

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
MARCH 20, 2015**

Chairman Mowery called the meeting to order at 9:39 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: Vice Mayor Jerome Adams

Martin County: Commissioner Haddox
Commissioner Fielding

St. Lucie County: Commissioner Mowery
Commissioner Lewis

Palm Beach County: Commissioner Taylor
Councilwoman Gerwig
Mayor Golonka
Mayor DuBois
Councilman Hmara (Alternate)
Councilman Guyton (Alternate)
Mayor Abby Brennan (Alternate)

Gubernatorial Appointees: Douglas Bournique
Michael Houston
Tobin Overdorf
Reece Parrish
Peter Sachs
Steven Weaver, Sr.

Ex-Officios: Jeremy Upchurch, Florida Department of Transportation
Lynda Westin, South Florida Regional Transportation Authority
Kathy LaMartina, South Florida Water Management District
Ann Benedetti, St. Johns River Water Management District

Council Staff: Michael Busha
Phyllis Castro
Kim DeLaney
Liz Gulick
Stephanie Heidt
Peter Merritt

Council Attorney: Roger Saberson

The Executive Director announced a quorum is present.

AGENDA APPROVAL

Councilman Weaver moved approval of the Agenda. Councilman Sachs seconded the motion, **Motion** which carried unanimously.

ANNOUNCEMENTS

Staff noted that a letter from the City of Riviera Beach had been distributed to Council members. This letter is with respect to a compressed natural gas project that is being proposed at the Port of Palm Beach and is described in Agenda Item 8Q, Intergovernmental Coordination and Review Log. The letter indicates that the city has concerns and is seeking more information about the project. Staff recommended that the city's letter be attached to Council's report and forwarded to the state clearinghouse. Staff noted that the city had been unaware of this project until it was distributed through the regional planning council's intergovernmental clearinghouse process.

Jeff Gagnon, Planning and Zoning Administrator for the City of Riviera Beach, noted that although it is still early in the process, the city has major concerns with the safety of this proposed facility.

Commissioner Taylor asked if the city has spoken with the Port of Palm Beach. Councilman Guyton indicated that as it relates to the elected officials, there has been no communication, but they are currently scheduling a meeting to speak with the port officials. Mr. Gagnon stated that to date most of the staff communication has been with Emera, the company proposing the project. However, there have been conversations to have a joint meeting in the future. Commissioner Guyton stated that because they have just recently become aware of the project, there has not been any substantive deliberation and staff is still doing research.

Staff noted that The Vietnam Traveling Memorial Wall will be at the Florida Atlantic University Jupiter Campus at Abacoa Town Center, April 8th – 13th. This is a scaled replica of the Vietnam Memorial Wall in Washington, which is being displayed around the country.

CHAIRMAN'S COMMENTS

Chairman Mowery noted that a letter of resignation from Council's attorney, Roger Saberson, had been distributed. He indicated that Mr. Saberson will be leaving after the June 15th Council meeting. Chairman Mowery stated that he has asked staff to create an advertisement to be posted on the appropriate websites and through appropriate publications and begin accepting applications to replace Mr. Saberson. He stated that he would then like staff to narrow the field of applicants to a reasonable number and working through the Budget/Personnel Committee conduct interviews and make recommendations to the entire board. He noted that the Budget/Personnel Committee is comprised of representatives from all the counties and the members are: St. Lucie County Commissioner Paul Lewis; Indian River County Commissioner Peter O'Bryan; Martin County Commissioner Ed Fielding; Palm Beach County Commissioner Priscilla Taylor; City of Riviera Beach Councilman Bruce Guyton; City of Sebastian Vice Mayor Jerome Adams; and gubernatorial

appointee Councilmember Reece Parrish. He stated that if any member has a problem with being able to serve, he asked they let staff know so a suitable replacement can be chosen from their area.

Chairman Mowery indicated he received a letter from Ron Book, the lobbyist that works for all the regional planning councils in the state, and it appears things are moving favorably with Senator Simpson's bill. He noted that at a meeting of the Senate Transportation, Tourism, and Economic Development Appropriations subcommittee meeting the previous day, Chairman Latvala had suggested a placeholder for funding regional planning councils. Chairman Mowery indicated that Commissioner McKinlay had attended and spoken in favor of this funding recommendation.

COUNCIL MEMBER UPDATE

Commissioner Fielding indicated Martin County is continuing their efforts to address water quality issues for both Lake Okeechobee and the Indian River Lagoon. Additionally, the county is focusing on developing programs that will be beneficial to the reefs.

Vice Mayor Jerome Adams indicated he had been in Tallahassee the previous week and attended a luncheon with some senators and representatives. He said the overriding tone is to not infringe on home rule and they are doing their best to stay away from unfunded mandates.

Councilman Bowen stated that the City of Port St. Lucie's main concern now is the Crosstown Parkway Bridge, which goes over the north fork of the St. Lucie River and is the city's third east-west corridor. He stated the city is hoping to get additional funding for this bridge, which is expected to be completed in August 2018.

Commissioner Haddox stated he is on the Coastal Ocean task force, which consists of Martin, Palm Beach, Broward, and Miami-Dade counties. He stated that for the past two years the task force has been working on reef issues and they will be coming out with some management actions that will be distributed to all municipalities within those counties. He stated this is primarily to bring to the attention of the legislature the problem that exists with deterioration of the reefs from Fort Pierce all the way to the Keys.

Councilmember Bournique indicated that Commissioner Fielding has been elected as the chairman for the newly formed Indian River Lagoon Council. He stated that Commissioner Fielding has done a great job of pulling together this very large group to bring attention and funding to the Indian River Lagoon and clean-up efforts.

Commissioner Taylor stated the biggest thing Palm Beach County is working on is the Ag Reserve. She stated they have been conducting roundtable meetings for the past year and the commission will have a meeting on this next year. With respect to baseball in the county, she stated they are one step closer to finalizing a deal and are ready to start construction of a stadium in July.

Councilman Guyton reported the city is continuing their redevelopment of their marina, having just begun construction of the new event center, which will have a restaurant and café. He stated they are in negotiations with the master developer to build a restaurant row that will feature four restaurants on the boardwalk. He stated that the city's Community Redevelopment Agency held a

retreat that was facilitated by Council staff. He noted that staff did an outstanding job and everyone left excited and encouraged, and looking forward to a second retreat. He indicated that he attended Palm Beach County Day in Tallahassee where one of the main issues is that enterprise zones are about to sunset. He stated this is a serious concern for some of the communities that have benefitted from this program. He indicated that the city's lobbyist arranged meetings with the Lieutenant Governor and the sub-committees to advocate for the program. He noted it appears that there is the belief that some counties have taken advantage of the program when they did not need it. He stated there is an effort to recreate a new program that may be the same, but will have different criteria and requirements. He stated that he intends to go back to Tallahassee during this session to lobby for a substitute program for those communities that have high unemployment, and high percentages of people living under the poverty line, because those communities need those incentives to attract businesses.

Roger Saberson stated it has been a wonderful experience and opportunity to represent Council, but he is at a stage in his life where he wants to move toward retirement. Chairman Mowery noted that Mr. Saberson has been Council's only attorney.

Chairman Mowery stated that St. Lucie County has been working to get some funding for the National Navy Seal Museum to do some expansions. He indicated that the county also has a re-authorization program that is going on with the Ten Mile Creek water project. He stated this is a \$100 million project with the federal government and it is hopefully being transferred from the U.S. Army Corps of Engineers to the South Florida Water Management District (SFWMD). He noted that the City of Fort Pierce is finishing their harbor marina project, which is a new marina with surrounding spoil islands. He congratulated Commissioner Taylor on the good news about baseball, noting this now provides for five teams in the region with two others that may be interested.

Councilmember Overdorf thanked Chairman Mowery for hosting him at the Red Sox game. He also thanked Wellington for hosting the Grand Prix, noting the facility there is amazing. He stated he is glad to see the world coming to our region for things like baseball and equestrian events. He thanked the efforts of our regional governments for looking at the water farming projects that are beneficial to our future water supply.

Kathy LaMartina noted the second Indian River Lagoon Estuary Program Council meeting will be held at 9:30 am on March 27th at the Palm Bay Service Center; the Water Resources Advisory Commission meeting will be held on April 2nd West Palm Beach; and the Governing Board meeting will be on April 9th in West Palm Beach.

Mayor Brennan stated she is honored and pleased to be serving as an alternate. She announced that the Village of Tequesta is now ready to go forward with its lane reduction and complete streets project on the 1.3 miles of US 1 that go through the village. She stated this 1.3 miles is the only area for 27 miles that has six lanes and basically serves as a throughway for the community.

Councilman Weaver indicated the Evans property water farming project being done through the SFWMD is about to go online. He stated that water farming technology still is being refined. He stated their approach has been a much shallower basin that does not require massive amounts of earth moving, just a berm around the perimeter.

Councilmember Parrish reported Chief Financial Officer Atwater's office has just implemented a new system for the state called Florida PALM. He stated that this computer system replaces the old accounting system throughout that state.

Councilman Hmara indicated that an offer has been made to purchase a ten acre parcel of land from the Village of Royal Palm Beach. He stated the offer is being made from an organization that represents Charter School USA and they are proposing to build a charter high school in Palm Beach County across from one of the traditional high schools in the village that struggled for years, but is now rated as a B school. He stated the village has done a fair amount of fact finding, but has found there are no unbiased views on the topic. He asked if any Council members could provide a case study or some information on the impacts of locating a charter school directly across from a traditional school.

Councilwoman Gerwig thanked those that were able to come to the equestrian events. She indicated that in about six weeks Wellington's 21-court tennis center will be opening. She stated that on behalf of the League of Cities (LOC) she attended the Palm Beach County Day in Tallahassee. She stated that the LOC lobbied very heavily for the development of regional impact process and regional planning councils. She hopes we can find a program that will be more effective to replace the enterprise zones. She indicated it appears the transportation and housing dollars from the doc stamps will be held intact and additional funding would come out of the general budget. She stated that part of the doc stamp money was going to be general budget, which would be for conservation lands and Amendment One. She stated there have been favorable responses from the sub-committees on this issue.

Lynda Westin, on behalf of the South Florida Regional Transportation Authority, thanked Council for ten years of a very positive and valuable relationship.

Ann Benedetti reminded everyone that April has formally been recognized as Water Conservation Month.

PUBLIC COMMENT ON CONSENT AGENDA ITEMS

Alex Larson asked that Council seriously look at the comprehensive plan amendments for Palm Beach County, especially the proposal to remove the right-of-way segment for State Road 7 between Northlake Boulevard and Beeline Highway. She stated we need to care more about our conservation areas and they want to cross through conservation land. She stated it goes between Mecca and Vavrus and seems to be for the benefit of Avenir to allow traffic to more around more efficiently. She stated there are too many roads in the acreage. She said it is disingenuous of West Palm Beach to say this is a problem when they want to remove 450 feet of easement on the M Canal to build a baseball stadium. She stated that Representative Berman said this will only be for one piece of land. Ms. Larson stated that if we get rid of 450 feet of easement that protects our drinking water for this, we will have to do it for everybody. She stated that the SFWMD is releasing all their easements that have been in perpetuity since 1909, and said they need to get to the canals to work on dredging and cleaning them. She stated we are filling in canals, which she said should not be occurring. She asked Council not to support anything that removes an easement that is going to

affect the drinking water of anyone. She stated that she is concerned about West Palm Beach, because she read in the newspaper that they want to build a sky walk over Okeechobee Boulevard. She stated that it would be much cheaper to have a police officer to help everybody cross the road. She stated that decisions that will affect hundreds of people should not be made by someone who has a vested interest in a particular property. She stated that she is also concerned that in the proposed Palm Beach County comprehensive plan amendment they are eliminating a task force for the firemen and the words that are being removed are for prioritizing goals for education directed at reducing death, injury, and property damage. She stated those are the things that should not be eliminated, because they exist to protect the life and welfare of everyone. She thanked Commissioner Taylor for coming to the meeting and asked her to bring these concerns back to the other commissioners.

Anne Kuhl stated she wanted to talk about the removal of the right-of-way for State Road 7 from Northlake Boulevard to the Beeline Highway. She said she realizes this is a mitigation effort for the snail kite, but until State Road 7 continues on from 60th Street to Northlake Boulevard, there is nothing to mitigate. She indicated that the City of West Palm Beach is currently threatening a law suit, which will delay this further. She stated she is concerned with taking away the easement, which is the most direct route for State Road 7 to connect to the Beeline Highway for mitigation reasons, when developers are allowed to mitigate off site all the time. She stated that it is easy to encourage snail kites to go to a certain area, providing an article from November 27, 2010 for the record that reports how the City of West Palm Beach in encroaching on state land in the site of the current path that connects 60th Street to Northlake Boulevard. The article states they were actually planting pond apples to attract apple snails, which will attract the snail kites. She stated they did a successful job, because apparently we now have to mitigate giving away the easement which is the most direct easement to get to the Beeline Highway in the whole acreage. She noted that she is also concerned with the proposed widening of Royal Palm Beach Boulevard from 60th Street to Orange Boulevard. She asked that an email from Mr. George Webb, the county's engineer, be put into the record. Ms. Kuhl stated that in this email Mr. Webb states that if State Road 7 is not under construction in a reasonable timeframe, they will probably have to decide to do five lanes there. She stated it sounds to her that they are planning to run State Road 7 traffic back through a residential area, which she believes is wrong. She stated a lot of conservation properties have been bought in the county, and it is the public that is going to suffer. She stated that we should not be giving away easements until we have a good plan in place.

CONSENT AGENDA

Councilmember Bournique moved approval of the Consent Agenda. Mayor Golonka seconded the motion, which carried unanimously. **Motion**

Commissioner Fielding asked if anything that had been discussed during public comment with respect to the Palm Beach County proposed amendments would be useful for discussion. Staff indicated that the proposed amendment is the removal of a section of right-of-way that has been in the county's work program for longer than 25 years. Staff explained the county is having a difficult time finding a route to make the north-south connection between Okeechobee Boulevard and Northlake Boulevard. Staff stated the U.S. Fish and Wildlife Service (USFWS) has indicated that if the county wants a north-south connection, they will not give permits until this section being

proposed is removed, because it is under water. Staff stated that there are already enormous impacts from just the construction of State Road 7 between Okeechobee and Northlake Boulevards and there will be far more wetland impacts to get through Northlake Boulevard to Beeline Highway. Staff stated the county is suggesting using Seminole Pratt Whitney further to the west for the north-south connection. In order to get the State Road 7 connection between Okeechobee Boulevard and Northlake Boulevard, the USFWS is looking for mitigation. Staff noted the mitigation is not just for the snail kite, but that the right-of-way is under water. Commissioner Taylor stated the county is in support of the proposed amendment to modify the Thoroughfare Right of Way Identification Map with respect to State Road 7, but obviously West Palm Beach is not. She indicated there are some studies that have been done and they are coming back finding no issues. She stated the county engineer is in support of this proposed amendment.

Commissioner Fielding asked if the change is being done at the request of the USFWS and being moved further to the west end of the conservation area. Bryan Davis, principal planner with the Palm Beach County planning division, stated this is the culmination of a process that came out of a separate agreement to look at the extension of State Road 7 from Okeechobee Boulevard to Northlake Boulevard. He stated that this is part of a mitigation program that has been worked out between the Florida Department of Transportation (FDOT) and USFWS to address environmental impacts. It is a mitigation exchange for reducing the segment and moving it off the thoroughfare map so it is not included in the future planning process. He stated that it is simply a bookkeeping item through the comprehensive plan process to acknowledge and formalize the mitigation process in exchange for the support of the State Road 7 alignment from Okeechobee Boulevard to Northlake Boulevard. Staff indicated that with so many wetland impacts associated with this last link, this amendment is appropriate. Mr. Davis stated some of the issues that have come up go back almost forty years in the county's history when transportation maps were drawn with straight lines extending north with no consideration of environmental impacts and concerns. He indicted a lot of these proposed roads go through grassy waters and remnants of the Everglades. He stated now we have a population increase that has begun to demand infrastructure that has become cost prohibitive. He stated that from an environmental standpoint, it is almost unconscionable to be looking at damaging habitat for very limited effectiveness. He noted that several other extensions have been removed over the years, because of environmental concerns associated with roads that were drawn over forty years ago.

Upon being put to a vote, the motion passed unanimously.

Items on the Consent Agenda were: 8A, Financial Report – December 31, 2014; 8B, Financial Report – January 31, 2015; 8C, Minutes – January 16, 2015; 8D, Contract with South Florida Regional Transportation Authority; 8E, Contract with Palm Beach Metropolitan Planning Organization; 8F, City of Fort Pierce Comprehensive Plan Amendment No. 15-1ESR; 8G, Town of Highland Beach Comprehensive Plan Amendment No. 15-1ESR; 8H, Town of Jupiter Comprehensive Plan Amendment No. 15-2ESR; 8I, Town of Jupiter Comprehensive Plan Amendment No. 15-3ESR; 8J, City of Lake Worth Comprehensive Plan Amendment No. 15-1ESR; 8K, Village of North Palm Beach Comprehensive Plan Amendment No. 15-1ESR; 8L, Palm Beach County Comprehensive Plan Amendment No. 15-1ESR; 8M, St. Lucie County Comprehensive Plan Amendment No. 15-1ESR; 8N, Village of Palm Springs Comprehensive Plan Amendment No. 15-1ESR; 8O, Wellington Comprehensive Plan Amendment No. 15-1ESR; 8P, City of West Palm

Beach Comprehensive Plan Amendment No. 15-1ESR; and 8Q, Intergovernmental Coordination and Review Log.

**FLORIDA TRANSPORTATION PLAN AND STRATEGIC INTERMODAL SYSTEM
POLICY PLAN 2015 UPDATES – PRESENTATION BY
FLORIDA DEPARTMENT OF TRANSPORTATION**

Jeremy Upchurch, freight coordinator for FDOT District Four, provided an overview of the 2015 plan updates to the Florida Transportation Plan (FTP) and the Strategic Intermodal System (SIS) plan. The FTP is the state's long range transportation plan for the entire state. This plan provides policy guidance for all transportation partners and establishes policy framework for expenditure of state and federal transportation funds. The SIS comprises the state's largest and most strategic transportation facilities, including major air, space, water, rail, and highway facilities that are the primary means for moving people and freight within the state and between other states and nations. The plans establish the state's transportation vision and strategies, and define objectives for the state's high-priority transportation network. Mr. Upchurch provided information on population growth and trends; transportation trends and vehicle miles travelled; trends toward a more diverse economy; safety information; and changing technologies.

FDOT is currently updating both plans. As part of the process FDOT will be meeting with partner and public groups to get input and feedback. Steering committees have been formed that include representatives from: state, regional and local governments; modal partners; the transportation industry; business and economic development partners; military and defense organizations; citizen groups; community and environmental partners; and the Federal Highway Administration. Additionally the steering committees have four advisory groups in the areas of: infrastructure and growth leadership; innovation and economic development; quality of life and quality places; and strategic intermodal system. Planned activities are June/July workshops on FTP policy; August workshops on SIS policy; August statewide town hall meeting; and a fall public comment period on the draft plans. Mr. Upchurch distributed information on how governmental agencies and citizens can participate in the process.

Commissioner Fielding stated that the Federal Highway Administration has authorized and provided funding to FDOT to install fiber optic cables, however the department has resisted this at every turn. He stated that the United States is in 25th or 26th place in the world as far as availability of fiber optic infrastructure for our citizens. He stated that both the United States and the State of Florida have been remiss in this area. He stated he believes it is essential that the counties have access to fiber optics in order to support the infrastructure that will allow high-tech industries to function. He noted that he has attended a lot of meetings where the citizens are very concerned about the All Aboard Florida (AAF) project. He asked for FDOT's support to move the project west on the Turnpike, which will actually improve its mission, because it would have a more direct and faster route from West Palm Beach to Orlando.

Chairman Mowery indicated that because this is not an action item for Council, public comment would not be provided.

Mayor Golonka stated she really appreciated the presentation, because as Commissioner Fielding stated we are concerned about AAF, which has led to an interest in freight and the issue of freight rationalization. She stated that in the area there are a number of individuals who want to become more involved and engaged than they have in the past on transportation issues. She said this process might be a way to assist us in understanding how the state approaches things. She stated that Commissioner Fielding mentioned moving the AAF project west, but she is more concerned with sending freight west or to the water. She stated that the problem is we are talking about 2060, but looking at issues that are probably more like 2015 – 2017.

Chairman Mowery indicated that Council's executive director serves on the Quality Place/Quality Life advisory committee to FDOT, and the issues of freight and fiber optic cable are both appropriate for that committee.

ALL ABOARD FLORIDA UPDATE

Staff presented a discussion of the latest information related to the AAF project. With respect to the draft environmental impact statement (EIS) process, staff indicated that the State of Florida transmitted comments to the Federal Railroad Administration (FRA) on March 5, 2015. Staff noted that although the state included comments from state and regional agencies, Council directly submitted comments to the FRA in December. Staff indicated a timeframe has not yet been developed by the FRA for when the draft EIS process will be completed.

Staff reported that the U.S. Coast Guard (USCG) is continuing through the process of the marine navigational survey regarding the conditions of the three movable bridges along the FEC rail corridor. The USCG has indicated that they have received over 1,600 comments that staff will be reviewing and that within the quarter they will summarize their findings and determine if there will be a need for a rule-making process. Should that process occur, staff indicated there will be public meetings as part of that process. Council staff will keep everyone updated on this issue. Additionally, staff noted that periodic maintenance is being done on the Loxahatchee River Bridge and information on that has been distributed through email.

Staff noted that in December the U.S. Department of Transportation (USDOT) provided authorization for AAF to issue private activity bonds up to \$1.75 million. Staff noted that the timeframe associated with the issuance of those bonds is uncertain, but it appears there will be a public comment process associated with the issuance. Staff will provide information regarding this as soon as it becomes available.

Staff indicated both Indian River and Martin counties have approved funding (\$2.7 million and \$1.4 million respectively) to take action to address legal matters of concern related to the AAF project.

Commissioner Fielding asked if the bridge in Fort Lauderdale is included in the navigational study. Staff indicated that the three movable bridges that are part of that study are the St. Lucie River Bridge in the City of Stuart, Loxahatchee River Bridge in the Town of Jupiter, and New River Bridge in the City of Fort Lauderdale.

SENATE BILL 484 AND HOUSE BILL 873 UPDATE

Staff provided an overview of Senator Simpson's bill related to regional planning councils (RPCs). Staff indicated that the original bill had been very destructive, because although it would have allowed RPCs to still exist, they would have been greatly reformed. Staff noted that on March 5th Senator Simpson filed an extensive strike-all amendment, because his intent was never to eliminate RPCs entirely, just one in particular. The amended bill deletes obsolete and unnecessary provisions relating to regional planning councils; reduces the number of regional planning councils statewide from 11 to 10; requires approval from the legislature for any changes in regional planning council boundaries the Governor may propose; and provides \$2.5 million in nonrecurring funding for regional planning councils from the state's general revenue fund.

As background to this bill, staff indicated that this all began from some unfortunate remarks made by the executive director of the Withlacoochee Regional Planning Council last summer. In response, Senator Simpson filed SB 484, which was destructive to all the RPCs in the state. Staff indicated after Senator Simpson met with the Florida Regional Councils Association and others he decided to file the amended bill. Staff indicated that Senator Simpson has suggested that the proposed funding be spent on core issues such as strategically addressing problems that are of greater than local concern by providing a forum where such issues can be discussed; provide technical assistance to local governments, economic development organizations, and other stakeholders; and expand the capacity of local governments and others to provide services and improve the quality of life in the region. Staff stated that the bill has two committees to clear before it is sent to the floor for a vote, and the companion bill in the House has not yet had action taken by any committee. Staff indicated that Ron Book from the Florida Regional Councils Association has asked that we not flood the senators or representatives with letters of support at this time. Staff requested Council authorize the Chairman to transmit a letter to the Florida Regional Councils Association in support of the March 5, 2015 version of Senate Bill 484 and a letter to Representative Mayfield to amend House Bill 873 to track the changes in SB 484.

Commissioner Fielding stated he would move for Council to authorize the Chairman and staff to compose and interact at whatever time and at whatever level appropriate so that Council's total support is conveyed for the continuation of regional planning councils under both the senate and house bills. He noted these things happen very quickly and he would like for staff to have the authorization to respond to the immediate circumstances. He stated his motion would be to authorize the chairman and staff to evidence the Council's support of the continuance of the Council's relationship as it is seen most appropriately done.

Motion

Chairman Mowery called for comments from Council members and the public.

Councilwoman Gerwig asked for clarification of what occurred with the Withlacoochee executive director. Staff indicated he had made some inappropriate remarks about the Governor's decision not to fund regional planning councils that offended some of his Council members.

Mayor Golonka asked if it is acceptable to the counties of the Withlacoochee regional planning council that they are being split and absorbed into to other councils. Staff stated that they are

accepting moving to the other regional planning councils. Staff noted that the executive director of the Withlacoochee RPC will be retiring in June.

Under public comment, Kevin Foley stated that he served on Council for 26 years and it has been his privilege. He indicated that when it became apparent that the development of regional impact planning process, which was a large part of what Council did, would be going away, he and other Council members advised the executive director to search for other sources of revenue. He noted that it was apparent that with some of the smaller local governments it was not feasible for them to have their own planning, zoning, and building department, so this was an area where Council could play a role. He indicated it was also apparent that charrettes are important to a lot of communities and the staff and resources Council can provide this resource on a variety of subjects. He stated another important thing that Council provides is a forum to bring real problems and issues within the region that need to be solved here first, before having to go to Tallahassee. He stated that he understands staff has asked that people not flood the senators and representatives with a lot of unnecessary communications, but he encouraged everyone to support the current bill in subtle ways to convince the Governor that RPCs are a valuable asset to the State of Florida.

Phyllis Frey from Indian River County stated that it is no surprise that Senator Wilton Simpson amended and weakened his own bill before it was even heard in its first committee stop, for which he serves as chairman. She stated that many special interest groups take large amounts of federal grant money through the RPCs and do not want to see them go away. She said that Senator Simpson caved into groups such as 1000 Friends of Florida, Southwest Conservancy, the Florida Association of Counties, Sierra Club, and the Florida Regional Councils Association, of which Mr. Book is Executive Director. Ms. Frey stated that Senator Simpson's strike all amendment eliminated all the original language of the bill, and not only does the new language not eliminate RPCs, it guarantees \$2.5 million for them in the next year's budget. She stated that the new bill deletes some of the current statutorily required duties of RPCs, such as holding public meetings associated with electrical power plants, and gas lines. She noted that under current law, all Florida counties must be members of an RPC and are required to pay dues that come out of our taxes. She stated the citizens have no voice or choice in the matter and that includes the three Treasure Coast counties who voted no to Seven50, a regional plan to control seven counties within 50 years. She stated this brings us back full circle to AAF, which will usher in transit oriented development or central planning that bypasses local governments and reengineers how and where we live and when and how we travel. She stated that the RPC's original purpose was to apply for and distribute federal funds to help build roads and bridges, not dictate growth management to local governments. She stated that unfortunately RPCs have become a de facto agency of the federal government to promote upward sprawl under the guise of new urbanism, or smart growth, sustainable communities, or environmentalism, which is nothing more than forced federal mandates for high density population restricted to transit oriented corridors. She stated this is more crony capitalism under public/private partnerships that benefits a few at the tax payers' expense. She said that regional boards are a fourth layer of government that can overrule local officials authority, or partner with groups like transportation authorities to sway officials to vote their way, using their control of millions of dollars. She stated that when home rule of law is bypassed, the tax payer has no place to go for representation, and we no longer have a representative democracy.

Ms. Larson stated that she believes it is quite disingenuous that this is a discussion item as were the others, but the public comment was not permitted on the other items. She stated that she believes this is wrong and it is hard for her to defend Council anymore. Chairman Mowery indicated that Council will be taking action on this agenda item, so that is why public comment is being heard on this particular item. Ms. Larson said that she is concerned about what is being eliminated such as Council's review of Florida Power and Light Company (FPL). She stated that FPL is a Ponzi scheme. She noted that she recently had to threaten to sue them when they came onto to Rosa Durando's property. She stated that Council needs to be reviewing what FPL is proposing for transmission lines and power plants. She stated that after what she has dealt with she will be writing a letter. She stated that she has never stood up and said that RPCs should not exist. She stated that she thinks this group has been continuously eviscerated over the years and she has always tried to make Council plausible. She stated that it all trickles down, and now the public is not allowed to talk either. She stated she hopes Council members will read the bill then look at Council's historical value and what it is becoming. She stated that RPCs were accused of being a federal conduit, but she has been coming to Council meetings for years and she has never thought of this Council as a conduit for funds. She stated that she believes Council should write a letter or make a statement that there are things that RPCs should still review.

Staff noted that what has been stricken from the bill dealing with power plant siting and transmission lines is that the RPCs can no longer intervene in those proceedings. However, staff indicated that if a council of local governments decides they need some help with looking at transmission lines and things like that, then that is what this Council can do. Staff also indicated that RPCs were never created as a federal conduit for funding. Staff stated that the RPCs were created when the state began growth management and the development of regional impact processes. In 1972 when all the legislation was passed, one of the functions of the RPCs was to assist local governments in accessing federal funds. However, the change in culture over the years has been to look more at regions, because it was easier for them to count on the planning council to reflect local government interests and concerns about any projects or programs that they were doing and any funding that may be offered to local governments.

Mayor DuBois asked if the \$2.5 million funding is the same for all the Councils. Chairman Mowery indicated that 70 percent of the funding is given equally to each RPC, and the other 30 percent is allocated through a set formula.

Chairman Mowery noted that Commissioner Fielding had made a motion to approve the staff recommendation and called for a second. Councilwoman Gerwig seconded the motion.

Councilmember Weaver asked if the bill is subject to being vetoed by the Governor. Staff indicated that the Governor could veto the bill. Councilmember Sachs asked if he could just remove the funding recommendation as he has been doing with the line item veto. Staff indicated that the law requires him to veto the entire bill.

Upon being put to a vote, the motion carried unanimously.

PUBLIC COMMENT

Mr. Foley stated that Council meetings are a great place to gain information on a variety of subjects, but it is also an opportunity to get a lot of misinformation. He cautioned Council members to pay attention and verify information that is presented. With respect to AAF, he indicated that when this project first came to Council it sounded wonderful, because for years the elected officials had been hearing how crowded the roadways are and we need a solution to offset the amount of traffic on the roads and the anticipated growth. He stated that he still thinks the project could be good, but he believes that some of the numbers, such as the 32 trips per day sound extraordinary. He stated that he would like to know what the anticipated cost is for a ticket from Miami to Orlando, because he has heard it said it will be slightly less than flying, which does not seem right. He stated that another thing that causes significant pause is that with the opening of the expanded Panama Canal it is anticipated far more freight traffic will be on the various Florida corridors. He asked how this will affect the newly constituted FEC corridor. He stated that he can understand the concerns that have been raised by Council and as a citizen he would like to see these questions answered. Chairman Mowery indicated that he is hearing that the ticket price is between \$80 and \$100.

Ms. Frey stated that Florida is about to explode and it is going to be fueled by a freight frenzy that has the rail companies racing to handle the post-Panamax project that will triple the influx of freight through Miami and Fort Lauderdale according to FEC's James Hertwig. She stated that the FEC corridor will be turned into a mobile industrial complex that will be grinding daily through 42 towns. She indicated that AAF intends to send 32 110-mph speed trains daily sharing the tracks with FEC trains that transport hazardous material including ethanol, which is more explosive than oil, liquid natural gas, and asphalt. She said there will be 52 trains a day, and over 342 public crossings, which is an unprecedented experiment that has not been tried anywhere else in the world for good reason. She stated that three U.S. freight companies have refused to allow simultaneous operation of freight and high speed rail due to safety concerns, and it is certainly not apparent how Florida law is being recognized. She stated that the draft EIS is a white-washed document filled with misrepresentations, omissions and delays that bypassed the Treasure Coast and ignored our concerns about the risks to our environment and threats to our safety. She said they are putting profit above lives.

Ms. Frey noted that under Florida Statutes Title 26 Chapter 341, Section 302, FDOT is required to "work closely with all affected communities along impacted freight rail corridor to identify and address anticipated impacts associated with an increase in freight rail traffic due to implementation of passenger rail." She said they are also to "coordinate and facilitate the relocation of railroads from congested urban areas to non-urban areas when relocation has been determined feasible and desirable from the standpoint of safety, operational efficiency, and economics." She said when the politicians, the bureaucrats, and the cronies joined hands in unanimous promotion of the AAF project, the deal was sealed with a quid pro quo gubernatorial election that included FRA, FDOT, USDOT, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the USCG and the rest of the executive branch of government. She said that when the executive branch of government becomes corrupt, the public has no choice but to turn to the judicial branch for due process.

Ms. Larson stated that every time she comes to a Council meeting they get smaller. She stated that as far as the comment from Mr. Foley about misinformation, she hears a lot of it here and she comes to correct it. Chairman Mowery noted that the meeting is being run in a quick, efficient manner.

Ms. Larson stated that the member of the public who caused problems was not present. She stated that she had wanted to use her public comment to discuss Lake Okeechobee and the saltwater intrusion, but she now had to speak about AAF and FDOT. She indicated that she recently attended an FDOT meeting and the only people present were herself, Ms. Kuhl and Martha Musgrove. She stated that the other meetings are to be held in Tallahassee and other points north, and these are not the places that will be affected. She said that she is concerned that they want to expand the Turnpike and I-95 with ten foot lanes. She stated that this will be dangerous and there will be fatalities. She said she no longer has faith in FDOT. She stated that Florida is not New York City or Disney, questioning the driverless cars and monorails from the presentation.

With respect to AAF, Ms. Larson said that this is another fraud noting that they do not even have a board to appropriate the money. She stated that to get information you need to read the newspaper. She stated that Rosa Durando is no longer coming to Council meetings because of the rudeness to the public. She stated this is sad, because when she started coming 15 years ago the public mattered. She stated that Council members should take that into consideration, because there are a lot of people that do not want RPCs to exist. She stated that she believes this is a good forum, but her faith is dwindling. She stated that AAF is a fraud, ten-foot lanes are a fraud, and we should not be thinking that bicycles should be riding with cars. She stated we are not just six miles like New York City, we are 700 miles long. She asked that Council take these things into consideration.

Ms. Kuhl stated that every time she hears there are more pedestrian and bicycle accidents and deaths, she thinks about the fact that the bicycle lanes are right next to the driving lanes. She asked why anyone who is a parent or has young relatives would let them walk in that lane, because it is not safe. She stated that at the last Palm Beach County commission meeting there was an item to approve a 10-foot wide asphalt walkway through the wetlands. She stated that is not a problem if it will just be used for bicycles and pedestrians. She stated that many people brought their property there thinking that State Road 7 would be located there and it is amazing all the games that are played with respect to the roads. She stated that she does not know what the deal is with baseball in West Palm Beach and maybe the deal is give up State Road 7, which may not go from 60th Street to Northlake Boulevard and keep coming through the Acreage. She stated that she is starting to lose faith in the elected officials, because there are so many committees and people doing what they want and not the way the public wants it done. She stated that AAF is about freight and it can be stopped. She stated that everything coming into the country does not have to come through Miami. She said there are other ports, and everything points to the fact that the extra track is to get more freight capacity. She stated they are not even concerned that the high-speed trains will go away, and perhaps they are looking for the state to buy them, because the state has been chomping at the bit for some kind of passenger rail system. She stated that the county just did an agreement with Uber car service. She stated that this service is biased, because it requires individuals to have a smart phone. She said that they are getting the same benefits as traditional cabs, but not having to meet the same requirements. She stated that all this technology is not going to work. She stated she has heard that the Federal Aviation Administration is giving Amazon.com permission to start a study to use drones for deliveries as long as it is only 400 feet above the land. She stated that the technology is

not there and it is a failed project. She said that we are going to suffer all the way up the coast. She said that in Miami they did a feasibility study that found not very many people live by the tracks down there, because they have all been run off. She stated that perhaps this is the future for us along the tracks where the trains will be coming. She said she is very concerned for us.

John Walker stated that he really enjoyed the presentation from FDOT, and he appreciates the comments from Commissioner Fielding and Mayor Golonka. He thanked Mayor Golonka for mentioning the possibility of moving freight onto water. He said he appreciated that the ports are included in the FDOT intermodal planning, but has never seen where FDOT has acknowledged the use of Florida ports for coastwise transport as part of the U.S. Marine Highway program. He stated that he recently was advised by the U.S. Maritime Administration in Washington that his proposal for funding for a Florida Marine Highway project is in the final phase of funding. He indicated that it is \$200,000 that would come to Council for use not just for plan or a study, but to actually develop an implementation plan for moving more freight onto the water. He stated that he hopes FDOT could look at this as part of their intermodal planning. He stated that if we look at the big picture, we can see that the railway very obviously parallels the Atlantic coastline. He stated that we also have terrific ports along the coastline, especially the Port of Palm Beach. With respect to the comment that freight does not need to come through Miami, Mr. Walker stated that the fact is that very little freight will end up coming into Miami. He stated that part of his proposal that appears to have sparked some interest in Washington is that Freeport in the Bahamas looks like a big winner in the movement of freight after the widening of the Panama Canal. He noted that the closest U.S. port to the Bahamas is the Port of Palm Beach. He stated that the Chinese own Freeport with shipping out of Hong Kong and it looks like they are going to build a hub or spoke shipping system. He stated that the big ships will wisely not come to Miami, but will go to Freeport then disperse on to standard old Panamax style coastal vessels. Mr. Walker provided a map showing the existing rail systems and potential new routes for Florida East Coast (FEC) and AAF to the west. He stated that there has been discussion of moving FEC rail operations to the west, which he said does not need to be done. He stated that the long-term plan for FDOT is to try to encourage more freight to move along the Highway 27 corridor as well as the existing CSX corridor. He stated that he has looked at the numbers and if AAF would run along the existing CSX corridor, it would actually be shorter than running to Cocoa and then traveling west to get to Disney. He stated that it works out to be about 175 miles with the existing rail tracks that are already there with the exception of about 10 miles of track that would need to go into Epcot. He stated that Florida has some good infrastructure and great potential, but we need to be a little more creative and thoughtful. He stated that Council has been terrific, but he is disappointed with the leadership at the state level. He stated FDOT needs to factor in the potential for more maritime transport and then moving the existing FEC rail activity, both freight and passenger, to the west. He noted that it has been rumored the FEC Chief Executive Officer has recently been in Hong Kong looking for Chinese buyers, and Fortress Investment Group, the corporate owner, is also having some serious problems with cash being taken out of its equity fund right now.

STAFF COMMENT

None.

ADJOURNMENT

There being no further business, Chairman Mowery adjourned the meeting at 11:45 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 20, 2015 meeting of the Treasure Coast Regional Planning Council.

Date

Signature

Joel Engelhardt
Palm Beach Post Staff Writer



Will restoring wetlands block State Road 7 extension?

© 1:55 p.m. Saturday, Nov. 27, 2010 | Filed in: News





\$46 million expansion opening at Jupiter Medical Center

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Did West Palm Beach encroach on state-owned land to thwart a road next to the politically powerful Ibis Golf and Country Club?

The short answer is yes, West Palm Beach encroached. The longer answer, says a city official, is that the city encroached, but not to thwart the road. The even longer answer, however, is that the city's action may very well become a problem for road builders who have to pay extra to replace wetlands in their path.

At issue is the extension of State Road 7, which goes north from Okeechobee Boulevard about halfway to Northlake Boulevard. The extension proposed by the state would take it the rest of the way, about four miles. The road has been on state plans for decades and a final public hearing on the route is still a year away. But behind the scenes, ecology is clashing with the best-laid plans of engineers.



Pat Painter, manager for West Palm Beach's Watershed Management Division, steers an airboat through wetlands on Nov. 16, 2010, in the northwest corner of Grassy Waters Preserve, the area next to the future site of the State Road 7 extension. Land usage is up for dispute since West Palm Beach, in restoring the wetlands in the preserve, encroached on a state-owned right of way for the SR7 extension.

The problem for Acreage residents is that the two-lane section of State Road 7 ends at Persimmon Boulevard, adding traffic to already crowded Acreage roads. The extension to Northlake, they say, would provide a bypass.

The problem for West Palm Beach is that the proposed path goes along the east side of Ibis, a gated community of about 1,750 homes within the city's northwestern boundary. Ibis residents are a force in city elections, with one Ibis resident, Jeri Muoio, serving on the city commission and running for mayor. Residents object to the noise and traffic the road would bring and are also concerned it would become a truck route.

The road would slip between Ibis and the Grassy Waters Preserve, a 20-square-mile marsh that captures rainwater for the city's drinking supply. Already, a 1-mile stretch of State Road 7 extends south from Northlake on the east side of Ibis, amounting to a private Ibis access road.

City officials oppose the route. Buoyed by success last year in stopping Palm Beach County plans to build an extension of Roebuck Road nearby, city officials have produced a six-minute video proclaiming the environmental virtues of the preserve and the hazards of building a busy road on its edge.

But the city went further. Using about \$5 million from developer fees for a nearby project, the city has restored 165 acres in the northwest corner of the preserve next to the roadbed. As part of Everglades restoration efforts, the goal is to improve water flow from the preserve to the federally designated wild-and-scenic Northwest Fork of the Loxahatchee River.

In the video, over images of wading birds soaring above pristine wetlands, city watershed manager Pat Painter worries that the beauty of the restored land, "will obviously be diminished somewhat with a six-lane highway." Plans for a boardwalk to allow naturalists to enjoy the view are on hold, Painter said, because "No one wants to come out and stare into a six-lane highway right here." The road initially would be four lanes but could be expanded to six.

In removing thick patches of willow and Brazilian pepper, however, the city admits it went too far, digging up plants in the State Road 7 right of way. There was nothing intentional, Painter said in an interview at the site. But he wasn't sorry the exotic plants, which harm the preserve, have been replaced by a sprinkling of aquatic grasses such as spike rush, pickerel weed and sagittaria. "That stuff would be on top of us right away," he said, "if we hadn't done something."

The result is the formation of wetlands that could make it harder to win an environmental permit for the road. The city won the first round of its fight against Roebuck Road on the basis of environmental permitting.

That victory came against Palm Beach County, which has championed the extension of State Road 7 to relieve The Acreage, which is under the county's jurisdiction. So the city's expression of innocence over its incursion into state land drew skepticism from County Engineer George Webb. The city has known for decades, he said, about the state's plan for the road and should have left a buffer between the preserve and the roadbed. The encroachment "may not have been

done to thwart the road," Webb said, "But it may have been done with the understanding that it would eventually make things more difficult."

Painter disagreed, saying the state faces a difficult task to win environmental permits for a road that would plunge through not only the small section - about 500 feet by 50 feet - that the city improved but other much larger sections of important habitat. "It's incidental compared to south of here," Painter said, pointing to a mature pine forest in the path of the road. "How do you put that back?"

For every acre of wetlands the state destroys it must pay a high price, in some cases \$85,000 an acre, to build wetlands someplace else. The state has identified 136 acres of high and moderate quality wetlands in the right of way.

State officials voiced no formal objection to the city's border error, which occurred in winter 2008. Rather, the state will "coordinate with the city to determine the environmental impact and associated cost with this encroachment," project manager Beatriz Caicedo-Maddison wrote in an e-mail to Webb. That means the city may have to pay but Painter says if the road is built, the state will have to pay far more to restore wetlands in the preserve as a trade-off for destroying wetlands along the road's path.

The city also is working to improve the habitat - near the roadbed - for the endangered Everglade snail kite, a type of hawk that nests in the preserve. The bird, which dines almost solely on freshwater apple snails, has become progressively scarcer in Florida, its only home. One report put its numbers at 1,300 in 2005, down from 3,500 in 1999.

To help the snail kite, the city is planting pond apples, which attract apple snails as forage for the bird. But that gesture too can be perceived as a blow against the road extension. When the state seeks environmental permits for the road, it will have to address the road's impact on the snail kite as well.

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RE: RPB Blvd from M Canal to Orange Blvd.

From: George Webb (GWebb@pbcgov.org)

Sent: Mon 3/02/15 8:31 AM

To: Anne Kuhl (annekuhl@outlook.com)

Cc: Johnnie Easton (JEaston@pbcgov.org); Tanya McConnell N. (TMcConne@pbcgov.org); Omelio Fernandez (OFernand@pbcgov.org); Dan Weisberg (DWeisber@pbcgov.org); Cathy Stewart (CStewart@pbcgov.org)

the design will be a continuation of the five lane section that exists south of Persimmon. An alternative design for a three lane section (with a center two way left turn lane) will also be produced. We have identified a pattern of rear end accidents along this section and having a turn lane serving all the intersections and driveways is expected to significantly reduce or eliminate the rear end accidents. My current thought is that if SR 7 is anticipated to be under construction in a reasonable time frame, we should just do 3 lanes - if not, a future commission would have to decide if 5 lanes would be appropriate.

From: Anne Kuhl [annekuhl@outlook.com]

Sent: Saturday, February 28, 2015 11:21 AM

To: George Webb

Subject: FW: RPB Blvd from M Canal to Orange Blvd.

George,

I meant to say from the prior February 3 BCC meeting. I asked this question at that meeting and I would like to know what is planned.

Thank you.

Anne Kuhl

From: annekuhl@outlook.com

To: gwebb@pbcgov.org

Subject: RPB Blvd from M Canal to Orange Blvd.

Date: Sat, 28 Feb 2015 00:27:13 -0500

George,

Please forward this to someone who can provide me with the following information from the prior February 3 BCC meeting.

What improvements are proposed for Royal Palm Beach Blvd. from the M Canal to Orange Blvd?
This is related to contract approval in Consent Agenda Item 3.C.5.

Thank you.

Anne Kuhl
561-795-2828

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