



# Broward County

## Legislation Text

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File #: 20-221, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Henry A. Sniezek

**Department:** Environmental Protection

**Division:** Environmental Planning & Comm. Resilience

### **Information**

#### **Requested Action**

A. MOTION TO APPROVE Interagency Agreement between Broward County and the South Florida Water Management District (SFWMD), providing cost-share funding in support of water conservation investments as part of the Broward NatureScape Irrigation Service, and reimbursing Broward County for rebates issued to aid residential irrigation system improvements, with a contract term from December 12, 2019 to December 31, 2022 and a contract value of \$200,000 (\$100,000 SFWMD grant funding, matching \$100,000 in NatureScape Irrigation Service cost share), and authorize the County Administrator to execute all administrative and budgetary actions related to the Agreement, and authorize the Mayor and Clerk to execute the same.

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

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

B. MOTION TO ADOPT budget Resolution No. 2020-077 in the amount of \$200,000 within the Environmental Planning and Community Resilience Division's (EPCRD) State Grants Fund to appropriate the Southern Florida Water Management District grant for the purpose of reimbursing Broward County for rebates issued through the NatureScape Irrigation Service.

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

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

#### **Why Action is Necessary**

Motion A. In accordance with Broward County Code, Chapter 1, Section 1-20, action by the Broward County Board of County Commissioners is necessary to execute the cost-share agreement and recognize the cost-share funding in the contract fund of the EPCRD, and board action is required to delegate related administrative and budgetary activities.

Motion B. County Commission approval is necessary to receive and appropriate grant funds and unanticipated revenues.

### **What Action Accomplishes**

Motion A. This action allows the County to receive grant funds that will support the implementation of the NatureScape Residential Irrigation Rebate program through the NatureScape Irrigation Service program.

Motion B. Recognizes and appropriates grant funding provided by the South Florida Water Management District in support of the of water conservation investments as part of the Broward NatureScape Irrigation Service.

### **Is this Action Goal Related**

Yes

### **Previous Action Taken**

None.

### **Summary Explanation/Background**

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION (EPCRD) RECOMMEND APPROVAL OF THE ABOVE MOTION.

Approval of this item supports the Commission Value: Encouraging investments in renewable energy, sustainable practices and environmental protection via Goals to 1) Seek funding for, implement policies and pursue projects promoting, the use of alternative energy, resource conservation, sustainable practices and environmental protection; and Goal 3) Increase water quality protection efforts and lead creative approaches to water storage and aquifer recharge, as well as diversification of water supplies, regionally, with cost-share funding that will expand residential rebates for water-conserving irrigation system improvements.

This item provides Broward County with grant funds as cost-share support from the South Florida Water Management District (SFWMD) to promote the Residential Irrigation Rebate Program as part of the Broward NatureScape Irrigation Service (NIS) for Fiscal Years 2020 and 2021, with cost-share reimbursement to the County for rebates delivered under this program.

The Broward NatureScape Irrigation Service (NIS) was launched in 2005 as a cooperative program supported by 20 municipal and water utility partners, focused on improving irrigation water use efficiency on large municipal and professionally-managed properties, where the potential for achieving significant water savings was greatest. In recent years, the NIS expanded services to promote the use of 'Smart' controllers and other technology improvements as a prominent program component, as such devices are demonstrated to reduce irrigation water use by 25% to 50%, compared to standard controllers. The success of this program element encouraged the expansion of this service to the residential sector.

In 2019, the NIS pilot tested a Residential Irrigation Rebate Program, distributing 60 rebates to residents for irrigation system upgrades and providing education and guidance on efficient landscape irrigation practices. The applications for rebates under the pilot program well-exceeded the pilot program capacity, revealing a significant opportunity and need for a more sustained residential

irrigation program component from the public. As such, the County solicited partners for interest in expanding the NIS services to the residential sector. Staff is in the process of integrating this new program element in the forthcoming five-year NIS renewal agreements with cost-share partners. In the meantime, this grant will support a comprehensive residential rebate program, with residential rebates to be managed by the County and offered within program partner's water utility service areas.

This is a grant agreement with a state agency and does not include the County's standard form agreement provisions. In the agreement, the SFWMD has the ability to terminate without notice or cure in Section 6.4, if any application information is false or if the County fails to complete the activities. In Section 9.1, there is indemnification by the County, which is subject to the County's sovereign immunity rights under Section 768.28, Florida Statutes. The agreement also advises, SFWMD will not amend its offered agreement terms and conditions. Additionally, in Section 8.8, the agreement shall be void or subject to immediate termination in the event of any misrepresentation or false certification by the County. The Office of the County Attorney has approved the agreement as to form subject to the disclosure of the above-stated provisions. This agreement has been reviewed and approved as to form by the Grants Coordination Section.

#### **Source of Additional Information**

Dr. Jennifer Jurado, Chief Resilience Officer and Director, Environmental Planning and Community Resilience Division, (954) 519-1464

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

This agreement provides Broward County with \$100,000 in grant funding from the SFWMD for rebates to be delivered as part of the Residential Irrigation Rebate Program on behalf of program partners in the NIS. County cost share will be provided in the form of staff services and time, as well as existing program dollars and future program dollars from the forthcoming five-year NIS renewal agreements with cost-share partners. No additional funds will be required from the County.