

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
JANUARY 18, 2013**

Chairman O'Bryan called the meeting to order at 9:35 a.m. and welcomed everyone to the meeting. He led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County: Commissioner O'Bryan
 Commissioner Solari
 Vice Mayor Oatway
 Council Member Adams

St. Lucie County: Commissioner Mowery
 Commissioner Dzadovsky
 Commissioner Perona
 Mayor Faiella

Palm Beach County: Commissioner Taylor
 Commissioner Burdick
 Councilwoman Valeche
 Councilwoman Webster
 Mayor Ferreri
 Vice Mayor Brinkman
 Councilman Lowe
 Mayor DuBois (Alternate)
 Vice Mayor Pro Tem Andel (Alternate)
 Councilwoman Gerwig (Alternate)
 Mayor Norris (Alternate)
 Council Member Tinsley (Alternate)

Gubernatorial Appointees: Michael Davis
 Reece Parrish
 Peter Sachs

Ex-Officios: Ann Benedetti, St. Johns River Water Management District

Council Staff: Kate Boer
 Michael Busha
 Phyllis Castro
 Kim DeLaney
 Eloine Sabol
 Liz Gulick
 Stephanie Heidt
 Dana Little
 Peter Merritt
 Greg Vaday
 Joan Young

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

**PUBLIC COMMENT ON
CONSENT AGENDA ITEMS**

None.

AGENDA AND CONSENT AGENDA

Chairman O'Bryan stated there was a request to remove Agenda Item 5F for Council discussion.

Commissioner Burdick moved approval of the Agenda and the Consent Agenda with the removal of Item 5F, City of Port St. Lucie Comprehensive Plan Amendment No. 13-1ESR for discussion. Councilwoman Webster seconded the motion, which carried unanimously. **Motion**

Items remaining on the Consent Agenda were: 5A, Financial Report – October 31, 2012; 5B, Financial Report – November 30, 2012; 5C, Minutes – December 14, 2012; 5D, Town of Glen Ridge Comprehensive Plan Amendment No. 13-1ESR; 5E, City of Palm Beach Gardens Comprehensive Plan Amendment No. 13-1ESR; 5G, St. Lucie County Comprehensive Plan Amendment No. 13-1ESR; and 5H, Intergovernmental Coordination and Review Log.

**CITY OF PORT ST. LUCIE COMPREHENSIVE PLAN
AMENDMENT NO. 13-1ESR**

Staff provided a brief overview of the comprehensive plan amendment that proposes to revise the Infrastructure Element to adopt an updated water supply facility work plan by reference in the City's comprehensive plan, as is statutorily required. The work plan update was designed to be consistent with the Upper East Coast Planning Area Regional Water Supply Plan, which was updated by the South Florida Water Management District in 2011. Staff noted that the initial draft report indicated there were no adverse effects on significant regional resources or facilities identified, and the draft report concluded that the proposed amendment was not in conflict or inconsistent with the Strategic Regional Policy Plan.

Staff presented a letter received on January 17, 2013 from the planning staff of the City of Fort Pierce, which indicated concerns with the consistency of service area maps contained in the proposed amendment materials. The City of Fort Pierce staff requested clarification from the City of Port St. Lucie on the boundaries of the utility service area, and assistance from Council in resolving this issue before the amendment is finally adopted. Staff noted that the City of Fort Pierce had previously raised similar concerns in previous amendment proposals. Staff recommended that the report be revised to include the concerns from the City of Fort Pierce, and offer to make available Council staff to meet with the Cities of Port St. Lucie and Fort Pierce, and St. Lucie County in an effort to resolve these concerns.

Daniel Holbrook, Planning and Zoning Director for the City of Port St. Lucie, thanked Council for the opportunity to speak and indicated that from the City of Port St. Lucie's perspective the

amendment materials are consistent. He stated that he will be meeting with the City of Fort Pierce staff to help resolve the issue.

Councilwoman Webster asked why, if this had been an issue in the past, this had not previously been resolved. Mr. Holbrook indicated he believes it had been resolved, but assured Council he would work with the City of Fort Pierce to satisfy their concerns.

Commissioner Dzadovsky questioned why this had not been brought to the attention of the St. Lucie County Commission. Mr. Holbrook indicated that copies of the comprehensive plan amendment materials had been provided to the County for comment. Commissioner Dzadovsky stated that based on the service map in the amendment materials, it appears that the service area noted is actually a St. Lucie County service area. Council staff indicated that the best course of action would be to have both Cities and the County meet to resolve the inconsistencies. Commissioner Dzadovsky stated that would be acceptable, noting that there is a private group seeking to create their own utility in that area and they may also need to be included.

Commissioner Burdick motioned to approve the amended staff recommendation. Councilmember Sachs seconded the motion. **Motion**

Chairman O'Bryan asked if staff from the City of Fort Pierce wished to provide comment. Mr. Carlin, Planning Manager for the City of Fort Pierce, apologized for the late correspondence noting a recent staff change at the City. Chairman O'Bryan noted Council's intent is to have both Cities in conjunction with the County work together to resolve all concerns. Mr. Carlin indicated he is amenable to that and has already spoken with Mr. Holbrook, and together they will contact the County. Commissioner Mowery noted this is a long-standing, sensitive issue.

A vote on the motion carried unanimously.

COMMITTEE APPOINTMENTS - 2013

Chairman O'Bryan presented his recommendations for Council's committees. He thanked those Council Members listed for volunteering to serve and invited others to participate.

Councilmember Sachs moved approval of the Committee recommendations as presented. Councilwoman Webster seconded the motion. **Motion**

Commissioner Solari stated he wanted to disclose that he was not aware this was an item that required a vote and he said he had mentioned his disappointment to Chairman O'Bryan after a County Commission meeting. He stated that while he was disappointed he had not been retained on the Budget/Personnel Committee and would therefore be voting against the motion.

Commissioner Mowery questioned the status of Councilmember Trias. Staff indicated that he is a Governor's appointee and under the law he serves until otherwise notified. Commissioner Mowery asked why he is assigned to two committees. Staff noted that although Councilmember Trias has relocated out of the area, he was a long-time Council Member and resident of St. Lucie County. Staff asked for Council discussion on the matter. The motion on the floor was withdrawn by Councilmember Sachs.

Chairman O'Bryan stated since Councilmember Trias is officially a member of the Council, he would prefer to leave the appointments as presented. Councilmember Davis asked if there was an expectation that Councilmember Trias would be attending meetings and expressed his opinion that it was important for Committee Members to attend meetings. Staff stated that in recent conversations Councilmember Trias indicated he would attempt to attend meetings.

Council Member Adams asked how often the Governor appointments are made. He suggested contacting the Governor's office to determine his intentions. Staff indicated there have been several unsuccessful attempts to contact the Governor's appointment office, because there are several overdue appointments and current vacancies. Staff noted this has been an on-going issue, and not only with the current administration.

Commissioner Taylor asked if the concerns were just the Committee appointments, or the appointments by the Governor to Council. She asked if it was required there be a Governor's appointee on the committee. Staff noted there were concerns being raised on both appointments, and indicated there was a requirement for the Florida Regional Councils Association to have a Governor's appointee. Chairman O'Bryan stated he would amend the Committee appointments to remove Councilmember Trias and contact other Gubernatorial appointees to find an alternate.

Councilmember Sachs moved approval of the amended Committee appointments. Commissioner Taylor seconded the motion, which carried with Commissioner Solari dissenting. **Motion**

BROWNFIELDS CLEANUP LOAN WITH THE FORT PIERCE REDEVELOPMENT AGENCY

Staff provided an overview of a request from the Fort Pierce Redevelopment Agency (FPRA) for cleanup funds from Council's Brownfields revolving loan program for an amount up to \$800,000 to offset costs of the cleanup operations at the former H.D. King Power Plant Site in downtown Fort Pierce. Council has been involved in the assessment and cleanup efforts of the site since 2009. Staff noted that potential funding sources for the continued cleanup activities include: the proposed \$800,000 loan; potential supplemental funding from the U.S. Environmental Protection Agency; voluntary cleanup tax credits from the Florida Department of Environmental Protection, which should offset about seventy-five percent of the cleanup costs; additional sources which would come from the Fort Pierce Utilities Authority (FPUA); and other sources to be identified. The staff recommendation is for Council to authorize the Executive Director, in consultation with Council's attorney, to propose, execute, modify, and deliver loan closing documents in such form and content as they shall determine to effectuate the loan to the Fort Pierce Redevelopment Agency, subject to final approval by the U.S. Environmental Protection Agency.

Mayor Ferreri moved to approve the staff recommendation. Commissioner Taylor seconded the motion for discussion. **Motion**

Commissioner Valeche asked how the City would repay the loan of \$800,000. Staff indicated the voluntary cleanup tax credits are projected to generate approximately \$2 million, which would be used to repay the loan. Commissioner Valeche asked if Council could be named as a security interest on the tax credits. Mr. Saberson stated he did not know if Council could be named a party to that, but indicated he will investigate this option. Staff also noted there is an interlocal agreement

between the City of Fort Pierce and the FPUA, wherein the FPUA has pledged to cover cleanup cost overruns over and above resources brought to bear by the FPRA.

Commissioner Perona noted he is a board member of the FPUA and therefore would be abstaining from the Council vote.

A vote on the motion carried unanimously, with Commissioner Perona abstaining.

**SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT
AGENCY – GRANT ASSISTANCE FOR U.S. ECONOMIC DEVELOPMENT
ADMINISTRATION GRANT PROGRAM**

Staff provided an overview on a proposed project that entails a request from the Executive Director of the Southeast Overtown/Park West Community Redevelopment Agency to engage Council to provide technical assistance on preparing an economic development grant application to the U.S. Economic Development Administration (EDA). The applicant is requesting funding for an adaptive re-use project that would house the Miami Hospitality and Culinary Institute located in the Historic Overtown Neighborhood of Miami, Florida. The project components include a culinary arts school, a hospitality institute, and a banquet facility. The staff recommendation is for Council to authorize the Executive Director, in consultation with Council's attorney, to provide a written proposal and contract to the Southeast Overtown/Park West Community Redevelopment Agency and negotiate a final contract as necessary.

Councilmember Sachs questioned why this Council would be involved in a project located in Miami-Dade County. Chairman O'Bryan noted an email in the backup documentation that this Council is being requested due to past work performed for the applicant. He stated this speaks to the expertise and quality of Council staff, noting another current project of Council in Broward County that was also obtained through past Council work product. Staff noted that the regional planning councils have different areas of skills and expertise. The requested service is not something that the South Florida Regional Planning Council performs, so that is why Treasure Coast was asked to provide the technical assistance. Staff noted that these types of requests are always filtered through and coordinated with the local regional planning council.

Councilwoman Webster asked the amount of assistance being requested. Staff responded that the project is still in the preliminary stages and there is presently no established budget. Staff noted that when the contract is negotiated it will be for a specific fee. Chairman O'Bryan stated the current staff request is only for authorization to provide the proposal. Mr. Saberson stated he would like to add the proviso to the staff recommendation to authorize the executive director to execute the contract, if that is the decision of Council. Staff also indicated this would be done in consultation with Council's attorney. Chairman O'Bryan asked how this would normally be approved. Mr. Saberson indicated several times Council has given authorization for the executive director to negotiate and execute contracts.

Commissioner Valeche stated he is on the Board of Space Florida, which recently gave authorization for the executive director to approve contracts on a set monetary threshold. Anything above that would require board approval. He offered this could also be done for Council contracts.

Chairman O'Bryan requested a motion to authorize staff to prepare the written proposal, negotiate the contract, and execute the final contract. Commissioner Taylor moved approval of the motion as stated by Chairman O'Bryan. Commissioner Mowery seconded the motion, which carried unanimously.

PALM BEACH COUNTY SIX PILLARS INITIATIVE UPDATE

Don Hearing, Jeff Brophy, and Josh Long presented an update on the Palm Beach County Six Pillars initiative. The initiative has resulted in development of a uniform county-wide building permit application; uniform lobbyists registration and reporting; a best management practices white paper; and the current development of a county-wide contractors registration process with electronic plan review and metrics. The best management practices white paper was described as a tool for improving the regulatory process in Palm Beach County for both the public and private sectors. Utilization of the best practices identified in the paper were encouraged to increase communication and knowledge and, with continued monitoring, these practices will help to better identify what steps are needed to streamline and improve the planning and zoning regulatory processes in the various agencies throughout the County.

Commissioner Dzadovsky asked what challenges have been identified with the electronic processing for building applications. Mr. Brophy indicated that since all building applications follow the Florida Building Code, it was easy to standardize this process. However, it was a challenge to have safeguards in place to ensure that the goals and visions of the various municipalities were protected.

Commissioner Dzadovsky asked if there has been discussion on web-based review for plans and submittals. Mr. Brophy indicated there are several programs available and there is also the option for in-house development of a program. He noted standardizing this part of the process across all the different jurisdictions has been the biggest difficulty.

Mr. Hearing concluded the presentation by encouraging Council members to become involved in the process and commit to implementing the strategies outlined in the white paper in their respective jurisdictions.

FLORIDA REGIONAL COUNCILS ASSOCIATION UPDATE

Staff provided an update on the Florida Regional Councils Association (FRCA), which included a list of the recent accomplishments by FRCA. Staff noted that future reports from FRCA will be included in the Communications Package of the Council agenda package.

SEVEN50 SOUTHEAST FLORIDA PROSPERITY PLAN UPDATE

Marcela Cambor-Cutsaimanis, Project Director of Seven50, provided an overview of the Seven50 project as well as an update on the recent activities involving the project. Seven50 is a voluntary process to develop a blueprint to create a stronger, more resilient, and more competitive seven-county region, from Monroe to Indian River County for the next 50 years and beyond. Ms. Cambor-Cutsaimanis also provided information on the upcoming second summit to be held on January 24, 2013 at Miami-Dade College in downtown Miami. This summit will summarize all the

work done to date as well as outline trends and opportunities as the development of the plan moves forward.

Commissioner Valeche asked the status of Indian River County's participation in the project. Chairman O'Bryan stated that the Indian River County Commission voted to withdraw from the project. Commissioner Valeche asked if the project name would be changed to reflect only the six counties now involved. Ms. Camblor-Cutsaimanis stated that although the County and the City of Vero Beach have withdrawn their participation, there are several organizations and other local governments within the geographical area of Indian River County who have asked to remain as part of the process. Therefore, there are no plans to change the project name.

Chairman O'Bryan noted he will be at the opening reception for the summit on Wednesday, January 23, 2013 and encouraged all Council members to attend the summit.

Councilmember Davis commended the staff for the great work done to date on the project. He stated it is very important to do this type of planning that addresses issues such as the environment and transportation if the Region is to be in a position to be competitive for attracting federal funding. Commissioner Dzadoovsky concurred that this type of plan will be invaluable in obtaining funding.

ANNOUNCEMENTS

Staff provided information on a meeting to be held on January 30, 2013 that will provide an update on the All Aboard Florida proposal as well as information on quiet zones. Chairman O'Bryan requested staff disseminate the meeting information by email to all Council members.

COUNCIL MEMBER INFORMATION EXCHANGE

None.

STAFF COMMENT

None.

CHAIRMAN'S COMMENT

None.

ADJOURNMENT

There being no further business, Chairman O'Bryan adjourned the meeting at 11:30 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 January 18, 2013 meeting of the Treasure Coast Regional Planning Council.

Date

Signature

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Thomas K Penong, hereby disclose that on 1 / 18, 20 13:

(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:

I AM BOARD MEMBER OF BENEFITTING AUTHORITY (FT. PIERCE REDEVELOPMENT AUTH).

1/18/13

Date Filed



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.