

ORDINANCE NO. 2021-01

AN ORDINANCE OF THE CITY OF CLEWISTON, FLORIDA ADOPTING COMPREHENSIVE PLAN TEXT AMENDMENT (DEO #21-01ESR) RELATED TO UPDATES TO THE CITY'S 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS PROVIDED ON ATTACHMENT "A" AND MADE A PART HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3177(5)(c)3., Florida Statutes, the Comprehensive Plan shall, within 18 months after the applicable water management district approval of its updated regional water supply plan, be amended to reference a 10-year water plan for water supply projects; and

WHEREAS, the City engaged Johnson Engineering, Inc. to prepare its work plan, entitled "The City of Clewiston 10-Year Water Supply Facilities Work Plan" (Work Plan); and

WHEREAS, the Work Plan addresses water supply and conservation programs necessary to serve existing and new development in the City for a minimum 10-year period; and

WHEREAS, the City owns and operates its own water supply facilities which have adequate capacity and allocation to serve Clewiston through the 10-year planning period; and

WHEREAS, the Planning and Zoning Board, at a duly noticed public hearing held on June 14, 2021 recommended that the Comprehensive Plan Amendment incorporating The City of Clewiston 10-Year Water Supply Facilities Work Plan be approved by the City Commission on the first reading for transmittal pursuant to Section 163.3184 of the Community Planning Act; and

WHEREAS, the City Commission, at a duly noticed meeting on June 21, 2021, considered the recommendations of the Planning and Zoning Board and comments from the public, and approved Ordinance 2021-01, transmitting the Comprehensive Plan Amendment to the Department of Economic Opportunity as the State Land Planning Agency and other review agencies as provided in Section 163.3184, Florida Statutes; and

WHEREAS, the Department of Economic Opportunity and the South Florida Water Management District reviewed the proposed amendment package (DEO #21-01ESR) and provided comments for revising the amendment package; and

WHEREAS, the City Commission, at a duly noticed meeting, held a second hearing of the Ordinance on December 20, 2021, and voted to adopt the Comprehensive Plan text amendment per updates made to the June 2021 Water Supply Facilities Work Plan; and

WHEREAS, additional revisions were finalized in late December 2021 to "The City of Clewiston 10-Year Water Supply Facilities Work Plan" dated December 2021 (Attachment "A") and

confirmation from the South Florida Water Management District was received in February 2022 that all comments have been addressed; and

WHEREAS, The DEO granted an extension for finalizing and adopting all changes through May 31, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA THAT THE CITY OF CLEWISTON COMPREHENSIVE PLAN IS HEREBY AMENDED AS FOLLOWS:

Section 1. Adoption of the Comprehensive Plan Amendment

V. Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element

Potable Water Sub-Element.

Policy 1.3.2: The City adopts the “The City of Clewiston 10-Year Water Supply Facilities Work Plan” prepared by Johnson Engineering, Inc. dated June 2020 (as revised December 2021), into its Comprehensive Plan for the planning period ~~2015-2025~~ 2020-2030 and will maintain a Water Supply Facilities Work Plan that is coordinated with the South Florida Water Management District’s (SFWMD) Water Supply Plan by updating its own work plan within 18 months of an update to the SFWMD Water Supply Plan of areas that affect the City.

Policy 1.3.3: The City shall ~~develop a~~ continue implementing its water audit program for all City facilities, including irrigation ~~by the end of 2015.~~

Section 2. The remainder of the Comprehensive Plan to remain the same.

Section 3. Transmittal.

The City Manager or his designee shall transmit the adopted Comprehensive Plan Amendment and other materials as required by statute to the State Land Planning Agency and other reviewing agencies as provided by Section 163.3184, Florida Statutes.

Section 3. Severability.

If any part of this Ordinance is declared invalid by a court of competent jurisdiction, such part or parts shall be severable, and the remaining part or parts shall continue to be in full force and effect.

Section 5. Conflict.

All ordinances, resolutions, or official determinations previously adopted or entered by the City or any of its officials which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This Ordinance shall take effect upon adoption of a second reading, except that the effective date of the Comprehensive Plan Amendment shall be thirty-one (31) days after the State Planning Agency, or the Administrative Commission enters a final order determining the adopted Plan Amendment to be in compliance.

PASSED on first reading this 21st day of June, 2021.

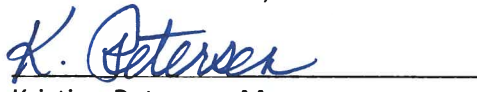
PASSED AND ADOPTED on second and final reading by the City Commission this 16th day of May, 2022.

ATTEST



Mary K. Combass, City Clerk

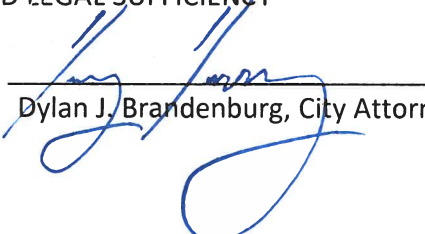
CITY OF CLEWISTON, FLORIDA



Kristine Petersen, Mayor

(MUNICIPAL SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 

Dylan J. Brandenburg, City Attorney

ATTACHMENT A

THE CITY OF CLEWISTON 10-YEAR WATER SUPPLY FACILITIES WORK PLAN

Prepared For:

THE CITY OF CLEWISTON
115 West Ventura Avenue
Clewiston, FL 33440

Prepared By:

JOHNSON
ENGINEERING
2122 Johnson Street
Fort Myers, Florida 33901
(239) 334-0046
E B 642

December 2021

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LIST OF ABBREVIATIONS

BEBR	Bureau of Economic and Business Research
CUP	Consumptive Use Permit
DEO	Department of Economic Opportunity
DSAP	Detail Specific Area Plan
DSS	Domestic Self-Supply
EAR	Evaluation and Appraisal Report
ERC	Equivalent Residential Connection
FAS	Floridan Aquifer System
FDEP	Florida Department of Environmental Protection
F.S.	Florida Statutes
GOPs	Goals, Objectives, and Policies
GPD	Gallons Per Day
IAS	Intermediate Aquifer System
LOS	Level of Service
LOSA	Lake Okeechobee Service Area
LWCWSP	Lower West Coast Water Supply Plan
LPRO	Low Pressure Reverse Osmosis
MDL	Maximum Developable Limit
MFL	Minimum Flows and Levels
MG	Million Gallons
MGD	Million Gallons Per Day
MUD	Mixed Use Development
ORC	Objections, Recommendations, and Comments
RO	Reverse Osmosis
SAS	Surficial Aquifer System
SFWMD	South Florida Water Management District
SSWA	South Shore Water Association
UFA	Upper Floridan Aquifer
WSP	Water Supply Plan
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

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1.0 INTRODUCTION

The purpose of the City of Clewiston 10-Year Water Supply Facilities Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction. Chapter 163, Part II, F.S., requires local governments to prepare and adopt Work Plans into their comprehensive plans within 18 months after the pertinent water management district approves a regional water supply plan or its update for a region including the local government in question. The *Lower West Coast Water Supply Plan (LWCWSP) Update* was approved by the South Florida Water Management District (SFWMD) on December 20, 2017. The LWCWSP covers Lee County, most of Collier County, as well as portions of Hendry, Glades, Monroe and Charlotte Counties. The City of Clewiston falls within the planning area for the LWCWSP. Therefore, the deadline for local governments within the Lower West Coast water supply planning area to amend their comprehensive plans to adopt a Work Plan is June 20, 2019.

Johnson Engineering, Inc. prepared this Work Plan based on information obtained from government entities and other parties. While Johnson Engineering has used reasonable care to avoid reliance upon faulty or incomplete information, Johnson Engineering is not able to verify the accuracy of all data and information provided by these governmental entities and other parties.

According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period.

The City's Work Plan is divided into six sections addressing the state guidelines, as well as sections for figures and appendices:

Section 1 – Introduction

Section 2 – Background Information

Section 3 – Data and Analysis

Section 4 – Regional Issues

Section 5 – Capital Improvement Element

Section 6 – Goals, Objectives, Policies

Section 7 - Figures

Section 8 – Appendices

1.1 Statutory History

The Florida Legislature enacted bills in the 2002, 2004, 2005, 2011, 2012, 2015 and 2016 sessions to address the state’s water supply needs. These bills, especially Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (F.S.) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

1.2 Statutory Requirements

Per the enacted legislation, each local government must comply with the following requirements:

1.2.1 Coordinate appropriate aspects of its comprehensive plan with the appropriate water management district’s regional water supply plan, [163.3177(4)(a), F.S.]

1.2.2 Ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services [s.163.3177(6)(a)2.d, F.S., effective July 1, 2005]. Data and analysis demonstrating that adequate water supplies and associated public

facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to DEO for review. The submitted package must also include an amendment to the Capital Improvements Element, if necessary, to demonstrate that adequate public facilities will be available to serve the proposed Future Land Use Map modification.

- 1.2.3 Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving building permits, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy [s.163.3180 (2), F.S., effective June 2, 2011]. This “water supply concurrency” is now in effect, and local governments should be complying with the requirement for all new development proposals. In addition, local governments should update their comprehensive plans and land development regulations as soon as possible to address these statutory requirements. The latest point at which the comprehensive plan must be revised to reflect the concurrency requirements is at the time the local government adopts plan amendments to implement the recommendations of the Evaluation and Appraisal Report (EAR).
- 1.2.4 For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the “Infrastructure Element”), within 18 months after the water management district approves an updated regional water supply plan, to:

- 1.2.4.1 Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated regional water supply plan, or the alternative project proposed by the local government under s. 373.0361(7), F.S. [s. 163.3177(6)(c)3, F.S.];
 - 1.2.4.2 Identify the traditional and alternative water supply projects, bulk sales agreements, and the conservation and reuse programs necessary to meet current and future water use demands within the local government's jurisdiction [s. 163.3177(6)(c)3, F.S.]; and
 - 1.2.4.3 Include a water supply facilities work plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities, including the development of alternative water supplies, identified in the element as necessary to serve existing and new development. [s. 163.3177(6)(c)3, F.S.]
- 1.2.5 Revise the Five-Year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period. Per s. 163.3177(3)(b), F.S., modifications to update the Five-Year Capital Improvement Schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.
 - 1.2.6 To the extent necessary to maintain internal consistency after making changes described in Sections 1.2.1 through 1.2.5 above, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s). [s.163.3177 (6)(d)3, F.S.]

If the established planning period of a comprehensive plan is greater than ten years, the plan must address the water supply sources necessary to meet and achieve the existing and projected water use demand for established planning period, considering the appropriate regional water supply plan. [s.163.3167 (13), F.S.]

- 1.2.7 To the extent necessary to maintain internal consistency after making changes described in Sections 1.2.1 through 1.2.5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities' plans. [s.163.3177(6)(h)1., F.S.]

2.0 BACKGROUND INFORMATION

2.1 Overview

The City of Clewiston was incorporated in 1925 with a total area of approximately 4.57 square miles. Clewiston is located within Hendry County, approximately 60 miles east of the Gulf of Mexico, 60 miles west of West Palm Beach on the Atlantic Coast, located on the southwest shores of Lake Okeechobee. The Herbert Hoover Dike and associated canal runs along the northeast City boundary. Sugarland Highway (SR-80/US-27) bisects Clewiston east-west and represents a major travel corridor across this part of the state.

Sugar cane production has historically been the primary employer for Clewiston, known as “America’s sweetest town.” US Sugar Corporation is one of the largest employers in the area, along with other agricultural and food processing operations. Fishing-related tourism to Lake Okeechobee also provides a major attraction with related support industries. The City of Clewiston has a municipal golf course, nearly a dozen parks, tennis courts, baseball/softball fields, the John Boy Auditorium, a youth center, and a performing arts center.

For 2019, the University of Florida Shimberg Center for Housing Studies estimates a population of 7,972 for incorporated Clewiston, which is largely based on population estimates and mid-range projections developed the Bureau of Economic and Business Research (BEBR).

The core of the City primarily has single (15% of Existing Land Use) and multi-family (2.1%) land uses, with commercial properties (5.2%) predominantly along SR-80/US-27. Industrial (1.1%) and public/semi-public (19.8%) uses dominate the southern part of the incorporated area, where many of the schools, the golf course and Sugarland Park are located. Agricultural land uses (17%) exist in the northwestern part, according to the existing

conditions map adopted as part of the last Comprehensive Plan. Vacant lands (17.7%) and unclassified canals/water/roads/ROW (20.9%) comprise the remainder of existing land coverage. The Future Land Use Map for 2020 identifies the current agricultural lands in the northwest as the Clewiston Gateway (mixed use) area. The mixed use lands have an urban designation and may transition to residential, commercial and public uses at some point in the future. This is the area where most future growth is anticipated to occur. Smaller residential, commercial and industrial development may occur as “in-fill” within historically developed areas of the City.

3.0 DATA AND ANALYSIS

3.1 Population Information

The countywide population projections provided by Bureau of Economic Research (BEER) do not provide the distribution of people residing in the municipalities and the unincorporated areas, nor do they account for seasonal populations. This information is important to consider when planning for water supplies, as it helps identify where growth is occurring and determine the peak demands on public facilities and services. The University of Florida Shimberg Center for Affordable Housing provides population projections at the municipal level, from which the population residing in unincorporated areas can be derived as the remainder of the total BEER population. In 2010, 30.1% of the total population of Hendry County resided in the Cities of LaBelle (11.9%) and Clewiston (18.3%); 32.1% resided in cities in 2016, with 19.6% in Clewiston. The Shimberg Center projects the incorporated areas to grow at a faster rate than the unincorporated areas, so that by year 2030, the municipal population will account for 34.0% of the County's population, and 35.3% by 2040, with Clewiston representing 20.9% and 21.8%, respectively, for those two years. Clewiston has not annexed any new land area in the recent past, but may consider doing so in the future.

While Hendry County is not considered a major tourist area, some people do spend the winter months in the County. In Clewiston, seasonal tourism associated with RV parks and other recreational activities also increase the seasonal population by a few hundred persons. A significant amount of Hendry's seasonal population is comprised of the migrant labor force, whose seasonal period extends from mid-November through mid-April, and roughly coincides with the harvesting seasons of citrus, sugar cane, and winter vegetables.

The community of Harlem is located to the south of Clewiston. The Harlem area is not part of the incorporated area of the City, but Clewiston does supply

portions of Harlem with drinking water and represents the nearest urban area. Clewiston purchased water from the South Shore Water Association (SSWA) prior to 2007, when the City opened its own Upper Floridan aquifer well field and water treatment plant (WTP). After opening its plant, the City began selling water to SSWA, after US Sugar stopped selling water to SSWA. Because both SSWA and Harlem are served by the City’s of Clewiston’s utility, populations and associated demands for both service areas are included in this Work Plan.

Table 1 provides projections for the City of Clewiston, Harlem and SSWA through 2030, as well as an estimated seasonal population. The projections are based on information from the Shimberg Center using the BEBR mid-range projections. Seasonal population on a county-wide basis is distributed proportionally to the permanent population of the incorporated area countywide and then split evenly between Clewiston and LaBelle.

TABLE 1 - POPULATION PROJECTIONS

	2019	2020	2025	2030
City of Clewiston ¹	7,972	8,048	8,385	9,107
City of Clewiston Served	7,972	8,048	8,385	9,107
Harlem (within service area) ²	2,462	2,493	2,649	2,813
SSWA (equivalent population, Hendry only) ²	4,759	4,819	5,121	5,437
Total Population Served	15,193	15,360	16,155	17,356
.
Countywide Permanent Population ³	40,120	40,500	42,200	43,500
Clewiston, SWWA & Harlem Seasonal Population Served ⁴	3,064	3,103	3,297	3,500
Countywide Seasonal Population ⁴	8,091	8,168	8,510	8,773
Clewiston Service Area Peak Population	18,257	18,463	19,453	20,856
Countywide Peak Population ²	48,211	48,668	50,710	52,273

¹ From Shimberg Center and Assumes 11.42% growth rate over 9 years based on 2010 Census and 2019 estimate from BEBR

² Assumes same growth rate as City of Clewiston

³ BEBR mid-range population projection as reported in the 2020 Florida Population Studies Bulletin #186, Volume 4653

⁴ Number of seasonal workers from 2019 Rental Market Study by Shimberg Center for Housing Studies Growth rate same as BEBR mid-range

The SFWMD LWCWSP (2017 Update) uses BEBR mid-range population projections from the 2014 Florida Statistical Abstract for the 2040 control

population. The SFWMD used a combination of information from local governments and traffic analysis zone (TAZ) data to distribute population to the utility service areas. The SFWMD used medium BEBR 2040 county population estimates and projections from the metropolitan planning organizations (MPOs) to assign TAZ populations to the utility service areas. Population not within a utility service were classified as domestic self-supply (DSS).. Due to the lag time in document preparation between the SFWMD's LWCWSP and the County's 10-Year Water Supply Facilities Work Plan, refined population data for years later than 2014 are available based on, utility records, etc. Growth rates projected by BEBR have also increased between the 2014 figures used by the SFWMD and the most recent 2019 figures. Thus an inconsistency exists between the 2019 BEBR mid-range population projections recommend by DEO/SFWMD for use in this Work Plan and those of the SFWMD LWCWSP (2017 Update).

3.2 Maps of Current and Future Areas Served

The map depicting current and potential future boundaries of the City of Clewiston service area is Figure 1, which is provided in Section 6.0. There are no anticipated changes to the service area within the planning period.

3.3 Potable Water Level of Service Standard

The City of Clewiston has a level of service (LOS) of 115 gallons/person/day/person.

3.4 Population and Potable Water Demand Projections by Each Local Government or Utility

City of Clewiston

The City of Clewiston has owned and operated a 3.0 MGD capacity LPRO WTP since December 2007. Figure 2 shows the wellfield layout. According to the SFWMD public water supply permit (No. 26-00769-W), raw water for the

Clewiston WTP is sourced from the Upper Floridan aquifer (an alternative water supply source) via four 16-inch diameter wells. The annual and maximum month allocations from the Upper Floridan aquifer are 941 and 90.1 MG, respectively. Treated water from the Clewiston WTP is distributed to the City of Clewiston, unincorporated areas of Harlem, and the SSWA. South Shore Water Association serves areas south of the Caloosahatchee River east of Lake Hickpoochee within Glades County, in addition to its Hendry County service area. Based on information from South Shore Water Association, SSWA provides service to 1,729 customer accounts, as of 2019.. According to the U.S. Census, the persons per household value for this area is 3.07. The total population in Glades County served by South Shore Water Association is estimated at 550 people. The Hendry County portion of the SSWA service area includes approximately 4,759 persons. Both populations have been incorporated into population totals for SSWA shown in Table 2.

According to the SFWMD water use permit staff report, the per capita daily usage is 115 gallons. The City of Clewiston sells bulk water to SSWA. SSWA estimates out of 1,729 total customer accounts 1,550 are in Hendry County, and the remaining 179 are located in Glades and Palm Beach Counties. Some of SSWA's customers, such as Airglades, use the water for industrial applications in addition to potable supply. In 2019, the City of Clewiston sold approximately 0.54 MGD of bulk water to SSWA. Based on the estimated 2019 SSWA service area population and average bulk water sales, this equates to a finished water per capita usage of approximately 102 gpdpc.

The following table provides an analysis of the available water treatment plant (WTP) capacity and SFWMD permitted allocation. The analysis shows a WTP surplus to treat additional raw water and a slight deficit in SFWMD permitted raw water allocation at the year 2030. The water use permit expires in 2025, so the City of Clewiston will request an increase in allocation at that time adequate to supply the service area through 2045 (20 years).

TABLE 2 - CLEWISTON WATER TREATMENT PLANT

	2019	2020	2025	2030
Total Population Served (Clewiston, Harlem, SSWA)	15,193	15,360	16,155	17,356
Population Served (Clewiston) ¹	7,972	8,048	8,385	9,107
Population Served (Harlem)	2,462	2,493	2,649	2,813
Population Served (SSWA—Hendry, Palm Beach, Glades) ²	5,309	5,376	5,713	6,065
Finished Drinking Water Demand per Capita (GPD) ³	115	115	115	115
Finished Water Avg. Daily Demand (GPD)	1,747,195	1,766,400	1,857,825	1,995,940
Available Facility Capacity (GPD)	3,000,000	3,000,000	3,000,000	3,000,000
Facility Capacity Surplus (Deficit) ⁴	1252,805	1,233,600	1,142,175	1,004,060
Raw Water SFWMD Allocation (GPD Annual Avg)	2,578,082	2,578,082	2,578,082	2,578,082
Raw Water Avg. Daily Demand (GPD) ⁵	2,329,593	2,355,200	2,477,100	2,661,253
Raw Water Permitted Surplus (Deficit) ⁶	248,489	222,882	100,982	(83,171)

GPD = Gallons per Day

¹ Based on population projections from Shimberg Center.

² Assumes same growth rate as City of Clewiston.

³ From SFWMD WUP 26-00769-W Staff Report

⁴ Calculated by subtracting Finished Water Avg. Daily Demand from Available Facility Capacity

⁵ Includes 75% water treatment plant efficiency

⁶ Calculated by subtracting Raw Water Avg. Daily Demand from Raw Water SFWMD Allocation

The following table includes the same analysis, but using the peak population, which includes seasonal residents.

TABLE 3 - CLEWISTON WATER TREATMENT PLANT

	2019	2020	2025	2030
Total Peak Population Served (Clewiston, Harlem, SSWA)	18,257	18,463	19,453	20,856
Finished Drinking Water Demand per Capita (GPD) ³	115	115	115	115
Finished Water Avg. Daily Demand (GPD)	2,099,555	2,123,245	2,237,095	2,398,440
Available Facility Capacity (GPD)	3,000,000	3,000,000	3,000,000	3,000,000
Facility Capacity Surplus (Deficit) ⁴	900,445	876,755	762,905	601,560
Raw Water SFWMD Allocation (GPD Max. Month)	3,003,763	3,003,763	3,003,763	3,003,763
Raw Water Avg. Daily Demand (GPD) ⁵	2,799,407	2,830,860	2,982,793	3,197,920
Raw Water Permitted Surplus (Deficit) ⁶	204,356	172,903	20,970	(194,157)

GPD = Gallons per Day

¹ Based on population projections from Shimberg Center.² Assumes same growth rate as City of Clewiston.

³ From SFWMD WUP 26-00769-W Staff Report

⁴ Calculated by subtracting Finished Water Avg. Daily Demand from Available Facility Capacity

⁵ Includes 75% water treatment plant efficiency

⁶ Calculated by subtracting Raw Water Avg. Daily Demand from Raw Water SFWMD Allocation

Based on the peak population projections and demand estimates, the City of Clewiston should have adequate plant capacity through 2030. As with the

average daily capacity analysis, an increase in the water use permit maximum monthly allocation will be requested at the time of the next permit renewal and modification, with an increased allocation sufficient to supply the service area through 2045.

South Shore Water Association, Inc.

South Shore Water Association, Inc. (SSWA) historically received potable water from U.S. Sugar Corporation. In August 2003, U.S. Sugar Corporation notified the City of Clewiston and SSWA that they planned to discontinue the supply of drinking water to the City in September 2006, which was subsequently postponed until September 2007. In response, the City of Clewiston developed a brackish groundwater supply from the Floridan aquifer, the water from which is treated via low-pressure reverse osmosis (LPRO). The new LPRO plant came on line in December 2007. SSWA purchases water in bulk from the City of Clewiston at the rate of approximately 0.54 MGD for 2019. See Appendix A for a copy of the agreement between the City of Clewiston and SSWA. SSWA distributes potable water to serve the areas along US 27, from Flaghole Road east to include the very west portion of Palm Beach County, excluding the City of Clewiston service area.

SSWA provides water to users in unincorporated areas of Hendry, Glades, and Palm Beach Counties. A breakdown of population in each of the counties served by SSWA is not available. SSWA reports it has 1,550 customer accounts in Hendry County, out of 1,729 total customer accounts. Based on 3.07 person per household from US Census records and 1,729 accounts, bulk water sales of 0.54 MGD amount to a per capita usage of approximately 102 gpdpc. This Work Plan assumes the SSWA service area will grow at the same rate as the City of Clewiston. SSWA has added 74 new customer accounts since 2014.

The location of SSWA is shown on Figure 1.

Airglades Industrial Park

Hendry County currently owns and operates a small public water system at the Airglades Industrial Park. Hendry County purchases potable water from South Shore Water Association (SSWA) and provides storage in a 350,000 gallon storage reservoir, disinfection, and distribution to a limited number of customers through a 10-inch diameter water line. A significant amount of the water purchased supplies industrial, in addition to potable, uses. SSWA purchases potable water from City of Clewiston, which has an adequate surplus to serve the projected growth. Within the next year, Hendry County intends to sell this system to SSWA. This Work Plan includes service for Airglades Industrial under SSWA.

The location of Airglades is shown on Figure 1.

3.5 Water Supply Provided by Local Government

The City of Clewiston has owned and operated a 3.0 MGD capacity LPRO WTP since December 2007. Treated water from the Clewiston WTP is distributed to the City of Clewiston, unincorporated areas of Harlem, and the SSWA. The WTP has an efficiency of approximately 75%, according the 2012 Utility Report prepared by the City of Clewiston. The gross raw water per capita use for this period was 158.86 gpd, which equated to a finished water per capita use of 94.9 gpd. In addition to selling water directly to customers, the City of Clewiston sells bulk water to SSWA in the amount of 0.54 MGD. SSWA in turn distributes this water to its customers in Hendry, Glades and Palm Beach Counties.

According to the SFWMD public water supply permit (No. 26-00769-W), raw water for the Clewiston WTP is sourced from the Upper Floridan aquifer (an alternative water supply source) via four 16-inch diameter wells. The annual and maximum month allocations from the Upper Floridan aquifer are 941 and 90.1 MG, respectively. The permit expires on October 12, 2025.. As discussed

in Section 3.4, the WTP has adequate capacity to meet the projected demands for the City of Clewiston’s system through the end of the planning period. An increase in allocation for the SFWMD water use permit will be needed around the time of permit expiration in 2025. The City will request an increase in allocation sufficient to meet the projected water demands of the service area for the next 20 years (2045).

<u>City of Clewiston PWS Summary Table</u>	
<u>SFWMD Permit #</u>	<u>26-00769-W</u>
<u>Permit Expiration Date</u>	<u>10/12/2025</u>
<u>Raw Water Source(s)</u>	<u>Upper Floridan aquifer</u>
<u>Annual Allocation (MG)</u>	<u>941</u>
<u>Maximum Monthly Allocation (MG)</u>	<u>90.1</u>
<u>Treatment Type</u>	<u>LPRO</u>
<u>Treatment Efficiency</u>	<u>75%</u>
<u>Treatment Capacity (MGD)</u>	<u>3.0</u>
<u>Storage Volume (MG)</u>	<u>1.5</u>
<u>Interconnect or Bulk Sales Agreement</u>	<u>Bulk sales to SSWA</u>

3.6 Water Supply Provided by Other Entities

The City of Clewiston does not receive water from other providers. Historically, Clewiston purchased water from SSWA prior to 2007. Clewiston now produces its own water and sells bulk water to SSWA.

3.7 Future Water Supply Demands

US Sugar Corporation proposes to develop work force housing in the southwest portion of the City of Clewiston on a parcel consisting of approximately 120 acres. No zoning change will be required for development. Depending on the final site configuration, the development may consist of 300 to 700 homes with a daycare center and possible rail museum. The development would receive potable water and sewer service from the City of Clewiston. Project planning and permitting are in the initial stages, and

additional detail regarding the projected water demands will be included in an update to the 10-Year Water Supply Facilities Work Plan once determined.

3.8 Potential Future Water Suppliers

No potential future water suppliers within the City of Clewiston/South Shore Water Association service areas are anticipated during the planning period.

3.9 Agricultural and Landscape/Golf Water Supply Demands

The SFWMD LWCWSP and LECWSP predict agricultural demands will increase slightly in eastern Hendry County, while landscape and golf course irrigation will increase slightly county-wide. Several properties within the service area have water use permits through the SFWMD for landscape irrigation, including Sugarland Park (#26-00675-W), Clewiston Middle School (#26-00994-W), Clewiston Elementary School (#26-00996-W), and Clewiston High School (#26-00582-W). Large agricultural users in the vicinity of Clewiston also have water use permits through the SFWMD. Landscape irrigation will likely increase slightly over the planning period, proportional to the anticipated growth, and rely on irrigation wells for supply.

As agricultural lands convert to residential developments, as anticipated, golf course and landscape irrigated acreage will increase at the expense of agricultural acreage. Such a scenario is envisioned for Clewiston's Gateway Mixed Use area. The water use permit for the Clewiston Drainage District (#26-00137-W) currently covers areas within the City of Clewiston requiring agricultural irrigation, including the agricultural lands within the Gateway Mixed Use zoning designation. The permit authorizes withdrawals from the C-21 Canal to serve 1,144 acres with an annual allocation of 1,966.47 million gallons (5.39 MGD). The 1,144 irrigated acres consist of 245 acres of pasture, 300 acres of sugar cane, and 599 acres of turf, which include commercial, institutional and residential sites, as well as the golf course. The permit expires March 15, 2030.

3.10 Commercial/Industrial Water and Power Generation Supply Demands

According to the SFWMD LWCWSP (2017 Update) and LECWSP (2018), Hendry County will have a 8.15 MGD commercial and industrial self-supply demand in 2030, all primarily within western Hendry County with a slight rising trend. Traditional groundwater sources are expected to meet demands, provided the CUP permitting conditions are met. Alternative sources will be evaluated as part of the CUP permitting process. Some industrial applications require potable-grade water. Potable water to serve these users is included in this Work Plan. If not on-line or available, potable water will be self-supplied.

In the area surrounding Clewiston, US Sugar holds water use permits for industrial uses associated with its operations. Water supplied by SSWA to the Airglades Industrial Park also gets put towards industrial uses, in addition to potable supply.

3.11 Conservation

The following conservation measures have been incorporated by the City of Clewiston.

Water Conservation Rate Schedule

The City has a tiered rate structure to promote water conservation

Irrigation Restrictions

The City of Clewiston has adopted an ordinance restricting non-essential uses of water during water shortage emergencies. Restricted uses include landscape irrigation, non-recirculating ornamental fountains, automobile washing on impervious surfaces, dust control, and nursery irrigation.

The City of Clewiston requires the installation of rain sensors for all irrigation systems for all proposed landscaping.

The City of Clewiston implements irrigation restrictions, including the Mandatory Year-Round Irrigation Conservation Measures, as detailed in Chapter 40E-24, FAC, through code enforcement.

Ultra Low Volume Plumbing Fixtures

The City of Clewiston requires installation of ultra low volume (ULV) plumbing fixtures in all new construction. Maximum flow volumes are:

Toilets: 1.6 gal/flush at 80 psi

Showerheads: 2.5 gpm at 80 psi

Faucets: 2.2 gpm at 60 psi

Water Loss Accounting

The City of Clewiston Utilities Division estimates water losses due to hydrant flushing, line breaks and dead-end main flushing; tests and calibrates all 4-inch and larger meters annually; conducts an annual leak detection survey; and has entered into a program to replace approximately 100% of meters with new meters that have the ability to assist with detecting over-usage, for example due to a leak or faulty equipment.

Public Information

The City of Clewiston Utilities Division provides a website that includes information on its water supply and water shortage declarations, and number for residents to report leaks.

The City of Clewiston's per capita usage rate (inclusive of Harlem and SSWA) has declined from an average of 119.4 gpdpc for the fourth quarter of 2019 to 109.6 gpdpc for September through November 2021. Implementation of the meter replacement program should further enable the City to improve water conservation by targeting specific accounts with higher than expected

usage. Although the City currently enforces the mandatory year-round landscape irrigation conservation measures in Chapter 40E-24, the City is considering adoption of a similar ordinance specific to the City, as well.

3.12 Reuse

Treated wastewater in the City of Clewiston is disposed of, along with concentrate from the LPRO, in a deep injection well at the WWTP or in a holding pond. The City of Clewiston had plans to provide reuse water to its golf course and commissioned a preliminary design; however, lack of funding availability has prevented the project from moving forward. Should it become financially feasible, Clewiston would like to upgrade its treatment process and extend reuse lines to the golf course.

4.0 REGIONAL ISSUES

The LWCWSP identifies regional water supply issues, including seasonal availability of surface water supplies and associated establishment of minimum flows and levels (MFLs) and recovery strategies. The LWCWSP also discusses limited freshwater availability in the Surficial Aquifer System (SAS) and Intermediate Aquifer System (IAS), and MFLs and maximum developable limits (MDLs) to address management of those resources. A discussion of regional issues, as they pertain to the City of Clewiston, is provided below, organized by WSP.

4.1 Lower West Coast Water Supply Plan

Lake Okeechobee Service Area (LOSA) MFLs, Recovery Strategy and Restricted Allocation

Due to the implementation of the United States Army Corps of Engineers (USACOE) Lake Okeechobee federal recovery strategy, the SFWMD developed a MFL recovery strategy in 2008 to address predicted exceedances of the MFL. As part of the recovery strategy, restricted allocations in the LOSA were implemented in response to the predicted MFL exceedances and decline in the level of certainty for existing legal users (ELUs) of the resource. The restricted allocations limit new withdrawals from Lake Okeechobee.

The City of Clewiston does not withdraw surface water from Lake Okeechobee, nor does it propose to do so. The City sources raw water for potable water supply from the Upper Floridan aquifer.

Limited Fresh Groundwater Resources in the SAS and IAS

According to the LWCWSP, there is limited availability of fresh groundwater in the Lower Tamiami (SAS), Sandstone (IAS) and Mid-Hawthorn (IAS) aquifers due to concerns over impacts to wetlands and ELUs, and saline water intrusion. MFLs and MDLs have been established for these aquifers since 2001. Parts of Lee, Collier and Hendry Counties are most affected by the MFLs and MDLs, although the reduced threshold area for the Sandstone aquifer does extend into southwestern Glades County. The SFWMD will

review requests for additional withdrawals from these sources on a case-by-case basis during the permitting process. The City of Clewiston withdraws water for potable supply from the brackish Upper Floridan aquifer, which is not considered a fresh groundwater resource of limited availability.

Caloosahatchee River (C-43) MFL and Estuary Impacts

The Caloosahatchee River has had an MFL established at the S-79 structure in Lee County since 2001. On multiple occasions, the MFL has not been met. Additionally, peak freshwater discharges from Lake Okeechobee during the wet season affect the health of the estuary, as do inadequate flows during the dry season. Additional storage capacity is needed to address water availability issues. The City of Clewiston does not withdraw water from the Caloosahatchee River, or from sources that would impact the water reservation established for the C-43 storage reservoir CERP project.

5.0 CAPITAL IMPROVEMENTS

5.1 Work Plan Projects

The City Clewiston has no large capital improvement projects planned over the next 5 years, but does plan to continue regular treatment facility maintenance and upgrades and installation of smart meters to help detect over-usage, along with SFWMD and FDEP permit renewals from 2020 through 2025. These measures are intended to enhance the overall efficiency of the system. As the analyses presented previously have demonstrated, the City of Clewiston's system is anticipated to have adequate capacity to meet the projected demands through 2025. By 2025, the SFWMD water use permit will need to be renewed and modified to increase the permitted to allocation to supply the service area through 2030 and beyond. The City has included renewal and modification of the SFWMD water use permit in the Capital Improvements Schedule.

5.2 Capital Improvements Element/Schedule

The following Table 4 is a Five-Year Schedule of Capital Improvements for water supply projects needed in the next five years. These projects will be funded by the City. If funds become available through grants or other mechanisms, the City of Clewiston would like to expand/refurbish its WWTP to provide reuse water to the golf course; however, funding availability to complete this project is not certain within the next 5 years. Table 4 is being adopted into the comprehensive plan's current 5-year Schedule of Capital Improvements as part of the Work Plan.

TABLE 4 – 5-YEAR CAPITAL IMPROVEMENT PROJECTS **Estimated Costs in Thousands of Dollars**

Description	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	Water Source	Funding Provider	C&O Time-frame
Replace acid chemical pumps, piping; bulk tank cleaned; containment area resurfaced;	\$55					Floridan aquifer	Clewiston	2020-2021
Resurface ground storage tank	\$15					Floridan aquifer	Clewiston	2020-2021
Deep injection well MIT & FDEP permit renewal	\$50					Floridan aquifer (RO conc.)	Clewiston	2020-2021
Smart meter retrofit project		\$1,372				Floridan aquifer	Loan	2021-2022
Replace caustic chemical pumps; bulk tank cleaned; containment area resurfaced;		\$35				Floridan aquifer	Clewiston	2021-2022
Update SCADA hardware & software		\$15				Floridan aquifer	Clewiston	2021-2022
Replace bleach chemical pumps & cabinet; resurface containment area			\$40			Floridan aquifer	Clewiston	2022-2023
Replace zinc-ortho chemical pumps & cabinet; resurface containment area				\$25		Floridan aquifer	Clewiston	2023-2024
Renew and modify SFVMD water use permit					\$15	Floridan aquifer	Clewiston	2024-2025
Total Estimated Cost	\$120	\$1,422	\$40	\$25	\$15			

6.0 GOALS, OBJECTIVES AND POLICIES

An assessment of existing Goals, Objectives, and Policies (GOPs) in the City of Clewiston Comprehensive Plan was performed in preparation of this Work Plan to determine those that address water supply sources and facilities, as well as conservation and reuse programs. Those existing GOPs that need revision include: 1) updating and linking of the Work Plan every five years in coordination with the SFWMD LWCWSP and 2) implementation of the water audit program. Additional minor adjustments have been made to the listed GOPs since the last Work Plan to reflect revisions to the City's Comprehensive Plan. Although the City currently enforces the mandatory year-round landscape irrigation conservation measures in Chapter 40E-24, the City is considering adoption of a similar ordinance specific to the City, as well. If adopted, related revisions to GOPs will be provided in the next Work Plan update. Revised GOPs are listed below in strike-through/underline format. All other GOPs remain unchanged, as they appear consistent with and will implement the Work Plan as updated.

Potable Water Sub-Element

Goal 1: A reliable, healthful, and adequate supply of potable water to meet present and future needs of the City's population, as well as business and industrial establishments.

Objective 1.1: The City shall assure that public facilities have adequate capacity to serve proposed new development without exceeding level of service standards or that capacity will be available at time of impacts from such development and shall include methods to conserve potable water and maximize the use of the existing distribution systems in lieu of extending the system to encourage scattered development.

Policy 1.1.1 The level of service standard for potable water distribution shall be 115 gallons per capita per day. This level of service shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Policy 1.1.2 In accordance with S163.3202 F.S., the City shall analyze the feasibility of expanding requirements for low water consumption plumbing fixtures. Consideration shall also be given to providing incentives for xeriscape landscaping practices, special educational programs and establishment of progressive water rate structures.

Objective 1.2: The City shall monitor the water distribution system to identify deficiencies and determine the system's capacity to meet future needs.

Policy 1.2.2 The City shall revise its Capital Improvements Schedule for system upgrades.

Objective 1.3: The City will ensure that the existing distribution facility is kept in good operating condition.

Policy 1.3.1: The City will conduct an ongoing operation and maintenance program to service the distribution system.

Policy 1.3.2: The City adopts ~~the~~ "The City of Clewiston 10-Year Water Supply Facilities Work Plan" prepared by Johnson Engineering, Inc. dated June 2020 (as revised December 2021) into its Comprehensive Plan for the planning period ~~2015-2025~~ 2020-2030 and will maintain a Water Supply Facilities Work Plan that is coordinated with the South Florida Water Management District's (SFWMD) Water Supply Plan by updating its own work plan within 18 months of an update to the SFWMD Water Supply Plan of areas that affect the City.

Policy 1.3.3: The City shall ~~develop a~~ continue implementing its water audit program for all City facilities, including irrigation ~~by the end of 2015~~.

Policy 1.3.4: The City will require installation of ultra low volume (ULV) plumbing fixtures in all new construction. Maximum flow volumes are:

Toilets: 1.6 gal/flush at 80 psi

Showerheads: 2.5 gpm at 80 psi

Faucets: 2.2 gpm at 60 psi

Policy 1.3.5: The City Utilities Division will provide a website that includes information on its water supply and water shortage declarations, and a number for residents to report leaks.

Future Land Use Element

Goal 1: The City shall ensure the development and maintenance of a functional and well related pattern of land uses and residential densities that fosters a wholesome, safe, and attractive physical environment, avoids blighting influences, protects natural resources, and has the potential to be served with public facilities and services in a timely and cost effective manner.

Objective 1.2: The City will, through regulation of land use, make every reasonable effort to assure that land is provided to meet the needs of utility companies based on such needs being made known to the City and the City having legal means to achieve the objective.

Policy 1.2.1. The City shall request that all utility providers advise the City of current needs and future needs as determined by those providers in order that an appropriate procedure and notification process can be mutually agreed upon whereby reservation, dedication, or acquisition of sites can be utilized as appropriate.

Objective 1.4: The City of Clewiston shall revise its land development regulations to specifically encourage redevelopment, infill development, compatibility with adjacent uses, and curtailment of uses inconsistent with the character and land uses of surrounding areas, and shall discourage urban sprawl, as provided in the following policies:

Policy 1.4.1. Criteria, standards and related provisions established in the land development regulations for reducing impacts from any land uses that are not in conformance or inconsistent with this Comprehensive Plan shall at a minimum:

5. ensure that public facility, utility and service authorization has been procured prior to issuing any development order and that construction of said facilities, utilities and services is concurrent with development; and

6. provide that development orders and permits shall not be issued which result in a reduction of the level of services for affected public (community) facilities.

Conservation Element

Goal 1: Conservation, protection, and management of the natural resources of the City to ensure maintenance of wildlife habitats for the benefit and enjoyment of future generations while promoting the highest environmental quality possible.

Objective 1.2: The City shall take steps to conserve, appropriately use, and protect the quality and quantity of current and projected water resources including wetlands.

Policy 1.2.2 The City shall enforce Ordinance 81-4 whereby emergency conservation of water resources is accomplished in accordance with the plans of the South Florida Water Management District.

Policy 1.2.3 The City shall participate in the Lake Okeechobee SWIM plan and will coordinate with the South Florida Water Management District in the implementation of the plan through the City's public operations and permitting process in accordance with revisions to its land development regulations as required by S.163.3202, F.S.

Policy 1.2.4 The City shall work with the Clewiston Drainage District (CDD) to implement a water quality monitoring program for the discharges into the primary canal system and discharges from the CDD pump stations.

Policy 1.2.5 At the time Hendry County adopts regulations to protect potable water sources by a wellfield protection ordinance, the City will enact necessary complimentary regulations.

Capital Improvements Element

Goal 1: To ensure that public facilities are provided, on a fair-share cost basis, in a manner which maximizes the use of existing facilities and promotes orderly growth.

Objective 1.2: The City will issue development orders and permits only to the extent that the level of service standards set forth in this element are fully met and service provided concurrent with the impacts of the development.

Policy 1.2.1 The level of service standards set forth herein are adopted as the basis for the City’s issuance of development orders and permits for new construction:

Potable Water: 115 gallons/capita/day

Policy 1.2.2 The City shall continue to enforce the appropriate land development regulations to ensure that improvements will be made to public facilities to conform with level of service standards for al projects permitted after that date or that phasing or other provisions are made concurrent with impacts so as to enable the implementation of the Concurrency Management System.

Concurrency Management System Element

Table X.1 Public Facilities Capacities and Level of Service Inventory for Concurrency Management

The following data will be maintained by the Building Official and shall be used for the concurrency assessment of new development.

Potable Water

1. The design capacity of the City's potable water supply.
2. The existing level of service measured by the average daily flow in gallons per unit based on the total number of equivalent residential units within the service area.
3. The adopted level of service standards for the potable water system.
4. The capacities reserved for approved but unbuilt development within the City.
5. The improvements to be made to the facility in the current fiscal year by an approved development pursuant to previously issued development orders and the impact of such improvements on the existing capacities or deficiencies.
6. The improvements to be made to the facility in the current fiscal year by the City and the impact of such improvements on the existing capacities or deficiencies.

Table X.3 Facility Specific Rules for Concurrency Assessment City of Clewiston, Florida

Potable Water

The City shall adopt Land Development Regulations which provide potable water use standards based on equivalent residential units. Commercial and industrial developments shall provide a description and estimate of water use needs for any commercial or industrial processes involving potable water.

Prior to the issuance of a Certificate of Occupancy, all facility improvements necessary to accommodate the impacts of that portion of the development receiving a Certificate of Occupancy shall be in place, as required by the Development Order.

Another legislative change under 9J-5 encourages local governments to establish joint planning agreements for proposed annexation areas. In the event that a proposed annexation present a conflict in planning and service delivery, The City of Clewiston may consider the negotiation of interlocal service boundary agreements pursuant to Florida Statutes Section 171.203.

Intergovernmental Coordination Element

The City has ongoing coordination with Hendry County and SSWA regarding water demands of users of the City of Clewiston's utility system. The City will continue to coordinate with both the County and SSWA on Hendry County Comprehensive Plan and zoning amendments for projects that propose utility service from the City of Clewiston or SSWA, which purchases water from the City. Coordination activities should continue so that adequate system capacity exists to serve these projects if and when they commence development. Currently such future developments are not anticipated to commence construction within the 10-year planning horizon. The City and SSWA currently have a United States Department of Agriculture Rural Development water purchase contract (Form RD-442-3), which extends through 2044. City of Clewiston Resolution No. 2004-08 approves the sale of water to SSWA under this contract. The Executive Committee of SSWA has a companion Resolution No. 04-01 approving the purchase of water from the City under the same contract.

The City has provided data to the SFWMD for use in the 2017 Lower West Coast Water Supply Plan Update, and will do so for future Water Supply Plan updates. The City also attends public Water Supply Plan workshops, or has representatives attend on its behalf, and reviews draft documents distributed for review and comment by the SFWMD.

Goal 1: To achieve greater governmental efficiency and resolve conflicts by coordinating development activities between the City of Clewiston and Hendry County, and relevant regional, state and federal entities.

Objective 1.1: The City shall continue to coordinate planning and development regulations with adjacent local governments and agencies to assure that impacts of proposed developments will not prevent achieving level of service standards, create land use conflicts or in any respect contribute to inconsistent and incompatible land development patterns.

Policy 1.1.1 The City shall continue to advise adjacent local governments of proposed development activities which might reasonably be expected to affect public facility service standards and review such projects from the standpoint of conformity with the plans of adjacent local governments, including annexations.

Objective 1.2: The City of Clewiston shall maintain mechanisms to address development issues proposed in its Comprehensive Plan, affecting Hendry County and other governmental jurisdictions.

Policy 1.2.2 On request and under the general direction of the City Commission, the City Manager shall continue to provide and exchange information pertaining to significant proposed development among the appropriate local and regional agencies.

Policy 1.2.3 For proposed development in the City which may have extra-jurisdictional impacts due to the size, character or location, the City shall establish procedures for review of comprehensive plans and comprehensive plan amendments which shall include:

1. Identifying intergovernmental issues and conflicts;

2. Identifying the impacts of capital projects listed in the Capital Improvements Element of the City of Clewiston Comprehensive Plan upon the provision of basic services; and
3. Determining the relationship of development proposed within the City of Clewiston Comprehensive Plan to the development proposed in the Comprehensive Plan or Comprehensive Plan Amendments of Hendry County and/or adjacent municipalities. This shall include distributing a copy of the relevant proposed plan amendments to adjacent local governments.

Objective 1.3: The City establishes level of service standards, service areas and phasing of improvements as set forth in the Sanitary Sewer, Solid Waste, Drainage, and Potable Water Element.

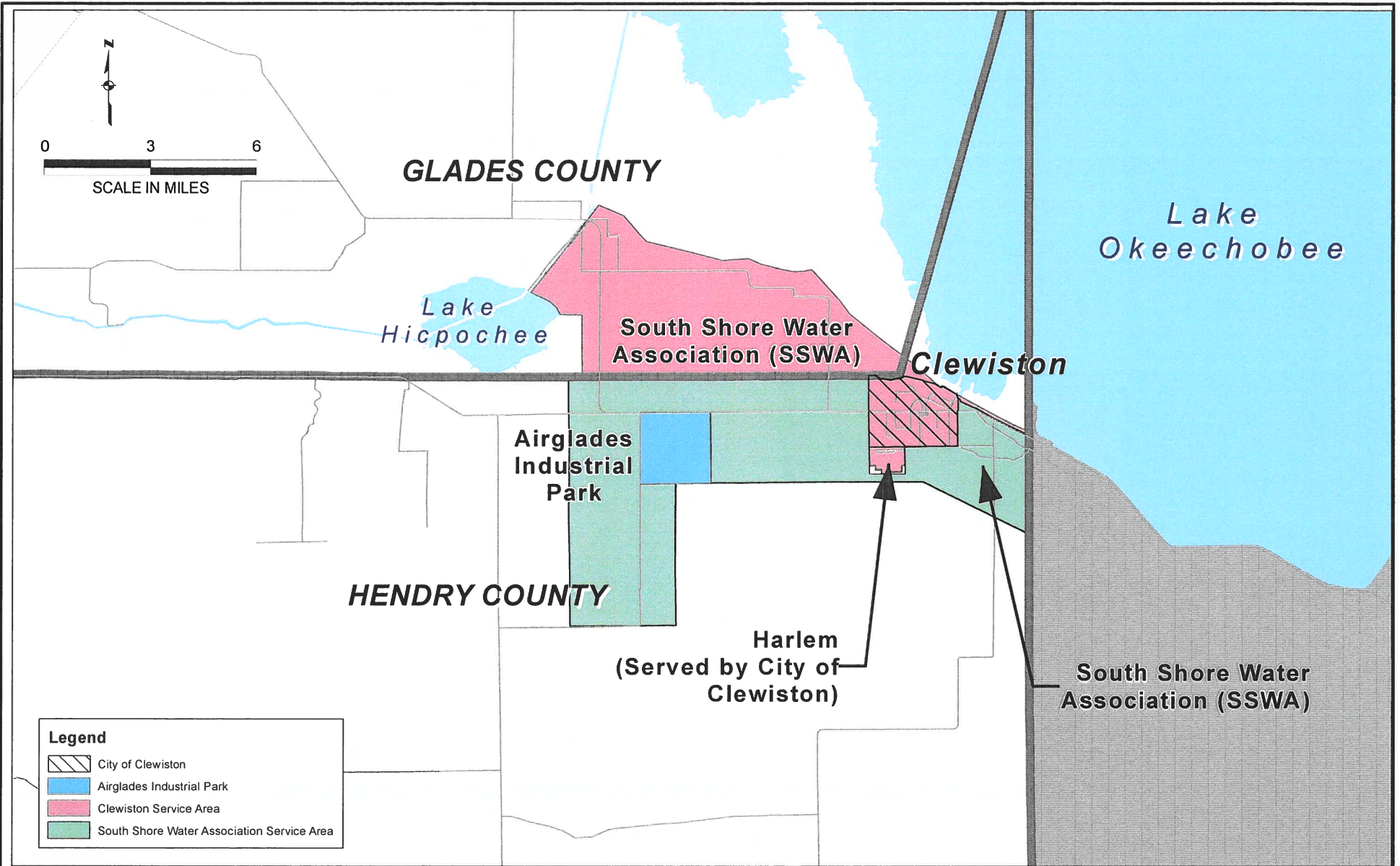
Policy 1.3.1 Public facilities shall be in place or appropriate provisions made to maintain specified level of service standards to serve all development and redevelopment.

Objective 1.4: The City will assist the SWFRPC in achieving orderly and timely development of the region and supports regional coordination activities of the Council.





Policy 1.4.2 The City will coordinate its planning and development permitting with the SWFRPC and other agencies as well as local governments to ensure orderly and timely development of Hendry County and the region.

7.0 FIGURES

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Legend

	City of Clewiston
	Airglades Industrial Park
	Clewiston Service Area
	South Shore Water Association Service Area

City of Clewiston, Florida

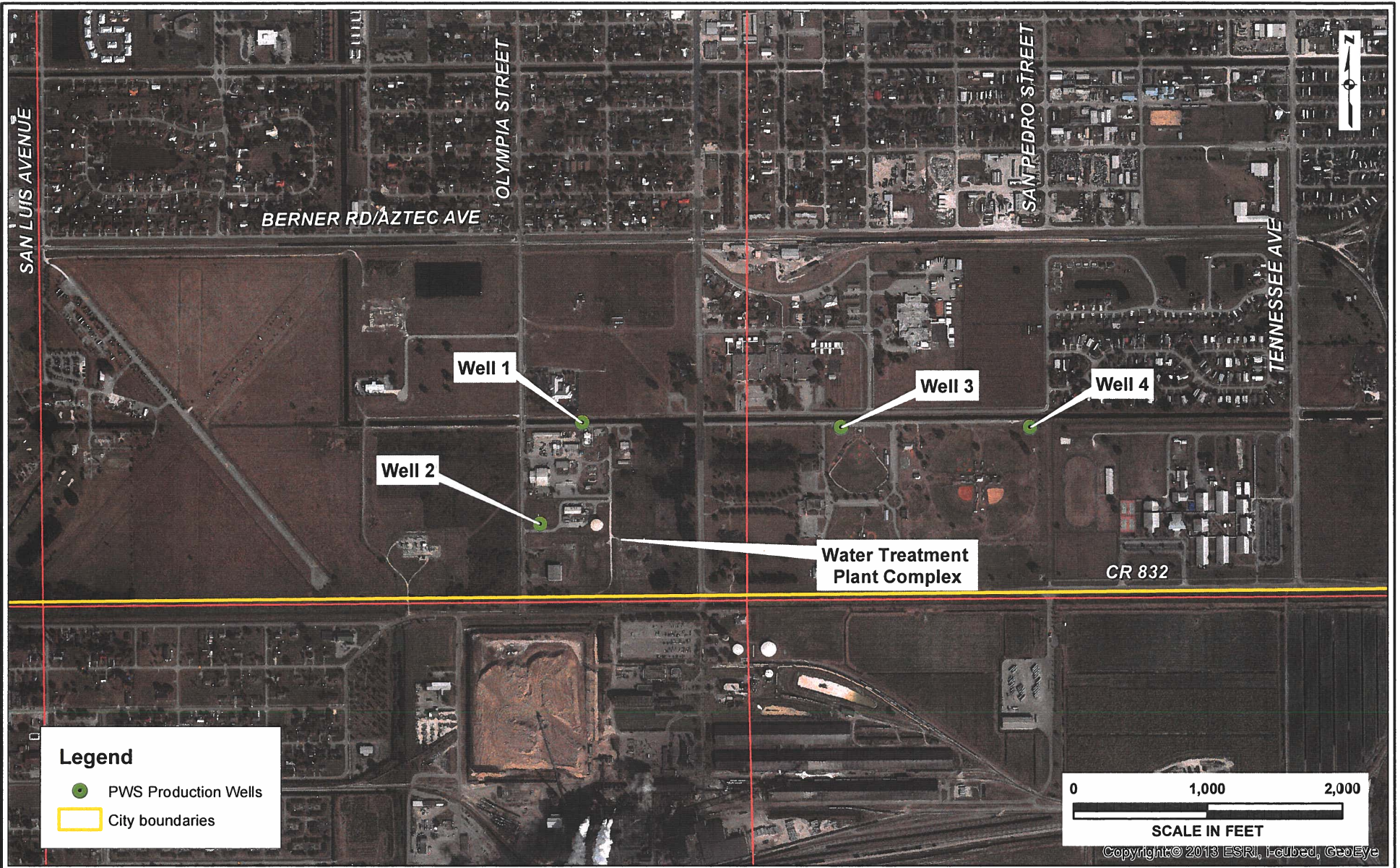
JOHNSON
ENGINEERING

201 S. BERNER ROAD, #3
CLEWISTON, FLORIDA 33440
PHONE (863) 805-0707
FAX (863) 612-0341
E.B. #642 & L.B. #642

City of Clewiston/SSWA
Utility Service Areas

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
February 2020	20181170-013	--	As Shown	Figure 1

L:\20180000\20181170-013 - City of Clewiston (10-Year Water Supply Facilities Update)\2014 Work Plan\Figure2.mxd



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City of Clewiston
Hendry County, Florida

JOHNSON
ENGINEERING

2122 JOHNSON STREET
201 S. BERNER ROAD, #3
CLEWISTON, FLORIDA 33440
PHONE (863) 805-0707
FAX (863) 612-0341
E.B. #642 & L.B. #642

City of Clewiston
PWS Wellfield

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
February 2020	20181170-013	00-00-00	1" = 1,000'	Figure 2

8.0 APPENDIX

WATER PURCHASE CONTRACT

This contract for the sale and purchase of water is entered into as of the _____ day of _____
between the CITY OF CLEWISTON
115 West Ventura Avenue, Clewiston, Florida 33440

(Address)

hereinafter referred to as the "Seller" and the South Shore Water Association
Clewiston, Florida 33440

(Address)

hereinafter referred to as the "Purchaser",

WITNESSETH:

Whereas, the Purchaser is organized and established under the provisions of Chapter 617 of the
Code of the State of Florida, for the purpose of constructing and operating a water supply distribution
system serving water users within the area described in plans now on file in the office of the Purchaser and to accomplish this
purpose, the Purchaser will require a supply of treated water, and

Whereas, the Seller intends to develop, own and operate a potable water treatment system with a capacity capable of
serving the present customers of the Seller's system and the estimated number of water users to be served by the said Purchaser
as shown in the plans of the system now on file in the office of the Purchaser. This contract is contingent upon that
development and upon the seller obtaining necessary project funding, and

Whereas, by Resolution No. 2004-08 enacted on the 16th day of August, 2004,
by the Seller, the sale of water to the Purchaser in accordance with the provisions of the said Contract was
approved, and the execution of this contract carrying out the said _____ by the
_____, and attested by the Secretary, was duly authorized and

Whereas, by Resolution of the Executive Committee of the Purchaser, enacted on the
_____ day of August, 2004, the purchase of water from the seller in accordance with terms
set forth in the said contract was approved, and the execution of this contract by the purchaser, and
attested by the Secretary was duly authorized;

Now, therefore, in consideration of the foregoing and the mutual agreements hereinafter set forth,

A. The Seller Agrees:

1. (Quality and Quantity) To furnish the Purchaser at the point of delivery hereinafter specified, during the term of this
contract or any renewal or extension thereof, potable water meeting applicable purity standards of the State of Florida and
United States EPA in such quantity as may be required by the Purchaser not to exceed 30 million gallons per month.

*Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching
existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this
burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture,
Clearance Officer STOP 7602, 1400 Independence Avenue, S.W., Washington, D. C. 20250-7602. Please DO NOT RETURN this form to this address.
Forward to the local USDA office only. You are not required to respond to this collection of information unless it displays a
currently valid OMB control number.*

2. (Point of Delivery and Pressure) That water will be furnished at a reasonably constant pressure calculated at

50 - 70 psi from an existing twelve (12) inch main supply at a point located
at the water treatment plant

If a greater pressure than that normally available at the point of delivery is required by the Purchaser, the cost of providing such greater pressure shall be borne by the Purchaser. Emergency failures of pressure or supply due to main supply line breaks, power failure, flood, fire and use of water to fight fire, earthquake or other catastrophe shall excuse the Seller from this provision for such reasonable period of time as may be necessary to restore service.

3. (Metering Equipment) To furnish, install, operate, and maintain at its own expense at point of delivery, the necessary metering equipment, including a meter house or pit, and required devices of standard type for properly measuring the quantity of water delivered to the Purchaser and to calibrate such metering equipment whenever requested by the Purchaser but not more frequently than once every twelve (12) months. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate.

The previous readings of any meter disclosed by test to be inaccurate shall be corrected for the six (6) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read on the 1st day of the month. An appropriate official of the Purchaser at all reasonable times shall have access to the meter for the purpose of verifying its readings.

4. (Billing Procedure) To furnish the Purchaser at the above address not later than the 10th day of each month, with an itemized statement of the amount of water furnished the Purchaser during the preceding month.

B. The Purchaser Agrees:

1. (Rates and Payment Date) To purchase water from seller at a rate no greater than the cost of the water produced by seller. To pay the Seller, not later than the 25th day of each month, for water delivered in accordance with the following schedule of rates:

- a. \$ 34.840 for the first 13 million gallons, which amount shall also be the minimum charge per month.
- b. \$ 2.68 cents per 1000 gallons for water in excess of 13 million gallons but less than 20 million gallons.
- c. \$ 2.68 cents per 1000 gallons for water in excess of 20 million gallons.

d. Purchaser shall pay Seller a minimum of \$34,840 per month, each month of the term of the contract even if no water is purchased, except Purchaser shall not be required to purchase water from Seller or to pay any minimum monthly charge at any time after Seller's construction loan from the United States Department of Agriculture has been repaid. Purchaser's election not to purchase water after the loan repayment shall relieve Seller from its obligations to thereafter maintain production capacity available for purchase pursuant to section A.1., herein above.

2. (Connection Fee) To pay as an agreed cost, a connection fee to connect the Seller's system with the system of the Purchaser, the sum of (Actual Cost) dollars which shall cover any and all costs of the Seller for installation of the metering equipment and tie in.

C. It is further mutually agreed between the Seller and the Purchaser as follows:

1. (Term of Contract) That this contract shall extend for a term of 40 years from the date of the initial delivery of any water as shown by the first bill submitted by the Seller to the Purchaser and, thereafter may be renewed or extended for such term, or terms, as may be agreed upon by the Seller and Purchaser.
2. (Delivery of Water) That 30 days prior to the estimated date of completion of construction of the Purchaser's water supply distribution system, the Purchaser will notify the Seller in writing the date for the initial delivery of water.
3. (Water for Testing) When requested by the Purchaser the Seller will make available to the contractor at the point of delivery, or other point reasonably close thereto, water sufficient for testing, flushing, and trench filling the system of the Purchaser during construction, irrespective of whether the metering equipment has been installed at that time, at a flat charge of \$ 2.68 per thousand gallons which will be paid by the contractor or, on his failure to pay, by the Purchaser.
4. (Failure to Deliver) That the Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the Purchaser with quantities of water required by the Purchaser. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to the Seller is otherwise diminished over an extended period of time, the supply of water to Purchaser's consumers shall be reduced or diminished in the same ratio or proportion as the supply to Seller's consumers is reduced or diminished.
5. (Modification of Contract) That the provisions of this contract pertaining to the schedule of rates to be paid by the Purchaser for water delivered are subject to modification at the end of every three (3) year period. Any increase or decrease in rates shall be based on a demonstrable increase or decrease in the costs of performance hereunder, but such costs shall not include increased capitalization of the Seller's system. Other provisions of this contract may be modified or altered by mutual agreement.
6. (Regulatory Agencies) That this contract is subject to such rules, regulations, or laws as may be applicable to similar agreements in this State and the Seller and Purchaser will collaborate in obtaining such permits, certificates, or the like, as may be required to comply therewith.
7. (Miscellaneous) That the construction of the water supply distribution system by the Purchaser is being financed by a loan made or insured by, and/or a grant from, the United States of America, acting through Rural Development of the United States Department of Agriculture, and the provisions here of pertaining to the undertakings of the Purchaser are conditioned upon the loan being funded.
8. (Successor to the Purchaser) That in the event of any occurrence rendering the Purchaser incapable of performing under this contract, any successor of the Purchaser, whether the result of legal process, assignment, or otherwise, shall succeed to the rights of the Purchaser hereunder.

In witness whereof, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed in _____ counterparts, each of which shall constitute an original.

Seller: CITY OF CLEWISTON



By: MALI S. CHAMNESS

Title: Mayor

Attest:



John T. McCallum
City Clerk

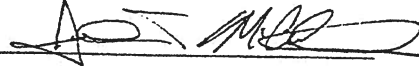
Purchaser: SOUTH SHORE WATER ASSOCIATION



By: MORRIS E. RIDGILL

Title: President

Attest:



Secretary

This contract is approved on behalf of Rural Development this _____ day of _____.

By: _____

Title: _____

RESOLUTION NO. 04-01

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE SOUTH SHORE WATER ASSOCIATION, APPROVING THE PURCHASE OF POTABLE WATER FROM THE CITY OF CLEWISTON, FLORIDA; AUTHORIZING THE EXECUTION OF A UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT WATER PURCHASE CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clewiston, Florida, plans to construct and operate a new water supply distribution system, which will be partially funded by the United States Department of Agriculture Rural Development; and

WHEREAS, the South Shore Water Association has requested to purchase potable water produced by the new system and the City Commission of the City of Clewiston agrees to sell the requested water; and

WHEREAS, the United States Department of Agriculture Rural Development (USDA) requires a Form RD-442-3 "Water Purchase Contract" between the City of Clewiston and the South Shore Water Association for the sale of the requested water.

NOW THEREFORE, BE IT RESOLVED BY THE EXECUTIVE COMMITTEE IN EXECUTIVE COMMITTEE SESSION ASSEMBLED THERETO THAT:

1. The South Shore Water Association agrees to purchase potable water from the City of Clewiston in accordance with terms set forth in the USDA Water Purchase Contract dated August 16, 2004

3. This resolution shall become effective upon adoption.

DULY ADOPTED Executive committee meeting this 4th day of August 2004.

ATTEST:


SECRETARY


PRESIDENT

Certified to be a true and correct copy of the original.

Iva Pittman
Deputy Clerk
City of Clewiston, Florida

By: Iva Pittman
Deputy Clerk

Date: 8/19/04

RESOLUTION NO. 2004-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, APPROVING THE SALE OF POTABLE WATER TO THE SOUTH SHORE WATER ASSOCIATION; AUTHORIZING THE EXECUTION OF A UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT WATER PURCHASE CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clewiston, Florida, plans to construct and operate a new water supply treatment system, which will be partially funded by the United States Department of Agriculture Rural Development; and

WHEREAS, the South Shore Water Association has requested to purchase potable water produced by the new system and the City Commission of the City of Clewiston agrees to sell the requested water; and

WHEREAS, the United States Department of Agriculture Rural Development (USDA) requires a Form RD-442-3 "Water Purchase Contract" between the City of Clewiston and the South Shore Water Association for the sale of the requested water.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION IN SPECIAL SESSION ASSEMBLED THERETO THAT:

1. The City agrees to sell the requested potable water to the South Shore Water Association in accordance with terms set forth in the USDA Water Purchase Contract dated August 16, 2004
3. This resolution shall become effective upon adoption.

DULY ADOPTED in regular session this 16th day of August 2004.

ATTEST:

Mali Chamness
MALI CHAMNESS
MAYOR

John T. McCallum
JOHN T. MCCALLUM
CITY CLERK

