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## **South Florida Water Management District**

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### **GOVERNING BOARD MONTHLY MEETING AGENDA**

March 11, 2021

9:00 AM

via Communications Media Technology

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**FINAL**

1. Call to Order - Chauncey Goss, Chairman, Governing Board
2. Pledge of Allegiance
3. Employee Recognitions
  - March Employee of the Month: Mike Debish, Sr. Title Examiner
  - March Team of the Month: Water Quality Data Validation Team
  - 30-Year Service Award: Joyce Zhang, Principal Engineer
4. Agenda Revisions
5. Agenda Item Abstentions by Board Members
6. Big Cypress Basin Board Report - Charlette Roman, Chair
7. Consider Approval of the Minutes for the February 11<sup>th</sup> Meeting
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. Requests for Right of Way Occupancy Permit (Staff contact, Rich Virgil)

A. Florida Fish and Wildlife Conservation Commission

**Agenda Item Background:**

Florida Fish and Wildlife Conservation Commission (Applicant) requests issuance of a Standard Right of Way Occupancy Permit Number 15670 (ROW Permit) to authorize the construction of a public viewing platform within the west right of way of the L-23/Miami Canal. The proposed facility includes a covered gazebo-type platform, a handicapped accessible walkway/ramp, slope erosion protection, and three parking spaces, one of which will be handicapped accessible. Approval of a waiver of District criteria is required to allow parking in the right of way. The project is intended to provide recreational enhancements within the Rotenberger Wildlife Management Area and the parking spaces will accommodate visitors to the viewing platform. Approval of the ROW Permit and its associated waiver to allow parking will not adversely impact District operations, maintenance, access, or the ability to perform construction along the L-23/Miami Canal. The Applicant will be solely responsible for maintaining all improvements within the right of way including trash and debris removal.

**Recommended Action:**

**Approve issuance of Standard Right of Way Occupancy Permit Number 15670 and approval of the associated petition for waiver to allow parking in the right of way. (Application No. 20-0521-6)**

B. Broward County Parks and Recreation Division

**Agenda Item Background:**

Broward County Parks and Recreation Division (Applicant) requests a modification of Standard Right of Way Occupancy Permit Number 15000 (ROW Permit) and a waiver from District criteria to allow a restroom building within Everglades Holiday Park (EHP), a regional recreational facility located at the western terminus of Griffin Road and west of U.S. 27 in Broward County. The area where the restroom building will be located is designated as Water Conservation Area 3B (WCA-3B), a Work of the District. Applicant's request proposes to modify the master plan for EHP, which was approved by the Governing Board on June 13, 2019. The application has been reviewed by District Field Operations. Approval of the ROW Permit and its associated waiver for the restroom building will not adversely impact District operations, maintenance, access, or the ability to perform construction within WCA-3B.

**Recommended Action:**

**Approve issuance of a modification of Standard Right of Way Occupancy Permit Number 15000 and approval of the associated petition for waiver to allow a restroom building in the right of way. (Application No. 20-1217-2M)**

13. Land Acquisition, Clewiston Field Station Modernization Project, Hendry County (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

With the anticipated completion of several new critical projects, such as the C-43 Basin Storage Reservoir, Lake Hicpochee Hydrologic Enhancement, C-139 Annex, EAA A-2 Storage Reservoir and STA, and Caloosahatchee River Basin Water Quality Treatment and Testing Facility, the Clewiston Field Station's workload requirements are set to increase dramatically in the coming years.

The Clewiston Field Station was built in 1968 on a 6.88-acre property located in a neighborhood zoned "Rural Residential," with additional buildings being added in 1989 and 1997. The current field station buildings are too small for current and growing crew sizes, do not meet current hurricane building codes, and are in a state of deterioration that is cost prohibitive to repair. Additionally, the current location is on a septic tank, and is too small to accommodate the required fall-zone for the new communications tower and the associated equipment needed for current and future projects.

Analysis of the current location revealed that purchasing the additional acreage needed for the tower and installing over 2 miles of sewer line combined with the inefficiency of sequencing construction with ongoing operations drove estimated costs \$5M beyond that of a new location and facility.

Staff is seeking Governing Board approval to acquire the land needed to build a new field station in the City of Clewiston, Hendry County. Tract 96100-007 is owned by Knapheide Truck Equipment Company Southeast and contains approximately 15.85 acres. The purchase price for the 15.85-acre parcel is \$55,000 per acre (\$871,750). This price per acre is higher than the appraised value of \$50,000 per acre, which was based on the initial parcel size of 21.14 acres. Based on the site's location, access to utilities, configuration as well as the appraised value of the parcel immediately to the north, Staff determined the price agreed to with the seller was a fair value for the District.

The property is located in Section 16, Township 43 South, Range 34 East, is zoned "Industrial," and has available connection to water, sewer, electricity and telephone lines located within the public road along the East boundary. The acquisition will provide a site large enough to build a larger, modern field station and accommodate a 280-foot high communication tower.

**Recommended Action:**

**Resolution No. 2021 - 0301 Acquire land interests containing 15.85 acres, more or less, for the Clewiston Field Station Modernization Project, located in Section 16, Township 43 South, Range 34 East, Hendry County, in the amount of \$871,750, plus associated costs, for which Ad Valorem funds are budgeted in Fiscal Year 2020-2021.**

14. Cattle Grazing Leases, Okeechobee County (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

The District initially acquired several properties within Chandler Slough, a cypress swamp that connects to the Kissimmee River floodplain in Okeechobee County. The Slough is located northeast of the Kissimmee River and is separated from the Kissimmee River Restoration project ("KRR") by Highway 98. The acquired lands provide a buffer between the agricultural and residential lands and the KRR project floodplain. The leased lands are fenced to keep cattle away from the adjacent wetlands. The Lessee and the District wish to extend the term of the lease by five years. As part of this extension, the use of fertilizer is prohibited, and the Lessee will be required to optimize water storage under the District's Dispersed Water Management Program. The annual rent is based on the Cattle Grazing Formula provided for in the District's Real Estate Leasing Policy.

**A. Quality Cattle Company, LLC**

**Agenda Item Background:**

The District currently leases 109.33 acres of uplands north of the Chandler Slough area to Quality Cattle Company, LLC for cattle grazing. This lease started on May

13, 2011 after a competitive bid process and expires on May 12, 2021. The approximate annual revenue is \$3,200.

**Recommended Action:**

**Resolution No. 2021 - 0302 Authorize a five-year cattle grazing lease extension to Quality Cattle Company, LLC on 109.33 acres, more or less, in Okeechobee County. (Contract Number 4600002392)**

B. Kennedy Farms, Inc.

**Agenda Item Background:**

The District currently leases 84.57 acres of uplands north of the Chandler Slough area to Kennedy Farms, Inc. for cattle grazing. This lease started on April 8, 2011 after a competitive bid process and expires on April 7, 2021. The approximate annual revenue is \$2,600.

**Recommended Action:**

**Resolution No. 2021 - 0303 Authorize a five-year cattle grazing lease extension to Kennedy Farms, Inc., on 84.57 acres, more or less, in Okeechobee County. (Contract Number 4600002393)**

15. Restrictive Covenant to Prevent Hazardous Materials on Lands Within the Bird Drive Recharge Area (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

To prevent utilization of hazardous materials, and in accordance with prior agreement and Miami-Dade County requirements, staff seeks approval to grant a Hazardous Materials Covenant to Miami-Dade County encumbering approximately 10 acres of District lands lying within the Bird Drive Recharge Area, Tract W9308-375, as a condition for the County issuing an Unusual Use Exemption for use of the property as a radio broadcast tower site by iHeartMedia. This Covenant will ensure that hazardous materials are not used, generated, handled, disposed of, discharged or stored on that portion of the property within the Miami-Dade West Wellfield protection area.

**Recommended Action:**

**Resolution No. 2021 - 0304 Authorize staff to grant a Hazardous Materials Covenant to Miami-Dade County encumbering approximately 10 acres of District-owned land.**

16. Stipulation for Settlement and Final Judgment, C-111 South Dade Project (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

The C-111 South Dade Project is a Foundation Project, which the Comprehensive Everglades Restoration Plan (CERP) builds upon to deliver essential restoration benefits to America's Everglades. The C-111 South Dade Project restores natural hydrologic conditions in Taylor Slough and the eastern panhandle of Everglades National Park while also preserving the level of flood protection for agricultural lands in South Dade County. The project works in concert with the infrastructure constructed as part of the Modified Water Deliveries to Everglades National Park project.

In 2020, the District filed suit to obtain tract GR703-027, containing approximately 40 acres, by Eminent Domain for the C-111 project. SW 212 Avenue, LLC, the owner of the tract, will be stipulating to the order of taking and has reached a settlement with the

District. Staff seeks authorization to enter into a Stipulated Final Judgment for \$379,700 including interest, attorney's fees, and expert fees and costs.

**Recommended Action:**

**Resolution No. 2021 - 0305 Authorize a Settlement for the sum of \$379,700, inclusive of interest, attorneys' fees, expert fees and costs, for which dedicated funds (Save Our Everglades Trust Fund and Ad Valorem funds) are budgeted in Fiscal Year 2020-2021, and authorize the Executive Director to execute a Stipulation for Settlement and Final Judgment in a condemnation action to acquire 40 acres, more or less, (Tract GR703-027, owned by SW 212 Avenue, LLC) within the C-111 South Dade Project, styled South Florida Water Management District v. SW 212 Avenue, LLC, et al., filed in the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 2020-025033-CA-01.**

17. Zscaler Software Subscription Service (Staff contact, Duane Piper)

**Agenda Item Background:**

The District utilizes the Zscaler cloud-based security software subscription service to protect and monitor all internet traffic. Internet traffic is routed through Zscaler and categorized as safe or malicious. Zscaler blocks files that are malicious or inappropriate for the workplace.

The District has successfully used the Zscaler product for the past 10 years. The cost continues to increase six to eight percent annually. To avoid an annual increase for the next three years, Information Technology negotiated a three-year renewal, subject to Governing Board approval of each fiscal year's budget. Processing the three-year quote will result in an estimated \$25,000 savings over the next three years.

This request is to authorize issuing a purchase order to Compuquip Technologies LLC for a three-year Zscaler software subscription service, using the General Services Administration Schedule Number GS-35F-0119Y, in the amount of \$167,269.20. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2021 - 0306 Authorize issuing a purchase order to Compuquip Technologies LLC for a three-year Zscaler Software Subscription Service, using the General Services Administration Schedule Number GS-35F-0119Y, in the amount of \$167,269.20 for which \$55,756.40 in Ad Valorem funds is budgeted in Fiscal Year 2020-2021 and the remainder is subject to Governing Board approval of future years budgets. (Purchase Order Number 4500126662)**

18. SAP Technical Resource (Staff contact, Duane Piper)

**Agenda Item Background:**

The District uses SAP software for a wide range of business support functions such as accounting, finance, procurement, human resources, payroll, plant maintenance, and project management. Information Technology is in the process of upgrading to the current version of SAP. This upgrade requires highly technical resources and

substantial work in the Basis module; therefore, Information Technology procured contractual services to assist with the upgrade. Current staff requires the continuing support of a Basis contractor through the end of the project and while the solution is being stabilized after “go-live”. This contractor has a wealth of intuitional knowledge and continuing with these services eliminates the need to train new resources.

This request is to amend Purchase Order Number 4500113208 with Kyra Solutions, Inc. for a SAP Basis Administrator contractor for the time period April 1, 2021 through December 31, 2021 using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-SA-19-01. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2021 - 0307 Authorize an amendment to Purchase Order Number 4500113208 with Kyra Solutions, Inc. by increasing the amount of the purchase order by \$80,000 for a revised purchase order total of \$229,890 for a SAP Basis Administrator contractor, using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-SA-19-01, for which Ad Valorem funds are budgeted in Fiscal Year 2020-2021.**

19. Nutrient Load Program Technical Resource (Staff contact, Duane Piper)

**Agenda Item Background:**

The District uses the Nutrient Load Program (NLP) to calculate daily load values at various structures based on the water quality readings and daily average flow values. The NLP is also a key building block for importing water quality data into DBHYDRO Insights. Information Technology is migrating the NLP from older, unsupported technology. In addition, the District is making several enhancements to the legacy NLP such as real-time load computation, efficient load calculations, improvements to the Quality Assurance/Quality Control process, and detailed reporting. Information Technology procured contractual services in August 2020 to expedite the first phase of the NLP that will end in March 2021. Due to the contractor’s knowledge of the program, Information Technology is requesting a continuation of these services to work on the final phase of the migration.

This request is to amend Purchase Order Number 4500121887 with Vitaver and Associates Inc. for an Application Development Analyst contractor for the time period April 1, 2021 through March 31, 2022 using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-SA-19-01. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2021 - 0308 Authorize an amendment to Purchase Order Number 4500121887 with Vitaver and Associates, Inc. by increasing the amount of the purchase order by \$218,592 for a revised purchase order total of \$314,592 for an Application Development Analyst contractor, using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-SA-19-01, for which \$122,592 in Ad Valorem funds is budgeted in Fiscal**

**Year 2020-2021 and the remainder is subject to  
Governing Board approval of future years budgets.**

20. Board Vote on Consent Agenda

**Technical Reports**

21. Water Conditions Report - John P. Mitnik
22. Ecological Conditions Report - Lawrence Glenn

**Discussion Agenda**

23. 8.5 Square Mile Area Limited Curtain Wall, Miami Dade County (Staff contact, Alan Shirkey)

**Agenda Item Background:**

The 8.5 Square Mile Area (SMA) Limited Curtain Wall Project is the initial component of the South Dade Curtain Wall (SDCW) Project located in Miami Dade County. This project includes construction of approximately 2.3 miles of a 2-foot wide cement bentonite wall that penetrates the Tamiami rock formation along the L-357W Levee northwest of S-357 Pump Station and along the south side of the C-358 Canal.

The L31N Seepage Management Pilot Project began in 2001 as part of the Comprehensive Everglades Restoration Project (CERP). The project intends to control seepage from Everglades National Park (ENP) and continue groundwater flow to minimize potential impacts to the West Well Field and Biscayne Bay. To meet these needs, a levee curtain wall (vertical subsurface barrier) has been proposed along L-357W and a portion of C-358 to reduce seepage flow from ENP. Approximately 5 miles of cut-off wall was constructed using a cement bentonite slurry wall by the Miami-Dade Limestone Products Association north of this project and south of US 41 (SR 90). The proposed regional project may extend approximately 27 miles adjacent to the L31N south of Tamiami Trail/US 41 (SR 90) in Miami-Dade 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. The bid opening for this project is on March 5, 2021. Current contracts also allow the District to exercise an option to extend the Curtain Wall beyond the 2.3-mile base alignment following additional budget authorization by the Governing Board.

**Recommended Action:**

**Resolution No. 2021 - 0309 Authorize entering into a 360-day contract with XXXXX, the lowest responsive and responsible bidder, for the 8.5 SMA Limited Curtain Wall Project, in the amount of \$XX,XXX,XXX for which \$XX,XXX,XXX in dedicated funds and Ad Valorem funds are budgeted in Fiscal Year 2020-2021 and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 460000XXXX)**

24. Partial Release of Conservation Easement, Wellington Green PUD Tract W-5, Palm Beach County (Presenter, Ed Weinberg, PWS, EW Consultants, Inc., Staff contact, Jill Creech)

**Agenda Item Background:**

Brefrank, Inc. requests a partial release of 8.593 acres of a 25.68-acre conservation easement for a project known as Wellington Green PUD Tract W-5. The release area is comprised of 7.119 acres of freshwater mixed forested wetlands and 1.474 acres of adjacent upland buffer. The areas within the conservation easement were preserved as part of the original permit for the development of Wellington Mall, but not as a component of mitigation. The purpose of the request for release is to facilitate construction of a multi-family residential development. The remaining 17.087 acres of wetlands and upland buffer under conservation easement will remain preserved. The applicant proposes to offset wetland impacts by purchasing 4.2 credits from Loxahatchee Mitigation Bank. In addition, Brefrank, Inc., proposes to provide a conservation easement over approximately 10 acres of land containing approximately 3 acres of freshwater forested wetlands and 7 acres of uplands within a 30-acre offsite parcel near Lake Okeechobee.

**For Consideration:**

**Approval of a partial release of a recorded conservation easement for a project known as Wellington Green PUD Tract W-5. (Application No. 181113-24, Permit No. 50-03763-P)**

25. Lake Okeechobee Watershed Restoration Project, Aquifer Storage and Recovery (Staff contact, Jennifer Reynolds)

**Agenda Item Background:**

The Lake Okeechobee Watershed Restoration Project (LOWRP) Aquifer Storage and Recovery (ASR) C-38N and C-38S Exploratory/Test Wells construction and testing will provide hydrogeologic data that will support the design of the ASR pumping systems, provide additional information of the properties of the Floridan Aquifer System (FAS) at the first two locations proposed for the construction of ASR wells, and provide an opportunity to progress the Science Plan. The construction project will include the drilling of exploratory test wells and associated monitoring wells. The testing will include conducting geophysical logs, collection of lithologic and water quality samples to determine the feasibility of completion of ASR facilities at two locations along the C-38 Canal. Additional programs may also utilize the findings from this program to determine the feasibility of implementing ASR technology at other locations within the northern everglades area.

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, these items were competitively bid through a sealed bid process. The bid openings are on March 8, 2021.

Staff is also seeking authority to negotiate change orders and to solicit additional request for bids for test wells construction and testing with the lowest responsive and responsible bidder(s).

A. LOWRP ASR C-38N Exploratory/Test Well Construction and Testing

**Recommended Action:**

**Resolution No. 2021 - 0310 Authorize entering into a 605-day contract with XXXXXXXX, the lowest responsive and responsible bidder for the Lake Okeechobee Watershed Restoration Project Aquifer Storage and Recovery (ASR) C-38N ASR Test Wells Construction and Testing, Okeechobee County and**



**Highlands County, Florida in the amount of \$XXXXXX for which dedicated funds (State General Revenue) and Ad Valorem funds are budgeted in Fiscal Year 2020-2021. (Contract Number 460000XXXX)**

**B. LOWRP ASR C-38S Exploratory/Test Well Construction and Testing**

**Recommended Action:**

**Resolution No. 2021 - 0311 Authorize entering into a 485-day contract with XXXXXXX, the lowest responsive and responsible bidder for the Lake Okeechobee Watershed Restoration Project Aquifer Storage and Recovery (ASR) C-38S ASR Test Wells Construction and Testing, Glades County, Florida in the amount of \$XXXXX for which dedicated funds (State General Revenue) and Ad Valorem funds are budgeted in Fiscal Year 2020-2021. (Contract Number 460000XXXX)**

**C. Authorization to Negotiate Change Orders**

**Recommended Action:**

**Resolution No. 2021 - 0312 Authorize funding in an amount not to exceed \$XXXX for District staff to negotiate change orders with XXXX for Contract Number 460000XXXX in Resolution No. 2021 - 0310; negotiate change orders with XXXX for Contract Number 460000XXXX in Resolution No. 2021 - 0311; and solicit additional Request for Bids for the Lake Okeechobee Watershed Restoration Project, Aquifer Storage and Recovery (ASR) Test Wells Construction and Testing in Okeechobee, Highlands, or Glades Counties, and as a result authorize entering into one or more two-year contracts with the lowest responsive and responsible bidder(s) in an amount not to exceed \$XXXX for which dedicated funds (State General Revenue) and Ad Valorem funds are budgeted in Fiscal Year 2020-2021 and the remainder is subject to Governing Board approval of future years budgets.**

**Staff Reports**

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