

**FORT MYERS BEACH
SPECIAL MEETING: WORKSHOP
JUNE 20, 1996
Nations Bank, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA**

I CALL TO ORDER

The meeting was called to order by Mayor Anita Cereceda at 6:33 P.M.

Present at the meeting were: Anita T. Cereceda, Mayor and Council Member; Ted FitzSimons, Vice Mayor and Council Member; Council Members Rusty Isler and Ray Murphy; and Marsha Segal-George, Town Manager.

Absent from the meeting: Council Member Garr Reynolds

II PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

III PRESENTATION BY GLENN GREER

Mr. Greer came to provide information regarding the County's Fort Myers Beach Waste Water Treatment Plan. He was given three questions before the meeting:

Question: Is the Fort Myers Beach plant exceeding its capacity or is it near its capacity?

Answer: The plant is operating at about 50% capacity (it has a capacity of 6 million gallons per day.) The problem recently has been with the percolation pond system. It serves as a backup system to the reclaimed water system or reuse system. You always need a backup system because the customers who reuse the water do not need or want water during the rainy periods. In addition, because of infiltration and inflow into the sewer system itself, the flows at the plant increase when you have heavy rain, so the problem is compounded and you need a backup. Also, the rains keep filling up the ponds even if you are pumping them out, which is an inherent problem with the pond system. Last summer, with all the rain, it proved to be too much for the pond system to handle and there were some discharges during the summer. When the ponds were designed, they thought the ponds would percolate a million gallons a day, but it is probably more like a half million gallons per day. So the water does not flow out of the pond at the rate they thought it would.

Question: Why did the discharges occur at the plant?

Answer: As already mentioned, the pond system proved inadequate to handle the load during the heavy rains so there had to be discharges into the drainage ditches. The discharges are made in order to save the pond system. There is a system of dikes. If you allow the water to reach the top of the dikes and overflow, they will erode and the dike will fail and 80 million gallons of water will start running down Summerlin. Therefore you have to pump it out or you might lose the whole system. Mr. FitzSimons asked if rainfall was figured into the formula when the ponds were engineered, since you must expect it to rain. Mr. Greer answered that the ponds were built for the original plant which was a much smaller capacity, and when the plant was doubled, the ponds were not increased. They were not increased because they installed the reuse system instead, which works fine as long as the customers want the water. The reuse need is greater in the winter, but the weather is dryer, so they must use the storage pond in the rainy period when the reuse demand is less. The ponds are helpful as storage because in the spring when we are in a dry period, the demand goes up for reuse water at the golf course, but the flow is lower at the plant because the seasonal population has left, so they are able to pull water from the storage ponds to keep their reuse customers supplied. A ten-year storm cycle is used for designing the facilities, and last summer exceeded that. Then why was there a discharge in January then? He answered that they haven't yet determined if that was related to the heavy summer rains or not. Their utility is operated by a contract operator (ST Environmental Services) and they are still in debate with them over the cause of the problem. Are we still allowing hookups to the plant even though discharges have been needed? Yes. The county is negotiating a consent order with the DEP to require the county to make additional improvements to the plant.

Question: What is in store for the future?

Answer: Mr. Greer handed out a status report which was prepared for the county commissioners which outlines what can they do to avoid any more discharges until they come up with a long-term solution. In April, the contracted with Johnson Engineering to evaluate alternatives for the short term and the long term. The memo listed some short-term improvements: **1. Level the berms so that the ponds can store about 18” more than last year.** (There are about 16 million gallons to a foot, so the capacity was increased by about 20%. This project has been completed. **2. Install some new piping so that they can pump water back to the plant quicker for reuse and therefore get the level of the ponds down lower before the rains start.** This has been completed. **3. Extension of period that lake reuse is permitted.** Usually they can only discharge to lake systems on golf courses for reuse water storage from November 1 through May 15. Working with DEP, they agreed to let them discharge through June 15 this year. Now ponds are at a pretty low level. **4. Look at temporary land for additional irrigation** that will keep the ponds lower. **5. Establish an agreement with Florida Cities Water Company,** a private utility. They have a plant in Fiesta Village that can treat the water and discharge into the Caloosahatchie River. Our plant has an effluent line that can be connected to their raw wastewater line and deliver treated water to their system. They can provide additional treatment to bring it to surface discharge standards and then discharge it into the river. That will cost the county money and they will use it sparingly, but it would help in an emergency. This is being negotiated now.

Mayor Cereceda asked for some definitions:

Surface water discharge - discharge into a lake or river. You have to meet more stringent quality for surface water discharge. The FMB plant does not have the capability to achieve those standards. Their treatment only meets irrigation quality. The problem is the nutrients (phosphorous and nitrogen) which can cause algae in surface water but is beneficial in the reuse water because it is fertilizer.

Ground water discharge - discharge below the ground into the groundwater. Spray irrigation is usually considered a ground water discharge because it eventually soaks into the groundwater. They have about 14 or 15 customers now for reuse. They can discharge extra groundwater into a golf course pond during non-hurricane season because the ponds are self-contained and are not part of a river system, so that is not considered a surface water discharge.

Question: Is the water that is discharged from the pond into the bay the same quality as reuse water or is it less treated?

Answer: Probably 99% of water that leaves the FMB plant meets irrigation quality, but occasionally they have a problem at the plant where the quality drops a little and that water must go to the ponds. Then you get a mix of mostly irrigation-quality water with a small amount of reject water that did not meet standards. The water that goes to the golf courses goes directly from the plant (which is kept in a large tank), not from the pond. If there is not enough demand from the golf courses, the water is taken from the tank to the pond system. The water in the pond has algae, so they must bring it back to the plant to remove the algae, or it will clog sprinkler heads.

Question: In times when they need to discharge, why don't they dump the water from the tank which is cleaner, rather than dumping from the pond?

Answer: Mr. Greer is not convinced that the water in the pond is any dirtier, and may even be cleaner, than what would come out of the plant. That is because it has typically been in the ponds for many months and has undergone settling, plus the algae growth has reduced the nutrient level. In irrigation water you are concerned about fouling up equipment with the algae, and in discharges you are concerned about the environment. He does not believe the algae is a problem for the environment because the algae has reduced the nutrient level.

Question: Isn't there anywhere else that this water can go besides our back bay?

Answer: Mr. Greer is not sure that the discharge has caused any detrimental effects to the back bay. The DEP has not mentioned anything about it in the consent order, and it doesn't seem to be a major concern to them. They have not done an evaluation to determine if there has been damage.

Question: Do the new development projects pay an impact fee to Lee County?

Answer: Yes. The County Utilities gets all of the impact fee money, and the money that is collected is spread around throughout the county since the county sewer system is consolidated with the water system, and all of the money goes to support growth of the system in future years.

Question: What is the next step to increase the capacity of the system?

Answer: They are looking at some long-term solutions: **1. Expand the existing pond system.** The drawback is that percolation is not that great in that area. In addition, property is expensive to buy 50 or 60 acres needed to double the size of the pond system. Also during rainy periods, the ponds make the problem worse because they collect more water through rainfall and actually increase the problem. Therefore they do not consider this the best alternative. **2. Increase percolation of existing ponds.** This was tried in the mid-eighties (removing 5 feet of material from the bottom of the ponds in order to break through a layer of clay) and wasn't very successful. **3. Increase the useful storage capacity of existing ponds.** This has already been done by leveling the berms. **4. Additional lake system reuse.** As additional golf courses are developed with additional lakes, they can be used, but the treatment plant does not have control over that and can't rely on it for a solution. **5. Find additional irrigation reuse customers.** The problem is that during rainy season, it doesn't matter how many customers you have, if they don't want any water. In addition, they don't want to get so many customers that they can't handle them in the dry season. They have to find a balance between how many they can handle in the two seasons. **6. Drop the cost of reuse water during the summer to encourage more use on marginal days.** Reuse customers are currently paying 21 cents per thousand gallons for the water. If the board accepts their recommendation, it will soon drop to 4 cents per thousand during June, July and August to encourage them to take as much water as possible during the rainy season. **7. Install a deep well injection system.** The permits for these are difficult to get and are challenged by environmentalists, but it is about the only option which will be reliable in wet weather. Typically the injection wells are 1000 to 1500 feet deep, and usually drinking water is drawn from wells about 500-800 feet. This option would cost 2 to 2.5 million dollars, but they could get rid of 6 to 8 million gallons a day. In addition, the injection well is a sealed system and does not collect rainwater.

Question: How much environmental damage would there be if we had a storm that damaged the levee system and the ponds had to be dumped?

Answer: Mr. Greer does not consider himself an environmental expert, but he doesn't think it would be terrible because the water in the ponds is highly treated, and if there was a big storm, the pond water would be diluted anyway.

Question: Do you have a lot of leakage in your mains and do you pump storm water through your sewer system?

Answer: They do not have a combined system that uses the same pipes to convey storm water and sewage. But in any sewer system you have the possibility for two things to happen. One is called **inflow**, which is where, if the streets are flooded and the manhole is underwater, the water seeps by the edge of the manhole cover and drains directly into the sewer system. Unfortunately, some people are draining the ground water from their property into the sewer system by removing the manhole cover. In addition, some people are removing the cleanout fitting beside their house and allowing the drainage from their yard to flow into the sewer system. Some people have removed the downspouts from their gutters and connected them directly into the cleanout. The utility is going to send an information letter to customers letting them know what damage they are doing when they do that. Lee County has an ordinance against people removing the manhole covers and cleanout fittings, and they will be informed that there are fines and penalties. The flow at the beach plant is normally 2.5 million gallons a day at that time of the year, but during the heavy rainfall last year, it was reaching 10 million gallons a day which indicates it was rainwater, not sewage. The other type of leak is called **infiltration**. That is where you have a broken manhole or line underground and groundwater is constantly seeping into the pipe. This is a consistent contribution because most of the pipes are under the water table anyway. Since last summer, they have installed 500 manhole inflow protectors which will stop the inflow even if the street is underwater, and repaired leaks in 150 manholes in the town. They are also in the process of cleaning and inspecting the entire sewer system that feeds into the plant. They are not finding many leaks in the sewer lines itself, so they think the main problem is through inflow and manholes.

Question: What happens when our island goes under water in a storm and is covered with saltwater? Will that kill all the bacteria in the plant and shut down the plant?

Answer: Their hurricane plan calls for the plant to shut down and evacuate too. If the sewer system is underwater, the system will not work because it is based on gravity flow. It will just pump water in circles. Afterwards they will have to reestablish their bacteria and it will take a significant recovery effort. Most of their lift stations have submersible pumps and are well-insulated, and all the electrical

control boxes are 8-9 feet above sea level, so if the water does not get above that level, they will be OK. (A lift station pumps sewage to a higher level so it can flow by gravity again and then is lifted again until it reaches the plant.)

Question: What is DLCU?

Answer: It stand for the Department of Lee County Utilities

Question: We have heard that the County saved 17 million dollars by privatizing the sewer. Our bills are not any lower now. What happened to the savings? What has it been used for?

Answer: The last rate increase for sewer was in the spring of 1994 which was about a year before the contract for private operations went into place. Because of the savings in the first year of contract operations, they did not have to enact the expected cost adjustment of 3% for 1994 or 1995. So our rates probably would have been about 6% higher than they are now if they had not contracted it out. The 17 million is not in the utility's pockets. It is a projected savings that they would have charged the customers over the next five years. Since they were able to keep the rates constant, the 17 million is in the pockets of the customers. (The 17 million savings is for water and sewer combined.)

Question: Fort Myers Beach residents pay for sewer, yet the DLCU uses the money for building a water plant, and Fort Myers Beach does not use the water system. It seems unfair for us to pay for something we don't use. Why did you combine the two?

Answer: The systems were combined years ago from a financial standpoint. Last year they consolidated the rates for all three sewer areas. The water rates are actually bringing in more surplus, but the sewer just about breaks even. So in recent years, the water customers are actually paying more into reserves than the sewer customers. Some of those reserves will be used to improve the beach plant. Soon they will be using the reserves to build a new water plant. He thinks it balances out eventually, even though from year to year it may seem unfair. Also in case a hurricane comes, the reserve will be used for repairs, and the repairs will probably be needed most at Fort Myers Beach yet the Town won't be charged more. The consolidated reserve allows them to use it where it is needed most rather than having to carry a reserve for each separate system, which would cost the customer more.

Question: Have there been any mention of fines with the consent order?

Answer: There is a proposed fine of \$20,000 dollars in the consent order. If it was an error that could have been avoided, then ST would have to pay the fine. If it was unavoidable, then the county will pay.

Question: What is the pattern of the discharges? Is it all because of the past rainy season or have they been making discharges over the years?

Answer: He is not aware of any discharges that were not reported to the DEP. He has records of discharges going back to 1981, but they were all reported to DEP. Some employees allege that there were some that weren't reported, but that information is privileged and is now in the hands of the FBI and he does not have access to that information.

Question: Isn't there another long-term solution?

Answer: If they could get a permit to do it, he would like to use the aquifer storage and recovery method. It is less costly than an injection well but you cannot get a permit to do that now because it involves storing reuse water in a drinking water zone and then pulling it back out and recovering it for reuse during certain periods of the year.

The Council took a break at 7:55 P.M. and reconvened at 8:07 P.M.

IV DISCUSSION OF BUDGET ITEMS

Marsha Segal-George stressed that this is a first draft and there are some glitches that need to be fixed. There is a list of potential revenues that have not been included in the budget, and if they are used, it would probably be for dedicated uses, not for the general budget. The staff only included money that they are pretty sure that the town will actually receive. The staff really expects to receive more money, but it was too speculative to include at this point. They are only allowed to budget 95% of expected revenue. John Gucciardo pointed out two things: on page 6, "less discount of " is misleading (it really is talking about the 5% they are not allowed to budget) and also on page 6 there is a typo (it should be .0010604 instead of .001604). On page 4, 1.0604 is correct. Several members complimented the staff on having such an accomplished and readable document this early. Marsha Segal-George asked them to read through and

identify issues that they want to discuss. They do not have the CIP put together yet, but they will before the budget hearings in September. There will be two public hearings where the public can comment on the entire document. Regarding revenues, at this point, the millage is not changing, but electric and cable can still change. The County is negotiating with FPL now for a 3 - 5% franchise fee; our corresponding fee, the municipal utility tax, is totally optional and wouldn't kick in until January at any rate. (The staff chose a utility tax instead of a franchise fee because it is more flexible.) Marsha Segal-George would like to see the Council pass an ordinance which approves the revenue sources they want and reserves the right to the others (in case the County's charter passes.) The money in Tallahassee has not been included in this and has not been touched yet; in fact, the Town is making money on it. In addition, there is \$247,000 with the County for roadwork. As far as expenditures, the proposed budget includes high reserves and high contingency because there are so many unknowns this year. Next year should be much easier since there will be real history. The Long property is listed on page 9 as "Capital Improvements - Debt Repayment ." Also, our budget is ahead of the county's budget so we can't be sure what will happen with certain things such as Bay Oaks. John Gucciardo also pointed out that the calendar shows a meeting on July 29 which is the fifth Monday and wouldn't ordinarily be a meeting night, but that might be necessary in order to get the budget approved on time. Also, September 4th and 25th may need to be moved because hearings cannot conflict with other scheduled meetings. Rusty Isler has made a graph of the tax bill which shows the town's portion of the taxes; the graph shows that the town has no control over 95% of a resident's total tax bill. It was recommended that the graph be included in the budget proposal. Since the budget document is too large to copy for free, the staff, after making some clerical changes, will put two copies in the library so that the public can view it and make their own copies. There should also be a copy at the Print Shop so that the public could purchase a copy at cost.

V DISCUSSION OF POLICIES AND PROCEDURES

The Council discussed whether they want to discuss the budget at all meetings, or just at workshop meetings, or if they wanted to schedule an all-day Saturday session. The consensus was that they would work on the budget at every workshop meeting.

Rusty Isler asked if we need a new system for approving expenditures. All the bills that are being submitted have already been bought and must be paid. Mr. Isler suggested that perhaps purchases over a certain dollar value should be approved before they are bought. Marsha Segal-George said that once the budget is in place, it will be different, because purchases will then be budgeted items, and the staff will be sending the bills to the Council for review and information only. The staff is looking into a governmental accounting software package.

John Gucciardo reminded the Council that if they are considering any changes in the Charter, they must be on the ballot this year so that it could take effect the following year. The Charter states that "The Council shall place the matter of a change in the charter regarding at-large or district elections of Council members to a vote of the electorate no later than two years after the formation of the municipality with public hearings." Mr. FitzSimons asked about the Charter Review Commission in our charter. The Charter states that "no later than three years after approval, a five-member Charter Review Commission shall be appointed and funded by the Council. The Charter Review Commission shall be appointed at least six months before the next scheduled election and complete its work and present any recommendations for change no later than 60 days before the election. The Council shall hold a minimum of two public hearing on the proposed changes to the charter prior to placing the proposed changes on the scheduled election ballot." The first election will be in November 1997 so the commission will have to be formed by next May. Therefore the commission should be funded in this year's budget.

John Gucciardo reminded Mayor Cereceda that after the meeting she needs to sign the State Revenue Sharing application which has to be submitted by June 30.

VI ADJOURNMENT

The meeting was adjourned at 9:03 P.M.

Respectfully submitted,
Peggy Salfen
Recording Secretary