

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
MAY 15, 2015**

Chairman Mowery called the meeting to order at 9:41 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 Peter O’Bryan  
  Vice Mayor Adams

Martin County:                 Commissioner Haddox  
  Commissioner Thurlow-Lippisch

St. Lucie County:             Commissioner Mowery  
  Commissioner Lewis  
  Councilman Bowen  
  Commissioner Perona

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

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

Ex-Officios:                 Lois Busha, Florida Department of Transportation  
  Lynda Westin, South Florida Regional Transportation Authority  
  Kathy LaMartina, South Florida Water Management District

Council Staff:                Michael Busha  
  Phyllis Castro  
  Kim DeLaney

Liz Gulick  
Peter Merritt  
Dana Little

Council Attorney: Roger Saberson

The Executive Director announced a quorum is present.

### **AGENDA APPROVAL**

Commissioner O'Bryan moved approval of the Agenda. Commissioner Valeche seconded the motion, which carried unanimously. **Motion**

### **ANNOUNCEMENTS**

Staff noted a flyer from Urban Land Institute (ULI) had been distributed to Council members regarding its Florida Summit on June 4-5, 2015. The summit will address topics on the real estate industry.

Staff noted two addendums were distributed to Council members with respect to Agenda Item 13, All Aboard Florida (AAF) Update. These include a letter from the City of Palm Beach Gardens and correspondence from Representative Harrell. Staff indicated these items will be discussed with the AAF update.

### **CHAIRMAN'S COMMENTS**

None.

### **COUNCIL MEMBER UPDATE**

Councilmember Bournique noted there has been a rapid decline in sweet orange production, because of canker disease. He stated the good news is the scientists in Fort Pierce now have funds and resources, and are getting close to catching-up with the disease.

Councilwoman Gerwig indicated the Wellington equestrian industry is seeing high spring season counts even though the peak season is over.

Mayor Golonka stated the backup materials note the Tampa Bay Regional Planning Council is interested in medical tourism on a regional basis. She noted Jupiter Medical Center has received a grant from the state to work on medical tourism. She also noted Abacoa Town Center was purchased by a local consortium and hopefully the center can become an example of successful new urbanism in a commercial area. She indicated the town council is attempting to schedule a meeting with Florida East Coast Industries for June 1<sup>st</sup> to discuss the AAF project.

Vice Mayor Adams indicated the City of Sebastian adopted a resolution creating a Sebastian Youth Advisory Council made up of seven members: three members from Sebastian River High School;

two members from Sebastian River Middle School; and two members from Sebastian Charter Junior High School. He stated the primary reason for the advisory council is to get youth involved in government and the community, and give them a voice in how they want their city to be now and in the future. He also noted the Sebastian Area Historical Society will celebrate its 30<sup>th</sup> anniversary on May 16<sup>th</sup> from 1:00 to 4:00 p.m. at the Sebastian Area Historical Museum located on Main Street.

Commissioner Haddox noted that on May 14<sup>th</sup> the South Florida Water Management District (SFWMD) approved a land swap for some of their proposed surplus lands in Martin County. The property is located on the South Fork of the St. Lucie River, which will enable the county to complete a water quality project to help decrease street flooding, home flooding, and pollution. He expressed the county's appreciation of SFWMD.

Commissioner O'Bryan noted the May 28<sup>th</sup> meeting of the Florida Development of Finance Corporation to discuss AAF's request for \$1.75 billion in private activity bonds has been cancelled. He stated that Indian River and Martin counties will be in Washington, DC on May 29<sup>th</sup> when the lawsuits against AAF will be heard.

Commissioner Valeche reported Verdenia Baker has been selected as the new county administrator. He also noted that although the legislature did not finish, the easement along the M-Canal on the south part of the proposed spring training site was released, so baseball can now move forward. He said they are looking forward to throwing out the first pitch in the spring of 2017.

Commissioner Taylor stated she attended a community meeting the previous night about baseball and the community is looking forward to it.

Councilman Guyton indicated the marina project is almost complete and could not have been done without the support of the county. He stated the city is redoing Bicentennial Park with an amphitheater and there is a new event center with restaurants. He is very excited and looking forward to contributing to the economy of the region.

Commissioner Biggs asked Council to pray for the parents and family of the twin girls that perished in a fire this morning in Pahokee. She stated the city is very optimistic about plans for the Guy Harvey outpost at the Pahokee Marina. She said they are working with Commissioner McKinlay, the Better Business Bureau, and the Business Development Board to bring them back on board. She invited Council members to visit the Pahokee campground, marina, and restaurant that are now open.

Chairman Mowery noted there is a joint meeting today between St. Lucie County and the City of Fort Pierce. He indicated the county is discussing purchasing additional property at the port. He also noted a recent gas outage that occurred due to a vehicle hitting a pumping station in Port St. Lucie.

Commissioner Thurlow-Lippisch noted that more citizens are coming together to stand against the AAF project. She thanked staff for sharing the military map of the Everglades. She suggested with the new interest in water perhaps Council could invite Melissa Meeker, who oversees a group that

deals with reuse water, to speak at a meeting. Chairman Mowery noted that under Agenda Item 12 staff will provide an update on the symposiums that will be presented at future Council meetings.

Commissioner McKinlay recognized the hard work of Rachael Ondrus in getting the bill for the M-Canal easement passed. She also recognized the tragic loss of the two girls in Pahokee, noting that the smoke detector in the home did not have working batteries. She said she plans to visit the fire stations in the Glades and partner with them to do public awareness and battery giveaways. She asked that Council members do the same in their communities.

Councilmember Overdorf noted that the Stuart Sailfish Regatta will take place this weekend at the Stuart Causeway. He congratulated the many members of Council who have filed, or that may be thinking about filing, for federal office in Congress, stating this really speaks to the leadership within Council.

Kathy LaMartina noted a Hurricane Freddy exercise will be held on May 21<sup>st</sup> for Palm Beach, Martin and St. Lucie counties; the Indian River Lagoon Collaborative meeting will be held at 1:00 p.m. on May 22<sup>nd</sup> at the Indian River County Administrative chambers; the Indian River Lagoon National Estuary Program Council will meet at 9:30 a.m. on June 5<sup>th</sup> at the St. Johns River Water Management District Palm Bay Service Center; and SFWMD is holding an Upper East Coast Floridan Model meeting on June 3<sup>rd</sup> at 9:00 a.m. at the City of Stuart.

Councilmember Weaver noted there is a new Florida state law regarding 10-year batteries for smoke detectors and suggested Council members look into this and make sure all fire departments and building departments are aware of the law.

Councilmember Parrish reported Chief Financial Officer Atwater's office announced there are millions of dollars of unclaimed property in Tallahassee and his office is running advertisements for individuals to go on the website to see if they have money in Tallahassee.

Mayor DuBois recognized Dorothy Gooding and L.J. Parker who received two of Palm Beach County's Historical Societies highest awards. He stated that Ms. Gooding, who recently turned 100 years old, has written books on the history of the area. He stated that for many years Mr. Parker gave tours of the Jupiter Lighthouse and for the past 10 years he has been the president of the Lake Park Historical Society. He indicated that both of these individuals have done a wonderful job as keepers of the history of Palm Beach County.

Mayor Brennan stated she is pleased to learn that the village was awarded a Transportation Alternative Program grant through the Palm Beach Metropolitan Planning Organization (MPO). She noted that after many years of little capital improvements, the village will be concentrating on restriping and paving of roadways, and installing share-the-road signs. She stated this work will dovetail with the U.S. Highway 1 project. She also noted that the village is looking at installing a small substation for public safety and having larger events.

Lois Bush announced the first set of regional policy workshops on the updating of the Florida Transportation Plan and the Strategic Intermodal System Policy Plan will be held in June, with a

second set of workshops in late August/September. She provided a handout with information and encouraged everyone to attend or go online at [www.floridatransportationplan.com](http://www.floridatransportationplan.com).

Commissioner Perona noted that the City of Fort Pierce and St. Lucie County, along with many state agencies, are meeting to come up with an action plan for the port and move forward with development. He also noted that since everyone has discovered downtown Fort Pierce and the beaches, parking has become an issue, and the city is now trying to find a solution. He indicated the city has hired Diane Hopley-Burney as the new police chief.

Councilmember Bournique recommended an article in the Huffington Post, *Water Farming: An Engineering Concept That Is Saving Florida's Coasts*. He stated the Indian River Lagoon National Estuary Program Council is using the Tampa Bay/St. Petersburg Estuary program as a template and it was just announced the Tampa Bay Estuary is the cleanest it has been since 1950.

Chairman Mowery announced Commissioner Solari resigned as a Council member and Commissioner Zorc will now serve as a member from Indian River County.

Councilwoman Gerwig noted that Wellington is talking to SFWMD about acquiring the Strazzulla tract, which is a 3,000-acre parcel, to do a project that would affect regional water issues. She indicated they are just beginning discussions, but she wanted to alert Council members.

#### **LEGISLATIVE UPDATE – RONALD L. BOOK, EXECUTIVE DIRECTOR, FLORIDA REGIONAL COUNCILS ASSOCIATION**

Ron Book provided an overview of this year's legislative session. Mr. Book's presentation included a summary of the debate between the House and Senate with respect to Medicaid expansion; the Low Income Pool (LIP) program, which provides supplemental payments to institutions that provide uncompensated care, and intergovernmental transfers. He noted that because the House adjourned sine die, a special legislative session is being tentatively scheduled for June 1<sup>st</sup> through June 20<sup>th</sup> in order to ensure the state's fiscal year 2015-2016 budget is passed. Mr. Book also provided an update on Senate Bill 1216 which included the impacts of the bill on regional planning councils and the development of regional impact process. In conclusion, Mr. Book thanked Council for the opportunity to continue to represent the Florida Regional Councils Association and serve as its Executive Director.

Chairman Mowery noted that the Governor signed Senate Bill 1216 the previous day. He also noted that efforts to provide funding to the regional planning councils were not successful. Mr. Book noted that the funding was in the original bill, but had been removed.

Commissioner Valeche asked if the LIP funds are directly appropriated by Congress, or if it is a general appropriation to Centers for Medicare and Medicaid Services (CMS). He stated that it seems like there should be some oversight, perhaps by a committee of both the House and Senate. Mr. Book indicated the funds are not a direct appropriation in the congressional budget. He stated that Health and Human Services (HHS) has a large pot of dollars that fund Medicare, Medicaid, and components that are allocated to the state. He noted there is a huge level of discretion to approve waivers that exists in the current federal laws. He indicated there are parameters of what waivers to

the Medicaid program states can choose to participate in, with a number of benefits that are not mandated by the federal government. He noted that states like ours have applied for these waivers and gotten approval and funding. He indicated our LIP program is largely driven by those dollars from intergovernmental transfers and state funds. He said at the federal level there is a funding formula based on what services are provided that allow for supplemental payments to health care providers in the hospital world. He stated an example of this is a provision that allows for some portion of the funding to be used as an education piece to train doctors that are doing their residencies at various hospitals. He indicated the funding formulas are extremely complicated, and in his opinion pressure should be put on Congress to push HHS and CMS to quickly reach a resolution. He stated it is his belief that our senate has probably discouraged CMS to reach an agreement on a revised LIP program. He stated the senate has offered some parameters for the re-written LIP program that need to be approved by CMS.

### **PUBLIC COMMENT ON CONSENT AGENDA ITEMS**

None.

### **CONSENT AGENDA**

Commissioner Taylor moved approval of the Consent Agenda. Commissioner Biggs seconded the motion, which carried unanimously. **Motion**

Items on the Consent Agenda were: 9A, Financial Report – March 31, 2015; 9B, Minutes – April 17, 2015; 9C, Town of Jupiter Comprehensive Plan Amendment No. 15-5ESR; and 9D, Martin County Comprehensive Plan Amendment No. 15-1ESR.

### **BUDGET AMENDMENT FOR FISCAL YEAR 2014-2015**

Chairman Mowery noted that staff was tasked with reviewing the submitted resumes for the position of Council attorney. He indicated that the Budget/Personnel Committee met prior to the meeting and would be presenting recommendations to the full Council after interviews are conducted. Staff noted that the Committee met on May 4<sup>th</sup> to discuss additional revenue Council has received through new contracts. Staff stated that the Committee is recommending approval of the amended budget.

Commissioner O'Bryan noted that when the budget is submitted each year there are potential contracts that have not been finalized. In order to present a balanced budget, he indicated that there is a line item that reflects the projected revenue from these pending contracts. He stated the proposed amended budget has an increase in revenue from new contracts and also a decrease in revenue on some contracts for a net increase of \$343,600 in confirmed revenue from state, federal and local contracts. He noted the adopted budget had projected revenue of \$305,367, which means the projected revenue was exceeded by \$38,233 for Fiscal Year 2014-2015.

Commissioner O'Bryan moved approval of the Budget Amendment for Fiscal Year 2014-2015. Commissioner Haddox seconded the motion, which carried unanimously. **Motion**

## LOCAL DUES FOR FISCAL YEAR 2015-2016

Staff noted that a large part of Council's budget is the dues that are paid annually by the counties, which are based on a rate of \$0.43 per capita. Staff noted that in 2007 Council made a decision to freeze the dues at 2006 population levels, which has been done every year since. Staff indicated that the freezing of these dues has collectively saved the four counties approximately \$160,000. Staff stated that at the May 4<sup>th</sup> Budget/Personnel Committee meeting it was suggested that the dues be unfrozen and based on the 2014 population estimates from Bureau of Economic and Business Research (BEBR) at the University of Florida. Staff noted that the increase in the dues will not result from an increase in the per capita rate, which will remain at \$0.43, but the increase will be reflective of the increase in actual population. Staff indicated this means the counties would collectively pay an additional \$46,000 in dues if the increase is applied to the Fiscal Year 2015-2016 budget. Staff noted that one of the things the increase can be used for is to hire an economic development planner. Staff stated that the recommendation from the Committee is to approve a motion to base the calculation of the local member dues on 2014 population estimates in order to maintain a high level of services, especially in the area of economic development.

Chairman Mowery stated that this is not an increase in dues as much as removing the freeze on the 2006 population levels that are used to calculate the per capita rate, which will remain at \$0.43. Commissioner Valeche asked if the freeze was done in conjunction with the counties. Staff indicated that there was county representation on Council when the decision was made. Commissioner Valeche stated the increase is a de minimis amount, but he is hesitant to vote without getting the okay from his full board. Chairman Mowery stated that as counties and municipalities we have all agreed on the per capita rate, but what is not part of the agreement was the freeze on dues put into place in 2006. Commissioner McKinlay asked if this will be passed by Council and then brought back to the individual commissions for approval. Chairman Mowery stated that it has already been approved by the commissions as it relates to the contract. Commissioner Taylor stated that as part of Council the board agreed to the freeze, and the board is agreeing that the freeze be lifted. She stated that once the freeze is lifted, the counties will have to abide by the decision, because they need to maintain their Council membership. Staff noted that this decision will not change the interlocal agreement.

Councilwoman Gerwig questioned if the population levels will be based on the actual numbers from the 2010 census, or if we will be estimating the population. Chairman Mowery stated that the population levels have always been based on the BEBR population data, which is tied to the interlocal agreement. Vice Mayor Adams asked what the change would be for the cities. Staff noted that none of the cities directly pay dues. All the dues come from the general funds of the four counties.

Chairman Mowery asked if there is any public comment. There being none, Commissioner O'Bryan made a motion to unfreeze the 2006 population estimates and use the 2014 BEBR population estimates for Fiscal Year 2015-2016 dues. Councilmember Davis seconded the motion, which carried unanimously.

**Motion**

**FLORIDA DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2014-2015  
CONTRACT EXTENSION AND FISCAL YEAR 2015-2016 CONTRACT FOR  
TRANSPORTATION PLANNING SERVICES**

Staff indicated that the Florida Department of Transportation (FDOT) has requested Council extend the current agreement to June 2016. Staff noted that there have been delays in providing assistance due to delays related to the Tri-Rail Coastal Link project. Staff noted Council has had a long relationship with FDOT to provide support services, planning services, and technical assistance, which has included efforts to reestablish passenger rail service on the Florida East Coast (FEC) corridor. Staff noted assistance has been provided with respect to the Coastal Link project as well as another proposed Amtrak project for long distance services that would have been very different from the AAF proposed service. Staff also noted that Council assisted FDOT with livable communities, and is assisting the Department with decision-making for road projects and understanding the local and community expectations through facilitation of meetings. Staff stated that Council is also currently assisting FDOT with developing state-wide complete street policies. Staff requested Council authorize the executive director, in consultation with Council's attorney, to amend the existing contract with FDOT for transportation planning services for Fiscal Year 2014-2015 and execute a new agreement for Fiscal Year 2015-2016.

Commissioner O'Bryan moved approval of the Florida Department of Transportation Fiscal Year 2014-2015 Contract Extension and Fiscal Year 2015-2016 Contract for Transportation Planning Services. Councilmember Overdorf seconded the motion, which carried unanimously.

**Motion**

**LEGISLATIVE AND EDUCATIONAL INITIATIVES**

Staff noted that the Gubernatorial Committee suggested two items be brought to the full Council for action. The first is scheduling legislative briefings, which occurred with Mr. Book's presentation, and a briefing from the legislative delegation. Staff noted that the legislative delegate meeting will need to be scheduled after the special session, most likely at the July meeting.

Staff indicated that the second Committee suggestion is for staff to arrange a four-part symposium on water issues and resources. These presentations will focus on the history of water resources in the state; offer suggestions for how to fix some of our current systems; and how we can better prepare for the future locally to make a difference in a positive way related to water resources in the region. Staff noted that the symposiums will occur at the regular Council meetings, and the topics that have been suggested are: 1) History of the Everglades and the Central and South Florida Flood Control Project; 2) Comprehensive Everglades Restoration Plan and Lake Okeechobee Discharges: Then and Now; 3) Future Water Supply: Are We Going to be Thirsty in 2030? and 4) Amendment One: Regional Priorities for 2016.

With respect to Amendment One, the Florida Water and Land Conservation Initiative, staff noted that it is very important for Council to learn as much as possible about how the money will be spent, and come together as a region on what the regional priorities should be and how the money should be allocated to projects that will benefit the region. Staff requested Council authorization to organize and schedule the legislative updates and the four-part educational symposium on water resources.

Chairman Mowery stated the suggestion for these activities came about as a result of discussions regarding Council's purpose. He stated these proposed activities will help address not only some of the local issues and concerns, but also help to deal with issues that are important to the entire region and provide a forum that invites the public to be part of the process.

Councilwoman Gerwig stated she supports this idea and is glad staff acknowledges that conservation and water run together. She stated that rumors are rampant regarding Amendment One. She stated she thinks a discussion of how the money is to be spent needs to be discussed publicly, and she supports this Council being a place for that discussion.

Councilmember Overdorf moved approval of the Legislative and Educational Initiatives. **Motion** Commissioner O'Bryan seconded the motion, which carried unanimously.

### **ALL ABOARD FLORIDA UPDATE**

Staff presented an update on the latest information related to the AAF project. Staff distributed to Council members a letter from the City of Palm Beach Gardens to the Florida Housing Finance Corporation indicating the city will be adopting a resolution opposing the AAF project. Additionally, staff provided a series of questions related to freight impact that were raised by Representative Harrell and forwarded to Council by Linda Cox, City Clerk for the City of Fort Pierce.

Commissioner O'Bryan noted the Florida Housing Finance Corporation May meeting has been postponed and has not yet been rescheduled. Staff indicated they will continue to monitor this and once a new date is established circulate the information to Council members.

With respect to FEC railroad bridges, staff indicated the U.S. Coast Guard (USCG) has provided official notification that a bridge tender will be established at the New River Bridge in Fort Lauderdale. Staff stated this is being done to test to see if having a bridge tender will increase safety and reduce interference of the bridges. The test period will run from April 19<sup>th</sup> through October 16<sup>th</sup>, with a bridge tender stationed 24 hours a day. Staff indicated boaters can contact the bridge tender through VHF radio communications. The USCG's goal is to determine whether or not this will improve conditions and, based on the result, the USCG will consider deploying bridge tenders at the Loxahatchee River and St. Lucie River bridges. Staff will continue to monitor this and circulate information as it is available.

Staff indicated there is no updated information from the Federal Railroad Administration with respect to the final environmental impact statement, although there have been suggestions that the document will be posted sometime this summer. Staff will post the information and notify Council members when the document is available, and will schedule an agenda item for discussion at the next appropriate Council meeting.

Staff noted that work is still being done to schedule a freight forum. Staff has been working with staff of FDOT and reaching out to the Florida Department of Economic Opportunity to schedule this forum. Staff indicated the forum will most likely occur in late September.

Mayor Dubois asked if the New River Bridge rests in the down position. Staff indicated the bridge is in the up position and closes on demand by the trains. Mayor Dubois asked what the bridge tender does. Staff stated that based on dialog with the Coast Guard, having a human point of contact at the bridge makes a safer condition.

**SENATE BILL 1216 AND HOUSE BILL 933 UPDATE**

Chairman Mowery indicated Senate Bill 1216 has been signed by the Governor.

**PUBLIC COMMENT**

None.

**STAFF COMMENT**

Mayor DuBois asked if the requested \$2.5 million in funding for the regional planning councils passed. Staff indicated that the funding request was an appropriation in the bill that was removed. Staff noted that there is hope the funding for regional planning councils will be included in the state budget, and that the Governor will not veto that line item.

**ADJOURNMENT**

There being no further business, Chairman Mowery adjourned the meeting at 11:29 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 May 15, 2015 meeting of the Treasure Coast Regional Planning Council.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature