

**JOINT WATER ADVISORY BOARD AND TECHNICAL ADVISORY
COMMITTEE MEETING
NOVEMBER 8, 2019**

WAB MEMBERS PRESENT: Commissioner Steve Geller, Broward County Board of County Commissioners, Chair
Commissioner Kevin Biederman, City of Hollywood
Commissioner Tim Loneragan, City of Oakland Park
Vice Mayor Susan Starkey, Town of Davie
Mayor Ken Thurston, City of Lauderhill
Mayor Sandy Welch, City of Coconut Creek
Albert Carbon, TAC Chair
Governing Board Member Ron Bergeron, South Florida Water Management District
Commissioner Doug Bell, CBWCD Board of Commissioners
Mayor Greg Ross, South Florida Regional Planning Council
Mark Peterson, Greater Fort Lauderdale Alliance
Commissioner Richard Blattner, Alternate, City of Hollywood
Pete Kwiatkowski, Alternate, South Florida Water Management District

WAB MEMBERS ABSENT: Vice Mayor Tom Good, Pembroke Pines
Mayor Wayne Messam, City of Miramar
Commissioner Tim Ryan, Broward County Board of County Commissioners
Michele R. Clawson
Jack McClusky, Alternate, SBDD Board of Commissioners
Commissioner Neil Kerch, Alternate, City of Sunrise
Mayor Frank Ortis, Alternate, City of Pembroke Pines
Mayor Dean Trantalis, Alternate, City of Fort Lauderdale
Mayor Michelle J. Gomez, Alternate, City of Tamarac
Commissioner Barry Moss, Alternate, City of Pompano Beach
Vacant, Alternate, City of Coral Springs

TAC MEMBERS PRESENT: Albert Carbon, Chair
Kevin Hart, Co-Chair
Larry Teich for Talal Abi-Karam
Harold Aiken
Mike Bailey
Doug Bell
Shana Coombs for Randy Brown
Curt Keiser for Mark Collins
Sara Forelle
Rafael Frias

Kevin Carter for Alan Garcia
Barry Heimlich
Dr. Jennifer Jurado
Pete Kwiatowski
Rebecca Malones for Lisa Milenkovic
Renuka Mohammed Stephanie Pearson
Steve Urich
Tim Welch

TAC Mike Crowley
MEMBERS Patrick Davis
ABSENT: Steve Holmes
Leny Huaman
Jose Lopez
Pat O'Quinn

Also Present: Dr. Evelyn Gaiser, Endowed George Barley Eminent Scholars
Professor; Biological Sciences; Institute of Water and
Environment, Florida International University
Dr. Carolina Maran, P.E., Water Resources Manager,
Environmental Planning and Community Resilience, Broward
County
Ernie Cox, Palm Beach Aggregates
Carlos Adoriso, Engineering Supervisor, Broward County
Environmental Engineering and Permitting Division
Susan Juncosa, Broward County Water & Wastewater Services
Michael Owens, Broward County Attorney's Office
Nancy Cavender, The Laws Group

A joint meeting of the Broward County Water Advisory Board, Technical Advisory Committee, and Water Resources Task Force was held at Broward County Government Center, 115 South Andrews Avenue, Room 430, Fort Lauderdale, Florida on Friday, November 8, 2019 at 10:00 a.m.

(The WAB/TAC meeting minutes were summarized by Norma Ellison. Copies of the presentations, as well as the sign-in sheets, are filed with the supplemental papers of the meeting.)

Roll Call – Water Advisory Board (WAB)

Roll call was taken by the Real Time Reporter. A quorum was present.

Public Comments

None

2.

JOINT WAB/TAC
NOVEMBER 8, 2019
NE

WAB Approval of Minutes from September 13, 2019

On Motion of Mayor Ross, seconded by Sandra Welch, and unanimously carried, the Board approved the Joint WAB/TAC Meeting Minutes from September 13, 2019.

PRESENTATIONS

WAB Vote on Recommended Septic Tank Ordinance

Dr. Jennifer Jurado, Director & Chief Resilience Officer, Broward County EPCRD

The Chair reiterated that at the last meeting he requested anyone with concerns to submit them in writing within the next 15 days and to discuss only those submitted items at the next WAB meeting. He then agreed to round off the deadline date to the end of the month, September 30th, for submission to Dr. Jurado or the County Attorney. Reminders were distributed, one item was received electronically in response to the call for additional comments.

Referring to the hand-out, Dr. Jurado summarized the amendments and the members' comments. Michael Owens provided legal review responses to the questions raised on interlocal agreements as an established means of negotiated enforcement, the ability to waive monthly service fees if not connected, and the ability to transfer ownership of infrastructure to the enforcing municipality. Dr. Jurado remarked that the primary reason this item was advanced through the Water Advisory Board was because it previously sat with the Department of Health with no activity at all. Lengthy discussion and ample debate ensued.

The Chair informed that Tom Good sent a letter to all the board members requesting his concerns be read into the record and made part of the record in his absence at today's meeting. The Chair read his letter. In the letter, Mr. Good expressed his lack of support for the item and requested that the matter be deferred to afford the opportunity for the proposed ordinance to be revised.

In response to the Chair, Mr. Owens answered that a voice vote by the board members is sufficient for this purpose.

The Chair requested a show of hands for either postponement to the next meeting on actual amendments (not discussion or concerns), or to proceed to an up or down vote. The consensus was to proceed with voting. He requested the real time reporter call the roll for the individual votes.

The vote passed 8 to 4 with Vice Mayor Starkey, Ron Bergeron, Commissioner Doug Bell, and Mayor Greg Ross voting NO. Pete Kwiatkowski, alternate, abstained from voting.

The Chair reminded that this septic tank ordinance still has to go before the County Commission. He referred to Vice Mayor Starkey's and Mayor Ross's concerns with some of the language in the ordinance, and encouraged them to contact the County Attorney's Office.

He emphasized that the overall intent of the ordinance cannot be changed, but staff is permitted to make technical and clarifying changes to this before it goes to the County Commission. He then inquired if there were any objections.

As no objections were raised, the vote passed unanimously.

WAB Vote on Sea Wall Ordinance Update

Dr. Jennifer Jurado, Director & Chief Resilience Officer, Broward County EPCRD

The Chair repeated that if this sea wall ordinance is adopted today, the same principle applies that the overall intent of the ordinance cannot be changed, but staff is permitted to contact the County Attorney's Office to make technical and clarifying changes to it before it goes before the County Commission. He inquired if there were any objections.

As no objections were raised, the vote passed unanimously.

Dr. Jurado provided a brief history of the advancement and evolution of the seawall ordinance item during the last year. She referred to the extensive public process, from public workshops involving industries, municipalities, and residents, through the Planning Council process, and numerous adjustments made to language based on comments, with the intent to bring the item to the County Commission for adoption.

She recapped that the fundamental part of the ordinance includes the establishment of a 5 ft. NAVD by 2050 for top elevation for seawalls and other tidal barriers required at the time of new construction, major renovation, or the property is sited due to extreme high tide events. This item allows that the municipalities to acknowledge an alternative standard 4 ft. NAVD by 2035 and would have 2 years for municipal adoption. The anticipated effective date is December 2019.

Dr. Jurado summarized the timelines of occurrences during the 3 months of public process as well as some of the amendments as the item was vetted through the Planning Council.

In conclusion, Dr. Jurado summarized the next steps of ongoing community outreach and engagement, developing communication tools, i.e., living shorelines, coordination with FDOT and municipalities to identify critical improvements, processing LiDAR for seawall top elevations, developing maps that depict where exposures exist, and coordination with partners on adaptation strategies.

In response to the Chair, Dr. Jurado informed there is a provision allowing for clear glass-like mechanical seawalls as an option for residents concerned about higher seawalls blocking their views.

In response to the Chair, Mr. Owens clarified tidal flooding as a public nuisance involving rights of way and emergency access issues that require enforcement of required abatement if necessary.

Mayor Ross made the **Motion to Bifurcate**.

In the interest of time, the Chair decided to limit additional questions before accepting Mayor Ross's Motion.

The Chair requested a show of hands to proceed to a vote. He inquired if there were any objections.

As no objections were raised, the vote passed unanimously.

In response to Doug Bell's reference to Attachment 4, Article XXV, Sec. 39-407(g), Dr. Jurado responded that natural lime rock rip rap is part of Chapter 27's code for requirements for seawall constructions and provides biological value.

In response to Commissioner Lonergan, Dr. Jurado responded that the 4 ft. alternative provides some flexibility for residents concerned about higher seawalls blocking their views.

Vice Mayor seconded Mayor Ross's Motion. She remarked that people in the industry; i.e., the Coordinating Council, do not have any objections to this ordinance and understand there will be issues with property values and insurance rates if it is not adopted.

In response to Ron Bergeron, Dr. Jurado responded that this recommendation was supported through a joint agreement with the ACOE along with extensive coordination with the SFWMD especially focused on the Central SF Flood Control Project.

The Chair emphasized that Mr. Owens ensure that language is included requiring realtors to disclose this new requirement on point of sale.

The Chair requested the real time reporter call the roll for the individual votes.

The vote passed unanimously.

Blue-Green Algae Task Force Update

Dr. Evelyn Gaiser, Endowed George Barley Eminent Scholars Chair; Professor Biological Sciences; Institute of Water and Environment, Florida International University

Dr. Gaiser introduced herself and provided her background information. She explained that the Blue-Green Algae Task Force is an advisory body, appointed by Governor DeSantis, to aid the Department of Environmental Protection in enforcing its environmental laws. Its goal is to provide guidance and recommendations to improve and restore Florida's water bodies that have been adversely affected by blue-green algae blooms. She emphasized that all the information is available to everyone and referred to the website.

Referring to her hand-out, Dr. Gaiser summarized the main sources of nutrients that need to be addressed; agricultural operations, wastewater treatment plants, onsite sewage disposal systems, urban storm water runoff, etc.

At that point, the Chair apologized to Dr. Gaiser requesting she return to speak at the next meeting. He emphasized that her topic is too important to limit her to 5-7 minutes, promising she would be the first speaker at the next meeting.

Dr. Gaiser agreed, expressing her gratitude and appreciation for the opportunity to return.

Then the Chair deferred the next agenda item, Flood Mapping Efforts: FEMA Coastal Flood Risk Study and Broward County Future Conditions 100-Year Flood Map, to the next meeting.

C-51 Reservoir Update

Ernie Cox, Palm Beach Aggregates

Ernie Cox informed that he is presently working with staff from Pompano Beach, Fort Lauderdale, and Margate on an additional 10 mgd to be added to the 13 mgd already under capacity allocation agreements. He explained that if this gets contracted within the next 30 days, then construction of the project can begin. Mr. Cox acknowledged Dr. Jurado and Dr. Maran for their efforts.

Lake Okeechobee Water Levels: 10/30/2019: 13.48; 1 month ago: 13.60; 1 Yr ago: 13.72 ft-NGVD

Next Scheduled Joint WAB/TAC – January 10, 2020

Next Scheduled TAC Meeting – December 20, 2019

ADJOURNMENT

There being no further business to discuss, on Motion by Mayor Ross and seconded by Mayor Welch, without objection, the meeting adjourned at 12:02 pm.