

**CITY OF FORT LAUDERDALE
SUSTAINABILITY ADVISORY BOARD
CITY HALL CITY COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
JANUARY 23, 2012 – 6:30 P.M.**

Members	Attendance	Cumulative Attendance 1/2012 through 12/2012	
		Present	Absent
Jon Albee, Chair	P	1	0
Alena Alberani, Vice Chair [until 8:16]	P	1	0
Valerie Amor	P	1	0
Jaime Castoro	A	0	1
Cathy Curry	A	0	1
Vicki Eckels	P	1	0
William Goetz	P	1	0
Dana Pollitt [until 8:20]	P	1	0
Rebecca J. Walter	P	1	0

Also Present

Todd Hiteshew, Staff Liaison
 Anthony Fajardo, Zoning Administrator
 Randall Robinson, Planner II, Department of Sustainable Development
 Suzanne Torriente, Assistant City Manager
 Heather Steyn, Public Works Department
 Brigitte Chiappetta, Recording Secretary, ProtoType, Inc.

Communications to the City Commission

Motion made by Ms. Eckels, seconded by Ms. Walter, to inform the City Commission that the SAB had heard the presentation from FPL as the Commission had requested and the SAB was submitting a revised Early Cost Recovery resolution for the Commission's approval. In a voice vote, motion passed 5-0. Copies of the presentation from FPL and the new resolution to be attached.

1. Call to Order

The meeting was called to order at 6:30 p.m. by Chair Albee.

2. Roll call – Introductions

Roll was called and it was determined a quorum was present.

3. Approval of Meeting Minutes – November 2011

The Board noted corrections to the minutes.

By consensus, the Board approved the minutes as amended.

4. New Business

- Chair/Vice Chair Election

Motion by Ms. Eckels, seconded by Dr. Goetz, to keep Mr. Albee as Chair and Ms. Alberani as Vice Chair. In a voice vote, motion passed unanimously.

- Regional Climate Change Action Plan – Susanne Torriente, Assistant City Manager

Ms. Torriente gave a Power Point presentation, a copy of which is attached to these minutes for the public record.

Ms. Torriente stated there were over 100 recommendations in the plan, divided into six goal areas:

- Sustainable community and transportation planning
- Water supply
- Risk reduction and emergency management
- Energy and fuel
- Natural systems and agriculture
- Outreach and public policy

For her City Commission presentation, Ms. Torriente had pulled out a few of the recommendations the City was either already doing, was about to do or could do.

- Development of policies and land use ordinance and best practices for complete streets
- Modifying design standards for bridges
- Water management
- Bicycle/pedestrian network connections and safety
- Focus on community gardens and farmers' markets
- Focusing transportation investments, services and expansion on projects and strategies contributing to greenhouse gas emission reductions and enhancing resiliency to climate change

Ms. Torriente stated the CIP they were developing would promote the sort of strategic investments that favored projects with these types of co-benefits. She said the regional cities and counties were aware of their vulnerability and were on the leading edge of taking responsibility in the absence of any national or state policy and this leadership was recognized. Ms. Torriente explained the comment period would last until March 16 and staff was developing an implementation matrix for the 100 recommendations. After the comment period, the four counties would take the plan to their county commissions for adoption and implementation. The next summit would take place in Palm Beach

County in the fall and the following year it would take place in Broward. In early 2013, the Sea Level Rise Technical Committee would reconvene.

For Fort Lauderdale, Ms. Torriente said staff was reviewing the recommendations and preparing comments. She stated they were working to integrate sustainability into City operations. They were creating an interdisciplinary team in the Public Works Department to work on the recommendations from this plan, the SAP and other Green efforts in the City. Ms. Torriente said the data from the technical working groups were being used in the City's strategic planning process to help prioritize the goals and objectives for City services. As staff reviewed recommendations, they would bring them to the SAB and the City Commission. Ms. Torriente informed Ms. Alberani that the interdisciplinary team was comparing the City's SAP with the regional plan to see if there were similarities.

Dr. Goetz said one of the biggest challenges would be convincing residents and politicians to allocate money to the initiatives. He suggested including the risks and costs for implementing versus not implementing the recommendations. Ms. Torriente stated the City Commission had been very supportive when she made her presentation to them.

- Memorandum of Understanding

Chair Albee had met with Ms. Torriente and Mr. Carbon earlier in the day and they had discussed how the Board could be automatically kept "in the loop" regarding all sustainability and Green issues the City addressed. Chair Albee said the City Manager's office was aware of the role the Board played and that they would be an active participant going forward. The Board's discussion of this would be on their next agenda. Chair Albee stated they would discuss how to accomplish the objectives of the SAP and establish performance measures for the SAP.

Dr. Goetz stated the Budget Advisory Board was the only board with a Memo of Understanding [MOU] with the City. The Board had drafted the MOU to facilitate getting information from City staff. Dr. Goetz felt the SAB should draft an MOU as well.

Ms. Eckels remarked on the lack of timeliness of responses to the SAB's communications to the City Commission, and asked if Chair Albee had discussed that with staff. Ms. Torriente said staff could do a better job of communicating. She said one difficulty communicating with the SAB was that "sustainability is everywhere." Ms. Torriente said staff had committed to growing their Green Team to represent every department, and communicate better to identify items that should be presented to the SAB.

Ms. Torriente said staff would develop a calendar of update items for the SAB's meetings each month for 2012.

Ms. Alberani wondered if a member of the City's Green Team could attend every advisory board's meetings until all of the boards understood how sustainability permeated every aspect of society. Ms. Torriente said she would need to discuss this with someone who better understood the advisory board system. Ms. Eckels suggested that board liaisons should be on the Green Team to get immersed in the idea of sustainability.

5. Old Business

- Urban Agriculture Ordinance, Randall Robinson, Planner II

Mr. Robinson introduced Anthony Fajardo, Zoning Administrator, to describe the ordinance process. Mr. Fajardo said the City Commission had agreed with most of the ordinance when it was presented to them. He asked for the Board's recommendations for the ordinance, which would be incorporated into the staff report.

Ms. Amor said she would like staff to "do this again" because there were many items in the ordinance that "miss the point of sustainability." She said sustainability should incorporate what community gardens and farms did, but language in the ordinance did not allow this. As an example, Ms. Amor said the definition of Urban Farm on page two was missing contextual information regarding the purposes and goals of an urban farm, such as:

- To unite communities
- To create security on the street
- To engage people
- To use underutilized land
- To reduce automobile use
- To provide jobs

Mr. Fajardo explained that urban farms were a more intensive use than community gardens and would require an amendment to the comprehensive plan, which was a very lengthy process. This ordinance was a way to accomplish their goal sooner. Ms. Amor referred to a slide in Ms. Torriente's presentation that did include the goals she had mentioned. Ms. Torriente said staff was trying to get something underway immediately, with the understanding that they could later amend the comprehensive plan.

Ms. Alberani asked if rooftop and vertical gardens would be included. Mr. Fajardo said this could be a recommendation that staff could determine a way to incorporate.

Ms. Amor wanted to expand the definition of what was being grown to include aquaponics. She said in some areas, the ordinance needed to be more specific and in some areas needed to back away. For example, if this went to a site level plan review, who on that board would be qualified to address this. Ms. Amor said education should also be part of it.

Mr. Fajardo said the community had desired the ordinance to be as simple as possible. He said site plan reviews were staff level, and they would apply whatever was in the written text of the ordinance. He stated best management practices could be incorporated.

Chair Albee stated if something was not permitted in the code, it was not allowed. If someone presented a hydroponic or aquaponic farm, it would not be allowed. Permaculture would also not be permitted. He did not agree that urban farms should be limited to property without structures; these could be rehabilitated to support the farm.

Chair Albee said another important area was integrated pest management that did not require insecticides. Composting was also a function of farming, and he could not describe how compost could be contained, as the ordinance required. Chair Albee said the ordinance was an excellent first step but it would not “get off the ground.” He was concerned that they were considering a flawed document. Chair Albee appreciated that staff wanted this to be simple, but he felt this actually made it more complicated. He suggested this might require a work session.

Michael Madfis, urban farmer, suggested looking at the ordinance again. He recommended keeping the ordinance to issues of zoning, such as scale, size, space and capacity. He said the State already regulated how farms operated.

Anthony Olivieri, Director of the Broward Food Policy Council, said problems stemmed from not having policy in place prior to the ordinance. He said the City already had a sustainability policy and objective to have mixed-use land. He stated having urban farms in residential areas was part of this. Mr. Olivieri submitted his comments regarding the ordinance.

Ms. Alberani suggested staff look at the city of Portland Oregon’s website that listed and mapped community gardens. She said staff could communicate with Portland to find out what was working for them. Mr. Fajardo said they had looked at other ordinances, specifically Seattle’s, which was working very well. He said they would be happy to look at others. Mr. Fajardo suggested a workshop session with the SAB to address the issues they had raised. The Board could also provide Mr. Hiteshew with comments to look at beforehand.

- Early Cost Recovery Resolution

Mr. Hiteshew said the City Commission had not seen the recent version of the resolution. Ms. Amor said she understood that the City Commission had approved the first version of the resolution that night at the regular agenda meeting after discussion and revisions had been made earlier at the conference agenda. When she learned that they did not approve it, she drafted a clearer revised version as a response. Mr. Hiteshew said at the regular agenda meeting, the Commission stated they wanted FPL to comment on the original version. Ms. Amor asked why this was being presented to

the Board again, when the Board had already approved the original version. Mr. Hiteshew stated this was a directive from the Commission to have FPL speak to the SAB. The Commission had deferred the item to their second February meeting.

Lynn Shatas, FPL, introduced Stephen Scroggs, FPL Nuclear Development Department. Mr. Scroggs said this was a “false choice.” He stated FPL was one of the few utilities that recognized that climate change was real and that they had a part to play in turning the tide on climate change. He said they had holdings in renewable and nuclear power generation. Mr. Scroggs stated nuclear was cost effective, emitted zero greenhouse gasses and would be a bridge to a future of new technologies in a more sustainable environment.

Mr. Scroggs said FPL believed nuclear was the right choice for their customers and for the State, and this was why the State had approved nuclear cost recovery as a means to stimulate investment in nuclear energy. Mr. Scroggs stated early cost recovery was not a “pass-through or complete early cost recovery of funds; funds are recovered as they are approved by the Public Service Commission and as they are expended.” In context, Mr. Scroggs said the megawatts they had brought online were saving their customers \$1 million in fuel charges every month. This represented \$1.4 billion FPPL had spent. Less than 15% was being recovered through this clause. The balance would be recovered through the normal capital markets they would recover through rates once the units became used and useful. Mr. Scroggs said FPL would also use 90,000,000 gallons of the 350,000,000 gallons of treated wastewater generated daily in Miami, preventing it from being sent out to sea or deep-well injected.

Mr. Scroggs said there was no distinction between early cost recovery for modifications to existing reactors and early cost recovery to build new reactors. He said they could recover the long-lead, early seed money for licensing and permitting, instead of allowing this money to sit in a bank account accruing interest until the units came online. Ms. Eckels said the alternative was the money would come out of FPL’s profits. She said, “It’s a matter of, do you bear that cost out of company profits or do you pass it through to us because you’ve decided you don’t want it to accrue.” She felt this was “so that you don’t have to spend your profits and invest in your own company; you want to pass that through to us, irrespective of the outcome.”

Mr. Scroggs said the concept that this was recovery in advance of providing service was an error. Dr. Goetz argued that was exactly what this was; it was in advance of providing service and in advance of anything being built. Mr. Scroggs said “This is the compact that the State legislature has identified for regulating utilities and in that compact, if they want to direct us to undertake certain things at a certain point in time, they will direct us to do so and through the legislative act of 2005 they did, and they required and requested that the Public Service Commission develop a rule associated with it.” Dr. Goetz said this is what they were requesting to be rescinded.

Chair Albee said he objected to the legislature's guaranteeing a return on investment for FPL, as this created an unbalanced playing field and as a citizen and an FPL ratepayer, this was the only way he had to register his discontent. This resolution was the way they could participate in the process, without any disrespect to FPL.

Mr. Pollitt said he had not had sufficient time to review the resolution drafted by Ms. Amor as it had only been provided earlier that same day. Ms. Amor said the second resolution was better and stronger and the Board could endorse either the first resolution that the Commission had already seen and made changes to or endorse the second draft. Mr. Pollitt indicated that the SAB voted in November on the resolution prepared by another city for that city, and that he would only vote on something if it was in a completed format.

Motion made by Ms. Eckels, seconded by Ms. Amor, to approve the revised Fort Lauderdale Early Cost Recovery Resolution version 1.22.12.

Ms. Alberani left the meeting at 8:16.

Mr. Pollitt said he had not seen the backup, but Ms. Amor said this had been provided to the Board and the City Commission. Mr. Pollitt stated he would be happy to vote on something next month after he had time to review it.

Mr. Pollitt left the meeting at 8:20.

Mr. Hiteshew recommended the communication to the City Commission should include that the Board had listened to the FPL presentation and still wanted the Commission to move forward with passing the resolution. Mr. Hiteshew would include the FPL presentation as backup for the City Commission.

In a voice vote, motion **passed** 5-0.

6. Staff Liaison Report

- Fluoride Update

Mr. Hiteshew reported that a Broward County ordinance mandated that the water contain fluoride. The cost was approximately \$.00082 per gallon.

- Data Storage

Mr. Hiteshew stated there were several free data hosting sites on which they could create an account for Board members to upload documentation.

- Board Vacancies

Mr. Hiteshew said there were currently two vacancies on the Board. He stated Board members must live in the City or operate a business in the City.

Other discussion items

Mr. Hiteshew said they would discuss PACE at the February meeting. Ms. Eckels stated PACE was a means of providing funds but the Feed-in Tariff was also needed.

At their February meeting, Dr. Goetz wanted to request that Ms. Torriente and Mr. Carbon attend the SAB meetings on a regular basis. He also wanted to discuss the fact that there was currently no initiative requiring funding that would be implemented so they should consider methods to obtain funding.

7. Communications to the City Commission

Motion made by Ms. Eckels, seconded by Ms. Walter, to inform the City Commission that the SAB had heard the presentation from FPL as the Commission had requested and the SAB was submitting a revised Early Cost Recovery resolution for their approval. In a voice vote, motion passed 5-0. Copies of the presentation from FPL and the new resolution are attached.

8. Adjournment

With no further business to come before the Board at this time, the meeting was adjourned at 8:35 p.m.

Next meeting date: February 27, 2012

Attachments:

Minutes – November 28, 2011

[Minutes prepared by J. Opperlee, Prototype, Inc.]