

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
MAY 16, 2008**

Chairman Hershey called the meeting to order at 9:30 a.m. and welcomed everyone to the meeting. She led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County:	Commissioner O'Bryan Commissioner Wheeler Vice Mayor Neglia (Alternate)
St. Lucie County:	Commissioner Lewis (Alternate) Commissioner Grande
Martin County:	Commissioner Valliere Commissioner Smith Commissioner Caspersen
Palm Beach County:	Commissioner Marcus Commissioner Lowe (Alternate) Mayor Pro Tem Brinkman Mayor Ferreri Mayor Golonka Vice Mayor Dr. Priore Mayor Jacobson Councilor Gottlieb (Alternate)
Gubernatorial Appointees:	Herman Baine Susan Caron Laurence Davenport Susan Hershey Richard Hurley
Ex-Officios:	Mary Murphy, FDEP
Guests:	Commissioner Jennings, City of Lake Worth
Council Staff:	Marlene Brunot Michael Busha Zach Davis Sandy Gippert Liz Gulick Wynsum Hatton Stephanie Heidt Terry Hess Trayce Jones Peter Merritt

Council Attorney: Roger Saberson

The Director announced a quorum was present.

AGENDA AND CONSENT AGENDA

Chairman Hershey noted that staff requested Agenda Item 4C, Fellsmere Comprehensive Plan Amendments DCA Ref# 08-1 be pulled from the Consent Agenda. Commissioner Smith requested that Agenda Item 4E, Martin County Comprehensive Plan Amendments DCA Ref# 08-D2 also be pulled for discussion.

Commissioner Smith moved approval of the Agenda and Consent Agenda with the removal of Agenda Items 4C and 4E. Mayor Ferreri seconded the motion, which carried unanimously.

Motion

Items remaining on the Consent Agenda were: 4A, Financial Report – March 31, 2008; 4B, Minutes – April 18, 2008; 4D, Fellsmere Comprehensive Plan Amendments DCA Ref# 08-PEFE1; 4F, Martin County Comprehensive Plan Amendments DCA Ref# 08-PEFE1; 4G, Intergovernmental Coordination and Review Log; 4H, Revision to Palm Beach Metropolitan Planning Organization Interagency Agreement; and 4I, Memorandum of Understanding Between the Florida Regional Planning Councils.

LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEWS FELLSMERE DCA REF# 08-1

Staff noted the purpose for pulling this item was to inform Council of some modifications to the draft staff report provided in the agenda packets. Staff noted that these amendments are proposed by the City to qualify for Florida Community Trust Grant funds to acquire some additional conservation and recreation lands. The City is proposing the amendments to establish a new Future Land Use Map designation called Agricultural and Rural. Currently, the City has no agricultural or rural designation as part of its comprehensive plan and is proposing the designation due to the potential to future annexation of lands that currently have a County designation of Agriculture. Staff's initial report indicated that the Policy B-20.1 needed to be revised to be more specific about the types of uses allowed. Staff noted that information provided by the staffs of Indian River County and the City of Sebastian after the distribution of the initial Council staff report raised additional concerns about the amendments. As a result of reexamining the amendments, the staff report was modified. Staff referenced strike-through, underlined version of the draft staff report distributed to Council members this morning. The report expands the previous comments and recommendations to point out the objectionable provisions of the amendments, which not only seek the retention of agricultural uses, but the conversion of agricultural lands to other uses and would allow low density residential sprawl in agricultural areas. Additionally, staff modified the Conclusion and Consistency with Strategic Regional Policy Plan sections of the report to indicate that due to the potential of negative extrajurisdictional impacts and inconsistency with the regional plan, Council recommends that the Department of Community Affairs formally review the proposed amendments and that Council considers the proposed amendments to Objective B-20, Policies B-20.1 and B-20.2 of the Future Land Use Element are inconsistent with the regional plan.

Vice Mayor Dr. Priore asked if the City was available to respond to the changes. Staff indicated that the City was not present, but staff had been in contact with the City and notified them there was additional information and correspondence received that potentially affected adjacent jurisdictions. The City had indicated a prior commitment. Vice Mayor Dr. Priore asked if they had requested a delay. Staff indicated the City had not.

Commissioner Marcus asked if there were objections being offered by staff on the proposed amendments. Staff indicated that at this stage of the review Council's responsibility is to indicate if the proposed amendments are consistent or inconsistent with the regional plan.

Commissioner O'Bryan indicated that Indian River County staff will be providing written comments on the proposed amendments to the Department of Community Affairs. He noted that the County's objections are technical in nature and concurred with Council staff recommendations with respect to sprawl and lack of clarification on the land use. He noted that although this is technically just a text amendment change not currently being applied to any lands, it is difficult to say what extrajurisdictional impacts would occur when applied in the future. Commissioner O'Bryan moved approval of the changes and recommendations contained in the revised staff report. Commissioner Wheeler seconded the motion.

Motion

Commissioner O'Bryan added that he has spoken with Councilmember Adams from the City of Fellsmere and she had indicated she planned to attend the Council meeting.

Chairman Hershey called for a vote on the motion, which carried unananimously.

LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEWS MARTIN COUNTY DCA REF# 08-D2

Commissioner Smith noted that an additional bypass alternative not shown on Exhibit 8 had been added by the Martin Metropolitan Planning Organization for consideration by the Florida Department of Transportation and that the staff report be modified to so indicate. He then moved approval of the staff report. Vice Mayor Dr. Priore seconded the motion.

Motion

Chairman Hershey asked that all alternatives considered provide for the safe movement of the children to and from school. Commissioner Smith confirmed that this would be a consideration in all alternatives.

ANNOUNCEMENTS

Staff noted that Council's new office building should be ready for occupancy by the end of the month and invited everyone to visit. He congratulated Council on its commitment to reconstruction and making the building green.

ALTERNATIVE ENERGY PRESENTATION BY MARK HAMMOND, EXECUTIVE DIRECTOR, PALM BEACH COUNTY SOLID WASTE AUTHORITY

Mr. Hammond made a presentation to Council with respect to the Solid Waste Authority's alternative and renewable energy efforts. The Solid Waste Authority is a dependent special

district created by Special Act of the Florida State Legislature whose jurisdiction includes all of Palm Beach County. The Solid Waste Authority services 1,300,000 citizens and businesses handling approximately 2,000,000 tons of waste per year. Last year the facility processed 850,000 tons of waste through its waste-to-energy facility and recycled 103,000 tons from its county-wide curbside program, 20,000 tons of commercial material, and over 35,000 tons of ferrous and nonferrous metals collected at the waste to energy facility.

He stated the Solid Waste Authority's renewable energy initiatives include municipal solid waste-to-energy landfill gas utilization, and yard waste as fuel. He noted that the Environmental Protection Agency recognizes waste-to-energy plants, which process 15 percent of waste generated in the United States, as having the least environmental impact for power plants; have upgraded emission control systems that exceed the Clean Air Act standards; and provide a clean, reliable, and renewable energy source. Modern waste-to-energy facilities meet or exceed Environmental Protection Agency and state emissions regulations by reducing greenhouse gas emissions and the need for imported fuels, and the impacts from landfills by reducing the volume of waste. The facilities produce clean, sustainable, profitable energy and complement landfills by eliminating organics.

Mr. Hammond noted that the existing waste-to-energy facility processes 2,500 tons per day of waste which produces enough electricity to power 30,000 homes. He noted the facility collects 31,000 tons of ferrous and 4,000 tons of nonferrous annually and has safely and reliably processed over 14 million tons of waste in 18 years, generating over 6 million megawatts of electricity and saving almost 20 years of landfill capacity.

He stated that the Solid Waste Authority will be utilizing a bio-solids pelletization facility that will process up to 600 wet tons per day of wastewater sludge into a granular, pelletized end product similar to an organic fertilizer used throughout the United States. He noted that each year the Solid Waste Authority sends 120,000 tons of vegetative yard waste to the Florida Crystals biomass-to-energy facility located south of South Bay which uses the waste to fuel their power generating plant.

In conclusion, Mr. Hammond noted that municipal solid waste, landfill gases and vegetation can be effective sources of renewable energy that have positive environmental benefits and offset fossil fuels.

Chairman Hershey asked if horse manure would be considered a bio-solid. Mr. Hammond indicated horse manure could be composted, but was not effective for use in a waste-to-energy facility. He did indicate that there could be possible opportunities in the future with respect to ethanol production. Chairman Hershey asked what portion of waste generated in Palm Beach County is commercial and what portion is residential. Mr. Hammond indicated that approximately 60 percent of the municipal solid waste in Palm Beach County is generated by homes.

Commissioner Wheeler asked the cost of producing waste energy. Mr. Hammond indicated that the building and operation of the current waste energy facility netted against the electricity revenue generated is just over \$30 a ton. He stated that landfill costs are approximately \$15-20 per ton. He noted that it is obviously more expensive to operate the waste-to-energy facility, but stated that the Board of the Solid Waste Authority has made the policy decision that there are

more benefits associated with incineration than there is to landfill. Staff indicated that when netted against the construction and cost of a new landfill, renewables will offset those costs by delaying the need of a new landfill by many decades.

Commissioner Marcus noted that a regional approach to the issue of waste removal was a good idea. She noted that counties to the north should begin planning facilities such as those in Palm Beach County and possibly a regional collaboration should be undertaken for counties to partner together on the removal of waste and its conversion to energy.

Councilmember Davenport concurred with the regional approach. He asked if there are multiple competitors in this marketplace that would hinder a regional approach. Mr. Hammond noted that Broward County has two incinerators and Dade has one large incinerator, but he was not sure of their capacity. Councilmember Davenport asked how many years the current amount of trash would last before it would run low for use as energy renewable. Mr. Hammond noted that he does not believe there will be a shortage, but the Solid Waste Authority is currently trying to build facilities based on the population of Palm Beach County at build out. He reiterated that the present waste-to-energy facility has saved over 20 years of landfill space and the new site presently being considered would have a 50 year life without waste-to-energy as compared to an excess of 100 to 150 years with the waste-to-energy facility.

Councilmember Davenport asked if there has been discussion with Palm Tran to have buses run on methane. Mr. Hammond noted that a few years ago before the high cost of fuel, the cost benefit of putting in a system to liquefy the gas just was not there. He noted that now they are embarking on a program to utilize the raw gas as a heat source for the pelletizer. He stated that as the landfill expands, there is going to come a day when we will have more landfill gas than is needed by that facility, and the plan is to vigorously look at these other alternatives over the years. Councilmember Davenport noted that, with the recent rise in the cost of fuel, any assumptions should not be made based on present day value of fuel. He asked that Mr. Hammond's presentation be provided on the Council website.

Commissioner Smith stated that this topic deserves further discussion and Council should be considering long-range visioning and planning for future facilities addressing location and costs. He suggested perhaps a statewide strategy would be even more effective.

Chairman Hershey suggested this might be a topic at the interlocal meeting between the County and School Board. Commissioner Smith asked Mr. Hammond if he would be able to present at this meeting in two weeks. Mr. Hammond noted that the Solid Waste Authority is presently in a program with Waste Management to take some of Martin County's waste.

Mayor Jacobson noted that the Town of South Palm Beach currently has a recycling program, but expressed frustration that only newspapers are being recycled and there is a large amount of other paper items generated in homes. He asked if there will be a program to commingle this type of waste with the newspapers. Mr. Hammond noted that the Solid Waste Authority is currently in the process of building a brand new state-of-the-art recovery facility on 45th Street which will come online in June of 2009. This facility will have the capability to handle most of the materials presently not recycled. He also stated that in the coming months there will be an aggressive media campaign in Palm Beach County to make residents aware of what can be put in the recycling bins.

Mayor Jacobson noted that photovoltaic is a very effective energy source that should be explored. He asked Mr. Hammond to elaborate on the composting that is done by the Authority. Mr. Hammond stated that the compost facility takes in approximately 50,000 tons per year of wastewater treatment plant sludge from the City of West Palm Beach and mixes it with an equal amount of vegetation to produce a material similar to potting soil.

Mayor Jacobson asked if there was anything that could be done with the horse manure in Wellington. Mr. Hammond noted that horse manure is not actually solid waste and is regulated under agriculture. He noted there had been discussion with the Village, but removal of the manure had become very costly. Vice Mayor Dr. Priore stated that the Village is currently addressing the issue of the horse manure not from a compost approach, but looking into actually burning the horse manure and chips that will ultimately produce a byproduct that will be actual energy that could then be sold. He stated another alternative is the use of the anaerobic process that would actually put the manure and chips through a process and consequently produce a usable energy source. He stated that he is making it a personal priority to have the League of Cities address the alternative energy prospects.

Councilmember Baine asked if recycling efforts are being conducted independently or in conjunction with China. Mr. Hammond stated that the economies are tied in as it is a global economy with the United States producing and marketing the recyclables and China being a primary consumer.

Panagioti Tsolkas expressed his appreciation for the presentation. He stated that from the environmental perspective the priority is reducing waste. He stated that creating composts to replenish soil for local food production should, in his opinion, be a higher priority than energy production.

TEN YEAR POWER PLANT SITE PLANS FLORIDA POWER AND LIGHT

Staff made a presentation to Council on the Florida Power and Light Ten-Year Site Plan which is required each year for every electric utility in the State of Florida and includes an estimate of future electric power generating needs. The purpose of the ten year site plan is to disclose the general location of proposed power plant sites and facilitate coordinated planning efforts. Council's report focuses on potential conflicts with natural resource and growth management issues. Staff noted that the report concludes that the Florida Power and Light Ten-Year Power Plant Site Plan is inconsistent with Strategic Regional Policy Plan Goal 9.1, Decreased vulnerability of the Region to fuel price increases and supply interruptions, and Strategy 9.1.1, Reduce the Region's reliance on fossil fuels. The report recommends Florida Power and Light and the State of Florida continue developing new programs to: 1) reduce the reliance on fossil fuels as future energy sources; 2) increase conservation activities to offset the need to construct new power plants; and 3) increase the reliance on renewable energy sources to produce electricity.

Panagioti Tsolkas thanked staff for the report and expressed his concurrence with the recommendations. He noted his impression that we are moving in the direction that the report suggests. He stated that when Senate Bill 888 was passed and created the Florida Energy

Commission, one of the primary intents was energy independence and energy diversification. He stated that Florida Power and Light's Ten-Year Plan flies in the face of that goal. He provided to Council a project he is working on entitled "Green Paper on Climate Change and Energy Options for the State of Florida". He gave a brief overview noting that one of the primary concerns of the paper is energy companies will be loading the grid with new fossil fuel power proposals before greenhouse gas regulations are in place. He also provided several articles and a letter to the editor from Florida Power and Light President Armando Olivera, entitled "Conservation a top Priority for industry leader FPL". He asked that Council continue making recommendations such as those within the draft report.

Alex Larson expressed her concern with respect to the proposal by Florida Power and Light to build Unit 3 at the West County Energy Center. She stated that this unit will use 6.5 billion gallons of water, require 9600 tanker trucks containing diesel to traveling through neighborhoods, and store 18.9 million gallons of diesel on site, which is within 1,000 feet of the Arthur R. Marshall Loxahatchee National Wildlife Refuge and just south of the J.W. Corbett Wildlife Management Area. She expressed her concerns that building this plant on a mere 220 acres next to a blasting operation and having 35 miles of natural gas pipeline is dangerous. She expressed concern that this plant will be doing deep-well injections or 21 million gallons of wastewater a day into the aquifer. She asked that Council be even firmer with the recommendation it sends to the Public Service Commission. Additionally, she stated that if solar water heaters could be put on every house in Florida, there would be no need to build this unit.

Sharon Waite concurred with Ms. Larson's concerns. She questioned why a power plant of this size is being located on 220 acres with 50,000 residents, wildlife preserves and horse farms nearby. She stated that she did not believe in the renewable fuels proposed by Florida Power and Light stating they are made only to appease the stockholders.

Chairman Hershey called for Council comment.

Laurence Davenport concurred with the draft report. He expressed concern that the Ten Year Site Plan did not contain more for renewable and alternative energies. He stated he felt it was inconsistent with our strategic plan whereas there is a greater dependence on fossil fuels when there should be a greater reliance on other sources of energy.

Commissioner Caspersen stated he did not believe that Florida Power & Light was a company that is willing to take risks or eagerly undertake something new. He stated he believes it is incumbent upon Council, to the extent allowed, to send back a recommendation that the Ten-Year Site plan is not in conformity with the goals of Council for renewable power.

Councilmember Caron also expressed her disappointment that Florida Power and Light is not putting forth more effort to renewable energies and that as residents and Councilmembers it needed to be demanded, not advised, that they do more.

Mayor Golonka noted that conservation should be the priority and there needs to be a long-term development approach. She cited the recent difficulties with the water shortage and explaining to residents why prices are going up, but they must conserve. She moved that the staff report be amended to acknowledge and encourage recent Florida Power and Light announcements to upgrade the Riviera Plant and redevelop the Martin Solar Energy Center; reference the

Motion

Governor's Executive Order issued in July, 2007 calling for utilities to produce 20 percent of their electricity from renewable resources; that the location of the West County Energy Center is inappropriate; and to bold and capitalize the word "inconsistent" in the report. Chairman Hershey seconded the motion.

Vice Mayor Neglia asked if the recommendations could be delayed in order to address all the concerns raised in the public comment. Staff noted that review of the entire application for the West County Energy Center project is scheduled to be presented at the July Council meeting and those issues previously discussed would be addressed then. Staff noted that Mayor Golonka's recommendations would be incorporated into the report.

Councilmember Baine asked if a comparison had been done between Florida Power and Light Company and Duke Power or Georgia Power to determine if resources are being allocated the same way. Staff indicated that this had not been done. Councilmember Baine asked if the energy interchange in the report was purchasing power from other companies, stating this was a result of deregulation. He stated that if it is more efficient to purchase power from other companies, then why would Florida Power and Light Company jeopardize the people in the State of Florida by building this new plant. Staff asked that Florida Power and Light address this question. Mr. Steve Sim, Manager in the Resource Planning Group, identified himself for Council, noting he is responsible for the Ten Year Site Plan. Mr. Sim stated that the interchange is not based on other states being deregulated and noted that Florida is not deregulated, but has a traditional regulated utility structure. He stated that in the past, Florida Power and Light has purchased all of the power that can be cost effectively purchased from the Southern Company in Georgia allowing for restrictions in the transmission line capacities. The contract for this purchase of power will expire in 2015. He stated that with respect to efficiency of the plants, Florida Power and Light Company currently produces energy with less fuel than those other utilities with generally lower electric rates. The purchase of power was only done because of the cost effectiveness. Councilmember Baine asked to see the comparisons of Duke Power, Georgia Power, and Florida Power and Light. Staff indicated those numbers would be provided to Council's Energy Committee.

Commissioner Marcus asked if Florida Power and Light has looked into renewable energies such as incinerators or other renewable sources throughout the state. Mr. Sim indicated that Florida Power and Light will be taking the full amount of capacity from all of the Broward Waste Energy facilities, is currently taking all of the capacity from the Palm Beach Solid Waste Authority, which has agreed to increase capacity by 2.5 megawatts. Additionally, he stated there has been a request for proposals for any renewable developer in the State of Florida to provide new capacity. Commissioner Marcus asked if Miami-Dade County also provided power. Mr. Sim indicated that the contract with Miami-Dade County ended and they have made an agreement with Progress Energy Florida, which is the former Florida Power Corporation out of St. Petersburg.

Commissioner O'Bryan asked if the interchange power is less than what it costs to generate a kilowatt. Mr. Sim indicated that it is less expensive and beneficial to both the customers and the developer who is supplying the power.

Commissioner Marcus noted that the County felt they were not getting paid the cost to generate the power. Mr. Sim explained that purchase of power can either be done through negotiated

contract or payment can be made as available energy payments, which are exactly the cost of production.

Commissioner Marcus noted that with respect to the West County Energy Center, the Public Service Commission will be addressing the need for this facility in June, and she also pointed out that this is only an expansion, that two units have already been approved.

Mr. Sim noted that the purpose of the Ten Year Site Plan is to reflect where the utility was as of December 31 of last year and does not reflect decisions made by the Company since that time. He stated that there are upcoming announcements with respect to the conversions/modernizations of the Canaveral and Riviera Plants and decisions that have been made with respect to renewables. This current document only reflects where the company was at the end of 2007.

Mayor Pro Tem Brinkman suggested it would be beneficial for Florida Power and Light Company to explore renewable energies of their own, because if in the future there are mandates as to the percentage of renewable energy then the company could potentially be paying more to outside sources than if it had planned ahead and had internal energy resources in place. Mr. Sim noted that the Ten-Year Site Plan does reflect in the text that the company is looking at developing in-house renewable resources in addition to purchasing from outside sources.

Roger Saberson noted that in order to preserve Council status as a party in the proceedings, he filed a Notice of Intent on behalf of Council to preserve and protect Council's position to participate in the St. Lucie Uprate Project. He asked for Council to make a separate motion ratifying and approving the filing of the Notice of Intent in conjunction with the West County Energy Center pending certification proceeding.

Commissioner Grande stated his support of Mayor Golonka's motion, but suggested that the motion stress that the 20 percent goal for renewable energy is the Governor's goal, not Council's goal. Mayor Golonka indicated that was her intent.

With respect to the West County Energy Center, Commissioner Jennings asked if staff's review included the impacts of the fuel being transported to the West County Energy Center site either through trucks or a pipeline; the environmental impacts of that pipeline, and comments on the deep well injection being used to provide the cooling for that power plant. She stated that she agreed with Mayor Golonka's comments and suggested that listing the concerns and potential issues in the report. Staff noted that the review of the Ten Year Site Plan involves coordination between all agencies and although Council staff will address those issues, there would be more extensive review by agencies such as the Department of Environmental Protection and Transportation.

Commissioner Jennings asked if the West County Energy center was compatible with the Strategic Regional Policy Plan. Staff noted comment could not be made on that as the plan is currently being reviewed and discussed with Council's Energy Committee and not yet complete. Staff did offer that new unit is all natural gas, which increases fossil fuel use, and is inconsistent with Strategy 9.1.1. Chairman Hershey invited everyone to attend the next Energy Committee Meeting. Staff noted the date of the meeting may change and that members would be informed of the change.

Chairman Hershey asked for a vote on the motion to include Mayor Golonka's recommendations. The vote carried unanimously.

Mr. Saberson asked for Council to make a motion ratifying and confirming the filing of the Notice of Intent on the behalf of Council with respect to the pending certification proceeding involving the West County Energy Center. Mayor Ferreri so moved. Commissioner Marcus seconded the motion, which carried unanimously.

Motion

TEN YEAR POWER PLANT SITE PLANS FLORIDA MUNICIPAL POWER AGENCY

Staff gave a presentation of the staff report which summarizes Florida Municipal Power Agency's plans for future power generation and provides comments for transmittal to the Florida Public Service Commission. Staff noted the report indicates the upgrades are not in conflict or inconsistent with the Strategic Regional Policy Plan. Staff stated that Ten-Year Plan indicates fossil fuels will be the primary source of energy used to generate electricity for the next 10 years and does not forecast an increase in renewable sources. For these reasons staff noted that the report concludes that the Florida Municipal power agency plant is inconsistent with Goal 9.1 and Strategy 9.1.1. of the Strategic Regional Policy Plan to reduce the region's reliance on fossil fuels. The report makes the same recommendations and encourages the Florida Municipal Power Agency to reduce reliance on fossil fuels as future energy sources increase conservation and increase the reliance on renewable energy to produce electricity. Staff noted that the modifications made in the Florida Power and Light staff report would also be included in this report.

Mayor Golonka moved approval of the staff report with the noted changes. Councilmember Caron seconded the motion, which carried unanimously.

AFFORDABLE HOUSING POLICY DISCUSSION

At the request of Council, Staff made a presentation on the issue of the shortage of affordable housing in the region. Staff noted that this is a national problem, but what makes our region somewhat different is that we have grown very fast in recent years generating a lot of low wage jobs and there has been a disconnect between many of the units that have been recently built and the income levels of the workforce. Additionally, much evidence exists that housing that is affordable to low and moderate income persons in our workforce cannot be built under current conditions and regulations. Staff noted that although the Strategic Regional Policy Plan was adopted more than ten years ago, it does a great job of capturing the essence of the issue and includes strategies and policies that are relevant today.

To address the issue, Staff prepared a white paper in 2005 to provide background information, hosted a symposium to further explore the issue, and prepared a toolkit with policies and programs that provide local governments a range of options to address the issue. Additionally, during staff review of the Evaluation and Appraisal Reports submitted by the local governments, staff encourages local governments to identify affordable housing as a major issue and makes recommendations on how to improve and expand their policies to address the problem. Staff asked for Council's perspective on handling these reviews.

Vice Mayor Dr. Priore stated that the issue is the opt out provision, either through a donation of land or payment, inevitably causes a developer not to provide the affordable housing, particularly if it is upscale housing. He stated that there needs to be real collaboration between local governments because the counties authorize traffic concurrency and the local governments authorize the density. He stated the overriding problem is when a local municipal governments want to build affordable housing, but traffic counts and concurrency will not allow it. Staff added that review of the comprehensive plan policies is difficult as the local government only submits plan policies for review, rather than a program or plan for implementation.

Mayor Ferreri noted there is a difference between Workforce Housing and Affordable Housing. He stated that currently it is Palm Beach County's policy to use transfer of development rights for increased densities which allows developers to buy up density, however there are no programs or enforcement mechanisms, so developers get additional density and then plead hardship without providing any workforce housing. He added that the locations for the workforce housing are not connected to the employment centers and having policies without a dictated plan is basically a way for developers to get more density without building the workforce units.

Commissioner O'Bryan expressed his appreciation for the discussion of this issue. He concurred that there needs to be programs identified as well as policies. He stated that there is a need for warranty deeds instead of just partial cash payments that will have depreciated when the actual buildings are built in the future.

Commissioner Smith stated his frustration that a tremendous amount of staff energy and time is being wasted making recommendations for workforce housing that are then not enforced by the state. Staff stated that this did occur within the Development of Regional Impact reviews in St. Lucie County, but noted these developments are not a large percentage of development that occurs in the region. Staff stated that through recommendations made in the comprehensive plan reviews local governments will be better informed to make policy decisions for addressing the workforce housing needs throughout the region.

PUBLIC COMMENT

Alex Larson referenced a letter from the South Florida Water Management District authorizing publication of the Notice of Rule Development to amend Chapter 40E-7 Part II of the Florida Administrative Code to expand the rule to include the pre-award phase and clarify provisions related to the District's Suspension and Debarment Rules. She noted the letter indicates a lot of misrepresentation and recommended Council adopt such a policy. She asked if public comment could be moved to the beginning of the agenda to allow comments to be heard before members leave. She reiterated her concerns regarding the West County Energy Center noting the adverse impacts it will have on the Arthur R. Marshall Loxahatchee National Wildlife Refuge.

Panagioti Tsolkas stated he felt Florida Power and Light is holding the County hostage by indicating they will only repower Riviera if they get approval for Unit 3 at the West County Energy Center. He asked that Florida Power and Light be required to quantify the perspectives of their claims on the additional unit and demand cumulative impact reviews. He encouraged staff to read the Fish and Wildlife Commission's reviews of the power plant. He concurred with

Ms. Larson's request to move Public Comment on the agenda. Additionally, he provided his paper to staff to forward to all Councilmembers.

Sharon Waite noted a recent ruling by a judge to halt the mining operations in Miami due to benzene contamination.

COUNCIL MEMBER INFORMATION EXCHANGE

None

STAFF COMMENT

None

CHAIRMAN'S COMMENT

None

ADJOURNMENT

There being no further business, Chairman Hershey adjourned the meeting at 12:15 p.m. This signature is to attest that the undersigned is the Secretary or a designated nominee of the Treasure Coast Regional Planning Council, and that the information provided herein is the true and correct Minutes of the May 16, 2008 meeting of the Treasure Coast Regional Planning Council.

Date

Signature

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME XXXXXXXXXX PRIDRE, CARMINE A	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE TCRPC
MAILING ADDRESS 14000 Greenbriar Blvd PBC	THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY Wellington	COUNTY PBC
NAME OF POLITICAL SUBDIVISION:	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED 5/16/08	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, CARMINE A. PRIORE, hereby disclose that on May 16, 1908:

(a) A measure came or will come before my agency which (check one)

inured to my special private gain; or

inured to the special gain of CARMINE A. PRIORE III, by whom I am ^{relative} ~~retained~~.

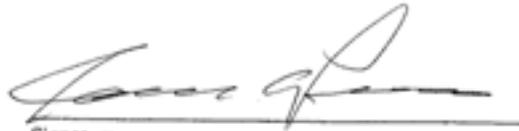
(b) The measure before my agency and the nature of my interest in the measure is as follows:

FPL 10 year Power Plant Site Plan
2008-2017

Date Filed

5/16/08

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.