



# City of Venice

401 West Venice Avenue  
Venice, FL 34285  
www.venicegov.com

## Meeting Minutes City Council

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Monday, August 20, 2018

9:00 AM

Council Chambers

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### Special Meeting - Red Tide

#### CALL TO ORDER

Mayor Holic called the meeting to order at 9:00 a.m.

#### ALSO PRESENT

City Attorney Kelly Fernandez, City Manager Ed Lavallee, City Clerk Lori Stelzer, Assistant City Engineer James Clinch, Utilities Director Javier Vargas, and Recording Secretary Mercedes Barcia.

#### ROLL CALL

**Present:** 7 - Mayor John Holic, Council Member Jeanette Gates, Vice Mayor Bob Daniels, Council Member Richard Cautero, Council Member Fred Fraize, Council Member Charles Newsom and Council Member Margaret Fiedler

#### PLEDGE OF ALLEGIANCE

Mayor Holic introduced Dr. Michael Crosby, President and CEO, and Dr. Richard Pierce, Associate Vice President for Research, Senior Scientist and Program Manager, Mote Marine Laboratory.

The Pledge of Allegiance was led by Mr. Pierce.

Mayor Holic thanked staff for their work scheduling the special meeting.

#### I. PRESENTATIONS

[18-3437](#)

Dr. Michael Crosby, President and CEO and Dr. Richard Pierce, Associate Vice President for Research, Senior Scientist, Program Manager, Mote Marine Laboratory: Red Tide

Dr. Crosby spoke to algae bloom impacts, blue-green algae and red tide blooms, Lake Okeechobee outfall, excess nutrient runoff, duration of red tide, intensity of current bloom, new marine and freshwater harmful algal bloom (HAB) research center, and supporting innovative research and technology to mitigate red tide.

Dr. Pierce provided a presentation on Florida red tide to include Mote's research partners and funding, goals, definition, why red tide is harmful,

facts, fate of brevetoxins in the marine environment, seafood contamination, exposure to marine mammals, sea turtles, and birds, historic perspective, 1997-2017 concentration of red tide bloom cells, what causes red tide events, nutrients of concern, nutrient sources for red tides, physical bloom development and movement, mitigation and control, what is new in research and science, beach conditions reporting system (BCRS), new developments to include citizen science, toxin monitoring, next generation bloom monitoring technologies, biological control, ozonation as on-site control and restoration of red tide impacted canal systems, truth about red tide, and resources.

Dr. Crosby and Dr. Pierce responded to council questions regarding steps to mitigate nutrients, early detection and forecasting, Florida Yards landscape, data on fertilizers containing nitrogen and phosphorus impacting the water system, septic systems, and the BP Deep Water Horizon oil spill event.

Dr. Crosby spoke on the correlation between funding and red tide events.

Discussion followed regarding the draft letter to Governor Rick Scott, funding needed for red tide research, best business practices with other countries, land development regulations (LDRs), city partnerships, citizen involvement with Mote Marine, state algae bloom task force, drip irrigation systems, federal government involvement, frequency of Mote's interaction with other agencies, correlation between weather events and red tide, and decreasing negative impacts on marine environment.

[18-3438](#)

Jame Clinch, Assistant City Engineer: Flamingo Ditch (Outfall #5) Wooden Structure Removal

Mr. Clinch provided a presentation on Venice Beaches stormwater outfalls and spoke on presentation goals, number and types of outfalls, Venice Island drainage map, treatments, stormwater quality improvement projects to include Flamingo Ditch and wood structure removal, and future stormwater quality goals.

Discussion took place on obtaining Dr. Crosby and Dr. Pierce's input on the LDRs, Mr. Clinch providing information on funding stormwater treatment efforts, outfalls polluting the ocean, electronic monitoring of outfalls, eliminating septic systems, Mr. Clinch presenting outfall treatment efforts at a future council meeting, treatment systems in other communities, Sarasota County's fertilizer ban ordinance, and fertilizer ban enforcement and education.

Ms. Fernandez spoke to the regulation of fertilizer sales.

Discussion followed regarding home rule and state preemption on fertilizer

ban, rewrite of the LDRs, ground cover and plant requirements in deed restricted communities, unintended consequences, enforcing fertilizer ban on city owned property, pond construction, and applying LDRs to new developments.

Recess was taken from 10:59 a.m. until 11:09 a.m.

## **II. AUDIENCE PARTICIPATION**

Lueanne Wood, 800 Golden Beach Boulevard, spoke regarding dead fish cleanup and fertilizer ban.

William Woods, 600 Pond Willow Lane, spoke to Lake Okeechobee outfall, mitigation, sugar cane industries, and fertilizers.

Mayor Holic read a portion of the draft letter to Governor Scott.

Joe Ernst, 911 East Shannon Court, Venice, inquired on respirators for red tide cleanup crews.

Emilio Carlesimo, on behalf of the Salvation Army, noted the organization's perspective regarding red tide's impact on the community.

Chris Simmons, 179 Tosca Villa Boulevard, conservationist, commented on conservation districts, nutrient pollution, pollution prevention solutions on the ground, 2010 National Institute of Health research on red tide, and recommended banning application of fertilizer during the dry season, marking stormwater drains that discharge into the gulf, and decreasing the use of native species.

Delynn Solomon, 262 Tampa Avenue East, spoke regarding grant funding, suggested Mr. Simmons provide a presentation at a future city council meeting, and inquired on disposal of dead fish and Governor Scott's state of emergency funding.

Valerie Jamesson, 1622 Lis court Drive, commented on red tide, public education, and reducing fertilizer usage.

Nadine Mrowicki, 11985 Tempest Harbor Loop, Venice, spoke regarding her health issues, Dr. Patrick Reidy's radio interview on HAB, and suggested HAB research and water testing outside of Mote.

Karen Ann Hitt, 147 Tampa Avenue East, inquired on community involvement, council's letter to Governor Scott, Everglades restoration study, red tide false narrative, and fines for killing marine animals.

Gloria Nova-Fuson, 565 Conrad Road, Venice, recommended residents vote yes, and council to endorse, amendment 13 to phase out the cruelty of commercial greyhound racing by December 2020.

Mike Consentino, 617 Avenida De Mayo, Sarasota, candidate for district county commission, spoke on land use regulations.

Bob Rigby, 307 Winfield Way, Nokomis, spoke on red tide research and having a patent.

Ronald Courtney, Environmental Advisory Board (EAB) member, commented on climate change, reducing pollution runoff, Southwest Florida Water Management District (SWFWMD) reservoirs, pollution treatments, and October 24, 2018 EAB meeting.

Sal Pusateri, 2014 Mesic Hammock Way, Venice, spoke regarding Lake Okeechobee runoff and Everglades purchase.

Kimberly Lemonde, 1888 Neptune Drive, Englewood, spoke to red tide implications on businesses, public health, and tourism.

Mike Pachota, Sharky's Restaurant, commented on meeting attendance and researching red tide.

Sue Baldwin, 700 Golden Beach Boulevard, spoke regarding Mote's research and man's contribution to red tide.

Recess was taken from 12:26 p.m. until 1:45 p.m.

### III. COUNCIL DISCUSSION

#### [18-3439](#)

#### Council Discussion on Red Tide

Discussion took place regarding LDR process and public hearings, site and development plans, encouraging developers to consider Florida friendly ground covers and landscaping, drip irrigation, city partnerships, adding surveys on the city's website, adding policies in the LDRs, beach parking lots, imposing fines, public education, working with HOAs, resident and business owner concerns, hiring an expert to assist the city, county requesting help for beach cleanup, researching the cost of sand rake equipment, communication with the county, requesting HOA deed restricted communities to allow homeowners the option on ground covers and plants, outfalls, obtaining information on what other communities are doing, and Florida Yards landscape.

Mayor Holic noted he will request to add red tide on Council of

Governments agenda.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to require all properties on septic systems convert to public sewer systems by December 31, 2019.**

Discussion followed on properties with septic systems, sewer connection availability, including financial information in the motion, customer payment plans, and removal of old septic systems.

Mr. Vargas commented on conversion deadline, sewer connection availability, providing council with an action plan to include estimated costs within 30 days, and septic tank removals.

Discussion continued on inspection of septic systems and Mr. Vargas providing council with the last inspection report from the Department of Health (DOH), septic permits, modifying the motion, lift station costs, connection fees, and Mr. Vargas returning to council within 30-45 days with an update.

**The motion carried unanimously by voice vote.**

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to direct staff to develop an outfall monitoring system plan by March 2019.**

Mr. Clinch spoke to cost of installing monitoring at outfalls.

Discussion took place regarding water quality, periodic sampling, Mr. Clinch returning with a plan before March 2019 and include improvements for all waterways, water quality monitoring and SWFWMD discharge inspections, and establishing a baseline.

**The motion carried unanimously by voice vote.**

**A motion was made by Vice Mayor Daniels to direct staff to place Florida Yards landscape requirements in the LDRs for landscape developments by December 31, 2019.**

Discussion took place regarding public hearings, home rule, Florida Yards, providing incentives to existing developments converting to Florida friendly landscaping, modifying the deadline to March 2019, and promoting education to residents.

**An amendment was made by Council Member Fiedler, seconded by Council Member Fraize, to change the deadline to March 2019. The motion as amended carried unanimously by voice vote.**

Recess was taken from 2:58 p.m. until 3:08 p.m.

**A motion was made by Council Member Cautero, seconded by Council Member Fiedler, to direct the city manager to research how to supplement Sarasota County's cleanup efforts and come up with an action plan.**

Discussion followed on researching cost, beach cleanup, and sand rake equipment.

Mr. Lavallee spoke to grant funding for red tide beach cleanup.

Mayor Holic returned to the dais at 3:14 p.m.

Mr. Lavallee spoke regarding the level of cleanup, grant program, contracting for services, county cleanup, and contacting the county for participation in the grant program.

Discussion ensued on beach cleanup and Mr. Lavallee providing council with an update on the grant program.

**An amendment to the motion was made by Council Member Cautero for the city manager to provide council with a response by the September 11, 2018 city council meeting. No action was taken on the amendment.**

Discussion continued regarding beach cleanups, participating in the grant program, providing the county with the city's cleanup cost, and having a backup plan.

Mr. Lavallee noted he can provide an update at the city council meeting next week.

**The motion carried unanimously by voice vote.**

Mayor Holic commented on the resolution from Hallandale Beach, Florida supporting constitutional amendment 13 and requested to include a resolution on the August 28, 2018 city council meeting.

**There was consensus to include a resolution on the August 28, 2018 city council meeting.**

**A motion was made by Council Member Cautero for the EAB to establish a citizen action committee.**

Mr. Courtney spoke to the October 24, 2018 EAB meeting format.

**Mr. Cautero withdrew his motion.**

Ms. Fernandez commented on two statutes addressing local government limitations on regulating fertilizer use, and Sarasota County's ordinance.

Discussion followed on implementing a resolution of encouragement to reduce fertilizer use, imposing fines, and directing staff or the EAB to create an educational program.

**A motion was made by Council Member Fiedler, seconded by Vice Mayor Daniels, to direct staff to develop an educational program for residents for reduction of fertilizer use towards the elimination of red tide, along with**

directing the city attorney to draft a resolution to encourage the reduction of fertilizer use year-round in the city.

Discussion ensued on limiting fertilizer use, working with HOAs, public input, and resolution of encouragement.

**The motion carried unanimously by voice vote.**

Mr. Lavallee provided an update on the grant application and noted the finance department will research if there can be a supplemental submission and estimated cleanup cost.

Discussion took place regarding beach cleanups by the county sheriff's work crew, Mr. Lavallee finding out the county's plan on beach cleanup, sending a letter of appreciation to the sheriff, and Public Information Officer Lorraine Anderson sending out a press release on this meeting and what was discussed.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Caution, to approve the letter to Governor Scott as revised. The motion carried unanimously by voice vote.**

Nick Pachota, Sharky's Restaurant, noted the restaurant was closed Sunday evening due to red tide, and responded to council questions on the number of employees and monthly payroll.

Mr. Lavallee spoke regarding the utility plan capacity fee loan program.

#### **IV. AUDIENCE PARTICIPATION**

Susan Custer, 401 Darling Drive, open water swimmer, spoke regarding change in marine life and quality, and public education.

Mayor Holic commented on upcoming elections.

#### **V. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 4:06 p.m.

ATTEST:

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Mayor - City of Venice

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City Clerk