

RESOLUTION NO. 17-71

A RESOLUTION APPROVING THE SUBMISSION OF A REQUEST TO THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA AND THE GOVERNING BOARD OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT TO AMEND EASEMENT NO. 31790 RELATING TO THE BENNETT SWAMP WETLAND REHYDRATION PROJECT TO PROVIDE A NORTHERN LEG TO THE REUSE WATER DISTRIBUTION SYSTEM, ALLOW FOR TREATED EFFLUENT FLOWAGE, AND EXTEND THE EASEMENT TERM TO FOSTER THE RESTORATION OF THE BENNETT SWAMP HYDROPERIOD; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN AMENDMENT TO EASEMENT NO. 31790; AUTHORIZING EXPENDITURE OF UP TO \$20,000 FOR INSTALLATION OF VEGETATION IN ACCORDANCE WITH THE EASEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 09-64, the City Commission accepted Easement No. 31790 from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and the Governing Board of the St. Johns River Water Management District (the "Trustees") across lands located in the Bennett Swamp Corridor west of LPGA Boulevard and north of US 92, for utility transmission mains necessary to serve the Indian Lake Industrial Park and allow for reuse water and stormwater to be carried west for use in the City's reuse water distribution system; and

WHEREAS, the term of the Easement commenced on May 29, 2009, and expires May 28, 2059; and

WHEREAS, the City has undertaken a wetland rehydration project for the same area; and

WHEREAS, the wetland rehydration project will require an amended Easement from the Trustees to provide a northern leg to the reuse water distribution system, allow for treated effluent flowage, and extend the term to May 28, 2067, to foster the restoration of the Bennett Swamp hydroperiod to its historical condition and function; and

WHEREAS, the Deputy Utilities Director recommends the submission of a request to the Trustees for amendment to Easement No. 31790 to facilitate the Project; and

WHEREAS, the Deputy Utilities Director recommends the City Commission authorize the City Manager to execute the amendment to Easement No. 31790, if approved, and expend an amount not to exceed \$20,000 to reestablish native vegetation disturbed during construction; and

WHEREAS, the Chief Financial Officer has submitted a Sufficiency of Funds Certificate.

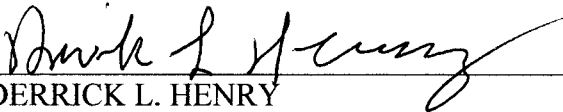
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. The City Commission hereby authorizes submission of a request to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and the Governing Board of the St. Johns River Water Management District for an amended Easement No. 31790 relating to the Bennett Swamp Corridor Project, to provide for the addition of a northern leg to the reuse water distribution system, allow for treated effluent flowage, and to extend the term of the Easement from May 28, 2059, to May 28, 2067, to foster the restoration of the Bennett Swamp hydroperiod to its historical condition and function.

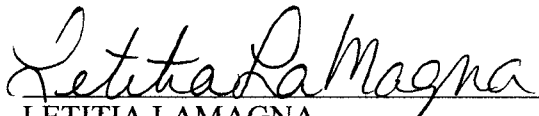
SECTION 2. The City Manager is hereby authorized to execute the amendment to Easement No. 31790 and any other documents necessary to facilitate the project.

SECTION 3. The expenditure of \$20,000 to reestablish native vegetation disturbed during construction, in accordance with the Easement, is hereby approved.

SECTION 4. This Resolution shall take effect immediately upon its adoption.


DERRICK L. HENRY
Mayor

ATTEST: _____


LETITIA LAMAGNA
City Clerk

Adopted: March 15, 2017