

JOINT WATER ADVISORY BOARD/ TECHNICAL ADVISORY COMMITTEE  
MEETING

September 9, 2022

Minutes

A joint meeting of the Broward County Water Advisory Board and Technical Advisory Committee was held at Broward County Government Center, 115 South Andrews Avenue, Room 430, Fort Lauderdale, FL on September 9, 2022 at 10:00 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 the minutes secretary. A quorum was present, and the record of attendance follows:

**WAB MEMBERS PRESENT:**

Senator Steve Geller, Chair  
Vice Mayor Sandra Welch, Vice Chair  
Vice Mayor Ben Sorensen, virtually  
Commissioner Doug Bell  
Commissioner Kevin Biederman  
Commissioner Rhonda Eaton  
Commissioner Tim Ryan  
Commissioner Tom Good  
Councilmember Jim Allbritton  
Kevin Hart, TAC Chair  
Mark Peterson  
Mayor Greg Ross  
Vice Mayor Anthony Caggiano

**WAB MEMBERS ABSENT:**

Commissioner Andrea McGee  
Commissioner Denise Grant  
Commissioner Mary Molina-Macfie  
Commissioner Nancy Metayer  
Commissioner Tim Ryan  
Councilmember Susan Starkey  
Gene Goldman  
Governing Board Member Ron Bergeron  
Mayor Michelle Gomez  
Vice Mayor Aisha Gordon

**III. Roll Call Technical Advisory Committee**

**TAC MEMBERS PRESENT:**

Kevin Hart, Chair  
Randolph Brown, Vice Chair, virtually  
Albert Carbon, virtually  
Susan Bodmann for Alan Garcia  
Brett Butler, virtually  
Isabel Cosio-Carballo  
Dr. Jennifer Jurado  
Jose Lopez  
Lisa Milenkovic, virtually  
Giovanni Batista, virtually  
Jace Selby, virtually  
Patrick Davis  
Rafael Frias, virtually  
Renuka Mohammed  
Heather Cunniff  
Stephanie Pearson, virtually  
Suzanne Mechler  
Talal Abi-Karam  
Tim Welch  
Commissioner Doug Bell  
David Walker, virtually  
Pete Kwiatkowski, virtually

**TAC MEMBERS ABSENT:**

Leny Huaman  
Mike Bailey

**IV. Public Comments**

There were no public comments.

**V. WAB Approval of Meeting Minutes from March 25<sup>TH</sup>, 2022**

A motion to approve the Minutes of March 25<sup>th</sup>, 2022, was made by Vice-Mayor Welch and seconded by Vice-Mayor Caggiano.

**VI. WAB Approval of Meeting Minutes from May 13<sup>TH</sup>, 2022**

A motion to approve the Minutes May 13<sup>th</sup>, 2022, was approved unanimously.

**VII. Updates and Announcements**

Dr. Jurado announced that the registration for the 14<sup>TH</sup> Annual Southeast Regional Climate Leadership Summit was open and shared details of the event and sponsorship opportunities. Dr. Jurado also announced that an update on the County's Resilience Plan was presented to the Broward League of Cities and requested that WAB/TAC members encourage the participation of planning staff, and Public Works throughout the process and relay a need for hydrologic data from the cities. Upon inquiry from Vice-Mayor Welch, Dr. Jurado stated that she had presentation materials on the Resilience Plan that she could distribute to the WAB/TAC members. Chair Geller lauded Dr. Jurado's extensive expertise and regional outreach.

## VIII. Presentations

### A. Septic and Sewer Discussion Continued From 3/25/2022 and 5/13/2022

#### i. Septic and Sewers- Results from Further Analysis

*Dr. Jennifer Jurado, CRO and Deputy Director of the Resilient Environment, Broward County.*

Chair Geller introduced the presentation by cautioning that legislature has weakened the enforcement capacity of local governments in the area of septic to sewer conversion and advised that it would not be ideal to enforce a regulation that residents could not afford, if local governments were not positioned to provide funding assistance. Dr. Jurado noted that the presentation would more closely resemble a discussion and began by recapping some of the primary issues. During the recap Dr. Jurado noted updates made to the County's sewer line inventory and shared that few municipalities provided feedback including Cooper City and the town of Davie. It was advised that municipalities are responsible for maintaining municipal-scale sewer line data and the County would be responsible for maintaining data for the Broward Municipal Services District (BMSD). Dr. Jurado noted that areas with licensed sewer lines do not necessarily equate to areas with sewer connections and reviewed an analysis to determine the level of connections within sewer areas of the BMSD. The major findings were presented, along with data inconsistencies and strategies to confirm connections moving forward. The low monthly sewer billing penalty relative to the high connection charge was speculated as a reason for the preference to remain disconnected in a sewer area. The difference in replacement or repair time of septic systems, and the time required to connect to a sewer line was also presented as a possible deterrent to connection. Dr. Jurado reviewed County Code that prohibits the repair or replacement of septic systems in sewer areas and outlined the County's lack of enforcement power while highlighting the barriers to identify illegal septic service providers. Dr. Jurado presented a map of likely sewer connections and reiterated the data limitations. Upon the Chair's request for questions or comments, Commissioner Good shared that a sewer project to be dovetailed by the County was currently underway in the City of Pembroke Pines and raised that an ordinance allowing sewer connections to be done in tandem with the permitting process in the case of septic system failures and other immediate needs, may allow for more instantaneous connections and make connecting more attractive to property owners. Commissioner Good asked if the County would consider amending the ordinance. Pompano Utility Director Randy Brown commented that in such circumstances the permitting process is expedited. Dr. Jurado pointed out that the permitting process was essential to the record of connection and could not be waived. Lenny Vialpando later explained that the County permits sewer mains under the roads through the Department's environmental authority, and that laterals (connections) from the main would require a building permit and would not require connection license or a wastewater section license. Mr. Vialpando

suggested working with the Board of Rules and Appeals to expedite the issuance of building permits. Upon inquiry, Commissioner Good shared that Pembroke Pines residents could choose between city or private contractors for sewer connections, and if residents opted for a city contractor, they could avoid the upfront cost and pay interest-free over a negotiated timeframe on their water bill. Commissioner Biederman detailed a financing option available to Hollywood residents where connection costs could be paid incrementally over a 15-year period. TAC member Steve Holmes described how a four-point inspection during real estate transactions could be leveraged to identify properties out of compliance. Commissioner Biederman suggested mailing letters to property owners in sewer areas for which a building permit had not been pulled for a lateral and request the confirmation of connection. Steve Holmes advised that it is easy for a field inspector to determine whether a home is on septic or sewer. Commissioner Bell shared that during the sale of his mother's home on septic, one of the contingencies was to reduce the purchase price by \$10,000 to allow the new owners to connect to sewer. Chair Geller reiterated that the real estate transactional point may be the best time to force connections, as sellers likely have the capital to connect, and noted that there is much turnover in the market. Mr. Peterson said that he could reach out to mortgage experts and speculated that properties with Fannie Mae or Freddie Mac backed mortgages were unlikely to be non-compliant.

Dr. Jurado advised that a parcel-by-parcel assessment of connection in sewer areas would be required to accurately update the Florida Department of Health (DOH) maps of active septic areas. Chair Geller asked the elected municipal officials present if their cities were prepared to devote the resources needed to complete such an assessment in areas that were previously on septic and are now sewer. Vice-Mayor Welch, Commissioner Good, Commissioner Eaton, and Vice-Mayor Sorensen agreed to relay the request to their cities. Dr. Jurado continued to highlight the incompleteness and inaccuracy of the DOH maps and illustrated the parcels where cities would need to confirm connections through reviewing records to determine whether a building permit was pulled, or conducting visual or camera inspections, or through other means. Reporting requirements to the DOH during septic tank abandonment and connection to sewer were discussed. Mr. Homes noted that during connection, septic tanks may not get closed out unless it was obstructing the foundation or compromising the structural stability. Commissioner Biederman noted that was not the case in the City of Hollywood. Chair Geller remarked that a uniform approach to septic to sewer conversion and reporting to DOH was lacking amongst the cities in Broward. Requirements for reporting to the city, installations of connection/lateral by private contractors were reviewed. The point was raised that cities do not have an enforcement incentive as they get paid for the sewer 90 days after a sewer line is available for connection (as outlined in the Broward County Ordinance), whether or not the property owner connects. County Attorney Michael Owens reviewed the provisions of Florida Department of Environmental

Protection (FDEP) rule 62-6, which mandates the abandonment of on-site sewage treatment and disposal systems following the connection to sanitary sewer, requires a post-abandonment inspection by FDEP, and prohibits further use of the system. Mr. Owens outlined the FDEP enforcement authority on such ruling and highlighted that the FDEP had recently taken over some of the roles of the DOH regarding septic to sewer conversion. Chair Geller requested a tally of the number of enforcement actions carried out by the FDEP in Broward over the last three years. Dr. Jurado reviewed how water quality protection approach could be taken to regulate septic tanks and outlined how basin management action plans (BMAP) could be used to drive connections. Dr. Jurado provided an overview of an aggressive sanitary sewer connection program in the City of Port St. Lucie that has successfully encouraged connections through a financing model. The costs and potential liabilities of adopting a similar model were discussed. It was recommended that one entity (likely the cities) carryout connections to avoid complications, and that cities could start with small targets such as 500 -1,000 conversions per year. It was discussed how waiving water reserve capacity fees (which cost thousands of dollars), could facilitate connections. County staff spoke to existing funds used for septic-to sewer conversions and potential funds and grant opportunities that could be leveraged. Dr. Jurado outlined how eliminating variances and exemptions could drive connections. Chair Geller asked County attorney to review whether the County could eliminate the ability of municipalities to grant variances. Some of the potential solutions and existing limitations to driving connections were revisited. Upon inquiry Chair Geller asked Mr. Cassini to determine if municipalities could use American Rescue Plan Act (ARPA) money to fund sewer connection programs.

Chair Geller advised that there would be little follow-up on the discussion, suggested having a presenter from the City of Port St. Lucie, and assured members that the missed agenda items would be completed in the next meeting.

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

This month **12.67**; Last month **16.13**; one year ago:**13.35 (ft-NGVD)**

**X. ADJOURN**

The meeting adjourned at 12:06 p.m.