

Utility Advisory Committee
Tuesday, September 26, 2006 – 6:30 p.m.
100 North Andrews Avenue, 8th Floor Conference Room
Fort Lauderdale, Florida 33301

Board Members	Attendance	2006 Cumulative Attendance		
		Present	Absent	Total
Bunney Brenneman, Chair	P	9	0	9
Richard Barrett	P	9	0	9
Bob Caine	P	8	1	9
Christine Campbell, Vice Chair	A	6	3	9
L. Thomas Chancey	P	8	1	9
Bob Cole	P	7	2	9
Caldwell Cooper	A	4	3	7
Joe Holland	P	9	0	9
Dr. Magdalene Lewis	A	7	2	9
Terri Murru	P	8	1	9
Fred Stresau	P	8	1	9
Dr. Geri Udell *	A	1		
Clare Vickery	A	4	5	9
Nathaniel Wilkerson	A	6	3	9

*no meeting notification provided

City Representatives

Albert Carbon, Public Works Director

Mike Fayyaz, Assistant City Engineer for Peter Partington, City Engineer

Mark Almy, City of Fort Lauderdale, Arborist

Guests

Mayor Jim Naugle

Lynn Shatas, Florida Power & Light

Nannette Woods, Program Director, City of Fort Lauderdale Waterworks 2011 Program

Trevor Underwood, Resident

Bob Webster, Resident

Monica Wilson, Resident

Jeremy Chancey, Resident

Bruce Shaffner, Resident

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I. Call to Order

Chair Brenneman called the meeting to order at 6:35 p.m.

Chair Brenneman announced that Dr. Lewis would not be in attendance due to a death in the family.

Chair Brenneman announced that due to a scheduling conflict, Tico Perez, past president of the Orlando Utilities Commission would not be in attendance. She advised that he was now scheduled to address the Committee on October 24, 2006.

II. Roll Call

The recorder took roll call.

III. Self Introductions

Self introductions were made.

IV. Approval of Minutes – July 25, 2006 Meeting and August 22, 2006

Chair Brenneman stated that various members had indicated a need for updated attendance figures to be recorded on both sets of minutes. The Committee members agreed to address this further at the next meeting.

V. New Business

Update on Waterworks 2001-Underground Sewers Nanette Woods

Chair Brenneman welcomed Nanette Woods and asked her to provide an update on the underground sewers.

Ms. Woods advised that the Waterworks 2011 Program was an **over half a billion dollar** construction program to improve the City's water and wastewater infrastructure. She explained that a large component of the program involved installing gravity sewer systems in 40% of the City that was currently on septic tanks. Construction of gravity sewers required very deep trenching for the pipes, approximately 16 ft deep; this also

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required large construction equipment and back hoes that had to be used in the middle of the road. She further explained that the back hoes had to reach above the equipment and have room to operate fully to get down into the trenches. This was where the issue of the trees came in because the equipment needed to reach above and had to be able to turn in order to place excavated materials in the dump trucks.

Ms. Woods acknowledged that there was also concern about installing a de-watering system. She explained that the de-watering system had to be installed at the end of the road. Pipes used for the de-watering system had to be injected into the ground and had to be as deep as the trenches in order to have the reach to get pipes into the ground. She stated that this created clearance issues with respect to the tree canopy.

Ms. Woods stated that staff was working to minimize the impact to trees in two ways. First, staff identified areas where trees had to be trimmed back. To accomplish this, staff used an example of a map that Waterworks prepared to help communicate with the public about trees that would be trimmed; Ms. Woods displayed a relevant map prepared prior to Hurricane Wilma for the Shady Banks community. She explained that first, staff identified the trees to be trimmed, usually those at the edge of the right-of-way. From the map, the resident would know that that tree was still there. Second, staff worked with the City Arborist to discuss trees that needed to be trimmed. The arborist then did the actual trimming.

[Committee Terri Murru arrived at 6:44 p.m.]

Ms. Woods spoke of one case where the arborist was not able to do the work. Staff consulted a list of preferred tree trimming contractors and the sewer contractors then hired one of these tree trimming contractors. In this instance, a representative of the City was on site to supervise that work. She stressed that the City did not have a gravity sewer contractor cutting the trees. The goal was to have this done by a professional and by someone from the City. Ms. Woods stated that there were some cases where trees that were right at the edge of the road within a right-of-way had to be removed. In these cases, staff could not simply work around the trees so this was addressed by the City Arborist and City Forester. These individuals evaluated the trees – their type, size, condition and ability to be relocated. However, if such trees needed to be removed, then staff worked through the tree permitting program to have them removed. Ms. Woods stated that Waterworks has followed this process to date. She advised that the City had done about 50% of work on the canopy in the Shady Banks neighborhood. Staff had also implemented this approach in areas with heavy tree canopy such as Sailboat Bend, River Run and Flamingo Park.

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Ms. Woods stated that Waterworks had also done sewer work in River Oaks, Riverside Park and Edgewood, other areas with heavy tree canopy, and was working with the City to follow these same procedures. Ms. Woods invited questions from the Committee.

Mr. Chancey asked whether the tree map was available. Ms. Woods advised that it was available from the Waterworks office.

Mr. Chancey asked how long in advance Waterworks called the City arborist when a tree was found to be in the way. Ms. Woods stated that Waterworks generally kept the City informed well ahead of their contractor by about one month; however, this sometimes varied.

[Chairman Brenneman acknowledged City Arborist Mark Almy who arrived at 6:48 p.m.]

Mr. Chancey stated that Mr. Almy was an excellent City Arborist. He inquired about the preferred tree trimming contractor list and how a copy might be obtained. Ms. Woods stated that the arborist provided this list. Mr. Chancey requested a copy of the list. Mr. Chancey asked where the subcontractor had worked. Ms. Woods advised that the subcontractor was used in the Shady Banks neighborhood. Mr. Chancey requested the address where the work was done. Ms. Woods agreed to provide this information.

Mr. Chancey asked Ms. Woods: "Regarding the trees that were in the way and needed to be relocated, how long in advance of their relocation did you notify the City Arborist that they needed to be relocated?" Ms. Woods advised she did not have the details at the meeting but stated that it was not a spontaneous decision. Rather, Waterworks knew well in advance when a tree needed to be removed or relocated and held discussions with the property owner. Mr. Chancey asked what "well in advance" meant and which trees were relocated. Ms. Woods stated that she meant "about a couple of months" but could get more detailed information. Mr. Chancey stated that this information was needed because it was understood that some trees required up to 18 months to 2 years' advance notice for adequate preparation. Ms. Woods deferred to Mark Almy and asked if he was aware of any trees being moved. Mr. Almy stated that he did not recall any tree removals or relocations in Shady Banks. He added that he had received the map about one month ahead and had done the tree trimming in Shady Banks.

Mr. Chancey asked about the root systems. Ms. Woods stated that Waterworks had specifications requiring that if they were within 5-6 ft of the tree, they had to do a 24-inch saw cut for the roots. Mr. Chancey asked if anyone had done this. Ms. Woods advised that this was done prior to construction or excavation.

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Mr. Chancey asked if this was the rule and asked how far from the trunk the cutting was done. Ms. Woods stated she believed it was 5-6 ft. She indicated she could get more specific information. Mr. Chancey requested this information. He spoke of work his company had done at the cemetery in Rio Vista. He advised that the work was done about 15 feet away from the trunk with special equipment that he was not sure others had.

Mr. Chancey asked if 16 feet was the lowest point and where this spot was located. Ms. Woods replied that 16 feet was the lowest point and was located at the pump station. Mr. Chancey asked if Waterworks knew in advance where the shallow point was going to be. Ms. Woods responded affirmatively.

Mr. Chancey then asked: "So what do you tell the contractor he is going to do if a single contractor has a given area? And he has that 16-ft equipment ready for the other end of the property; do you tell him not to use that piece of equipment at the end of the property that has that shallow end?" Ms. Woods stated this was correct, and that Waterworks collaborated with the contractors in regard to the trees. She added that in Shady Banks in particular, we had some areas which required different equipment or methods due to slower production rate. Therefore Waterworks was able to take some measures to save some tree canopy.

Mr. Chancey then asked if Waterworks employed any kind of boring equipment in shallower areas with trees over one hundred years old that did not allow for their roots to be cut successfully. Ms. Woods responded that with gravity sewers, the technology for boring was not sufficiently advanced to be able to lay the pipe on the grade. Mr. Chancey pointed out that one contractor indicated this was possible. He indicated he would check this information with him.

Mr. Chancey asked whether the pipe and fall was a minimal 4-8 feet in areas with historic trees. Ms. Woods advised that there was very low tolerance for error with respect to how the pipe was laid, which was why it could not be directionally drilled. Mr. Chancey stated that some areas had canopy trees that literally overlapped the road that were historic. Improperly trimming these trees could be a death sentence. He spoke of a case where a tree was improperly pruned, did not fall for 30 years but eventually fell and killed a child. He felt this could be traced back to when the trimming occurred.

Mr. Chancey stated that the Committee was concerned about such liabilities and the methodology of how many feet away from the trunk the roots were cut. Also, the Committee was concerned about whether Waterworks was using the same species relationship and the same root size relationship. He stated that even the current methods being used caused him some concern.

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Mr. Chancey wanted to hear comments from residents in the area where the tree trimming subcontractor had been called in. Chairman Brenneman assented and recognized the following:

Jeremy Chancey, a resident, stated that one of the reasons he lived in his neighborhood was because of the tree canopy. He stated that he had witnessed the pruning that was done on Riverland Road and there was no preliminary tree information provided to the contractor. A Supervisor was supposed to be sent out to observe the work. He stated that after trees were pruned and cleared, he had observed certain limbs that were pruned that did not need to be pruned as they were out of the clearance way. He agreed that the trench needed to be 16-ft deep but asked how wide the trench had to be. Ms. Woods advised that the trench was probably 20-ft wide. Jeremy Chancey stated that he lived on a lateral street, which was a city street that terminated as a private road. He explained that the city street portion with the roadway easement of 25-ft, had two historic live oaks within 5 feet of the road. He asked what would be proposed to bring the sewer system to his street without destroying these trees. He also requested clarity on how residents would be affected by this operation, i.e. how they would come and go from their homes during this process. Ms. Woods stated she did not have specifics on Mr. Chancey's particular road or how deep the sewer was in that location. Mr. Chancey asked when residents would know the specifics. He also asked to see the tree management plan.

Ms. Woods asked if Waterworks was doing construction work on Mr. Chancey's street. Mr. Chancey responded no, but believed this would occur soon. Ms. Woods stated that most likely the tree plan for Mr. Chancey's street had not been developed yet. She requested his address for further communication. Mr. Chancey provided his contact information.

Bruce Shaffner, a resident, stated he also lived on the private road and provided his address information. Ms. Woods stated that, regarding a private road, if there was no utility easement, then Waterworks did not have the right to come in and do construction. She indicated that they would contact all the property owners on the street and ask whether they would grant an easement to bring the sewers to that area?

Jeremy Chancey asked if Ms. Woods could provide the specifications of the easements that would be required. Ms. Woods stated she was unable to give those specifics at that time.

Jeremy Chancey asked what a typical easement is and whether a typical easement and set-back applied in his situation. He asked if it would help to know that the lift station is in front of his property. Ms. Woods stated that this depended on the street. She advised

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that Waterworks might not be able to serve his street. She added that she did not know the specifics of Mr. Chancey's particular property. Fred Stresau suggested that all parties get together to iron out this issue.

Mr. Holland advised that Waterworks was also looking at the option of vacuum sewers. Mr. Stresau asked about the possibility of going around the easement. Ms. Woods stated that they had the option of shifting to the other side of the street.

Bob Caine asked what a vacuum system was. Ms. Woods explained that with this system, the pipes were not as deep; they were 4-5 feet only and required a small pump station in front of every house or every two houses. This was a unit that would handle waste water and then the vacuum system would pump the waste water into the gravity sewer system on Riverland Road. This would involve the property owner paying a \$1,000 connection fee and a surcharge on the sewer bill incrementally over a 20-year time period.

Chairman Brenneman thanked Mr. Jeremy Chancey and Mr. Shaffner both for coming to the meeting and for voicing their concerns ahead of time and not waiting until the crew showed up to work.

Mr. Jeremy Chancey recommended that Waterworks notify residents more than one month in advance of the commencement of sewer work. He stated that residents in Riverland Park had complained of not having enough lead time notification that sewer work was starting.

Ms. Woods assured the Committee that there had been ongoing communication with the neighborhood for over a year. She stated that Waterworks had sent project brochures in the mail to residents and contractors used door hangers when they were starting.

Terri Murru disagreed with Committee member Chancey that residents did not receive enough notification regarding this project.

Chairman Brenneman thanked Ms. Woods for her participation and update.

2. Utility Municipalization

**Tico Perez, Baker Hostetler
Past President, Orlando Utilities Commission**

Chairman Brenneman had already postponed this item.

3. Other New Business

There was no other new business.

VI. Old Business

▪ **Line Clearing Status**

**Lynn Shatas, FPL
and Fred Stresau, Chair, Tree Subcommittee**

Lynn Shatas of FPL, illustrated a grid diagram showing how line clearing would be handled in a particular neighborhood. She explained that using such a grid would better facilitate communication with the public on where line clearing would be take place. She advised that she would stay in contact with the City Forester and that letters would go out to the homeowner associations and to individual homeowners as to where line clearance would be done. In addition, door hanger notices would be placed 2-5 days prior to any line clearing.

Regarding the pilot program, Ms. Shatas advised that Larry Stewart had met with the City earlier this month regarding the next areas to be cleared. She stated that feeder lines connected to critical infrastructure would be focused on first. Trees to be removed were strictly palm trees in City right-of-ways and not those on personal property.

Mark Almy, City Arborist, advised that he and Larry Stewart had gone through exact geographical locations where multiple feeder lines were located. He assured the Committee that both he and Mr. Stewart had a commitment to work well with each other on this process.

Chair Brenneman stated that the more creative solutions were pursued, the better the pilot program would be.

Mr. Holland asked if it would make sense to look at any private property vegetation that was close to violating the Code while resources were on site. Staff could then give notice to the homeowner of problematic trees that would likely need to be removed. Mr. Almy stated that staff did not go onto private property. Mr. Holland asked if the City could advise the homeowner of problematic trees ahead of time. It was stated that it was up to the homeowner to meet the City's codes. Ms. Shatas spoke of past instances where trees had to be removed from private properties but she stressed that these were not removed without the homeowner's agreement.

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Mr. Webster asked whether the water pressure boosting stations were being considered as several had lateral lines running over them. Ms. Shatas stated that FPL would work with Mr. Carbon's office to look at these locations.

Mr. Chancey stated that the issue of FPL contractors damaging trees that homeowners were maintaining was what brought the Committee together. He stressed that there should be a way to notify homeowners and to notify Asplundh to leave certain trees alone if they were ribbon tagged.

Ms. Shatas stated she would take these issues back to the vegetation manager who would meet with the City arborist to look further at these concerns.

Mr. Almy spoke of a "Do Not Trim" notice that was added to the feeder packet which advised trimmers which addresses not to trim. Chair Brenneman stated that the Committee trusted Mr. Almy's excellent past work together with the input he had provided and wanted to see this effort progressing.

Ms. Murru asked Ms. Shatas and Mr. Almy to bring back a model of the pilot program and to keep the Committee updated on how it could offer assistance.

- **Update on RFP – Consulting Services**
Electrical Infrastructure: Needs Assessment & Strategy.
City Staff and Fred Stresau, Selection Committee

Mr. Fayyaz advised there were no changes in the status and that the RFP was still being reviewed.

- **Other Old Business**

Chair Brenneman advised that previous guest presenter, Monica Wilson, was present and inquired whether she wished to address the Committee with additional information related to the upcoming workshop. Ms. Wilson advised she would bring an outline of a short presentation to the next meeting.

Ms. Wilson also distributed handouts she wished to share with the Committee, including a *Miami-Herald* article on undergrounding. Ms. Wilson wanted to advocate that the City work with property owners and provide them with

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information on 1) alternate programs such as solar water heating, and assistance to apply for State Bill 8-88, the alternative energy rebates for residential owners; for state bill 1980 for hurricane mitigation for hardening buildings, and 2) income tax refunds for energy efficient home improvements; low interest mortgages for residents buying or refinancing homes that were energy efficient or would be renovated for energy efficiency. She also suggested having the City add a utility web page that could link residents to several of these programs which often had online applications.

Chair Brenneman stated that the amounts ranging in the Millions that were already identified could and would make a big difference to City residents. She advised that Mr. Partington was working on all these programs with the PIO and grant offices and with Committee members. She stressed that this would be of tremendous benefit to residents for years to come.

Ms. Murru stated that there still issues regarding alternative energy. She felt there were great opportunities the City could take the lead in. She felt the most energy and cost saving way to do this was with large buildings and large structures. She asked what the City was doing about looking at these alternatives and opportunities. She wanted the City to look at some projects that could be used as model projects first.

Mr. Stresau asked whether it would be a good idea to have an architect come in to speak about LEED certified buildings at the upcoming energy workshop. He spoke of the high cost of LEED certification which he felt the City would not be able to afford. Chair Brenneman recalled that at the Energy Roundtable II, there were two participants who were LEED certified. Mr. Stresau stated he did not want people to be misled. A Committee member stated that solar heating was one of the better alternative energy options. Ms. Murru felt this had to be done on a larger scale.

Chair Brenneman acknowledged Mayor Naugle.

Chair Brenneman recognized Trevor Underwood. Regarding the solar electric issue, Mr. Underwood advised that he had reviewed detailed research of universities on solar electric technology. He spoke of second and third generation technologies that were being developed and should be available in ten to twenty years. He stated that there currently was a huge investment of

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work in this area. He stated that once he received samples of this material, he would be willing to test out the solar panels.

Mr. Underwood stated that Florida was currently operating in a restricted environment. He advised that there were federal programs in place to build transmission lines that would provide interstate connections in Florida. He stated that he would be raising this issue at a future time.

Chair Brenneman inquired whether Mr. Underwood had an update on his proposal for undergrounding and municipalization.

Mr. Underwood stated that there had been a misunderstanding with regard to Mike McGrath's response to his proposal at the previous meeting. Mr. Underwood explained that he had not suggested that the City actually purchase a utility. Rather, he had identified that the key issue was ownership of the local distribution system. Mr. Underwood stated that he had been participating in public hearings on this issue in Tallahassee. He felt that the solutions being suggested at those hearings such as strengthening of poles would not solve the problem. He stated that the strengthening of poles was a serious problem and added that concrete poles were dangerous and unsightly.

Mr. Underwood explained that his proposal was that the City underground all utility distribution systems, and then rent these out to multiple competitive suppliers. He stressed that what the City would be doing is building a distribution infrastructure. He advised that he had looked at cost estimates and estimated that for Fort Lauderdale the costs would be about \$200-\$300 million. He explained that the system would be funded by rental income from service providers.

Ms. Murru asked what the next step would be in this process based on Mr. Underwood's proposal.

Mr. Underwood stated that once the decision was made to build the distribution system the City would need to begin digging trenches. Mr. Underwood stated that currently, the City needed to move forward as this effort was stalled.

Mr. Chancey asked if this proposal idea required the involvement of other surrounding cities or the country. Mr. Underwood responded in the negative. He

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stated that as far as the local distribution system was concerned, the only problem that might occur involved connecting into the Florida grid. He stated that some rights-of-way would be needed to connect to the grid.

Mr. Webster recalled that at the July meeting, the question was raised as to how much power the City used during the seasons. He asked whether FPL could provide some general information on this. Mr. Underwood stated that this information was not necessary and pointed out that the power was already available for use. He felt confident that in the time it would take to build the project, transmission lines would be achieved at the cheapest possible rates.

Mr. Caine asked whether this was being done anywhere else in the country. Mr. Underwood stated he was not sure this was being done anywhere based on the particulars of his proposal.

Mr. Underwood spoke of the challenges of doing business with a monopoly and stressed the importance of a highly competitive environment. He stated that if the City owned its own distribution system, the City could make sure to invest in it properly.

Ms. Murru asked about the status of the consultant who would join the City. Mr. Stresau advised that presentations had already been made and that consultants had already been short listed. Ms. Murru asked whether it would be appropriate to request the Commission's approval to move forward on this proposal on a "priority" basis.

Mr. Holland asked whether the consultant's fee arrangement had been addressed in the budget. Mr. Stresau stated he did not know this.

Mr. Chancey asked whether the consultant would look into the potential master plan of undergrounding. Ms. Murru stated that to her understanding, this was one of many areas the consultant would be addressing.

Chair Brenneman stated that when an RFP went out from the procurement department it set guidelines for those who would be responding. She added that there had been some responses to the RFP which were now being considered.

Mr. Stresau stated that the shortlist was to ascertain what was in the City by way of infrastructure. Mr. Stresau questioned what the City would do with an

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assessment of the utility infrastructure without a clear idea of its direction. He stressed the need for this to be addressed quickly as time was running out.

Ms. Murru asked if this Committee could have any impact on re-framing the RFP. Mr. Underwood stated that the RFP had only covered electric infrastructure but had not taken into account poles. He did not believe the Committee could wait for the consultant to come up with solutions but should get a group focused on doing research and moving forward on the proposal.

Ms. Murru asked whether there was something the Committee could do to move the hiring process to a priority status. Mr. Stresau stated that the City Manager was aware of the Committee's desire for urgency. He added that the City Manager might be reluctant to move ahead until he knew what he would present to the Commission.

Mr. Underwood stressed the need to bring other utility companies in to see how they felt about the proposal.

Ms. Murru asked once again if the Committee had any strength as a group to request that the City prioritize hiring the consultant and beginning the assessment process.

Mr. Cole asked how residents would be hooked up once undergrounding would be done. Mr. Underwood stated that the undergrounding project would take this into account. He explained that the project would be funded and covered through the rental of the system. He pointed out various communities were undergrounding.

Mr. Holland asked Mr. Fayyaz if he could provide information about the budget status for the RFP consultant. He felt Mr. Cole had brought up some good points. He did not want to "chew up" the City Manager on something that might not go anywhere if this was not budgeted.

Mr. Fayyaz indicated he would provide this information by the next meeting. He stated that he was unsure if the City Manager had enough

information to go forward until he knew exactly what the City would gain from this project.

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Mr. Caine asked whether the City could send out RFPs without money to issue them. Mr. Fayyaz stated typically some funds were set aside prior to solicitation.

Chair Brenneman stated that the RFP allowed for a consultant to negotiate. She stated that this was the loophole in negotiating the scope and the cost.

Ms. Murru agreed with Mr. Stresau that this item was of utmost importance for the Commission to address. She asked whether there was any value to the Committee agreeing as a group that hiring the consultant was a priority. Mr. Fayyaz stated this was acceptable.

Mr. Webster was in favor of inviting the City Manager to the next meeting.

Chair Brenneman thanked Mr. Underwood for providing the information he presented that evening.

VII. Good of the Committee

VIII. Next Meeting – Tuesday, October 24, 2006, 6:30 p.m.

Chair Brenneman advised that the next meeting would be held on Tuesday, October 24, 2006 at 6:30 p.m. Chair Brenneman further advised that Mr. Tico Perez had promised to address the Committee at the next meeting along with Mr. Jeff Jonasen.

IX. Adjournment.

There being no further business to come before this Committee, the meeting was adjourned at 8:53 p.m.