

**CITY OF TEMPLE TERRACE, FLORIDA
RIVER WATCH TASK FORCE
REPORT OF MEETING**

**Monday, July 20, 2009
Council Workroom
4:30 p.m.**

The Temple Terrace River Watch Task Force met on Monday, July 20, 2009, in the Council Workroom at City Hall.

PRESENT WERE: River Watch Task Force Chairman Ronald Smith, Task Force Members Frank Chillura, Terry McMahon, David Pogorilich, and Jack Westberry.

ALSO PRESENT WERE: Task Force Liaison Joe Gross, Legislative Secretary Sobeida LeBlanc, Staff Member Carl Avari-Cooper, John Rodgers, and Dr. Marty Kelly.

The meeting was called to order at 4:35 p.m. by Chairman Smith.

1. Approval of the Minutes of Previous Meeting:

Upon motion of Task Force Member Chillura, seconded by Task Force Member Westberry, and unanimously carried, the **REPORT** of the June 23, 2009, meeting was **APPROVED**.

Persons Wishing to be Heard on Items NOT Listed on the Agenda:

None.

2. Discussion of River levels and flows:

Chairman Smith stated that a few weeks ago there were some concerns with the River, because the water level was rapidly dropping. He turned the meeting over to Task Force Liaison Gross for a report of his conversation with Dr. Marty Kelly from Southwest Florida Water Management District (SWFWMD).

Task Force Liaison Gross stated he contacted SWFWMD over the 4th of July weekend because water was moving very quickly and various Task Force Members were concerned about it. He said he contacted the City of Tampa, who acknowledged they were releasing water, which is part of their strategy to prevent flooding. He explained they have had problems in the Sulphur Springs area due to high tides; therefore, they try to make space in the Middle River by keeping it at 21½ feet during the rainy season. He continued either the City of Tampa's Code sets that height/regulation or it is just a protocol they have operated under.

Task Force Liaison Gross stated it is his understanding that while SWFWMD is interested in that, it is not their dam or operation; therefore, they don't have a way to regulate it. Chairman Smith interjected he was under the impression that SWFWMD manages levels and flows of the River. Dr. Kelly stated not everything is under SWFWMD's control; they attempt to manage the River by moving water from the By-Pass Canal into the River, but do not control releases from the dam. He continued the permit the City of Tampa has regulates their withdrawal and not how they operate the dam. As far as he knows, there are no restrictions on how much water the City of Tampa can release, because it is being done for flood control, he said.

Task Force Liaison Gross questioned whether SWFWMD gets notified of these releases. Dr. Kelly responded they follow it and know how they operate it, on a daily basis.

Chairman Smith questioned whether there is a way the City of Tampa can redirect this water elsewhere. Dr. Kelly responded that if the City of Tampa were to shut the gates on the dam and not release the water, eventually it would fill up to 22½ feet and start spilling over at about the same rate they are releasing it now.

Chairman Smith said he appreciates maintaining a certain level to prevent flooding, but expressed concern over the dumping of thousands of gallons of water into the Lower River, going into the Bay, and not being used for anything. He asked if it could be redirected to the reservoir or elsewhere. Dr. Kelly explained the City of Tampa is releasing at the rate that it would probably be flowing over the dam if it was full; they are not releasing excess water. He further explained that water is not being wasted; they want water to go to tide because there is an estuary down there that depends on that.

Task Force Member Chillura questioned whether the By-Pass Canal structure lowers so water from the River flows in there or is it done by pumps. Dr. Kelly responded the water is pumped uphill to the gates, and the gates are to send it downhill. Task Force Member Chillura questioned why the City of Tampa has so much control on releasing water at their discretion. He suggested SWFWMD should be the agency that regulates and manages all the water bodies in this region, including releases. Dr. Kelly responded the Task Force is giving SWFWMD more authority than the statute gives them on the City of Tampa.

Task Force Member Chillura questioned why the City of Tampa is so concerned with flooding, knowing that SWFWMD has those structures in place, where they can easily raise and lower the gates, to manage the water. Dr. Kelly responded they are probably concerned with liabilities associated with flooding.

Task Force Member Chillura questioned whether there has ever been discussion of putting something in place requiring a second approval, aside from the City of Tampa, to release water from the River. Dr. Kelly replied not to his knowledge. Staff Member Avari-Cooper questioned why SWFWMD has no regulatory authority over the release of water. Dr. Kelly responded it is what the statute allows them.

Task Force Liaison Gross agreed it is all very surprising since SWFWMD is the “regulator”, but surmises it all goes back to flooding concerns and providing City of Tampa with enough authority, for flood control purposes. Staff Member Avari-Cooper added it does not make sense that the authority that regulates the water is not responsible for releasing it.

Task Force Member Chillura questioned whether Statutes are addressed through the Legislature. Dr. Kelly responded all the statutes are on Chapter 373.

Chairman Smith emphasized the Task Force does not have an issue with the City of Tampa controlling the levels like they have been doing; their concern has been since last year’s inadvertent opening of the gates.

Task Force Member Westberry suggested the City of Tampa should somehow notify the community of those releases.

Chairman Smith asked the Task Force how they wished to proceed with this issue. Task Force Member Chillura interjected when that incident happened last year, Mr. Moore said there was going to be some new procedure put in place. He suggested they bring the Mayor and City Council up to speed on the fact that there are no regulations on releases from the Middle River. Task Force Liaison Gross recommended the Task Force give the administrative side of the house the opportunity to inquire as to the process or protocols the City of Tampa uses; sometimes things get worked out without them even getting involved. He said he would meet with the City Manager to explain the issue and take it from there.

Staff Member Avari-Cooper agreed that asking for notification from the City of Tampa of the releases is an important step in communication and could be as simple as an email list. He said he does not want the Task Force to be perceived as being confrontational, but also agrees with the idea of having a second set of eyes for a decision to be made because it would completely eliminate the possibility of a second mistake like last year's.

3. Meeting results with Cliff Harrison, Joe Gross, and SWFWMD:

Chairman Smith informed the Task Force that Cliff Harrison was unable to make it tonight due to car problems and asked Task Force Liaison Gross to provide an update of the meeting between Cliff Harrison and SWFWMD.

Task Force Liaison Gross summarized the meeting that took place on June 25, 2009, with Cliff Harrison of EnHydro, Dr. Marty Kelly and Doug Leeper of SWFWMD and himself.

Task Force Liaison Gross stated Mr. Harrison is preparing a report for the Task Force, which will include all the information he has gathered from the above meeting, and another meeting that took place on July 7, 2009, with a group of area engineers known as Northern Tampa Bay Phase II Local Technical Peer Review Group; the report should be submitted to the Task Force sometime this week.

Task Force Liaison Gross stated the Morris Bridge Sink was also discussed at that meeting. In response to Task Force Member Westberry's question during last month's meeting, Task Force Liaison Gross said the report generated as to the outcome of the Morris Bridge sink test run is in the works, but is not done yet. Dr. Kelly gave an update on the Morris Bridge sink pump test.

Task Force Liaison Gross continued that future increases to the City of Tampa's permit would probably be unlikely due to the Regional Partnership Agreement reached during the water wars and because it would impede Tampa Bay Water's allowances.

4. SWFWMD Permit Document:

Task Force Member McMahan distributed and reviewed a list containing the top 60 permits out of 238 permits in the entire watershed, a copy of which is part of the record.

Task Force Member McMahon said he asked Ralph Kerr what would happen if Tampa Bay Water was over that much on their water usage for that long, and his response was that Legal have been involved, but he didn't know the details. Dr. Kelly added Tampa Bay Water can get fined. Staff Member Avari-Cooper interjected he read an article that said Tampa Bay Water was going to be fined approximately \$1 million, but were going to be allowed to pay that fine through educational media campaigns.

The Task Force briefly discussed a printout of City of Tampa's Permit #2062.006, a copy of which is part of the record. Chairman Smith pointed out the printout shows the permit's issue and expiration dates, which the Task Force was interested in a couple of months ago.

Task Force Liaison Gross interjected he has an update on the City of Tampa's five-year review. He reported Ralph Kerr wrote him an email informing him that the report is about two inches thick. He said he could go look at it and request/pay for a paper copy to be made, but thought he should first check with the Task Force to see if they want it. Chairman Smith responded they don't need a two-inch report, just need to know whether the City of Tampa is requesting anything new or different. Task Force Liaison Gross said he didn't think SWFWMD had an electronic version of it, but he would make an attempt to go there in person and obtain at least a summary of the review.

5. Morris Bridge Sink discussion:

Topic covered under Item #3.

6. Results of Public Supply Advisory meeting on July 14th:

Task Force Member Westberry reported he is not on that committee, but they assured him they would see what they could do. He continued it is a good committee with a lot of information; different organizations across the district came in and gave presentations. He recapped the meeting, specifically, a presentation given on reclaimed water, and suggested the Task Force invite Sandra Anderson from the City of Tampa to their meeting to speak on the issue. Task Force Member Westberry emphasized there are many programs out there and a lot of people doing their part to save water. He reported their next meeting is October 20th.

Staff Member Avari-Cooper emphasized reclaimed water is something the Task Force needs to concentrate on, as it is a way they can actually accomplish something tangible. Task Force Member Westberry said there will be a symposium taking place on February, 2010, in which the Task Force could possibly participate. Task Force Liaison Gross added it will take place in Gainesville and abstracts are due by August 11, 2009. Staff Member Avari-Cooper volunteered to work with Task Force Liaison Gross in putting something together for submission by August 11th on behalf of the Task Force. Task Force Member Westberry said he would contact Ms. Anderson and request her attendance at the August meeting.

Task Force Member Westberry stated the gauge on the River behind his house is over 30+ years and needs to be resurveyed, needs a new post, and a new gauge front. Dr. Kelly assured him his staff would put a new one in right away.

7. Review Objectives of Task Force:

Chairman Smith distributed updated copies of the Task Force's Objectives, a copy of which is part of the record, listing items that have been completed, completed but on-going, and items they need to work on.

8. Review/create Mission Statement:

Chairman Smith distributed a page of sample mission statements created in May 2007, a copy of which is part of the record. As an official Board, he said, they need to have a mission statement. He asked the Task Force to review the list, and bring back any suggestions for discussion to their next meeting.

9. Liaison report:

Task Force Liaison Gross stated two of the groups he serves on created a contact list of agencies who handle the different issues pertaining to the River. He distributed copies of "River Issue Contact List", a copy of which is part of the record. He encouraged the Task Force to report any issues or suggestions they may find with the list.

Task Force Liaison Gross continued the only meeting he has attended since their last meeting was the Hillsborough River Roundtable held on Friday, July 17th. He reported the following was discussed at the meeting: an update on the Billy Young Reservoir was provided; the State fertilizer regulations have been signed by the governor, which means the cities and county will have to probably adopt some type of regulatory controls on fertilizers; the Green Armada, which is a group of volunteers that clean shorelines and water bodies gave a presentation; there is a local reclaimed water workshop being organized, in which representatives from different groups will gather to discuss their reclaimed water plans, including the Temple Terrace Public Works Director; and there are concerns that a "yuck water" proposal is reemerging. He explained the term "yuck water" would be reusing water and reintroducing it into the supply system, which has been done in other parts of the country and world for decades.

Task Force Liaison Gross said he did not have the opportunity to tell the River Roundtable the Task Force's offer on the River Tour, but will the next time they meet on August 7th. He continued that the organizers of the last River Tour put together a publication for the attendees and media; he encouraged the Task Force to start thinking about what they would like to highlight and discuss in order to put one together. Chairman Smith suggested they get Mike Dunn, Public Information Officer, involved with this.

With regard to the Tampa Bay Water presentation the Task Force requested at their last meeting, Task Force Liaison Gross said he has been playing phone tag due to vacations. He said he was planning on having them present on August 17th, but suggested they move Tampa Bay Water to September since they are trying to get the reclaimed water presentation in August.

Task Force Liaison Gross informed the Task Force he met with Mike Darrow, Public Works Deputy Director Water/Sewer, about the Temple Terrace well fields and permitting.

Task Force Liaison Gross summarized the City has ten production wells, and one irrigation well; the oldest well was drilled in 1926, the newest one came online in 2002. He continued they vary in depth from 155 to 505 feet; the main ones are located in Richline/Whiteway water plant, which accounts for 80-90% of their use because they are the furthest from the River, adjacent to the softening plant, and consistent with what SWFWMD has asked. The other ones, he said, are called “peaking wells”, which they draw from when they get into over capacity; they are located in Sunningdale area and by Florida College.

Task Force Liaison Gross added the approximate average use is four million gallons per day; the ten-year permit was renewed as requested by the City on October 2008 for an average of 5,098,000 gallons per day and two 5,150,000 gallons per day for peak months. He explained there are times where that fluctuate, sometimes using three million and sometimes using seven million. He continued the only thing that was reduced on their permit was for a peak month amount, where the City actually requested the reduction and the District approved. Other items on his report they have already discussed throughout the meeting, he said.

10. Other business:

Task Force Member Gross stated there was an issue with one of their Task Force Members, but thinks it has been resolved. Staff Member Avari-Cooper recapped Robert Collins was a Board member that got deployed and was absent during the official formation of the Task Force. He explained when Mr. Collins returned to the country and came to their last meeting he was surprised that he wasn't still on the Board. Staff Member Avari-Cooper stated Mr. Collins was out serving their country and he [Staff Member Avari-Cooper] believes the Task Force was negligent in not doing something about keeping him in mind.

Staff Member Avari-Cooper added he and Task Force Liaison Gross were going to propose looking at expanding the Task Force from five to seven members so that they could accommodate past member Robert Collins who recently returned from active service duty in Iraq. This will not be needed as he received a phone call from Mr. Collins this afternoon informing him that as of tomorrow he will be promoted to full Colonel and his billet may be reassigned. Mr. Collins advised he would be happy to serve as an Alternate Member for now.

As a possible solution and to show their appreciation, Staff Member Avari-Cooper suggested keeping Mr. Collins on the Task Force as an alternate member, as long as he is in the area.

Chairman Smith thanked Task Force Liaison Gross for all the work he has done and for taking on more than he bargained for.

There being no further business to consider, the meeting adjourned at 6:40 p.m.

Submitted by,

Sobeida LeBlanc
Legislative Secretary