

# North Florida Water Utilities Authority

July 1, 2024

9:30 AM

**971 W Duval Street, Suite 150**

Large Conference Room

Lake City, FL 32055

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## **Agenda**

1. Call to Order
2. Pledge
3. Roll Call
4. Approval of the Minutes
5. Additions and Deletions

### **Presentations to the Board**

6. MFL presentation by Heather Webber of CCUA
7. Presentation by Andrew Palmer
8. Presentation on Insurance Coverage Process
9. Presentation by Columbia County Clerk of Courts

### **Discussion and Action**

10. Selection of 5<sup>th</sup> Board Member
11. Contract for Consulting Services
12. Process to Select Executive Director
13. USDA Rural Community Development Initiative
14. Budget Process and Selection of Bank
15. Purchasing Policy
16. Web Site
17. Reschedule August Meeting Date

### **Board/Public/Comments**

11. Public Comments
12. Board Comments
13. Adjournment



June 17, 2024

## **DRAFT #4**

TO: North Florida Water Utilities Authority

FR: North Florida Professional Services

RE: Transitional Issues to Be Resolved

To successfully transition water and sewer utility operations from Columbia and Suwannee counties to the newly formed North Florida Water Utilities Authority (NFWUA), decisions regarding the following would aid in expediting the process.

### **Purchasing Policy -**

The NFWUA has not adopted its own Purchasing Policy; therefore, it is recommended that the Board adopt either the Purchasing Policy of Columbia or Suwannee County on an interim basis. NFPS has a "Continuing Services Contract" with both; therefore, there shouldn't be any procedural issues with approving the requested "Task Assignment" from NFPS for interim consulting services to the NFWUA. FYI – Staz has been tasked with developing a draft purchasing policy for the NFWUA. This document will not be finalized and adopted by the NFWUA until later.

### **Selection of 5<sup>th</sup> Board Member -**

We understand that an ad requesting interested individuals wishing to serve on the NFWA Board has been published.

- 1.) What are the requirements to serve on the Board, if any, other than residency?
- 2.) It appears the appointed Board Member will be required to file a "Financial Disclosure Form". Is this correct?

### **Selection of Executive Director-**

A "draft" job description can be prepared and scheduled for Board review and approval on the August NFWUA agenda.

- 1.) Has a salary for the position been determined or do you wish for the job advertisement to require applicants to submit their salary requirement?
- 2.) Does the Board wish to see applications for employment or resumes?

3.) What address (physical and email) will be used for the return of applications and/or resumes?

4.) It is assumed the selected individual will be hired by contract. Is this correct?

5.) A list of job posting locations will be created for Board approval. The list will include the local newspaper, county websites, etc. It is also assumed the Board would want to post the job in other publications as well (i.e. utility newsletters, private and public utility providers, utility support groups, etc.) Is this correct?

#### **Web Site -**

It is recommended that the NFWUA create a web site for its operations as soon as possible. Here are three (3) recommendations to expedite this process:

- 1.) Use Columbia County staff and perform the work in-house.
- 2.) Use Suwannee County's contracted IT services company, Marketing Alliance.
- 3.) Use NFPS through a Task Order approval.

#### **Rate Study -**

The NFWUA needs to authorize the issuance of a "Request for Proposals" (RFP) to perform a utility rate study for the approved NFWUA service area. Selection of the final individual/entity to perform the study will be in accordance with the "Consultants Competitive Negotiation Act" as provided by Florida Law. A draft RFP can be prepared and ready for Board review and approval at the August NFWUA meeting. Does the Board wish to authorize the preparation of an RFP for performing a rate study?

#### **Budget - FY Ending September 30, 2024**

It is understood the Board wishes to have a budget prepared for the remainder of the current fiscal year (ending September 30, 2024). The current fiscal year budget will be funded by a revenue pledge from both Columbia and Suwannee Counties.

- 1.) All expenses related to the NFWUA for the remainder of the current fiscal year will be expensed to the new budget. Is this correct?
- 2.) How does the Board wish to "reimburse" each county for "forced-account expenses" (services provided to the NFWUA by an employee paid for through a

separate budget)? Hourly rate, hourly rate including benefits, standard program reimbursement rates (i.e. FEMA) or other?

3.) Who is going to administer the budget of the NFWUA? Columbia Clerk of Courts, Suwannee Clerk of Courts, other?

4.) It is assumed that the budget for the remainder of the current fiscal year will only include transitional expenses. Is this correct?

### **Budget - FY Ending September 30, 2025**

The NFWUA is an Independent Special District that does not levy a tax; therefore, the budget for the NFWUA will be prepared and adopted in accordance with F.S. 189 (attached).

1.) The budget will be prepared and conform to the requirements of Florida Statutes. The budget style and organization will conform to the budget officer's direction? Does the Board agree?

2.) For the FY ending September 30, 2025, the NFWUA budget will be for Operation and Maintenance (O&M) costs only. Does the Board agree?

3.) Before a budget expense for "transfers out" (to be shown as "transfers in" in the NFWUA budget) can be given to each county for inclusion in their respective operating budgets, it will be necessary to complete the NFWUA budget. To complete the NFWUA Tentative Budget for FY 24-25, it will be necessary to obtain the following information:

a.) Estimated O&M costs for each county utility. O&M costs that are performed "in-house" should be estimated by hourly labor costs and hourly equipment costs (see item #2 in Budget – FY Ending September 30, 2024, above). Those O&M costs provided through a contract will be billed at the contract rate. Does the Board agree?

b.) Expenses for the Executive Director will be computed upon the hiring of the position or, if necessary, estimated based on the information obtained from submitted applications/resumes.

c.) Estimated legal fees.

d.) Estimated audit fees.

e.) Estimated operational/office support expenses.

f.) Other?

evaluate responses to solicitations issued by the water management district, as provided in chapter 50 by publication on a publicly accessible website or by publication in a newspaper in the county where the principal office of the water management district is located, or in the county or counties where the public work will be performed, no fewer than 7 days before such meeting.

(2) All meetings of the governing body of the special district shall be open to the public and governed by the provisions of chapter 286.

(3) Meetings of the governing body of the special district shall be held in a public building when available within the district, in a county courthouse of a county in which the district is located, or in a building in the county accessible to the public.

**History.**—s. 10, ch. 79-183; s. 78, ch. 81-259; s. 24, ch. 89-169; s. 19, ch. 97-255; s. 33, ch. 99-378; s. 39, ch. 2014-22; s. 16, ch. 2021-17; s. 15, ch. 2022-103.

**Note.**—Former s. 189.005; s. 189.417.

#### **189.016 Reports; budgets; audits.—**

(1) When a new special district is created, the district must forward to the department, within 30 days after the adoption of the special act, rule, ordinance, resolution, or other document that provides for the creation of the district, a copy of the document and a written statement that includes a reference to the status of the special district as dependent or independent and the basis for such classification. In addition to the document or documents that create the district, the district must also submit a map of the district, showing any municipal boundaries that cross the district's boundaries, and any county lines if the district is located in more than one county. The department must notify the local government or other entity and the district within 30 days after receipt of the document or documents that create the district as to whether the district has been determined to be dependent or independent.

(2) Any amendment, modification, or update of the document by which the district was created, including changes in boundaries, must be filed with the department within 30 days after adoption. The department may initiate proceedings against special districts as provided in s. 189.067 for failure to file the information required by this subsection. However, for the purposes of this section and s. 175.101(1), the boundaries of a district shall be deemed to include an area that has been annexed until the completion of the 4-year period specified in s. 171.093(4) or other mutually agreed upon extension, or when a district is providing services pursuant to an interlocal agreement entered into pursuant to s. 171.093(3).

(3) The governing body of each special district shall adopt a budget by resolution each fiscal year. The total amount available from taxation and other sources, including balances brought forward from prior fiscal years, must equal the total of appropriations for expenditures and reserves. At a minimum, the adopted budget must show for each fund, as required by law and sound financial practices, budgeted revenues and expenditures by organizational unit which are at least at the level of detail required for the annual financial report under s. 218.32(1). The adopted budget must regulate expenditures of the special district, and an officer of a special district may not expend or contract for expenditures in any fiscal year except pursuant to the adopted budget.

(4) The tentative budget must be posted on the special district's official website at least 2 days before the budget hearing, held pursuant to s. 200.065 or other law, to consider such budget and must remain on the website for at least 45 days. The final adopted budget must be posted on the special district's official website within 30 days after adoption and must remain on the website for at least 2 years. This subsection and subsection (3) do not apply to water management districts as defined in s. 373.019.

(5) The proposed budget of a dependent special district must be contained within the general budget of the local governing authority to which it is dependent and be clearly stated as the budget of the dependent district. However, with the concurrence of the local governing authority, a dependent district may be budgeted separately. The dependent district must provide any budget information requested by the local governing authority at the time and place designated by the local governing authority.

(6) The governing body of each special district at any time within a fiscal year or within 60 days following the end of the fiscal year may amend a budget for that year as follows:

(a) Appropriations for expenditures within a fund may be decreased or increased by motion recorded in the minutes if the total appropriations of the fund do not increase.

(b) The governing body may establish procedures by which the designated budget officer may authorize certain amendments if the total appropriations of the fund do not increase.

(c) If a budget amendment is required for a purpose not specifically authorized in paragraph (a) or paragraph (b), the budget amendment must be adopted by resolution.

(7) If the governing body of a special district amends the budget pursuant to paragraph (6)(c), the adopted amendment must be posted on the official website of the special district within 5 days after adoption and must remain on the website for at least 2 years.

(8) A local general-purpose government may review the budget or tax levy of any special district located solely within its boundaries.

(9) All special districts must comply with the financial reporting requirements of ss. 218.32 and 218.39. A local general-purpose government or governing authority may request, from any special district located solely within its boundaries, financial information in order to comply with its reporting requirements under ss. 218.32 and 218.39. The special district must cooperate with such request and provide the financial information at the time and place designated by the local general-purpose government or governing authority.

(10) All reports or information required to be filed with a local general-purpose government or governing authority under ss. 189.014, 189.015, and 189.08 and subsection (8) must:

(a) If the local general-purpose government or governing authority is a county, be filed with the clerk of the board of county commissioners.

(b) If the district is a multicounty district, be filed with the clerk of the county commission in each county.

(c) If the local general-purpose government or governing authority is a municipality, be filed at the place designated by the municipal governing body.

**History.**—s. 10, ch. 79-183; s. 16, ch. 81-167; s. 25, ch. 89-169; s. 13, ch. 96-324; s. 144, ch. 2001-266; s. 26, ch. 2002-1; s. 19, ch. 2004-305; s. 2, ch. 2009-217; s. 14, ch. 2011-144; s. 40, ch. 2014-22; s. 3, ch. 2016-22.

**Note.**—Former s. 189.006; s. 189.418.

**189.017 Rulemaking authority.**—The department may adopt rules to implement the provisions of this chapter.

**History.**—s. 59, ch. 89-169; s. 22, ch. 97-255; s. 67, ch. 2011-142; s. 46, ch. 2014-22.

**Note.**—Former s. 189.425.

**189.018 Fee schedule; Grants and Donations Trust Fund.**—The department, by rule, shall establish a schedule of fees to pay one-half of the costs incurred by the department in administering this act, except that the fee may not exceed \$175 per district per year. The fees collected under this section shall be deposited in the Grants and Donations Trust Fund administered by the department. Any fee rule must consider factors such as the dependent and independent status of the district and district revenues for the most recent fiscal year as reported to the Department of Financial Services. The department may assess fines of not more than \$25, with an aggregate total not to exceed \$50, as penalties against special districts that fail to remit required fees to the department. It is the intent of the Legislature that general revenue funds will be made available to the department to pay one-half of the cost of administering this act.

**History.**—s. 64, ch. 89-169; s. 41, ch. 93-120; s. 15, ch. 96-324; s. 3, ch. 2000-118; s. 31, ch. 2000-151; s. 169, ch. 2003-261; s. 68, ch. 2011-142; s. 47, ch. 2014-22.

**Note.**—Former s. 189.427.

**189.019 Codification.**—

(1) Each district, by December 1, 2004, shall submit to the Legislature a draft codified charter, at its expense, so that its special acts may be codified into a single act for reenactment by the Legislature, if there is more than one special act for the district. The Legislature may adopt a schedule for individual district codification. Any codified act relating to a district, which act is submitted to the Legislature for reenactment, shall provide for the

## STAKEHOLDER ANNOUNCEMENT

### USDA Seeks Applications for Grants to Fund Community and Economic Development Projects in Rural Communities

WASHINGTON, June 10, 2024 – U.S. Department of Agriculture (USDA) Rural Development Under Secretary Dr. Basil Gooden today invited applications for grants to help organizations improve housing, community facilities, and community and economic development in rural areas.

USDA is making up to \$5 million in grants available under the [Rural Community Development Initiative](#) program. The program provides funding to organizations that provide financial and technical assistance for housing, community facilities, or community and economic development projects. Eligible applicants include public (including Tribal) organizations, nonprofit organizations and qualified private organizations.

Grants may be used to train sub-grantees to conduct educational training on homeownership or minority-owned business entrepreneurship. Funds also may be used to provide technical assistance to sub-grantees on:

- strategic plan development
- accessing alternative funding sources
- training and resources for board operations, management, financial systems and information technology

The minimum grant award is \$50,000 and the maximum award amount is \$500,000. Awardees must contribute matching funds equal to the amount of the grant.

USDA is particularly interested in applications that will advance Biden-Harris Administration priorities to:

- Reduce climate pollution and increase resilience to the impacts of climate change through economic support to rural communities.
- Ensure all rural residents have equitable access to Rural Development (RD) programs and benefits from RD-funded projects.
- Help rural communities recover economically through more and better market opportunities and through improved infrastructure.

Additional information on these key priorities is available at [www.rd.usda.gov/priority-points](http://www.rd.usda.gov/priority-points).

Electronic applications must be submitted via [Grants.gov](https://www.grants.gov) by 11:59 p.m. Eastern time on July 10, 2024. The deadline for paper applications is 4 p.m. local time, July 15, 2024.

Additional information is available on page 48870 of the June 10, 2024 [Federal Register](#) or by contacting your [local USDA Rural Development office](#).

To subscribe to USDA Rural Development updates, visit our [GovDelivery subscriber page](#).

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# Rural Community Development Initiative Grants

What does this program do?

**Rural Community Development Initiative Grants (RCDIs) help qualified nonprofit housing and community development intermediary organizations support eligible housing, community facilities, and community and economic development projects in rural areas.**

Who can apply?

- **Public bodies such as state or local governments and their associated authorities, boards, commissions, or councils**
- **Nonprofit organizations**
- **Qualified for-profit organizations**
- **Federally recognized Tribes**

## What is an eligible area?

Any area other than a city or town with a population greater than 50,000, and the area adjacent to such a city or town.

## How can funds be used?

RCDI grants are used to provide capacity-building assistance to improve housing, community facilities, and community and economic development projects in eligible rural areas. Examples of grant uses include:

- Training sub-grantees to conduct homeownership or minority business entrepreneur education
- Providing technical assistance to sub-grantees on things such as:
  - Strategic plan development
  - Finding alternative funding sources
  - Board training
  - Creating training tools (videos, workbooks, reference guides)

## What are some grant terms?

- The minimum grant award is \$50,000, and the maximum award is \$500,000.

- There is a matching fund requirement equal to the amount of the grant award.
- In-kind contributions cannot be used as matching funds.
- Partnerships with other federal, state, local, or nonprofit organizations are encouraged.

## How do we get started?

Applications are accepted annually through a Notice of Funding Availability (NOFA) published in the *Federal Register* (available at this link: [federalregister.gov/](https://www.federalregister.gov/)).

## Who can answer questions?

Your local USDA Rural Development office can help. A list of state offices is available at this link: [tinyurl.com/ytjhaa2x](https://tinyurl.com/ytjhaa2x).

## What governs this program?

- Public Law 106-78, available at this link: [tinyurl.com/ynzwsbpd](https://tinyurl.com/ynzwsbpd)
- Public Law 117-328, available at this link: [tinyurl.com/4wwwkrxh](https://tinyurl.com/4wwwkrxh)
- 2 CFR 200 and associated RCDI guidelines as published in the annual *Federal Register* NOFA.

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**NOTE: Because information changes, always consult official program instructions or contact your local USDA Rural Development office for help. A list is available at this link: [go.usa.gov/xJHPE](https://go.usa.gov/xJHPE). You will find additional resources, forms, and program information at this link: [rd.usda.gov](https://rd.usda.gov). USDA is an equal opportunity provider, employer, and lender.**