

### Storm Water Advisory Team – SWAT Meeting Minutes

December 2, 2014 3:30 PM

#### Attendees:

Staff: Jack Brown, Kristin Hual, Colby Brown, Keith Wilkins

Committee: Mike Whitehead, Mary Gutierrez, Garrett Walton, John Cheney,

Dr. Elizabeth Benchley, Phil Turner, Glenn Niblock

Citizens: Barbara Albrecht

- Sunshine Presentation Kristin Hual
  - Kristin Hual gave a presentation and distributed a handout on the Sunshine Law (see attached).
- Welcome Colby Brown
  - Colby Brown welcomed the SWAT Team. All members introduced themselves and provided a brief background (sign in sheet attached).
- Meeting Properly Advertised Proof of Publication dated November 22, 2014
- Review Resolution Colby Brown
  - Colby reviewed the Resolution with the Committee
- SWAT Presentation Jack Brown / Colby Brown (see attached)

#### Discussion

- Jack Brown gave an overview of the Delano area County and City collaboration
- It was noted that for additional dollars, work with CERTS / Restore / LOST / Grant Mitigation Funds (available for wind, what about flood)
- o Mary Gutierrez encouraged Low Impact Development (LID) Incentives
- Mike Whitehead would like SWAT to be more Proactive and Project Oriented and not just a review of a White Paper Report
- Jack Brown stated that the white paper is only part of the picture and that there will be specific projects discussed
  - Look at County-wide storm water system
  - County is buying property
  - Would like SWAT to get project specific
- Mike Whitehead would like to use SWAT as public information / outreach
- Mike Whitehead noted that all seems to be repair and we need to focus on mitigation
- Jack Brown noted that the first effort is to repair while planning to mitigate
- Phil Turner would like to have access to all Drainage Basin Studies.
- Mike Whitehead
  - Something we can do now Change Development Guidelines Redevelopment Guidelines to address amount of storm water in that area. Offer Commercial Incentive, Property Tax Credits, Grant mitigation, etc.
  - FDOT Pit at Rambler & Pipeline should become a County pond
- Garret Walton would like a large scale overview of the flood and its impacts
- Action Items / Agenda Items
  - Staff to provide SWAT detailed information regarding the April Storm.
    - Largest impact areas and associated costs
    - What happened in the devastated areas
    - How we intend to move forward
    - What is staff direction
    - Explain storm events (25 year, 100 year, etc.)
  - Staff to bring SWAT Projects (mitigation)
    - Including properties acquired or attempting to acquire
  - o Provide access to Drainage Basin Studies

- Election of Chairperson Colby Brown
  - o Mary Gutierrez nominated herself for Chair
  - John Cheney nominated Phil Turner
  - Motion to close nomination by Mike Whitehead and Seconded by Garrett Walton, All in favor
  - Motion by Mike Whitehead to accept Mary Gutierrez as Chair and Phil Turner as Vice Chair. Seconded by Phil Turner, All in favor
- Scheduling of Next Meeting
  - Next meeting scheduled for Tuesday Jan 6<sup>th</sup> at 10:30 AM in the 4<sup>th</sup> Floor Training Room
- Adjourn
  - Mary Gutierrez made a motion
  - Seconded by Elizabeth Benchley
  - All in favor
  - Meeting adjourned

## Florida's Government in the Sunshine Law

Article I, section 24, Florida Constitution and Section 286.011, Florida Statutes

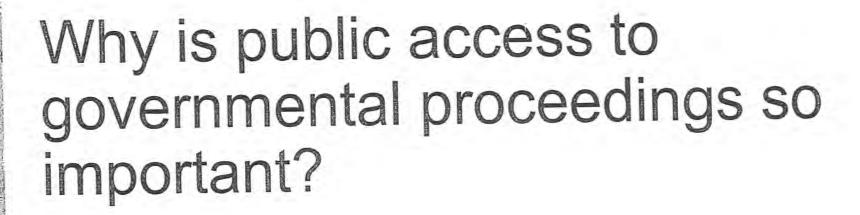


## What is the purpose of Florida's Sunshine Law?

\* To give citizens a right of access to governmental proceedings

# How does the Sunshine Law give citizens access to governmental proceedings?

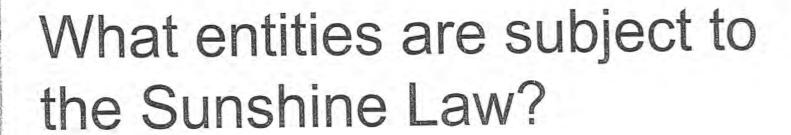
- \* Meetings of public boards or commissions must be open to the public
- Reasonable notice of such meetings must be given
- \* Minutes must be taken



- Citizens have the right to know the entire decision-making process
- Every expressed thought or affirmative act of a public official as it relates to official duties is a matter of public concern
- \* In 1992, the Florida Constitution was amended to include the open meetings requirement

## What is "a meeting subject to the Sunshine Law?"

\*Any gathering or interaction, formal or casual, of two or more members of the same public board, commission, or committee to discuss a matter on which foreseeable action will be taken by such public board, commission, or committee



- \* Any board, commission, agency, authority, or advisory committee of the County
  - \* This applies to both elected officials and appointed members
  - \*This applies to both permanent and temporary or ad hoc committees such as a task force

### Are there any exemptions?

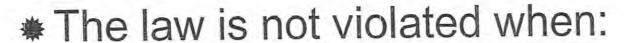
- Yes—exemptions are created by general law or caselaw
- An advisory body established for fact finding or information gathering which has no decision-making authority is not subject to the Sunshine Law

## How do you determine if an advisory body is exempt?

- \* An advisory committee or board is participating in a decision-making process and is not exempt when it has the discretion to accept or reject options to be presented to the final decision-making authority
- \*Where a committee is formed to report facts back to the public entity, it is exempt

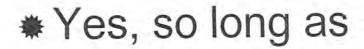
## Does the Sunshine Law apply to staff?

- Not unless the staff member has been delegated decision-making functions outside his or her normal staff functions
- \* The focus is on the nature of the act performed: a staff committee making non-binding recommendations or assisting in evaluating proposals would be subject; a staff committee relaying facts would not be subject



- \* a government executive uses staff for a fact-finding and advisory function in fulfilling his or her executive duties
- \* informal meetings are held between a county commissioner and staff,
  - \*where the discussions are merely informational
  - \*where no one has the authority to make a final decision during that meeting, and
  - \*no formal action is or could be taken

May members of the same board or committee provide written position statements to each other on subjects that will be discussed at a public meeting?



- \* There is no interaction related to the report among the members
- The report is not used as a substitute for action at a public meeting, and
- The written report is maintained by the records custodian as a public record
- \* The circulation of a written report which does not result in an exchange of comments or responses on subjects requiring board action is not a meeting subject to the Sunshine Law

# Are telephone conversations and e-mails subject to the Sunshine Law?

Yes! Members of the same board or committee should not call or e-mail each other on matters which may foreseeably come before that board or committee

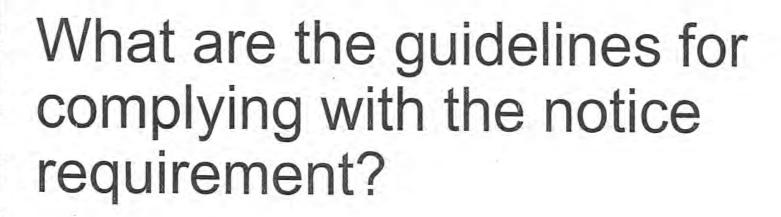


- \* Any member of a board, commission, committee or agency of the county who knowingly violates the Sunshine Law is guilty of a misdemeanor of the second degree
- Persons convicted of this may be sentenced to jail for up to 60 days and/or fined up to \$500

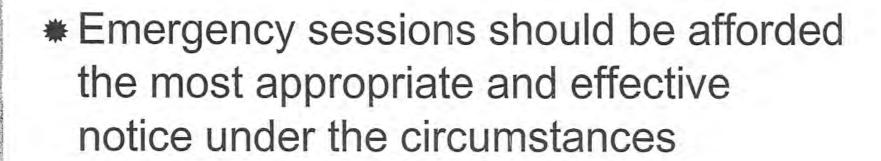
- \* Knowing violation of the Sunshine Law may also result in suspension of an elected or appointed public officer by the Governor
- \* Where an inadvertent violation occurs, such public officer is guilty of a noncriminal infraction, punishable by a fine not to exceed \$500
- \* Any citizen of this County may apply to the Circuit Court for issuance of an injunction to remedy past and future violations

How does a violation of the Sunshine Law affect the validity of the action taken?

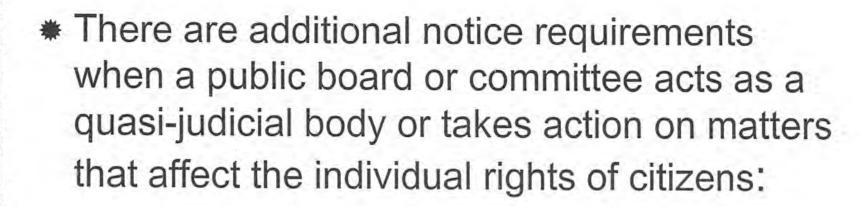
- \* Any official action of a public board, agency or committee, which does not comply with the requirements of the Sunshine Law is *void*
- \* The public board, agency or committee must hold a full, open public meeting and take independent final action to cure the violation
- Curing the violation does not shield the individuals who violated the Sunshine Law from liability



- The notice should contain the time, date and place of the meeting and, if available, an agenda or subject matter summation
- It should be prominently displayed in the area the County sets aside for that purpose

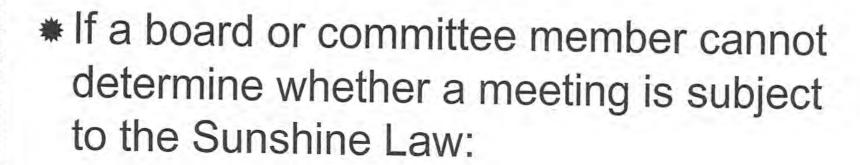


- Special meetings should have at least
   24 hours reasonable notice to the public
- The use of press releases and/or phone calls to the wire services is effective
- \* Advertising in the local newspapers of general circulation would be appropriate



- \* If notice is required, there should be advice as to the requirements for appealing the decision:
  - \* Individual must ensure that a verbatim record of the proceeding is made
  - \* The record must include the testimony and evidence upon which the appeal is based

How can members of public boards or committees avoid liability for Sunshine violations relating to notice and access to the public?



- \* Leave the meeting, or make sure:
  - \* That the meeting was properly noticed or advertised
  - \*There are no barriers to public access or ADA access to the meeting place
  - \* Minutes of the meeting are taken



### StormWater Advisory Team - SWAT

Sign-in Sheet

December 2, 2014

	2000111201 2, 2011	
Name	Signature	Phone #/Email Address
Mike Whitehead	(1)	3243129 MINE White Lead @ COX. Net 5497472
Mary Gutierrez	mary gatienz	many. earthethics@cox.net
Garrett Walton	<u></u>	479-4450
John Cheney	John & Cy	JOHN @ MATHESELECTRICON 850 474-3015
Dr. Elizabeth Benchley	Elijabeth D. Benelly	ebenchle @ awf. edy
Phil Turner	100A	202-4407 PIURNER (D) IHMC.UG
Jack Brown	punk Boun	Jrbraun@myescambie.com
Colby Brown	Jan	595-3433 asbrowne myescambie, com
Kristin Hual	LAVIGU	
Glenn Niblock	Gleng Wilford	455.8133 gnib@att.net
Parlown Albred	I July Threat	384-6696 Parked le Watershed
Keith Wilkins	M/M.	595-4988 Esc. ( a.

Escambia County, FL. 2014



### Order of Discussion:

- 1. BACKGROUND
- 2. METHODS
- 3. S.W.A.T. OBJECTIVES



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#### **BACKGROUND**







Massive capital damage to business, private residences, infrastructure, public facilities, non-profits and institutional facilities.

Substantial Point and nonpoint impacts to local environment.

April 29, 2014

Escambia County, FL. 2014

### **BACKGROUND**





#### **ESCAMBIA COUNTY**

Master Drainage Study initialized County-wide in 1990's.

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### **BACKGROUND**





#### **ESCAMBIA COUNTY**

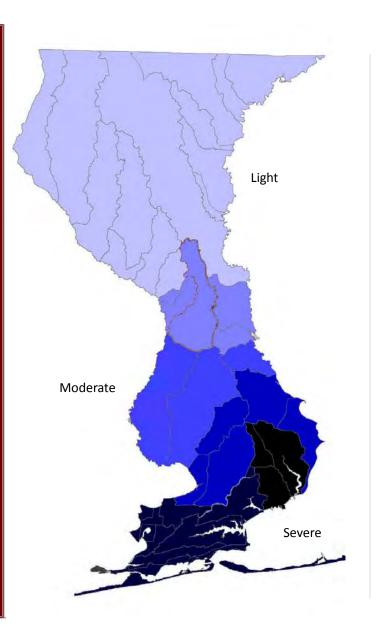
Master Drainage Study initialized County-wide in 1990's.

COUNTY divided into Two Primary Basins

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### **BACKGROUND**





#### **ESCAMBIA COUNTY**

Master Drainage Study initialized County-wide in 1990's.

COUNTY divided into Two Primary Basins

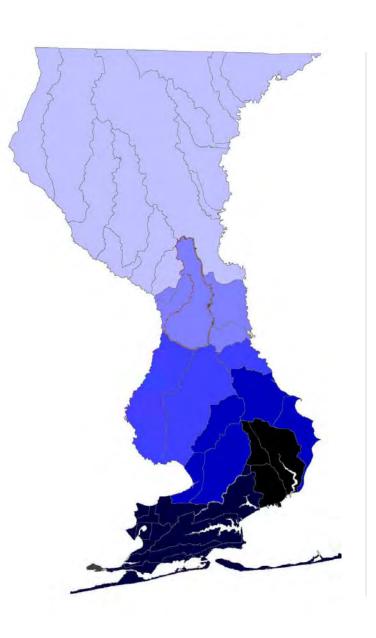
40 Sub-Basins

April 29<sup>th</sup> storm produces 25 inches of rainfall in 24 hours.

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#### **BACKGROUND**





#### **ESCAMBIA COUNTY**

Master Drainage Study initialized County-wide in 1990's.

COUNTY divided into Two Primary Basins

40 Sub-Basins

April 29<sup>th</sup> storm produces 25 inches of rainfall in 24 hours.

Flooding is more severe south of Well Line Road.

Urbanization and flood potential are correlated

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### **BACKGROUND**



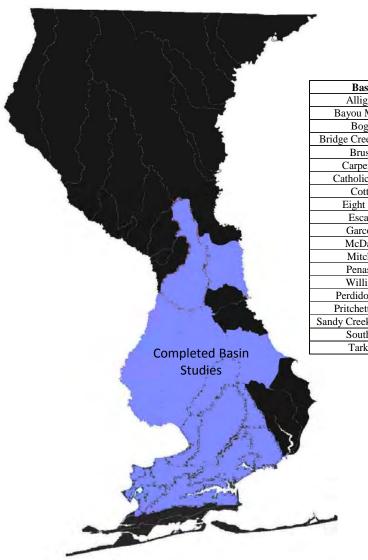


Table 1. Model Prefixes for Escambia County Basin Studies

Basin Name	Model Prefix	Basin Name	Model Prefix
Alligator Creek	01	Bayou Grande	02
Bayou Marcus Creek	03	Beverly Parkway	04
Boggy Creek	05	Bowman Creek	06
Bridge Creek Herron Bayou	07	Bronson Field	08
Brushy Creek	09	Canoe Creek	10
Carpenters Creek	11	Century	12
Catholic High School	13	Churchhouse Branch	14
Cotton Creek	15	Cowdevil Creek	16
Eight Mile Creek	17	Eleven Mile Creek	18
Escambia Bay	19	Fletcher Creek	20
Garcon Swamp	21	Jacks Branch	22
McDavid Creek	23	Millview	24
Mitchell Creek	25	Paradise Beach	26
Penasula Creek	27	Pensacola Bay	28
Williams Creek	29	Perdido River North	30
Perdido River South	31	Pine Barren Creek	32
Pritchett Mill Branch	33	Rock Creek	34
Sandy Creek Weekley Bayou	35	Scenic Hills	36
Southwest Side	37	Spanish Mill Creek	38
Tarkiln Bayou	39	Warrington	40

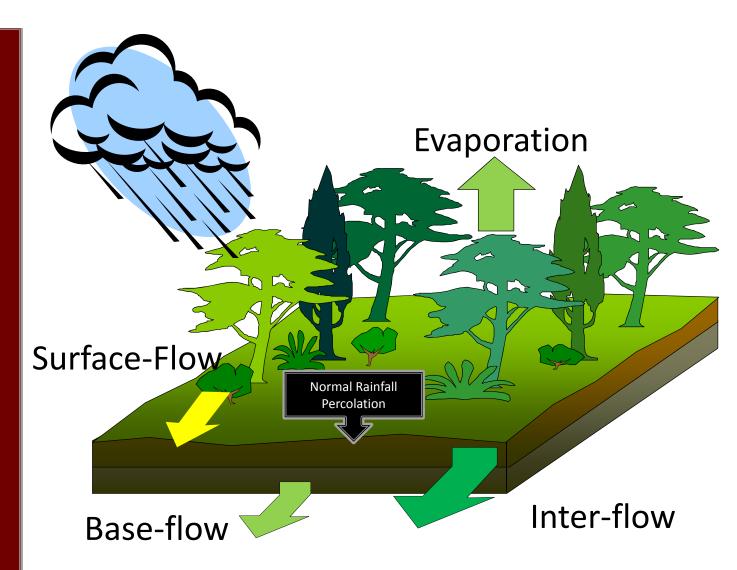
Objective: generate working digital models of all 40 basins.

Digital models allow for flooding analysis of any storm event, including the actual storm that generated widespread flooding in April 2014.

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Sustainable Drainage
Natural Water Catchment
(Greenfield)

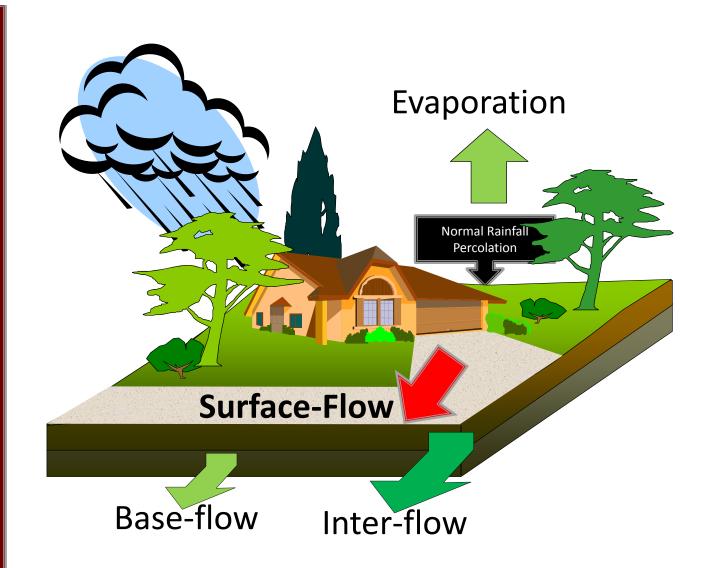




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Sustainable Drainage Developed Catchment





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### Sustainable Drainage SuDs





### Sustainable Drainage (SuDs) Principles

- The Drainage Train SuDs components in interconnecting series
- Percolation and slow flow Runoff is percolated and the flow slowed to reduce culminating cascading effect downhill
- Source Control Runoff managed as close as possible to where it falls as rain
- **Sub-Catchment** Divisions into small areas with different drainage characteristics and land use.

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## Sustainable Drainage SuDs





SuDS scheme at Stamford
Robert Bray Associates

### **SuDs Philosophy**

- Mimic natural drainage
- Where possible manage water on the surface
- Manage water close to the source
- Provide multiple benefits

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## Sustainable Drainage SuDs





### Challenges of Drainage

- Abundance of impervious surfaces decreases chance for percolation
- Rapid runoff
- Once retention pond overflows then what?
- Maintenance
- Cost
- Enhancing esthetics and biodiversity

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### Sustainable Drainage SuDs





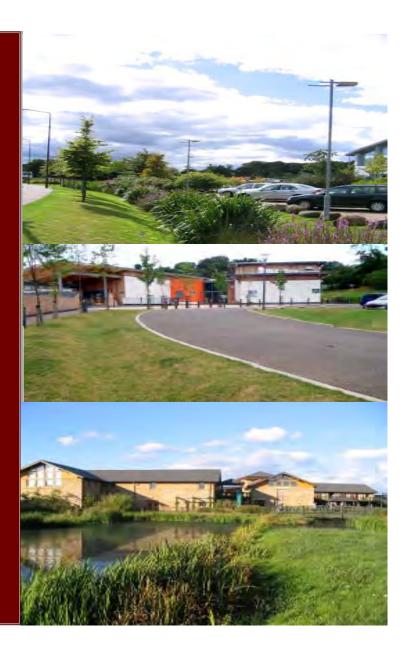
## Sustainable Drainage (SuDs) Schemes

- Variety of Components SuDs components depends on site opportunities and constraints
- Provide Management and Treatment Train
- Enhanced Percolation and Pervious Surface
- Shallow Systems are normally better and cheaper than deep systems
- Trees consume more water than grass.

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### Sustainable Drainage SuDs





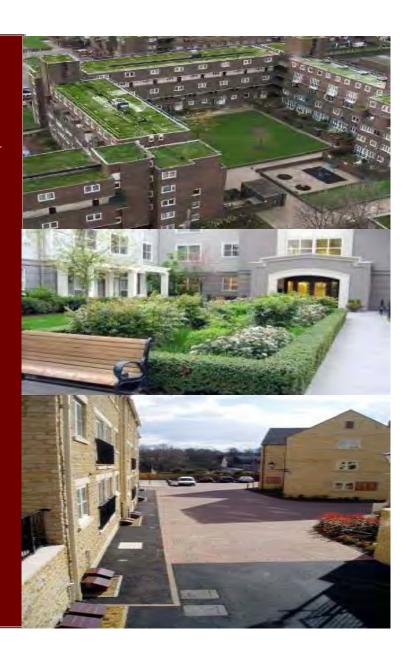
### **SuDs Examples**

- Grass drainage ditches versus concrete with shrubbery
- Grass Swells
- Retention ponds with enhanced vegetation to help clean and reclaim water

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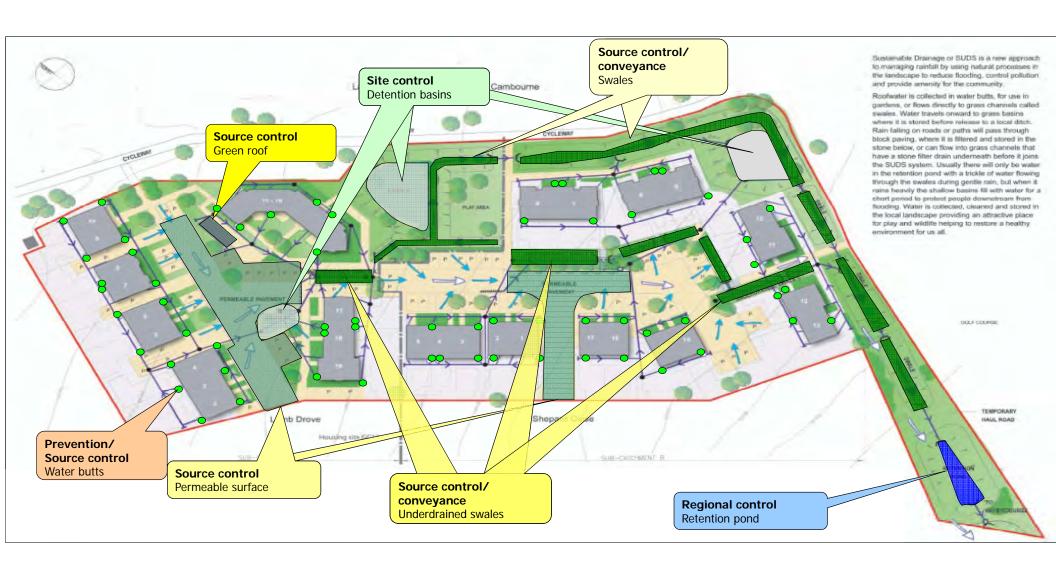
## Sustainable Drainage SuDs





### **SuDs Examples**

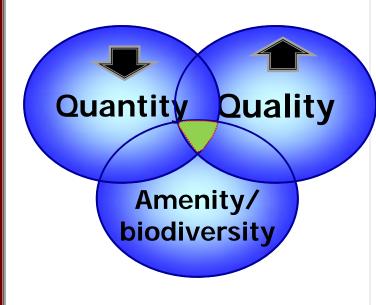
- Grass Roof
- Bioretention
- Permeable pavement –
   Replacement of non permeable surfaces with
   permeable.



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### Sustainable Drainage SuDs





**The SuDS Triangle** 

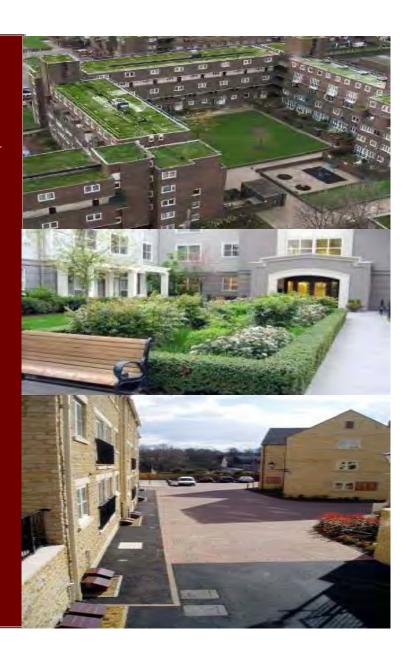
### SuDs Multiple Benefits

- Reduce flood risk
- Improve Water Quality
- Increased level of green space
- Enhanced biodiveristy

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## Sustainable Drainage SuDs





### **SuDs Examples**

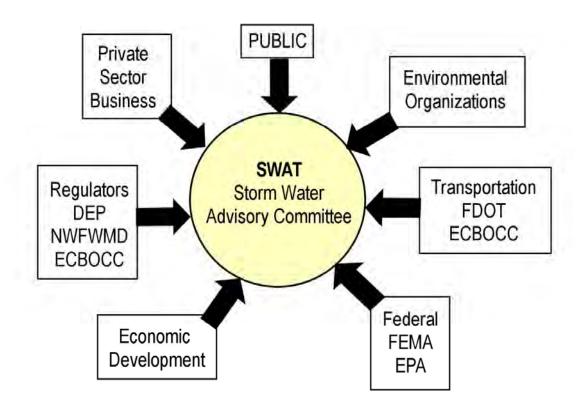
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### Organization



### **Organizational Inputs**



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### **Objectives**



### **Potential SWAT Objectives**

### Establish existing conditions.

Ensure that the empirical problems associated with the April flood are identified and incorporated into a master database.

### Evaluate Alternatives.

Prioritize investment opportunities and identify funding sources. Develop alternatives with alignment to needs and funding.

### Identify Preferred Alternative.

Preferred alternative should be further developed with the appropriate technical research.

#### Report.

Prepare and submit final report and recommendations to ECBOCC for review.