

**VERO BEACH UTILITIES COMMISSION MINUTES
TUESDAY, MARCH 10, 2020 - 9:00 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Chairman, Jane Burton; Vice Chairman and Indian River Shores Representative, Bob Auwaerter; Members: Judy Orcutt, Mark Mucher, and John Cotugno
Also Present: City Attorney, John Turner; Water and Sewer Director, Rob Bolton and Deputy City Clerk, Sherri Philo

Unexcused Absences: Bob McCabe and John Sanders

1. CALL TO ORDER

Today's meeting was called to order at 9:02 a.m. and the Deputy City Clerk performed the roll call.

2. APPROVAL OF MINUTES

A) February 11, 2020

Mr. Auwaerter made a motion to approve the minutes of the February 11, 2020 Utilities Commission meeting. Mr. Cotugno seconded the motion and it passed unanimously.

3. PUBLIC COMMENT

None

4. NEW BUSINESS

A) Presentation by Ocean Research and Conservation Association, Inc. (ORCA)

Mrs. Missy Weiss, Director of Citizen Science and Education, gave a Power Point presentation (attached to the original minutes).

Mrs. Orcutt said at one point through a previous City Council, there were some living shoreline projects promoted as an idea of things the City of Vero Beach could do to improve the Lagoon and one (1) was a living shoreline around the Island that is close to the bridge where the idea was to build up the Island with oysters and so forth. She thought there were also outfalls from the barrier island into the Lagoon and the idea was to do a living shoreline around those outfalls. She asked has anyone looked at these types of concepts on the east side to see if it is feasible now that ORCA has living shorelines created on the west side.

Mrs. Weiss said that she can only speak for ORCA and knows that at this point they are ready and have the equipment to be able to create more living shorelines so they have the

capability and are very confident in their model of the living shoreline design. She said if the property becomes identifiable and permits are allocated ORCA will be more than happy to, if it suits both parties.

Mr. Auwaerter asked in terms of monitoring, has any thought been given about hitting a sampling of the relief canals to get a sense of trying to pinpoint more of where the pollution might be coming from.

Mrs. Weiss said that is where their pollution mapping comes into play.

Mr. Mark Gano (spelling may be incorrect) commended ORCA stating that he has been familiar with them for years and they have been doing some great work. He said that he is a Board member on an advocacy sea group and if he heard Mrs. Weiss correctly, she said that ORCA has been collecting pollution information for the past 13 years. He said what is important to his advocacy group is to have data that they can use to make their points. He said there has been some talk over the years of ORCA putting together some reports and he has not seen any. He asked are those reports in the works.

Mrs. Weise clarified that over the last 13 years ORCA has been perfecting the techniques on how their pollution maps work. She noted that all their data is public and can be requested at any point.

Mr. Mucher said they hear all the time where one scientist will say the major problem is septic tanks, another will say it is agricultural, another will say it is residential fertilizer, etc. He asked if they are getting any closer to what the real top contributors are and what can be done about it.

Mrs. Weise said it would be amazing if there was one (1) single answer to that question. That would be the “golden ticket” they are all looking for. However, there is not just one (1) answer. The problems are synergistic and working together and to identify those is a challenge and is complex because the Lagoon is complex. They felt that collectively they can identify that nutrient loading is a major source and is coming from a whole host of locations. Nutrient loading seems to be a major issue that they need to figure out the best practice of minimizing it.

Mr. Mucher said it is not only the locations. It is the source of those nutrients.

Mrs. Weise said there is not one (1) single answer. It is a cumulative effect that all of this is having and it starts with identifying the sources and it starts with us. She felt that they were doing a good job of pinpointing those locations. They know what works. They know that buffered shorelines work when you plant vegetation along the shoreline before the stormwater runs into the Lagoon has a significant impact in removing the nutrients before it enters the Lagoon. So there are things identified, such as the buffered shorelines, raingardens, not over fertilizing or using fertilizer on their lawns, not blowing lawn clippings into the Lagoon, etc. She said there are a lot of things they identified of ways they can minimize or stop nutrient loadings.

Mrs. Orcutt thought what Mr. Mucher was looking for was the “magic bullet;” such as is it mostly septic tanks, is it mostly stormwater, etc. She thought he was looking for now how do they keep the nutrients from entering the Lagoon, but how do they stop the nutrients from entering the system.

Mrs. Weiss said that she doesn’t have that “pie chart.” She said that the Indian River Lagoon Council is a great resource to start with in that they might answer some of the questions they are looking for.

Ms. Jeanne (last name not clear), of the Indian River Neighborhood Association and the Water Lagoon Committee IRA Lagoon Committee, said one (1) of her recent research projects is glyphosate in water and she knows Dr. Witter has done some testing in the canals and has found evidence of glyphosate in the water at low concentrations. She said there has been a lot of information that says glyphosate dissipates in water rather quickly, but she doesn’t know if they really have the data that shows that. She asked if ORCA could do some kind of testing along those lines.

Mrs. Weiss said glyphosate collection is part of a lot of their studies and is included in a lot of their comprehensive monitoring. She noted that they do not specifically pinpoint glyphosate sampling, it simply is part of their research. They do not have a simple study that solely addresses glyphosate.

Mr. Rob Bolton, Water and Sewer Director, reported that Senate Bill 712 passed on Friday. House Bill 1343 is the Companion Bill, but has not been voted on yet. If it moves forward, it will be known as the Clean Waterways Act.

Mrs. Orcutt asked Mr. Bolton if he would give the Commission a synopsis of the impact of the Bills at their next meeting in bullet form.

Mr. Bolton said that he would.

5. OLD BUSINESS

None

6. CHAIRMAN’S MATTERS

A) Report on City Council Workshop Meeting / Stormwater and Wastewater

Mrs. Burton reported that she attended the City Council Workshop meeting that was held a few weeks ago. She noted that Mrs. Orcutt was also present for the meeting. She asked Mrs. Orcutt to speak on the City Council discussion regarding stormwater.

Mrs. Orcutt said that she thinks overall that the idea of having a stormwater utility was discussed at the workshop. In general, she felt like it was positively discussed by the City Council as a possibility that this would come back before them and that they would have a review of previous City Council motions. She said when the Stormwater Utility Consultant presented their plan, both the Utilities Commission and the Finance Commission approved it and moved it on to the City Council so they do have a good starting point for looking at a stormwater utility. She reported that some public comments that were made at the Workshop emphasized that in order to qualify for grant applications you need a budget of matching funds. She said the grant applications are generally a 30% match and sometimes a 50% match so there needs to be a budget, which was a good thing about having a stormwater utility because there would be a dedicated source of funding. Another point that was made was that not only does a stormwater utility address stormwater issues from not for profit businesses, such as schools and churches that don't pay taxes into the system in that they would be paying their fair share. Also, there is a "carrot" approach to the way the utility was designed. An example is the Miracle Mile Plaza; because it is mostly concrete and everything runs off into the stormwater system, the owner would have an incentive to make stormwater corrections on their own property to reduce their stormwater rate. She said a place like Vero Beach where they are going to have redevelopment occur in the future, having that "carrot" system puts some of the burden of making stormwater improvements onto the property owners to build it right so that there is less stormwater leaving their property.

Mrs. Burton said what she found interesting at the Workshop meeting was when stormwater utilities was mentioned, all the surrounding municipalities have a stormwater utility. She felt this should be given more thought because it is something that will be coming in the forefront, especially if the Legislation is passed.

Mrs. Burton reported that the City Council also discussed moving the Wastewater Plant off the Lagoon. She asked Mr. Bolton to report to the Commission what discussions have occurred with Indian River County.

Mr. Bolton reported that towards the end of last year the City Council requested that he look at what the cost of partnering with the County would be for wastewater. He reported that he has met with the County Utilities Director several times and discussed how that could work. He said that he prepared a report and sent it to the County Utilities Director for his review. He reported that once the report is finalized it would go before the City Council. He felt this would be going before the City Council at their April 7th meeting.

Mr. Auwaerter asked why not give the Utilities Commission an opportunity to look at it.

Mr. Bolton said they could do that.

Mr. Auwaerter said they are supposed to be an advisory board to the City Council so why shouldn't the City Council have the Commission's input as well.

Mr. Bolton said the City Council asked him to do a report and send it back to them.

Mr. Auwaerter said this is one of the most important decisions that they will ever make in the City because they will be stuck with the rightness or wrongness of it for decades. He thinks the Utilities Commission should have the opportunity to review it and give their thoughts to the City Council before they hear a presentation from Mr. Bolton and potentially make a decision.

Mr. Mucher said that he watched the City Council meeting and his takeaway from it was that when Mr. Bolton told them it was going to cost more to have the County do it then it would to have the City do it themselves and because the City would have the latest greatest technology it would be a better product, it almost seemed like it was dead in the water at that point.

Mrs. Burton asked Mr. Bolton to discuss some of the inner-workings that would happen.

Mr. Bolton said the County does not have the capacity at any one (1) given Plant so the City would have to split their existing flows and send some to the County's Central Plant and send the majority of it to the County's West Plant. Eventually it all would go out to the West Plant because that Plant has more acreage, it has a wetland, better treatment, etc. He briefly went over the piping that would be needed. He noted that the mains are expensive at a cost of about \$30 to \$35 million. Then add on top of that the capacity that is required of the City to replenish, the City's portion of that is four (4) million gallons a day. So, you would have the City plus Indian River Shores and the outside County area, which equates to the one (1) million gallons that totals up to five (5) million gallons. So, if they look at building, four (4) million gallons out to the west facility they would be adding another \$35 million dollars. He said it is not just \$2 million dollars more. It is a considerable amount more to do that.

Mr. Auwaerter made a motion that the Utilities Commission send a request to the City Council that they instruct the Utility Director to make a presentation to the Utilities Commission regarding his final recommendation about Wastewater Plant options and to give the Utilities Commission an opportunity in turn to make any recommendation they so choose to the City Council before the City Council makes a final decision on this subject. Mrs. Orcutt seconded the motion.

Mr. Mark Gano felt that Mr. Auwaerter brought up a very good point. He said they know through ORCA's research that reuse water contributes a massive amount of nutrients to the Lagoon. In fact, Dr. Edith Widder of ORCA, told him that she felt that was probably one (1) of the largest contributing factors to nutrients into the Lagoon. He said to Mr. Auwaerter's point, once a decision is made, they are going to have to live with it for decades. He asked when they were discussing the County and the City options on how to deal with the wastewater situation, was one (1) option considered to use the Airport property to build a state of the art facility for both the County and the City and if that was done. He said it would solve the problem of having to pump all the reuse water. He said the other thing is that some of these new technology Plants produce water that is drinkable, which means that not only can the reuse water be used for irrigation, but could potentially

be used to add to the potable water supply so they don't have to continue to drain their aquifer, which is also a concern.

Mr. Bolton reported that as far as the County participating in the Wastewater Plant, they have no interest in capacity. He agreed the City is looking at constructing a state of the art Plant.

Mrs. Burton asked if there was any more discussion on the motion.

Mr. Mucher asked will this slow down the process.

Mr. Bolton said it depends on when they want to do it. He said they are looking at bringing this before the City Council on April 7th so if the Commission wants to hold a meeting prior to then to discuss it, that is fine.

Mr. Mucher said then the Commission would need to schedule a Special Call meeting.

Mr. Auwaerter said that he does not have a problem with that. He said if the Utilities Commission doesn't opine on this, then what is the purpose of the Commission. He said this is a 40-year decision they are making. He is fine with moving the meeting up so not to slow things down.

Mrs. Burton felt the Commission could entertain a change in the meeting schedule once they receive permission to move forward.

Mrs. Missy Weiss said that she received a telephone call from Dr. Widder because she wanted to clarify something that Mr. Gano said, which was not completely accurate. She said that ORCA's data shows reuse water coupled with fertilizer is potentially problematic, but they do not have the evidence to support the claim that Mr. Gano just made.

The motion passed 5-0 with Mrs. Orcutt voting yes, Mr. Cotugno yes, Mr. Mucher yes, Mr. Auwaerter yes, and Mrs. Burton yes.

Mr. Auwaerter asked how will this be communicated to the City Council so they are aware of the motion and recommendation.

Mr. John Turner, City Attorney, said it can be presented either through staff or through the City Manager's office.

Mr. Bolton said normally any of the items that are done by the Utilities Commission would be presented to the City Council in a letter format from the Chairman.

Mr. Auwaerter said that he has never seen one the entire time he has sat on the Utilities Commission.

The Deputy City Clerk said that she could provide the City Council with the motion that was made.

Mrs. Burton said that she would work with the City Clerk's office on scheduling their April meeting.

7. MEMBER'S MATTERS

None

8. ADJOURNMENT

Today's meeting adjourned at 10:22 a.m.

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