

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
JUNE 18, 2010**

Chairman Ferreri called the meeting to order at 9:37 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) Vice Mayor Sabin Abell Vice Mayor Suzanne Joyce
St. Lucie County:	Commissioner Grande Mayor Christensen
Martin County:	Commissioner Smith Commissioner Ciampi (Alternate)
Palm Beach County:	Commissioner Taylor Commissioner Vana Commissioner Koons (Alternate) Mayor Ferreri Commissioner Brown Mayor Pro Tem Dr. Priore Councilman Lowe (Alternate) Vice Mayor Webster (Alternate) Councilman Fred Pinto (Alternate) President Pro Tem Davis (Alternate) Vice Mayor Pro Tem Andel (Alternate)
Gubernatorial Appointees:	Eduardo Balbis Peter Carney Kevin Foley Reece Parrish Richard Oujevolk Ramon Trias
Ex-Officios:	Jim Carnes, SFWMD Ann Benedetti, SJRWMD Mary Murphy, DEP
Council Staff:	Michael Busha 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

Chairman Ferreri stated any comment cards for Agenda Item 8, Discussion of Public Comment, would be done during that item. All other Public Comment would be taken before the start of the agenda, and general discussion would be addressed under Agenda Item 12. Commissioner Vana stated some of the public wanted to speak on 5H, Palm Beach County Comprehensive Plan Amendments. Chairman Ferreri stated public comment would be heard on this item under Agenda Item 3, Public Comment on Action Agenda Items.

With respect to the Palm Beach County comprehensive plan amendments, Rosa Durando stated this constitutes more changes in one session than have been done since 1989. She stated none of the changes are substantiated to be required, needed, desired, or fully addressed as far as traffic impact goes. She stated County staff was generally negative with respect to the amendments, yet the County Commission gave approval to all nine Future Land Use Map amendments. She stated there was no reason to give higher density and commercial to areas in the western part of the County. She stated there is no demonstration of need for this commercial and she believes the only reason for the changes is speculation that these changes need to be made before the possibility of the passage of Amendment 4. She stated she did not understand why the County Commission hired experts in the field, and then did not take their recommendations.

Drew Martin stated he would like to see the regional planning council encourage the County to do a better job planning. He stated his concern was that commercial development should not be occurring in the western part of the County, but rather along the eastern corridor, for easier access to the major roadways. He stated there is no need for the additional commercial as there is enough available nearby. He stated development needs to be kept to the east where the populations are and the County should not encourage people to move west, particularly since there is no urban development boundary in the County. With respect to the Town of Palm Beach comprehensive plan amendments, he stated the Town needs to do more to conserve water. With respect to the Florida Power and Light Ten-Year Site plan, he stated he believes there needs to be more focus on alternative energy sources. He stated he had just returned from Washington D.C. where the discussion was the climate change bill and that fossil fuels are not the answer, particularly in light of the recent oil spill. With respect to the Amtrak/FEC Corridor project, he stated the Sierra Club is very much in support of this project, but also very concerned about funding. He stated they want to make sure there is a dedicated funding source, and funding will not be taken from Tri-Rail.

Kieran Kilday, of Urban Design Kilday Studios, stated he represented Lion Country Safari. He stated this has been an animal park since 1967 in Palm Beach County, and the land use change is to allow for a very low density development of the vacant portion of the property, which will include an overlay that will require any development have significant buffers and clustering within the project. He stated County staff, the Local Planning Agency and the Board of County Commissioners all supported this land use change.

Alexandria Larson stated Lion Country Safari is the excuse for the Wedge property that was given to Broward County. She stated it was ridiculous to justify something the Commission did in Boca Raton in Loxahatchee. She stated Amendment 4 is coming about because Leslie Blackner was willing to spend \$2 million of her own money because she felt she was not being heard at meetings. Ms. Larson stated she told Mr. Kilday he “serves two masters”, because he works for Palm Beach County and is before the County every week with changes to the comprehensive plan for other clients. She stated public comment validates the planning council. Chairman Ferreri asked Ms. Larson to limit her comments to the Agenda Items, and not speak on Public Comment until the item was before Council. With respect to the Palm Beach County comprehensive plan amendments, she stated there is no reason for more commercial or residential. She stated there were 100,000 foreclosures in Palm Beach County and houses will begin to sell if we stop building more.

Sharon Waite stated she was shocked when she heard the County Commission vote Mr. Kilday in as one of their employees. She stated she believed this was unethical because he brings his own projects before the Commission for approval, even though the County attorney stated there is no conflict. With respect to the Seuss amendments for Institutional, she stated this was not needed in this location as it is farmland and there are ample locations where he could locate his business. She stated she believes comprehensive plan amendments are being done to suit clients. She stated this is destroying the western part of the County.

Commissioner Koons noted that Mr. Kilday is not an employee of the County. He stated Mr. Kilday has a contract with the County to do the County’s land use changes. He said the County Commission appreciates the work Mr. Kilday performs and the County Commission makes independent decisions when he is representing a private client.

AGENDA

Commissioner Smith moved approval of the Agenda with the reordering to move Agenda Item 11, Amtrak/FEC Corridor Project Update to immediately follow the Consent Agenda. Councilmember Foley seconded the motion, which carried unanimously.

Motion

CONSENT AGENDA

Roger Saberson noted for the Councilmembers an Addendum to Agenda Item 5E, Transportation and Land Use Planning Agreement with South Florida Regional Transportation Authority. He stated Council would be voting to include the changes to the contract that were noted in the addendum.

Commissioner Vana indicated she would like to pull Agenda Item 5H, Palm Beach County Comprehensive Plan Amendments DCA Ref# 10-1 for discussion.

Commissioner Smith motioned to approve the Consent Agenda with the removal for discussion of 5H, Palm Beach County Comprehensive Plan Amendments DCA Ref# 10-1 for discussion and with the changes Mr. Saberson had noted for Council. Councilmember Pinto seconded the motion, which carried unanimously.

Motion

Items on the Consent Agenda were: 5A, Financial Report – April 30, 2010; 5B, Minutes – May 21, 2010; 5C, 2010-2011 Contract with the Florida Department of Community Affairs; 5D, 2010-2011 Contract with the Florida Department of Emergency Management; 5E, Transportation and Land Use Planning Agreement with South Florida Regional Transportation Authority; 5F, Land

Use/Transportation Planning and Facilitation Services Agreement with the Palm Beach Metropolitan Planning Organization; and 5G, Town of Palm Beach Comprehensive Plan Amendments DCA Ref# 10RWSP-1.

**PALM BEACH COUNTY COMPREHENSIVE
PLAN AMENDMENTS DCA REF# 10-1**

Staff noted these comprehensive plan amendments include nine amendments to the Future Land Use Map as well as a number of text and map series amendments to several elements of the County Comprehensive Plan. Staff asked if Council wanted a summary of all the items. Chairman Ferreri stated that staff could address specific Council concerns.

Commissioner Vana stated that with respect to this, she supported all of the amendments as a County Commissioner, however as a regional planning council there was a responsibility to hear the public comment on the amendments. She stated it was important because Council is making decisions that affect everybody's life, their home, the value of their home, and their quality of life. Chairman Ferreri noted Agenda Item 8 would be the time to address the Public Comment.

Chairman Ferreri noted that he is on the Board of Directors of the Palms West Chamber of Commerce, and also on the Palms West Economic Task Force both of which are not supportive of what they refer to as spot commercial. He stated there is currently enough commercial in this area. He stated the group was supportive of the Institutional designation on the Seuss property as it would be creating jobs in the Town of Loxahatchee Groves, which is in need of some commercial and a workforce base. With respect to the Lyons Road commercial amendments, he stated this road was to be a through road and not a commercial corridor.

As a point of order, Councilmember Foley asked if this agenda item would be split into nine separate items, or would all the amendments be considered under one vote. Chairman Ferreri explained that the floor was open to discussion on any item, but there would be one vote on the entire amendment package which could be modified to include any comments requested by Council. Councilmember Foley indicated he wanted to hear staff's view and also that of the County Commissioners who put a lot of time into these amendments.

Councilmember Webster stated there appeared to be a lot of interest in the amendments and asked if there could be more time spent on these amendments. Chairman Ferreri asked if there were other Councilmembers who wanted a full report. Mayor Pro Tem Dr. Priore stated it would be better to only review the items that are of concern.

Staff noted that the first four amendments were discussed together. They are located in what is known as the West Lake Worth Road Planning Area. Staff stated the area is undergoing transition, and there is a conceptual master plan for the entire area that was developed by a neighborhood coalition. Staff acknowledged some concern with the possible over allocation of commercial land, but the amendments are consistent with the neighborhood plan. Staff noted this plan was done by the neighborhood coalition and not the County. However, the County has adopted policies to recognize this plan as a sort of guidance for the future transition and land use change in the subject area. Staff indicated that County staff did not feel the applicants had not made a convincing case for both the residential and commercial land use changes. Staff noted that in Palm Beach County a request to increase residential density must be done through either the purchase of the additional density through a Transfer of Development Rights program or to acquire the density through the

Workforce Housing program or another density bonus program. Alternatively, the land owner must justify why the current designation is inappropriate. Staff noted in the motion to approve transmittal of these amendments the County Commission indicated that they expected the landowners and the staff to meet to try determine how the amendments could move forward and still support the County programs. Staff noted comments within the Council staff report that suggest the amendments are consistent with the neighborhood plan, and also indicated that when local governments undertake changes like these, that there be neighborhood planning and amendments be made consistent with that plan. Staff further indicated the staff report asks the County to ensure that amendments in this area are not only consistent with the neighborhood plan, but contain all the components which will ultimately make a complete community including a mix of uses, and a variety of housing types and densities and affordabilities. The staff report also addresses the need for an integrated network of interconnected streets including accommodations for pedestrian and bicycle traffic. With respect to the commercial amendment, staff was concerned the County may be moving forward with perhaps too much commercial, but the staff is hesitant to question if a local government has over allocated a land use such as commercial unless there is compelling evidence. Staff focused on whether or not the proposed amendments were in conflict with the Strategic Regional Policy Plan, and did not identify any conflicts with significant regional resources or extrajurisdictional impacts.

Chairman Ferreri asked if there were Transfer of Development Right and Workforce Housing credits for the proposed residential. Commissioner Koons indicated yes. Staff noted conditions on each of the proposed amendments that would prohibit the landowners for asking for additional density through County programs in the future if these amendments are approved. Staff noted the Andalucia Residential property had received previous approval for a Planned Unit Development through the County density bonus program, but the approval had expired.

Commissioner Koons stated this is a unique area and the plan the neighborhood coalition has developed is a very good plan. He stated the County Commission does, however, have an issue in that the County has mandatory inclusionary zoning for workforce housing, so if there is to be an increase in density approved, there needs to be provisions for workforce housing. He stated the neighborhoods are primarily retirees who do not want the workforce housing. He stated the County objected to this.

Chairman Ferreri stated he understood Commissioner Koons' position, but he did not agree with the whole workforce housing plan, as it gives density bonus to units where there is no public transportation. He stated the workforce housing units need to be located closer to I-95 and public transportation system, not out in suburbia. He stated Lake Worth Road already has traffic issues without the additional units. He also noted there are three major shopping centers in the area that are currently half empty and building more will only move businesses around leaving blighted commercial that will never be infilled.

Councilmember Webster stated it is a nice concept to let people build their own little communities, but she agreed with Mayor Ferreri this will only add commercial strips that are just not needed. She stated that while the neighborhood plan may be a very good plan for that specific area, she did not believe it is a good plan that is going to work in the western communities at this time.

Commissioner Vana stated she supported this plan because the alternative to this is long-term piecemeal development. She stated this is a plan not for just a few but for nineteen neighborhoods that spent several years working together. She stated she supports this and long-term planning, hoping it

could be done throughout the whole County to allow individuals to have their input on how their community is developed.

Commissioner Koons stated he would like to make a motion, asking if there were any comments that would need to be included. Chairman Ferreri stated he would like to see the first four amendments sent back to assess the traffic and the need for additional commercial. Commissioner Koons indicated Wellington will be bringing forward some amendments in its next cycle, and this could possibly be an opportunity to work with the Florida Department of Transportation to determine how to handle concurrency on State Road 7.

Chairman Ferreri stated that his City is affected by Lake Worth and Jog Roads. He stated he has been told that if any more commercial, or any more development is done to the west it will create the demand for triple lanes on these roadways. He stated this will basically put three of the corners out of business because the right-of-way has been taken, and they will have no parking for their parcels making them not viable and putting the owners out of business. He stated this needs to be further studied to determine the ramifications beyond just the corridor boundaries, suggesting collaboration needs to be done with the western communities and the County.

Commissioner Koons stated he would urge those regional cities to approach the regional planning council and make an offer to do the coordination out there, especially on State Road 7 and to address job creation in the area. Chairman Ferreri indicated the Palms West Economic Task Force has been doing this. Commissioner Koons asked that their findings be brought to the County Commission. Chairman Ferreri indicated Commissioner Santanmaria and Assistant County Administrator Shannon LaRocque both serve on the task force.

Councilmember Webster asked if she could offer a motion to send these amendments back to receive some input from the Economic Task Force. Chairman Ferreri indicated Council needed to send comments forward.

Mayor Pro Tem Dr. Priore stated he would not want to see any further expansion or opening of Lyons Road. He stated that the area does not currently support any kind of commercial development.

Commissioner Koons again urged the economic task force to come before the commission. Chairman Ferreri indicated he would make sure reports were being forwarded to the County Commission.

Commissioner Koons moved approval of the staff recommendation and asked that the working group provide comments to be added. Commissioner Vana seconded the motion. Staff clarified the motion would be to add comments related to the commercial amendments along Lake Worth and Lyons Roads with respect to the extrajurisdictional impacts related to traffic and a comment to examine the need for additional commercial in the corridors in the central Palm Beach County region. Chairman Ferreri called for a vote on the motion, which carried with Vice Mayor Webster dissenting.

Motion

RESOLUTION AND AMTRAK/FEC CORRIDOR PROJECT UPDATE

Councilmember Oujevolk recused himself from voting on this item as Amtrak is a client of the company where he is employed.

Staff noted this agenda item was to seek Council support on a resolution to the Governor, State Legislature, and Florida Congressional delegation that requests: 1) the State, Amtrak, and Florida's Congressional delegation work together to address any outstanding issues, including liability indemnification, to enable a joint Florida/Amtrak application to be submitted for Federal funding; 2) the Governor prioritize the project for all appropriate sources of Federal funding, beginning with the July 2010 round of High Speed/Intercity Passenger Rail funding; 3) the assistance of Florida Congressional representatives to secure Federal funding for the project; and 4) the Florida Department of Transportation Secretary program the project design phases into the Florida Department of Transportation five-year work program.

Additionally, staff provided an update on the public meetings, design sessions and workshops in the eight Cities where the potential stations will be located. Staff noted there will also be a Preliminary Environmental Assessment done on the project that is scheduled for completion by July 5, 2010. Staff stated the federal application for funding is to be submitted between July 15 and July 30, 2010, assuming the liability issues can be resolved.

Mayor Pro Tem Dr. Priore made a motion to approve the staff recommendation. Commissioner Ciampi seconded the motion. **Motion**

Under Council discussion, Commissioner Koons commended the regional planning council on the efforts being done to move this project forward. He stated this will effectively be creating a new region from Jacksonville to Miami.

Commissioner Solari stated he would be voting against the motion as there is still no financial analysis available. He stated he did not understand how this could be determined to be important to the success of a sustainable future for the region when the cost had not yet been calculated at the State and local levels.

Chairman Ferreri stated he had attended the Palm Beach Metropolitan Planning Organization meeting the previous day and there was a presentation with respect to the expansion of the Ports of Miami and the Everglades that could potentially double the freight traffic on the FEC. Commissioner Taylor asked if this addressed the inland port. Chairman Ferreri indicated the inland port was part of it. Commissioner Koons asked staff to contact the Florida Department of Transportation to have them do the presentation for Council. Mayor Pro Tem Dr. Priore indicated he had also seen the presentation and indicated this was essentially if you build, it will come, and that will enable us to get the inland port built there.

Staff indicated this would also be related to a series of amendments being proposed by the City of Port St. Lucie which are suggesting another sort of intermodal facility for freight.

Chairman Ferreri stated this affects the economic development of the entire region.

Chairman Ferreri called for a vote on the motion, which carried with Commissioner Solari dissenting.

ANNOUNCEMENTS

None.

MARTIN COUNTY LIFE SCIENCE TECHNOLOGY AND RESEARCH CAMPUS PROJECT SUMMARY – PRESENTATION BY TAMMY SIMONEAU, ECONOMIC COUNCIL OF MARTIN COUNTY

Ms. Melissa Corbett, who serves on the Martin County Economic Council Board of Directors made a presentation to Council in the absence of Ms. Simoneau. This project is the collaboration of eleven key partners representing academia, business, healthcare, and government for a shared regional vision in support of emerging technologies, enhanced education, and innovation with a committed desire to build an innovative economy. This project is a unique opportunity to create higher-wage jobs, retain and attract innovative technology, and promote scientific discovery opportunities.

Chairman Ferreri asked Ms. Corbett for a recap of the participating partners. He commended the Economic Council for undertaking this project, noting that education is a key component.

DISCUSSION OF PUBLIC COMMENT

Chairman Ferreri stated this item was at the request of several Councilmembers. Staff reviewed for Council the current and past procedures for hearing Public Comment, as well as the procedures used at other regional planning councils throughout the State.

Chairman Ferreri stated the concern is to keep a quorum for the meetings in order to conduct Council business. He noted a letter had been sent to Councilmembers to ensure they would understand the importance of remaining at the meeting until adjournment to conclude Council business. He stated in his City they find it very helpful to have information submitted prior to the meeting, and he appreciated that the public is very supportive with information and research on the subject matters. He stated Council needs to find a compromise that will allow for Council to conduct its business in a timely manner and hear from the public. He stated it is also important that when the public is speaking, they are providing information that can be used by Council in its reports, not just opinions on whether or not something is acceptable.

Commissioner Taylor asked if the public talks on an item at the beginning of the meeting, will they be allowed to speak again during the discussion of the agenda item. Chairman Ferreri stated the goal is to get the information from the public prior to the agenda item discussion. Then, at the end of the meeting, if the public wants to speak on something else, they are allowed time. Commissioner Taylor suggested it would be more efficient to allow the public to speak during a particular item and eliminate all the other public comment sections.

Commissioner Grande stated he feels elected officials work for the public and the public has at least as much ability to investigate issues, speak cogently and present views. He stated through his experience, when there is an open forum for the public to speak, there will be less overall time and more actual information presented and viable recommendations made. He suggested using the St. Lucie County format which allows for public comment at the beginning of the meeting to address

the consent agenda and any non-agended items. Then each agenda item would allow time for public comment. With respect to quorum, he stated he does not believe the ability to maintain a quorum rises to the importance of hearing public comment. He noted St. Lucie County allows five minutes to each member of the public for comment, which is usually respected.

Commissioner Vana noted that in Tallahassee, Councilmembers are the public. She stated this problem is two issues, one is quorum and the other is staying on topic. She stated for Council to be relevant, it must listen to public comment. She stated there should be time allotted for the public to speak on general topics at the end of the meeting, but she would like to see comment on action agenda items at the time they are presented. She stated the time allowed would be at the discretion of the Chair and depend upon the number of speakers.

Commissioner Ciampi stated that in order to accommodate those who may not be able to stay for the entire meeting, Martin County allows for public comment in the morning. However, if a person speaks to an agenda item at that time, they are not permitted to speak again when the agenda is brought before the Commission on the regular agenda. He stated the format is to have a presentation, from either staff or an applicant, then public comment, then it goes to the Commission for discussion. He noted the Commission again hears public comment at 5:00, which is for general public comment. He stated everyone is interested in hearing from the public, but management is the challenge. He stated the format to have public comment in the beginning and then during each agenda item is fair and would still allow for maintaining the meeting.

Mayor Pro Tem Dr. Priore stated his concern is that Council has the specific task of determining if a project or comprehensive plan amendment is consistent with the Strategic Regional Policy Plan. He stated the public objections, recommendations or comments need to be given with that consideration. He stated each item brought before Council has been evaluated and approved by the local government and that local government would not be sending it forward if they did not feel that it would be forwarded to the Department of Community Affairs. He stated comments that do not directly address the Strategic Regional Policy Plan are not a good idea, and that is where we ramble.

Councilmember Pinto asked if the Chairman was seeking to reach some kind of decision on a model that could be used going forward or a motion. Chairman Ferreri indicated there was public comment to be heard before a motion could be made. Councilmember Pinto summarized the comments already made as the public should have their comment cards filled out to specific agenda items, then as the agenda progresses, the public comment will be heard on each item. He stated he did not see how Council could legislate the caliber of the comments as some will be researched and technical, while others are very emotional. He stated the general information can be saved for the end of the meeting. He stated it is the Chairman's responsibility to keep the progress of the meeting on track and relevant to the agenda.

Councilmember Trias stated he supported allowing comment on each agenda item, and Councilmembers should listen to the comment and let the Chairman manage the process.

Under Public Comment, Ms. Durando stated she believes the public should be able to pull consent items for discussion and it will be at the discretion of the Chair if the public will speak at that time or when the item is discussed, but before there is a vote. She stated the public should be allowed comment on each agenda item as it is being discussed. She stated the meetings should not be governed by whether or not there will be a quorum at a given time, and that each Councilmember assumed the obligation to attend the full meetings when they accepted the position to be on the

regional planning council. She stated Council should assume anyone who is there to speak from the public has done their reading or research on the topic and their comments are legitimate.

Mr. Martin thanked those Councilmembers who spoke in favor of public comment. He stated he appreciates what Council does and hopes to have that respect returned to the public. He stated he agreed the Chairman should have the opportunity to enforce decorum in order to keep the meeting moving forward. He also agreed with Ms. Durando that it is each Councilmembers responsibility to attend the entire meeting.

Ms. Larson stated she appreciated Chairman Ferreri's comments with respect to Lyons Road in the Palm Beach County Comprehensive Plan amendments. She stated she has a petition wherein 1,400 people have given her the right to speak for her community. She stated the public comment problems began when a woman came to a meeting and yelled at Council. She stated she has taken care of the problem with this woman. She stated she was the one to suggest moving Public Comment to the beginning of the meeting so that Councilmembers will be aware of information the public wants to bring forward before a quorum is lost.

Ms. Waite stated she does her best to provide Council with relevant information and has 35 years of experience and seen a lot of detriment to her community. She stated she comes to the meetings not on a whim, but to provide relevant information.

Vice Mayor Pro Tem Andel stated she believes there needs to be mutual respect, that Council should listen to the public when they are speaking and the public listen to Council when they are speaking. She stated having public comment at the beginning and end of the agenda was redundant, and should be only at the beginning.

Commissioner Brown stated he does support public comment, but there is absolutely no legal requirement in the State of Florida for Council to provide for public comment citing a recent court decision that upholds this. He stated that whatever rules are decided as a group should be enforced by the Chairman. He stated he supported the concept of having public comment at the beginning and not on each individual item, unless Council decides as a group that it will be allowed under each item.

Roger Saberson noted that in the general sense, the Sunshine Law does not in and of itself grant the public the right to speak at meetings. It grants the public the right to be at meetings and to observe the meetings. However, if there is a statute separate and apart from the Sunshine Law, for example the Development of Regional Impact statute, that specifically says that when there is a report and recommendation by our Council staff on Council's agenda that will be sent to a local government, then the developer and substantially effected parties have the right to present evidence to the regional planning council board. He stated that in the absence of that kind of specific statute, there is no general right of public comment on each agenda item.

Commissioner O'Bryan recommended that under our Agenda Item 3, Public Comment be changed to "Public Comment on Consent Agenda Items" so that if anybody does wish to address the consent agenda, they can do it at that time. He suggested announcements and presentations should follow any action agenda items, with it being the responsibility of staff to correctly order the agenda. He stated public comment should be allowed on each action item, with the Chairman's discretion on how much time would be allowed to each speaker based on how many comment cards are

submitted, and it would be the Chairman's discretion to ask a speaker to cease if they become abusive or do not remain on topic.

Commissioner Grande asked Commissioner O'Bryan to make this a motion, which he would second. Commissioner O'Bryan stated he would make this a motion. **Motion**

Chairman Ferreri stated he agreed with the motion. He noted that in twenty-one years as Mayor of Greenacres, they have not used public comment cards or a clock. He stated that if the public has relevant information, they will be allowed to continue past the three minutes. He noted that since the new procedures have been instituted, this has been done a couple time for Mr. Martin as he has provided Council with helpful information. He stated that if there are several public cards submitted, then the time will need to be reduced, but that will be announced at the beginning of the meeting.

Commissioner O'Bryan stated that the key in Mr. Saberson's comments to the statutes is that interested parties present evidence. He stated it should not be just an opinion, but evidence of how a project will impact the strategic plan.

Commissioner Grande agreed that it is very important to sequence the agenda correctly.

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

PROPOSED BUDGET FOR FISCAL YEAR 2010-2011

Chairman Ferreri stated the Budget/Personnel Committee had met on June 7 to review the proposed budget. He noted that the proposed budget reflects contracts that have been signed, or will be once the agencies have adopted their budgets. Any additional contracts will be reflected later in a revised budget. Chairman Ferreri noted Commissioner Solari had raised concern that local government dues should be reduced. The consensus of the majority of the Committee was to keep the dues at the current level. Additionally, the Committee had discussed reducing the number of meetings. Chairman Ferreri noted that the proposed budget is for eight meetings. He asked for questions from Councilmembers.

Commissioner O'Bryan moved approval of the proposed budget for Fiscal Year 2010-2011. Mayor Christensen seconded the motion, which carried unanimously. **Motion**

FLORIDA POWER & LIGHT COPMANY TEN YEAR POWER PLANT SITE PLAN, 2010-2019

Staff reviewed the draft report summarizing Florida Power and Light Company's plans for future power generation and provide comments for transmittal to the Florida Public Service Commission. The report concludes that the Florida Power and Light Company Ten Year Power Plant Site Plan, 2010-2019 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 urges Florida Power and Light Company and the State of Florida to 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. The report also includes a

concern for FPL to address in next years ten year site plan about the potential need to provide service to a significant amount of additional customers in Indian River County.

Commissioner Grande noted that the report describes plans for six wind turbines on the ocean front. He stated that this application has come before the St. Lucie County Commission more than once and has not received any support. However, he stated that the County is in discussions with Florida Power and Light about alternatively siting wind turbines in the western part of the County. He questioned why the ocean front wind turbines are still a part of the long-term plan.

Commissioner Brown asked for an update on the status of the upgrades to the Riviera Beach plant. Staff indicated that Florida Power and Light will be moving forward with the upgrades.

Mayor Pro Tem Dr. Priore recused himself from voting on this agenda item as he has a family member who is an employee of Florida Power and Light.

Nick Blount, External Affairs Manager for Florida Power and Light, noted that the six wind turbines have never actually gone before the County Commission in St. Lucie County, and that this is still an active application that has been submitted to the St. Lucie County Growth Management staff. With respect to the additional customers in Indian River County, he noted that the plan only includes those contracts that have been signed and finalized, and inclusion of any additional customers for that area would be premature. With respect to staff comments on renewable energy, he stated that in the last two state legislative sessions there have been no approvals for additional renewable energy. He noted that in order to meet the 110 megawatts currently required by law, Florida Power and Light has built a 25 megawatt plant in Desoto County, a 10 megawatt plant in Brevard County, and is building 75 megawatt solar thermal plant in Indiantown, which is 80 percent complete.

Commissioner Vana also recused herself from voting as her son works for a company that provides employees to Florida Power and Light.

Mr. Blount confirmed for Commissioner Brown that Florida Power and Light is moving ahead with the upgrading of both the Riviera Beach and Cape Canaveral Plants.

Under Public Comment, Mr. Martin stated in light of the events in the Gulf, there needs to be a Renewable Portfolio Standard for the State. He stated he appreciated the staff comments for rooftop solar and stated there needs to be encouragement to the federal government to provide incentives and subsidies for this type of energy. He stated the Sierra Club very much opposes nuclear power, as they believe it is just another form of fossil fuel. He stated we need to look toward wind power on a smaller scale, citing a book he is reading which tells of how in 1914 Thomas Edison proposed wind power on every house, rather than a grid system.

Ms. Larson stated Mr. Blount had previously stood before Council and said that solar was not viable in Florida. She thanked staff for the rooftop solar comments, stating it would be an immediate ten percent state-wide savings if everyone had solar hot water heaters, and the consumers would see their bills reduced by thirty percent. She stated Florida Power and Light is only in the business to make money, stating they are now charging \$450 to do a home energy survey. She stated the incident in the Gulf shows that there is very little oversight and very little protections for the public. She stated that solar is viable, noting in 1976 the University of Delaware had an entire house powered by solar.

Ms. Durando stated it is a waste of time to discuss wind turbines in Florida. She stated there have been a whole lot of bird kills from irresponsible turbine use in California and Texas, and that Florida is a major migratory route. She stated several years ago the Army Corps of Engineers did a study that found that after tourism, the biggest amount of constant money coming into the State was from bird watchers. She stated there is a lot of sunshine in Florida. She noted that twenty years ago at the University of Georgia they powered their entire horticulture department and huge greenhouse with solar energy. She stated that in the last review of Florida Power and Light staff criticized them because they did not do enough to recover and conserve energy, but noted there is no mention of this in the current review.

Ms. Waite stated that it was in 1976, when she first began hearing of the free energy surveys Florida Power and Light would provide and how they wanted to subsidize solar on homes. She stated they stopped because they realized they could not make money if people are efficient. She stated that it is now vogue to talk of this again, but nothing has been done over the years. She stated California has put 250 megawatts of photovoltaic on rooftops, but nothing has been done here in Florida.

Mr. Blount clarified that Florida Power and Light is still providing energy audits free of charge.

Commissioner O'Bryan moved to adopt the staff report and authorize its transmittal to the Florida **Motion** Public Service Commission. Commissioner Ciampi seconded the motion.

Councilmember Balbis noted that it is correctly indicated in the staff report that the plan is not consistent with the regional plan, but it also needs to be noted that the State does not have a Renewable Portfolio Standard. He asked the motion maker to consider adding comments delineating that without a Renewable Portfolio Standard in place, or other policy decisions by the legislature, that Florida Power and Light really cannot implement the diversification that staff requests and that is contained in our regional plan.

Commissioner O'Bryan stated the report is already recommending that the Governor has requested at least 20 percent of electricity from renewable sources. Councilmember Balbis noted that this is a Governor's Executive Order from 2007, and asked that there be additional language stating the reasons why it is inconsistent to encourage the legislature to come forward with policies that would allow energy companies to further diversify. Commissioner O'Bryan stated he would agree to the additional language.

Commissioner Grande stated that he agrees with the staff comments, but would be voting against the motion because he believes that any report from Florida Power and Light that does not include distributed solar energy and misleads the state on the current wind situation should not be endorsed by the regional planning council.

Chairman Ferreri concurred with Councilmember Balbis' comments, stating there are a lot of hurdles in terms of permitting when trying to get solar panels approved for buildings. He stated there needs to be more flexibility to allow people to do demonstration projects and actually incorporate these kinds of things on their houses and buildings.

Chairman Ferreri called for a vote on the motion, which carried with Commissioner Grande and Vice Mayor Joyce dissenting.

PUBLIC COMMENT

Ms. Larson warned Council that the disperser, butoxyethanol, is being dispersed at a rate of 400 gallons per day into the Gulf. She stated she had been exposed to this chemical in 1989 and was told to burn her clothes and shoes and had to undergo blood testing for one year. She stated she did not want anyone else to have to experience what happened to her, and asked Councilmembers to look up the Material Safety Data Sheets on this chemical, citing Corexit EC9527A as the name to research.

Mr. Martin, representing the Sierra Club, thanked Chairman Ferreri for his comments on the Palm Beach County comprehensive plan amendments and expressed his disappointment there was not more Council support of those comments. He stated that development to the west really needs to be analyzed in terms of traffic impacts. He stated he had just returned from Washington D.C. and had met with several business owners from the west coast of Florida who are losing their businesses because of the oil spill in the Gulf. He agreed with Ms. Larson that the dispersant being used is very harmful, and there should be a warning to everyone to stay out of the water. He urged Councilmembers to go to the federal government and demand they stop using this disperser.

COUNCIL MEMBER INFORMATION EXCHANGE

None.

STAFF COMMENT

None.

CHAIRMAN’S COMMENT

None.

**UPCOMING COUNCIL MEETING
JULY 16, 2010**

Chairman Ferreri stated that the new format for hearing public comment will be explained at the beginning of the July meeting.

ADJOURNMENT

There being no further business, Chairman Ferreri adjourned the meeting at 12:15 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 18, 2010 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 <i>Oujevolsk, Richard</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Treasure Coast Regional Planning Council</i>
MAILING ADDRESS <i>1871 Sand Dollar Ln</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Vero Beach Indian River</i>	NAME OF POLITICAL SUBDIVISION: <i>Planning Council</i>
DATE ON WHICH VOTE OCCURRED <i>6/19/2010</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

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.

Your responsibilities under the law when faced with voting on 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

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must 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. (Continued on other side)

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, Richard M. Ougevold, hereby disclose that on June 18, 20 10:

(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 My Employer - Jacobs Engineering, by whom I am retained; or
- inured to the special gain or loss of _____, 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:

Resolution (vote) and Amtrak /FEC update

6/18/2010
Date Filed

[Signature]
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME PRIORE CARMINE A.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE TCRPC
MAILING ADDRESS 4000 Greenbriar Blvd	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 Palm Beach	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED 6-18-2010	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

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.

Your responsibilities under the law when faced with voting on 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

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must 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. (Continued on other side)

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, CARMINE A. PRIORE, hereby disclose that on JUNE 18,, 20 10:

(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 CARMINE A. PRIORE III my Son, ~~which~~
~~is the parent organization or subsidiary of a principal which has retained me.~~

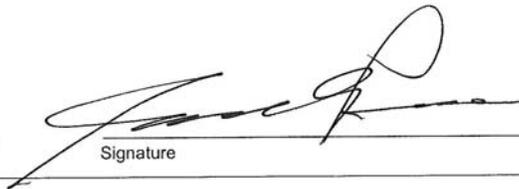
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My Son employee of FPL

Date Filed

June 18, 2010

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME VANA ROCHELLE M	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE TCRPC
MAILING ADDRESS 6038 Bania Wood Circle	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 COUNTY Lantana Palm Bch	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED 6-18-10	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

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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.

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Rochelle Vaxa, hereby disclose that on June 18, 20 10:

(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 _____, 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:

June 18, 2010
Date Filed

Rochelle M Vaxa
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.