

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date:   October 7, 2008           Consent [ ]       Regular [X]
                                           Public Hearing [ ]

Submitted By:   Water Utilities Department
Submitted For:  Water Utilities Department
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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to adopt: a Resolution Supporting Creation of a Water Resources Task Force to Identify and Evaluate Efficient and Cost Effective Opportunities in the Provision of Future Water Supplies.

**Summary:** The purpose of the Water Resources Task Force will be to identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment, and reuse or reclaimed water opportunities that are most efficient and cost effective. Unlike the Water Utilities Advisory Board, which advises on administrative operations and budget matters, this Task Force is anticipated to advise the Board directly on complex technical matters associated with the provision of water supply services within Palm Beach County. The Task Force will be composed of representatives of six cities, the Palm Beach County Commission, Special Independent and Drainage Control Districts, the South Florida Water Management District, and an Environmental designee to achieve a membership of 11 voting members and their alternatives. Support to this Task Force will be provided by a Technical/Professional Work Group that will be chaired by Palm Beach County's Water Resources Director and included on the Task Force as an Ex Officio, non-voting member. That position will be responsible for chairing the Technical/Professional Work Group of key stakeholders selected from among County and municipal governments, drainage and special districts, the South Florida Water Management District, the Florida Home Builders Association, the Florida Departments of Environmental Protection and Agriculture and Consumer Services, the County Health Department, and a citizen-at-large. This item is not funded by ad valorem taxes. Funding in the amount of \$1,500 per annum will come from the Water Utilities Department operating revenues. In order to perform this function, the Water Utilities Department operating expenditure includes \$624 for "Special Types of Meetings (4801)" refreshment costs in accordance with PPM# CW-F-019. County-wide (MJ)

**Background and Policy Issues:** Palm Beach County Water Utility is the third largest water provider in the State of Florida, supplying water to nearly 500,000 customers. With quality that exceeds federal and state standards, innovation and forward-thinking management philosophies that come together in state-of-the-art technologies and a focus on customer service, the Palm Beach County Water Utilities Department is able to ensure that its customers will always have an abundant supply of fresh, high-quality drinking water for the future. Providing that level of service is becoming increasingly more complex as new administrative rules (Water Availability Rule, etc.) are implemented, new rules (Water Conservation Rule, Annual Irrigation Rule, Water Reservation Rule, etc.) are being formally planned, new legislation (Alternative Water Supply Legislation, Ocean Outfall Legislation, etc.) is being either developed or implemented, and anticipated new legislation (Reclaimed Water, Century Commission Water Policy Congress, etc.) looms on the political horizon. Continues on Page 3

**Attachments:**

- 1. 1 (One) Original Resolution

Recommended By: [Signature] 9/17/08  
Department Director Date

Approved By: [Signature] 9/30/08  
Assistant County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2009	2010	2011	2012	2013
Operating Expenditures	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>NET FISCAL IMPACT</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Budget Account No.:** Fund 4001 Dept 720 Unit 1110 Object 4008

Is Item Included in Current Budget? Yes  No

Reporting Category N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

This item represents a fiscal impact to the Water Utilities Department operating revenues. In order to perform this function, the operating expenditures include \$624 for "Special Types of Meetings (4801)" refreshment costs in accordance with PPM# CW-F-019.

C. Department Fiscal Review: *Arlene M West*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

*ahwillhite 9.29.08*  
 OFMB *my* *CN*  
*9/24* *9/22/08*  
*[Signature]* *9/29/08*  
 Contract Development and Control

**B. Legal Sufficiency:**

*[Signature]* *9/30/08*  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

**Continues from Page 1:** In addition, grant funding to further water supply capital improvements is becoming more difficult to obtain, particularly with recent legislative changes to reduce the availability of state funding. When taken together, these changes complicate the planning and implementation of future water supplies in Palm Beach County. As Palm Beach County Water Utility's continues to upgrade treatment processes and overall resource protection capabilities, it is becoming increasingly more apparent that a disconnect exists between current resource management practices, monitoring, and implementation requirements and the manner in which the provision of water supply services are regulated and selected for implementation. For example, the Florida Legislature has enacted legislation to force public resource agencies to promote more expensive alternative water supply technologies to protect existing traditional sources for potable and non-potable water supply from degradation. Without considering more optimum solutions, alternative water supply solutions that may be less expensive to implement but still meet the potable and non-potable water supply needs from other, less expensive, alternative water supply sources (e.g. stormwater reuse) that are often ignored at the expense of coastal ecosystem deterioration due to excess stormwater that is continually released to tide. If the County does not promote adaptive implementation of water quality improvement measures that is based on valid science and the optimization of its resources for sustainable use, then the County will continue to experience increasing occurrences of water shortages, poor water quality conditions in "priority" waterbodies, and increasing cost for provision of potable and non-potable water supplies services to meet the demands of County citizens and businesses into the foreseeable future.

In order to better serve Palm Beach County Utility customers and collaborate with key stakeholders to promote cost-effective and efficient provision of potable and non-potable water service that is sustainable and protective of valuable water resources, the Water Resources Task Force is envisioned and recommended.

RESOLUTION NO. R-2008-

A RESOLUTION OF THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS; RECOGNIZING THE NEED FOR A COLLABORATIVE, MULTI-JURISDICTIONAL APPROACH TO ADDRESS COUNTY-WIDE WATER RESOURCES; ESTABLISHING A TASK FORCE COMPOSED OF ELECTED COUNTY AND CITY COMMISSIONERS AND OFFICIALS REPRESENTING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND WATER CONTROL DISTRICT GOVERNING BOARD; AUTHORIZING THE DESIGNATION OF A TECHNICAL/PROFESSIONAL STAFF WORKGROUP TO ADVISE THE TASK FORCE; PROVIDING FOR MEETINGS OF THE TASK FORCE AND TECHNICAL/PROFESSIONAL STAFF WORKGROUP; PROVIDING FOR STAFF SUPPORT; PROVIDING FOR REPORTING AND MAINTENANCE OF RECORDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Palm Beach County has long depended upon the Biscayne Aquifer for the County's primary source of water; and

WHEREAS, In response to efforts to restore the Everglades, in 2007 the South Florida Management District adopted Regional Water Availability Rule which restricts future withdrawals from the Biscayne Aquifer; and

WHEREAS, Palm Beach County's local government leaders recognize it is critical to address the availability of water resources within the County to protect the public health, ensure the sustainability of sensitive environmental resources and natural systems, and provide viable economic opportunities for our communities and residents; and

WHEREAS, pursuant to Senate Bill CS/CS/SB 1302 (Wastewater Discharge/Ocean Outfalls legislation) passed by the 2008 Legislature, two regional wastewater treatment providers in Palm Beach County will be required to reuse significant amounts of treated domestic wastewater currently being disposed of via ocean outfalls; and

WHEREAS, the County is facing significant and costly projected water supply needs, which cannot be met without increased demands on the Biscayne Aquifer unless appropriate measures are taken in accordance with the Regional Water Availability Rule and which will require development of alternative water supply projects such as the use of reclaimed water and/or stormwater reuse projects; and

WHEREAS, local leaders are committed to ensuring that the long-term water resource needs of all Palm Beach County water users are effectively planned for and met, including those of water providers, wholesale and retail purchasers, and their customers; and

WHEREAS, these needs may be met more efficiently and cost effectively through collaborative partnerships, evaluation of existing and planned infrastructure and by considering regional or sub-regional approaches; and

WHEREAS, there is currently no effective county-wide forum to consider these opportunities; and

WHEREAS, in 2005 the Florida Legislature enacted Chapter 2005-291, Laws of Florida, SB 444, legislation that encourages cooperation among local entities to plan for multi-jurisdictional water supply entities to maximize state funding for alternative water supply projects;

NOW, THEREFORE, BE IT RESOLVED BY THE Palm Beach County Board of County Commissioners:

Section 1. The adoption of this and companion resolutions by the Palm Beach County League of Cities and South Florida Water Management District Governing Board shall have the effect of creating the Palm Beach County Water Resources Task Force ("Task Force").

Section 2. The Task Force shall be composed of elected and appointed officials designated by the government entities identified in Section 3 of this resolution. A Technical/Professional staff ("TP Workgroup")workgroup may be designated by the entities in Section 4 to advise the Task Force on matters such as, but not limited to, water resource availability, management, facilities and infrastructure, supply and constraints, and other technical, environmental, and professional subject matters as requested by the Task Force.

Section 3. The Task Force shall be composed of representatives of the following entities:

- (a) Six (6) City elected officials appointed by the Palm Beach County League of Cities, which represent a cross section of small, medium, and large cities, one of whom shall be an elected official of a city that purchases water from another municipality or water utility. For each of the six members appointed, the Palm Beach County League of Cities shall also appoint an alternate member to serve in the appointed member's absence. Alternate members must be municipal elected officials and must be from a different similarly-sized municipality.
- (b) One (1) County Commissioner and an alternate appointed by the Palm Beach County Board of County Commissioners.

- (c) One (1) Special Independent District Water and/or Wastewater Provider official and an alternate appointed by the Board of County Commissioners.
- (d) One (1) Lake Worth Drainage District Representative and an alternate appointed by the Board of County Commissioners.
- (e) One (1) Drainage/Water Control District elected official and an alternate appointed by the Board of County Commissioners.
- (f) One (1) South Florida Water Management District Governing Board Member and an alternate appointed by the Governing Board.
- (g) One (1) Environmental Representative familiar with water resource issues in southeast Florida and an alternate appointed by the Board of County Commissioners.
- (h) One (1) Land Owner in Palm Beach County, actively farming that land to represent the agricultural interests in Palm Beach County, and an alternate appointed by the Board of County Commissioners.
- (i) The Water Resources Manager for Palm Beach County as an ex-officio non-voting member who will also chair the TP Workgroup of the Task Force.

Section 4. The following Technical/Professional staff shall be designated by the Task Force to serve on the TP Workgroup upon recommendation by the TP Workgroup Chair.

- (a) Four staff persons appointed by the League of Cities from representative municipal governments in Palm Beach County;
- (b) One (1) County Staff person from the Department of Environmental Resource Management;
- (c) One (1) County Staff Person from the Department of Water Utilities;
- (d) One (1) staff person from the Lake Worth Drainage District;
- (e) One (1) staff person from a Special Independent District Water Provider;
- (f) One (1) water management staff person from the South Florida Water Management District;
- (g) One (1) builder representative appointed by the Florida Home Builders Association;
- (h) One (1) staff person from the Florida Department of Environmental Protection;

- (i) One (1) staff person from the Florida Department of Agriculture and Consumer Services to represent agricultural interests;
- (j) One (1) person representing the public at large;
- (k) One (1) staff person from the Palm Beach County Health Department; and
- (l) One (1) grower representative appointed by the Palm Beach County Chapter of the Florida Nursery Growers and Landscape Association.

Section 5. The Task Force will identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment, and reuse or reclaimed water opportunities that are most efficient and cost effective.

Section 6. The Task Force shall serve at the pleasure of the Palm Beach County Board of County Commissioners meeting quarterly, at a minimum, following its initial organizational meeting until such time as the Palm Beach County Board of County Commissioners determines by majority vote that the services of the Task Force are no longer needed. At its organizational meeting, Members of the Task Force shall elect a Chair and Vice-Chair, adopt rules of procedure, including provisions for quorum, voting and consideration of motions and other items, and establish such standing committees as necessary to conduct the work of the Task Force.

Section 7. The Technical/Professional staff workgroup may meet as scheduled by its chair. The staff committee, following the appointments made pursuant to Section 4, shall meet for the purpose of selecting a Vice-Chair, adopting any necessary rules of procedure, appointing any standing workgroup subcommittees, and address issues identified by the Task Force for future technical evaluation by the TP Workgroup.

Section 8. Palm Beach County Water Utilities shall provide staff support to the Task Force.

Section 9. Support staff will prepare meeting notices and minutes, maintain records, coordinate or prepare draft reports, and prepare final reports containing the findings and recommendations of the Task Force.

Section 10. The governmental entities adopting this resolution recognize and agree their participation as members of the Task Force is a voluntary effort. The participating governments further recognize that any final report issued by the Task Force shall not be construed as imposing any mandates upon the participants or other government entities within Palm Beach County. It is understood and desired, rather, that the collaborative work of the Task Force serve as recommendations for state and federal agencies, Palm Beach local governments, businesses, and residents as each community moves forward with consideration and decision-making regarding future water resources planning, development, and management.

Section 11. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

ADOPTED this \_\_\_\_ day \_\_\_\_\_, 2008

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- Commissioner Addie L. Greene, Chairperson -
- Commissioner John F. Koons, Vice Chair -
- Commissioner Karen T. Marcus -
- Commissioner Robert J. Kanjian -
- Commissioner Mary McCarty -
- Commissioner Burt Aaronson -
- Commissioner Jess R. Santamaria -

The Chairperson thereupon declared the Resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2008.

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney