

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
MARCH 16, 2012**

Chairman Foley called the meeting to order at 9:40 a.m. and welcomed everyone to the meeting. He led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County: Commissioner O'Bryan
 Commissioner Solari
 Vice Mayor Fletcher
 Mayor Cadden

St. Lucie County: Commissioner Mowery
 Commissioner Perona
 Commissioner Craft

Martin County: Commissioner Hayes
 Commissioner Smith
 Commissioner Krauskopf

Palm Beach County: Commissioner Taylor
 Commissioner Marcus
 Commissioner Burdick
 Councilwoman Webster
 Councilman Lowe
 Mayor Ferreri
 Mayor Pro Tem Brinkman (Alternate)
 Vice Mayor Norris (Alternate)
 Mayor DuBois (Alternate)
 Commissioner Mitchell (Alternate)

Gubernatorial Appointees: Kevin Foley
 Peter Sachs
 Ramon Trias

Ex-Officios: Pam Mac'Kie, South Florida Water Management District
 Ann Benedetti, St. Johns River Water Management District

Council Staff: Michael Busha
 Kim DeLaney
 Anthea Gianniotis
 Sandy Gippert
 Liz Gulick
 Stephanie Heidt
 Peter Merritt
 Eloine Sabol

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

**PUBLIC COMMENT ON
CONSENT AGENDA ITEMS**

None.

AGENDA AND CONSENT AGENDA

Chairman Foley noted that there were requests to pull two items from the Consent Agenda: 5E, Town of Gulf Stream Comprehensive Plan Amendment No. 12-1ESR; and 5F, Wellington Comprehensive Plan Amendment No. 12-1ESR.

Commissioner Smith moved approval of the Agenda and the Consent Agenda with the removal of items 5E and 5F. Mayor Ferreri seconded the motion, which carried unanimously. **Motion**

Remaining items on the Consent Agenda were: 5A, Financial Report – December 31, 2011; 5B, Financial Report – January 31, 2012; 5C, Minutes – January 20, 2012; 5D, City of Boca Raton Comprehensive Plan Amendment No. 12-1ESR; 5G, Wellington Comprehensive Plan Amendment No. 12-2ESR; and 5H, Intergovernmental Coordination and Review Log.

**TOWN OF GULF STREAM
COMPREHENSIVE PLAN AMENDMENT NO. 12-1ESR**

Mayor Pro Tem Brinkman indicated she had asked for this item to be pulled for a separate vote to disclose that she would not be voting on this item because her firm had prepared the plan amendments.

Commissioner Smith moved approval of the staff recommendation. Mayor Ferreri seconded the motion, which carried unanimously. **Motion**

**WELLINGTON COMPREHENSIVE
PLAN AMENDMENT NO. 12-1ESR**

Commissioner O'Bryan requested a staff presentation on this item. He stated that since there had been so many individual letters he wanted to get a better understanding of the issues.

Staff presented an overview of the proposed amendment, known as the Equestrian Village Comprehensive plan amendment. The amendment is related to the development of a 59.5-acre parcel to include a five-story hotel with a below grade parking garage and the incorporation of a 75,000 square foot commercial complex and commercial equestrian arena. The proposal does not change the land use designation of Commercial Recreation, but does change some components and descriptions of the uses permitted within that designation. The amendment package contains three

proposed text amendments that will increase the maximum building height to 58 feet; increase the maximum allowed building coverage from 10% to 15%; increase the maximum allowed floor area ratio from 0.10 to 0.15; and allow for commercial uses supporting the equestrian industry, which may include hotel, restaurant, retail, and office uses within the Equestrian Preserve Area.

Staff noted that Council's responsibility is to determine if the amendment will have any adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP), and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any other local government. Staff indicated the amendment materials were circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee and no extrajurisdictional impacts had been identified. With respect to regional impacts, a traffic analysis had been completed that indicated the proposed amendment would not create additional impacts to the transportation network. The staff report concludes that the proposed amendment is not in conflict or inconsistent with the SRPP. Staff noted that correspondence received by the Governor's office and then forwarded to Council through the Department of Economic Opportunity primarily deals with local concerns. The staff report indicates that Wellington should give careful consideration to these local concerns before taking final action on the proposed amendment. Staff noted the Village Planning and Zoning Manager, David Flinchum, was available for questions.

Commissioner O'Bryan stated that if staff was confident with the recommendation of consistency with the SRPP, then Council should move forward. Commissioner O'Bryan moved approval of the staff recommendation. Commissioner Smith seconded the motion.

Motion

Commissioner Fielding asked about the citizens' concerns related to building height. Mr. David Flinchum noted that the request for an increase in height is because there is already a preliminary design for the hotel. He stated the concerns regarding the visual impacts to the surrounding areas will be addressed through buffering and setback requirements already in place.

Mayor Ferreri noted this is a very charged local issue, which may have affected the outcome of the recent municipal election. Mr. Flinchum noted the Council that transmitted the proposed amendment would not be the same Council to vote at the adoption hearing.

Chairman Foley asked if the local concern was mainly with respect to the traffic. Mr. Flinchum indicated the concern was with respect to the increase of intensity. He noted that since the adoption of the Wellington Comprehensive Plan this parcel has been assigned the Commercial Recreational land use designation. He stated the polo stadium had been located at the site, but was demolished due to hurricane damage.

Mayor DuBois noted that the request for the additional floor area ratio would translate to about two additional floors for the hotel. Mr. Flinchum confirmed that was correct.

Councilwoman Webster noted that the original request made was for an additional 58 feet, but the Council had compromised and agreed to an increase of 35 feet, making the maximum allowed height 58 feet. Mr. Flinchum confirmed the initial request would have allowed a five-story building. He stated the plan now is for a three to four-story hotel to be built.

A vote on the motion carried unanimously.

BUDGET AMENDMENT FOR FISCAL YEAR 2011-2012

Mayor Ferreri reported to Council that the Budget/Personnel Committee met on March 1, 2012 to review the proposed amended budget for Fiscal Year 2011-2012. He said that there is an increase of \$811,710 in revenue from the original budget due to a number of additional contracts secured by staff. In particular, he noted an Environmental Protection Agency Brownfields assessment grant for \$350,000. He stated that, at the request of Commissioner Solari, the Committee asked staff to look into the possibility of decreasing county dues because of the increase in other revenue. He stated the Committee recommendation is for Council to approve the amended budget.

Commissioner O'Bryan moved approval of the Committee recommendation. Commissioner Smith **Motion** seconded the motion, which carried unanimously.

Commissioner Smith thanked staff for their hard work in obtaining additional work. Chairman Foley noted a recent conversation with an assistant at the Governor's office in which he was asked his opinion of regional planning councils. He stated he said they serve a very valid purpose and commended in particular the Treasure Coast Regional Planning Council. He also thanked staff for their hard work.

Mayor Ferreri noted that the Broward Boulevard Gateway project was another new contract on the amended budget that will bring in \$300,000 of revenue. He stated this was an example of how staff's reputation and quality of work is able to generate income, even outside our region.

SUSTAINABLE COMMUNITIES INITIATIVE UPDATE – PRESENTATION BY COUNCILMEMBER RAMON TRIAS

Marcela Cambolor-Cutsaimanis, Program Manager for the Sustainable Communities Initiative, presented a status update to Council on the tasks completed to date on the project. She thanked all the Council Members who serve on the Budget/Operations and Executive committees for their guidance and assistance. She noted the first regional summit for the project will be on June 27, 2012. At this summit, the consultants will present their initial findings of what is called modeling of the virtual present and projections for the region for the next five to fifty years.

Ms. Cambolor-Cutsaimanis introduced Ramon Trias, Chairman of the Budget/Operations Committee. Councilmember Trias reported to Council that there have been some issues and concerns raised regarding the budgeting and management of the project. He stated he has been working with staffs of Treasure Coast and South Florida Regional Planning Councils as well as Chairman Foley and Mayor Ferreri to resolve the issues. Currently, staff is working to develop a two-year budget and an effective management process for the project. He noted two key meetings, the Budget/Operations Committee on March 23rd and the Executive Committee on March 30th. He stated that unless there can be acceptable resolution for the current concerns, he would not be able to continue to support the project.

Mayor Ferreri thanked Councilmember Trias for taking the lead on this issue. He noted for Council that South Florida Regional Planning Council is the grantee, and Treasure Coast Regional Planning Council contracts through them. He stated it appears that although there are allowances in the budget for overhead, that appears to have been spent and there is concern for how the work product will be accomplished. He stated he is positive there can be resolution to this problem.

Commissioner Smith asked if there needs to be action taken by Council at this time. Chairman Foley stated the concerns began when the Executive Committee was presented with a very simplistic, poorly developed budget. He stated he became concerned about the possibility that the fiduciary responsibilities of the committee were not being met and that the deliverables for the project were not in sight. He stated he believes staff has developed a plan to solve the problems and move forward with the project. He indicated there has been much resistance from South Florida Regional Planning Council staff, and if that could not be overcome he would recommend Council withdraw from the project. Mr. Trias clarified that the resistance is from the staff, not the board of the South Florida Regional Planning Council.

Commissioner O'Bryan asked for an update on the search for a new Project Director. Mayor Ferreri indicated that he and the executive directors of both regional planning councils have interviewed several individuals and they will be ready to present a nominee at the March 30th Executive Committee meeting.

Commissioner Marcus noted she was present at the last Executive Committee meeting and she confirmed the whole membership agrees there needs to be better fiduciary and management practices.

Commissioner Smith asked if it would be helpful to have Council send a letter of recommendation to the Committee expressing these concerns. Chairman Foley indicated that would be helpful.

Mr. Busha asked if it could include language that would require expenditures be focused on providing deliverables. Ms. Cambor-Cutsaimanis also asked that there be a clear process for approval of expenditures once a budget is established. Councilmember Trias stated that the goal for the March 30th meeting is to have a two-year budget and a management structure in place.

Commissioner Smith made a motion, which was seconded by Commissioner O'Bryan, to send a letter of recommendation to the Executive Committee of the Southeast Florida Regional Partnership recommending: 1) the hiring of a full-time Project Director to oversee the management and fiduciary aspects of the project; 2) establishment and adoption of a two-year budget with focus on completing all deliverables of the project; and 3) a clear approval process for all expenditures.

Motion

Commissioner Solari stated that he would like to see a real-world, professional budget developed by someone with finance and budgeting experience. Councilmember Trias indicated Ms. Cambor-Cutsaimanis is currently putting together a budget using a matrix approved by the committee.

A vote on the motion carried unanimously.

PUBLIC COMMENT

Chairman Foley noted he was going to allow public comment at this point in the meeting.

With respect to sustainability, Ms. Rosa Durando stated there was not a single thing that has been approved under the expansion and development of Wellington that is sustainable, and what is temporarily sustainable is at Palm Beach County's expense. She stated that what is being discharged into the West Palm Beach Canal, and then eventually into the Lake Worth Lagoon, is filthy, contaminated dirty water. She stated that any water sources that are to eventually be used for urban or human consumption will need to undergo very expensive treatment. She noted that recently Wellington opted to kick-out Lake Worth drainage in their area. She asked if any preparations were being made for emergency water supply during a drought. She stated the developers do not plan and expect government to solve the problem. She said she doubted the term sustainable.

Mr. Drew Martin thanked Council for the opportunity to speak. He stated that sustainability means everything has to occur at the same time. He stated the problem is the priority is to do development first and then try to figure out how to do the infrastructure. He indicated that an agricultural component is extremely important for sustainability. He noted there needs to be less reliance on imported food. He asked that one of the components of the sustainability plan be agriculture and protecting the Palm Beach County Agricultural Reserve.

Staff noted that the sustainability plan will have a food security component, which will address how to prevent supply interruptions and price increases, so the region will always have food available.

UPDATE ON THE EVALUATION OF SOUTHEAST FLORIDA PASSENGER RAIL PROPOSALS

Staff provided an update on Resolutions #12-02 and #12-03, both of which were adopted by Council in January. With respect to Resolution #12-03, regarding interagency cooperation and coordination, staff stated the relationship between the Florida Department of Transportation (FDOT) and the South Florida Regional Transportation Authority (SFRTA) had improved considerably, and the agencies appeared to be cooperating with the on-going evaluation of passenger rail proposals in southeast Florida. Both have been providing the necessary information, and staff anticipates the evaluation will be completed by July.

With respect to Resolution #12-02 regarding passenger rail legislation proposed by the FDOT to change the composition of the SFRTA, staff stated the adopted legislation was more consistent with Council's direction than initially proposed. The adopted legislation will restructure the Tri-Rail board from a nine-member to a ten-member board comprised of six locally-appointed members and four Governor-appointed members, one of which must be an FDOT Secretary from either District IV or VI, who will serve as a voting, ex-officio member. However, the legislation restricts the expansion of Tri-Rail to Monroe County, which prevents the local control over expansion of the SFRTA into Martin and St. Lucie counties, should it be desired. Instead, additional legislation would be required for the SFRTA to expand north. Additionally, the legislation requires Tri-Rail to become financially self-sufficient by 2019, which is consistent with the Sun Rail project.

Commissioner Marcus asked if a crossover at 25th Street in the Northwood industrial area was part of the discussions. Staff indicated that SFRTA's Fast Start proposal contains one connection in Pompano, which will be built to accommodate southbound transit coming from Tri-Rail over to the FEC. This would provide an S curve, which is easier to accomplish than the full connection that would be required at Northwood.

Staff noted that liability legislation with respect to Amtrak has also been adopted and FEC has hired a passenger rail expert. The Amtrak proposal does include the Northwood connection.

Councilman Lowe noted there is already an FEC connection to the CSX. He stated it was the Lewis Terminal track which has been in place for 55 years. He stated he was told there are too many curves in the route, but suggested some modifications could be made. He noted the four- to five-acre property is in the middle of Palm Beach County and provides an excellent opportunity for economic development and revitalization of the area. Staff indicated the engineers had looked at this location as part of an evaluation of seven or eight potential sites, and it was determined to be an awkward connection for passenger rail, but this option could be evaluated again. Commissioner Marcus asked if a map of that location could be provided.

Commissioner Solari stated there is a lack of financial information on these projects. He expressed concern that a previous presentation referred to specific financial information that does not exist. He stated there needs to be complete financial information in order to fully understand the proposals and make intelligent inquiries. To that point, staff has formally requested all assumptions and economic projections from both agencies in order to do a complete evaluation of the proposals.

Under public comment, Drew Martin, representing the Sierra Club, noted he has frequently used Tri-Rail to commute to work. He stated he supports public transportation but feels it is important to have operational funding in place before systems are built. He stated the full cost cannot be carried by the public, because the ridership is usually individuals with less money who cannot afford to purchase a vehicle. He noted these individuals are actually helping others as their absence from the roadways keeps the price of fuel down and less funding is needed for road maintenance.

Chairman Foley recognized Greg Langowski, Regional Director for Senator Marco Rubio, in the audience.

ANNOUNCEMENTS

None.

COUNCIL MEMBER INFORMATION EXCHANGE

Commissioner Mitchell stated there will be a reception hosted by Florida State University and Digital Domain to welcome the first students to the West Palm Beach campus. She said invitations will be forwarded to all Council Members.

STAFF COMMENT

None.

CHAIRMAN'S COMMENT

None.

ADJOURNMENT

There being no further business, Chairman Foley adjourned the meeting at 11:00 a.m. This signature is to attest that the undersigned is the Secretary or a designated nominee of the Treasure Coast Regional Planning Council, and that the information provided herein is the true and correct Minutes of the March 16, 2012 meeting of the Treasure Coast Regional Planning Council.

Date

Signature