



Broward County

Legislation Details (With Text)

File #: 20-322 **Version:** 1

Status: Agenda Ready

In control: County Administration - Parks And Recreation Division

On agenda: 2/25/2020 **Final action:** 2/25/2020

Title: A. MOTION TO APPROVE Agreement between Broward County and the South Florida Water Management District (SFWMD) for grant funding up to \$500,000 from the SFWMD Alternative Water Supply Funding Program for construction of a reuse water irrigation system at Topeekeegee Yugnee Park (TY Park); authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions. (Commission District 7)

ACTION: (T-10:32 AM) Approved.

VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT budget Resolution No. 2020-078 within the General Capital Grant Fund to appropriate revenue in the amount of \$500,000 grant funding from the South Florida Water Management District Alternative Water Supply Funding Program for construction of the TY Park Reclaimed Water Main Expansion Project. (Commission District 7)

ACTION: (T-10:32 AM) Approved.

VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Agreement Summary, 2. Exhibit 2 - Agreement, 3. Exhibit 3 - Budget Resolution

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Division: Parks & Recreation

Information

Requested Action

A. MOTION TO APPROVE Agreement between Broward County and the South Florida Water Management District (SFWMD) for grant funding up to \$500,000 from the SFWMD Alternative Water Supply Funding Program for construction of a reuse water irrigation system at Topeekeegee Yugnee Park (TY Park); authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions. **(Commission District 7)**

ACTION: (T-10:32 AM) Approved.

VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT budget Resolution No. 2020-078 within the General Capital Grant Fund to appropriate revenue in the amount of \$500,000 grant funding from the South Florida Water Management District Alternative Water Supply Funding Program for construction of the TY Park Reclaimed Water Main Expansion Project. **(Commission District 7)**

ACTION: (T-10:32 AM) Approved.

VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.

Why Action is Necessary

Agreements require approval of the Board of County Commissioners (Board). Unanticipated revenue requires Board action by Resolution to accept and allocate.

What Action Accomplishes

Provides for funding assistance from SFWMD to offset the cost of construction of a reclaimed water irrigation system at TY Park; authorizes acceptance and appropriation of unanticipated revenue.

Is this Action Goal Related

Yes

Previous Action Taken

None

Summary Explanation/Background

THE PARKS AND RECREATION DIVISION AND THE ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

This item supports the Board's value of encouraging investments in renewable energy, sustainable practices and environmental protection; specifically, the goal to seek funding for, implement policies and pursue projects promoting, the use of alternative energies and sustainable practices. The Agreement sets forth the provisions for a \$500,000 grant from the SFWMD to offset the County's costs for the TY Park Reclaimed Water Main Expansion Project (the Project), which will supply reclaimed water for irrigation at TY Park and will assist with reducing ocean outfalls in southeastern Florida.

Florida's Ocean Outfall Legislation, Section 403.086(9), Florida Statutes, requires the elimination of ocean outfalls in southeastern Florida as the primary means for disposal of treated domestic wastewater. One of these outfalls is the City of Hollywood's Southern Regional Wastewater Treatment Plant located in Broward County. The wastewater utility will need to implement reuse of at least 60% of its historic outfall flows by 2025. Construction of the reclaimed water delivery line into TY Park, situated within the City of Hollywood, will result in 0.463 million gallons per day of reclaimed water, which will help the City meet its requirement.

In addition to the delivery of reclaimed water into TY Park, the Project will result in completion of necessary capital improvements that include reclaimed water mains, master valves, reclaimed water

booster pumps, irrigation systems, and electrical improvements. The Project was originally reviewed by the SFWMD as an alternative water supply development project under the Water Protection and Sustainability Program and was ultimately recommended as a regional project for highly treated reuse/recharge within the Lower East Coast Water Supply Plan (2005-2006).

This Project will assist the County in reducing offshore wastewater disposal and will provide irrigation water to TY Park. This will assist the park in improving its landscaping and enhancing its aesthetics. County residents and tourists that use the beach and coastal waters will also benefit from reduced offshore wastewater disposal.

The County's cost for the construction phase is estimated at \$2,180,000. This matching grant will offset the cost by \$500,000. Construction is anticipated to begin in October 2020 and must be completed by the end of May 2021.

This Agreement does not include the County's standard agreement provisions because SFWMD requires the use of its form agreement when issuing such grants and is unwilling to amend the offered agreement terms and conditions. Noteworthy sections of the Agreement are summarized as follows. The SFWMD may terminate for convenience (Section 6.2). The SFWMD reserves the right to terminate the Agreement immediately without notice or cure if the application information is false or if the County fails to complete the construction of the Project (Section 6.4). Additionally, the Agreement shall be void or subject to immediate termination in the event of any misrepresentation or false certification by the County (Section 8.8).

Section 8.9 requires that the replacement irrigation system be continuously operated for 20 years, and if not, the SFWMD may request reimbursement by the County for the funds provided and cease funding for this and future County projects. Section 8.2 of the Agreement provides for the choice of venue, specifically the 15th Judicial Circuit, West Palm Beach. Section 9.1 provides for indemnification by the County, which is subject to the County's sovereign immunity rights under Section 768.28, Florida Statutes.

In order to have the opportunity to receive this grant funding for the Project, staff is recommending approval of this Agreement as worded.

The Agreement has been reviewed and approved as to form by the Office of the County Attorney.

Source of Additional Information

Dan West, Director, Parks and Recreation, (954) 357-8106

Fiscal Impact

Fiscal Impact/Cost Summary

The Project cost of construction, \$2,180,000, is budgeted in the General Capital Outlay Fund for Fiscal Year 2020. Upon completion of the Project, the SFWMD will reimburse the County \$500,000.