



# Council Minutes

November 14, 2011  
10:00 a.m.

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## REPRESENTATIVES PRESENT

Chair, Vice Mayor Bill Dodson, City of Plant City  
Secretary/Treasurer, Mayor Bob Minning, City of Treasure Island  
Past Chair, Commissioner Jack Mariano, Pasco County  
Mayor David Archie, City of Tarpon Springs  
Commissioner Nina Bandoni, City of Safety Harbor  
Vice Mayor Ron Barnette, City of Dunedin  
Commissioner Neil Brickfield, Pinellas County  
Commissioner Victor Crist, Hillsborough County  
Commissioner Al Halpern, City of St. Pete Beach  
Mr. Robert Kersteen, Pinellas County Gubernatorial Appointee  
Mr. Harry Kinnan, Manatee County Gubernatorial Appointee  
Ms. Angeleah Kinsler, Hillsborough County Gubernatorial Appointee  
Councilman Bob Langford, City of New Port Richey  
Councilor Bob Matthews, City of Seminole  
Council Member Janice Miller, City of Oldsmar  
Councilwoman Mary Mulhern, City of Tampa  
Council Member Wengay Newton, City of St. Petersburg  
Mr. Andy Núñez, Pinellas County Gubernatorial Appointee  
Mayor Kathleen Peters, City of South Pasadena  
Ms. Kim Vance, Hillsborough County Gubernatorial Appointee  
Mr. Charles Waller, Pasco County Gubernatorial Appointee  
Mr. Earl Young, Pasco County Gubernatorial Appointee  
Mr. Waddah Farah, Alt., Ex-Officio, Florida Department of Transportation  
Mr. Todd Pressman, Ex-Officio, Southwest Florida Water Management District  
Ms. Pamela Vazquez, Ex-Officio, Department of Environmental Protection

## REPRESENTATIVES ABSENT

Vice Chair, Commissioner Larry Bustle, Manatee County  
Mayor Scott Black, City of Dade City  
Commissioner Woody Brown, City of Largo  
Mayor Shirley Groover Bryant, City of Palmetto  
Council Member Alison Fernandez, City of Temple Terrace  
Councilman Sam Henderson, City of Gulfport  
Council Member Bill Jonson, City of Clearwater  
Vice Mayor Patrick Roff, City of Bradenton  
Vice Mayor Ed Taylor, City of Pinellas Park  
Ms. Barbara Sheen Todd, Pinellas County Gubernatorial Appointee  
Ms. Michelle Miller, Ex-Officio, Enterprise Florida

**OTHERS PRESENT**

Trisha Neasman, Planner, SWFWMD  
Tom Panaseny, VP, GM, Newland Comm.  
P. Abernethy, Project Manager, Stoatec  
Chawtopher Hatton, Sr. V.P., Kimley-Horn  
Will Augustine, Hillsborough County Planning Commission

**STAFF PRESENT**

Mr. Manny Pumariega, Executive Director  
Mr. Donald Conn, Legal Counsel  
Ms. Suzanne Cooper, Principal Planner  
Ms. Lori Denman, Recording Secretary  
Mr. John Jacobsen, Accounting Manager  
Ms. Betti Johnson, Principal Planner  
Ms. Wren Krahl, Director of Administration/Public Information  
Ms. Jessica Lunsford, Senior Planner  
Mr. John Meyer, Principal Planner  
Mr. Greg Miller, Senior Planner  
Mr. Patrick O'Neil, Senior Planner  
Mr. Brady Smith, Senior Planner  
Mr. Avera Wynne, Planning Director

**Call to Order – Chair Dodson**

The November 14, 2011 regular meeting of the Tampa Bay Regional Planning Council (TBRPC) was called to order at 10:03 a.m.

Chair Dodson stated that Vice Chair Commissioner Larry Bustle was unable to attend the meeting due to the long awaited ground-breaking ceremony for the dredging of Ware's Creek in Bradenton.

The Invocation was given by Ms. Kim Vance, followed by the pledge of allegiance.

**Roll Call -- Recording Secretary**

A quorum was present.

**Voting Conflict Report -- Recording Secretary - None**

**Announcements:** - Chair Dodson

- The Council's 2012 meeting dates was distributed. Chair Dodson pointed out that the June meeting will be held on the 1<sup>st</sup> Monday of June due to the NARC Conference, which TBRPC is hosting. The November meeting will also be held on the 1<sup>st</sup> Monday of November instead of the 2<sup>nd</sup> Monday due to Veterans Day. A reminder will be sent out as those dates approach.
- The Future of the Region Awards *Call for Entries* is now available on the website ([www.tbrpc.org](http://www.tbrpc.org)). Staff has sent out a *Save the Date* card for the 50<sup>th</sup> Anniversary Celebratory Reception. Ms. Krahl will provide an update on both events.
- The Statewide Regional Evacuation Study has received an award from the National Association of Development Organizations. The Study was presented with their annual Trailblazer Award. Congratulations were provided to Manny and the staff on this multi-award winning project.

Manny Pumariega said Betti Johnson, Marshall Flynn, Brady Smith , Avera Wynne, and Patrick O'Neil are the staff who worked on that project. This program was statewide and we had

different groups from each RPC work on their area of expertise. Betti was involved with the original hurricane study in 1981, which was the first regional hurricane evacuation plan in the nation. She has the best knowledge and experience in that field. Marshall pioneered GIS in our region back in 1985.

1. **Approval of Minutes – Secretary/Treasurer Minning**  
The minutes from the October 10, 2011 regular meeting were approved. (Kersteen/J. Miller)
2. **Budget Committee – Secretary/Treasurer Minning**  
The Financial Report for the period ending 9/30/11 was approved. (J. Miller/Nunez)
3. **Consent Agenda – Chair Dodson**

**A. Budget and Contractual**

1. The 20<sup>th</sup> Annual Future of the Region Awards Luncheon and the 50<sup>th</sup> Anniversary Celebratory Reception will be a combined event on March 23, 2012 at the Renaissance Vinoy Hotel in St. Petersburg. The event will include the annual awards luncheon followed by a dessert reception with sponsors and exhibitors and will conclude with the 50<sup>th</sup> Anniversary Celebratory Reception.

Action Recommended: Authorization for the Executive Director to sign the Group Sales Agreement with the Renaissance Vinoy Hotel not to exceed \$50,000 for the 20<sup>th</sup> Annual Future of the Region Awards Luncheon and the 50<sup>th</sup> Anniversary Celebratory Reception.

Staff contact: Wren Krahl, ext. 22

2. Broadband Mapping - TBRPC is currently contracted with the Florida Department of Management Services (DMS) to perform Broadband planning activities related to community organization, demand analysis, strategy identification, and pilot plan preparation. Central and Southwest Florida RPCs are subcontractors to TBRPC for many of the associated tasks. These activities are part of DMS's Broadband Florida planning initiative. Broadband Florida has extensive mapping requirements. DMS is in the process of choosing a mapping contractor through an ITN (Invitation to Negotiate) process. DMS wishes to contract with TBRPC to provide mapping services until the permanent mapping contractor is selected. TBRPC has received the Statement of Work and is preparing a proposal for DMS's consideration. This agreement would be month-to-month. TBRPC may require subcontractor services to fulfill the statement of work.

Action Recommended:

1. Authorize Chairman to execute agreement with Florida Department of Management Services to provide transitional mapping services for Broadband Florida
2. Authorize Executive Director to out-source certain tasks to assist in fulfilling the broadband mapping statement of work.
3. Authorize staff to prepare a response to DMS' Invitation to Negotiate for long term (3yr) broadband mapping services.

Staff contact: Avera Wynne, ext. 30 or Marshall Flynn, ext. 11

**B. Intergovernmental Coordination & Review (IC&R) Program**

1. IC&R Reviews by Jurisdiction - October 2011
2. IC&R Database - October 2011

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

**C. DRI Development Order Reports (DOR) - None**

**D. DRI Development Order Amendment Reports (DOAR) - None**

Staff contact: John Meyer, ext. 29

**E. Notice of Proposed Change (NOPC) Reports**

DRI # 259 - Lake Hutto, Hillsborough County

Action Recommended: Approve staff report

Staff contact: John Meyer, ext. 29

**F. Annual Report Summaries (ARS)/Biennial Report Summaries (BRS)**

1. DRI # 92 - Park Place, RY 2010-11 ARS, City of Clearwater
2. DRI #114 - Tampa Oaks, RYs 2008-11 ARS, City of Temple Terrace
3. DRI #140 - Tampa Triangle, RY 2010-11 ARS, Hillsborough County
4. DRI #151 - Crosstown Center, RY 2010-11 ARS, Hillsborough County
5. DRI #203 - Beacon Woods East, RY 2010-11 ARS, Pasco County
6. DRI #224 - GATX Tampa Terminal Expansion S/D, RYs 2009-11 ARS, City of Tampa
7. DRI #259 - Lake Hutto, RY 2009-10 ARS, Hillsborough County

Action Recommended: Approve staff reports

Staff Contact: John Meyer, ext. 29

**G. DRI Status Report**

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

**H. Local Government Comprehensive Plan Amendments (LGCP)**

*Due to statutory and contractual requirements, the following reports have been transmitted to the Florida Department of Community Affairs (FDCA) and the appropriate local government in accordance with Rule 29H-1.003(3), F.A.C. For adopted amendments that do not require Council comments, no report is attached.*

1. DCA # 10-1AR, City of St. Pete Beach (adopted) (no report)
2. DCA # 11-2ESR, Hillsborough County (adopted) (no report)

Action Recommended: For Information

Staff contact: Jessica Lunsford, ext. 38

**I. Local Government Comprehensive Plan Amendments (LGCP)**

The following report(s) are presented for Council action:

1. DCA # 11-2ESR, Pasco County

Action Recommended: Approve staff report(s)

Staff contact: Jessica Lunsford, ext. 38

**J. Revisions to the Administrative Procedures Act during the 2011 Legislative Session included a requirement that each agency undertake a biennial review of its rules to determine if any rules need to be revised or repealed. The review also must identify any rules which authorize the collection of revenues, or impose fees, tolls or taxes, and also**

must identify rules which require the collection of data. The report is to be submitted by the Chairman of an agency headed by a collegial body.

Action Recommended: Authorize the Chair to sign the letter certifying the biennial rules report of the TBRPC

Staff contact: Manny Pumariega, ext. 17

**K.** Resolution recognizing the retirement and service of Ms. Lola Smith, U.S. Economic Development Administration Area Director, Atlanta Region.

Action Recommended: Approve Resolution #2011-02 recognizing the retirement and service of Lola Smith.

Staff contact: Manny Pumariega, ext. 17

The consent agenda was approved. (Mulhern/J. Miller)

4. **Item(s) Removed from Consent Agenda and Addendum Item(s) - None**

5. **Review Item(s) or Any Other Item(s) for Discussion - None**

6. **A. Solar Energy**

Jeremiah Rohr of Solar Source Institute presented information on solar technology and its use in the Florida residential and commercial markets.

There are two basic types of solar technology. Photovoltaic (PV), which produces electricity or thermal, which produces hot water. 20-40% of your electric bill can be to heat domestic hot water. You can produce hot water with electricity, but it is very difficult at the consumer level to produce electricity with hot water. One 4x10 thermal panel produces 9,000 BTU/hr = 2.6KW/hr at a cost of \$5,000. 12 - 240 watt PV panels = 2.4KW/hr at a cost of \$15,000. Often both systems are put on a home for space and economic purposes. The thermal side of the business is much more economical and if we understand that 40% of your utility bill goes to heating hot water it makes sense to think about thermal solar.

The types of things we can do with thermal is low level heat (for swimming pools). Pool heating is probably the 4<sup>th</sup> or 5<sup>th</sup> largest energy consumption in the state. This is not an insignificant part of the market. The next step up is domestic hot water, which can easily produce 140-160 degree water. This system costs about \$5,000 and payback is 3-5 years.

Industrial steam can be created with thermal. Almost all electricity is produced through coal plants or nuclear plants through heating hot water and creating steam which turns generators to create electricity. We can do the same thing on a large scale with thermal systems. Large fields of mirrors can concentrate solar into a single spot. In South Florida FPL has a dual purpose plant that has industrial steam coupled with natural gas. The natural gas runs at night and during the day the plant runs under thermal power. Hospitals that use a lot of hot water, solar can reduce those costs.

Photovoltaic systems include calculators, or small portable independent units like the flashing road working signage you see on a road construction project, or street lamps, with battery back up systems. At the residential level you can produce as much energy as you have roof space for PV. \$15,000 - \$30,000 can generate enough electricity to replace about 80-90% of your electrical usage on your home. Large commercial applications include the Orange County Convention Center, which is the first mega watt of solar in the state of Florida. It produces enough electricity to do about 1/3 of the

Center's electrical needs. Retail stores are looking into this to supplement their electricity. Utility usage has large fields of power to produce power for the grid.

Worldwide investment in renewable energy (wind, solar, geo-thermal, etc.) hit a record \$211 billion in 2010.

- China - \$50 billion
- Germany - \$41 billion
- United States - \$30 billion
- Italy - \$14 billion
- Brazil - \$7 billion

Worldwide energy growth for the solar industry in general is up 60-70% since 2009. The economic growth in the United States for the past year has been 6.8% in an economy that has only grown at 1.4%. This is a growth industry in the U.S. today. Well over 100,000 people make a living in the solar industry in the U.S. today.

Germany now produces 20% of their peak electricity through renewable resources and employ a huge number of people. Germany is equivalent to Wisconsin for their solar power that they get from the sun. If a country like Germany can do this and make a serious amount of economic value out of it, it makes sense to do this in a lot of other places.

According to The Solar Foundation, a 501(c)(3) at Cornell University, Germany has 40% of the total world PV solar capacity. They now get 15% of its total peak electrical production from PV and almost 20% of its energy from renewable. Germany is closing down their nuclear power fleet. Solar costs have dropped 50% in the past 3 years and as this industry grows costs will come down more. At \$5 per watt presently, you cannot build a nuclear power plant for \$5 per watt today.

Solar Energy Industries Association (SEIA) estimates the U.S. Solar Industry was a \$2.6 billion industry in 2010, yet the solar industry is not evenly distributed throughout the U.S. The Solar Power International convention in Texas drew 21,000 attendees with 1,200 exhibitors. They will be coming to Orlando in 2012. According to SEIA, a megawatt of solar represents \$5 million.

MW Rank by State (2011) (see presentation for complete listing):

- |     |            |           |
|-----|------------|-----------|
| 1.  | California | 112.3     |
| 2.  | New Jersey | 41.6      |
| 3.  | Arizona    | 22.1; and |
| 19. | Florida    | 0.9       |

New Jersey installed over \$200 million worth of solar in the 1<sup>st</sup> quarter alone. East of the Mississippi, Florida has the best solar potential available yet we are going backward in this growing industry. If you are looking for cutting edge industry leaders in solar, Florida is not the place to look. While the federal government can set national agendas specific energy policies are set at the state and local level. States that open up the economic opportunities for renewable energy see jobs and economic growth. If we change some policies in this state we could easily put 10,000 people to work in 3-6 months. We could easily rival California.

While the federal government can set national agendas, almost all of our energy policies are set at the state and local level. The Public Service Commission in the State of Florida sets how our relationship is between our utilities and the customers. Local policies as well as state policies can affect how this industry grows dramatically. Individual governmental agencies can do a lot. States that have opened up their economic opportunities from renewable energy see jobs and growth. This business follows the policies and as soon as we adopt policies in this state we will have industry coming in. We have industry leaders coming to us asking what is wrong? You have the best solar potential.

There are three words for renewable energy growth: Policy-Policy-Policy. If we open up the energy markets, industry will follow. The solar industry does not want subsidies or tax breaks for any energy producers. Purchase power agreements is the ability for me to sell electricity to my neighbors. Presently, if I create too much electricity there is only one customer I can sell it to and that's the utility industry. They set the price and they set the demand. If I had a strip mall and I put a bunch of solar panels on the top, I cannot sell my electricity to my tenants. That's the way the rules are set in this state. A lot of other states have purchase power agreements.

Market Based Incentives doesn't cost the state or local governments any money like grants or rebates. A few incentives are:

- Purchase Power Agreements (PPA)
- Renewable Portfolio Standards (RPS) are a state level piece of legislation that says, we are going to produce "X" amount of energy from renewable energy in "X" number of years. Two years ago the Public Service Commission recommended that we have 20% of our energy coming from renewables by 2020. They sent it to the state legislature, and they rejected it and fired 3 of the 5 Commissioners and replaced them with utility people.
- Property Assessed Clean Energy (PACE). Many of you have heard about the PACE program. This program is being held up at the federal level because of Freddie and Fannie May. This is a way to finance solar systems on homes through local governments and people pay the financing back through their property taxes. Commercial systems can be done right now and your cities and counties can adopt this for anything that doesn't have Freddie or Fannie May associated with it.
- Renewable Energy Credits (RECS). This is how New Jersey and Pennsylvania are stimulating their business. RECS is an open market for selling RECS to industries who apply them towards credits for their pollution. This a way to help finance and create some economic value.
- Feed-in-Tariff (FITS). These are a simple process of adding a tariff onto your energy bill similar to what Progress and FPL did for their nuclear power plant. They just added \$2.00 a month onto your electric bills to pay for their nuclear power plant that they may or may not build in 20 years. We could ask for less than \$1.00 and we could start installing capacity tomorrow. We literally have people ready to go to install anywhere in this state. Feed-in-Tariffs is how Germany became the number one solar energy producer in the world in less than 10 years. They were able to then shut down their nuclear power plants.
- Deregulated Power Generation. The energy business has changed a lot in the last 20 years. For the first 100 years it was pretty much the same, but in the last 20 years we are able to produce power at the local level, similar to the telephone.

The telephone used to be connected to a wire and now we have an entire industry that came up in the last 20 years that made cell phones and deregulated the communication industry which created a massive industry. We are at the same place with solar energy. If you deregulate the markets we are ready to move in and create an economic engine behind us.

In conclusion, policies that you can create at the state and local levels will drive jobs and economic growth.

Questions & Comments:

Council Member Janice Miller: Explain to me why deregulation is needed? What does regulation do to keep you from advancing?

Mr. Rohr: The economics are not there for us to make it. A purchase power agreement allows me to charge whatever I want if I find a buyer. Right now the utility industry sets the price of electricity. We have no say in what that is. I cannot sell my power to anyone. I can only sell it to them.

Commissioner Barnette: Speak a little about the manufacturing side. Is it true that the research and development on these panels is largely U.S. driven, but the actual production is Chinese?

Mr. Rohr: The U.S. makes about 50%. We invented the technology and developed it. One of the things that is happening right now is that they are all going overseas because of cheap labor. The problem is, solar panel production is almost entirely automated. There is very few people involved in it. They are buying the same equipment and the same amount of materials, they are just heavily subsidized. They get free things from the government which has allowed them to drive the prices down. U.S. companies are working hard at trying to keep up. One of the big things right now is the Solendra issue. Solendra was an interesting technology at the time. The problem is that the prices dropped so dramatically in the industry that their technology was wiped out by competition. They had a very good product and we sold a lot of it.

Councilman Newton: I just returned from Phoenix and the National League of Cities Conference and one of the resolutions we are supporting is the PACE Program. Also, you talked about the solar and renewables. Foreign direct investments is driving it right now. They are going to China, Japan and Italy and bringing business back. You have companies working there and they are doing partnerships. That's what is bringing in the money and jobs. They are having a process and regulation, but they get around a lot of it. The biggest thing is to speak to the economic development people and ask them, what are you doing? What is your outlook for 10 years for this city or this region? Economic development people are more cautious than politicians. They worry about loss of jobs but they aren't doing anything. A solar company did a tour of a site in St. Petersburg and they were very interested but two things are holding them back. The first is their power generation and two, being able to sell it back to power companies.

Mr. Rohr: There is a great deal of research going on and the industry is changing dramatically. There will be winners and losers in the industry. Just like the cell phone industry. Once that industry got deregulated it started growing and the entrepreneurial spirit happens. The solar industry is looking at eliminating all subsidies - for coal, oil, nuclear. Then solar would soar. We need a level playing field.

Commissioner Crist: Under the current rules and regulations, a homeowner can put their own system in and subsidize their electricity. Say the income level that could afford a system like this would be a 3,000 sq. ft. home or larger. What would be the initial investment needed for a 3,000 sq. ft. home to put in a system that would subsidize 80% of their electricity?

Mr. Rohr: The average PV system that we would put in is at 5 and 10 KW, and that runs about \$15,000-\$30,000.

Commissioner Crist: How long before they are able to recoup that investment?

Mr. Rohr: At present prices it would be 8-10 years. The life span of the system is 40-50 years. We see 30-40 year old panels still producing at manufacturer's specs. Almost all manufactures guarantee a panel for at least 25 years.

Chair Dodson: How about when the system is installed and is exposed to hurricane conditions? What are the chances that it will stay on the roof?

Mr. Rohr: We have to design, in the State of Florida, to 140-150 mph. Panels are designed to withstand up to 180 mph. They are pretty tough. The measure component we have to look at is affixing the panels to the roof of the structure and property installed systems that are tied into the structure of the building can easily withstand 140-150 mph.

Councilor Matthews: I would assume that insurance companies have stepped up to the plate for coverage.

Mr. Rohr: They are covered under your homeowners policy.

Councilwoman Mulhern: I think when you talk about deregulation it's maybe not the best term. I think that regulations need to be more fair to allow the alternate of energy production. The new energy sources are not getting the subsidies and you have the older industries creating the regulation.

Mr. Rohr: Progress Energy sets the price that we can sell.

Councilwoman Mulhern: So we should have regulations that don't allow those providers to do that.

Mr. Rohr: My personal view is that the Public Service should regulate the transmission of electricity - the grid. But not the power that comes in and the power that goes out. Make those market based. Many states are doing that.

Councilwoman Mulhern: You want a fair competition in the market.

Mr. Rohr: Right now in the State of Florida we have net metering which means that I can sell into the grid at 12 cents a KW and buy it, but if I over produce in a year's time I then go from 12 cents a KW hour to 4 ½ cents a KW hour. This doesn't make economic

sense to me to over produce. It doesn't make sense to invest in a large system because if I over produce I will actually get penalized.

Councilwoman Mulhern: We do have some big solar industry here and Jabil Circuit is planning to produce solar cells. When I spoke with them about why we couldn't have manufacturing for that here they were talking about problems with some of the toxins and some of our standards here.

Mr. Rohr: There are a variety of different solar cells. A mono-crystalline type cell is just standard electronic manufacturing, the same kind of issue you have at Jabil presently. The reason they aren't manufacturing here is that it is not economically feasible.

Commissioner Mariano: The amount of money that Progress Energy has collected for that \$2.00 fee, do you know what that total is at this point? It has to be a substantial amount of money. Right now the economics are out there for the homeowner that doesn't have a lot of money to try and spend \$20,000 to save \$200-\$300 a month. The financing isn't out there either. Is your industry doing anything about this?

Mr. Rohr: One of the big things that is happening in other states is lease options. They are able to lease a system. The problem is, again, due to the purchase power agreement the lessee can't sell your electricity. There are really very few options out there. The reason I brought up the thermal side of the business is because that is completely open. That is a very viable business in this state and we have made money for the past 20-30 years on thermal. You can dramatically save on your hot water bill by installing a \$5,000 system. This investment would pay you back in 3-5 years.

Mr. Kersteen: You said that the generating capability capacity of these PV cells don't deteriorate over the years. In my tour of the emergency ops center in Seminole, if I remember correctly there was a guarantee of 85% capacity after 20 years of use. Am I correct?

Mr. Rohr: I didn't say they don't deteriorate, I said that they deteriorate at a standard level and they do produce for 45 years, which is less than 20%. They deteriorate about 1.2% per year.

Councilman Newton: We have tens of thousands of light poles throughout our city (St. Petersburg) and we retrofitted a lot of the ones we owned which reduced the amount of money we paid to the power company annually for street lights. In Phoenix they have nice new technology that is really bringing their price down. The power company is only going to do the amount of conversion they have to do, just enough to keep from putting on the auxiliary generator which costs them 10x as much and they will call us sometimes to reduce our consumption so we won't trip that in peak/high demand times. If you retrofit just your street lights your costs to the power company will be cut in half, if not by two thirds. They are reluctant to do that.

Mr. Rohr: We generally produce during peak hours and peak hours for electric occur during the day, when it's more expensive for the power companies to produce. Our electricity is much more valuable than 12 cents a KW hour. The regulation is that if we were selling it at market prices during the day we could be getting 20 or 30 cents a KW hour.

Commissioner Mariano: Could you elaborate on what you said? During the peak hour as far as the energy being more valuable.

Mr. Rohr: Electricity pricing, the cost of generating electricity during the day, varies. We have base level that is hit by the coal plants and the nuclear plants. All the peak stuff that happens during the day, that electricity is more expensive because they have to turn on gas turbines and things like that. Those are very expensive for them to run. So the electricity that they generate during the day costs them much more than what they generate at night. They average that out and they say that in net metering you can get 12 cents a KW hour. But in actuality that electricity that is produced in the middle of the day by our solar panels is worth more than 12 cents a KW hour. It's worth 20 or 30 cents a KW hour.

Commissioner Mariano: That's the key argument for you.

**B. Ballast Water Management**

Ms. Suzanne Cooper, Principal Planner, provided a presentation on the issue of harmful species introductions to Tampa Bay as a result of certain ballast water discharge from ships using our ports and the regulations that have been drafted to address this issue.

A couple of months ago the Agency on Bay Management had a presentation about this issue and about a study that was done to identify what the problems are with ballast water.

You would think the oceans are everywhere and wonder what is the problem? We actually have zones in the oceans of temperatures and salinity and naturally we would want to keep things within their strata so things from the middle of South America wouldn't get into our waters because they would have to cross natural barriers. Since we have shipping that is taken out of the equation. For centuries we have had ships that carried organisms on the ships such as barnacles. Ballast Point in Tampa is famous for the cattle shipping ships that would come in to pick up cattle. They would drop their rocks when they didn't use the ballast. They say there are stones from shores all over the world there. We have mostly organisms that grew mostly on the ships or on the rocks that were transported across these natural barriers. When we developed steel ships they were faster and they use water. The water was brought on and taken off as needed to control the stability of ships as they brought on cargo and at port they would dump their ballast water because they didn't need it for the weight distribution. Then they would off-load their cargo, and in another place they would bring ballast on to provide stability of the ship. This was happening mostly in ports that are in estuaries. Estuaries are different from open water because they are generally lower salinity and the temperatures are different. Tampa Bay is so diverse and rich because it is separated from the open ocean and has its own ecosystem.

It has been estimated that more than 7,000 species are being carried daily in ship's ballast tanks around the world. An estimated 792 - 1,820 million gallons of ballast water (BW) are moved internationally each year. BW exchange in ports and harbors worldwide has been shown to be a primary vector for the introduction of non-native harmful microorganisms, and the introduction of invasive marine species has been identified as one of the four greatest threats to the world's oceans. Sixty-five known, suspected or likely non-native species have either successfully invaded the Tampa Bay ecosystem or are in a position to do so.

BW and ship fouling are possible routes for several recent invasive species (e.g. green mussel, Asian kelp, and red-tide algae). Foreign export in bulk cargo ships constitutes a major source of foreign introduced ballast water. Virtually all marine species have a planktonic (free-floating) phase in their life cycle where they would be floating in water that could be taken in as ballast. BW released into the Port of Tampa in 1996 was estimated to average 1 gallon/minute, 24/7.

The study that was presented to ABM was done in 2003 - 2006 and they sampled ships' ballast tanks to look for potentially harmful microorganisms. These ships had been all over the world in various types of zones so the potential for harmful organisms and non-native organisms is rich. The result of that survey was telling. They actually looked at about 84 ships and sampled 63. Over a third of the ships and 40% of the tanks had live organisms in their ballast water. The alarming thing is that 40% of the ships and over 45% of the tanks had cysts. What that means is that is the dormant phase of an organisms life cycle. Cysts are formed naturally when the organism is in an adverse situation so it allows them to become dormant and survive harsh conditions for a longer period. What they found was that there were 2900 cysts isolated from these tanks and two potentially non-native species were actually establishing a culture, in other words they brought them out of their dormant phase and they survived within laboratory conditions.

What we heard at the ABM was, based on the information that was available when that study was done, was that we did not have a BW management mandatory system. At the time there was an International Maritime Organization (IMO) convention that was adopted but had not yet been adopted by the U.S. that required exchange of ballast water in the open ocean which meant that when you take this estuarine water, you take it out to the ocean and exchange it for ocean water. You put these critters not in your natural habitat but in a more unfriendly water and then you wouldn't have estuarine water to take to another port. The other part of the IMO Convention is to actually measure what the organisms are in that water and treat it to arrive at a much less likely infected situation and they also set human health standards. What we have seen with the IMO is that it's been adopted by 30 states, meaning countries, and they are at 28 countries. The U.S. has not adopted. The countries that have adopted are a variety from Nevis to Canada to Albania. A lot of countries, but not the U.S. Why is that? That had us concerned because the U.S. didn't have any protection or any way to require treatment of its ballast water.

What we found in looking at this and calling the Washington Coast Guard and around, is that now we do have required ballast water treatment system. Tanks have to be completely exchanged if they go outside the exclusive economic zone or they have to

retain their ballast water on board. They also have to record where, when, how much they exchange. My question was, anybody can write anything in a log, how do we know they are doing this? There is an elaborate system they use to verify that the ships have been where they said they were. We do have a mandatory ballast water management program. The economic and environmental affects of the existing regulation is varied. About 7500 vessels are affected. The annual cost is about, on average, \$2,000 per vessel per year. They prevent an estimated 2 invasions of non indigenous species every 3 weeks. There are some costs of the damage caused by invasive species, and this is very broad, \$47 million to \$1.06 billion per year. That doesn't really tell you anything of the extent of the damage. We know zebra mussels are in all of the great lakes and down into some of the rivers, green crab is much more restrictive.

Proposed regulation - looking at what is coming down the pike. The ABM has voted to send a letter to the feds recommending that they adopt IMO International Convention, that they adopt the Coast Guard regulations that are currently proposed and that they adopt EPA regulations which we did not have described to us. The proposed regulation for the Coast Guard, the next level, is the same as for the IMO Part II, which is treatment and testing. Then the Phase II of the Coast Guard is a much greater reduction in the number of ordinances, more treatment and more testing.

Treatment types - mechanical systems. Right now ships have tanks that are in the side walls or in the bottom of ships. They pump in and they pump out. This would require additional mechanical devices to either agitate the water, oxygenate the water, or de-oxygenate, chlorinate it, test it, report on it. The economic cost of that system estimated by the Coast Guard is about \$280,000 per vessel start up costs, which is installation of the equipment. \$167 million per year, over 10 years, for about 4500 vessels per year. The phase II costs where they ramp up the testing and upgrade their techniques for dealing with this is expected to be less. The benefits expected by U.S. Coast Guard figures \$13 to \$596 million per year based on the invasion of 6 to 7 species in all U.S. waters over ten years. It's a giant leap into dealing with ballast water.

Based on what I've learned during my research and preparation is that unlike what ABM had heard a couple of months ago, there is existing regulation of BW management with a complete open water exchange, or no release, or an alternative treatment like the international convention. My suggestion is that we wait for additional information on potential costs of benefits of the proposed regulations which were supposed to be finalized earlier this year and are still pending. And we will wait to see what the US EPA will impose for us for management. Coast Guard acts under the Invasive Species Act, US EPA acts under the Clean Water Act. We have a lot more to learn about, what the repercussions of those additional regulations are and what they will do for us.

Questions & Comments:

Council Member Janice Miller: I take it that these are all federal regulations?

Ms. Cooper: Yes.

Councilman Newton: Could you explain the exchange of the ballast water?

Ms. Cooper: They actually take on the water at the port before they leave the port. And then when they are in the open ocean they exchange that water, flush out their tank three times to make sure they get at least a 95% exchange, and then when they go into the next port to take on cargo and they release that water it is water from

Commissioner Crist: the ocean so its less likely to have non-native or invasive species. You mentioned that the regulations were federal but if we wanted to we could do our own at the local level or state level here? If not, why?

Ms. Cooper: Because of the international trade laws and maritime laws they don't allow each port or each captain to regulate at that level because you have ships going all over the world. If each port had its own regulations it would be difficult to try and enforce so they try to have the most reasonable regulations for everyone. The Great Lakes have a separate set of regulations because they have a whole different set of problems. Generally they are done nationally or internationally.

Commissioner Crist: Looking at it from a different direction, are there things that could be added to our water that would counteract these various types of creatures?

Ms. Cooper: No. If you're thinking we could add biocides. It would introduce other animals which may cause problems like that of the Brazilian Pepper and love bugs and other things we have introduced to counteract other problems. Unintended consequences. If we went to Asia and found their natural control to green mussels, they might prefer our oysters to green mussels.

Councilwoman Mulhern: The enforcement of the regulations for release in open waters, is that the Coast Guard?

Ms. Cooper: Yes.

All Council presentations: [www.tbrpc.org/council\\_members/council\\_presentations\\_2011.shtml](http://www.tbrpc.org/council_members/council_presentations_2011.shtml)

**7. Council Member Comments**

- Chair Dodson and Council Members congratulated Councilman Wengay Newton on his re-election to the City of St. Petersburg's City Council.

**8. Program Reports**

**A. Agency on Bay Management (ABM) – Chair, Mr. Robert Kersteen**

The full Agency met last Thursday, November 10<sup>th</sup>, and there were several important items presented and discussed.

◆ Mr. Walter Miller, Port Director for the City of St. Petersburg, presented the City's construction of a mooring field in the North (Vinoy) basin and management of the basin and mooring field as a marina facility.

Sargent Les Miller of the Marine Unit of the City's Police Department described the City's participation in a State pilot program to allow local governments to control mooring of vessels in local waters. Many vessels are moored near St. Petersburg's shores and left unattended or abandoned. Such vessels become navigational or environmental hazards, or nuisances. This pilot program, which runs through mid-2014, allows the City to develop and implement an ordinance to control such vessels and could lead to changes in statewide laws governing this.

◆ Staff of NOAA, the Florida DEP and the Mosaic Company presented the Draft Damage Assessment and Restoration Plan for the Mosaic Company's acidic water spill

of 2004. The complicated process of assessing the environmental damage caused by the spill and determining the appropriate restoration projects was explained.

Mosaic had performed some emergency habitat restoration following the spill and created several acres of salt marsh habitat. The remaining habitat and estuarine resources recovered on their own, so the restoration plan covers the interim loss of ecological resources. The preferred plan involves restoration of tidal circulation and mangrove habitat in an area south of the Alafia River and the creation of marsh habitat in a shallow borrow area north of the existing Mosaic facility in Riverview. Public comment on the plan will be formally requested when the document is released within a few weeks.

◆ The Agency considered the request to change its Operating Procedures to require quarterly meetings of the full Agency and its committees, rather than the currently required bi-monthly schedule. This is due to budgetary considerations. The members agreed to the proposed change, with recognition that special meetings could still be called to handle time-sensitive issues. Any revisions to the Agency's Operating Procedures must be approved by this Council.

Motion to approve the revised Operating Procedures of the Agency on Bay Management, as appears in the material included in the mail-out package. (Kersteen/J. Miller)

- B. Clearinghouse Review Committee (CRC) - No Report**
- C. Local Emergency Planning Committee (LEPC) – No Report**
- D. Emergency Management - No Report**
- E. Legislative Committee – Mayor Scott Black, Chair**  
Commissioner Mariano provided the Legislative Report.

There are a few bills that may be of interest to our membership.  
HB 373:

1. Allows cities and counties to receive “conceptual permits” for stormwater management plans for urban development programs in areas that they have designated for community redevelopment or urban infill and redevelopment.
2. The Department of Environmental Protection and the water management districts are required to establish conceptual permits for urban redevelopment projects which will basically allow discharges to continue at the same rate and volume as of the date the stormwater plan is adopted.
3. Conceptual permits shall be for 20 years and qualify such projects to receive a general permit that will authorize construction and operation of the stormwater management system.

HB 515 - relating to growth enterprise development – requires DEO (Department of Economic Opportunity) to establish one-stop application for expedited review and approval of certain state of regional development permits. Authorizes local governments

to establish growth enterprise development programs that provide for master development approval. These are for development or expansion of certain sites owned and operated by growth enterprises. Authorizes development of such site consistent master development order without requiring certain additional local development approval.

#### HB 603

1. Prohibits local governments from applying transportation or school concurrency or required proportionate share contributions for new development from July 2012 until July 2015, unless authorized by 2/3 vote. However, this prohibition does not apply to proportionate share contributions assessed before July 1, 2012.
2. Prohibits imposition of impact fees for transportation impacts until July 2015, unless authorized by 2/3 vote. However, this prohibition does not apply to any impact fee in existence on July 1, 2011, if re-authorized by 2/3 vote.
3. If a development for which concurrency, proportionate share or impact fees were waived pursuant to this act does not receive a certificate of occupancy by July 1, 2016, then these assessments and fee may be imposed retroactively.

#### SB 842

1. Deletes remaining statutory language that references Department of Community Affairs (DCA) and replaces them with Department of Economic Opportunity (DEO).
2. Provides that any local government charter provision in effect as of June 1, 2011 that calls for an initiative or referendum for development orders or local comp plan amendments remains in effect, notwithstanding the prohibition which would otherwise apply; this means that no similar charter provision can be adopted after June 1, 2011.
3. Amends S.186.505, Florida Statutes, to provide that before accepting a grant, RPCs must make a formal public determination that the purpose of the grant furthers the Council's functions and will not diminish its ability to fund and accomplish its statutory purposes. Also prohibits RPCs from providing consulting services for a fee to local governments for any project where the RPC serves in a review capacity, or providing consulting services to a private party for a project that the RPC may review in the future.

A copy of the senate interim report on DRIs was distributed in Council folders.

1. It concludes that exemptions that have been made to the DRI program leave the DRI process in place in those areas that need it most.
2. In practice, the DRI process creates better projects.
3. RPCs help to coordinate governmental review of large scale projects to prevent conflicting and overlapping recommendation.
4. The DRI process is "by far the most prevalent and successful of the state's attempts to promote some form of regional planning."
5. The report did not recommend that the DRI process be repealed and that now

total reliance be placed on the comp planning process.

6. Although the DRI process has been pared back, it still adds value.

On the funding issue, our Tallahassee team continues to pursue inclusion of RPC funding in the governor's budget.

Councilman Newton: Do any of these bills have a companion?  
Mr. Conn: Several have companions but none of them have made it past the first committee hearing.  
Mr. Pumariega: Some of these will impact the local government.

Chair Dodson asked that the legislative comments be distributed to Council members.

Councilman Newton suggested sending texts to Council member's cell phones on legislative matters and incentives so that way they would know about the email.

Taken out of order:

**9. Other Council Reports**

**A. Nominating Committee**

Councilor Bob Matthews, Chair of the Nominating Committee provided a brief report.

The Nominating Committee met this past Wednesday (November 9, 2011) to discuss the 2012 Slate of Officers. There was a quorum present with the following members: Councilor Matthews as Chair, Mayor Scott Black, Mr. Bob Kersteen, and Commissioner Jack Mariano.

We had two fine candidates this year that offered to serve in the role of Secretary/Treasurer and it was a difficult decision. The Committee thanked both candidates for offering the time and talents to the Board.

The Committee presented the 2012 Slate of Officers to the full Council: Secretary/Treasurer Andy Nunez, Pinellas County Gubernatorial Appointee; Vice Chair Bob Minning, Mayor of the City of Treasure Island; and Chair Larry Bustle, Manatee County Commissioner.

Motion to approve the recommended Slate of Officers for 2012 (Matthews/Kersteen).

**B. TBRPC 50<sup>th</sup> Anniversary Celebration Committee - Ms. Wren Krahl**

The Future of the Region Awards and the 50<sup>th</sup> Anniversary Celebration will be a combined event. The Call For Entries is now on the web site as well as sponsorship opportunities. In Council folders you will find a "suggestion for sponsors" sheet and if you know of anyone please provide their contact information. Ms. Krahl thanked Council members who have already submitted suggestions. We have approached sixty (60) potential sponsors to date. Thanks were provided to Mr. Nunez and Tindale Oliver for their sponsorship, and also Mr. Conn - Pennington, Moore.

Councilor Matthews asked that Council members be provided the contact information for sponsors so they can be thanked personally.

**C. NARC Conference 2012 - Ms. Wren Krahl**  
The NARC Conference is in June 2012.

Councilman Newton: On Saturday, November 19<sup>th</sup>, I will be hosting a clean-up effort at Lincoln Cemetery, 600 58<sup>th</sup> Street South, Gulfport at 8:00 a.m. This is a historical cemetery with no money for maintenance. The grass is about 4-5 feet high and our hopes are to get it cleaned up. Volunteers can contact me. There is a lot of history with this cemetery. Back when there was segregation this was the only place in St. Petersburg for blacks to be laid to rest.

**8. Program Reports - continued:**

**F. Regional Planning Advisory Committee (RPAC) – No Report**

**G. Economic Development**

Mr. Patrick O’Neil provided a brief presentation on the recently completed Disaster Resiliency Study that was funded by the Economic Development Administration (EDA). The study assesses the economic impacts of a catastrophic disaster on the Tampa Bay region.

The purpose of the study was to analyze direct, indirect, and induced impacts of a catastrophic event in our four counties (Hillsborough, Manatee, Pasco and Pinellas). Unlike most reports of a hurricane event that talk about the direct events, what was damaged, what was lost, and things of that nature we looked at employment sectors and how those sectors would be affected, recovery, reconstruction, and assistance efforts to try and help different counties and cities so they will know what to ask for in assistance. Whether it would be a category 5 hurricane or a fire, you would lose housing, employment, and both events are similar as far as getting people back to work. We also looked at vulnerabilities, and evacuation levels to see what is missing from each area, and resiliency strategies for the future.

Project Phoenix was showcased as a big catastrophic event in a video. We modeled that hurricane and the affects of it hitting the Tampa Bay area in a worse possible scenario. The surge is at its worst, and when it hits between Clearwater and St. Petersburg the hurricane is a category 5. In looking at a map within the Power Point presentation it shows damage in each area and how severe that damage is. Pre-storm building stock is valued at \$193 billion; total structural damage was at \$135 billion in the four counties. In the assumptions that we assumed, the only negative assumption was employment lost. We used the Remi® model for our economic analyses, and if employment is missing then productivity is missing, and payroll will be missing. Based on first year, 33% of employment will not be able to return to work. That would be 541,000 people who would not be able to get back to work. In seven years 24% would still be unable to work. Hillsborough County would be the most severely affected, followed by Pinellas, Pasco, and then Manatee.

The model also shows positive impacts. Reconstruction, cleanup and government spending are economic gains and provide beneficial activity. We assumed over ten years \$189.5 billion being invested in the region.

Individual impacts are shown in a graph. The only industry that responds without any assistance from the government is the construction industry. Once the regular employees start coming back on line the automatic assumption is that they will have to build and buy and construction will recover. Even once employment is back on line it takes a lot longer for the economic indicators to return.

The Study will be released at the end of the month. To view detailed charts from the presentation go to [www.tbrpc.org/council\\_members/council\\_presentations\\_2011.shtml](http://www.tbrpc.org/council_members/council_presentations_2011.shtml)

Questions & Comments:

Councilman Newton:

Did they use any benchmark from what happened during Katrina?

Mr. O'Neil:

Two major storms were benchmarked, Katrina and Andrew. Katrina occurred in New Orleans which had more of a stagnant population whereas Andrew happened in Miami. We tried to pick somewhere in the middle of the two.

**H. Regional Domestic Security Task Force (RDSTF) - No Report**

- 10. **Executive/Budget Committee Report** – Chair Dodson - None
- 11. **Chair's Report** - None
- 12. **Executive Director's Report** - None

Adjournment: 11:50 a.m.



William D. Dodson, Chair



Lori Denman, Recording Secretary