

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
OCTOBER 17, 2008**

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

The following members and alternates were present:

- Indian River County:           Commissioner Wheeler  
  Councilmember Abell  
  Councilmember Adams
- St. Lucie County:                Commissioner Coward  
  Commissioner Grande  
  Councilwoman Berger (Alternate)
- Martin County:                 Commissioner Smith  
  Vice Mayor Christie (Alternate)
- Palm Beach County:            Commissioner Koons  
  Vice Mayor Brinkman  
  Mayor Ferreri  
  Mayor Golonka  
  Vice Mayor Dr. Priore  
  Commissioner Brown (Alternate)  
  Councilwoman Webster (Alternate)
- Gubernatorial Appointees:   Herman Baine  
  Susan Caron  
  Laurence Davenport  
  Kevin Foley  
  Richard Hurley
- Ex-Officios:                    Karen Smith, SFWMD  
  Mary Murphy, FDEP
- Council Staff:                 Marlene Brunot  
  Michael Busha  
  Kim Delaney  
  Anthea Gianniotis  
  Sandy Gippert  
  Liz Gulick  
  Wynsum Hatton  
  Stephanie Heidt  
  Terry Hess  
  Peter Merritt  
  Greg Vaday

Council Attorney: Roger Saberson

The Director announced a quorum was present.

**PUBLIC COMMENT**

None.

**AGENDA AND CONSENT AGENDA**

Mayor Ferreri moved approval of the Agenda and Consent Agenda. Commissioner Coward seconded the motion, which carried unanimously. Items on the Consent Agenda were: 5A, Financial Report – August 31, 2008; 5B, Minutes – September 19, 2008; 5C, Delray Beach Comprehensive Plan Amendments DCA Ref# 08RWSP-1; 5D, Glen Ridge Comprehensive Plan Amendments DCA Ref# 08-1ER; 5E, Hypoluxo Comprehensive Plan Amendments DCA Ref# 08-1ER; 5F, Martin County Comprehensive Plan Amendments DCA Ref# 08-2; 5G, Palm Beach Comprehensive Plan Amendments DCA Ref# 08-1ER; 5H, Palm Beach Gardens Comprehensive Plan Amendments DCA Ref# 08-1ER; 5I, Stuart Comprehensive Plan Amendments DCA Ref# 08-2; 5J, Stuart Comprehensive Plan Amendments DCA Ref# 08RWSP-1; and 5K, Intergovernmental Coordination and Review Log.

**Motion**

**ANNOUNCEMENTS**

Staff reminded Council the November and December meetings are being combined and will be held on December 12, 2008. An open house at Council offices will follow the December meeting.

Staff announced a picture of the Councilmembers would be taken during the meeting and asked for submissions for the time capsule.

It was announced that Vice Mayor Dr. Priore has been installed as the President of the Florida League of Cities.

**LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEWS  
FELLSMERE DCA REF# 08-2**

Staff provided an overview for Council of the proposed amendments and staff recommendations.

Mayor Golonka indicated that contained within the report there is a comment that planning for such a large parcel of land was premature, but the recommendations indicate it could be made consistent. She asked for clarification on this. Staff indicated that if the City takes the steps recommended in the staff report to pinpoint the location, scale, intensity of development; and address issues such as the transfer of density and connectivity, new communities could be developed that would be consistent with the Strategic Regional Policy Plan.

Commissioner Smith stated this is the perfect opportunity to do constructive, long-range, regionally significant planning and suggested the City should consult with the regional planning

council to ensure good long-range planning. Staff noted the report contains several recommendations for modification to guide the City and ensure a complete, connected, compact town or village that is able to accommodate all kinds of residents, diversity of housing and uses. Staff stated the City would need to request additional assistance from the Council.

Councilwoman Webster expressed her concern that this plan is not consistent with the type of growth that should occur within the region and does not accommodate for the land around it.

Mayor Ferreri noted there needs to be analysis done in terms of funding of transportation and public facilities like schools and public safety facilities, and open space. He expressed concern that the maintenance and funding for the preservation of lands was not fully identified.

Councilmember Davenport asked if a recommendation could be added to the staff report asking that the City work with Council staff on development of this plan.

Vice Mayor Dr. Priore asked if the City had researched similar developments such as The Villages in Lake County, or Viera in Brevard County. Staff indicated the City had visited similar developments.

Commissioner Brown asked what would happen to this, or maybe a similar project, if Amendment 4 passes. Commissioner Brown explained that Amendment 4, the Conservation Amendment, would allow the landowner to get a tax credit for not developing large agricultural areas. He asked how this would affect the planning process on these large projects. Staff indicated that this amendment could be beneficial in terms of giving an option to farmers other than developing houses.

Vice Mayor Brinkman asked if the amendment would permit the local jurisdiction to allow the landowner to keep their residential intensity on the property, even with the conservation easement, and then sell their development rights to get an additional funding mechanism. Staff noted there is no Transfer of Development Rights program currently attached to this project.

Jason Nunemaker, City Manager of Fellsmere, expressed his appreciation for Council comments and prior meetings with Council staff. He stated that the City has a history of intergovernmental coordination and plans to continue open dialogs. He noted that Council staff does have a different perspective than the City on certain issues, but some of the issues staff identified have also been expressed by City Councilmembers and are currently under refinement.

Ms. Rochelle Lawandales, Planning Consultant to the City, gave a presentation to Council.

Vice Mayor Dr. Priore asked if the City would be making changes in the areas Council has found to be inconsistent with the Strategic Regional Policy Plan. Ms. Lawandales indicated refinement was being done to the roadway network, the requirements for open space, and the preferred location of the Villages.

Councilmember Abell asked Vice Chairman Wheeler to clarify the statement that all the lands are within the County's urban service boundary. Vice Chairman Wheeler stated when these lands were incorporated into the City of Fellsmere, they become part of the urban service boundary for both the County and the City.

Councilmember Abell expressed concern that the increase in population and vehicle trips would have adverse impacts on the surrounding communities.

Councilmember Davenport asked how the City planned to handle the rapid changes in terms of housing, traffic, and energy since the current population is 70 percent low wage. Mr. Nunemaker responded that the changes will realistically be over the next 50 years. As far as extrajurisdictional impacts, he stated the City looks forward to working with the adjacent local governments. He stated that there will be numerous amenities such as the C-54, Blue Cypress Lake, and Stick Marsh that create a type of niche environment that will attract a certain type of resident and capture the eco-tourism trade. He noted that the extrajurisdictional impacts will certainly be addressed as part of the Development of Regional Impact process.

Councilmember Davenport asked what the affects will be to the current population over the next 50 years. Mr. Nunemaker stated that in 2005 the City created a Community Redevelopment Agency to ensure there would be no taking of property, and provide residential and commercial grants directly for the redevelopment of the City. He noted that the Community Redevelopment Area would be expanded to include the 157 acres so the Fellsmere Joint Venture would be able to meet their affordable housing requirements through mitigation within the existing City. He stated that as the agricultural operations are phased out, there will be opportunities for job training and job diversification.

Vice Mayor Brinkman asked how law enforcement is currently provided to the City. Mr. Nunemaker indicated the City provides its own law enforcement.

Mr. Nunemaker noted that with respect to utilities, the City has begun working with the County on possible regionalization, but in order to demonstrate to the Department of Community Affairs the City can provide these services, three plants for both water and sewer are to be provided by the developer.

Commissioner Koons cautioned the City is creating value in the increased density within the development approval, but not capturing back enough of that value to be able to provide a financially feasible capital budget to fund the infrastructure that will be needed. Mr. Nunemaker stated that all the capital improvements required in this project are outside the five-year timeframe. The proportionate fair share agreements, whether for schools or roadways, must be funded entirely by the developer.

Commissioner Koons noted that people want to move into a community where schools are already built. Additionally, he stated that there needs to be job opportunities nearby, as the cost of commuting is becoming more of an issue. Mr. Nunemaker expressed the City's commitment to regional mass transit efforts detailing the City's involvement with the Indian River Metropolitan Planning Organization. Ms. Lawandales assured Council that the City had done studies and evaluated the costs involved with infrastructure.

With respect to Amendment 4, Mr. Nunemaker stated that the rebate to landowners is analogous to the Agricultural exemption that is currently enjoyed by this property, so he believes this would be an excellent area to do some trade offs where the landowner could maintain that exemption.

Mayor Ferreri stated that the population number appears to be high because it is based on the City's current residency mix which will probably change and cautioned the estimated funding required was not sufficient.

Vice Chairman Wheeler asked for clarification on the interlocal agreement with Indian River County for water. Mr. Nunemaker stated that currently there is an interlocal agreement for wastewater services and one for water on an emergency basis, and discussion with respects to water supply on a regional basis.

Vice Chairman Wheeler expressed concern that if the developer is responsible for the infrastructure, then there should not be too much flexibility in the standards. Mr. Nunemaker indicated that the City has adopted the County's standards for utilities and all roadways must have approval of the City's Engineers.

Vice Chairman Wheeler and Mr. Nunemaker discussed the current law enforcement services being provided. Mr. Nunemaker indicated there would be future coordination with the Sheriff's office.

Mr. Nunemaker reiterated his appreciation for Council comments and Council staff input.

Robert Keating, Community Development Director for Indian River County, asked Council to find the RO-ED Ansin 2,592 amendment to be inconsistent with the Strategic Regional Policy Plan. He stated that, per the City Comprehensive Plan, the assignment of the Low Density Mixed Use Neighborhood land use designation requires the submission of a conceptual master development plan, which did not occur. He noted his letter submitted to the Department of Community Affairs that is included as an attachment in Council's report.

Vice Mayor Dr. Priore asked staff if Mr. Keating was correct is his assertion that the RO-ED Ansin 2,592 amendment was inconsistent with the Strategic Regional Policy Plan. Staff stated it was a matter of interpretation and while Mr. Keating was correct that the amendment is in conflict with the City plan, that was not considered a sufficient reason by staff to find the amendment inconsistent with the Strategic Regional Policy Plan.

Karen Disney-Brombach, Chairman of the Indian River County School Board, stated the School Board has been actively involved with the City with respect to the Ansin amendments. She did express concern however that there has been no communication with respect to the Fellsmere Joint Venture amendment. She stated the School Board takes the concurrency agreement very seriously and should be an active part of the process in order to maximize benefits to the students. She stated she looks forward to working with and familiarizing the City with the more recent policies of the School Board with respect to programming, size of schools, and the operating expenses of running schools.

Vice Mayor Dr. Priore made a motion to approve staff recommendation. Commissioner Smith seconded the motion. Commissioner Smith asked that the motion include a request to the City to work more directly with Council staff. Vice Mayor Dr. Priore indicated he would include that in his motion.

**Motion**

Councilmember Adams indicated the City welcomes assistance from Council staff, noting previously staff comments are currently being incorporated into the amendments.

Commissioner Coward stated he did not agree that this plan was comparable to the Towns, Villages and Countryside plan in St. Lucie County. He stated that he understands the City wants to diversify its tax base and plan a good mix land use, but there are many differences between the two plans. He noted that the St. Lucie County's plan involved tremendous public input and intergovernmental coordination which was not apparent in the current plan for Fellsmere. He also agreed with concerns the economic impacts are likely underestimated. He stated that since there will be no residents to offset the upfront cost of infrastructure, there will need to be tax subsidies that will go beyond the boundary of the City. He recommended the City expand its economic study to look at not just the capital costs, but operating costs as well.

Councilwoman Webster asked that the motion be modified to include the recommendation of inconsistency made by Mr. Keating. Vice Mayor Dr. Priore indicated he did not want to make that part of his motion, as staff had indicated its consistency.

Discussion followed as to the motion being made a substitute motion, or an amendment to the motion. It was determined Councilwoman Webster's modification to include the inconsistent recommendation would be made as amendment to the motion.

Vice Mayor Dr. Priore asked if recommendations are made that are in contradiction to the Strategic Regional Policy Plan. Mr. Saberson indicated that Council is required to make recommendations based on consistency with the Strategic Regional Policy Plan. He noted that staff had indicated there was potential for disagreement in interpretation. Vice Mayor Dr. Priore then indicated that he would accept the amendment to the motion. Commissioner Smith indicated agreement as the seconder of the motion. The motion carried with four dissenting votes.

## **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY STRATEGIC REGIONAL TRANSIT PLAN**

Joseph Quinty, Transportation Planning Manager for the South Florida Regional Transportation Authority, gave a presentation on the preliminary findings of the Strategic Regional Transit Plan. The Plan evaluates the interplay of various transit services, including those which could potentially be expanded into the northern Treasure Coast Counties, along with potential ridership yields from various transit networks and land use considerations. The plan also sets forth a range of funding options to implement and operate the preferred network.

Mayor Ferreri stated the problem with using Tri-Rail was that east/west connections are too limited. He suggested that there would be more ridership if there were more interconnection options at the Tri-Rail stations. Mr. Quinty noted that due to budget cuts, many bus routes to the Tri-Rail stations are being cut.

Commissioner Koons noted that Miami-Dade, Broward and Palm Beach Counties have collectively adopted the same long-range transportation plan that encourages land use changes to ensure a preferred development pattern going forward.

Commissioner Smith stated his concern to have more connection to regional destinations such as the airport for the northern counties. Commissioner Koons stated the airport bus is linked to the downtown Tri-Rail Station. He noted that the airport overpasses do have a central span available for mass transit.

Mr. Quinty stated there is a lot of discussion about northern links from various sources but the South Florida Regional Transportation Authority does not want to overstep its authority in that the agency is limited to the three southern counties. He stated there are an increased number of Treasure Coast riders, evidenced in part by the Mangonia Park station. While the parking for that station was historically half-empty, now the Mangonia Park parking lot is frequently at full capacity.

Councilmember Davenport noted the Florida Department of Transportation has a consistent source of funding every year. He asked if the Department cannot build roads, if there is an option that would allocate the funds at a local level for alternatives such as mass transit. Commissioner Koons noted the State's rail study is currently evaluating future transportation options such as road versus rail networks. Staff stated that the Department of Transportation has acknowledged it is out of land and cannot build more lanes. Staff noted current discussions on how to channel mitigation to pay for transit improvements.

#### **NORTHERN EVERGLADES PROGRAM: DRAFT ST. LUCIE RIVER WATERSHED PROTECTION PLAN**

Temerpince Morgan, Program Implementation Manager with the South Florida Water Management District, gave a presentation on the Northern Everglades Program: Draft St. Lucie River Watershed Protection Plan. In 2007, the Northern Everglades and Estuaries Protection Program Legislation required the South Florida Water Management District to develop River Watershed Protection Plans for the Caloosahatchee and St. Lucie River Watersheds by January 1, 2009. Ms. Morgan's presentation outlined the objectives, elements, results, implementation strategy, and costs of the Draft St. Lucie River Watershed Protection Plan.

Commissioner Koons asked if the purchase of US Sugar had affected the funding for this project. Ms. Morgan indicated the district is looking to fund that through bonding. She stated that it could certainly affect staff resource availability, but this project is funded through the State Everglades Trust Fund, federal government, and local governments.

Max Quackenbos noted that building the reservoir for this project could be an ideal economic jumpstart for the area and expressed his optimism for the project.

Commissioner Smith expressed his frustration with the continued dumping to C-44 Canal. He stated Martin County has sent a letter to the U.S. Army Corps of Engineers requesting a reprieve for two-to-three weeks to allow oyster beds to stabilize. He offered his appreciation for the report, but was frustrated by the fact that although fixes have been identified for mitigation within the watershed, they are not being implemented. Ms. Morgan stated that the legislature recognizes the significance of these watersheds and has made a commitment to do something about the problems.

Commissioner Brown asked if there were any examples in the area of large scale septic tank change-out to public sanitary sewer services. Commissioner Smith indicated this is currently being done in North River Shores, which is on the northern side of the Roosevelt Bridge. Commissioner Brown asked if this was due to an on-site disposal system being available, or mandates from the Department of Environmental Protection and Department of Health. Commissioner Smith indicated it was for all of these reasons.

Commissioner Brown asked if the Department of Environmental Protection and Department of Health are looking to mandate septic tank change out in other areas. Ms. Morgan stated she could not speak directly to their actions, but indicated these departments are highly involved in working with local governments in this area.

Commissioner Koons stated that in terms of a regional water strategy, there needs to be agreement on the plans and strategies that need to occur, as well as a fixed funding source. Ms. Morgan indicated the South Florida Water Management District has established a Department of Intergovernmental Affairs that is working with the Northern Everglades program.

Commissioner Grande noted that St. Lucie County passed a resolution mirroring Martin County's request to the Corps for temporary relief from dumping.

#### **COUNCIL MEMBER INFORMATION EXCHANGE**

None

#### **STAFF COMMENT**

None

#### **CHAIRMAN'S COMMENT**

None

#### **ADJOURNMENT**

There being no further business, Vice Chairman Wheeler adjourned the meeting at 12:35 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 October 17, 2008 meeting of the Treasure Coast Regional Planning Council.

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Date

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Signature