

**CITY OF EVERGLADES CITY
NOTICE OF EXTRAORDINARY MEETING AND AGENDA
Everglades City Council
Mayor: Howell Grimm, Jr.
Mayor Pro Tem: Vicky Wells
City Council Members:
Michael McComas, Diana Valdes, Tony Pernas, Parker Oglesby
City Attorney: Zach Lombardo*City Clerk: Dottie Joiner**

THE CITY OF EVERGLADES CITY WILL HOLD AN EXTRAORDINARY CITY COUNCIL MEETING ON THURSDAY APRIL 18, 2024 AT 6:00 PM CONDUCTED HYBRID WITH A QUORUM OF COUNCIL MEMBERS PRESENT IN COUNCIL CHAMBERS AT CITY HALL EVERGLADES CITY, FLORIDA AND OTHERS PRESENT BY VIDEO CONFERENCE.

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL, ADDITIONS, OR DELETIONS TO AGENDA
5. PRIMARY BUSINESS
 - a. Consideration and approval of Task Order of Resiliency Assessment & Adaptation Plan
 - b. Consideration and approval of Change Order Number 5 PWC
 - c. Consideration and approval of first reading of Ordinance 2024-4/amending Mowing Ordinance 1993-3 and amended 96-02
 - d. Consideration and approval of Resolution 2024-7/ lifting temporary moratorium on sewer plant connections
 - e. Consideration and approval of comment on "Greenheart of the Everglades Project"
6. PUBLIC COMMENT
7. CITY REPORTS
 - a. Council Members: Vicky Wells, Michael McComas, Diana Valdes, Tony Pernas, Parker Oglesby
 - b. City Attorney
 - c. Mayor
8. ADJOURNMENT

RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF EVERGLADES SHALL NOT BE RESPONSIBLE FOR PROVIDING THIS RECORD. THIS AGENDA WAS POSTED AT CITY HALL, CITY OF EVERGLADES WEB PAGE AND EVERGLADES CITY STRONG FB PAGE, THIS 12TH DATE OF APRIL 2024 BY DOTTIE JOINER, CITY CLERK. **PUBLIC COMMENT NOTICE:** ALL PERSONS WISHING TO SPEAK IN PERSON ON ANY AGENDA ITEM MUST REGISTER PRIOR TO THE MEETING. ALL PERSONS WISHING TO SPEAK VIRTUALLY VIA ZOOM ON ANY AGENDA ITEM MUST REGISTER BY EMAILING CITY CLERK DOTTIE JOINER @dsmallwood@cityofeverglades.org. ALL REGISTERED PUBLIC SPEAKERS WILL BE LIMITED TO THREE (3) MINUTES, OR IF IN WRITING 400 WORDS.

INSTRUCTIONS ON HOW TO VIEW AND PARTICIPATE IN MEETING

The public may attend either electronically or in person on April 18, 2024, which begins at 6:00 p.m.

1. **Watch the meeting online and provide public comment live during the meeting:**

Request to speak instructions:
To request to speak during the meeting, you must send an email to Dottie Joiner, City Clerk @ dsmallwood@cityofeverglades.org prior to 5 p.m. on April 18, 2024.
Zoom instructions: For the April 18, 2024 meeting, please use the meeting link <https://us02web.zoom.us/j/2916297131?pwd=MTJMTIkzMGExUjNlZ2JwQmtnVksRdz09/Password:34139> virtually attend and watch the meeting by computer, tablet, or smartphone. Those who have pre-registered to speak, will be called upon and the appropriate time limits will be enforced. If joining from a tablet or smartphone, you will need to download the free Zoom app from your device's app store. If joining from a computer, your computer will automatically download and install (if needed) the Zoom program. If you currently have Zoom installed on your computer, tablet, or smartphone, you may join the meeting by entering the meeting ID: 291 629 7131 and Password: 34139.
Dial in option: 1 929 205 6099 US
Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office 239-695-4558 48 hours in advance of the meeting.
For additional information or assistance please contact the following prior to the meeting:
 - a. For public comment questions:
Dottie Joiner, City Clerk, dsmallwood@cityofeverglades.org or (239) 695-4558
 - b. For questions on connecting to the meeting:
Karen Cochran, kcochran@cityofeverglades.org (239) 777-6614
2. **Provide public comment in writing:**

To provide public comment in writing to be read during the virtual meeting, you must send an email to Dottie Joiner, City Clerk @ dsmallwood@cityofeverglades.org prior to 5 p.m. on April 18, 2024. All submissions will be read into the record, as limited to the first 400 words.

City Council Extraordinary Meeting April 18, 2024 @ 6:00 pm

Agenda Items to Amend

Delete:

5.c. (To be on the May agenda)

5.d.

Correct:

5.b. Consideration and approval of Change Order Number 3
PWC

Add:

5.f./Task Authorization NO. 11/USDA NEPA Environmental
Review Report (Lift Station Rehabilitation)

5.g./Task Authorization NO. 12/USDA NEPA Environmental
Review Report (Copeland and Carnestown LS)



**CITY OF EVERGLADES CITY
RFQ 2023-1
PROFESSIONAL ENGINEERING AND SURVEYING SERVICES**

**CPH, LLC.
TASK AUTHORIZATION NO.2
VULNERABILITY ASSESSMENT AND ADAPTION PLAN**

This Task Authorization No.2 (TA#2) is made and entered into by and between the City of Everglades City, Florida, hereinafter referred to as “City” and, CPH, LLC., hereinafter referred to as “CPH”, in accordance RFQ No. 2023-1, and the executed Professional Engineering Services Agreement between the two parties.

SECTION A. BACKGROUND AND INTENT

The City was recently awarded a grant for completing a Vulnerability Assessment and Adaptation Plan to include a comprehensive Vulnerability Assessment, pursuant to Section 380.093, Florida Statutes, and a subsequent Adaptation Plan. CPH will provide services to deliver a successful plan for the City to ensure compliance with the grant documents and begin planning for the future.

SECTION B. SCOPE OF WORK

The Consultant will provide engineering services as outlined in the Grant Work Plan “Attachment 3” of the City’s grant documents. This work plan identifies ten tasks to complete the workplan, outlining the scope of work for each task and the respective deliverables. The associated Tasks are:

- Task 1: Kickoff Meeting
- Task 2: Public Outreach Meeting #1
- Task 3: Acquire Background Data
- Task 4: Exposure Analysis
- Task 5: Sensitivity Analysis
- Task 6: Public Outreach Meeting #2
- Task 7: Identify Focus Areas
- Task 8: Final Vulnerability Assessment Report, Maps, and Tables
- Task 9: Public Presentation
- Task 10: Adaptation Plan

CPH understands the timeline for completion based on the work plan is 3/31/2025 for each task. CPH will compile each deliverable and update the City throughout the process to ensure no slippage in timeline occurs. The final package will include all submittals bundled for submittal to the Florida Department of Environmental Protection per the grant documents.



SECTION C. WORK NOT INCLUDED IN SCOPE OF SERVICES:

Work not specified in the Grant Work Plan, including but not limited to: additional public meetings, multiple revisions to package based on FDEP review or comment which exceeds the original scope, design of improvements outlined in plan, and environmental reviews or studies are not foreseen to be required to complete the scope of work. Any additional scope that may be added that would require a change order will be presented by CPH and approved prior to completing additional work efforts.

SECTION D. COMPENSATION:

The compensation will be provided as a lump sum fee of **\$125,000.00**, as outlined in the below fee breakdown. The project shall be billed monthly based on percent complete, and in compliance with existing contract between CPH and the City.

City of Everglades City		
TA#2 - Vulnerability Assessment and Adaptation Plan		
Task	DESCRIPTION	Fee
1	Kick Off Meeting	\$ 3,000
2	Public Outreach Meeting #1	\$ 5,000
3	Acquire Background Data	\$ 12,000
4	Exposure Analysis	\$ 10,000
5	Sensitivty Analysis	\$ 10,000
6	Public Outreach Meeting #2	\$ 5,000
7	Identify Focus Areas	\$ 10,000
8	Final Vulnerability Assessment Report, Maps, Tables	\$ 35,000
9	Public Presentation	\$ 10,000
10	Adaptation Plan	\$ 25,000
PROJECT TOTAL		\$ 125,000



SECTION E. AUTHORIZATION:

IN WITNESS WHEREOF, the parties herein have executed this Task Authorization No. 2, in accordance with executed Agreement between the Parties, as of the day and year written below.

THE CITY OF EVERGLADES CITY
by and through its City Council

CONSULTANT: CPH, LLC.

By: _____
Mayor Howell Grimm, Jr.

By: Kyle Bechtelheimer
Kyle Bechtelheimer, P.E.
Client Services Manager

Date

4/15/2024

Date

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT WORK PLAN
AGREEMENT NO. 23PLN106**

ATTACHMENT 3

PROJECT TITLE: City of Everglades City Vulnerability Assessment and Adaptation Plan

PROJECT LOCATION: The Project is located in the City of Everglades City within Collier County, Florida.

PROJECT DESCRIPTION:

The City of Everglades City (Grantee) will complete the City of Everglades City Vulnerability Assessment and Adaptation Plan Project (Project) to include a comprehensive Vulnerability Assessment (VA) pursuant to Section 380.093, Florida Statutes (F.S.), as well as develop an Adaptation Plan. The Project will include public outreach and stakeholder engagement.

TASKS AND DELIVERABLES:

Task 1: Kick Off Meeting

Description: The Grantee will develop an overall project management plan and address initial actions and then conduct a kick-off meeting for the project. Meeting attendees should discuss the project scope, project goals, schedule, key milestones, and deliverables in order to develop a consistent project approach. The kick-off meeting will be hosted by the Grantee. Prior to the meeting, the Grantee will prepare the sign-in sheet, draft project schedule, and other meeting materials as necessary.

Deliverables: The Grantee will provide the following: 1) meeting agenda to include location, date, and time of meeting; 2) meeting sign-in sheets or attendance records with attendee names and affiliation; 3) a copy of the presentation(s) and any materials created for distribution at the meeting, as applicable; and 4) kick-off meeting minutes, which documents all decisions and agreed upon outcomes of the meeting.

Task 2: Public Outreach Meeting #1

Description: The Grantee will conduct at least two public outreach meetings during the project. The purpose of the first meeting is to allow the public to provide input during the initial data collection stages, to include input on preferred methodologies, data for analyzing potential sea level rise impacts and/or flooding, guiding factors to consider, and critical assets important to the community. The Grantee will prepare all social media notifications, meeting invitations, meeting materials, presentations, and graphics utilized during the meeting, as applicable.

Deliverables: The Grantee will provide the following: 1) meeting agendas to include location, date, and time of meeting; 2) meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident, steering committee member, local government staff); 3) a copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable; 4) a copy of the file or weblink of the video or audio recording from the meeting, if applicable; and 5) a summary report including attendee input and meeting outcomes.

Task 3: Acquire Background Data

Description: The Grantee will research and compile the data needed to perform the VA based on the requirements as defined in s. 380.093, F.S. Three main categories of data are required to perform a VA: 1) critical and regionally significant asset inventory, 2) topographic data, and 3) flood scenario-related data. GIS metadata should incorporate a layer for each of the four asset classes as defined in paragraphs 380.093(2)(a)1-4, F.S. GIS files and associated metadata must adhere to the Resilient Florida Program's GIS Data Standards (Exhibit I), and raw data sources shall be defined within the associated metadata. Sea level rise projection data shall include the 2017 National Oceanic and Atmospheric Administration (NOAA) intermediate-high and intermediate-low projections for 2040 and 2070, at a minimum. Other projections can be used at the Grantees discretion. Storm surge data used must be equal to or exceed the 100-year return period (1% annual chance) flood event. In the process of researching background data, the Grantee shall identify data gaps, where missing data or low-quality information may limit the VA's extent or reduce the accuracy of the results. The Grantee shall rectify any gaps of necessary data.

Deliverables: The Grantee will provide the following: 1) a technical report to outline the data compiled and findings of the gap analysis; 2) a summary report to include recommendations to address the identified data gaps and actions taken to rectify them, if applicable; and 3) GIS files with appropriate metadata of the data compiled, to include locations of critical assets owned or maintained by the Grantee as well as regionally significant assets that are classified and as defined in paragraphs 380.093(2)(a)1-4, F.S.

Task 4: Exposure Analysis

Description: The Grantee will perform an exposure analysis to identify the depth of water caused by each sea level rise, storm surge, and/or flood scenario. The water surface depths (i.e. flood scenarios) used to evaluate assets shall include the following data: tidal flooding, current and future storm surge flooding, rainfall-induced flooding, and compound flooding, all as applicable, as well as the scenarios and standards used for the exposure analysis shall be pursuant to s. 380.093, F.S. GIS files and associated metadata must adhere to the Resilient Florida Program's GIS Data Standards (Exhibit I), and raw data sources shall be defined within the associated metadata.

Deliverables: The Grantee will provide the following: 1) a draft Vulnerability Assessment report that provides details on the modeling process, type of models utilized, and resulting tables and maps illustrating flood depths for each flood scenario; and 2) GIS files with results of the exposure analysis for each flood scenario as well as the appropriate metadata that identifies the methods used to create the flood layers.

Task 5: Sensitivity Analysis

Description: The Grantee will perform the sensitivity analysis to measure the impact of flooding on assets and to apply the data from the exposure analysis to the inventory of critical assets created in the Acquire Background Data Task. The sensitivity analysis should include an evaluation of the impact of flood severity on each asset class and at each flood scenario and assign a risk level based on percentages of land area inundated and number of critical assets affected.

Deliverables: The Grantee will provide the following: 1) an updated draft Vulnerability Assessment report that provides details on the findings of the exposure analysis and the sensitivity analysis, and includes visual presentation of the data via maps and tables, based on the statutorily-required scenarios and standards; and 2) an initial list of critical and regionally significant assets that are impacted by flooding. The list of critical and regionally significant assets must be prioritized by area or immediate need and must identify which flood scenario(s) impacts each asset.

Task 6: Public Outreach Meeting #2

Description: The Grantee will conduct a second public meeting to present the results from the exposure analysis, sensitivity analysis, and draft Vulnerability Assessment. The purpose of the second meeting is to allow the public to provide community-specific input on the results of the analyses and to reconsider methodologies and assumptions used in the analysis for refinement. Additionally, during this meeting, the Grantee will conduct exercises to encourage the public to prioritize focus areas of flooding, and the critical assets in preparation for the development of adaptation strategies and project development. Criteria should be established to guide the public's input for the selection of focus areas. The Grantee will prepare all social media notifications, meeting invitations, meeting materials, presentations, and graphics utilized during the meeting, as applicable.

Deliverables: The Grantee will provide the following: 1) meeting agendas to include location, date, and time of meeting; 2) meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident, steering committee member, local government staff); 3) a copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable; 4) a copy of the file or weblink of the video or audio recording from the meeting, if applicable; and 5) a summary report including attendee input and meeting outcomes, to include defining focus areas recommended by the community.

Task 7: Identify Focus Areas

Description: The Grantee will identify focus areas based on the results of the second public outreach meeting, following the guidelines in Chapter 2 of the Florida Adaptation Planning Guidebook. Based on the exposure and sensitivity analyses, the Grantee may assign focus areas to locations or assets that are particularly vulnerable and require the development of adaptation strategies. GIS files and associated metadata must adhere to the Resilient Florida Program's GIS Data Standards (Exhibit I), and raw data sources shall be defined within the associated metadata.

Deliverables: The Grantee will provide the following: 1) a report summarizing the areas identified as focus areas, with justification for choosing each area; 2) tables listing each focus area with any critical assets that are contained inside the focus area; 3) maps illustrating the location of each focus area compared to the location of all critical assets within the geographic extent of the study; and 4) GIS files and associated metadata illustrating geographic boundaries of the identified focus areas.

Task 8: Final Vulnerability Assessment Report, Maps, and Tables

Description: The Grantee will finalize the Vulnerability Assessment (VA) report pursuant to the requirements in s. 380.093, F.S., and based upon public outreach efforts. The final VA must include all results from the exposure and sensitivity analyses, as well as a summary of identified risks and assigned focus areas. It should contain a list of critical and regionally significant assets that are impacted by flooding and sea-level rise, specifying for each asset the flood scenario(s) impacting the asset. GIS files and associated metadata must adhere to the Resilient Florida Program's GIS Data Standards (Exhibit I), and raw data sources shall be defined within the associated metadata.

Deliverables: The Grantee will provide the following: 1) Final Vulnerability Assessment Report that provides details on the results and conclusions, including illustrations via maps and tables, based on the statutorily-required scenarios and standards in s. 380.093, F.S.; 2) a final list of critical and regionally

significant assets that are impacted by flooding. The list of critical and regionally significant assets must be prioritized by area or immediate need and must identify which flood scenario(s) impacts each asset.; 3) all electronic mapping data used to illustrate flooding and sea level rise impacts identified in the VA, to include the geospatial data in an electronic file format and GIS metadata; and 4) a signed Vulnerability Assessment Compliance Checklist Certification (Exhibit I).

Task 9: Public Presentation

Description: The Grantee will present the final VA results to the Everglades City Planning & Zoning Board, the City Council, and the Mayor. The purpose of the presentation is to share the findings from the final VA and provide recommendations of actions for adaptation strategies and future project funding. The presentation will also inform the public of the results and the future risk of sea level rise and increased flooding and encourage community participation when identifying mitigation strategies to address the flooding vulnerabilities. The Grantee will prepare all social media notifications, meeting invitations, meeting materials, presentations, and graphics utilized during the meeting, as applicable.

Deliverables: The Grantee will provide the following: 1) meeting agendas to include location, date, and time of meeting; 2) meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident, steering committee member, local government staff); 3) a copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable; 4) a copy of the file or weblink of the video or audio recording from the meeting, if applicable; and 5) a summary report including attendee input and meeting outcomes.

Task 10: Adaptation Plan

Description: The Grantee will complete an Adaptation Plan (AP) that is consistent with the Florida Adaptation Planning Guidebook and includes the following: assessment of adaptive capacities, prioritization of adaptation needs, and identification of adaptation strategies. The Grantee may also include optional subtasks such as identifying adaptation action areas, stakeholder engagement, and integrating the proposed AP into existing APs. The AP will also include a list of prioritized projects for each asset class as defined in s. 380.093(2), F.S., for consideration and implementation.

Deliverables: The Grantee will provide the final Adaptation Plan or Report.

PERFORMANCE MEASURES: The Grantee will submit all deliverables for each task to the Department's Grant Manager on or before the Task Due Date listed in the Project Timeline. The Grantee must also submit Exhibit A, Progress Report Form, to the Department's Grant Manager, with every deliverable and payment request. For interim payment requests, Exhibit A may serve as the deliverable for a task. The Department's Grant Manager will review the deliverable(s) to verify that they meet the specifications in the Grant Work Plan and the task description, to include any work being performed by any subcontractor(s), and will provide written acceptance or denial of the deliverable(s) to the Grantee within ten (10) working days. Upon written acceptance by the Department's Grant Manager of deliverables under the task, the Grantee may proceed with the payment request submittal.

CONSEQUENCES FOR NON-PERFORMANCE: For each task deliverable not received by the Department at one hundred percent (100%) completion and by the specified due date listed in the Agreement's most recent Project Timeline, the Department will reduce the relevant Task Funding Amount(s) paid to Grantee in proportion to the percentage of the deliverable(s) not fully completed and/or submitted to the Department in a timely manner.

CHANGES ORDERED

ITEM 1

Description of Change: #6 - Additional Chemical Pump Installations

Reason for Change: Added additional chemical storage tanks and pumps for ease of operation

Change in Contract Price: \$ 5,112.32

Change in Contract Time: 0 Days

ITEM 2

Description of Change: #9 - LCEC Disconnect Switch

Reason for Change: LCEC is requiring a new disconnect switch be installed prior to connecting to the meter, previously not included in scope of work

Change in Contract Price: \$ 109,635.69

Change in Contract Time: 0 Days

ITEM 3

Description of Change: #10 - Potable Water Meter Relocation and Plumbing to Ops Building

Reason for Change: Old plant as-builts were incorrect with plumbing to Ops Building. Water meter relocated and new plumbing routed

Change in Contract Price: \$ 14,116.64

Change in Contract Time: 0 Days

ITEM 4

Description of Change: #11 - Operations Building Grounding

Reason for Change: No existing grounding around Operations building per as-builts. New grounding rods will be supplied and installed

Change in Contract Price: \$ 4,877.24

Change in Contract Time: 0 Days

AGENDA ITEM
NUMBER 5.d.

RESOLUTION 2024-7

A RESOLUTION OF THE CITY OF EVERGLADES CITY, FLORIDA, FINDING THE NEW WASTEWATER TREATMENT PLANT TO BE ONLINE; TERMINATING THE MORATORIUM ON ADDITIONAL WASTEWATER TREATMENT PLANT CONNECTIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, on May 3, 2022, the City of Everglades City enacted a moratorium on additional wastewater treatment plant connections (the "Moratorium");

WHEREAS, this Moratorium was extended and is currently in place pursuant to Ordinance 2024-3; and

WHEREAS; Ordinance 2024-3 provides it may be terminated and the Moratorium ended upon enactment by the City Council of a resolution finding the new plant to be online; and

WHEREAS; on April 18, 2024, U.S. Water, the operator of the Wastewater Treatment Plant has provided notice that the new plant is online and able to accept additional connections; and

WHEREAS; relying on this information, City Council desires to end the Moratorium; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERGLADES CITY, FLORIDA, AS FOLLOWS:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. The City of Everglades City, Florida, hereby terminates the Moratorium.

SECTION 3. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 4. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF EVERGLADES CITY, FLORIDA, THIS APRIL 18, 2024.

APPROVED AS TO LEGAL FORM:

Mayor

Councilperson

City Attorney

Councilperson

ATTEST:

Councilperson

Dottie Joiner, City Clerk

Councilperson

Councilperson



Dottie Smallwood Joiner <dsmallwood@cityofeverglades.org>

More News...

Michael Cannon <mcannon@uswatercorp.net>

Thu, Apr 18, 2024 at 11:24 AM

To: Howie Grimm <mayorgrimm@cityofeverglades.org>

Cc: Dottie Smallwood Joiner <dsmallwood@cityofeverglades.org>, "Bechtelheimer, Kyle P.E." <kbechtelheimer@cphcorp.com>, Lina Quintero <lquintero@uswatercorp.net>

There is yet more great news...

Rich found a mis-wired component in the filter pump control panel. The pumps and floats are now working to spec.

Will be installing the fabric for the filters this afternoon and should be making beautiful water.

I will be working with a colleague to dial the plant into compliance over the next few weeks.

With all this, I feel comfortable to lift the moratorium on connections for Everglades City.

Believe you have a meeting tonight and that should make a lot of folks happy.

Let me know if you have any questions.

Michael

From: Dottie Smallwood Joiner <dsmallwood@cityofeverglades.org>**Sent:** Thursday, April 18, 2024 11:17 AM**To:** Michael Cannon <mcannon@uswatercorp.net>**Cc:** Howie Grimm <mayorgrimm@cityofeverglades.org>; Bechtelheimer, Kyle P.E. <kbechtelheimer@cphcorp.com>; Lina Quintero <lquintero@uswatercorp.net>**Subject:** Re: Surge Tank

****CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.****

That's great news.

City of Everglades City Comment on the Greenheart of the Everglades Interim Management Plan

Introduction and Request:

The City of Everglades City through its City Council which convened on April 18, 2024, hereby submits the following comments to the Greenheart of the Everglades Interim Management Plan:

Overall, the City is requesting to be involved and included as it relates to ecotourism in the acquisition area except as to the area identified as Unit 1. This acquisition stands to massively impact the City. The City is deeply concerned with the lack of consideration given to the economic and cultural impact of the eventual management plan on the City and requests this be remedied. The City is further concerned that the airboat industry will be massively impacted by this acquisition and that unless more specific protective language is put in place to allow airboating and to allow it safely, the historical practice of airboat tours in the Everglades will be jeopardized.

These concerns are legally relevant and must be considered because section 373.1391, Florida Statutes, require the balancing of public access with restoration and protection. As stated herein, the airboat industry is one of the only sources of meaningful public access and assessing a fee under section 373.1391(6), Florida Statutes, could result in around a half of a million dollars in funding to facilitate restoration and protection of the land. It is the City's understanding that as of now, there is no funding set aside for restoration and protection. Thus, to meet the standard set forth in section 373.1391(1)(a), Florida Statutes, it is imperative that the airboat industry be specifically allowed to continue so that it can provide public access and fund the restoration and protection of the land.

Finally, the City, in working with the Board Members of the Everglades Society for Historical Preservation, Inc., a 501(c)3 non-profit organization, has provided historical comment.

Comment:

1. The Objectives of Goal 5 should specifically identify airboating as a nature-based public use opportunity.

a. Specifically, the City requests the following rephrasing of the first bullet:

Interim activities will include nature-based recreation consistent with the interim land designation as described and allowed in accordance with Chapter 40E-7, Florida Administrative Code, including motorized vehicle access such as airboating. Airboat tours, due to the aquatic nature of much of the acquisition, is one of the only meaningful ways in which the general public can access the land, consistent with section 373.1391(1)(a), which states: "Lands titled to the governing boards of the districts shall be managed and maintained, to the extent practicable, in such a way as to ensure a

balance between public access, general public recreational purposes, and restoration and protection of their natural state and condition.”

- b. On page 24 of the PowerPoint presented at the March 25, 2024, Recreational Pubic Forum goal 5 was presented with the specific language, “allow motorized vehicle access”. The City objects to the removal of this language.
- c. The City submits that airboat tours brings around 225,000 to 250,000 of the general public to the land and thus satisfy the statutory requirement of general public access.

2. The Objectives of Goal 5 should specifically include the City of Everglades City as a partner in the management of nature-based recreation.

- a. Specifically, the City requests the following rephrasing of the fourth bullet:

Identify partners and funding sources to assist with developing recreational access and opportunities on the property, including the City of Everglades City and including in the form of a cooperative land management agreement pursuant to section 373.1391(4), Florida Statutes.

3. The Objectives of Goal 5 should specifically balance environmental goals with access, economic, and cultural goals.

- a. Specifically, the City requests the following rephrasing of the ninth bullet:

Assess the effect of recreational uses on the natural communities balanced with the economic impact to the tourism industry of the City of Everglades City and the surrounding area; the ability of the airboat industry to fund the management and restoration of the land by instituting a fee pursuant to section 373.1391(6), Florida Statutes; and the access of the general public provided by airboat tours.

- b. Assuming 225,000 to 250,000 airboat tour users per year, a \$2.00 fee would generate around a half of a million dollars per year which could be used to facilitate the environmental restoration and management of the entire property, which is otherwise unfunded.

4. The Objectives of Goal 5 should specifically refer to airboats when discussing leases

- a. Specifically, the City requests the following rephrasing of the tenth bullet:

Execute lease agreements compatible with the property, including for airboat operations.

5. The Objectives of Goal 5 should include to specifically protect commercial airboat operations.

- a. Specifically, the City requests the following new bullet:

Create a management area that specifically allows motorized vehicle use, including airboats and engage in rulemaking pursuant to section 373.1391(6), Florida Statutes,

specifying airboats as allowable uses as well as safety regulations regarding the use of airboats to balance this use with the use of the general public.

6. The Objectives of Goal 7 should include a specific objective regarding airboating.

- a. Specifically, the City requests the following new bullet:

Coordinate with the City of Everglades City to ensure cultural industries such as airboating are able to be maintained.

- a. On page 26 of the PowerPoint presented at the March 25, 2024, Recreational Pubic Forum goal 7 was presented with a picture of an airboat.

7. In the Area History (p. 9), the City requests the following corrections to better explain the importance of the ecotourism industry:

The development plan included the residential community and headquarters for the Collier companies within Everglades City and the industrial center north of the City within Port Dupont. Several houses, a school, and later the Bank of Everglades, Everglades Inn, and Juliet Carnes Collier Memorial Hospital were constructed in the residential center between 1922 and 1926.

Source: commentary from Board Members of the Everglades Society for Historical Preservation, Inc.

He later added a foundry and machine shops to support the industrial center. During the construction of the Tamiami Trail, the industrial center was moved ~~south~~ north from Port DuPont to Carnestown.

Source: commentary from Board Members of the Everglades Society for Historical Preservation, Inc.

On May 19, 1959, Collier County held a referendum and voted to move the County seat to East Naples. In 1960, Hurricane Donna's strong winds and coastal flooding destroyed hundreds of homes in Collier County and hit Everglades City. In November of 1960, the Collier Corporation relocated its offices to Naples. Two years later, the Bank of Everglades moved to Immokalee. ~~Florida's legislature also moved the Collier County seat to East Naples, Florida.~~

The continued degradation of the Everglades ecosystem led to the eventual closure of the Everglades National Park to commercial fishermen. In 1995 the State of Florida amended its Constitution to implement a net ban, which further reduced the viability of commercial fishing as an industry. Fishing is still a tourist attraction for Everglades City;

however, the ban on commercial fishing and the net ban shifted the local economy to mainly ecotourism. The locals began to run airboat tours, and air boating began developing into the popular Tamiami Trail tourist attraction that it is today. However, in 1990s the Big Cypress banned airboats from within its borders. Several businesses along the Tamiami Trail now profit from taking tourists into the Everglades on airboats, but as a result of the area being moved more and more into government ownership, these businesses may only run airboat tours in areas within the GHOTE. Presently, several independently operated commercial airboat businesses utilize areas within the GHOTE. These ecotourism businesses become increasingly important as increasing regulation impacts the City of Everglades City and the surrounding area. For example, in 2020, Florida Fish and Wildlife Commission reduced the Stone Crab Season and increased the claw size.

Source for county seat location change: <https://collierclerk.com/moving-collier-countys-courthouse-to-east-naples/>

8. In Public Use (p. 26), the City requests the following change to bullets 2 and 4 regarding airboating:

Unit 3 will maintain its existing use for commercial airboat operation in the interim for all airboat operations that either had a lease with the prior owner or have a airboat license from the City of Everglades City.

Unit 5 will remain closed to public recreation because there is no practical public access. In the interim, it will maintain its existing use for commercial airboat operations for all airboat operations that either had a lease with the prior owner or have a airboat license from the City of Everglades City.

9. In Lease Administration (p. 29), the City requests the following change regarding airboating:

The GHOTE MA was used for commercial airboats prior to being acquired by the District. Two Right of Entry agreements are currently in place for the commercial airboat operations on the property. In the interim, the District will establish lease agreements through the leasing program to replace the existing agreements and authorize compatible commercial airboat use of the property consistent with the management objectives for all airboat operations that either had a lease with the prior owner or have a airboat license from the City of Everglades City.

10. In Appendix A (p. A18)

The Village of Everglade became the county seat and was later ~~renamed~~ incorporated as Everglades City.

11. In Appendix A (p. A20)

Figure 5. "Phone Company Site" should be "Bank of Everglades"

Figure 5. "Captain's Table Site" should be "ACL Railway Depot"

Figure 5. the photo dates from 1928 or later (because the Courthouse "City Hall" was completed in 1928)

Source: commentary from Board Members of the Everglades Society for Historical Preservation, Inc.

12. In Appendix A (p. A21)

The concept of a national preserve was born from an exercise in compromise by the local conservations, sportsmen, environmentalists, Seminoles, Miccosukees, and many others who wanted to protect the Everglades but felt that national parks were managed in a restrictive manner and limited access to the swamp and feared Gladesmen's way of life would be lost. The first purchase of land creating Fakahatchee Strand Preserve State Park was made in 1974 with funds from the Environmentally Endangered Lands (EEL) program.

5.F

AGENDA ITEM



**CITY OF EVERGLADES CITY
WASTEWATER TREATMENT FACILITY IMPROVEMENTS
CPH, LLC.
TASK AUTHORIZATION NO.11
USDA NEPA ENVIRONMENTAL REPORT
LIFT STATION REHABILITATION**

This Task Authorization No.11 (TA#11) is made and entered into by and between the City of Everglades City, Florida, hereinafter referred to as “City” and, CPH, LLC., hereinafter referred to as “CPH”, in accordance RFQ No. 2020-1, and the executed Professional Engineering Services Agreement between the two parties.

SECTION A. BACKGROUND AND INTENT

The City currently owns and operates an existing 0.160 million gallons per day, annual average daily flow (MGD, AADF) advanced domestic RWPF, per their FDEP Operating Permit No. FLA027618. The City received USDA funding for rehabilitation of the City’s existing lift stations, excluding the Copeland, Carnestown, and Chokoloskee stations. CPH has prepared a proposal of services and fees to assist the City of Everglades City with National Environmental Policy Act (NEPA) compliance for the Everglades City Lift Station Project to conduct an environmental review for the City to comply with a Fiscal Year (FY) 2024 Community Project Funding (CPF)/Congressionally Directed Spending (CDS) award under USDA’s Water and Wastewater Disposal Grant Program (WEP), specifically an Environmental Review in compliance with eCFR :: 7 CFR Part 1970 (Sept. 22, 2020) -- Environmental Policies and Procedures. The Water and Waste Disposal Grant Program Community Project Funding requirements are specified in the explanatory statement of the consolidated Act, FY24 Ag Conference Joint Explanatory Statement for WEP CPF-CDS in FY 2024 funding.

SECTION B. SCOPE OF WORK

The Consultant will provide engineering services as outlined in the below tasks.

TASK 1 – NEPA COMPLIANCE REPORT

CPH shall prepare a report to address NEPA requirements. The report shall conform to the NEPA required format and address the following items. CPH assumes the project alternative for the Lift Station Project consisting of 13 separate lift stations is “no action” for purposes of the report preparation. Based on the project description, CPH also assumes the environmental review will confirm a Finding of No Significant Impact or will be Categorically Excluded.

- Provide an overview of the event/action that created the need for the project and then a description of the purpose and need for the project to include but not be limited to, general area description where the project is being proposed, general impacted the area where the

- project is being proposed, causes, effect and other information related to the project importance to the NEPA funding.
- Provide a brief and general statement as to what is the purpose (the goal) of the project under which the project will be funded.
 - Provide a brief need statement.
 - Provide a paragraph giving information on the grant or public assistance application to address the above stated purpose and need, including: Who will be submitting grant application, under which program under which funding is being sought and NEPA requirement.
 - Provide a concise description of all of the alternatives that were fully considered in addressing the purpose and need stated for the project. This assessment will also include those alternatives that were considered but dismissed and the reasons for dismissal. CPH assumes the project alternative is “no action.”
 - Provide information on the general setting of the project area (effected environments and potential impacts and alternative considered.
 1. A concise description of each affected environment at the project site and possible laws that may apply to that affected environment.
 2. The impact (direct and indirect (secondary)) of each alternative on that environment (this can include positive impacts, if applicable).
 3. Potential mitigative measures
 - Prepare a brief description of the geology and soils at the proposed project area and site and how the alternative projects will affect the geology and soils. Describe any measures that can be undertaken to mitigate the anticipated impacts from implementing the various project and alternatives described above.
 - Prepare a brief description of the existing land use and planning (zoning, prime farmland, flood plain encroachment, etc.) in the area and project site. How alternatives will impact the land use and planning and describe any measures that can be implemented to mitigate the anticipated impacts. For floodplain issues provide a brief description of EO 11988 and floodplains and any agency consultation, FEMA maps and NFIP community descriptions, as applicable.
 - Describe if the project and alternatives will affect traffic circulation, volume and parking at the project site and alternative site(s) and any mitigative measures to be taken to address anticipated impacts.
 - Describe the project in terms of public health and safety to include exposure to natural hazards, e.g., flood risks, environmental conditions, traffic safety, etc. Provide a brief discussion on federal and state standards. Address how the alternatives will impact this issue and describe any measures that can be implemented to mitigate the anticipated impacts.
 - Describe socioeconomic issues of affected populations in the project area and how the alternatives will impact the population and any measures that can be implemented to mitigate the anticipated impacts. Census data should be used where, or if, appropriate.
 - Describe air quality standards in the project area, brief description as to whether the project vicinity and surrounding area is in compliance with those standards. This may include EPA Air Quality classification of the site and any agency consultation, if applicable. Address short (during construction) and long term (operational) impacts on air quality and same for

alternatives and describe any measures that can be implemented to mitigate the anticipated impacts described above (e.g., dust control mitigation plan).

- Describe any noise ordinances and sensitive receptors that may exist in the project area, how alternatives will impact ambient noise levels in the project area and describe any measures that can be implemented to mitigate the anticipated impacts. Impacts should address short (during construction) and long term (operational) impacts on noise levels.
- Describe any water quality resources issues relative to the project site. This could also include water use classifications or local issues due to project runoff during and after construction. If applicable, description of the Clean Water Act requirements and state standards and any agency consultation. Describe how the alternatives will impact water quality in the project area and describe any measures that can be implemented to mitigate the anticipated impacts for the project and alternatives. Impacts should address short (during construction) and long term impacts on water quality.
- Describe biological resource issues relative to the project site. This can include wetlands (EO 11990 and requirements), protected species (plant, animal and aquatic, vegetation wildlife and aquatic resources, areas with special designation, and cultural resources (historical and archaeological). How alternatives will impact wetlands in the project area and describe any measures that can be implemented to mitigate the anticipated impacts described above. Impacts should address short term (during construction) and long term impacts on wetlands, species, habitat, sensitive ecological cultural areas. For cultural resources State Historic Preservation Office (SHPO) should be consulted and a brief description of the requirements of Section 106 of the National Historic Preservation Act and implementing regulations contained in 36 CFR 800. Describe how project alternatives will impact the above items and describe any measures that can be implemented to mitigate the anticipated impacts described above. This could include any MOAs, MOUs, or Programmatic Agreements. Impacts should address short (during construction) and long term impacts. Provide a letter received from SHPO regarding the project in the report.
- Prepare a description of the cumulative impacts (if any) on the environment. A cumulative impact is defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future action".
- Prepare a description of permits typically required for this type of action. This includes building codes and requirements, storm water and sediment and erosion control requirements, etc.
- Provide a summary in the report including an introductory paragraph on the proposed alternative and the other alternatives evaluated in the document. A table describing the assessment categories (environmental settings) and the impacts of each alternative on that assessment category (including the No Action alternative).
- Provide a summary list of federal, state and local agencies (with address and phone numbers) that were consulted during the preparation of the environmental assessment. Coordination letters sent to the agencies and their comments should be provided in the Appendices. Summary of phone consultations (citing date and individual contacted) should also be included in Appendices.
- The City shall review the report and provide comments to CPH. CPH shall address one (1) round of comments by the City and update the report to reflect the comments.



SECTION C. COMPENSATION:

The compensation will be provided as a lump sum fee of **\$16,162.00**. The project shall be billed monthly based on percent complete, and in compliance with existing contract between CPH and the City.

SECTION D. AUTHORIZATION:

IN WITNESS WHEREOF, the parties herein have executed this Task Authorization No. 11, in accordance with executed Agreement between the Parties, as of the day and year written below.

THE CITY OF EVERGLADES CITY
by and through its City Council

CONSULTANT: CPH, LLC.

By: _____
Mayor Howell Grimm, Jr.

By: Kyle Bechtelheimer
Kyle Bechtelheimer, P.E.
Client Services Manager

Date

4/15/2024

Date



**CITY OF EVERGLADES CITY
WASTEWATER TREATMENT FACILITY IMPROVEMENTS
CPH, LLC.
TASK AUTHORIZATION NO.12
USDA NEPA ENVIRONMENTAL REPORT
COPELAND AND CARNESTOWN LS**

This Task Authorization No.12 (TA#12) is made and entered into by and between the City of Everglades City, Florida, hereinafter referred to as “City” and, CPH, LLC., hereinafter referred to as “CPH”, in accordance RFQ No. 2020-1, and the executed Professional Engineering Services Agreement between the two parties.

SECTION A. BACKGROUND AND INTENT

The City currently owns and operates an existing 0.160 million gallons per day, annual average daily flow (MGD, AADF) advanced domestic RWPF, per their FDEP Operating Permit No. FLA027618. The City received USDA funding for rehabilitation of the City’s existing Copeland and Carnestown lift stations. CPH has prepared a proposal of services and fees to assist the City of Everglades City with National Environmental Policy Act (NEPA) compliance for the Everglades City Lift Station Project to conduct an environmental review for the City to comply with a Fiscal Year (FY) 2024 Community Project Funding (CPF)/Congressionally Directed Spending (CDS) award under USDA’s Water and Wastewater Disposal Grant Program (WEP), specifically an Environmental Review in compliance with eCFR :: 7 CFR Part 1970 (Sept. 22, 2020) -- Environmental Policies and Procedures. The Water and Waste Disposal Grant Program Community Project Funding requirements are specified in the explanatory statement of the consolidated Act, FY24 Ag Conference Joint Explanatory Statement for WEP CPF-CDS in FY 2024 funding.

SECTION B. SCOPE OF WORK

The Consultant will provide engineering services as outlined in the below tasks.

TASK 1 – NEPA COMPLIANCE REPORT

CPH shall prepare a report to address NEPA requirements. The report shall conform to the NEPA required format and address the following items. CPH assumes the project alternative for the Copeland and Carnestown lift stations is “no action” for purposes of the report preparation. Based on the project description, CPH also assumes the environmental review will confirm a Finding of No Significant Impact or will be Categorically Excluded.

- Provide an overview of the event/action that created the need for the project and then a description of the purpose and need for the project to include but not be limited to, general area description where the project is being proposed, general impacted the area where the



project is being proposed, causes, effect and other information related to the project importance to the NEPA funding.

- Provide a brief and general statement as to what is the purpose (the goal) of the project under which the project will be funded.
- Provide a brief need statement.
- Provide a paragraph giving information on the grant or public assistance application to address the above stated purpose and need, including: Who will be submitting grant application, under which program under which funding is being sought and NEPA requirement.
- Provide a concise description of all of the alternatives that were fully considered in addressing the purpose and need stated for the project. This assessment will also include those alternatives that were considered but dismissed and the reasons for dismissal. CPH assumes the project alternative is “no action.”
- Provide information on the general setting of the project area (affected environments and potential impacts and alternative considered.
 1. A concise description of each affected environment at the project site and possible laws that may apply to that affected environment.
 2. The impact (direct and indirect (secondary)) of each alternative on that environment (this can include positive impacts, if applicable).
 3. Potential mitigative measures
- Prepare a brief description of the geology and soils at the proposed project area and site and how the alternative projects will affect the geology and soils. Describe any measures that can be undertaken to mitigate the anticipated impacts from implementing the various project and alternatives described above.
- Prepare a brief description of the existing land use and planning (zoning, prime farmland, flood plain encroachment, etc.) in the area and project site. How alternatives will impact the land use and planning and describe any measures that can be implemented to mitigate the anticipated impacts. For floodplain issues provide a brief description of EO 11988 and floodplains and any agency consultation, FEMA maps and NFIP community descriptions, as applicable.
- Describe if the project and alternatives will affect traffic circulation, volume and parking at the project site and alternative site(s) and any mitigative measures to be taken to address anticipated impacts.
- Describe the project in terms of public health and safety to include exposure to natural hazards, e.g., flood risks, environmental conditions, traffic safety, etc. Provide a brief discussion on federal and state standards. Address how the alternatives will impact this issue and describe any measures that can be implemented to mitigate the anticipated impacts.
- Describe socioeconomic issues of affected populations in the project area and how the alternatives will impact the population and any measures that can be implemented to mitigate the anticipated impacts. Census data should be used where, or if, appropriate.
- Describe air quality standards in the project area, brief description as to whether the project vicinity and surrounding area is in compliance with those standards. This may include EPA Air Quality classification of the site and any agency consultation, if applicable. Address short (during construction) and long term (operational) impacts on air quality and same for



alternatives and describe any measures that can be implemented to mitigate the anticipated impacts described above (e.g., dust control mitigation plan).

- Describe any noise ordinances and sensitive receptors that may exist in the project area, how alternatives will impact ambient noise levels in the project area and describe any measures that can be implemented to mitigate the anticipated impacts. Impacts should address short (during construction) and long term (operational) impacts on noise levels.
- Describe any water quality resources issues relative to the project site. This could also include water use classifications or local issues due to project runoff during and after construction. If applicable, description of the Clean Water Act requirements and state standards and any agency consultation. Describe how the alternatives will impact water quality in the project area and describe any measures that can be implemented to mitigate the anticipated impacts for the project and alternatives. Impacts should address short (during construction) and long term impacts on water quality.
- Describe biological resource issues relative to the project site. This can include wetlands (EO 11990 and requirements), protected species (plant, animal and aquatic, vegetation wildlife and aquatic resources, areas with special designation, and cultural resources (historical and archaeological). How alternatives will impact wetlands in the project area and describe any measures that can be implemented to mitigate the anticipated impacts described above. Impacts should address short term (during construction) and long term impacts on wetlands, species, habitat, sensitive ecological cultural areas. For cultural resources State Historic Preservation Office (SHPO) should be consulted and a brief description of the requirements of Section 106 of the National Historic Preservation Act and implementing regulations contained in 36 CFR 800. Describe how project alternatives will impact the above items and describe any measures that can be implemented to mitigate the anticipated impacts described above. This could include any MOAs, MOUs, or Programmatic Agreements. Impacts should address short (during construction) and long term impacts. Provide a letter received from SHPO regarding the project in the report.
- Prepare a description of the cumulative impacts (if any) on the environment. A cumulative impact is defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future action".
- Prepare a description of permits typically required for this type of action. This includes building codes and requirements, storm water and sediment and erosion control requirements, etc.
- Provide a summary in the report including an introductory paragraph on the proposed alternative and the other alternatives evaluated in the document. A table describing the assessment categories (environmental settings) and the impacts of each alternative on that assessment category (including the No Action alternative).
- Provide a summary list of federal, state and local agencies (with address and phone numbers) that were consulted during the preparation of the environmental assessment. Coordination letters sent to the agencies and their comments should be provided in the Appendices. Summary of phone consultations (citing date and individual contacted) should also be included in Appendices.
- The City shall review the report and provide comments to CPH. CPH shall address one (1) round of comments by the City and update the report to reflect the comments.



SECTION C. COMPENSATION:

The compensation will be provided as a lump sum fee of **\$14,110.00**. The project shall be billed monthly based on percent complete, and in compliance with existing contract between CPH and the City.

SECTION D. AUTHORIZATION:

IN WITNESS WHEREOF, the parties herein have executed this Task Authorization No. 12, in accordance with executed Agreement between the Parties, as of the day and year written below.

THE CITY OF EVERGLADES CITY
by and through its City Council

CONSULTANT: CPH, LLC.

By: _____
Mayor Howell Grimm, Jr.

By: Kyle Bechtelheimer
Kyle Bechtelheimer, P.E.
Client Services Manager

Date

4/15/2024
Date