

RESOLUTION NO. 13-177

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA SUPPORTING THE CREATION OF A REGIONAL C-51 GOVERNANCE AND FINANCE WORK GROUP TO DEVELOP GOVERNANCE AND FINANCE STRATEGIES FOR PHASE I IMPLEMENTATION OF THE PROPOSED C-51 RESERVOIR PROJECT; RECOMMENDING THE PRINCIPLES OF THE FORMATION AND OPERATION OF THE WORK GROUP; DIRECTING STAFF TO PROVIDE COPIES OF THE RESOLUTION TO SPECIFIED GOVERNMENTAL ENTITIES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Broward and Palm Beach Water Resources Task Forces were created for the purpose of identifying and evaluating cost-beneficial and effective regional water supply projects and conservation strategies; and

WHEREAS, in 2006, prior to the convening of the Task Forces, Broward and Palm Beach water providers were beginning to investigate the potential development of a large surface water reservoir project to serve as a regional alternative water supply by capturing stormwater runoff for wet season storage and later distribution and use during the dry season; and

WHEREAS, this project subsequently become known as the C-51 Reservoir, given its proposed siting just north of the C-51 Canal in central Palm Beach County, and is contemplated to include 75,000 acre-feet of surface water storage at a site proximate to the existing L-8 Reservoir where geologic characteristics allow long-term surface water storage without significant seepage losses; and

WHEREAS, both Task Forces have been actively engaged in the advancement of the proposed C-51 Reservoir, having received numerous technical presentations, offered guidance and planning strategies, and conducted a site tour; and

WHEREAS, regional collaboration in the C-51 Reservoir planning effort has expanded beyond the initial seven (7) utilities and in 2010/2011 a Memorandum of Understanding (MOU) was jointly approved by the City of Fort Lauderdale, the South Florida Water Management District, Palm Beach County, and the Lake Worth Drainage District providing for committed support to ongoing planning efforts, and this MOU was subsequently supported by seven (7) local governments, including Broward County; and

WHEREAS, these planning efforts included project cost estimates, analysis of water availability and conveyance options, environmental considerations, economic analyses, hydrologic modeling, geotechnical evaluations, and processes for water supply certification, with the results documented in technical reports; and

WHEREAS, these assessments have substantiated early estimations about the viability of the C-51 Reservoir as an alternative water supply with unique benefits that may include lower capital and operational costs, reduced energy demands, water resource enhancements (via aquifer recharge), wellfield offsets, and better general permittability relative to other alternative water supply options; and

WHEREAS, most recently, the South Florida Water Management District, Broward County, Palm Beach County, and the Lake Worth Drainage District collaborated in the completion of the C-51 Preliminary Design and Cost Estimate Report dated June 2012, which estimates total water availability from the proposed C-51 Reservoir at 185 million gallons per day (mgd) and total construction costs of \$760 million; and

WHEREAS, while the benefits of the C-51 Reservoir were originally focused on environmental enhancements and alternative water supply development, there is an increasing appreciation of the benefits the C-51 Reservoir in the preservation of existing water supplies, especially in light of climate change pressures; and

WHEREAS, climate change and rising sea levels are predicted to increase drought severity and saltwater intrusion into coastal wellfields, and storage provided in the C-51 can help mitigate for these impacts while also providing stormwater mitigation and flood control protection during extreme storm events in an area that was inundated with the passage of Tropical Storm Isaac; and

WHEREAS, on January 18, 2013, a joint meeting of the Task Forces was convened for the purpose of considering these issues, receiving a C-51 project status update, receiving updated cost estimates, evaluating phased implementation, and considering next steps; and

WHEREAS, information presented at this meeting included a phased construction plan that would allow for Phase I construction to provide 14,000 acre-feet (35 mgd) of storage capacity in 2.5 years at an estimated cost between \$150.5 and \$186.5 million; and

WHEREAS, many entities expressed strong support for the project and the need to move from project planning to implementation; and

WHEREAS, having received and considered this information, the joint memberships of the Task Forces voted unanimously to support advancement of Phase I Implementation of the C-51 Reservoir project and the convening of a Work Group to develop a draft Interlocal Agreement and scope of work, including governance of and finance strategies for project construction and operation; and

WHEREAS, adoption of this resolution by the City Commission is required for the City to be considered for a seat on the C-51 Governance and Finance Work Group;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AS FOLLOWS:

Section 1. The City Commission of the City of Fort Lauderdale supports the creation of the C-51 Governance and Finance Work Group ("Work Group") to develop governance of and finance strategies for construction and operation of the C-51 Reservoir Project as a regional project. The City Commission of the City of Fort Lauderdale also finds that the Work Group is needed to serve the public interest in regional alternative water supplies and that the cost of its existence and operation to the citizens and taxpayers of the participating governmental entities is justified.

Section 2. The City Commission of the City of Fort Lauderdale, Florida recommends that the Work Group be formed and that it include any and all entities that plan to or actually purchase capacity allocations from the C-51 Reservoir as voting members. The City of Fort Lauderdale is willing to support that the Work Group operate under the following principles, subject to the principle expressed in the first sentence of this section:

- A. The Work Group membership shall be composed of the appointees and alternatives of the following entities:
- (a) One (1) Broward County Commissioner appointed by the Board of County Commissioners of Broward County, Florida;
 - (b) One (1) Palm Beach County Commissioner appointed by the Board of County Commissioners of Palm Beach County, Florida;
 - (c) One (1) representative appointed by the South Florida Water Management District;
 - (d) One (1) representative of a drainage/water control district located in Broward County appointed by the Surface Water Coordination Committee;
 - (e) One (1) representative appointed by the Lake Worth Drainage District;

- (f) One (1) representative from and appointed by the Broward Water Resources Task Force;
 - (g) One (1) representative from and appointed by the Palm Beach Water Resources Task Force;
 - (h) Up to four (4) elected officials representing Broward County municipalities or independent water providers which adopt a resolution providing support for the C-51 Work Group and Phase I development the C-51 Reservoir Project; and
 - (i) Up to four (4) elected officials representing Palm Beach County municipalities or independent water providers which adopt a resolution providing support for the C-51 Work Group and Phase I development the C-51 Reservoir Project.
- B. The Work Group shall be considered created with the appointment of at least 5 members comprising categories (a) through (g). Work Group members in categories (h) and (i) will be chosen by the members in categories (a) through (g) from eligible municipalities and water providers by a majority vote. Each such municipal or water provider member shall appoint a representative to serve on the Work Group.
- C. The Work Group may increase the maximum number of members provided for in categories (h) and (i) by a majority vote.
- D. The appointment of a member to the Work Group is not for a fixed term. Appointees are required to attend meetings. An appointee shall serve as a member until the appointee is removed by the appointing authority, the appointee resigns, the appointee is absent for two consecutive meetings, or the Work Group is sunset. In the event of a resignation or removal, the appointing authority may designate a new appointee or make its alternate the appointee and designate a new alternate.
- E. Work Group members will be asked to develop and propose to their respective local or regional governing bodies an Interlocal agreement to fund the procurement of consultant services to develop options for Phase I of the C-51 Reservoir Project. Work Group members will also be asked to evaluate the resulting options for Phase I of the C-51 Reservoir Project and make a recommendation to their respective local or regional governing bodies regarding a governance and finance strategy for implementation of Phase I of the C-51 Reservoir Project.
- F. Member entities must designate an alternate appointee, which may include technical staff, to serve in the absence of their appointee.

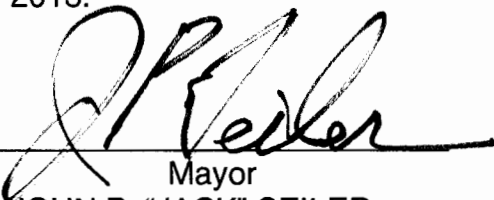
- G. As a regional working group, this Work Group is not a Broward County advisory board, but is subject to the public meetings and public records laws of the state of Florida and its members are subject to Sections 26-70 and 26-70.1 of the Broward County Code of Ordinances regarding lobbying and acceptance of gifts.
- H. A quorum of the Work Group shall be a majority of then-current total membership.
- I. The Work Group shall have a Chair and Vice-Chair elected from the appointees to the Work Group. Election of a Chair and Vice-Chair shall be the first order of business of the Work Group when a quorum is established. If the Chair or Vice-Chair can no longer serve due to resignation or removal, the election of a replacement shall be the first order of business at the next meeting of the Work Group where a quorum is present.
- J. The Work Group shall meet monthly, or more frequently as needed, to oversee and consider technical deliverables necessary to develop and propose a draft Interlocal Agreement for construction and operation of Phase I of the C-51 Reservoir Project, but shall sunset one (1) year from its first meeting date unless otherwise extended by resolution of all of the local or regional governmental entities comprising the then-current membership.
- K. The Work Group shall evaluate project economics and full cost accounting of proposed C-51 Reservoir Project costs, and shall consider and make recommendations regarding governance and finance strategies for construction and operation of Phase I of the C-51 Reservoir. These strategies may include, but are not limited to, the development of a water authority, special district, or public-private partnership.
- L. Entities represented on the Work Group shall provide staff support to the Work Group.
- M. Support staff shall coordinate and prepare meeting notices and minutes, maintain records, coordinate or prepare draft reports, and prepare the final report containing the findings and recommendations of the Work Group.
- N. Recommendations of the Work Group shall be reported at a joint meeting of the Palm Beach and Broward Water Resources Task Force prior to finalizing.
- O. The governmental entities adopting this resolution recognize and agree that their participation as members of the Work Group is voluntary. The participating governments further recognize that any final report issued by the Work Group shall not be construed as imposing any mandates upon the participants or other government entities. It is understood and desired, rather, that the Work Group will produce recommendations for local governments, water managers, and water providers as we move forward as a

region with consideration and decision-making regarding the C-51 Reservoir project as a regional water resource.

Section 3. The City Clerk is directed to send a certified copy of this resolution to the South Florida Water Management District, the Broward County Board of County Commissioners, the Palm Beach County Board of County Commissioners, the Lake Worth Drainage District, the Task Forces, and the municipalities within Broward County.

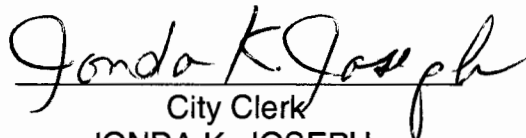
Section 4. This Resolution shall become effective immediately upon its passage.

ADOPTED this 17th day of September, 2013.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH