

APPROVED
CITY OF FORT LAUDERDALE
SUSTAINABILITY ADVISORY BOARD
CITY HALL CITY COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
JULY 25, 2011 – 6:30 P.M.

Members	Attendance	Cumulative Attendance	
		1/2011 through 12/2011	
		Present	Absent
Jon Albee, Chair	A	6	1
Alena Alberani, Vice Chair	P	6	1
Anthony Abbate	A	6	1
Valarie Amor	P	1	0
Jaime Castoro [until 7:49]	P	6	1
Cathy Curry	P	2	0
Vicki Eckels [Telephonically]	P	7	0
William Goetz	P	6	1
Dana Pollitt	A	3	3
Rebecca J. Walter	P	6	1

Also Present

Larry Teich, Acting Staff Liaison
 Susanne Torriente, Assistant City Manager
 Don Morris, Beach CRA Director
 Earl Prizlee, Engineering Design Manager, Beach CRA
 Heather Steyn, WaterWorks 2011
 Michael Maloney, Code Enforcement
 Mario Sotolongo, Code Enforcement
 Heike Naigur, Energy Manager
 Barbara Hartmann, Recording Secretary, ProtoType, Inc.

Communications to the City Commission

Motion made by Dr. Goetz, seconded by Ms. Walter, to inform the City Commission that the Board supports the Wind Turbine proposal at the Hilton Hotel on Fort Lauderdale Beach, and that the City should execute any necessary agreements to absolve itself from any liability caused by a wind turbine becoming detached in extreme weather. In a voice vote, motion passed unanimously.

1. Call to Order

The meeting was called to order at 6:42 p.m. by Vice Chair Alberani.

2. Roll call – Introductions

- Note: Vicki Eckels requested to participate in this meeting telephonically. Pursuant to Resolution 10-198, the Committee shall determine, by vote, whether Vicki Eckels may participate telephonically based on her absence due to a physical disability such as medical treatment or other similar extraordinary circumstance.

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

Motion made by Dr. Goetz, seconded by Ms. Castoro, to allow Ms. Eckels to attend the meeting by phone. In a voice vote, motion passed unanimously.

3. New Member Introduction

- Valerie Amor

4. Approval of Meeting Minutes – June 2011

Ms. Eckels noted a change to the minutes.

Motion made by Ms. Castoro, seconded by Ms. Curry, to approve the Board's June minutes as amended. In a voice vote, Board unanimously approved.

Mr. Teich introduced Susanne Torriente, the new Assistant City Manager. She stated she had spent the last two years as Sustainability Director of Miami Dade County and she looked forward to working with the Board.

5. Staff Liaison Report

- EECBG

Mr. Teich stated approximately \$60,000 in rebates had been issued. Another contractor exchange will be held at 7:00 AM on August 11 at the War Memorial Auditorium.

Dr. Goetz asked what the rebates were used for and Ms. Naigur stated most were for air conditioning. She said a total of \$230,000 had been available for rebates, and another \$230,000 for the workshops. There was also \$300,000 that had been available for loans.

- Action Items

Mr. Teich had provided an updated spreadsheet to Board members.

Regarding the Dark Sky Initiative, Ms. Amor said she had read what other cities had done, and some were more aggressive. She felt if they were going to do this, they should capture more than one benefit. Ms. Amor was unsure that light pollution was considered along with sea turtle well-being in what Ms. Naigur had included. Ms. Naigur invited Board members to send her additional ideas.

6. New Business

- Sea Turtles – Michael Maloney Code Enforcement Manager

Mr. Maloney assured the Board that Code Enforcement had concerns about turtles. He said Section 6-45 stated the purpose was to reduce and restrict artificial lighting that disoriented turtle hatchlings, not eliminate it. He stated each case was different and could be complicated, and staff worked with property owner to address the issue.

Mr. Maloney said there was a balancing act between economic and safety issues, and they tried to make progress by working with property owners rather than bringing them to a hearing. Mr. Maloney felt bringing properties immediately to a hearing could be counterproductive. He stated they currently had 172 cases open for lighting violations, 33 were issued a notice of violation and three were scheduled for a hearing.

Mr. Maloney explained to Dr. Goetz that for lighting cases, they needed to confer with State and County officials and lighting officials to determine the proper action to be taken to comply.

Ms. Walter asked about the education aspect and Mr. Maloney stated inspectors met with owners and condo owners associations to discuss how to reduce lighting at properties.

Mr. Mario Sotolongo, Code Enforcement Officer, said the County and State had information on their websites, and once per year the City held a meeting with representatives from the State and County to make presentations. He said Code Enforcement officers also had information to distribute to property owners.

Ms. Eckels recalled that Lauderdale-By-The-Sea had brought their beachfront into compliance within six months, and asked how Fort Lauderdale was so different. She was disturbed that the ordinance had existed for eight years and the City had not progressed that much. She asked what percentage of the City was compliant.

Mr. Maloney said they would see better measures of performance this year, and improvements in overall reduction. He did not believe every property would ever get to full compliance, but they would reduce the overall light. Mr. Maloney said properties were making progress, even when they were not fully compliant.

Mr. Richard Whitecloud, Founding Director and CEO of Sea Turtle Oversight Protection [STOP], gave Code Enforcement credit for reduction of lighting, but pointed out that not one property in Fort Lauderdale's coastal beach district was in 100% compliance with the lighting ordinance. Mr. Whitecloud noted many recreational elements used the nesting habitat for their business. He stated hotels did not educate guests about the turtles when they signed in and businesses did not dim or divert their lighting because they had sidewalk parking and dining. Mr. Whitecloud explained the law stated that no light was to be visible from the beach, and stated this could be accomplished

economically and efficiently. He said cost-reductive measures were beneficial to the environment and to the taxpayers. Mr. Whitecloud said they currently had a consumer-based business model that must be changed to a profitable conservation business model.

Mr. Whitecloud said humans needed to change their bad habits to make progress, and not acknowledging the need for enforcement was a bad habit. He remarked that sometimes, people did not want to be educated.

Dr. Goetz asked how many turtles were killed because of the lighting problems. Mr. Whitecloud said STOP had document 28%, but they were only attending approximately one-third of the nests.

Mr. Whitecloud explained to Ms. Amor that he was not familiar with the light fixtures the City was talking to the Fish and Wildlife Commission [FWC] about, but almost all turtle-friendly light fixtures should be below 12 to 15 feet, and be a full cutoff fixture, with an amber or red LED. He remarked that the City of Deerfield Beach had just received a \$450,000 grant through the National Wildlife Federation that allowed them to allocate money to fix their artificial lighting problems on the beach.

Ms. Amor stated the fixture approved by the City was 15 feet tall. She asked staff if this fixture had been approved, and Mr. Teich stated he believed it had. Ms. Amor was not sure this fixture would do what it was supposed to do; she thought it conflicted with sustainability, energy use and the sea turtles. Mr. Don Morris, Beach CRA Director, said they had worked with FWC to design the fixture that had been approved and they would utilize an FDOT grant to install the fixtures in September. Mr. Morris said they had relied on the expertise of experts for the design.

Mr. Earl Prizlee, Engineering Design Manager, stated the light fixture they were using had internal louvers to cut off light on the back side and were mounted 13 feet high. He said the same fixture was being used in Riviera Beach and Delray Beach and it was endorsed by FWC for use on A1A. He said they had applied for a lighting design variance with the Florida Department of Transportation (FDOT) and made the case that there was no way they could get enough light out of the louvered fixtures to meet the FDOT design criteria. The FDOT District Secretary had signed off on their design variance to not meet light levels on A1A. Mr. Prizlee stated they had done everything they could to balance public safety and the turtle criteria. This had been approved by Dr. Trindell at FWC.

Mr. Whitecloud said the design variance was a new issue, and was like a “pre-emptive acquittal to modify the lighting ordinance” and was not applicable anymore. He wondered why they would “reinvent the wheel” when there were existing fixture for use next to a roadway.

Mr. Whitecloud said Lauderdale-By-The-Sea was the most in compliance and Hollywood was most in violation because they had received an FDEP permit allowing them to redevelop the CRA that had multiple inconsistencies during the permitting process. Fort Lauderdale was second in non-compliance.

Mr. Whitecloud stated turtles in Lauderdale-By-The-Sea had gone from over 75% disorientation down to 25–30% disorientation, a 40% reduction. He said disorientations occurring in Lauderdale-By-The-Sea were related to sky glow from Fort Lauderdale.

Ms. Bruce Cummings, President of Tarpon River Association, asked if the Board was concerned about the lighting in Port Everglades, which she had noted was “extremely egregious.”

Ms. Ann Wylie, STOP, said this problem already had a solution, and taking one’s time solving it again meant one had “endless funds” and this problem, for which a solution was known, was being dragged out. She felt there was a “basic, very intense lack of understanding of lighting and light fixtures, that I would think, after, eight years, they would understand.” She said the light that went up and out helped no one.

Ms. Castoro left the meeting at 7:49 and the Board no longer had a quorum.

Ms. Walter felt the City was not doing enough in terms of compliance and education, and wanted the Board to make a motion or put this item on next month’s agenda to discuss action. Ms. Eckels said they needed to be much more aggressive, and suggested drafting a letter to send to every resident and business in the impact area discussing the problem. She wanted to put the responsibility on the buildings to contact Code Enforcement to describe their plans for compliance within a deadline.

Ms. Walter agreed to get information from staff and draft a letter for the Board to review at their next meeting.

Ms. Amor suggested that DRC review should include a sustainability review, and that this review would include light compliance. Ms. Amor agreed to draft language for this that the Board could discuss at their next meeting.

Ms. Eckels stated the lighting project on the beach was worth \$1.7 million, and it would be horrific if this project was completed with the wrong lighting. She suggested that Ms. Torriente review this. Mr. Teich agreed to contact Ms. Torriente about this.

- “Where are California’s Green Jobs?” – Bill Goetz

The Board agreed to postpone this discussion and Ms. Alberani said Ms. Amor could contact Mr. Hiteshew for access to the slideshow Dr. Goetz had provided.

- Visioning Committee – Alena Alberani

Ms. Alberani said the Visioning Committee had requested input from other boards and civic associations. Dr. Goetz said he had drafted a sustainability mission statement as a starting point. Dr. Goetz suggested a member of the Visioning Committee be invited to address the Board. Mr. Teich said he would contact the Visioning Committee staff liaison and Chairperson.

Ms. Alberani said the Board wanted to devise a mission statement for the sustainability Action Plan; this could be incorporated into the Visioning Committee's work as well. Dr. Goetz asked if there were any criteria he could compare with the document he had drafted.

Ms. Walter was concerned that the Visioning Committee had not brought sustainability into play yet. Ms. Naigur said the consultants had addressed this, and agreed to provide Board members with information.

7. Old Business

- FPL

Mr. Teich reported FPL was going to demolish the Port Everglades electricity plant and rebuild it by 2016. Ms. Amor said FPL was considering installing transmission lines that would affect the Everglades, and she wanted to know if there was a connection. Ms. Amor said they must look at the whole picture; even though natural gas burned clean, they must consider the source and how it was extracted. Fracking was an environmentally destructive practice that was being used more and more to extract natural gas.

Ms. Eckels felt the most they could do would be to make a statement that while they applauded the fact that the new natural gas electricity plant would pollute less, natural gas extraction through fracking was creating environmental problems where it was practiced.

Ms. Eckels felt FPL's motivation was to pollute less, and to provide cheaper electricity at higher profit. Ms. Amor said the expansion of the Turkey Point nuclear facility had slowed down since the Japanese earthquake and she wondered if FPL was shifting their focus to these new natural gas plants.

Dr. Goetz agreed to try to put something together by the Board's next meeting that could be actionable and have an impact on what FPL was doing. Ms. Naigur advised the Board to approach other municipalities and task forces for feedback, because together they would have a bigger voice.

The Board agreed to add this item to their next agenda.

8. Communications to the City Commission

[Discussed during the Staff Liaison's Report]

Mr. Teich clarified the vote from the prior month's Communication to the City Commission. Ms. Eckels wanted to add to the Board's prior statement that the City should execute any necessary agreements to absolve itself from any liability caused by the wind turbine becoming detached in extreme weather. No one could say if this was routinely included in permit approvals.

Motion made by Dr. Goetz, seconded by Ms. Walter, to inform the City Commission that the Board supports the Wind Turbine proposal at the Hilton Hotel on Fort Lauderdale Beach, and that the City should execute any necessary agreements to absolve itself from any liability caused by a wind turbine becoming detached in extreme weather. In a voice vote, motion passed unanimously.

9. Public Comment

- Kurt Morrow – Green Business League, Inc.

Mr. Kurt Morrow, Director of the EcoPath cities program, said the program was designed to Green certify a city. The program was three parts and included free online tools to track progress. Mr. Morrow stated there was no charge to governments; once a city filled out an application, this allowed EcoPath to run ads, hire and train people and get consultants into businesses to demonstrate the economic impact of Green business certification. Mr. Morrow stated if a business wanted to earn money from certification, the government required transparency and third-party verification.

Mr. Morrow informed Dr. Goetz that EcoPath has applied to be a 501(c)(3) non-profit. He stated certification was based on a point system. Ms. Amor said she taught LEED and only buildings were certified; people were accredited. She doubted the credibility of this program. Mr. Morrow stated LEED certified properties; EcoPath certified businesses regardless of the buildings in which they were housed.

Mr. Morrow said EcoPath was similar to the Green Lodging program, which was based on operations rather than physical changes to the building. They showed businesses how to change their policies, procedures and operations to effect a cultural change. He agreed to provide a client list to the Board.

Ms. Naigur said she had checked out this program but was not impressed. She also felt it was a conflict of interest to have independent verifiers working for the company. Mr. Morrow said the consultants were independent; they did not work for him.

- Dr. Heike Naigur, Chief Environmental Scientist, Carbon Solutions America
 - DRAFT Sustainability Action Plan

[Discussed earlier]

Ms. Naigur said Board members had received the update and she requested they send their comments to her by August 15 so they could be incorporated into the plan and presented at the Board's next meeting. She informed Dr. Goetz that they could take another month to perform revisions if needed.

Other Items

Ms. Eckels had distributed an email regarding the permit process for Green initiatives, and remarked that the cost for permitting a solar system wiped out a substantial amount that could be saved using the system. Dr. Goetz said this was another instance where they could look to other municipalities that had already developed ordinances addressing this. Ms. Amor noted that different municipalities required different professionals be involved in solar installations, and this affected the cost. Ms. Walter wanted to make sure Ms. Eckels had sent this to Ms. Naigur so it could be adopted in the SAP.

Mr. Teich explained that Ms. Eckels' email had violated Sunshine rules because it was a lobbying activity regarding changing the building codes. He advised the Board to discuss this at a meeting.

Ms. Naigur reported Planning and Zoning was no longer required to create the Evaluation and Appraisal Report, but they were interested in sustainable improvements to the Comprehensive Plan. She recommended the Board invite someone from Planning and Zoning to attend a meeting. Ms. Naigur said they had already begun a sustainability checklist.

10. Adjournment

With no further business to come before the Board at this time, the meeting was adjourned at 9:06 p.m.

Next meeting date: August 22, 2011

Attachments:

Minutes – June 2011

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