

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
FEBRUARY 21, 2014**

Chairman O'Bryan called the meeting to order at 9:36 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
 Mayor Adams

Martin County: Commissioner Haddox
 Commissioner Fielding
 Commissioner Krauskopf
 Commissioner Smith (Alternate)

St. Lucie County: Commissioner Lewis
 Commissioner Mowery
 Commissioner Perona

Palm Beach County: Commissioner Valeche
 Mayor Taylor
 Vice Mayor Burdick
 Councilwoman Gerwig
 Mayor DuBois
 Vice Mayor Hmara (Alternate)
 Councilmember Tinsley (Alternate)
 Councilman Guyton (Alternate)

Gubernatorial Appointees: Michael Davis
 Michael Houston
 Tobin Overdorf
 Steven Weaver, Sr.

Ex-Officios: Kathy LaMartina, South Florida Water Management District

Council Staff: Kate Boer
 Michael Busha
 Phyllis Castro
 Kim DeLaney
 Anthea Gianniotis
 Liz Gulick
 Stephanie Heidt
 Dana Little
 Peter Merritt
 Greg Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

AGENDA APPROVAL

Vice Chairman Mowery moved approval of the agenda. Mayor Taylor seconded the motion, which carried unanimously. **Motion**

ANNOUNCEMENTS

Staff displayed an award from the Florida Chamber of Commerce and Enterprise Florida honoring all eleven regional planning councils and their work on establishing the six pillars framework inside each of the comprehensive economic development strategy plans.

Staff indicated that because the Department of Energy became concerned about supply interruptions and the cost of the oil spill in the Gulf, the state commissioned the eleven regional planning councils to do a vulnerability analysis. The executive summary of that work was presented to Council members. Staff noted that the first three strategies evolved from public input and involvement sessions conducted within the region and led by Council staff. Staff indicated the full report is available online.

Staff noted that Mr. Paul Gray will be rescheduled to give his update on Lake Okeechobee at the May 16, 2014 Council meeting. Also, Representative Patrick Murphy has requested to present to Council at the May meeting.

CHAIRMAN'S COMMENT

Chairman O'Bryan acknowledged the many years of tireless work and contributions made by gubernatorial appointee Kevin Foley. He stated that Councilmember Foley was always available to volunteer for any committees or needs of Council. He wished him all the best in future endeavors.

Chairman O'Bryan noted that the ex-officio members had been omitted from the Council Member Update agenda item. He stated that there will be time allotted to them at future meetings. He stated he looked forward to the Council Member Orientation later in the agenda, indicating this provides a great opportunity for current and new members to hear about the Council and its history.

COUNCIL MEMBER UPDATE

Commissioner Smith reported that he had been in Washington promoting bills to reform the federal flood insurance program commonly known as Biggert Waters Flood Insurance Act. He indicated this act was passed three years ago, but is currently being redone. He stated the Senate has passed their version, and the purpose of his trip was to encourage the House to take up a companion bill and delay implementation of other parts of the act to gain a better understanding of the impacts. He indicated there are several egregious policies in the State of Florida that are beginning to affect everyone throughout the state. He noted that those most affected by the insurance increases are

homes that were built in the 1950s and 1960s and are owned by former military in the elder years. They are seeing premiums of over \$20,000 and are forced to walk away from their homes. He stated he did not believe that Congress knew the implications of what would happen when the bill was passed three years ago. He noted that this is not limited to the coastal areas, but is also affecting states like Pennsylvania because of the rivers and their potential to flood. He encouraged Council members to check with their banking and real estate communities to better understand the impacts.

Commissioner Fielding expressed his concern regarding House Bill 703, which he indicated is being used to attack counties and cities to take away local decision making abilities and move those rights to the State. He stated he judges this to be very adverse environmentally, and encouraged all Council members to look into this bill. Commissioner Valeche asked if this was related to developments of regional impacts. Commissioner Fielding indicated that it was about the counties' and cities' ability to make changes within their local comprehensive plans. Chairman O'Bryan indicated the bill would be discussed more under the Legislative Matters agenda item.

Commissioner Valeche indicated Palm Beach County is still in the process of reviewing sites for locating a spring training facility and the County continues to negotiate with the Nationals and the Astros. Commissioner Smith suggested that this is an issue that Council could possibly address regionally. He stated he would like to see a more regional approach and constructive strategy on how to attract additional teams to the region. He noted the region has a history with baseball and there is enormous revenue potential for the region. Vice Chairman Mowery stated in St. Lucie County they are promoting the idea of creating a special district for baseball from Indian River down to Miami to determine how the areas are affected by the presence of a baseball team. He noted Palm Beach and St. Lucie Counties have been carrying the full cost and it would be nice to have the support of the entire area that is benefitting from the presence of the teams.

Councilman Guyton announced there is a \$300 million project being proposed in Riviera Beach to do major renovations to their marina. He thanked Palm Beach County for contributing \$5 million to renovate and upgrade the marina slips and bulkheads. He stated this is a public/private partnership to make the marina a major regional destination point, and that the developer has purchased approximately \$20 million worth of property in the marina district. He also thanked Council staff for upgrading the City's redevelopment plan and incorporating the regulations that were needed to accomplish this project. Since the City's charter limits private development of the marina, he stated the issue will be taken to the voters on March 11, 2014.

Mayor Adams indicated the City of Fellsmere is working with Indian River County and the City of Sebastian to complete the greenways trail connector on the Trans-Florida Central Railroad Corridor from Sebastian to Fellsmere. She indicated the City is working on grants to assist with this project as well as a pedestrian walkway over I-95.

Commissioner Perona indicated the City of Fort Pierce is finishing a \$20 million marina expansion and is about to begin an \$11 million expansion of the dock facilities. He stated it has drawn a lot of interest and the process has been very entertaining for the public to watch. He noted he is following the progress of the All Aboard Florida project and concerned, as all communities are, about the potential impacts to the community.

Councilwoman Tinsley noted that in the City of Palm Beach Gardens a coalition called the North County Neighborhood Coalition has formed to address concerns with the All Aboard Florida project. She thanked Kim DeLaney of Council staff for speaking to the various groups and neighborhoods about the proposed train service and quiet zones. She noted that there needs to be cooperation between the local governments because some of the crossings are jointly shared. She noted the City is working with the Palm Beach Metropolitan Planning Organization (MPO) on a study that includes pedestrian and bicycle connections, and other multi-modal means of transportation. Councilwoman Tinsley cautioned there will soon be a lot of proposals for development in the north and western area of the County. She stated there are a few property owners who are wanting to utilize the agricultural enclave legislation and obtain more density, which needs to be carefully considered, because the area is west of the urban service line.

Councilwoman Gerwig expressed concern that the state interpretation of Florida Statute Section 604.50 releases all properties that are classified as agricultural from any local municipal or county codes. She noted that Wellington's comprehensive plan addresses the Equestrian Preserve Area and also has an Equestrian Overlay Zoning District. She stated that her concern is not with the taxation of the property, but with the regulation, and it appears that the state is taking away Wellington's authority and ability to preserve its equestrian way of life. Chairman O'Bryan indicated that Indian River County experienced a similar issue with the state overriding local zoning capabilities when the state granted an agricultural exemption on commercial property to the American Bee Project.

Mayor DuBois indicated he would be attending Palm Beach County Day in Tallahassee during March. He stated that he attended the ten year anniversary celebration for Scripps. He noted he attended the MPO meeting where Nick Uhren, Executive Director, stated that the quiet zone crossing improvement assessments had been scheduled for all the municipalities in Palm Beach County. Mr. Busha asked if the other cities and counties had been contacted by Florida East Coast Industries to schedule their crossing assessments. No Council members indicated they had been contacted. Staff stated that the schedule had just been released the previous day and engineering staffs should have been contacted. Martin County was scheduled for March 4th and St. Lucie County was scheduled for March 5th, but there had not yet been a date scheduled for Indian River County. Commissioner Haddox asked if the meetings would be open to the public. Staff indicated that the field assessments were technical in nature and would require safety equipment such as steel-toed boots and hard hats, so they would be limited to professional staff of the local governments and the Florida Department of Transportation.

Mayor DuBois indicated that the Town of Lake Park added sidewalks at the Park Avenue crossing in their long-range Capital Improvement Plan, which could potentially make them eligible for grant funding. He also noted that the Town has had two workshops, with the commission and zoning board, on future land use amendments to allow mixed use on the U.S. 1 Corridor from Palmetto to Silver Beach, which would be an improvement of usage along that corridor.

Councilmember Overdorf thanked the Governor for his appointment to Council and stated he looks forward to participating and providing information.

Councilmember Davis stated that Council staff is of great value to not only our region, but the broader seven-county region as well. He noted that the Cypress Creek area of north Fort Lauderdale was identified in the Seven50 plan as an area for transit oriented development. He stated that his

corporate headquarters are located in this area and that the major employers have rallied around the idea of more mixed use and bringing housing to the area in order to attract millennials. He thanked Dana Little of Council staff for presenting to the Uptown Fort Lauderdale group and providing a presentation of how the group can accomplish its vision. He noted this is a business-oriented group that has come together to use the Seven50 ideas as a framework. Councilmember Davis asked if staff could provide an analysis of Senate Bill 372 regarding growth management. Chairman O'Bryan indicated there would be discussion of this bill under Legislative Matters.

Kathy LaMartina of the South Florida Water Management District indicated that the Water Resource Advisory Commission (WRAC) would be meeting on March 6th; the County Coalition for the Responsible Management of Lake Okeechobee would be meeting on March 7th in Okeechobee County; the District Governing Board meeting would be held on March 13th; and the Recreational WRAC meeting would be held on March 17th. She noted that the WRAC and Governing Board meetings would be held at District headquarters in West Palm Beach. She indicated that there would be a groundbreaking on February 25th for the Indian Hills Recreation area, which is a coordinated effort between St. Lucie County, City of Fort Pierce, Florida Department of Environmental Protection, and the District to do storm water retrofit on almost 3,000 acres of urban development in the City.

Commissioner Fielding indicated the Indian River Lagoon Counties Collaborative would be meeting on March 7th in the Indian River County Commission Chambers. He indicated one of the topics will be to consider forming local groups to start addressing the pollution issues.

Mayor Taylor stated that the Council Member Update portion of the agenda appeared to take up a lot of time and suggested either highlighting a particular area, or make the item time certain. Chairman O'Bryan stated he concurred that it took a lot of time, however the information provided was very useful and that perhaps in the future updates would be done quicker. He thanked Mayor Taylor and stated he would monitor this in the future.

Commissioner Solari stated he felt it would be appropriate to move the public comment to the beginning of the agenda because he believes it is more appropriate to hear from the public than tidbits from the elected officials. He stated some members leave before public comment is heard and he believes the public deserves the benefit of members being present to hear their comments.

PUBLIC COMMENT ON CONSENT AGENDA ITEMS

Anne Kuhl stated she has been participating in meetings and following the proposed comprehensive plan changes. She stated that in her opinion the changes are being driven by the planners and developers, and their attorneys with little or no input from the general public. She stated the rules are being changed to allow more administrative leeway to make changes and exceptions without board approval. She suggested there needs to be a pre-application process for development projects that border or impact residential areas with density increases so the projects could be vetted and voted on before the project goes through the entire process. She stated the process is too cumbersome for the general public to follow, and once approved there should be limits to changes and extensions.

Alex Larson stated that she has seen her County's comprehensive plan raped, thrown in a bucket, and set on fire. She expressed concern that developments are being brought in under one project and then later divided into multiple projects, citing the current Seminole Orange Plaza amendment. She stated she has sacrificed greatly for the last twelve years to fight developers and the elected officials within the county. She noted that the Inland Logistics Center was previously presented as a project that would bring in new jobs, and now they are requesting residential. She stated that if elected officials do not want to hear public comment, then they should not have become elected officials. She stated she is asking the Council members to be concerned about the health, safety, and welfare of their constituents, saying she believes that concern no longer matters to anyone. She stated she comes to the meetings to inform Council of issues that are occurring throughout the state and did not like that public comment was at the end of the agenda. She stated we cannot let the planners change the comprehensive plan. She stated they are locusts that do not care if our children have water, time, or education. She stated she believes the regional planning council needs to have some of their powers restored.

Mark Gotz stated that the Council member updates were very informative. He stated that when the public provides comment they are not sure if their message is understood, but in reviewing the minutes from the January meeting he found them to be very comprehensive and he commended staff. He stated he was unable to locate in the minutes the elections of the Council officers. Chairman O'Bryan indicated that was done at the December meeting. He stated that the Nominating Committee had made a recommendation for the slate of officers to continue from the previous year, which was then voted upon by the entire Council at the December meeting.

CONSENT AGENDA

Commissioner Krauskopf moved approval of the Consent Agenda. Commissioner Lewis seconded the motion, which carried unanimously.

Motion

Items on the Consent Agenda were: 6A, Financial Report – December 31, 2013; 6B, Minutes – January 17, 2014; 6C, 2014 Meeting Schedule; 6D, Palm Beach County Comprehensive Plan Amendment No. 14-1ESR; 6E, St. Lucie County Comprehensive Plan Amendment 14-1ESR; 6F, City of Stuart Comprehensive Plan Amendment No. 14-1ESR; and 6G Intergovernmental Coordination Review Log.

COUNCIL MEMBER ORIENTATION

Staff presented an overview that included facts about the Treasure Coast Region; Council membership; Council's mission, responsibilities, duties and statutory requirements; how Council was formed and its history; sources of funding; and Council's work programs. Examples were provided from Council work programs which include: economic development, urban design and redevelopment, transportation/land use planning, emergency preparedness planning, natural resource/energy planning, education planning, development of regional impact review, and regional planning and local government assistance programs.

Chairman O'Bryan stated the entire Council staff does a fantastic job.

LEGISLATIVE MATTERS

Chairman O'Bryan stated he had observed throughout the meeting that there appeared to be a lot of concern about All Aboard Florida; concern regarding some proposed bills that are working their way through the legislature that deal with either growth management or the jurisdiction of local government; and an overall view of how to address baseball within the region. He suggested that staff analyze House Bill 703 and Senate Bill 372 and provide a report and possible recommendations to Council at the next meeting. With respect to All Aboard Florida, he indicated that after the railway crossing improvement assessments there will be a clearer picture of what the impacts will be and a better indication of the quiet zone costs and available funding sources.

Chairman O'Bryan asked Commissioner Smith how he would like to proceed with respect to baseball. Commissioner Smith suggested having staff do an overview of what exists, what opportunities there are for the future, and what might be the risks and advantages of a regional approach. He stated there is a lot of opportunity and we need to make sure we are taking the best advantage of the opportunities with respect to tourism objectives and how we collectively market our region. He indicated he was not suggesting forming a committee, but rather putting an emphasis on a regional discussion. Commissioner Valeche indicated he was not sure this could be done with a regional approach, because there are a limited number of teams and losing even one would allow the other teams to leave. Vice Chairman Mowery stated there needs to be a broader perspective and regional approach. He noted that Indian River County is also interested in being part of the discussion even though they are currently using their stadium for other purposes that have proven helpful from a hotel standpoint. He indicated that having the baseball teams is beneficial but he was not sure how Council could become involved. He stated that there are already a lot of entities involved which include the Florida Sports Commission, each municipality, and the owners of the teams. Commissioner Smith indicated he was only looking to speak with one voice to the legislature and the Governor, who he believes consider baseball to be important from an economic standpoint to the entire state. Commissioner Valeche suggested that the two sports commissions could meet and talk about a regional strategy. Commissioner Smith suggested staff should contact the two sports commissions.

Councilmember Davis asked if there would be enough time on the proposed legislation if a report was not provided until the next meeting. Chairman O'Bryan stated that the next meeting was in March and that waiting a few weeks to see if any of the legislation was progressing through the committees could prove helpful.

Commissioner Smith stated he has heard that the counties to the south are collectively working on funding the quiet zones. He suggested staff should be engaged in those conversations. Staff commended the hard work of Nick Uhren, Executive Director of the Palm Beach County MPO, on this issue. Commissioner Smith noted that years ago Senator Pruitt incorporated into the legislation language that would ensure neighboring counties would at least be incorporated into the study of the Tri-Rail expansion. Commissioner Smith stated he just wanted to make sure that the counties to the north are included in the conversation of what is occurring. Staff noted that the Palm Beach MPO has allocated \$6.6 million from its local funding toward capital costs for quiet zones and directed their staff to work with Broward and Miami-Dade counties to submit a TIGER grant application, which is a federal grant source that requires a fifty-fifty match. Staff noted that the northern counties do not have the same funding available through their MPOs. Additionally, the southern

counties are intending to look at what the Florida Department of Transportation and the state may be able to allocate from the state budget to pay for the capital costs.

Commissioner Smith stated his point was that the legislature could fix the problem because all the counties do not have the same funding capacity to play at the same level, but all the counties need to be participating in the conversation. Staff indicated this could be a priority for the Gubernatorial Committee to reach out to the northern counties and let them know what Miami-Dade, Broward, and Palm Beach counties are doing. Staff offered to lay out some options and communicate to all the MPOs, county commissions, and local legislative affairs directors to determine what needs to be requested of the legislature with respect to funding to be allocated toward quiet zones. Commissioner Smith stated that at the very least we should be asking the state to fund the matching dollars for the smaller counties that cannot play at the same level as the larger counties.

With respect to House Bill 703, Ann Bolduc, from Representative Magar's office, indicated that there have been several calls and concerns voiced regarding the potential intrusion into local governments, but currently no staff analysis has been done, it has not been heard in any committee, and the bill does not currently have a companion in the Senate. She noted that progress of the bill can be viewed at www.flsenate.gov. Chairman O'Bryan asked Ms. Bolduc to advise staff if she became aware of any progress on the bill.

Under public comment, Ms. Larson stated that the middle class is dying. She stated she does not want to hear about any more corporate welfare or corporate sponsoring. She stated in the past businesses did not rely on public funding. She indicated that the average citizen pays more per kilowatt-hour than businesses, and that the Florida Public Service Commission recently said that they will negotiate with 300 corporations to offer lower rates and do not even have to disclose this to the public. She noted that Council is limited in legislative abilities, but suggested that every month the agenda packet needs to include a memo to remind Council members of the people they represent. She stated some of the issues that need to be addressed are Wellington putting forty horses on ten acres and the U.S. Environmental Protection Agency not cleaning up two pits between Tampa and Lakeland. She stated that as elected officials, Council members have a bigger voice than she does in Tallahassee. She stated that it is insane to invest money, because we are not New York City and no one is riding trains. She stated that people want to live in quiet places and do not like cities. She stated the focus should be on the constituents and the fact that they cannot feed their children or provide them with a good education.

Mr. Gotz stated that it was his understanding that All Aboard Florida was a privately funded project and that they would be putting into place all the needed infrastructure, but they have asked the federal railroad structure to fund them for \$1.5 billion. He asked why it is not their responsibility, since the tracks are in their right-of-way, to provide the quiet zones. Chairman O'Bryan indicated that the maintenance of all the railroad crossings are the responsibility of the local governments as part of the agreement reached with the railroad to be able to drive across their property. He noted that Federal East Coast Industries (FECI) is paying for the improvements needed to run their trains, but they are not obligated to pay for the quiet zones. He stated that there is a federal regulation that requires trains to do four horn blasts when they approach an intersection or crossing. In order for the trains to not blow the horn, the quiet zones need to be established, and the maintenance and cost of implementation falls to the local government. Mr. Gotz asked why since they are installing a new track for high speed and not utilizing the existing track, there would not be a new easement required

to go over the new tracks for access on both sides. Chairman O'Bryan indicated FECI owns the existing footprint to install the second tracks. Mr. Gotz expressed concern that with the double tracking, parking needed to serve the retail and governmental agencies along the tracks will be eliminated. He stated he was shocked that the cities and counties have to pay for infrastructure for a railroad that has been presented as totally private. Chairman O'Bryan stated that the local municipalities and counties are not paying for the infrastructure improvements, just for the upgrades to establish quiet zones, if they so desire. Mr. Gotz asked for an explanation of a quiet zone. Staff indicated that a quiet zone is a safety regulation by the federal railroad administration that is optional for local governments. He stated that it is not required for FECI or other privately held railroads, and in fact the statutes will not allow them to spend their money on quiet zones, which are a local option. Staff explained that there is a scoring system that occurs and there is a level of safety measures such as gates and medians that determine if there needs to be four horn blasts by a train approaching a crossing. Mr. Gotz stated his argument was that quiet zones are a capital improvement, not an on-going operational improvement on the capital side of the ledger.

Commissioner Solari asked if it would be cheaper to have the region ask the federal government to do away with the whistle blowing requirements. He stated that with all the federal government spending on education, people should be smart enough to know when to cross. He expressed his belief that we over-govern ourselves and the simplest solution would be to ask the federal government to do away with quiet zones. Staff indicated that the quiet zone federal legislation is being reviewed this summer. Staff noted that there is an opportunity for the region to work with our congressional delegation to ask them to reconsider how quiet zones are established and the severity with which the horns are blown. Staff noted that there is no document, trend, or correlation with how many accidents occur whether there is a whistle blown or not, the only correlation is between the number of accidents and the infrastructure. Commissioner Solari stated that supported his assertion and that the local governments should decide the extra safety features that they need for their community. Staff noted that in addition to the capital infrastructure cost, the local governments would need to carry the cost of operations and maintenance of the crossings as well as the insurance liability of the railroad being relieved of any whistle blowing. Commissioner Solari stated that the insurance costs should not be impacted because of the fact that whether the whistle is blown or not does not impact the number of accidents. Staff indicated that although the evidence exists, the insurance industry has its own set of standards, which do not incorporate that piece of evidence. The railroads currently carry the liability insurance for all the grade crossings; however, once the quiet zones are established, the liability shifts to the local government.

PUBLIC COMMENT

Mr. Gotz stated that the added cost of the liability insurance for railroad crossings could be very expensive for the cities and counties, especially if someone were to be killed at a crossing, noting a case in Broward County that was settled for \$50 million. He indicated he was glad that Council was addressing the state impacts on local control of property rights, stating he did not want the state to tell the cities and counties how to operate. He noted that the American Coalition 4 Property Rights had been pushing this same issue for fourteen months, but against the federal government. He concurred with Commissioner Smith that the issue with the flood maps is very important, noting he is affected by that in Miami, where he is in a flood area. He stated the maps and insurance were also of concern with respect to the Seven50 plan, fearing that the plan indicates all of the barrier islands and coastline would be underwater and the insurance companies will use these maps to set their

rates, which will increase substantially, and deny insurance coverage. He stated that if you cannot get insurance you cannot get financing. He asked if anyone had attended the Insurance Service Office (ISO) meeting that was held in Indian River County. Chairman O'Bryan indicated he and Commissioner Solari had both attended the meeting. Staff indicated that Palm Beach County has also expressed an interest in having a similar presentation and staff has provided them with the information. Mr. Gotz indicated they are very concerned in St. Lucie County, noting that the current ISO ratings for the fire department are keeping down the insurance ratings there. He stated a lot of citizens do not realize how much the insurance rates are affected by the ability for fire suppression and rescue. He noted that with respect to the Cypress Creek area and the offices of Centrix Systems, Inc., there has been Tri-Rail service there for over fifteen years and the only thing holding up building apartments is the zoning. He stated that he was sure Centrix, combined with the local planning council, would be able to get approval for building apartments, because they are one of the largest employers in Broward County. With respect to the All Aboard Florida meetings, he stated he did not know why the public could not be fitted with the same safety equipment and be allowed to hear what is happening at the meetings.

Ms. Larson stated that an individual can look at any product today and there are warning labels. She stated the insurance is important and the insurance companies rely on the stupidity of individuals to make a lot of money. She stated that if you do not want the horns to blow, then there will need to be a lot of gates installed. She stated when you tell someone not to do something they will go ahead and do it. She brought to the attention of Council a recent front-page Sun Sentinel article regarding the expansion of the Fort Lauderdale Airport, noting it will cost five billion dollars. She then noted that on page twenty-one there is an article about the shortage of pilots. She stated it was stupid and ironic to spend tax payer dollars to expand an airport when there are not enough pilots to fly the planes. She stated she receives calls daily from people who are depressed and cannot make it financially. She asked how individuals are supposed to handle the enormous insurance and tax rates. She stated we need more common sense from our elected officials and she encouraged Council members to take her comments into consideration and tell our legislators to wise up.

Ms. Kuhl distributed to Council a graphic outlining the various projects that have been produced by Dover Kohl and Partners (DKP). She stated that she has been reading the Seven50 plan and found it very interesting that the plan and the developments of Callery Judge Grove, which originally proposed 10,000 homes in rural Palm Beach County, and the Minto West development were all done by DKP. She also noted that Avenir, which is the Vavrus Ranch property is also a plan done by DKP that is proposing 7,600 homes. She noted their website also contains a number of projects in Palm Beach County as well as other projects all over the country, and other countries as well. She noted the waterfront corridor in Jupiter, Scripps, the U.S. 1 Corridor, and the North Federal Corridor as projects done by DKP. She stated that as the lead consultant to the Seven50 plan, they were not an impartial party and they significantly influenced the plan and are in a position to enrich themselves further as a result of the plan. She stated they have a vision of the Southeast Florida region as a global economic power and technology hub, but at the cost of triple the population, twelve main highways, and increased crime. She stated she believes the county should evolve on their own and does not need to be directed by outside parties. She stated the Seven50 plan was not an impartial plan and the vision was not her vision. She stated when she moved to Florida she was told she would get less wages, but that would be made up for in sunshine. She stated she is afraid a lot of people have lost sight of what is important about living in Florida, and she hopes some people will take note and pay more attention to the wants of the people who live here.

Phyllis Frey stated that four members had ceded their minutes to her. She stated that in the weeks since the last Council meeting several other entities have opted out of the Seven50 plan. She listed them as Indian River County, St. Lucie County, the City of Vero Beach, the City of Port St. Lucie, the City of Stuart, the Town of Orchid, the Vero Beach Metropolitan Planning Organization, the Indian River School Board, and the City of Boca Raton. She also stated that Councilman Joe Russo stated Palm Beach Gardens will have nothing to do with Seven50. She stated these entities have withdrawn because they became educated. She noted she has transcripts from all these meetings. She gave the following reasons why individuals opted out of the Seven50 plan: they studied the facts and saw through the “slick sales job” of the boilerplate data bank, final draft scenario report, and wasteful spending; they rejected the subsidiarity plan, the phony population influx report and the prevarication that this was a publicly driven program; they did not want to beg for U.S. Department of Housing and Urban Development handouts and refused the soviet style central planning; they rejected the plan that would inflict its will upon the citizens and take away the ability of the publically elected officials to work with their constituents to plan the future development of their own counties; they did not like the plan because it would bypass the local codes and ordinances as specifically stated in the contracts that they had signed; they did not like the low income housing, no jobs and false data about climate change, or the lack of knowledge about local issues; they clearly stated that they have ample planning through the Treasure Coast Regional Planning Council, the South Florida Regional Planning Council, the Southeast Florida Regional Planning Council, the MPOs, planning and zoning boards, and county and city commissions and councils; they were not interested in adding another layer of planning, especially the federal government overreach of local home rule of law; they did not like that the contracts were submitted on consent agendas and called voluntary; they did not like the fact that the contracts give all authority to the Seven50 executive committee while dictating that local codes and ordinances be changed in accordance with the Seven50 plan; and they did not like the “sham” jump out clause or the clause that states responsibility for all liabilities must be met unless they opt out in writing.

Ms. Frey stated that the commissioners supporting the plan have made denigrating remarks about those who have voted to opt out, stating they are confused and uninformed. She stated those that opted out deliberated for weeks, and sometimes had months of fact finding, and their decision was educated, and carefully considered. She stated that she has attended several Council meetings and observed certain members departing early. She stated that those that have been co-opted by Seven50 to bypass local government are now part of the quasi-lobbying organization in Tallahassee to promote regionalism and such plans as that of gubernatorial appointee Paul Wallace, who proposed eliminating all but one MPO to administer all seven counties. She stated this is all a violation of representative government and puts regionalism as a first priority over the individual. She stated that Commissioner Paula Lewis made it very clear at the January meeting by stating “we do not live in a vacuum, that’s why we are here, to bypass local government.” She stated that Commissioner Anne Scott of Martin County has said “I am not a fan of the Treasure Coast Regional Planning Council. Not the staff, but the council itself. I sat on the Council and I have observed the Council, I have seen it manipulated, I have seen it operate in total disregard of the Sunshine Law. It is the same old, same old way of doing business.”

Ms. Frey stated it was unacceptable that Mr. Busha, in a letter to Councilmember McPartlan of Sebastian, denigrated a publically elected official and citizens who disagreed with the Seven50 plan. She stated she did not object to him personally, but to his policies that he chooses to inflict upon six

million people. She stated that the only reason for his response is to twist the debate and distract away from the subject at hand, which is why counties should stay in a plan that circumvents their current growth management plans. She asked where was the debate about circumventing local political control when the documents state that the Seven50 executive committee will make the substantive decision on behalf of the region and have all the authority. She asked where was the debate on how representative government will exist in an environment when all the members of the committee are not locally elected residents, or accountable to them when the executive director of the group resorts to denigrating the citizens in order to gain support for the plan. She stated she has noticed that the slogan has changed from “Regionalism One Neighborhood at a Time” to “Bringing Communities Together.” She concluded by saying “You have cleaned up your statements under the court of public perception, but you have not cleaned up your act.”

Commissioner Lewis indicated she had been misquoted, noting that the approved January minutes read “Commissioner Lewis indicated that Council is a planning organization, but it does not operate in a vacuum. She stated that Council was not bypassing local government, because there was a large representation of local governments present who all have input.” She stated she is also being misquoted on Ms. Frey’s website and that she has requested a copy of the verbatim of the January Council meeting comments. She stated that she did not believe that Council bypassed local government and that she has spent a lot of time over the last several years and been elected every four years because she cares about the community. She stated she would not suggest bypassing the local community and that she is supported by the community.

STAFF COMMENT

None.

ADJOURNMENT

Chairman O’Bryan announced the next meeting is scheduled for March 21, 2014 and that immediately following would be a meeting of the Gubernatorial Committee. There being no further business, Chairman O’Bryan adjourned the meeting at 12:18 p.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 February 21, 2014 meeting of the Treasure Coast Regional Planning Council.

_____ Date

_____ Signature