

**City of Fort Lauderdale**  
**Infrastructure Task Force Committee**  
**August 6, 2018**  
**2:00 p.m. to 5:00 p.m.**  
**8th Floor City Commission Room – City Hall**  
**Fort Lauderdale, FL 33301**

1. **Call to Order:**
  - **Roll Call**

<b>MEMBERS</b>		<b>PRESENT</b>	<b>ABSENT</b>
Marilyn Mammano	P	15	1
Ed Kwoka	P	14	2
Ralph Zeltman	P	16	0
Keith Cobb	A	9	7
Roosevelt Walters	P	15	1
Fred Stresau	A	12	4
Norm Ostrau	P	13	1
David Orshefsky	P	13	0
Jacquelyn Scott	P	1	0

**Staff Present**

Meredith Shuster, Administrative Assistant  
Paul Berg, Public Works Director  
Nancy Gassman, Interim Deputy Public Works Director  
Joseph (Joe) Kenney, Assistant Public Works Director  
Raj Verma, Staff Liaison  
Laura Reece, Budget Manager  
Vice Mayor Ben Sorensen  
Michael Mitchel, Prototype-Inc. recording secretary

2. **Approval of Agenda**

**Motion** made by Mr. Walters, seconded by Mr. Kwoka, to approve the agenda. In a voice vote, the motion carried unanimously.

3. **Approval of Previous Meeting Minutes**

**A. July 2, 2018**

- i. **The appointment of Ms. Scott was not finalized until July 10, 2018. Amend the minutes to reflect she was not absent for the July 2<sup>nd</sup> meeting.**

Mr. Verma made the following corrections, additions, and deletions:

- Page 21, last paragraph, third sentence: Insert the word ***“some projects”***.

- Page 26, approximately in the middle, where it says, “Mr. Verma stated that he handed out something from Keith Cobb”. That needs to be amended to state, **“Mr. Verma stated that he has a handout for Keith Cobb showing cost of bond issuance”**.

Mr. Orshefsky made the following corrections, additions, and deletions:

- Page 22, this is the discussion about ROI and ad valorem, last full paragraph. Lee Feldman was telling about the basic elements and choices. In the first sentence there is a missed “not”, it is believed that the sentence should read, **“Mr. Feldman advised from the budget standpoint, that the increase in revenue generated from property taxes at the current rate has “not” been enough”**. The context was the additional \$10 million they were getting from the uptick in the property tax roll, the amount was not enough to cover the expenses. **There needs to be a “not” or “has and been” at the tail end of that sentence**. The middle of the paragraph, “A place to start would be to raise the property taxes 7/10ths of a mil to make up the difference, which is the ROI \$20 million. There seems to be some appetite to put the ROI back into the general fund”. It is already in the general fund; the sense is that the reference to the general fund should be **“water and sewer fund”**.

Mr. Zeltman made the following corrections, additions, and deletions:

- Page 2, “Mr. Zeltman advised that he would like to see the updated presentation in a card form”; card should be **“hard format”**.
- Down the page it should read, **“Mr. Zeltman offered his opinion that the study needs to include the different types of zoning and the various densities of zoning so there is not one process for everything”**.

Mr. Kwoka suggesting striking the first “Mr. Zeltman”; it was listed twice at the beginning of the sentence.

Mr. Zeltman continued:

- Page 20, the second Mr. Zeltman down should read, **“Mr. Zeltman expressed concern on the continued demise of the wastewater systems causing damage to the entire wastewater system, through to the wastewater treatment plant”**.

Mr. Orshefsky mentioned if there is a comma out of place or a sentence doesn’t make sense, the Committee is not in a position to rewrite minutes, they correct mistakes.

Mr. Zeltman suggested checking the tape; he elaborated a little more to condense because these things go on. Basically, it was concerned with the sand in the water and

the collection sewer systems that are continuing to do damage to the entire wastewater system all the way to the wastewater treatment plant.

Mr. Orshefsky, Mr. Kwoka, and Mr. Zeltman suggested checking the tape.

Mr. Zeltman continued:

- The last sentence in the next Mr. Zeltman that starts, “Mr. Zeltman commented that the problem is that the system is being eroded away caused by the collection system”; ***it is caused by the sand in the collection system.*** It should be verified by the tape. He believed that some of the paraphrasing takes out the meaning.

Mr. Kwoka made the following corrections, additions, and deletions:

- Page 2, about half way down the page, the paragraph begins, “Chair Mammano” and the last sentence says, “There was around around”, should be ***“There was a discussion around”.***
- Page 5, the last paragraph, check the tape. He would challenge that Mr. Walters said, “It is not the Committee’s job to agree”; ***it should probably say, “It is not the Committee’s job to agree with the Commission”.***

Mr. Walters stated that it is consistent with what Mr. Kwoka said.

Mr. Kwoka continued:

- Page 12, first sentence, “Mr. Verma indicated that the landscape fees for tree removal were established”; it was believed ***“Fred Stresau”*** made that comment.
- Page 16, third paragraph, please check the tape. “Mr. Walter’s questioned how a Commissioner is going to be secured to walk this on”. That could be correct, but he did not recall it that way.

Mr. Orshefsky advised that was how he recalled it.

Mr. Kwoka continued:

- Page 19, second to last paragraph, “Mr. Kwoka mentioned”; should be ***“Mr. Kwoka questioned”.***
- Page 20, last paragraph, there is an incomplete sentence, “The last time he focused on that there was an outstanding amount, \$15 million worth of I/I contracts that were already let”. Let seems to be abrupt.

Mr. Orshefsky stated that was correct; the contracts are let. The contracts have gone through Procurement and then they are let.

Mr. Kwoka continued:

- Page 23, second paragraph. ***There should be a hyphen between extra and jurisdictional*** because it changes the implied meaning.

Mr. Orshefsky suggested that since some of the tape needs to be checked that the action on these minutes be deferred.

**Motion** made by Mr. Walters, seconded by Mr. Kwoka, to approve the July 2, 2018 meeting as amended.

**Motion** made by Mr. Walters, seconded by Mr. Kwoka, to withdraw his motion. In a voice vote, the motion carried unanimously.

**Motion** made by Mr. Walters, seconded by Mr. Kwoka, to defer the July 2, 2018 minutes. In a voice vote, the motion carried unanimously.

**B. Informational items requested by the Committee members**

- Handouts distributed at the end of the July 2, 2018 meeting to be attached with the meeting minutes.**
- Master spreadsheet showing five-year water/wastewater projects rebalanced with Bond monies.**

**4. General Discussion (Committee Members)**

Mr. Walters commented that sometimes it gets a little testy when doing the minutes. Reviewing the minutes is for making corrections to errors that were made by the note-taker. The Committee cannot amend; if it was not said it cannot be put in the minutes later.

Ms. Scott mentioned often times something is said, and everyone understands, but when someone goes back and reads the minutes they do not reflect as that, but what was said was said.

Mr. Zeltman stated that sometimes, in an effort to compress all the minutes, there is paraphrasing trying to get the same meaning contained within same and sometimes it throws things off.

Chair Mammano referenced the City of Fort Lauderdale Transit Oriented Development Study and noted that there is a study on the webpage. The City is going around to various communities making presentations of this study. She found it interesting that the opening sentence of the study says, "The #1 infrastructure priority from the City of Fort Lauderdale is creating a pedestrian friendly City". Chair Mammano has received emails regarding this, as it has not been adopted, it is in the process of being studied.

Mr. Orshefsky clarified that the study is not a written study with a date; it is collecting information.

Chair Mammano stated that data is being collected and there are meetings with stakeholders. Emails were received from people concerned about infrastructure, inquiring if this Committee had determined that creating a pedestrian friendly City was the #1 priority.

Mr. Kwoka has not seen much mention of the Infrastructure Task Force Committee anywhere recently. There was discussion at the Commission meeting and one of his points was Commissioner Glassman's statement to his constituents was that they tentatively put in an increase in the ad valorem just in case with no reference to this Committee's recommendation to that effect. The question is, "Where do the Committee's recommendations, as were presented last, fit into their grand consideration?"

Chair Mammano believed an email was sent around asking everyone to listen to the Commission meeting of July 10<sup>th</sup> when they talked about the ad valorem.

Mr. Orshefsky commented that he would forward time syncs to Ms. Shuster, which would move everyone around the 2.5-hour meeting.

Chair Mammano mentioned that the Commission agonized over .7% of a millage rate and the idea of not taking the ROI out of the Water and Sewer Fund. The Commission wanted to do it, but they were reluctant and unsure how to do it. The Commission agreed to raise the millage rate by a part of a percentage point; however, Chair Mammano could not recall the number. Lee Feldman calculated how much the Commission would have to raise the millage rate in order to take \$5 million less out of ROI and only take \$15 million instead of \$20 million. The Committee's suggestion was to take only \$15 million this time and of the \$15 million, \$5 million should go into Line 331, which is capital.

Mr. Orshefsky clarified that it was the other way; leave \$5 million in water and sewer and \$15 million in the 331.

Chair Mammano indicated that if \$15 million was brought over that is a \$5 million hole in the budget that has to get filled. Of the \$15 million brought over, it is not used in the regular budget that has to be targeted for infrastructure; that is a \$20 million hole in the budget.

Mr. Orshefsky stated it was not that simple. There were three votes to consider a tax increase and two votes not to consider the tax increase. The bottom line was the issue about the size of a hole remaining in the general fund, which was \$15 million. To understand the order of magnitude, \$13 million of these dollars were allocated to CIP type projects last year and the CIP contribution has been going up over time. It could

be viewed that the \$15 million was a continuation of that trend in terms of using general fund dollars. Administration will come back now that they have been given direction at the meeting on the 10<sup>th</sup> to figure out what could be done with taxes or ROI and none of that is set in stone.

Chair Mammano advised that one of the issues was the Mayor said there should be no reason they cannot find \$5 million worth of savings. The City Manager was quite adamant that a penny could not be saved without someone losing somewhere. That was one of the tensions, whether this could be done with reducing the spending or raising the millage rate. Eventually, it was decided to raise the millage rate a little bit to give that cushion and then the Commission instructed the City Manager to tell them where \$5 million would come from. The Commission wanted a line by line where they could find \$5 million of savings and if they could stand the pain of taking the \$5 million in savings then they would not raise the millage rate.

Mr. Orshefsky indicated it was a default. In other words, the Commission was going to give \$5 million worth of room but if a table of cost savings could be shown that equaled the \$5 million and filled the same \$5 million hole in the budget, then taxes would not have to be raised.

Mr. Walters questioned when the other \$15 million would be taken out.

Chair Mammano commented that the concept was \$5 million a year, but there was a discussion and Commissioner McKenzie was not in favor of starting this budget year, he wanted to start next budget year. Eventually, Commissioner McKenzie came around to starting this budget year.

Mr. Walters believed that the Commission should have planned ahead, and it was determined that a .3 or whatever the percentage was for the increase in the millage rate for this \$5 million, what is going to be done for the next \$5 million and the \$5 million after that.

Mr. Orshefsky noted to reduce ROI to zero in four years was the framework the Commission was talking about; however, they wanted to take baby steps first.

Chair Mammano mentioned there was two ways to fight; either raise the millage rate or reduce expenses.

Mr. Walters agreed, but there was no plan beyond this \$5 million. If the Commission is going to agree to eliminate the \$20 million, then they need to have a way to replace it, whether it is a combination or whatever.

Chair Mammano thought that was a correct observation. It was hard enough for the Commission to make this decision. Come September the Committee will see what the resolution is.

Mr. Orshefsky stated that September 6<sup>th</sup> and September 19<sup>th</sup> are the two public hearings on the budget.

Ms. Reece confirmed the dates as September 6<sup>th</sup> and September 12<sup>th</sup>.

Chair Mammano questioned if Ms. Reece has been instructed or started to try to find the \$5 million worth of potential cuts.

Ms. Reece advised that the Commission provided the Manager with some options, so that was \$5 million or 095.26, and the new millage rate proposed was 4.2648.

Mr. Orshefsky stated that is \$5.1 million plus or minus.

Ms. Reece clarified that .146 was the adjustment in millage. Ms. Reece indicated that the Commission instructed staff to come back with an option as to how they would cut \$5 million and the millage rate was set sufficient, so it would absorb that because it was not known what the cuts would mean.

Mr. Orshefsky stated that was ultimately up to the City Manager who is currently taking the input he is getting from the Budget Department, coming up with a series of recommendations, and will present it to the dais.

Mr. Walters questioned what was proposed for year two.

Ms. Reece advised that the direction received conceptually at the meeting was 25% a year for the next four years or so. If nothing were to change with their property tax base and it was a 100% millage rate increase, that would be a 21.36% millage increase over the next four years or they would have to cut up to the \$24 million.

Mr. Zeltman questioned what the 21.36% amounts to.

Ms. Reece noted that was the rollback rate; they always have to calculate over the rollback rate, which is the amount of revenue brought in the prior year. If the Commission were to increase the millage by .582 it would bring it to 4.7014 and that would bring in the \$20 million. That would be for 100% elimination.

Mr. Orshefsky commented that was 70 basis points. It was noted that 21%, 70 basis points over 410 basis points is the better part of 25%. If that number was run across whatever standard it would run between \$200 and \$300 per year.

Mr. Walters stated that may be sound, but if he had to make a choice whether to pay taxes or buy medicine; he cannot afford another increase.

Ms. Scott questioned if Mr. Walters would balk at 25 cents or 50 cents a day; she thought that was realistic. It is the way it is presented.

Mr. Walters agreed, but it was not for everybody.

Mr. Kwoka advised that taxes do not have to be raised but something must be cut otherwise.

Mr. Ostrau stated that the concern was that the people having the more difficult time paying the tax increase would probably be the ones affected by the cuts.

Mr. Kwoka commented that it has been nine years since there has been an ad valorem change. The City cannot continue into perpetuity without an increase.

Mr. Walters agreed, but not having the increase over the nine or 11 years was bad management on the City's part. Mr. Walters was not disagreeing with what was being said, but for 47 years he has been fighting for the little person that suffers the consequences later. Mr. Walters needed to make sure that whatever was agreed to was the least harmful to those who could not afford the increase.

Mr. Ostrau questioned if this Committee would get an idea before that meeting.

Ms. Reece advised that at the last Budget Advisory Board, Mr. Feldman gave the same overview of what direction the Commission gave. He shared that preliminarily and said that he would recommend the non-essential capital projects be cut. What Mr. Feldman shared with the Commission previously was that the past five years everything was added. So, over the past five years, service and staffing has been added and different levels to address needs. Mr. Feldman said if service levels were reduced, capital would be considered.

Mr. Orshefsky stated that was the only room in the budget; either it is taken out of operating or capital or raise taxes.

Mr. Kwoka commented that the best way to do this was to begin working smart. \$25 million was spent trucking sewage from one side of town to the other.

Chair Mammano mentioned that Committee members could convey to the Commissioners who appointed them individually. There should be some comfort that one of the Committee's major pushes was coming to fruition, baby steps, but moving in the right direction.

Mr. Zeltman mentioned to Ms. Shuster that Committee member parking passes were expiring September 6th and she has already put in the request for new passes. He agreed with Mr. Kwoka as far as thinking smarter and working less in the sense of doing things. As far as the sewer collection main works, part of the equation is starting at the

upstream and working downstream to be more efficient, so the system does not have to be cleaned twice. Different solutions need to be looked at to make sure they are going in the right direction and do not have to double back.

Mr. Orshefsky commented that in reviewing the last two months of minutes there were various outstanding studies. He questioned if the Committee could get one table that shows the water and sewer study, the stormwater study, the upgraded facilities study for Police Headquarters, what it is that will be revisited with landscaping, all in one place. Mr. Orshefsky suggested adding the Transit Oriented Development Study.

Chair Mammano clarified that it is a study...

Mr. Orshefsky indicated that as a sidebar, he would note that the policy tension between pedestrians and automobiles was going to be a major infrastructure issue that this Committee may or may not want to weight into, but let's wait and see what that study is. #1 – Let's try to get a table of all the outstanding studies. It is not just the rate studies, it is the impact fee study, and facility studies, just so there is one place. Mr. Orshefsky questioned if there were outstanding 40-year studies still going on for some of the public facilities. He thought there were; he thought a structural analysis was being conducted on those that had issues.

Mr. Verma advised that the decision was made that they were not going to have the study presentation.

Mr. Orshefsky stated that he wanted a cheat sheet to know when things are coming down the pipe, so they could be placed on the agenda. #2 – Try to get ahead of the October meeting of the Infrastructure Task Force Committee and put the interplay between the CIP and the bond funding so it can be discussed. If it cannot be done between September 1 and the October meeting, then put it on the November meeting. At the last meeting, the Police Headquarters was mentioned and what was heard from the City Administration was that they were updating space needs and a cost study for that facility. Mr. Orshefsky questioned when that would be available, when it could be put on the agenda and questioned if the Committee wanted to put it on the agenda. The Committee is ultimately going to need to be able to pull all this back together and go through each of the various studies. Water and sewer came up significantly last time in terms of how to get the equity between the stormwater on one side and the water and sewer on the other. When those studies are available, let's discuss them and make sure it is consistent with what the Committee wants to do.

Chair Mammano questioned what Mr. Orshefsky meant by the bond CIP.

Mr. Orshefsky explained that the Committee has been trying to trace potentially substituted CIP dollars. At the last meeting, he was asked directly if he was comfortable that there was a real handle on that and he is not. That was #1 and #2. #3 – Under business this Committee needs to start defining the content and scope of what the final

report should be. An interim decision needs to be made about the Interim report and shortly thereafter, the Committee needs to figure out how the final report should look, what content, Police Headquarters or not, transportation, sidewalks. The Committee needs to determine where it is they want the final report to go and what its scope is.

Mr. Verma mentioned the table of studies and noted that different studies could be compiled so there is a composite picture, then various presentations would be scheduled so each could be placed on a chart for the next course of action. Mr. Verma questioned if that was going to be before the final report.

Mr. Orshefsky believed it would be concurrent. The Committee cannot come to a recommendation on the Police Headquarters until the updated study and cost of the Police Headquarters is provided.

Mr. Zeltman recalled seeing that there was a \$4.1 million to put the facility together.

Mr. Verma believed Mr. Zeltman was talking about a request that was made by the department as far as what type of repairs could be made in the interim short of major replacement of the building. It was close to \$2 million and that discussion took place about three months ago. Mr. Verma was not sure what facilities that covered because numerous facilities required repairs.

Chair Mammano welcomed Vice Mayor Sorenson. She mentioned that the Committee just discussed the July 10<sup>th</sup> meeting and the struggles while trying to figure out how to deal with the ROI.

Vice Mayor Sorenson thought there was a lot of interest in phasing out the ROI. Where the resulting revenue comes from was going to be one of the discussion points. The possibility was left open for raising the ad valorem; there was also some interest in not raising the ad valorem and making the corresponding cuts. The final takeaway for him was as a percentage continues to be transferred to the general fund to have that earmarked for capital improvement as they phase out over the four years.

Mr. Walters questioned whether the Commission was leaning one way or another between cutting, spending, or raising ad valorem. He assumed it was going into capital improvement projects that have already been approved and if it has already been approved, it should also be financed. That finance is taking it away from the general budget that was it was going to capital and he questioned what would be done with that money.

Vice Mayor Sorenson noted that was correct. The City Manager was asked to come back with an ad valorem increase needed to compensate phasing out to cover the remaining ROI. Alternatively, if the Commission did not want to increase ad valorem, cuts were suggested to compensate. Vice Mayor Sorenson was hoping to see both of those and is open to a third version of hybrid, some cuts and some increase. It was

believed that there are some on the Commission that are interested in zero increase in ad valorem, thus the cuts option being appealing, and others that are more open to some degree.

Mr. Walters commented that the City was in this jam because ad valorem taxes have not been raised in all the years they should have been.

Vice Mayor Sorenson stated when he was knocking on thousands of doors campaigning, a lot of people told him they were willing to increase what they were paying in ad valorem in return for a higher functioning updated infrastructure

Chair Mammano mentioned one suggested cut was further cuts in the infrastructure program within the capital budget. Service cuts may have to be weighed versus capital cuts very carefully.

Vice Mayor Sorenson agreed. With regard to infrastructure projects that are earmarked and already funded, if they are not yet earmarked that opens up a different possibility. From Vice Mayor Sorenson's standpoint, he was not interested in shortchanging the City's infrastructure in any way and thought that some tough decisions would have to be made. Vice Mayor Sorenson is willing to consider the cuts or the ad valorem rates.

Mr. Zeltman commented that as a civil engineer, the major concern he saw was the sanitary sewer gravity mains; it is a continuous problem. To him, that was the most important infrastructure that needs to be fixed as quickly as possible.

Chair Mammano mentioned that this Committee was asked to express priorities, funding and other things. From listening to this discussion, if the I/I project is not the #1 priority of this Public Works Department, it certainly should be. She questioned if the Committee could say definitively that those projects are being looked at as the highest priority projects.

Mr. Orshefsky stated there is \$15 million worth of I/I projects currently under contract.

Chair Mammano referenced the number of contractors and questioned if everything possible was being done to advance the problem.

Mr. Verma stated that the City has contracts with five contractors and they are spread out to all the critical basins that have problems. That is one of the top priorities because the Manager has expressed that he has termed it as a low-hanging fruit and that is the one they are going to provide as the best return to improve the capacity and issues. Staff is very aware and are working on it. Mr. Verma believed staff was working diligently and it was not just one person; there are multiple project managers, and everyone realizes this is one of the areas that is going to get the maximum benefits for the monies put in.

Ms. Scott questioned why contractors only work eight or ten-hour days and if there was any way shifts could be done at night. She mentioned a new lift station on 8<sup>th</sup> Avenue a couple of blocks off Las Olas Boulevard.

Mr. Berg advised that work cannot be done on Broward Boulevard during the day; it must be done at night. Many are I/I projects and the work currently going on is at night from 11:00 p.m. until early in the morning because traffic considerations will not allow them to block traffic during that time of day. A lot of exceptions in the projects are made to do after-hour work. Cypress Creek, for example, last spring there were some failures with manholes, which was about a \$2 million project, and all of that will be done at night because there is so much traffic. The road must be open by 6:00 a.m.; which is a restriction, but it is the only choice they have.

Mr. Verma commented that there is an advantage, but the contractors have to balance with the noise ordinance, the inconvenience, the traffic, etc. Work can be done in shifts; however, it is a policy decision.

Mr. Berg mentioned the \$15 million contract for I/I, which needs replacing as well as additional monies put into it out of CIP and bond issue by this time in 2020. In two years, a little over \$30 million I/I work will have been completed, which was started last spring.

Chair Mammano questioned what percentage of the system that represents.

Mr. Berg stated that it represents the high percentage of the areas where they have the largest inflow and infiltration.

Ms. Scott questioned the reason why there is an Ordinance that does not allow companies to work shifts to get something done sooner, such as night and day shifts.

Chair Mammano recently saw an ordinance change addressing that issue, allowing the City to waive.

Mr. Verma advised that the way the work is being done with the I/I, staff has identified the worst affected basins, which is the priority and a part of the Consent Order. Once the most affected basins are lined, there will be substantial improvement in performance. There are other basins that are not as bad, so they are not priority. The I/I work is being prioritized on both the Consent Order requirements and outside of the Consent Order based on staff's assessment of what is necessary to make substantial improvement in the performance. Mr. Verma said these projects take time to identify, design and execute. Mr. Verma believed staff has done a great job in making sure the worst basins are being addressed, which will give the maximum result.

Mr. Zeltman questioned if there was any way the City could get a list of contractors concentrating on the lining of the damaged sewer mains.

Mr. Kwoka questioned if Mr. Zeltman was asking Mr. Verma to provide a list of those contractors.

Mr. Zeltman replied that, "He was asking the methodology". Instead of going out for individual bids on each project, perhaps staff could establish certain contractors that are qualified; they would have to equipment as well as knowledge and experience in lining pipes. If there were a list, it could be utilized opposed to taking time to go out for bids.

Mr. Kwoka questioned if Mr. Zeltman was asking if staff had a list of pre-qualified vendors or if he was asking staff to demonstrate a list to this Committee of pre-qualified vendors.

Mr. Zeltman believed some of the problem was because since the 1990's, the City had contractors who specialized in lining pipes. If staff would get some of those people so they have the bondage and insurance, they could be on call and pulled in to do certain projects, compressing time because they would not have to go for public bidding.

Mr. Berg advised that the City has about half of that contract committed through individual projects, but the remaining I/I work has been bundled in one contract with the consultant, who would be responsible for the remaining \$23 million worth of work. More and more bundling will be done with similar projects instead of doing them one project at a time.

Mr. Kwoka wanted a summary because this topic continues to come up. He questioned if the City was doing as much as they could possibly do with the funds and resources available at this time to resolve I/I.

Mr. Berg replied, "Absolutely".

Mr. Walters wanted to make sure whatever was being bundled that the bundle goes for what they are bidding on, not just a small portion and then adding and adding.

Mr. Berg stated that they cannot do more than a 10% change order on any contract. Grouping a lot of projects together is a competitive process for one bid.

Mr. Kwoka commented that this Committee is 15 meetings into 36 meetings; at the 50% point. A lot more needs to get done in the other 50%, so discussion of some of these topics need to be closed. It was suggested to check ROI and I/I and move on, pending what happens with the Commission and the ROI. Mr. Kwoka questioned if the final report should be delivered at the 36-meeting point or sooner because if it is delivered sooner, a final report indicates that everything is done, or will another interim report be generated when closing on the finale.

Mr. Orshefsky did not have a perceived approach, if another interim report was required on discreet issues like parks or Police, a thin piece could be done. In terms of the final report, Mr. Orshefsky thought it would be one or two meetings before the last meeting, leaving at least some time for the Commission to come back so the loose ends could be tied up.

Mr. Kwoka's interpretation was that there should be additional interim reports to address some of the other issues. In order to get there, some things need to be brought to a closure, but in parallel, the Committee should be working towards a final report.

Mr. Verma read the seven priorities stated by Chris Lagerbloom from the May minutes.

Mr. Kwoka indicated that four recommendations were made in the draft report. During the next Workshop, the findings should be presented from the four items in the interim report and there should be limited disclosure that the Committee would get to the other items for the next Workshop. There is no time to do the diligence necessary to address the other three items that are part of the seven items, especially in the scope of sea level rise.

Mr. Orshefsky advised that all seven items were in this interim report; however, they are not fully flushed out in terms of funding. Stormwater is a high priority but staff has not gaveled the study that funds the improvement, which is part of the difficulty. The Police Headquarters is a high priority, but again, there was no delivered funding source. It was believed that once this gets cleared up that it be given to the Commission as soon as possible, and then subsequent to that, the Committee could deal with priority and actual detail about funding issues. There are a couple of minor changes Mr. Orshefsky has started going over with Mr. Verma and a few things need to be fixed, but other than that, it is ready to go.

Mr. Verma stated that once he and Mr. Orshefsky review the draft report, it will be brought back for the Committee's review. Chair Mammano and by consensus of the Board decided that the report can go directly to the Commission.

**Motion** made by Mr. Kwoka, seconded by Mr. Walters, to finalize the draft to a final form for presentation to the Commission and that was delegated to David Orshefsky. In a voice vote, the motion carried unanimously.

## **5. Old Business**

### **A. Prioritizing the Seven issues requested by the Commission**

### **B. Discussion of transmittals by Mr. Kwoka and Mr. Zeltman in the context of Items A & C**

### **C. Finalizing the report to the Commission**

Mr. Kwoka did not think it was required to speak of the seven issues given the previous discussion. It was believed that the ROI conversation be discontinued since the discussion was just completed on finalizing the report to the Commission. With the Board's approval, Mr. Kwoka thought they could forego the three topic items.

Mr. Zeltman mentioned the submittal he added. Originally, there was discussion about the service life of the lining; the rehabilitation. Back in the 90's, it was questionable, but that was 20 years ago. The main thing is that now the materials and the methodology is better, and they can now have 30 to 50-year service life. There are trenchless methods that offer that. Before, there was some confusion about three to five years.

Chair Mammano assumed the City was using the most advanced technology to get the biggest, longest possible service life.

Mr. Verma replied, "Yes". City staff went to a conference to make sure that whatever methodologies they are using are consistent with the newest trend with the longest lifespan. He, personally, has been in touch with people who have been using this methodology for over 20 to 25 years. Mr. Verma noted that the decision of staff and the professionals should be trusted.

Mr. Orshefsky indicated that staff is professional, so let's presume they know what they are doing. If a specific issue comes up that needs to be revisited, then fine. In terms of 30,000 feet, there has not been discussion about prioritization and he has always stepped back because it is a tricky topic. It is either priority in terms of health, safety, and welfare, such as broken sewers and broken water. The other piece is funding priority. Mr. Orshefsky thought it would be useful, subject to the consensus of the Committee, to start discussing how to bring both together to bear in decisions about how to fund what and in what order. It was suggested to go forth and do mostly water, sewer and sidewalks before asking voters for Police Headquarters. Parks has \$115 million to \$150 million in their Master Plan for the next 20 years. Mr. Orshefsky questioned if Parks should be funded and if it is a high priority. There have been discussions about cultural resources, whether it is War Memorial or other places. People can have substantive differences about whether that is high priority, but it is in the Public Facilities piece that the Commission took off the table in the 90-day fire drill. It was believed that priority should be put back. Police, Fire, Parks; all those things that otherwise come under the facilities heading, have not been talked about because there was so much discussion relating to water and sewer.

Mr. Kwoka agreed and thought this report should be finalized, and then, the Committee could circle back and re-prioritize. '

Mr. Orshefsky stated that the next meeting is the Commission's first public hearing on the budget.

Mr. Kwoka believed by then, this Committee should have a sense of what the Commission is going to do with finances. Perhaps at the next meeting, one of the sole priorities could be the discussion of the Committee's priorities.

Mr. Orshefsky suggested a 20,000 or 30,000-foot outline.

Mr. Kwoka would almost go as far as to say either limit or remove General Discussion and keep it very focused at the next meeting.

Mr. Ostrau commented that by September 6<sup>th</sup> there would be backup to look at.

Mr. Orshefsky stated there would be a presentation to the Budget Advisory Board on August 15<sup>th</sup>, which would be public backup as well and a peak as to where the City Administration is going.

#### **D. Revisit Communication to the Commission regarding Committee Members' Term**

Chair Mammano indicated that the Commission got to the Communication at the end. It was believed that the Commission misunderstood what it was all about. Chair Mammano thought the Commission thought the Committee was agreeing about losing Leo Hansen, but it was not about Leo, it was about the Committee going forward and the continuity and how this was a unique group. Chair Mammano was not able to get that across to the Commission with the time that was available. It might behoove this Committee to revisit this issue.

Mr. Orshefsky did not believe the Commission was confused and he recommended that this Committee not try to fight uphill again unless the issue comes up. Mr. Orshefsky was not sure that the Committee should further burden the Commission's calendar with this kind of an issue.

Mr. Ostrau questioned if the Commission accepted the Attorney's interpretation of the Resolution.

Mr. Orshefsky replied that, "The Commission did not go that far".

Ms. Scott mentioned that the simple solution would be to talk to our Commissioners and explain that position, so it would not happen again.

Mr. Kwoka agreed with Mr. Orshefsky and suggested it be left alone.

Chair Mammano advised that some of the Committee members were appointed by individual persons and the distinction is those who are here based on their affiliation with an organization. If that affiliation changes, they are out. It is not a question of talking to an individual.

Ms. Scott commented that she was not appointed by an individual, she was appointed by Planning and Zoning.

## **6. Committee Member Comments**

Chair Mammano mentioned the City's website and email addresses.

Mr. Orshefsky has not figured it out.

Mr. Kwoka advised not to integrate it with regular email. It was suggested that Mr. Orshefsky put it in his calendar to check it periodically and go to the web interface.

Chair Mammano mentioned an easier way; go to the City's system to the forwarding address and put that in your regular email.

Ms. Shuster indicated that as of July 30<sup>th</sup>, the IT system has worked out the emails for all the Boards. At this juncture, IT has tried to fix all the individual things that came up. If there are any further problems let her know and she will contact the IT Help Desk, so they can address specific issues.

Mr. Orshefsky commented that potentially two of the same emails could be received.

Ms. Shuster stated that she was sending emails to both addresses; however, from this day forward, she will send it just to the City email.

## **7. New Business**

### **A. Joint Workshop with City Commission October 10, 2018**

Mr. Orshefsky mentioned that there was previous discussion about trying to get with the Commission before the final gavel on the budget, but it does not sound like that is going to happen.

Mr. Verma indicated that staff tried their very best and this was the earliest date they could get.

Mr. Kwoka commented that it might be a good thing because at the Workshop the Committee will have a sense of what the Commission is and is not going to do and that will allow us to bring closure to those items and plan a process moving forward.

Mr. Orshefsky suggested adding more to the 20,000-foot outline that has to be put together.

Chair Mammano questioned if there should be discussion about the Joint Workshop in October.

Mr. Kwoka replied, "No, not until there is a sense of what the Commission is doing". The first half of this act is closing, and the second half of the act is being planned.

Chair Mammano questioned if there was a consensus on what the next meeting was going to be about.

Mr. Kwoka questioned if there was an agreement on the date.

Chair Mammano advised that the date of the next meeting is September 6<sup>th</sup>. At that meeting, there will be discussion about priorities and things that have not been discussed such as roads, sidewalks, and water.

Mr. Kwoka indicated that there should not be any presentations, maybe general discussion, that way any old business can be closed out quickly. It should be a focus on what we are going to be looking for at the Commission Workshop and where priorities should lie. We have made a response to the ROI discussion; that's a done deal.

Chair Mammano agreed and questioned if everyone felt that the Consent Order was over as well.

Mr. Orshefsky did not think there was anything the Committee could do or recommend any further.

Mr. Kwoka agreed. He would like to be more informed but did not know if that would be of any guidance at this point.

Chair Mammano believed that this confirmed the concern the Committee was having about capital budget substitution with the bond funds. The City is using bond fund money.

Mr. Orshefsky questioned when this document was created. He also requested that footers be put with a date, an author, and a source.

Chair Mammano commented that the City was not getting \$200 million worth of projects out of the recently \$200 million bonded. A certain amount of money was being spent to replace capital dollars, to advance additional or not advance factual projects that would have been spent out of capital CIP money anyway.

Mr. Verma stated there are Consent Order projects and remaining projects, which are compared to what was on the CIP projects and based on the needs to make sure they are doing in conjunction whatever is mandatory, there being some rebalancing of those projects, so they were out there and not being moved closer, so the total becomes \$200 million, which are illegible.

Chair Mammano commented that in the coming years, the CIP money this Committee looked at to spend on projects would be available for other projects.

Mr. Ostrau mentioned the seawalls and noted that his daughter's condominium was cited for a seawall violation. Mr. Ostrau indicated that flooding has occurred; however, the adjacent property is City owned. His daughter is being required by Code Enforcement to raise their seawalls and upon a request to the Magistrate for more time since the City has not done theirs, the request was denied. It is problematic when Code Enforcement is not looking at the total concept of what is happening with seawalls. Mr. Ostrau did not believe this should be a Code Enforcement issue.

Mr. Kwoka commented that it is a big problem; Code Enforcement had to have a trigger.

Mr. Orshefsky thought the triggers under the Ordinance were either failure to maintain or the owner pull a permit to modify their seawall.

Mr. Kwoka believed it was 50% repair or replace.

Chair Mammano questioned what the trigger is for a violation of a seawall.

Dr. Gassman explained that there are two provisions within the seawall Ordinance that are potentially citable. The first is a seawall in disrepair; regardless of the elevation of the seawall, a homeowner can be cited. The second is if the owner is allowing tidal flows to move across their property into either the public right-of-way or into the adjacent property.

Mr. Kwoka questioned an instance where an adjacent privately-owned seawall was deteriorating yet it was not encroached upon either side of the property

Dr. Gassman stated if there are Properties A, B, and C and Property B has a large crack in the seawall and materials are moving through the seawall, then that property can be cited to repair. Homeowners may not have to elevate the seawall, but repairs have to be made. It depends if the significant threshold was triggered.

Mr. Ostrau mentioned if this were a second trigger or flooding. and the adjacent property was City-owned, but they were not doing their repairs, how would this resolve. Mr. Ostrau also questioned how it is determined exactly where the flooding is coming from.

Dr. Gassman stated that the Code Enforcement Officers have been trained to verify that the waters are coming across a specific property. There may be a situation where there is a City property and a private property, and the Code Enforcement Officers can see that the water is coming across the private property, but they can also see that the water is coming across the City property; theoretically, both are cited.

Chair Mammano understood Mr. Ostrau's concern that he has to spend the money and the City has to spend the money; however, the City has not yet found the money to make the repairs.

Dr. Gassman advised that the City has prioritized the seawalls and there is funding that is being both developed and secured in place to address those most needed repairs on those seawalls. In addition, when looking at the CIP, there is a large lump sum of money coming up in Fiscal 20 that is going to be dedicated to seawalls. The Seawall Master Plan will be used to determine which of the seawalls need to be raised next.

Mr. Kwoka questioned if the City has considered or produced an overall heat map of where flooding is anticipated and if the seawall rise necessities will occur first and or later over time.

Dr. Gassman indicated that it is not specifically a heat map, but because they flew a high- resolution LiDAR, which gives very precise elevation data, there is data in-house to know where problematic locations are. In addition, that high resolution LiDar was used in all the stormwater master planning. There are several very easy to use tools available to the public to get a general idea of which properties are more vulnerable, but there is nothing that makes it easy to know the seawall height.

Mr. Ostrau raised the issue because he believed there must be a better way than citing for Code Enforcement, going in front of a Magistrate and accruing potential fines until the violation is corrected. This is a major issue.

Dr. Gassman explained when the Ordinance was originally proposed, the mandate was to require everyone to raise their seawalls by the year 2025. The public was not accepting of that proposal because there were those that felt they were being impacted immediately and there were those that were not being impacted because they were not seeing any flooding in their neighborhood. The second part of that was recognizing that it takes time to arrange for funding, get a permit, and get a contractor on board. The original proposal was 180 days and through the public feedback, that was changed from a full year from the date someone is cited. The only way one comes before the Magistrate is if in the first 60 days adequate progress was not made toward resolving the cited issue.

Mr. Kwoka commented that recently someone told him about a program called PACE where people can do substantial improvements. He thought it also applied to things like hurricane windows and roofs and questioned if a project like this would ever be considered. Mr. Kwoka also questioned if someone could take a seawall that might have a 50-year lifecycle and tie it to a PACE program that is perhaps transferrable and tied into a tax bill that allows residents to get public funds that are paid back in an interest way. This may be a solution to a larger problem that is transferrable over owners.

Dr. Gassman stated that the program guidelines are described in Florida Statute and currently, they allow for energy efficiency and wind mitigation, but they do not allow flood mitigation. There are many PACE providers and the City has used four different providers. One of those providers has interpreted the PACE Legislation to potentially allow for the building of seawalls under their PACE program, under the wind mitigation portion. They are saying if the wind blows hard enough in a certain situation that a seawall may be considered as mitigation. They are the only PACE provider in the State that is potentially considering this; however, they have not yet issued a PACE assessment for seawalls. It is being considered by several groups in Tallahassee to consider changing the Statute. One of the issues with PACE related mitigation activities is that over the course of the assessment, that improvement will pay for itself with some sort of savings. Under that savings is insurance related, energy related, water conservation related, flood mitigation and hurricane cost related. There is some aspect of whatever that improvement is that, in theory, should reduce costs on their utility bill or insurance bill that would help defray the cost of the improvement. The challenge for most people is the upfront cost. If someone raises their seawall they do not quite have that same level of payback because most insurance companies currently are not recognizing the height of your seawall as a flood mitigation activity or as a hurricane-based activity. It does not have the same mechanism that allows for a savings that would help offset the costs.

Mr. Kwoka believed this should be tabled to another conversation. He thought there were some very creative solutions that could be put together that do not burden the City as much or the citizens, but there are things like P-3's that could be done and there might be ways to pursue these PACE type programs. This is a big problem.

Mr. Ostrau questioned how many of the seawalls are owned by the City.

Dr. Gassman stated that the five miles of City infrastructure that is related to seawalls are primarily roadways that abut a waterway. Cordova Road is a great example, a portion of Las Olas Boulevard is a good example, and there is a strip on the Isle of Palm. She was guessing the area mentioned is the Isle of Hendricks. There is a thin strip of land next to the roadway, which is City property. There are certain portions of the City right-of-way that can be vacated and certain portions that cannot be vacated. There are certain portions, that because of the way ownership was established, they have a potential to sell, give, or vacate. In other situations, they do not have the same ability. In those cases, the seawall is essentially a part of the roadway infrastructure; it is a retaining wall that is holding a load in place although seawalls are starting to be thought of as flood prevention. The City is changing their thinking when considering which seawalls are part of City roadways or part of the City infrastructure.

Chair Mammano questioned how many properties have been cited and how many are in the process of doing this.

Dr. Gassman indicated that the last time she checked it was in the range of 40. Dr. Gassman stated everyone cited in the first round resolved their issues before they got to the Magistrate.

Chair Mammano mentioned that it was working, but there may be some hardship individual cases.

Mr. Kwoka questioned the distribution of disrepair to flooding.

Dr. Gassman stated it was probably close to even.

Mr. Orshefsky commented that he felt about private seawalls the way Committee members feel about I/I. There are public solutions called special assessment areas or zones. It was one of the things recommended by the Budget Advisory Board to the City Commission some time ago with respect to canal dredging; however, it was unknown if it ever got there with respect to seawalls. There was a way to spread, at municipal levels of interest, a 20 or 30-year assessment collected by the tax roll to pay for "x" linear feet. If the issue is that homeowners do not want to get hit by individual notices of violations and the City does not want to do a whole chunk, there are mechanisms to get that done.

Dr. Gassman advised that many people have asked why the City does not fix their seawalls since they are City-owned structures. Much like the roadways, the seawall infrastructure is there to keep the up in the up at this point; that is what those seawalls were put in place to do, to keep that piece of property in a fixed boundary.

Mr. Zeltman commented that there was a similar problem while doing Neighborhood Improvement Projects with septic tanks when they were putting in sewer mains. They had to get the lowest possible bid for the septic tanks to be abandoned, filled in, and then the connection to the trunk main. They worked with Broward County, so that may be worth looking into.

Dr. Gassman indicated that the City has contemplated whether a broad scale bid could be done and make the bid available to the public, but it is very clear that not all seawalls are created equal and people have specific needs for how they want or desire their seawall to look and what needs to be connected to it. The City, as part of its developing infrastructure work, has created specifications for their seawalls that other people can use, but residents do not have to use them.

Mr. Kwoka questioned where the responsibility stops, at the seawall, at the dock, at the pilings, or the landscaping.

Chair Mammano thought it was important and it discusses funding and priorities. Clearly, everyone can see that it is a priority to get these seawalls fixed.

Mr. Orshefsky would like the city seawall study, which came in in February or March of this year. If there could be a staff presentation about what is being done with the five miles and how it is going to be done, then if an opinion is desired, there could be discussion, as this Committee has looked at these kinds of potential solutions for private seawalls and recommendations to the Commission could be made.

Chair Mammano believed it would be worthwhile to comment on the burden on the individual property owners, not necessarily to solve the problem, but certainly in the Committee's discussion, how the City is going to pay for their seawall and if it would be with CIP money or stormwater fee money.

Dr. Gassman commented that when talking about the burden on the homeowner, there would be the same conversation about sidewalks.

Ms. Scott mentioned that as a realtor, if someone improves their seawall they are going to get that money back and the home will be more sellable.

Mr. Orshefsky stated that benefit is direct to the owner of the seawall.

Mr. Walters noted that was true except that when the person finishes the seawall he wants to be paid and the homeowner cannot get their money back until the house is sold.

Chair Mammano indicated that the September meeting was going to be devoted to new subjects that have not been devoted to a high level of discussion, not how to fix seawalls.

Mr. Orshefsky suggested defining the bulleted items; seawalls, Police Headquarters, parks, etc., and plugging them into the next ten meetings.

Chair Mammano gave Mr. Berg an opportunity to introduce the new Assistant Public Works Director.

Mr. Berg introduced Joe Kenney. Mr. Kenney is the new Assistant Public Works Director for the Engineering Division. Mr. Kenney comes from the private sector and prior to that had 20 years of public service with a lot of stormwater experience.

Mr. Verma clarified that he and Ms. Shuster were going to work with Mr. Orshefsky for the next meeting agenda. Mr. Orshefsky is going to finalize the draft report.

Mr. Orshefsky stated that needs to be done on the phone between now and the end of the week because he needs to get it off his hard drive.

Mr. Verma stated that the draft report would be presented at the next meeting and they would try to compile the table of studies as best as possible, so the Committee could indulge in discussion.

Chair Mammano stated that she and Mr. Verma would work on an agenda that includes all the other [infrastructure] items that have not been discussed as of yet.

Mr. Orshefsky advised that the key to scheduling each infrastructure topic was going to be the table of studies.

Mr. Verma stated that there would be minor informational items. He was aware of three impact fees received from Sustainable Development Services; water/wastewater, transportation and parks.

Chair Mammano indicated that Broward County has a transportation mitigation fee and noted that the City does not get that money. One of the agenda items has to be to lobby the Commission to lobby the County to get some of that money back locally.

Mr. Verma commented that the water and sewer rates and the impact fee were last done in 2005; there has been talk about having it evaluated.

Chair Mammano thought the consultant was already hired to do that.

Mr. Verma corrected his earlier comment regarding repair estimates of public facilities and mentioned that estimates were being prepared by the consultant with regard to repairs and band-aids. This was for Police Headquarters and perhaps other facilities.

Mr. Orshefsky suggested putting infrastructure needs in the table.

**8. Public Comments – None.**

**9. Adjournment – Next Regular Meeting –September 6, 2018**

There being no further business to come before the Committee at this time, the meeting was adjourned at 4:07 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.