



**MINUTES**  
**POLK REGIONAL WATER COOPERATIVE**  
[www.prwcwater.org](http://www.prwcwater.org)

July 19, 2018 - 2:00 p.m.  
Lake Myrtle Sports Complex  
2701 Lake Myrtle Park Road  
Auburndale, Florida 33823

Member Governments in Attendance:

City of Auburndale .....Mayor Tim Pospichal, Primary (Vice-Chairman)  
Town of Dundee .....Commissioner Bert Goddard, Primary  
City of Haines City .....Vice Mayor Morris West, Primary  
City of Lake Alfred .....Mayor Charles Lake, Primary  
Town of Lake Hamilton .....Council Vice Mayor Mike Kehoe, Alternate  
City of Lake Wales.....Mayor Eugene Fultz, Primary  
City of Lakeland.....Commissioner Justin Troller, Alternate  
City of Polk City .....Mayor Joe LaCascia, Primary  
Polk County .....Commissioner George Lindsey, Primary (Chairman)  
City of Winter Haven.....Mayor Pro Tem Nathaniel Birdsong, Primary

Member Governments in Absence:

City of Bartow  
City of Davenport  
City of Eagle Lake  
City of Fort Meade  
City of Frostproof  
City of Mulberry

A. Call to Order

Meeting called to order by Chairman Lindsey at 2:00 PM.

B. Recognition of new primary/alternate appointees of members

C. Agenda Revisions

No revisions presented

D. Public Comments (Will be limited to 3 minutes per person or group)

Gene Heath, Project Administrator, recognized Eric Dehaven from SWFWMD as the primary contact for the PRWC combined projects implementation.

Mr. Charles Cook, citizen of Lakeland, raised concerns regarding the consumptive use permitting for the Peace River projects. Mr. Cook stated there should be enough water for both the PRWC and PRMWSA permits and suggested a collaborative approach to look at a permit for mitigation and restoration in lieu of public supply. Mr. Cook stated the only hope for Polk for a long term solution is to increase the restoration of the Floridan aquifer.

E. Consent Agenda:

1. Approval of 5/16/2018 Board Meeting Minutes

Motion made and seconded to approve Consent Agenda as presented. Motion passed unanimously.

Motion made and seconded to approve the 5/16/2018 Board Meeting Minutes as presented. Motion passed unanimously.

F. Regular Agenda

2. Conservation – Upcoming Project

Rachel Mott, Water Conservation Representative for the City of Auburndale – Ms. Mott provided a brief description of ongoing conservation programs and a presentation on school education programs for water conservation.

Mayor Pospichal asked how the public are being notified of the current programs.

Ms. Mott stated there are several ways the utilities promote the program, but it is up to the individual utility. From bill stuffers to websites to flyers.

3. PRWC Financial Reporting

Lance Schmidt and Kristen Labbe from Clifton Larson Allen, PRWC selected accounting firm.

Ms. Labbe provided a synopsis of the PRWC finances for the 9 months ending June 30, 2018.

Mr. Taylor stated a similar report will be provided every Board meeting to keep the Board members apprised of the ongoing work of the PRWC.

4. Independent Auditor's Report for FY 2017

Mike Brynjulfson from Brynjulfson CPA presented an executive summary of the FY 2017 Auditor's Report.

Vice Mayor West requested the presenter have a presentation to follow along in the future.

Motion made and seconded for the PRWC Board to receive the Financial Report. Motion approved unanimously.

Motion made and seconded for the PRWC Board to receive the Auditor's Report for FY 2017. Motion approved unanimously.

5. Update – Peace River Manasota RWSA Water Use Permit Application Petitions

Ed de la Parte, de la Parte & Gilbert, provided an update to the PRMRWSA permit application petition. On June 25, 2018 the SWFWMD referred all 7 of the petitions to the Division of Administrative Hearings. Administrative Law judge Francine Folks. July 12, 2018 Judge Folks set the hearing for January 28, 2019 at the Tampa Service Office of SWFWMD. The most important thing on the initial order was taking the advice of the petitioners to meet prior to the hearing to try and resolve the matter. A private attorney session will be needed at the next September Board meeting to discuss and settlement options or budget issues.

Chairman Lindsey asked if the District would be asked to approve the use of a mediator at their next meeting.

Mr. de la Parte stated the attorney for the Peace River Manasota RWSA would bring the suggestion of a mediator to their Board. SWFWMD stated they would take the suggestion of a mediator under advisement.

Chairman Lindsey asked if there is any downside to approving the use of a mediator.

Mr. de la Parte stated that there is no downside and only shows the commitment to try and resolve this matter.

Mayor LaCascia wanted to know what the term mediator means. Would he have authority to make judgements or pronouncements?

Mr. de la Parte stated that the mediators only job is to try and find a way to resolve the matter and does not make any judgements or pronouncements.

Motion made and seconded to authorize the engagement of a mediator in the process.

Commissioner Goddard asked if we would get an update at the next meeting.

Mr. de la Parte stated that an update could be provided at the private attorney's session at the next Board Meeting.

Chairman Lindsey stated that the expectation is for the mediation session to have already occurred by the next PRWC Board meeting.

Mr. de la Parte confirmed that that is the expectation, as all of the parties would like to minimize spending public funds fighting to resolve this issue.

Chairman Lindsey asked if the private attorney session would be limited to the attorney, the PRWC Board of Directors, and the Executive Director and a court reporter.

Mr. de la Parte confirmed that the individuals outlined by Chairman Lindsey would be the only ones present for the private attorney session.

Chairman Lindsey stated that after mediation or litigation is resolved the court reporters notes would be transcribed and made available to the public.

Mr. de la Parte confirmed that after mediation is complete the court reporters record of the session would become public record at the conclusion of litigation.

Chairman Lindsey stated that we want to give notice that the PRWC will have the private attorney session immediately prior to the next PRWC BOD meeting and asked if 30 minutes is adequate.

Mr. de la Parte stated that we do not have to decide on the length of time at this meeting.

Chairman Lindsey stated that the PRWC will set the meeting for 1:30PM the day of the next PRWC BOD meeting.

Mr. de la Parte stated that the PRWC would convene a public meeting, and then enter into a private session by moving to a secluded room, or asking the public to step out and then reconvene the public meeting following the private session.

Motion to authorize the engagement of a mediator approved unanimously.

Mayor LaCascia asked if the attorneys for Polk County, Winter Haven, Bartow, Lakeland, and Ft Meade will be at the private attorney's session.

Mr. de la Parte stated that for the private attorney session, the only attorney that will be allowed to be there will be the attorney representing the PRWC which is he. For the mediation session, all of the attorney's will be present.

Mr. Heath stated that the PRWC BOD authorized the submitting of water use permit applications for the Peace River, Peace Creek, and Alafia River projects. And a report will be provided to the Board at subsequent PRWC BOD meetings on the status of those permit applications.

6. Petition Legal Fees – Proposed Member Allocation

Mr. Taylor provided a synopsis of the proposed member allocation.

Motion made and seconded to accept the managers' recommendation of the Petition Legal Fees – Proposed Member Allocation. Motion approved unanimously.

7. Resolution 2018-03 – Final Polk Regional Water cooperative budget – FY 18-19

Mr. Taylor provided a review of the FY 2018-2019 cooperative budget.

Motion made and seconded to approve Resolution 2018-03. Motion approved unanimously.

8. Project Requests – Heartland Headwaters Act

Mr. Taylor provided a reminder of the annual report required by the Heartland Headwaters Act. Any water use project that local entities would like to be included in the report are due by September 1<sup>st</sup>.

9. Upcoming PRWC RFQ's

Mr. Taylor provided a description of two RFQ's published on July 11, 2018 through the City of Lakeland's purchasing department for professional engineering services for the PRWC with a submission deadline of August 1, 2018 at 2 PM, and for the project administrator/manager for the combined project implementation agreement with a deadline of August 1, 2018 at 2:30 PM. An RFQ review committee has been selected consisting of Lakeland's Utility Director Bill Anderson, the City of Lake Alfred City Manager Ryan Leavengood and the PRWC Executive Director Ryan Taylor. Tom Mattiacci will serve as the contract manager for both RFQs.

RECESS REGULAR BOD/COMMENCE PROJECTS BOD – 2:51 PM

10. Combined Projects Update

Mary Thomas from Team One provided an update on the Peace Creek Integrated Water Supply Project.

Chairman Lindsey asked when the PRWC will have a tighter view of how the project will move forward.

Ms. Thomas stated that an exact date is hard to say, but the PRWC should be ready to pursue preliminary design within the year.

Mayor LaCascia asked if the short term efforts leading towards the implementation of any of the options be handicapped in any way by what is ongoing legally.

Ms. Thomas stated there is potential for the current legal proceedings to affect the available outcomes of the project and deferred to Mr. de la Parte concerning the legal issues.

Mayor LaCascia stated we should be cautious about pursuing any of the options until we are assured we can be successful.

Mr. de la Parte stated that is the reason why the PRWC filed a permit application with the SWFWMD. To determine the amount of available water that could be permitted for removal. This could be resolved as quickly as the settlement in the next few months or could take as long as the conclusion of the hearing.

Chairman Lindsey stated that the legal and engineering work are not mutually exclusive and each needs to move forward cognizant of what is occurring in each arena.

Ms. Thomas stated that from the technical perspective, the value that will come from the Peace Creek report will provide information on other future projects.

Chairman Lindsey stated that part of the frustration of the BOD is that we have been working on this concept for two years, and the BOD would like to start to see some more concrete definitive answers.

Mayor LaCascia stated we have been working in the abstract for a long time and the BOD is eager to move towards a shovel ready status. Also, the answers from the report should provide information for the current legal matters moving forward.

Mr. Heath reminded the BOD that there are five projects in the queue. Three of the projects are included in the combined project implementation. The PRWC has submitted WUP applications for the three surface water projects to be able to determine the amounts of available water from each of the projects. One of the two deep well projects is permitted, and the PRWC hopes the second deep well project will be able to be permitted soon.

Ms. Thomas provided an update on the deep well projects.

#### 11. Potential Project Funding Sources

Robert Beltran and Amy Tracy from Team One provided a description of available project funding including plan development, funding implementation timelines, funding sources including local partnership, state and federal opportunities.

Chairman Lindsey stated it is encouraging that there are many potential sources for funding and the PRWC should apply for all eligible funding sources.

Mr. Heath stated that in the State Revolving Fund, it has been over a year to receive funds once it was decided to move forward. Mr. Heath asked how long the process would take for the PRWC to gain access to funds once the PRWC decides to move forward.

Ms. Tracy stated that some of the funding includes a grant that are issued during a specific fiscal year, WIFIA funding on the other hand is a longer process. The various sources and timelines are the reason for needing to develop a funding plan.

Mr. Heath asked if WIFIA was a grant program.

Ms. Tracy stated that WIFIA is a low interest loan program.

Mr. Beltran requested a general consensus from the PRWC BOD to move forward to develop a financing plan with these projects.

Mr. Goddard asked if the PRWC BOD needs to approve moving forward with a letter of request for WIFIA funding since the due date is July 31, 2018.

Mr. Beltran stated that the consensus would be to prepare to apply in July of 2019.

Mr. Heath asked if Mr. Beltran was completing this work under the existing Team One contract.

Mr. Beltran confirmed this work was being performed under the current Team One contract. And stated Mr. Herr, Mr. Leavengood, Mr. Fields, and Mr. Taylor volunteered to be a subgroup of the managers to assist in developing the plan.

12. State Revolving Fund Loan Status

Tom Mattiacci provided an update to the State Revolving Fund Loan. The loan is considered a planning loan with an interest of 1.89% for 10 years.

13. Combined Projects Phase 1 final Budget FY 18-19

Katie Gierok presented the Combined Projects Phase 1 budget for FY 19.

Mr. Heath pointed out that the expenditures will increase significantly with the start of well drilling at the SE Wellfield and West Polk projects.

PUBLIC HEARING OPENED AT 3:38 PM

Chairman Lindsey invited any who would like to speak on the matter of the Combined Projects Phase 1 FY 19 Budget to come forward.

No one came forward to provide comment.

PUBLIC HEARING CLOSED AT 3:39 PM

Motion made and seconded to adopt the Combined Projects Phase 1 FY 19 Budget as presented.

Vice Mayor West asked why there is a significant increase in 2019 from 2018.

Ms. Gierok stated that that is due to the well drilling being performed for each of the deep well projects.

Mr. Heath stated that the \$5M for the well drilling will be completed over the next 12 months which is the reason for the increase in 2019 followed by a decrease in 2020.

Motion to adopt the Combined Projects Phase 1 FY 19 Budget passed unanimously.

RECESS PROJECTS BOD/COMMENCE REGULAR BOD – 3:40 PM

Chairman Lindsey reopened Item 7, adoption of the PRWC FY 19 budget.

PUBLIC HEARING OPENED AT 3:40 PM

Chairman Lindsey invited any from the public that would like to speak on the PRWC FY 19 budget.

No person from the public provided comment.

PUBLIC HEARING CLOSED AT 3:40 PM

Chairman Lindsey stated that since no comment was presented the prior action taken by the PRWC BOD is deemed sufficient.

G. Executive Director's Report

14. Executive Director Update/Comments

Mr. Taylor presented the recently adopted conservation ordinances adopted by the City of Mulberry based on the Florida Water Star standard. And recognized Mulberry on being the first government in Polk County to do so.

Mr. Taylor provided detail on the 30 acre site purchased by Polk County for the future SE Wellfield WTP. Once funding for the projects has been secured the site will be transferred to the PRWC.

Mayor LaCascia asked if this was the first time the cost allocations for FY 19 were being presented to the BOD. Polk City paid its portion of the Phase 1 cost and asked if the presented allocation was separate from that cost.

Mr. Taylor stated that the Combined Projects Phase 1 FY 19 budget is for Phase 1 and has already been paid by the City.

H. Open Discussion

None

I. Adjournment (Next BOD Meeting September 19, 2018)

Board meeting was adjourned at 3:44 PM.

Make sure to visit our website [www.prwcwater.org](http://www.prwcwater.org) for more information.