020-030-DAO	Termination of Emergency Authorization for Pumping and Other Measures to Address Flooding Caused by Hurricane Isaias

**Recommended Action:
Concurrence on Preparation for and Response to
Hurricane Isaias**

21. Board Vote on Consent Agenda

Technical Reports

22. Water Conditions Report - John P. Mitnik
23. Ecological Conditions Report - Lawrence Glenn
24. Public Comment

Discussion Agenda

25. Land Assessment and Surplus Update (Staff contact, Stephen M. Collins)

Agenda Item Background:

Staff will update the Governing Board on the status of the Real Estate Land Assessment and Surplus process and its continuous efforts to maximize benefits from District lands for project and recreational needs, and will review the potential surplus of properties not required for present or future works of the District. Staff will provide an overview of the District's efforts to evaluate and recommend lands for the Governing Board to consider as opportunities to exchange for project lands or use funds from surplus land sales to support project needs.

Staff will close the presentation by providing an overview of 14 properties that are under consideration for a surplus designation and seeking Governing Board input on the same.

26. Stormwater Treatment Area-1W Projects, Palm Beach County (Staff contact, Alan Shirkey)

A. STA-1W Refurbishments Project

Agenda Item Background:

As part of the District's STA Enhancement Program and to supplement Restoration Strategies Program Goals, the STA-1W Refurbishments Project will be modified to

correct poor flow patterns caused by irregularly shaped cells and remnant canals. This will be achieved by the relocation and/or removal of levees, by filling remnant canals, and by regrading areas within the cells. The Project will use suitable excess soils from degraded levees supplemented by imported soils. Additionally, non-functioning culvert structures in a state of disrepair will be removed. The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids (RFB) procurements, this item was competitively bid through a sealed bid process.

Recommended Action:

Resolution No. 2020 - 0809 Authorize entering into a 600-day contract with Bergeron Land Development, Inc., the lowest responsive and responsible bidder, for the STA-1W Refurbishments Project, in the amount of \$10,980,000, for which dedicated funds (Everglades Trust Fund) in the amount of \$100,000 are budgeted in Fiscal Year 2019-2020 and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 4600004296)

B. STA-1W Expansion #2 Stormwater Treatment Area Project

Agenda Item Background:

The STA-1W Expansion #2 STA Project, a component of the Restoration Strategies projects located in Palm Beach County, works in conjunction with the existing Everglades STAs to meet the Water Quality Based Effluent Limit (WQBEL) to achieve compliance with the State of Florida's numeric phosphorus criterion for the Everglades Protection Area outlined in Rule 62-302.540 of the Florida Administrative Code (F.A.C.) enforced by the Environmental Protection Agency.

The project consists of approximately 2,173 acres. The Expansion #2 STA area contains approximately 2,071 acres and connects to the existing STA-1W complex with a new canal to provide the hydraulic connection between the two project areas. This connection canal encompasses approximately 100 acres of land running north-south parallel to and just west of the existing L-7 levee. The project includes the construction of three new STA cells, a six-mile concrete lined connection canal, perimeter and interior levees, canals, structures, culverts, boat ramps, maintenance ramps, and all other associated appurtenances. The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids (RFB) procurements, this item was competitively bid through a sealed bid process.

Recommended Action:

Resolution No. 2020 - 0810 Authorize entering into a 745-day agreement with Thalle Construction Company, Inc., the lowest responsive and responsible bidder for the STA-1W Expansion #2 STA Project, in the amount of \$96,800,000 for which \$1,000,000 in dedicated funds (Land Acquisition Trust Fund) and Ad Valorem funds are budgeted in Fiscal Year 2019-2020 and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 4600004295)

27. Floridan Aquifer System Exploratory Coring and Monitoring Well Construction (Staff contact, Jennifer Reynolds)

Agenda Item Background:

The Floridan Aquifer System (FAS) Exploratory Coring and Monitoring Well Construction Program will provide site-specific geologic and hydrogeologic data to evaluate properties of the FAS at locations that are under consideration for water resource evaluation and potential future construction of aquifer storage and recovery (ASR) wells. The program will include exploratory drilling of continuous core boreholes that will provide critical information on lithology and water bearing properties of the Floridan aquifer. Some of the boreholes will be used to determine suitability for well siting and to aid in design of ASR wells or water supply wells. The boreholes will be converted to FAS monitoring wells for long-term hydrogeologic data collection to meet District and CERP goals and objectives. The first locations selected for exploratory drilling under this work order contract include potential ASR cluster locations identified in the Lake Okeechobee Watershed Restoration Project and areas of interest to the Central Florida Water Initiative. Additional programs may also utilize this hydrogeological services contract to evaluate areas where the Floridan aquifer is being considered for future projects, including the Northern Everglades and Estuaries Protection Program. The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids (RFB) procurements, this item was competitively bid through a sealed bid process.

Recommended Action:

Resolution No. 2020 - 0811 Authorize entering into a 3-year work order contract with two 1-year extensions with Huss Drilling, Inc., the lowest responsive and responsible bidder, for the Floridan Aquifer System Exploratory Coring and Monitoring Well Construction Program, in an amount not to exceed \$14,000,000, for which \$100,000 in dedicated funds (State General Revenue and Land Acquisition Trust Fund Revenue) and Ad Valorem funds are budgeted in Fiscal Year 2019-2020 and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 4600004288)

Staff Reports

- 28. Monthly Financial Report - Candida Heater
- 29. General Counsel's Report - Carolyn Ansay
- 30. Executive Director's Report - Drew Bartlett
- 31. General Public Comment
- 32. Board Comment
- 33. Adjourn