

JOINT WATER ADVISORY BOARD/TECHNICAL ADVISORY COMMITTEE
MEETING
March 25, 2022
Minutes

A joint meeting of the Broward County Water Advisory Board and Technical Advisory Committee was held virtually on Zoom on March 25, 2022 at 9:30 a.m.

(The WAB/TAC meeting minutes were summarized by Adrienne Aiken. Copies of the presentations are filed with the supplemental papers of the meeting.)

I. Call to Order

II. Roll Call – Water Advisory Board (WAB)

Roll call was taken by Miriam Brighton. A quorum was present, and the record of attendance follows:

WAB MEMBERS PRESENT:

Commissioner Steve Geller, Broward County Board of County Commissioners, Chair
Commissioner Sandra Welch, City of Coconut Creek, Vice Chair
Commissioner Kevin Biederman, City of Hollywood
Commissioner Rhonda Eaton, City of Pompano Beach
Vice Mayor Susan Starkey, Town of Davie
Vice Mayor Denise Grant, City of Lauderhill
Commissioner Tom Good, City of Pembroke Pines
Vice Mayor Anthony Caggiano, City of Margate
Ron Bergeron, Governing Board Member, South Florida Water Management District
Commissioner Doug Bell, CBWCD Board of Commissioners
Gene Goldman
Kevin Hart, TAC Chair
Mark Peterson, Greater Fort Lauderdale Alliance
Councilmember Jim Allbritton, Southwest Ranches
Commissioner Aisha Gordon, City of Oakland Park
Commissioner Nancy Metayer, City of Coral Springs

WAB MEMBERS ABSENT:

Commissioner Andrea McGee City of Coconut Creek
Commissioner Ben Sorensen, City of Fort Lauderdale
Commissioner Mary Molina-Macfie, City of Weston
Commissioner Tim Ryan, Broward County Board of County Commissioners
Mayor Michelle Gomez, City of Tamarac
Mayor Greg Ross, Cooper City

III. Roll Call Technical Advisory Committee

TAC MEMBERS PRESENT:

Kevin Hart, Chair
Randolph Brown, Vice Chair

Albert Carbon
Alan Garcia
Brett Butler
David Walker
Isabel Cosio Carballo
Dr. Jennifer Jurado
Leny Huaman
Lisa Milenkovic
Mike Bailey
Patrick Davis
Pete Kwiatkowski
Rafael Frias
Renuka Mohammed
Heather Cunniff
Steve Urich
Talal Abi-Karam
Tim Welch
Stephanie Pearson

TAC MEMBERS ABSENT:

Lisa Milenkovic
Mike Crowley
Steve Holmes

IV. Public Comments

There were no public comments.

Following the closure of the public comment period, Chair Geller invited Mr. Bergeron to make an announcement as Mr. Bergeron had to leave the meeting early. Mr. Bergeron discussed Bill 2508 and encouraged Broward County staff to review the bill and report potential impacts to the County, proposing that an informed opinion on the need for veto be submitted to the Governor. Chair Geller requested that Dr. Jurado review the bill and submit a summary to the board, and recommendations to the County Commission for appropriate action to be taken.

V. WAB Approval of Meeting Minutes from January 14TH, 2022

For the Minutes of January 14th, 2022, on Motion of Vice Mayor Caggiano, seconded by Councilmember Starkey, and unanimously carried, the Board approved the WAB Meeting Minutes from January 14, 2022.

VI. Updates and Announcements

Chair Geller read a proclamation for Water Reuse Week to the Water Advisory Board and Technical Advisory Committee.

Dr. Jurado announced the cancelation of the joint meeting with the Palm Beach Water Resources Task Force which had been scheduled for May 26th. Dr. Jurado reported that Broward County and several municipalities in Broward had been

successful in obtaining Resilient Florida Grant funding with a sum of \$87,000,000 awarded to the total resilience projects in rounds one and two. Dr. Jurado shared that another grant application period would likely occur between July 1st and September 1st. Dr. Jurado encouraged board and committee members to keep abreast of the Resilient Florida Grant Program's rule making process and submit appropriate comments that would position County-wide projects to rank highly. Dr. Jurado announced that the Board of Commissioners approved the contract agreement with Hazen and Sawyer on March 1st for the development of the County-wide resilience plan, sharing that the plan will be a two-year project that will involve much technical community engagement and collaboration with municipalities and planning agencies. Lastly Dr. Jurado announced a \$500,000 reference in the omnibus appropriations at the federal level for the C and SF study, and progress towards a \$2,000,000 allocation as part of general appropriations in the state budget which had been submitted to the governor for signature. Dr. Jurado noted the advocacy provided by County staff & Senator Geller at the federal level.

On behalf of Coconut Creek, Commissioner Welch extended a location to host the joint meeting with the Palm Beach Water Resources Task Force.

VII. Presentations

A. Septic Update

Dr. Jennifer Jurado, Chief Resilience Officer, Deputy Director, Resilient Environment Department, Broward County

Dr. Jurado provided an overview of septic systems and the septic-to-sewer issue in South Florida. Dr. Jurado highlighted that in Florida septic tanks were designed to have a minimum 2ft separation from the groundwater table in order to ensure adequate treatment, and summarized how a reduction in this separation resulting from sea level rise or severe rainfall could reduce the functioning of the septic tank and ultimately lead to water quality and public health implications.

B. Septic Tanks in Broward County

Leonard Vialpando, P.E., Chief Innovation Officer; Director, Resilient Environment Department

Dr. Jurado made the presentation in place of Mr. Vialpando who was unable to present due to technical difficulties. Dr. Jurado described the complex one to many relationship of wastewater treatment providers to individual service areas whose boundaries do not always align with a municipal boundary. Dr. Jurado reported that based on Department of Health records 9% or 51,863 parcels County-wide utilize septic systems leaving approximately 500,000 parcels that are tied to sewer. It was emphasized that the use of a septic tank did not imply the absence of a sewer line. Dr Jurado highlighted a lack of formal requirement, and affordability as some of the reasons a Broward County resident may choose

to continue using septic after sanitary sewer systems have been installed. Dr. Jurado presented a map of the parcels with septic tanks and a map of parcels with septic tanks that have not been connected to eligible sewer lines. Dr. Jurado noted the difficulty in estimating conversions from septic to sewer as many of the sewer connection permits are maintained at the local level. A neighborhood within the County's service area with a known number of homes and sewer connection permits since installation of sewer lines occurred, was used as an example to highlight the low number of additional connections despite heavy incentives to connect. Dr. Jurado outlined some of the costs of abandoning a septic tank and connecting to sewer. A map depicted that one third of the homes that are in sewer areas and have not yet connected to a sewer line are households with low to moderate income, emphasizing the financial hindrance to connect. Dr. Jurado spoke on some of the County's programs and initiatives that support the connections and encouraged cities to dedicate funds to aid in driving connections.

Following the presentation there were several questions and comments which were addressed by Dr. Jurado.

C. Exploring Options for Septic Tank in Hollywood

Vivek Galav, P.E., Director, City of Hollywood, Public Utilities Department

Mr. Galav provided an overview of the history of the City of Hollywood's water and sewer infrastructure, the expansion of that infrastructure, and shared mechanisms for prioritizing and supporting the conversion from septic tanks to sewer such as through identifying funding alternatives. Mr. Galav also shared the City's plans to target areas with the greatest opportunity to obtain grants and other funding sources for septic to sewer conversion.

Following the presentation, questions and comments were raised which were addressed by Mr. Galav.

D. Broward Water and Wastewater Services Septic Tank Elimination Program

Alan Garcia, P.E., Director, Broward County Water and Wastewater Services (WWS) Department

Mr. Garcia provided an overview of the County's septic tank elimination efforts which dated back to 1995 through the inception of the Neighborhood Improvements Projects Program. Mr. Garcia shared that in 1997 the Board of County Commissioners agreed to waive the first equivalent residential unit (ERU) of recovery fees for new sewer connections, and explained how this applied to residential, and commercial properties. Mr. Garcia shared that that 15,600 septic tanks had been eliminated through phase 1 of the project which concluded in 2018. It was noted that following the Neighborhood Improvement Project 3,200 tanks remained and the program phased into two different projects. One project, dubbed the Utility Analysis Zone (UAZ) targeted aging sewer infrastructure within

the County's service districts, and the other project called the Septic Tank Elimination Program (STEP) targeted the 3,200 remaining septic tanks. Mr. Garcia provided an overview of the service districts, the distribution of septic tanks amongst them, and highlighted the phases and costs of sewer connection projects. Mr. Garcia estimated that less than 5% of the County's WWS customer base was still on septic. Mr. Garcia detailed another incentive program specifically for the BMSD neighborhoods in which the WWS covers the upfront cost of installing the sewer lateral in order to get customers connected to the sewer line, and customers would pay it back over 15 years interest free on their utility bill. He noted that billing starts once the permit to connect is pulled or 12 months after the lateral is installed. Mr. Garcia described the ambiguity involved in deriving the number of customers who have not connected and posited that some customers might connect without a permit.

Following the presentation several questions and comments were raised which were addressed by Mr. Garcia.

E. Notes from the County Attorney's Office

Michael C. Owens, ESQ., Senior Assistant County Attorney

Mr. Owens outlined the existing authority to pursue sewer connections provided under state law and local law including in Broward County's code of ordinances. Mr. Owens reviewed Chapter 381 Section 38100655 of state law which requires connection within a year where there is availability for connection. Mr. Owens reviewed Chapter 34 of the Broward County code which requires properties abutting a sanitary sewer main to connect within 180 days. Mr. Owens outlined provisions within County code which deem the construction, installation, or repair of septic tanks as unlawful on property which abuts a sanitary sewer main and is within the service area of a system available for use. Mr. Owens reviewed relevant exemptions within the state and local law.

Following the presentation questions and comments were raised which were addressed by Mr. Owens.

F. Where Do We Go from Here? Discussion

Dr. Jennifer Jurado, Chief Resilience Officer, Deputy Director, Resilient Environment Department, Broward County

VIII. Discussion

Following all the presentations Chair Geller advised that the next step was for the cities and the County to jointly identify the sewer and unsewered areas in Broward. Next Chair Geller requested that the County Code provisions and statutes be distributed to Dr. Jurado and the WAB and TAC members. In order to discourage the use of septic tanks Chair Geller proposed fining persons for replacing septic tanks where sewer is available at a fee of \$250/ day, using injunctive action if

needed, and emphasizing that it is the law to be connected. Chair Geller also stressed that in cases where it is more affordable to connect to the sewer than to replace the septic tank that fines will alert persons stating that nobody should object to saving money by connecting to the sewer line. Chair Geller requested that his proposal be reviewed for discussion at the next meeting. Dr. Jurado highlighted a case in which the demonstration of a public good was used to fund broader improvements and suggested that water utilities could participate in funding of sewer improvements because of wellfield protections. Dr. Jurado shared that Miami-Dade was successful with a Resilient Florida Grant application supporting sanitary sewer connections in a natural area and suggested that Broward County and its municipalities should work collaboratively in an effort to gain Resilient Florida funding which could be used as an immediate incentive for driving connections. Dr. Jurado also suggested exploring grant funding where there are TMDL issues.

Chair Geller recommended that the next meeting be a continuation of where we go from here. Chair Geller requested that Dr. Jurado reach out to the municipalities and find out if they are prepared to voluntarily enforce sewer connections where available.

Dr. Jurado suggested for staff to find out whether they're charging a base rate or a true rate associated with consumption once billing occurs and stated that staff would follow up with the Department of Health as to the record keeping on the maintenance activities.

IX. LAKE OKEECHOBEE WATER LEVELS: (ft-NGVD 1929)

This month 14.52; Last month 14.92; one year ago: 15.32 (ft-NGVD)

X. ADJOURN

There being no further business to discuss, the meeting adjourned at 12:05 pm.