

# IMMOKALEE WATER & SEWER DISTRICT

1020 Sanitation Road, Immokalee, FL 34142

Telephone: (239) 658-3630

## Regular Board of Commissioners Meeting

Wednesday, April 17, 2024

3:30 p.m.

### MINUTES

Board Members		
Title	Name	Attendance
Chair	Joseph Brister	Present
Vice-Chair	Patricia Anne Goodnight	Present
Secretary	Bonnie Keen	Present
Treasurer	Robert Halman	Present
Commissioner	Magda Ayala	Present
Commissioner	Jack Johnson, Jr.	Present
Staff Present	Professional Staff Present	Guests Present
Louis Brunetti	Gary Ferrante	See sign-in sheet
Jeff Carpenter	Laura Donaldson (online)	
Sarah Catala		
Misty Smith		

#### I. Call to Order

Mr. Joseph Brister, Chair, called the meeting to order at 3:30 p.m.

#### II. Preliminaries

a. Pledge of Allegiance

Mr. Brister led the Pledge of Allegiance.

b. Roll Call

Ms. Misty Smith, Executive Assistant, conducted roll call. A quorum was reached.

c. Adoption of Agenda

***Motion: Ms. Goodnight moved to adopt the agenda as presented. Mr. Halman seconded the motion. The motion passed unanimously.***

d. Public Concerns

There were no public concerns.

e. Staff Good Cause Items

i. Collier County Payment Agreement for Area 4 (TIGER Grant)

Ms. Laura Donaldson, District Attorney, provided a summary of the ongoing issues pertaining to utility relocations. She reported that if our state appropriations request is approved, and is not vetoed by the Governor, then Collier County will perform the relocations and the District will have a commitment to pay them. Alternatively, if our appropriations request does not get approved, the agreement will be voided, and Collier County would most likely send us a bill in which we would go through the statutory process to deal with the conflict. A discussion ensued.

Ms. Donaldson indicated that the agreement would be included on the agenda of the next Board of County Commissioners meeting on April 23, 2024.

Ms. Donaldson clarified that there were minor changes made to the agreement prior to the board meeting and the Collier County attorney agreed to the changes.

***Motion: Ms. Goodnight made a motion to accept the Collier County TIGER Grant Area 4 payment agreement with the specified changes. Mr. Halman seconded the motion. The motion passed unanimously.***

f. Board Concerns

There were no Board concerns.

g. Old Business

i. Administrative Office Building – Update

1. Property Closing Date

Ms. Sarah Catala, Executive Director, reported that the closing date on the New Market Rd. property is scheduled to take place May 15, 2024, and the tenant is aware that they must be off the property by that date. The specific time to perform the final walk through and to sign the closing documents will be determined later due to the District's next Board meeting also on the same date. Ms. Donaldson will assist to ensure payment is in escrow.

ii. Advanced Metering Infrastructure (AMI) – Update

Ms. Catala reported that staff are still going through the various agreements, but the pricing for the project has been negotiated.

iii. Sprayfield Analysis Update

Ms. Catala reported that she received a status update on April 16, 2024, from Ms. Kim Arnold, Hydrogeologist from Kimley-Horn, who indicated that the amount of holding time for the ponds and the sprayfield validates what the District had already calculated. Ms. Arnold will be conducting more modeling on the holding ponds elevation to ensure percolation is sufficient. Further updates will be shared at the May Board meeting.

h. New Business

None.

**III. Consent Agenda**

a. Adoption of Previous Board Meeting Minutes (03/20/2024)

b. Fixed Assets, Acquisitions, Disposals

***Motion: Ms. Goodnight moved to approve the consent agenda as presented. Ms. Keen seconded the motion. The motion passed unanimously.***

**IV. Action Agenda**

a. Selection Committee – RFQ for Engineering Design for Water Softening Treatment Improvements

Ms. Catala recommended the following individuals to be on the selection committee: Sarah Catala, Lance York, James Jean-Louis, Louis Brunetti, and Chris Lofton, with Weston & Sampson providing technical specifications and acting as Owner Representative for the project.

***Motion: Mr. Halman made a motion to approve the proposed membership of the Selection Committee for the RFQ for engineering design for water softening treatment improvements. Ms. Keen seconded the motion. The motion passed unanimously.***

## V. Discussion Agenda

### a. Executive Director's Report

The following information was reported by Ms. Catala:

- She brought forth information regarding a rate study workshop which would be conducted by Raftelis to discuss a funding strategy and to revisit several topics, such as reserves. The commissioners agreed to hold a workshop and they selected a date of May 8, 2024, at 3pm.
- Ms. Catala reported that she is interested in acquiring a grant writing consultant to assist with securing grants, specifically Mr. Lee Hale of Hale Innovation, who was recently introduced to Ms. Donaldson at a conference. Ms. Catala met Mr. Hale virtually and they discussed the District needs, and he will be providing a proposal for a scope of work.
- She provided details of the State Road 29 (SR29) Project Development & Environment (PD&E) Study/Project Update in-person office hours which is scheduled to take place on April 18, 2024, at the Immokalee Branch Library between 12pm-4pm.
- She provided details of a meeting being hosted by the US Army Corp of Engineers to discuss the Western Everglades Restoration Project Update on April 17, 2024, at the University of Florida Institute of Food and Ag Sciences (UF/IFAS) Immokalee Extension from 5pm-7pm.

### b. Finance Director's Report

Mr. Jeff Carpenter reported that at the six-month mark, the District's expenses are below 50%. He then went line by line on the handout he provided, focusing on highlighted items that were above 50%. The Board was satisfied with the data. Mr. Brister requested that before the next budget preparation, anything indicating "other" should be more specific and spelled out to avoid confusion.

### c. District Engineer's Report – Weston & Sampson

Mr. Gary Ferrante reported that there are currently three active projects at the airport and the development plan reviews for all three projects have been completed. He also reported that the water softening request for qualifications (RFQ) process and documents should be finalized by May. Lastly, he reported that we received comments from Collier County Right-of-Way and Florida Department of Transportation (FDOT) regarding master lift station C and we are awaiting the permits to be approved before the advertisement can be released, and lastly, the Florida Department of Emergency Management (FDEM) water main replacement line project will be starting soon.

### d. Project Engineer's Report

Mr. Louis Brunetti reported that the following projects have been completed: 1) the deep injection well pumps were installed, and the new pumps are running, 2) the fire suppression systems were installed in the four kitchen areas, and 3) the sprayfield pond banks have been filled and sodded. Mr. Brunetti also reported that the secondary bleach containment project is underway, and the clarifier catwalk schedule has been received and the materials are expected to be delivered in early June.

### e. District Attorney's Report

Ms. Donaldson reported the following:

- She is working with the Governor's office to ensure our appropriations request does not get vetoed.
- There is still no resolution with Greeley and Hansen regarding the AC & undersized project issue.
- The Environmental Protection Agency (EPA) came out with their final maximum

contaminant level (MCL) for Per- and polyfluoroalkyl substances (PFAS) compound and they have made it a requirement to: implement testing, create a plan to address the PFAS, and beginning in 2029, notify the public of any violations as it relates to MCL.

- The PFAS settlement, in which the District has filed litigation (Dupont and 3M), has been approved by the courts and appeals have been filed. The Dupont appeal has been withdrawn and it's possible that any day now the appellate court will issue an order and the 60-day clock starts for the District to file a claim. For the 3M settlement, there is still a long process to go through. In addition, Tyco Fire Products has settled for \$750M, but there is an abundance of defendants.
- A claim has been filed with Collier County Probate pertaining to a customer who has been tampering with water lines. Ms. Catala provided a summary of the customer account situation. A discussion ensued.
  - The Board authorized Ms. Catala to pursue a claim through small claims court to keep court and attorney costs low.

f. Executive Assistant's Report

Ms. Smith reported that the Collier County Community Development Block Grant (CDBG) application request for the clay sewer pipe project within Farm Worker Village housing development has made the list of recommendations by their committee for 100% funding. She explained there are several more steps to complete, such as the submission of a risk assessment questionnaire before official notification is received by Collier County staff that the project will be on the list that goes before the Board of County Commissioners for final approval.

OTHER: In preparation for the upcoming rate study workshop, Mr. Brister recommended that commissioners do some homework and research impact fees (solely for new infrastructure). Ms. Donaldson, who is familiar with the process, briefly described how the implementation process goes if impact fees were to be adopted.

**VI. Other Public Interests**

There was no public interest.

**VII. Adjournment**

The Board meeting adjourned at 4:47 p.m.