

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
JUNE 19, 2009**

Vice Chairman Ferreri 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 Solari
 Commissioner O'Bryan (Alternate)
 Mayor Ahrens
 Mayor Abell (Alternate)

St. Lucie County: Commissioner Coward
 Commissioner Grande

Martin County: Commissioner Smith
 Commissioner Hayes
 Mayor Christie (Alternate)

Palm Beach County: Commissioner Marcus
 Commissioner Koons
 Commissioner Vana
 Mayor Ferreri
 Mayor Golonka
 Councilman Pinto (Alternate)
 Councilman Lowe (Alternate)
 Councilwoman Webster (Alternate)

Gubernatorial Appointees: Eduardo Balbis
 Peter Carney
 Susan Caron
 Laurence Davenport
 Michael Davis
 Kevin Foley
 Susan Hershey
 Richard Oujevolk
 Ramon Trias

Ex-Officios: Ann Benedetti, SJRWMD
 Lois Bush, FDOT
 Jim Carnes, SFWMD
 Mary Murphy, DEP

Council Staff: Kate Boer
 Marlene Brunot
 Michael Busha

Kim DeLaney
Anthea Gianniotis
Sandy Gippert
Liz Gulick
Wynsum Hatton
Stephanie Heidt
Terry Hess
Dana Little
Peter Merritt
Greg Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

PUBLIC COMMENT

Alexandria Larson provided Council with a map of a proposed 300-mile gas pipeline that will run through fourteen counties, including Martin and Palm Beach County, and expressed her concern this pipeline was not noted in the Ten Year plan.

Drew Martin, representing the Sierra Club, noted collaborative efforts with the Department of Environmental Protection to reduce the use of plastic bags, which are reported to be the cause of killing over 100,000 marine animals every year. He stated he is unhappy with the builders now attacking the wood stork. He noted the attraction for tourists and residents to Florida is the environment and the wildlife and these should be protected and preserved. He expressed his disappointment with the signing of Senate Bill 360 and his hope the Governor will veto Senate Bill 2080, which would exclude public input on water planning issues.

AGENDA

Commissioner Marcus moved approval of the Agenda. Councilmember Hershey seconded the motion, which carried unanimously. **Motion**

CONSENT AGENDA

Vice Chairman Ferreri noted requests to have Consent Agenda Items 5G, Florida Power & Light Company Ten Year Power Plant Site Plan, 2009-2018; 5H, Florida Municipal Power Agency Ten Year Power Plant Site Plan, 2009-2018; 5K, Palm Beach County Comprehensive Plan Amendments DCA Ref# 09-1; 5L, Palm Beach Gardens Comprehensive Plan Amendments DCA Ref#09-1; and 5M, Palm Beach Gardens Comprehensive Plan Amendments DCA Ref#09D-1 pulled from the Consent Agenda for discussion.

Commissioner Smith moved approval of the Consent Agenda with the removal of the requested items. Commissioner Marcus seconded the motion, which carried unanimously. **Motion**

Items remaining on the Consent Agenda were: 5A, Financial Report – March 31, 2009; 5B, Financial Report – April 30, 2009; 5C, Minutes – April 17, 2009; 5D, 2009-2010 Contract with the

Florida Department of Community Affairs; 5E, 2009-2010 Contract with the Florida Division of Emergency Management; 5F, Interlocal Agreement between Martin Metropolitan Planning Organization, St. Lucie Transportation Planning Organization and Treasure Coast Regional Planning Council for 2035 Regional Long Range Transportation Plan Update; 5I, Jupiter Island Comprehensive Plan Amendments DCA Ref# 09RWSP1; 5J, Martin County Comprehensive Plan Amendments DCA Ref# 09-1; 5N, Tequesta Comprehensive Plan Amendments DCA Ref# 09-2; 5O, Tequesta Comprehensive Plan Amendments DCA Ref# 09RWSP-1; and 5P, Intergovernmental Coordination and Review Log.

**FLORIDA POWER & LIGHT COMPANY
TEN YEAR POWER PLANT SITE PLAN 2009-2018**

Staff indicated the purpose of the Ten Year Power Plant Site Plan is to disclose the general location of future power plants. Council's responsibility is to review the plan and submit comments to the Florida Public Service Commission. Staff noted the plan identifies four preferred sites for future power development within the region, which includes the West County Energy Center, St. Lucie Nuclear Power Plant, Riviera Power Plant, and Martin Power Plant. The report indicates fossil fuels will be the primary source of fuel over the next ten years, which staff noted is inconsistent with Strategic Regional Policy Plan Goal 9.1 and Strategy 9.1.1. The report encourages Florida Power and Light Company and the State of Florida to develop programs to reduce the reliance on fossil fuels, increase conservation activities, and increase reliance on renewable energy resources to produce electricity. Staff recommended approval of the report for transmittal to the Florida Public Service Commission.

Under public comment Ms. Rosa Durando complimented the regional planning council staff for its recommendations. She noted the plan did not make any mention of rooftop generation of power for both large industrial demands as well as smaller residential homes; or that funding for ocean technology for supplying energy could potentially be through tax payer dollars. She expressed concern for the continuance of nuclear energy, which she stated is not a renewable energy source, without a plan for disposing of the byproducts. She asked Council to support the staff recommendation.

Mr. Martin noted the Sierra Club has met with Florida Power and Light and disagreed with their growth assumptions. He also expressed concern of the lack of solar power generation in Florida. He offered that all new big box facilities should be required to have solar panels. He expressed his concern that nuclear power is not only bad for the environment, but plants are being poorly situated and taking the wetlands away from the wildlife. He encouraged Council to support the staff recommendation.

Ms. Larson noted she has been asking for solar power for years. She stated that there needs to be more initiatives from the elected officials locally and at the state level.

Commissioner Marcus asked if there could be some recommendation within the report to encourage the legislature as well as Florida Power and Light to require solar on government and other large buildings. She stated that Florida Power and Light Company has been willing, but unable due to restrictions. Staff noted that there is language within the report that urges both Florida Power and Light and the State of Florida to continue developing new programs to reduce reliance on fossil

fuels and increase renewable energy. Staff suggested this comment be emphasized by placing it in bold type.

Commissioner Vana noted speaking with the region's delegation in Tallahassee was a good idea.

Commissioner Koons requested letters be sent to the appropriate energy committees in the Senate and House. Commissioner Hayes noted that he would second this as a motion. Staff indicated the report could be included with the cover letter to the Treasure Coast delegation requesting assistance on this issue. Commissioner Koons indicated that would be included in his motion.

Motion

Councilmember Davenport noted the real problem was the legislature not passing the renewable portfolio standard, which would have provided clear goals for solar, wind and other renewable energy sources.

Roger Saberson clarified that the motion was to approve staff recommendation with bold type to emphasize Council's recommendation for Florida Power and Light and the State to continue developing new programs to reduce reliance on fossil fuels and increase the use of renewable energy. Also, staff is to send letters regarding the recommendation to the appropriate committees. Commissioner Koons indicated that was his motion and Commissioner Hayes concurred as the seconder. Vice Chairman Ferreri called for a vote on the motion, which carried unanimously.

FLORIDA MUNICIPAL POWER AGENCY TEN YEAR POWER PLANT SITE PLAN 2009-2018

Staff noted that the Florida Municipal Power Agency is a governmental wholesale power company owned and operated by Municipal Electric Utilities. Staff noted that the Ten Year Site Plan does not identify any sites within the region for future power development, however the report does show a heavy reliance of fossil fuels with no displacement by renewable energy sources. Staff indicated the recommendation is the same as that for the Florida Power and Light Company Ten Year Site Plan.

Commissioner Koons motioned for the same approval and revisions as the Florida Power and Light Company agenda item. Commissioner Hayes seconded the motion.

Motion

Under public comment, Ms. Durando asked if there had been any input from the City of Lake Worth as this was a municipal situation. Staff noted that a letter had been sent to the City soliciting comments from the City of Lake Worth, but none had been received.

Mr. Martin asked that net metering be included in the recommendation as this would be a very strong incentive for solar.

Vice Chairman Ferreri called for a vote on the motion, which carried unanimously.

PALM BEACH COUNTY COMPREHENSIVE PLAN AMENDMENTS DCA REF# 09-1

Staff provided an overview of the proposed amendments which include six amendments to the Future Land Use Map as well as text and map series amendments to several elements of the County

Comprehensive Plan. Staff made particular note of the text amendment to create an overlay to facilitate the development of an Inland Logistics Center in the Everglades Agricultural Area near the western communities of Palm Beach County. The Inland Logistics Center would have light industrial, warehousing, cargo storage and transfer, trucking offices, and rail facilities. Staff noted comments and recommendations with respect to the text amendments pertaining to corridor master plans; and the future land use map amendments for the proposed Okeelanta Inland Logistics Center and the Northlake Boulevard corridor.

Under public comment, Ms. Durando stated she believes this encompasses what is wrong with elected officials allowing this type of growth to proceed. She noted with respect to the Northlake Boulevard amendment the area was once entirely wetlands and this would be an inappropriate land use for the area. With respect to the Inland Logistics Center, she expressed concern this could potentially be a flowway for Everglades Restoration. She noted there is also rock mining being proposed in the area. She expressed that the proposed industrial uses of the center and rock mining operation would create too much trucking and shipping traffic on US 27 and questioned where the funding for roadways and roadway improvements would be obtained. She stated this area is outside the urban service area and there will be insufficient water supply to support these types of industrial uses. She stated Florida Crystal's had recently lost a bid for an ethanol research and production facility. She stated the projection of jobs from this center is not realistic.

Mr. Martin concurred with Ms. Durando's comments. He stated he has been working with the Water Management District on a program to design the future flowway south and this project will block one of the designs. He stated he believes this is a completely false proposition and the promised jobs will never materialize and this is basically an opportunity to upgrade and rezone some land. He stated the ports will not be able to handle the deep water ships that will be transporting the containers. He also stated he was told the ships may be unloaded in the Bahamas and put on ships that can be accommodated at our ports and then driven to the center of the state. He said this will increase the costs of the goods to a point that will make them uncompetitive. He also stated dredging of the ports will cause further damage to the beaches. With respect to the Northlake Boulevard amendment, he expressed his concern with the continued development of wetlands that are necessary for water catchment. He stated development needs to be in the eastern part of the County and those living in the western communities prefer ten acre lots to subdivisions.

Ms. Larson noted at one time the entire area was Everglades. She stated if this is approved it will take an enormous amount of funding to build rail on the seventy-three miles between this area and Miami. She stated she believes America is failing because of the lack of manufacturing. She urged the cessation of building in the western areas of the County.

Clifford Hertz, representing the applicant Florida Crystals, noted the area is already industrialized with an existing sugar mill and refinery, a large bio mass power plant, and a 180,000 square foot distribution center. He presented results of a May 17th visioning group of all the stakeholders interested in the flowway noting none of the plans show the Okeelanta facility impacting the flowway. He noted a feasibility study done for the Florida Department of Transportation that indicates the proposed location as the most ideal for a potential south Florida distribution and warehouse. He noted this could potentially provide over 600 jobs to this economically distressed area of the Region. With respect to Ms. Larson's comments on the cost of rail, he noted there is existing rail to the site and there may only be upgrades required. He noted the Port of Palm Beach will be coming out with a Request for Proposal on July 9 to which the applicant intends to respond.

In conclusion, with respect to the recommendation of the staff to Palm Beach County, he read the following into the record:

Florida Crystals Corporation has demonstrated its longstanding commitment and support of responsible Everglades restoration by providing thousands of acres and millions of dollars in additional agricultural property taxes for Everglades restoration projects designated in the Everglades Construction Project and CERP. However, Florida Crystals objects to the condition specified in the Treasure Coast Regional Planning Council Staff Report dated June 19, 2009 under FLUM Amendments, item #1 "LGA 2009-008 Okeelanta ILC" on the basis that such condition is an unconstitutional and illegal exaction because there is no rational relationship between the suggested condition and any impacts of the requested approval. Accordingly, Florida Crystals urges the Treasure Coast Regional Planning Council to remove the condition from its report and not consider it as part of these proceedings.

Commissioner Smith asked for clarification of the reference. Mr. Roger Saberson pointed out the recommendation in the staff report and stated he and staff did not agree with Mr. Hertz's assertion and believes there is a nexus between this particular project and potential Everglades Restoration; therefore having this kind of condition is reasonable. Furthermore, he noted the condition only requires and requests there be a meeting to discuss a potential agreement, but does not require an agreement be reached.

Noting his comments should not be construed as support of any particular site, Councilmember Davis expressed his concerns that with this recommendation Council may have the unintended consequences of unnecessarily or unfairly creating a negative bias against the Okeelanta Site. He stated the location of the port should be based on the technical merits, both in terms of financial feasibility and the economics of it, and the environmental nexus to the world's largest ecosystem restoration project. He stated he felt it was appropriate to have language to request Palm Beach County to meet with appropriate agencies to ensure consistency with Everglades Restoration before any site is selected, but going the next step to tie this to Florida Crystals might have the unintended consequences of ruling out what could ultimately be determined to be the best site.

Councilwoman Webster commented that the real issue is the economy and the jobs this project can provide for an economically distressed area of the Region will be of great benefit. She noted this 318 acres within the total area of 429,000 acres was negligible, and within the entire overlay area of 3,000 acres this is less than one percent. She stated that in the past there has been consideration to those companies coming in to provide economic stimulation to the area and she felt the recommendation was almost adversarial.

Councilmember Balbis asked if this comment had been made previously on any similar type of application. Staff stated not on a proposed comprehensive plan amendment, but in conversations with local governments doing land use changes they are encouraged to look at the value gap. When the local government decides to increase land use intensity and density, it is a form of currency for the landowner. Staff noted the bigger issue was the \$5 to 7 billion economy that is supported by the Loxahatchee, Lake Worth Lagoon, Indian River Lagoon, and St. Lucie River Estuary. The recommendation is simply suggesting the local government not miss the opportunity to secure some land for the public to address regional issues. It is not suggesting there be an agreement, just a recommendation to discuss the possible impacts of the proposed amendment.

Commissioner Grande questioned the concept of moving ahead with a proposal such as this before the movement of the flowway design is complete. He asked staff if there was a timeline for the

Everglades Restoration process. Staff was not aware of a timeline for the process, but indicated the 318 acres of land under discussion had not been identified in any of the previous studies as part of a flowway.

Councilmember Balbis noted he agreed with the recommendation for all the parties to come together through the permitting and application processes that will follow, but did not think it was the rule of the Council to set precedent with these types of comments on comprehensive plan amendment reviews.

Councilmember Foley offered he has had experience with inland ports and noted the three major ports in Southeast Florida are full and do not have the space to break down loads processed in and out of the southeast United States. With respect to the recommendation, he noted concern this would provide the local government too much negotiation power which could hinder the project from proceeding. He stated although he is in favor of Everglades Restoration and the flowway, he does not believe everything should stop, especially projects that are not in the sphere of several analyses. He stated he would be in favor of eliminating the recommendation, but would still like to see the meetings with the appropriate entities. He also suggested meeting with the Florida Department of Transportation regarding the use of rail to the fullest extent possible, perhaps reducing trucking traffic from the roadways.

Commissioner Vana expressed her agreement with Councilmember Foley, but stated that in the long term there must be measures to protect the Everglades. Staff suggested removal of the language "Prior to adoption..." from the recommendation.

Commissioner Marcus noted this would be acceptable, but stated it would need to be stated to include any other site that might be located within the Overlay area. She stated she does not support this project as it is premature to give a land use to a group, not just an individual, but through an overlay that could have negative impacts on Everglades Restoration. She noted she also concurs with the staff recommendation for the Northlake Boulevard Corridor.

Councilmember Davenport concurred with Councilmember Balbis that this may be precedent setting. He stated this appears to be almost a punishment for Florida Crystals and stated Council should be urging a comprehensive program for Everglades restoration.

Commissioner Smith also noted this recommendation may promote an adversarial atmosphere and hinder any opportunities to determine the best way to benefit from all the opportunities for the area. Staff stated the recommendation would apply to all applicants in the area and was not intended to single out Florida Crystals. Staff further noted the report is recommending support of the application and the location. Commissioner Smith stated he would prefer to give incentives to want to work with the program and encourage conversation to happen, but by having requirements such as this sets up the adversarial side of the equation which may not yield the best discussion.

As a proponent of restarting flow, Commissioner Hayes, expressed his delight in having the focus of the conversation around a flowway. He agreed with staff that there needs to be a proactive approach with landowners to ensure a local government is not giving away land for free. He noted he agreed with the removal of the phrase "Prior to adoption...".

Commissioner Koons agreed with the removal of this wording. He stated he personally believes this is an industrial site and the distribution center will be beneficial to the region. He stated this is an opportunity to route current train and truck traffic out of the downtown areas and onto US 27, which would then offer the opportunity for more passenger service on the Florida East Coast Corridor. He noted several unsuccessful attempts to meet with the water management district. He stated he has been told by the Executive Director of the Water Management District and the Department of Environmental Protection the flowway will not be in this particular area.

Commissioner O'Bryan stated that as an elected official his main concern is the tax payers. He stated once the landowner is granted a land use designation that will increase the value of their property, the local government should ensure there are no opportunities missed to obtain lands at the lower value that could potentially be needed for public use. He stated he would oppose the motion to remove the language as it will force the parties to come to an agreement.

Councilmember Foley inquired if there was a motion on the floor. Vice Chairman Ferreri indicated there was no formal motion. With that, Councilmember Foley moved to accept the staff recommendation with the removal of the phrase "Prior to the adoption of the amendment", and word the recommendation "to discuss" an agreement and not require there be an agreement reached before they can proceed. Mr. Saberson clarified the motion was to approve the staff recommendation of Agenda Item 5K with the suggested changes. Commissioner Pinto seconded the motion. Vice Chairman Ferreri then directed the discussion back to public comment.

Motion

Continuing under Public Comment, Kerry Kilday, of Urban Design Kilday Studio and representing Florida Crystals, stated part of what is driving this forward is the strategic economic plan of Palm Beach County, especially as it relates to the Tri-City areas. He also noted the Overlay boundaries were carefully crafted to ensure plans for Everglades restoration were not affected. He noted that this site has never been included in any of the flowway designs as its closest point is four to five miles away from the closest flowway edge. He noted the infrastructure is already in place and the property has a mill, cogeneration power plant, substation, rail line, and access to US 27, which is a four lane major SIS highway. He explained to Council that if the area is not chosen as the inland port, then the land use as well as the Overlay, will be removed from the comprehensive plan. He stated Florida Crystals has been very active in the planning process of the flowway, noting one of the nine plans was prepared by Florida Crystals.

Gaston Cantens, Vice President of Corporate License for Florida Crystals, noted there would be no objections to the proposed motion. He noted the comments regarding the abandoned ethanol plant were false, stating the University of Florida decided to build a smaller facility closer to the university as this was more financially feasible. He noted there have been feasibility studies done and all have indicated the subject property is ideal for an inland port. He stated this will benefit the County by providing jobs for the unemployed in the Tri-City area. He noted that of the nine plans submitted in the stakeholders meeting the least expensive to build was the Florida Crystals plan, stating it is not really a flowway, but a managed system of reservoirs and treatment areas.

Tom Bausch, a resident of Sewall's Point, noted his past experience as an importer/exporter in New York. He challenged that this is not a financially viable concept, saying he believes the numbers being presented from the Port of Palm Beach appear to be extremely optimistic. He noted since nothing is manufactured here, it would not be economically feasible for the shipping companies to

ship back empty containers. He also noted that due to the smaller containers that would be used, it would not be profitable to the manufacturers.

Councilmember Balbis stated he was intrigued by the comment made by staff that a similar comment would be made to any applicant in this area. He wondered if Council was missing an opportunity to look at this more at a policy level within the Strategic Regional Policy Plan. He stated that perhaps these sorts of discussions should be held looking at Council's existing policies and perhaps modifying the policy as it pertains to this area, rather than imposing this requirement, or any such requirement, on applicants as they come along. He stated transfer of lands to public ownership was an important issue, but thought it might be addressed better at the committee level through a detailed, thought out process. Councilmember Balbis stated he wanted to make a substitute motion to delete the entire paragraph within the recommendation and find the amendment to be consistent.

Mr. Saberson clarified Councilmember Balbis wished to make the substitute motion to approve the staff recommendation with his suggested changes. Vice Chairman Ferreri requested this be done as an amendment to the current motion. Councilmember Balbis clarified that his amendment to the motion would be to approve staff recommendation with the deletion of the entire paragraph of the recommendation on page 16 for the Okeelanta Inland Logistics Center and to instruct staff to form a committee to look into revision of policy to incorporate these types of discussions with all applicants in this and other types of areas. Councilmember Pinto seconded the amendment to the motion. **Amendment to the Motion**

Councilmember Foley noted, as the maker of the motion, he wanted to ensure dialog would be established between Palm Beach County, the state, the water management district and the applicant on this important issue.

Commissioner Hayes stated he would not be in support of an amendment that does not take the proactive stance in asking elected officials to ensure the best deal possible in negotiations of the value of lands. Commissioner Grande concurred he also could not support such an amendment.

Commissioner Smith suggested the dialog requirement could be made as a separate motion. Vice Chairman Ferreri asked that discussion be concentrated on the amendment as made. Commissioner Solari stated he could not imagine there is not already open dialog with respect to this project, or that any entity would not be open to discussions.

Vice Chairman Ferreri called for a vote on the amendment to the motion. The amendment was defeated by a vote of six to nineteen.

Mayor Golonka asked if the Overlay was part of the amendment package. Staff indicated that it was, as a text and map series amendment. Mayor Golonka expressed concern it was indicated earlier that rail was very expensive and that most of the shipping would be done by trucking. She stated she did not think the central and western communities would want an increase of freight traffic through their neighborhoods. She noted this would be the time if the Port wants the Inland Logistics Center, to have them do more regarding rail.

Councilman Lowe stated his support of the project due to the positive effects it will have on the unemployment issues in not only the Tri-City area, but Riviera Beach as well. He stated although

Everglades restoration and the flowway are important issues, the lack of employment in these areas has become a very serious concern.

Commissioner Koons made an amendment to the motion to have the discussion aspect of the recommendation be made for the Overlay amendment as well. Councilmember Pinto seconded the amendment to the recommendation. **Amendment to the Motion**

Commissioner Vana asked if this would include all landowners within the Overlay District. Commissioner Koons indicated that it would. Vice Chairman Ferreri called for a vote on the amendment, which carried by a vote of nineteen to six.

Under the text amendment to delete the commitment by the County to do corridor master plans, Councilmember Balbis noted County staff had indicated in the application the County will use other vehicles to coordinate traffic issues, but these were not listed. Council staff indicated the County had indicated other available tools such as Constrained Roadways at a Lower Level of Service, Transportation Concurrency Exception Areas and lower level of service were the other tools available to address transportation issues. Staff indicated the report recommendation was for the County to retain the policy, at least as a general policy, indicating the County support the preparation of corridor master plans in cooperation with the local governments and land owners. Commissioner Smith indicated that in future port discussion it would be helpful to have a generic presentation of the inland port concept to provide a better understanding for Councilmembers.

Vice Chairman Ferreri called for a vote on the amended motion, which carried by a vote of nineteen to six.

PALM BEACH GARDENS COMPREHENSIVE PLAN AMENDMENTS DCA REF# 09-1

Staff provided an overview of the proposed amendment which is a text amendment to the Future Land Use Element to designate certain areas as highly suitable for office development and would allow the City to raise their Development of Regional Impact threshold from 300,000 to 600,000 square feet for commercial/retail. The City-proposed policy is under a goal to plan for future needs to promote livable communities, including, but not limited, to economic development for bioscience, transit oriented development and other efforts to support sustainable growth. Staff noted the recommendation would be to find the proposed amendments to be inconsistent with the Strategic Regional Policy Plan. However, staff noted the proposed policy could be found consistent if it was augmented to include language to ensure a development pattern consistent with the Strategic Regional Policy Plan by promoting the optimum use of transit nodes; create a “park once” environment by provided a mix of uses within a pedestrian-friendly environment; and accommodate the incidental shopping needs of workers and transit riders. Staff noted there has been ongoing dialog with the City planners, who have been very amenable to including some of this language.

Under Public Comment, Ms. Larson expressed her concern in allowing expedited permitting and streamlining of the process. She stated there needs to be more, not less, oversight.

Commissioner Marcus moved approval of staff recommendation. Commissioner O’Bryan seconded the motion, which carried unanimously. **Motion**

**PALM BEACH GARDENS COMPREHENSIVE
PLAN AMENDMENTS DCA REF# 09D-1**

Staff made a brief presentation to the amendments, which include both text and Future Land Use Map amendments, and are directly related to the Scripps/Briger Development of Regional Impact. The text amendments establish a category for Bioscience Mixed Use Development and specify the allowable land uses within that category; and provide definitions for the terms Employment Centers and Employment Center Buildings. The Future Land Use Map amendment is to change the notation which refers to the limits on land use densities and intensities, to a modified notation that refers only to the maximum number of trips that may be generated on each of the six properties in the 708 acre area, regardless of the type and intensity of use. Staff noted two comments/recommendations in the report to coordinate with Jupiter and Juno Beach with respect to the height of the buildings in the employment center; and the difficulty for the public to comprehend notations with respect to trips as opposed to exactly what kind of land use would be permitted on that site.

Ken Tuma with Urban Design Kilday Studios stated he would be available for Councilmember questions. Commissioner O'Bryan stated that the request for 150 feet appeared to be excessive for a seven-story building. Mr. Tuma explained that with Bioscience there needs to be more space between the floors and on the roof in order to accommodate the mechanical equipment necessary. Vice Chairman Ferreri noted that, as an architect, this is very accurate for designing lab buildings to be able to accommodate the infrastructure needed.

Under Public Comment, Ms. Larson expressed her concern with respect to the height of the building. She warned that with global warming and the threat of hurricanes the building would be too tall.

Commissioner Marcus moved approval of staff recommendation. Commissioner Koons seconded **Motion** the motion, which carried unanimously.

Due to the length of the previous discussion, Vice Chairman Ferreri reordered the Agenda to allow the Census Bureau to make its presentation next.

**CENSUS 2010
PARTNERING WITH THE CENSUS BUREAU**

In an effort to ensure a successful Census count in 2010, and reach out in partnership efforts to local governments, representatives of the Census Bureau were present at the meeting to provide Council with an overview of what to expect. By law, every ten years the Census Bureau must count every living individual in the country. This is critical as census data effects state and federal funding to local governments as well as representation in Congress. Ms. Marilyn Stephens, a Partnership Specialist for the Census Bureau, provided a presentation that outlined the populations within the Region's counties; the structure and importance of Complete Count Committees; and factors for local governments to consider when doing counts to ensure the highest percentage rate of success.

Vice Chairman Ferreri noted he has been an elected official through three census counts and stressed the importance of ensuring all citizens are counted. He noted the importance of making sure that any seasonal residents living here a majority of the time need to be included in local counts, and not in those of their northern residences.

Councilmember Davenport thanked Ms. Stephen and her staff for their time and stressed to everyone the importance of getting started early in the process.

Commissioner Koons requested the PowerPoint presentation be made available.

ANNOUNCEMENTS

Staff reminded Councilmembers of the North Palm Beach/Southern Martin County Water Resources meeting at 1:00 p.m. and that lunch would be provided to allow set up time between meetings.

Staff noted the newspaper article stating Council was one of the governmental groups to receive a refund from the Florida Municipal Insurance Trust was a misprint.

Staff thanked Councilmembers for participating in the effort to send fewer agenda packets by surface mail. It is estimated it will save Council approximately \$6,500 per year.

Staff provided an update on the effort to promote Amtrak Service on the Florida East Coast Corridor from Jacksonville to Miami. To date, staff reported half the local governments in the Region have adopted resolutions supporting this effort and forty-four other entities have done the same. Over the next few weeks this project will be on the agendas of the Florida Association of Counties, the Florida League of Cities, the Florida Regional Councils Association and the Metropolitan Planning Organizations Advisory Committee. Part of this project would also go to extending Tri-Rail north to Jupiter as it would construct some of the improvements necessary to make this project more competitive on a funding basis, shifting some of the capital costs to Amtrak.

BUDGET/PERSONNEL COMMITTEE PROPOSED BUDGET FOR FISCAL YEAR 2009-2010

Councilmember Trias reported that the Budget/Personnel Committee had met and recommended approval of the proposed budget.

Councilmember Trias motioned to approve the proposed budget. Commissioner Koons seconded the motion, which carried unanimously. **Motion**

ORIENTATION SERIES ON REGIONAL PLANNING AND DEVELOPMENT

A presentation was provided by staff to introduce to Council the upcoming presentation series to examine many of the important growth management issues in the Region. The series will be conducted over the next eleven meetings and be based upon Council's adopted Strategic Regional Policy Plan. It will explore the many components of sustainable planning and design at the regional and neighborhood scale. By providing additional insight into the history and use of time-tested

planning techniques, staff hopes to provide Councilmembers with additional understanding and knowledge about how to promote positive growth in the Region.

TREASURE COAST REGIONAL PLANNING COUNCIL BROWNFIELDS PROGRAM – SUMMARY OF ACHIEVEMENTS

Staff made a presentation to Council to provide an overview of the Treasure Coast Regional Planning Council Brownfields Program and highlight program achievements. Council's Brownfields Program is designed to serve as a catalyst for redevelopment and revitalization in targeted redevelopment areas of the Region. Council's Brownfields Program is funded by grants provided by the U.S. Environmental Protection Agency and to date has received \$1.9 million in total EPA grant funding. Staff's presentation included three projects that illustrate the achievements of the program: the Northwood Anchor site in the City of West Palm Beach, the Anchorage Park site in the Village of North Palm Beach, and the City of Stuart Landfill.

Mayor Golonka asked for more information on the decommissioned power plant in Fort Pierce. Staff noted that is a mixed use retail/entertainment project that will be adjacent to the waterfront. Staff noted the property was the focus of a charrette done by Council for the City of Fort Pierce.

UPDATE ON GROWTH MANAGEMENT LEGISLATION

Staff presentation to Council included an overview of Dense Urban Land Areas, Transportation Concurrency Exception Areas and the changes to the Development of Regional Impact process as it applies to the Region. Staff noted the responsibilities of Council have not been changed under the new legislation and Council will still be responsible for full review of local government comprehensive plan amendments. Staff noted that part of the law now states that local governments must provide in their comprehensive plan for the use of the Regional Planning Council's Dispute Resolution Process. In the past, the process had been on a voluntary basis, but it now appears this may be mandatory for local governments involved in extrajurisdictional disputes. Staff will be looking further into this matter.

Under Public Comment, Mr. Martin noted those in the environmental community are very unhappy with the new laws. He expressed concern for how this will impact Everglades restoration as it will allow more development without the opportunity for the State to provide oversight through the Development of Regional Impact process. He noted concern the local governments will not establish traffic concurrency and the ultimate cost of roadway improvements will fall to the tax payers.

Ms. Durando noted there have been good recommendations made by the Council, but not always supported by the local and State governments. She noted efforts of past individuals at the Water Management District who tried to do intelligent land use planning, but were overruled by elected officials who did not have the experience or qualifications. She stated government does not address the critical issue of the supply of potable drinking water and not polluting the groundwater. She asked what the term economic development means and stated that unless something is based in science it does not mean a thing. She noted many countries are failing due to the destruction and dissipation of their natural resources. She cited a study done at the University of Florida which stated the only way to do good land use planning is for the water management districts to work with the regional planning agencies.

Ms. Larson stated there is no water and no better time for Hometown Democracy. She stated rather than growth management, there needs to be growth enhancement and growth changes. She questioned how there will be growth if there is no water.

Commissioner Koons noted that those communities who have not done their Ten Year Water Supply Plans will not be allowed to make changes to their comprehensive plans. He noted the County has provided a reverse osmosis plant to provide clean water to the Glades cities.

Vice Chairman Ferreri expressed that the transportation planning and requirements of Senate Bill 360 is an unfunded mandate. He stated every local government but two in the Region will be affected as they will be required to create a mitigation plan, for which there is no funding.

COUNCIL MEMBER INFORMATION EXCHANGE

None

STAFF COMMENT

Staff reminded those who were staying for the Water Resources meeting lunch would be provided.

CHAIRMAN'S COMMENT

None

ADJOURNMENT

There being no further business, Vice Chairman Ferreri adjourned the meeting at 1:05 pm. 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 June 19, 2009 meeting of the Treasure Coast Regional Planning Council.

Date

Signature