

1 **MINUTES OF THE WORKSHOP MEETING** of the City Council of the City of Orange City,
2 Florida, held on Saturday, November 08, 2008 at 8:00 a.m. in Council Chambers, 201 N. Holly Avenue,
3 Orange City.

4

5 **CALL TO ORDER** The Meeting was called to order at 8:00 a.m. by Mayor Strickland and roll call was
6 taken.

7

8 **ROLL CALL**

9

10 **PRESENT:** Mayor Harley Strickland; Vice Mayor Jeff Allebach; Council Members; Tom Laputka,
11 Tom Abraham, Jim Mahoney; City Attorney William Reischmann; Interim City Manager
12 Chester Murray; Deputy City Clerk Gloria Williams

13

14 **ABSENT:** Council Members Don Sherrill, and Donald Sandford

15

16 1. **DISCUSSION ON ALTERNATIVE WATER**

17

18 Interim City Manager Chester Murray advised Council the purpose of the workshop is to learn about the
19 St. John's Water Management District (SJWMD) mandates for alternative water sources and to discuss
20 Orange City's options.

21

22 Paul Johnson, Public Works Director, came forward. Referring to a power point presentation (a copy of
23 which is attached and becomes a permanent part of these minutes), Mr. Johnson detailed the SJWMD
24 projections and mandates. He said the SJWMD has conducted a study suggesting that the majority of
25 the City's water supply should come from alternative sources noting SJWMD findings are based on the
26 the flows coming out of Blue Springs. It has been determined that a standard flow of 157 cubic feet per
27 second from the river is an optimum amount to sustain the manatee habitat, other wildlife and vegetation
28 along the St. John's River. Currently the flow is about 135 cubic feet per second which is well below
29 the standard. According to the SJWMD the best way to increase the flow is to reduce ground water
30 pumping and supplement water needs with alternative water sources. Mr. Johnson agreed that reducing
31 ground water pumping would increase the flow but that the SJWMD has not considered conservation or
32 reclaimed water programs as alternative water supplies. He said the SJWMD has requested that the City
33 make a commitment to a specific alternative water supply project. The City has already committed to
34 the Yankee Lake Project with Seminole County. In addition, staff began reviewing the water element in
35 the Comprehensive Plan as required by the State. Mr. Johnson noted the City's Consumptive Use
36 Permit (CUP) is under review and predicted that it would be returned with a stipulation that will specify
37 that the City be committed to a project.

38

39 Mayor Strickland questioned whether the project would be specific to City boundaries or the Blue
40 Springs basin and if it would include residential well users on the west side of the City. Mr. Johnson
41 said it is the Blue Springs basin which would include the cities of DeLand, DeBary, Deltona and Orange
42 City. He noted that these wells are not regulated and do impact the flows of the river and the SJWMD
43 did not consider them in their study. He suggested that another reason the findings of the SJWMD are
44 askew is because it does not include data on the number of residential wells pumping into the aquifer.
45 Mr. Reischmann pointed out that residential wells would be accounted for in the scope of study that the
46 "West Side Partners" is conducting.

47

1 Mr. Johnson commented that a representative from the Yankee Lake Project could not be present. He
2 explained that Seminole County is currently involved in litigation over withdrawals from the St. John's
3 River. Duval County, Jacksonville and other entities filed a law suit seeking an injunction against
4 withdrawals. Seminole County felt positive with the outcome of a recent administrative hearing and
5 anticipate a favorable ruling at the final hearing. As a result Seminole County has decided to proceed
6 with the Yankee Lake project. Phase 1 deals strictly with the construction of a reuse plant to
7 supplement irrigation water with a minimum withdrawal of seven million gallons a day. The SJWMD
8 has set a limit of 150 million gallons of water a day that could be withdrawn from the river and not
9 impact the environment.

10
11 Mayor Strickland questioned the number of different facilities planned. Mr. Johnson responded that the
12 number of entities seeking to build facilities would be reduced due to the feasibility of the project.
13 While there may be multiple plants that could withdraw water from the river all must comply with the
14 combined 150 million gallon a day requirement. He detailed the current challenges noting that an intake
15 structure must be built which has been designed to include the water requirements for both phases of the
16 project.

17
18 Mr. Johnson said that the second phase of the Yankee Lake Project would involve the construction of a
19 plant for potable water. He discussed the preliminary design for the plant. The proposed facility would
20 have an intake size of about 70 million gallons a day. Seminole County is looking for a commitment as
21 to the amount of water each "taker" would withdraw from the plant because that would determine the
22 size of the plant to be constructed. There is also a requirement for a financial commitment from the City
23 of \$1.2 million dollars to get onboard with the project. Seminole County is looking to put this project
24 out to bid for construction in the spring of next year which means they will be looking for a commitment
25 within the next 6 to 12 months. A decision will have to be made on participation in the project in the
26 very near future.

27
28 Mr. Johnson introduced Ms. Lindsay Roberts, Executive Director of WAV. Ms. Roberts came forward
29 to discuss the Coquina Coast Sea Water Desalination Project. Referring to a power point presentation (a
30 copy of which is attached and becomes a permanent part of these minutes) she said that the Coquina
31 Coast project is a very costly project with an expected completion timeframe of 10 years. The appeal of
32 the project is that is not litigation prone. A memorandum of agreement has been executed creating two
33 classes of participants – full members (also known as suppliers) and ex-officio (non-voting) members.
34 She listed the "suppliers" noting that SJWMD is a party to the agreement, but not as a supplier and does
35 not vote. She said that the Water Authority of Volusia (WAV) paid a \$10,000 fee to participate as an
36 ex-officio member noting that it preserves the right to join at the buy-in cost of the other suppliers. Ms.
37 Roberts advised that the project has two phases that are running concurrently. During phase 1, technical
38 data for a land-based treatment option as well as off-shore ship based treatment would be compared and
39 analyzed. The project consultants will submit an optimization report evaluating the pros and cons for
40 each option and a recommendation on the best way to proceed with the project will be presented to the
41 members.

42
43 Phase 2 of the project would include the preliminary design and include all the environmental
44 information documents and the National Environmental Pollution Protection Agency reports (NEPA).
45 Malcolm Pimie has been selected as the main engineering firm for the project and is currently
46 negotiating with the team members. Once negotiations are completed, the contract will be reviewed by
47 the "suppliers" and then submitted to the Palm Coast City Council for approval. Once approved, each
48 supplier will have 60 days to go back to their elected bodies for affirmation of the shared costs.
49 SJWMD will do the presentation at each of those meetings. Ms. Roberts suggested that by February or

1 March of next year everyone would have committed to the project. To get a cost estimate, the legal
2 council for the Malcolm Pimie and the SJWMD are simultaneously negotiating both phases of the
3 project with the understanding that Phase 2 may need to be modified. Ms. Roberts advised that this is a
4 long and complex project. The construction will be enormous and there are going to many technical
5 studies. She listed the components noting that some components will change after the preliminary
6 design process once a decision is made about whether this would be a land-based or ship-based
7 treatment process. The total project costs for the preliminary design, phases 1 and 2 for the district and
8 the suppliers will not exceed \$6,213,000. SJWMD will contribute 30% for the cost of preparing the
9 report not to exceed \$2.2 million dollars. The "Suppliers" have committed to a total cost of \$6.1 million
10 and ex-officio members contribute \$10,000 annually.
11

12 Council Member Laputka questioned the cost of a "Supplier" membership in the project. Ms. Roberts
13 advised that would depend on the volume of water that is needed noting the anticipated total cost would
14 be divided among the existing suppliers and recalculated based on the volume of water the supplier
15 wants to receive.
16

17 In response to a question from Mayor Strickland, Ms. Roberts said the SJWMD has made a commitment
18 of \$2.2 million dollars to this project. In addition, they are seeking ad valorem and federal funding.
19 Mayor Strickland commented that even if the City chooses not be involved in this project, as tax paying
20 citizens we would still be contributing to the project. Ms. Roberts responded in the positive.
21

22 Mr. Murray commented that the expected completion date of this project is ten years. He questioned
23 whether a decision by the City to participate would satisfy the Water Management District's mandate to
24 secure an alternative water source within five year. Ms. Roberts expressed her opinion that the SJWMD
25 is pushing for a commitment from local municipalities and if that commitment is made, then there may
26 be some flexibility with the 5 year mandate.
27

28 Ms. Roberts continued stating that if there was no outside funding for the Coquina Coast Project,
29 Orange City's estimated cost would be \$5,600,242 per year. Customer water bills will increase to about
30 \$71 for single family and \$128 for commercial users and, with adjustments for inflation that cost would
31 be even more. Mayor Strickland remarked this is not a true figure because taxes would increase and
32 there is no way to calculate that at this time. Ms. Roberts said that SJWMD is seeking to provide Water
33 Protection and Sustainability Program funding for the construction of the project and ad valorem
34 funding which everyone will pay as taxpayers. In addition, Federal funding is anticipated for phase two
35 and regardless of whether the federal funding is obtained, all National Environmental Protection Agency
36 documentation and requirements will be followed. Ms. Roberts detailed the timeline for completion,
37 noting the key points. Phase 1 and 2 are expected to be completed by 2011 and there will need to be
38 government agreements completed by 2012 and the entire construction would not be completed until
39 2017. A commitment by the project coordinators has been made to have a web site with all the
40 documentation posted and will include all working drafts of the technical drawings. Ms. Roberts
41 advised that determining a level of participation should be done as quickly as possible noting that an
42 earlier decision could mean better planning and design and the costs can be distributed over many years
43 which will reduce the impact to the consumers.
44

45 Mayor Strickland questioned the conflicting timeframes for selecting an alternate water source. He said
46 that the SJWMD has given the City five years to develop a plan. Mr. Murray suggested that the
47 SJWMD is requiring a commitment to a project and if a true commitment is made SJWMD would be
48 flexible with the 5 year mandate. Mr. Murray cautioned that the Yankee Lake project is a finite
49 solution. From the time Yankee Lake is completed, it would supply the area for 25 years and then

1 another water source would have to be found. The cost of the Coquina Coast Project may be
2 substantially higher, but it offers a permanent solution. Council Member Mahoney suggested there may
3 be problems with salt and waste from the desalination process. Ms. Roberts said the initial design of the
4 plant takes that into account and the engineers are confident that it could be resolved.
5

6 In response to a question from Mr. Murray, Ms. Roberts advised that it is too late to join as ex-officio
7 members. WAV has joined as “place holder” for WAV member agencies and will act on their behalf.
8

9 Mr. Murray said that Yankee Lake is in the design phase. What Seminole County is requesting is a
10 commitment from those wishing to participate. It is a use or loose option.
11

12 Council Member Mahoney asked if conservation efforts are being considered with regard to the Yankee
13 Lake Project. Mr. Johnson said that is correct and noted that the use of conservation measures could
14 extend the life of the Yankee Lake Project.
15

16 Mayor Strickland said that the City currently pumps stormwater into the river. He questioned if storm
17 water could be redirected and used as an alternative water source. Mr. Johnson advised that City
18 consultants have suggested that the City could pull about one million gallons of storm water for
19 reclamation. He noted that is the plan for the Rhode Island project. Mayor Strickland suggested that
20 stormwater be considered an alternative water supply. Mr. Murray said that would require large holding
21 ponds and the amount of stormwater is dependent on the amount of rain. Mr. Reischmann suggested
22 that staff prepare a chart that compares the City’s options and associated costs for the projects that it is
23 considering.
24

25 Mr. Johnson handed out copies of an economic study funded by the SJWMD at the request of the West
26 Volusia Partners (a copy of which is attached and becomes a permanent part of these minutes). The
27 initial investment for the Yankee Lake project is \$1.2 million up front and the remainder of the project
28 would be subsidized by Seminole County. Seminole County would charge the partners as the water is
29 used. The average monthly cost to the consumer is projected to be about \$40 per month.
30

31 Mr. Murray discussed the issues with Yankee Lake noting that the initial capital is non-refundable and
32 buys the City a place in the design process. Mayor Strickland asked if the partnership could be sold to
33 other potential users. Mr. Reischmann suggested there may be technical limitations and Seminole
34 County may not allow participants to assign their benefit to others.
35

36 Mr. Johnson said the Coquina Coast Project is a permanent solution with an unlimited water source. As
37 the plant grows it may require upsizing and there are unknown costs associated with that. In response to
38 a question from Council Member Laputka, Mr. Johnson said that communities in South Florida are
39 drilling deep wells. He said the water from the wells must be treated so a plant is required. Council
40 Member Laputka suggested there are other options than what is being proposed to Council. Mr.
41 Johnson responded that the SJWMD may not sanction drilling deep wells in the river.
42

43 Mr. Murray said that the City has a total buildout number of about 3 million gallons a day, and the
44 current water usage is about 1.7 billion gallons of water a day. Mayor Strickland said the average
45 monthly water bill in the City is \$23. He questioned at what point the City should consider increasing
46 the water bill in order to address conservation. Mr. Murray suggested that the Council consider
47 incrementally increasing the water bills and starting a capital fund dedicated to upcoming water issues.
48 Mr. Johnson stating that the Utility could double its base rate to \$17 per month and raise a half a million
49 dollars a year which would leave a \$700,000 shortfall. If the City borrows the money over three years

1 there would still be an additional \$7.63 per month charge per customer to pay for the loan. Mr. Murray
2 advised that the increase to the consumers would be about \$25.00 per month otherwise. Mr. Johnson
3 said if the program is started within the next couple of months, it could be reasonable for the consumer.
4

5 In response to a question from Council Member Abraham, Mr. Johnson advised the County is moving
6 towards the Yankee Lake Project. He said he did not have any information on the additional costs to
7 consumers. Council Member Abraham suggested that the County would have the resources to
8 regionalize the project and reduce the expenses to the City. Mr. Johnson remarked that the County's
9 needs are not as extensive as other Utilities.
10

11 Vice Mayor Allebach expressed his concerns that residents who have wells do not have to pay for their
12 water. A lengthy discussion ensued about wells and possible connections to the City's water supply. It
13 was suggested that the wells could be capped. A citizen from the audience remarked that capping a
14 citizen's wells could create problems.
15

16 Mr. Murray concluded the meeting by stating that staff will bring forth some recommendations for
17 capital funding. Council Member Mahoney suggested that staff look at what could be done besides
18 increasing the water rate. Mr. Johnson responded that things such as St. Augustine grass could be
19 prohibited; plumbing and fixture water restrictions are also areas that could be looked at. Mr. Murray
20 said that staff will take a look at putting together a fund and bring it to Council by January.
21

22 A citizen from the audience asked what type of desalination plant is being considered. Ms. Roberts
23 responded that the Coquina Coast is preparing a study that would determine whether the desalination
24 plant would be ship based or off shore, but it would be a reverse osmosis plant.
25

26 *The Mayor recessed the meeting at 9:38 a.m. and reconvened at 9:49 a.m.*
27

28 **2. GEL GROUNDWATER POLLUTION UPDATE**

29

30 Mr. Murray announced that this is an informational workshop to update Council on the Lake Marie/GEL
31 Landfill matter. He said that while the landfill has been "closed," the City must deal with ground water
32 pollution and structure maintenance. Mr. Murray advised that Mr. Reischmann, Ms. Eger and Mr.
33 Watts are present to discuss the matter in detail and to answer any questions Council may have.
34

35 Mr. Reischmann came forward and detailed the history of the Lake Marie/GEL Landfill. Referring to a
36 timeline of events (a copy of which is attached and becomes a permanent part of these minutes). He
37 said that in the late 1960's to the early 1970's Mr. William Thrower owned and operated a refuse
38 business called the Lake Marie Landfill. Mr. Thrower dug borrow pits and allowed local businesses and
39 residents to dispose of Class I refuse in the pits. He explained that according to DEP standards, Class I
40 refuse could include dry cleaning effluents, oil, petroleum, household garbage, batteries, and lead paint.
41 He stated the borrow pits were dug deep enough to reach the surficial aquifer and that the bottom of the
42 pits do not have a protective lining between the refuse and the aquifer. In 1983 the Department of
43 Environmental Protection (DEP) sought legal action against the Lake Marie Landfill and forced it to
44 close. The DEP mandated that the borrow pits be leveled and capped with an impervious layer to
45 prevent the filtration of rain and other water sources with the refuse. However, Mr. Thrower used layers
46 of sand to cover the pits which is was not compliant with the closure order.
47

48 Mr. Reischmann continued by stating that in 1985, GEL purchased the old Lake Marie Landfill and
49 obtained a permit from the DEP to operate a construction and demolition (C&D) landfill on top of the

1 Lake Marie landfill. He said C&D materials would include residential yard waste and materials from
2 construction sites. He pointed out the locations on an aerial map of the GEL site with an indication of
3 the buried refuse from the Lake Mare Landfill (a copy of which is attached and becomes a permanent
4 part of these minutes). In 1995 the DEP renewed the C&D landfill permit and issued an additional
5 permit to do residential recycling on the site. However, in the late 1990's the DEP felt the C&D landfill
6 was not operating as permitted and initiated action against GEL. Simultaneously, Orange City residents
7 began to complain about particles in the air, difficulty breathing, strong odors, fire, and water run off
8 and smoke etc. coming from the GEL landfill. As a result the City decided to support DEP efforts to
9 reach a settlement with GEL. He said that later, the City Council felt the DEP was too lenient with GEL
10 and decided to challenge the DEP Consent Order.

11
12 Mr. Reischmann advised that in 2001 the City learned that the GEL site had been placed on the Federal
13 EPA Superfund Site quite some time ago. The DEP knew there was ground water contamination under
14 the GEL site as far back as 1984 but never addressed the matter. Ultimately, the City decided to drop its
15 challenge to the Consent Order and instead challenge the renewal of the C&D Landfill permit citing
16 environmental concerns. GEL disputed the action and the DEP agreed with GEL and renewed the
17 landfill permit. Mr. Reischmann commented that while the City did not win the challenge, it was able to
18 establish standards for the maximum heights for the mounds, slopes and footprint of the landfill. As a
19 result, the City was able to prove to the DEP that the landfill had reached capacity and the DEP forced
20 the landfill to close. Mr. Reichmann advised that GEL still has ongoing obligations with the closure of
21 the landfill such as stabilization of the slopes, making sure that the slopes are properly covered with a
22 vegetative cover and ongoing monitoring of ground water contamination.

23
24 Mr. Reichmann commented that the City has had additional legal problems with GEL's recycling
25 facility. These issues are being addressed through Code Enforcement efforts and a civil lawsuit forcing
26 the recycling facility to comply with its permitted use to collect residential recycling materials only. He
27 noted the facility has been cited for collecting commercial materials which is not a permitted use.

28
29 In conclusion, Mr. Reischmann stated that the problem with ground water contamination has been going
30 on for a long time. Ms. Eger from Miller Legg has been working on behalf of the City with GEL and
31 the DEP to effectuate the landfill closure and is present to discuss the extent of the ground water
32 contamination. Mr. Allen Watts, who is also present, has historical knowledge about the Lake Marie
33 Landfill.

34
35 Ms. Kelly Eger, Vice President of Miller Legg & Associates came forward and remarked that this is an
36 unusual project. She stated, "I have never seen the DEP deal with an environmental problem or ...
37 ignore an environmental problem the way that they have with GEL." Ms. Eger said the DEP delineates
38 the GEL site as a recycling facility and a C&D landfill, however, the contaminated water is under the
39 land and encompasses the entire site, and may extend into adjoining properties. At the present there is
40 no way to know the degree of contamination because for the last 20 years the owners have continually
41 delayed the required data collection and analysis.

42
43 Ms. Eger said contamination was found in a monitoring well at a depth of 95 feet. She distributed a
44 table showing the locations and depths of the ground water monitoring wells at the GEL site (a copy of
45 which is attached and becomes a permanent part of these minutes). She explained that the wells monitor
46 contamination levels of the surficial aquifer at three different depths between 35-95 feet. Based on the
47 geology of Volusia County there is a confining layer of permeable material such as clay, rock and
48 different types of soil, which separates the surficial aquifer from the Floridian aquifer. Contaminants
49 can permeate the confining layer and leak into the Floridian aquifer. Once pollutants reach the Floridian

1 aquifer its is impossible to identify how far and in what direction the contamination may migrate and it
2 may be influenced by other bodies of water such as Blue Springs and public drinking wells.

3
4 Ms. Eger said that recent data has shown additional locations of contamination in the surficial aquifer in
5 the wells along the perimeters of the GEL site which may have migrated to neighboring properties.
6 When the landfill closed, the footprint of the mound was 5 acres larger than it was permitted to be. Ms.
7 Eger suggested that the increased volume promotes conditions where rainwater may be infiltrating the
8 mounds and the runoff is sinking and polluting the Floridian aquifer. Mr. Reischmann reiterated that the
9 mound was capped with a grass layer.

10
11 In response to a question from Council Member Mahoney, Ms. Eger said that despite the City's request
12 for a clay cap, the DEP felt that would be too costly and mandated a vegetative cap be used to close the
13 mounds.

14
15 Mayor Strickland questioned the levels of the contamination. Referring to a list of pollutants distributed
16 to the Council (a copy of which is attached and becomes a permanent part of these minutes) Ms. Eger
17 cited multiple forms of Phenols; Benzene which comes from petroleum; Vinyl Chloride a dry cleaning
18 by-product of Percloroethylene; arsenic and lead as the pollutants identified. The Phenol levels are the
19 highest. According to DEP standards Phenol levels greater than 10 parts per billion must be cleaned up.
20 The levels of phenol in the boundary wells on the GEL site are 1,000 times higher than the DEP
21 standard. Ms. Eger said that she discussed the matter with the DEP and disagreed with their suggestion
22 that compared to other environmental sites the contamination problem at GEL is not as severe. She
23 stressed that the levels of contamination are still unknown due to a lack of testing.

24
25 In response to a question from Council Member Mahoney, Ms. Eger said that it could be risky to do an
26 assessment of land between the recycling facility and the landfill. It would involve digging a
27 monitoring well which could create a pathway for the pollutants to migrate down. The best way to
28 determine the extent of the contamination is to define the boundaries of the pollution and treat the
29 surrounding areas. She noted that, presently, the GEL boundaries are undefined and the pollution is not
30 contained.

31
32 Council Member Mahoney questioned if there were concerns with further contamination from the
33 recycling facility. Ms. Eger responded that the potential for contamination from the recycling location
34 is minimal compared to what is already present. However, GEL has a history of accepting and stock
35 piling unpermitted refuse, which could permeate the soil and contribute to the contamination problem.

36
37 Ms. Eger said that the grass is not growing on the cap even though it has been reseeded a number of
38 times. At the last inspection of the site the DEP inspector suggested that methane gases may be
39 generating in the landfill mounds and required that GEL complete a gas testing assessment by
40 December. Ms. Eger explained that typically a C&D landfill would not produce gases, however GEL
41 had been cited before for accepting household trash, noting that could account for the presence of gases.
42 She described the methods used to test for the presence of gases stating that it would require poking
43 holes into the mound and installing a gas venting system. She warned that could produce foul odors.

44
45 Ms. Eger expressed her concerns that since the early 1980's the DEP had knowledge of pollution at the
46 old Lake Marie Landfill. The DEP has a well monitoring report from 1984 that showed the presence of
47 heavy metals and other chemical constituents including PCB's in the Floridian aquifer at a depth of 175
48 ft. The DEP never addressed the matter, nor did they require monitoring of the PCB levels when GEL
49 purchased the landfill. When the data collected in 2000 was compared to the data collected two years

1 ago, it showed significant increases in the levels of the identified pollutants and that additional
2 compounds were present. She said that is an indication that the contamination is migrating. In response
3 to a question from Council Member Laputka, Ms. Eger said once the extent of the contamination is
4 determined there is technology that could contain the problem but that it would be costly. At this point,
5 GEL is the responsible party, however, they are contending that they are not the only responsible
6 parties.

7
8 Mr. Murray agreed that the clean-up would be costly. He expressed his dissatisfaction with how the
9 DEP has handled this matter. GEL has continually delayed the process and is now claiming that they
10 are not the only responsible parties. The pollution is migrating towards Orange City property. Mr.
11 Murray predicted that while the DEP seems reluctant to attack a private company if they could name the
12 City as a party to this matter they would act more swiftly to seek a resolution. He cautioned that it
13 would be costly.

14
15 Mr. Reischmann and Ms. Eger agreed. Ms. Eger said that GEL's attorney has delayed the process by
16 insinuating to the DEP that the City and owners of the adjoining properties should be named as
17 responsible parties in the landfill cleanup. Last year, the DEP dispatched the DEP Site Investigation
18 Section out of Tallahassee to determine the responsible parties. The Site Investigation Section reported
19 that their findings were inconclusive and that additional assessments were are required. However all of
20 the resources of the DEP are currently dedicated to a project in South Florida and the quickest they can
21 return to GEL site is the end of this year.

22
23 In response to a question from Council Member Laputka, Ms. Eger said that GEL has finally admitted to
24 the problem. He questioned if the owners could retract that admission at later time. Mr. Reischmann
25 noted that the DEP required GEL to put up a bond that would be used for the clean up. Council
26 Member Laputka remarked this contamination is like a melanoma. A lengthy discussion about the
27 contamination and the GEL closure ensued. Council Member Mahoney questioned the amount of the
28 bond. Ms. Eger responded that the amount of the bond is a half million dollars and would be just
29 enough to fund the closure of the landfill. The clean up of the ground water contamination will cost
30 extra.

31
32 Mr. Reischmann commented that the City has already spent quite a bit of money fighting GEL and the
33 getting the DEP to do their job as mandated under the Florida Statutes and Administrative Code. He
34 said the next question should be what will happen if the City does nothing about the matter.

35
36 Mayor Strickland questioned what the consequences would be if the City does nothing. Ms. Eger
37 responded that the contamination would continue to migrate toward the wells and Floridian aquifer and
38 away from the site. Mayor Strickland clarified that if the City does nothing, its wells will be
39 contaminated in a relatively short time.

40
41 Council Member Mahoney said that in the past the City has argued the exact opposite, that the flows
42 were moving away from public wells. Mr. Reichmann responded that due to the contours underneath
43 the ground, the water is flowing in different directions than originally thought.

44
45 Council Member Mahoney questioned whether these issues should be factored into the City's alternative
46 water plan. Mr. Johnson responded that 95% of the City's water would come from alternate water
47 sources, so it may not be a problem. Ms. Eger noted that alternative water sources are about 10 years
48 away and the contamination may have reached the wells by then.

1 In response to a comment from the audience, Ms. Eger said that this problem could not be resolved by
2 adding a chemical cleaning agent to the water. The pollutants are comprised of various compounds and
3 each compound must be dealt with individually.
4

5 Mr. Allen Watts, Cobb Cole came forward. He stated that the analogy of the contamination being like a
6 melanoma is appropriate. It is like a cancer that has begun to metastasize and must be contained. He
7 said the DEP has ignored the City's complaints and the problem has increased significantly. The fact
8 that the contamination has been found on the edges of the GEL site is a public relations problem for the
9 DEP. Mr. Watts offered to meet with Vivian Garfein of the DEP to stress the seriousness of the
10 situation. He suggested the DEP should assist by acting as a mediator between GEL and the City by
11 mobilizing regional or state-level resources to prevent what could be a serious risk to public health. He
12 advised that if the DEP will not get involved, the City should contact the Secretary of State, the
13 Governor, the Legislature or the courts.
14

15 Council Member Abraham remarked that melanoma is a cancer that has a surgical remedy. If litigation
16 is surgical solution for the City's issue, what would happen if the City wins the action? He questioned
17 how that would solve the problem? Mr. Watts responded that the court would issue an injunction
18 requiring GEL to conform to the law and clean up the site.
19

20 In response to a comment from Council Member Mahoney Mr. Watts stated that because the
21 contamination is at the edges of the GEL site, the City must move beyond GEL as the only responsible
22 target and seek a broader based resource pool such as the DEP.
23

24 Mayor Strickland questioned if this information should be shared with the public. Mr. Watts suggested
25 that the DEP may be more cooperative if the public was knowledgeable about the matter. He reiterated
26 that the DEP made a huge mistake by permitting the GEL Landfill on the same site as the Lake Marie
27 Landfill. The Mayor asked about the SJWMD responsibilities in this matter. Mr. Watts advised the
28 DEP and the SJWMD are sister agencies and they do not work very well together.
29

30 Council Member Laputka remarked that many communities are affected by the contamination in the
31 aquifer. He suggested soliciting cooperation from surrounding cities.
32

33 Mr. Reischmann concluded the meeting by stating that staff would continue with Mr. Watts's suggestion
34 to meet again with the DEP. Staff will update the Council as progress is made.
35

36 **3. ADJOURNMENT**

37
38 There being no further business, Mayor Strickland adjourned the meeting at 12:09 p.m.
39

40 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

41

42

43

44 Gloria Williams

45 Deputy City Clerk

46

December 10, 2008