

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
SEPTEMBER 19, 2008**

Secretary/Treasurer Mayor Ferreri noted that he would be the acting Chair for the meeting. He called the meeting to order at 9:35 a.m. and welcomed everyone to the meeting. He led the pledge of allegiance and requested roll call.

The following members and alternates were present:

- Indian River County:           Commissioner O'Bryan  
  Vice Mayor Neglia (Alternate)  
  Councilmember Adams
- St. Lucie County:               Commissioner Coward  
  Commissioner Grande  
  Mayor Christensen
- Martin County:                 Commissioner Valliere  
  Vice Mayor Christie (Alternate)
- Palm Beach County:           Commissioner Marcus  
  Commissioner Koons  
  Vice Mayor Brinkman  
  Mayor Ferreri  
  Mayor Golonka  
  Commissioner Brown (Alternate)  
  Mayor Jacobson  
  Councilwoman Webster (Alternate)
- Gubernatorial Appointees:   Herman Baine  
  Susan Caron  
  Laurence Davenport  
  Kevin Foley  
  Richard Hurley  
  Ramon Trias
- Ex-Officios:                    Gardenia Long, SFWMD
- Council Staff:                 Marlene Brunot  
  Michael Busha  
  Kim Delaney  
  Sandy Gippert  
  Liz Gulick  
  Wynsum Hatton  
  Stephanie Heidt  
  Terry Hess  
  Peter Merritt  
  Greg Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

### **PUBLIC COMMENT**

Alexandria Larson expressed her disapproval of recent articles in the newspaper citing nuclear as a renewable energy. She stated that putting solar hot water heaters on rooftops would cut energy consumption by ten percent immediately. She noted the recent approval of the City of Berkeley City Council for a program to give city-backed loans to homeowners for installing rooftop solar systems. Staff stated information on the Berkeley program would be distributed to Councilmembers.

### **AGENDA**

Mayor Ferreri asked that the Agenda be reordered to move Item 9, Taking Charge of Our Energy Future – Presentation by Dr. James M. Fenton, Director, Florida Solar Energy Center, after Announcements.

Commissioner Marcus moved approval of the Agenda with the modification to move Item 9 after Announcements. Commissioner O’ Bryan seconded the motion, which carried unanimously.

**Motion**

### **CONSENT AGENDA**

Commissioner Marcus moved approval of the Consent Agenda. Mayor Christensen seconded the motion, which carried unanimously.

**Motion**

Items on the Consent Agenda were: 5A, Financial Report – June 30, 2008; 5B, Financial Report – July 31, 2008; 5C, Minutes – July 18, 2008; 5D, 2008-2009 Hazards Analysis Grant Agreement; 5E, Atlantis Comprehensive Plan Amendments DCA Ref# 08RWSP1; 5F, Boynton Beach Comprehensive Plan Amendments DCA Ref# 08-2; 5G, Delray Beach Comprehensive Plan Amendments DCA Ref# 08-1ER; 5H, Greenacres Comprehensive Plan Amendments DCA Ref# 08-2; 5I, Highland Beach Comprehensive Plan Amendments DCA Ref# 08RWSP-1; 5J, Lantana Comprehensive Plan Amendments DCA Ref# 08RWSP-1; 5K, Palm Beach Gardens Comprehensive Plan Amendments DCA Ref# 08-2; 5L, Palm Springs Comprehensive Plan Amendments DCA Ref# 08RWSP1; 5M, South Palm Beach Comprehensive Plan Amendments DCA Ref# 08-1ER; 5N, St. Lucie County Comprehensive Plan Amendments DCA Ref# 08PEFE-1; 5O, St. Lucie County Comprehensive Plan Amendments DCA Ref# 08RWSP-1; 5P, Stuart Comprehensive Plan Amendment DCA Ref# 08-1; 5Q, Wellington Comprehensive Plan Amendments DCA Ref# 08-1; and 5R, Intergovernmental Coordination and Review Log.

### **ANNOUNCEMENTS**

Staff requested the November and December meeting be combined into one meeting to be held on December 12, 2008. In order to determine if there will be a quorum, staff will email Councilmembers to inquire if this date change is acceptable.

Commissioner O'Bryan motioned to have staff pursue combining the November and December meetings to be held on December 12, 2008. Mayor Christensen seconded the motion, which carried unanimously.

Staff informed Council that Tri-Rail had supplied a model train for the time capsule. Councilmembers were informed a group picture would be taken at the October meeting for inclusion.

Staff reminded Council that the Energy Committee would be meeting at Council offices immediately following the meeting.

Staff provided an update of the Budget for Fiscal Year 2008-2009 as requested by the Budget/Personnel Committee. Staff noted additional signed contracts totaling \$890,000.

Commissioner Koons noted that the PBC – SR 7 contract involves many agencies, municipalities, both Broward and Palm Beach Counties, the Palm Beach Metropolitan Planning Organization, and is being funded by the Florida Department of Transportation. The project will look at analyzing land use before the transportation is built.

**TAKING CHARGE OF OUR ENERGY FUTURE – PRESENTATION BY DR. JAMES M. FENTON, DIRECTOR, FLORIDA SOLAR ENERGY CENTER**

Dr. James M. Fenton made a presentation to Council on the programs of the Florida Solar Energy Center which include; energy efficiency programs; photovoltaic applications; field monitoring; solar water heating; creation of the nation's first "Zero Energy Home"; and a renewable energy curriculum for photovoltaics in schools. Mayor Jacobson asked if green works. Dr. Fenton said yes, indicating that industries are realizing being green uses less energy which generates higher profits.

Councilmember Davenport noted that solar energy is actually the de-monopolization of power as it distributes power generation through the use of solar panels. Dr. Fenton indicated that Florida is a regulated state which allows the utilities to make a 14 percent profit in turn for providing safe, reliable power, but means the marketplace is not as competitive as it could be.

Councilmember Davenport stated that he would like to see the production of solar panels brought here to Florida to create jobs. Dr. Fenton noted that in order for this to happen there needs to be a market demand in Florida for solar panels, which will require a policy to encourage solar usage. He stated that there is going to be a Renewable Portfolio Standard developed in the near future that will encourage solar use. He also noted that the jobs may not be in the manufacturing, but the installation of the panels. Councilmember Davenport expressed his desire to work with the Florida Solar Energy Center on pushing a solar initiative.

Councilwoman Webster noted that from a pragmatic perspective, the solar panels need to be made more aesthetically appealing in order to be marketable. Dr. Fenton agreed with this observation noting that when building a home there are products available that can be built directly into the roof that are more cosmetically pleasing.

Commissioner Coward thanked Dr. Fenton for his presentation and noted that with respect to the Glades Power Plant, St. Lucie County had unanimously denied a proposal for a similar plant. He

asked Dr. Fenton for recommendations on how the regional planning council can advocate to the state for the changes that are needed. Dr. Fenton stated that the key is to assist with the financing. Commissioner Coward stated there needs to be strong leadership and specific information about programs that are in place and can be adopted.

Councilmember Davenport stated he believes the utilities should not be allowed to have rate increases, but be incentivized for producing alternative energy. Dr. Fenton stated that education and assistance programs need to happen at the local government levels.

Councilmember Hurley noted that the middle of the State of Florida is virtually undeveloped and asked if there had been any research studies with respect to leasing land for solar energy production. He suggested using land that had already been disturbed for agricultural purposes. Dr. Fenton stated that one of the Governor's Action Team working groups is looking into long term development and land resources. He noted there are elected officials for agriculture, but none for energy. He stated that there is an abundance of free land in the form of rooftops, highway rights-of-way, transmission rights-of-way, and parking lots that can be used for photovoltaic energy generation.

Vice Mayor Neglia asked if pipes in attics can be used to generate hot water for a home. Dr. Fenton noted the attic structure can be designed to function as a solar hot water heater by installing pipes in the attic and using the heat generated there to heat the water.

Councilmember Caron noted there is a lack of foundation policy. Dr. Fenton noted when the Renewable Portfolio Standards is established, it will require the utilities to generate a certain percentage of their electricity from renewables. He stated that he is hoping the State will offer some financing programs such as ESCos, wherein companies provide the upfront costs to consumers.

Commissioner Coward asked staff for examples of new rules that could be adopted into a local government's comprehensive plan. Staff noted there is growth management legislation that requires local governments to measure impacts such as reducing vehicle miles traveled and reducing greenhouse gases when making land use changes. Staff noted a recent Objections, Recommendations, and Comments Report from the Department of Community Affairs that objected to a local government's land use changes because they did not follow the legislation.

Commissioner Marcus asked if Dr. Fenton was aware of any local governments that give incentives for solar power on big box buildings. Dr. Fenton stated he did not have specific examples, but stated there are instances throughout the nation. He stated local governments could make requirements such as new homes must have solar hot water heaters on the roof.

Councilmember Foley asked Dr. Fenton if he considered nuclear energy to be a renewable source of energy. Dr. Fenton answered no and explained that renewable means a fuel or source that keeps coming and coming such as the sun. He stated there has been a recent push for nuclear because it does not release carbon dioxide into the air, but there are still concerns with nuclear energy such as waste that need to be considered.

Under Public Comment, Rosa Durando expressed her disappointment that there was not more discussion about the impact on our natural resources, noting Haiti was once a beautiful, prosperous country that was destroyed when the trees were taken to produce energy. She stated

she resented the fact that the coal situation was not being taken seriously, not only for the health and labor issues, but the loss of the mountaintops and streams. She noted Earth Justice has initiated lawsuits against electrical producers who want to take oil out of shale and destroy a lot of natural resources in the Midwestern states. She stated the bottom line needs to be about more than just the carbon footprint as it is about the very life and survival of people.

Alexandria Larson stated she would like to see Florida Power and Light be held accountable for not doing renewable energy. She stated there needs to be change in the way legislation is written and not have it influenced by lobbyists and big business. She asked that Council and the Energy Committee provide programs and policies for more efficient energy sources.

Mayor Ferreri stated that although a lot of energy efficiency can be done in design, there needs to be strong policy.

**2008 – 2009 CONTRACT WITH THE  
FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS**

Commissioner Marcus motioned to approve staff recommendations. Mayor Christensen seconded the motion.

**Motion**

Staff noted this is the main contract from the State which funds the statutory responsibilities of the regional planning council for reviewing comprehensive plan amendments, developments of regional impact, and other responsibilities such as technical assistance to local governments and citizens. Staff noted the funding has been reduced \$120,000 from last year.

Mayor Ferreri called for discussion on the motion. There being no discussion, a vote was taken which carried unanimously.

**LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEWS  
PALM BEACH COUNTY DCA REF# 08-2**

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

Vice Mayor Brinkman asked to be recused from voting on the Southern/Jog EDC and Palm Beach County International Airport Properties amendments.

Commissioner Marcus moved to separate the Southern/Jog EDC and Palm Beach County International Airport Properties amendments from the overall amendment package for a separate vote. Commissioner Koons seconded the motion, which carried unanimously.

**Motion**

Commissioner Marcus moved approval of staff recommendation on the remaining staff report. Commissioner Koons seconded the motion, which carried unanimously.

**Motion**

Commissioner Marcus moved approval of staff recommendation for the Southern/Jog EDC and Palm Beach County International Airport Properties amendments. Commissioner Koons seconded the motion, which carried unanimously.

**Motion**

Commissioner Marcus noted that the Northlake Task Force, which includes the Cities of Palm Beach Gardens and West Palm Beach, is still working on the master planning for the Northlake Boulevard corridor.

Under Public Comment, Rosa Durando stated deed restrictions are meaningless. She stated that while the institutional uses on Northlake Boulevard are there to serve several thousands of residents, the commercial being proposed is unwanted and unneeded and will only complicate driving patterns in the area. She stated the County is morally, and probably legally obligated to the Cities of Palm Beach Gardens and West Palm Beach to cooperatively plan roads in this area. She stated the area is part of a tremendous wetland system and more paved parking and commercial development will cause water to be pushed onto other residents' property and not filter down as it should. She asked for clarification of the difference between CRALLS and Corridor Master Plans. Commissioner Marcus noted that CRALLS is a component of a Corridor Master Plan. Staff noted that a Corridor Master Plan is required when considering a CRALLS.

Ms. Durando disputed the staff conclusion pertaining to the text amendments that states transportation problems are commonly caused by unbalanced land use mix. She stated problems are caused by density and intensity of land use, not the failure of the mix.

Alexandria Larson stated that there never should have been development on Northlake Boulevard. She requested that when commercial development is requested the County logically consider the impacts to the entire area and not just grant a request to accommodate a developer.

**COUNCIL MEMBER INFORMATION EXCHANGE**

None

**STAFF COMMENT**

None

**CHAIRMAN'S COMMENT**

None

**ADJOURNMENT**

There being no further business, Mayor Ferreri adjourned the meeting at 11:35 a.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 September 19, 2008 meeting of the Treasure Coast Regional Planning Council.

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Date

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Signature



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
  - The form must be read publicly at the next meeting after the form is filed.
- IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:
- You must disclose orally the nature of your conflict in the measure before participating.
  - You must 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 must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Joni S. Brinkman, hereby disclose that on September 19, 2008, 20     :

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of Kilday & Associates, Inc., which is the parent organization or subsidiary of a principal which has retained me.

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

Exhibit 8.A.4. Southern/Jog EDC - My employer, Kilday & is representing the property owner on this application.

Exhibit 8.A.6 - BPIA Properties - My employer Killday & Assoc. has provided consulting services to Palm Beach County in regard to this application.

9.19.08  
Date Filed

Joni Brinkman  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, 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 \$10,000.