

***TIFA***

*SEPTEMBER 22, 2022*

# *AGENDA*

**TIFA LLC MEETING AGENDA**  
**September 22, 2022**  
**11:00 a.m.**  
**MEETING LOCATION**  
**CITY OF TITUSVILLE**  
**CITY HALL, COUNCIL CHAMBER, SECOND FLOOR**  
**555 S. WASHINGTON AVENUE – TITUSVILLE, FLORIDA**  
**Call in Number:**  
(US) 1-866-705-2554 (PIN: 480560)

**Roll Call**

**Action Items**

- I. Approval of the Minutes of the TIFA LLC Meeting August 25, 2022 (Presenter: Daniel Laughlin)
- II. Approval of Agreement with DRMP for Annual Wetland Monitoring (Presenter: Sean Stauffer)

**Financial Items and Reports**

- III. Ratification of Expenses Paid from Operating Account and Request for Reimbursement (Presenter: Daniel Laughlin)

**Staff Reports / Informational Items**

**Other Business**

**Public Comment**

**Next Scheduled Meeting**

**Open Items**

**Adjournment**

*Any person who decides to appeal any decision of the TIFA Members with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*TIFA desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically*

*handicapped person desires to attend the meeting.*

*FIRST ORDER OF BUSINESS*

Date: September 22, 2022

To: TIFA LLC Management Committee

From: Sarah Sweeting, GMS, LLC

Subject: Approval of Minutes – August 25, 2022 TIFA LLC Meeting

**Summary Explanation & Background:** The draft minutes of the August 25, 2022 TIFA LLC meeting were previously circulated for review. The minutes of the TIFA LLC meeting are presented for review and approval. Since the draft minutes were circulated, comments were received from Farmton Water Resources / Miami Corporation on September 7, 2022. On September 8, 2022 the City of Titusville indicated they had no additional comment. No other comments have been received.

**Source of Funds:** This action requires no funds.

Minutes of TIFA LLC Meeting  
August 25, 2022  
11:05 a.m.  
City Hall Council Chamber, Second Floor  
555 S. Washington Avenue  
Titusville, Florida

Persons in Attendance

Robbie E. Lee, Jr., Miami Corporation Management, LLC, TIFA Management Committee Member  
Jim Ball, City of Titusville, TIFA Management Committee Member  
Sean Stauffer, City of Titusville, Water Resources Director  
Richard Broome, City of Titusville, City Attorney  
David Fuechtman, Farmton Water Resources (by telephone)  
Jeremy Lebrum, GMS, LLC  
Daniel Laughlin, GMS LLC

Daniel Laughlin conducted the meeting.

**Roll Call**

**Action Items**

**I. Approval of the Minutes of the TIFA LLC Meeting of July 21, 2022 (Presenter: Daniel Laughlin)**

Member Ball moved to approve the July 21, 2022 meeting minutes as presented. Member Lee concurred and the motion passed.

**Financial Items and Reports**

**II. Ratification of Expenses Paid from Operating Account and Request for Reimbursement (Presenter: Daniel Laughlin)**

Member Ball moved to ratify the expenses paid from the operating account and request for reimbursement in the amount of \$16,244.25. Member Lee concurred and the motion passed.

**Staff Reports/Informational Items**

**Other Business**

**Public Comment**

**Next Scheduled Meeting**

The next scheduled meeting will be September 22, 2022 at 11:00 a.m.

**Open Items**

**Adjournment**

Member Lee moved to adjourn the meeting at 11:07 a.m. Member Ball concurred and the meeting adjourned.



*SECOND ORDER OF BUSINESS*

August 23, 2022

DRMP Job #: 17-0534.000

Daniel Laughlin  
Governmental Management Services, LLC  
Assistant District Manager  
475 West Town Place, Suite 114  
Saint Augustine, FL 32092

**Subject: Area IV Wellfield Annual Wetlands Monitoring and Reporting  
Brevard County, Florida  
Scope of Services and Fee**

Thank you for selecting DRMP Inc. (DRMP) and allowing us to provide TIFA LLC (TIFA) with professional services related to the Annual Wetlands Monitoring and Reporting services for the Area IV Wellfield (Consumptive Use Permit (CUP) 99052-11). TIFA, a limited liability company whose members are the City of Titusville, Florida and Farnton Water Resources LLC, is the holder of the following permits which are associated with its Area IV Wellfield located in the northwest corner of Brevard County, Florida:

1. Consumptive Use Permit ("CUP") No. 99052-11 as issued by the St. Johns River Water Management District ("SJRWMD") on April 21, 2020.
2. Environmental Resource Permit ("ERP") No. SAJ- 2013 - 01475 as issued by the U.S. Army Corps of Engineers ("USACE") on March 20, 2014.

DRMP's scope of services are as follows:

#### **Scope of Services**

##### **Task 1 - Annual Wetlands Monitoring Reports (2023, 2024, and 2025)**

On or before March 7 of each year, DRMP shall submit (to a designated ftp site) the "TIFA Review Draft" of the Annual Wetlands Monitoring Report. The TIFA Review Draft shall include all information intended to be included in the regulatory agency submission. TIFA LLC shall provide DRMP with final written review comments regarding the TIFA Review Draft on or before March 21 of each year. DRMP shall revise the TIFA Review Draft to incorporate the comments and shall submit the revised report to TIFA LLC on or before March 28 of each year for final approval. On or before March 31 of each year, DRMP shall submit the final approved Annual Wetlands Monitoring Report to the SJRWMD and the USACE. The report will be submitted in a single consolidated version. The report will comply with the specific requirements of both the SJRWMD CUP and the USACE ERP, which are summarized as follows:

##### **SJRWMD CUP No. 99052-11, Condition #19 Reporting**

DRMP will submit the annual report summarizing the monitoring efforts and comparing all of the wetland monitoring data from all monitoring sites recorded for the last calendar year and previous years. The report will include panoramic photos taken in September of each year at the established photo stations, and graphs summarizing the pumping volume and monitoring data. The elevation of the wetland/upland interface will be indicated on graphs. The report will also include a brief analysis of any data trends.

All monitoring well water level data and all wellfield flow data will be provided to DRMP by TIFA LLC. DRMP will be responsible for all other required data gathering, including the gathering of posted rainfall data from the SJRWMD station located at Parrish Park in Scottsmeer.

The Annual Wetlands Monitoring Report shall be submitted to the SJRWMD in electronic format.



USACE ERP No. SAJ-2013-01475, Special Condition #13 Reporting  
Reporting will include the following:

a. Project Overview

1. Department of the Army Permit Number
2. Name and contact information of Permittee and consultant
3. Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted
4. A summary paragraph defining the purpose for the approved project, and provide the acreage and type of aquatic resources being monitored
5. Written description on the location and any identifiable information to locate the site perimeter(s)
6. Directions to the monitoring site (from a major highway)
7. Dates monitoring occurred
8. Short statement on whether the performance standards are being met
9. Dates of any recent corrective or maintenance activities conducted since the previous report submission
10. Specific recommendations for any additional corrective or remedial actions.

b. Requirements

A list of the monitoring requirements and performance standards, as specified in the wetland monitoring plan and special conditions of the permit, will be included and the areas will be evaluated as to whether they still meet the USACE definition of a wetland, any vegetative, hydrologic or soil changes within the wetlands will be identified and it will be demonstrated that the consumptive use permit has not adversely impacted the adjacent wetlands.

c. Summary Data

Monitoring data shall be provided to substantiate the success and/or potential challenges associated with the monitoring project. Photo documentation will be dated and clearly labeled with the direction from which the photo was taken, and be identified on the appropriate maps.

d. Maps:

Maps shall be produced to show the location of the monitoring areas relative to other landscape features, habitat types, locations of photographic reference points, transects, sampling data points, and/or other features pertinent to the monitoring plan.

e. Conclusions:

A general statement shall be included describing the conditions of the monitored areas. If performance standards are not being met, a brief explanation of the difficulties and potential remedial actions proposed by the Permittee, including a timetable, shall be provided.

The Annual Wetlands Monitoring Report shall be submitted to the USACE on 8 1/2-inch by 11-inch paper to the following address:

U.S. Army Corps of Engineers  
Regulatory Division  
Enforcement Section  
P.O. Box 4970  
Jacksonville, FL 32232

**Task 2 - Additional Services**

If TIFA LLC desires to change, expand or add to the services described above, an additional scope will be negotiated. This negotiation will be accomplished prior to further work on the project. The fee for any change or expansion of services will be based on hourly rates as set forth in the Task Pricing Schedule.



**Task Pricing Schedule**

DRMP hereby agrees to perform all work as required by the Scope of Services for the task prices provided in the following Task Pricing Schedule, inclusive of furnishing all manpower, equipment, materials, transportation and performance of all operations and incidental work or activities relative to completion of the work and in full conformance with all the requirements contained herein. Any work or activity for which there is not a designated task will be considered incidental to the work and no additional compensation will be allowed.

<b>Task</b>	<b>Description</b>	<b>Task Price</b>
1(a)	Annual Monitoring Report - 2023	\$5,000
1(b)	Annual Monitoring Report - 2024	\$5,000
1(c)	Annual Monitoring Report - 2025	\$5,000
2	Additional Services	Attached Hourly Rate Schedule

This Scope of Services and Fee Schedule are hereby submitted by:

Sincerely,  
**DRMP, Inc.**

 8/22/2022  
 George McLatchey, P.W.S., CEP      Date  
 Vice President

This Scope of Services and Fee Schedule as authorized above are hereby accepted by:

**TIFA LLC.**

\_\_\_\_\_  
 James Ball      Date  
 TIFA LLC Management Committee

\_\_\_\_\_  
 Robbie E. Lee Jr.      Date  
 TIFA LLC Management Committee

**Attachments:**

- Exhibit I – DRMP Hourly Rate Schedule and Conditions of Agreement
- Exhibit II – DRMP Certificate of Liability Insurance
- Exhibits IIIA – TIFA Release, Hold Harmless, and Indemnity Agreement
- Exhibits IIIB – TIFA Release, Hold Harmless, and Indemnity Agreement
- Exhibits IIIC – TIFA Release, Hold Harmless, and Indemnity Agreement

CC: Accounting

**EXHIBIT III**

**RELEASE, HOLD HARMLESS AND INDEMNITY AGREEMENT**

For purposes of this Release, Hold Harmless and Indemnity Agreement (“hereafter referred to as the “Agreement”), the following definitions are hereby established:

“Landowner” – Any of the following entities: Miami Alternatives, LLC; Farmton 5A, LLC

“Indemnitees” – Miami Alternatives, LLC; Farmton 5A, LLC; Farmton Water Resources LLC; TIFA LLC; City of Titusville; and the owners, directors, officers, managers, employees, members, shareholders, representatives, affiliates, subsidiaries, and agents of these named entities.

“Company” – DRMP, Inc.  
(Print Company Name)

In consideration of the Landowner permitting personnel of the Company to enter into certain designated areas in which the Landowner has an interest in real property, the Company hereby agrees to:

(1) Waive, release and discharge the Indemnitees from any and all liability for death, disability, personal injury, property damage, property theft or action of any kind which may hereafter accrue to owners, directors, officers, managers, employees, members, shareholders, representatives, affiliates, subsidiaries, or agents of the Company, and,

(2) Indemnify and hold harmless Indemnitees from any and all liability or claims made by other individuals or entities as a result of actions on Landowner’s property by the owners, directors, officers, employees, managers, members, shareholders, representatives, affiliates, subsidiaries, or agents of the Company and,

(3) Reimburse Landowner for any necessary expenses, attorney’s fees and costs incurred in the enforcement of any part of this Agreement plus interest on any amount unpaid at the rate of 18% per annum (or the maximum amount allowed by law, whichever is less) within thirty days after receiving written notice that the Landowner has incurred them.

The undersigned Company representative hereby swears that he or she has full legal authority to execute this Agreement on behalf of the Company and full legal authority to bind the Company to the terms of this Agreement.

Witness: 

Name: George McLatchey, PWS, CEP

Witness: 

Title: Vice President/Environmental Division Manager

Signature: 

Date: August 23, 2022

*THIRD ORDER OF BUSINESS*

**TIFA LLC  
INVOICE APPROVAL BY MANAGERS**

**WHEREAS**, the undersigned are the duly appointed and acting Managers of TIFA LLC, which operates pursuant to that certain Limited Liability Company Operating Agreement of TIFA LLC dated May 24, 2010 (“Operating Agreement”); and,

**WHEREAS**, at a duly called and noticed public meeting of the Managers as indicated below, the undersigned approved the contract and/or authorized the expenditure as indicated below, and further authorized the managers to execute the Invoice Approval by Managers form reflecting such authorized expenditures in order to process payments.

**Previous Authorizations**

TIFA Meeting Date	Approved	Total Contract or Expenditure Authorized
8/22/2022	Imprest Account Reimbursement from Depository Account	See Attached

**NOW, THEREFORE**, the Managers of TIFA LLC, based upon the previous TIFA authorizations, approve the following payments:

Invoice Description	Total Amount	Pursuant to Previous TIFA Authorization Date	Invoice Payment
Transfer to imprest account at Northern Trust ending *8866	\$11,502.28	8/22/2022	To be Paid by TIFA upon this approval

Except as otherwise set forth herein, defined terms shall have the meaning set forth in the Operating Agreement. This Action may be executed in several counterparts, and all counterparts so executed shall constitute one Approval binding on all parties.

**IN WITNESS WHEREOF**, the undersigned represent and warrant that each is the duly authorized and appointed agent of TIFA LLC.

\_\_\_\_\_  
Robert E Lee, Manager

\_\_\_\_\_  
Jim Ball, Manager

Date: \_\_\_\_\_, 2022

Date: \_\_\_\_\_, 2022

# TIFA LLC Check Detail

August 20 through September 13, 2022

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check	1368	09/08/2022	The Colinas Group	103.00 · Cash- Nort...		-2,000.00
Bill	O-869-8	06/23/2022		508.00 · Wetland M...	-2,000.00	2,000.00
TOTAL					-2,000.00	2,000.00
Bill Pmt -Check	ACH09132022	09/13/2022	Florida Power & Light	103.00 · Cash- Nort...		-7,307.01
Bill	11526-54016Sep22	09/01/2022		511.00 · Utilities	-331.18	331.18
Bill	47893-42013Sep22	09/01/2022		511.00 · Utilities	-612.57	612.57
Bill	54213-71161Sep22	09/01/2022		511.00 · Utilities	-393.92	393.92
Bill	75317-43016Sep22	09/01/2022		511.00 · Utilities	-613.63	613.63
Bill	76646-91016Sep22	09/01/2022		511.00 · Utilities	-608.87	608.87
Bill	09060-50505Sep22	09/01/2022		511.00 · Utilities	-338.35	338.35
Bill	24869-01248Sep22	09/01/2022		511.00 · Utilities	-356.26	356.26
Bill	40983-63494Sep22	09/01/2022		511.00 · Utilities	-321.37	321.37
Bill	62400-69564Sep22	09/01/2022		511.00 · Utilities	-362.36	362.36
Bill	73681-17557Sep22	09/01/2022		511.00 · Utilities	-331.18	331.18
Bill	83665-19117Sep22	09/01/2022		511.00 · Utilities	-360.23	360.23
Bill	18790-42503Sep22	09/01/2022		511.00 · Utilities	-764.03	764.03
Bill	32610-23505Sep22	09/01/2022		511.00 · Utilities	-737.09	737.09
Bill	54996-25506Sep22	09/01/2022		511.00 · Utilities	-542.70	542.70
Bill	74008-14500Sep22	09/01/2022		511.00 · Utilities	-633.27	633.27
TOTAL					-7,307.01	7,307.01
Bill Pmt -Check	1369	09/13/2022	The City of Titusville	103.00 · Cash- Nort...		-2,195.27
Bill		08/31/2022		501.00 · O&M Oper...	-2,195.27	2,195.27
TOTAL					-2,195.27	2,195.27