

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
FEBRUARY 19, 2016**

Chairman Davis called the meeting to order at 9:34 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 Zorc  
  Vice Mayor Old

Martin County:                 Commissioner Fielding  
  Commissioner Haddox  
  Commissioner Thurlow-Lippisch  
  Commissioner Conze, Jr.

St. Lucie County:               Commissioner Mowery  
  Commissioner Lewis  
  Commissioner Perona

Palm Beach County:           Vice Mayor Valeche  
  Commissioner Burdick  
  Councilwoman Gerwig  
  Councilman Hmara  
  Councilmember Tinsley  
  Mayor Dubois  
  Councilman Norris (Alternate)

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

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

Council Staff:                 Michael Busha  
  Phyllis Castro  
  Kim DeLaney

Liz Gulick  
Stephanie Heidt  
Dana Little  
Peter Merritt

Council Attorney: Keith Davis

The Executive Director announced a quorum is present.

### **AGENDA APPROVAL**

Commissioner Fielding moved approval of the Agenda. Commissioner Mowery seconded the **Motion** motion, which carried unanimously.

### **ANNOUNCEMENTS**

Staff provided information regarding the Palm Beach Metropolitan Planning Organization's (MPO) Commuter Challenge program. The MPO is organizing this countywide program with Palm Tran, Tri-Rail, Sky Bike, and others to encourage people who drive to work within or to/from Palm Beach County to instead take public transit, walk, bike, and/or carpool during the month of March.

Staff indicated there will be a Street Painting Festival on February 20-21 in downtown Lake Worth.

In order for Council members to understand all the programs Council is working on throughout the region, staff provided Council members with a copy of Council's work program for 2015-2016. Staff noted there are different categories that show new, potential, continuing, and recently completed projects. Staff indicated there are 42 open contracts with different local governments and vendors/agencies. Staff noted prior to the last five years, regional planning councils (RPCs) received state funding to conduct statutorily mandated work for the state. Staff indicated for the past five years no state funding has been allocated to RPCs, and the Florida Regional Councils Association (FRCA) has made the decision to request project-specific appropriations rather than a general appropriation. It was decided the RPCs will develop a plan for a project regarding identification of industry clusters statewide. Staff indicated FRCA will be working with the Florida Department of Economic Opportunity to create this project for them by working with the local economic development organizations and local governments. Staff noted Senator Latvala has put in an appropriation for \$1 million, and Representative Diaz is looking to put this in at \$2 million. Staff indicated if any Council member has contact with Senator Latvala or Representative Diaz or their staff, there are talking points available.

Staff also noted FRCA has commissioned a firm called IdeaBar to help rebrand and relaunch their website. Staff indicated IdeaBar is a group of Palm Beach Post reporters and website experts that will help improve the image of the RPCs, and show what RPCs are capable of by addressing issues on a regional basis.

Staff provided information regarding Bike Month, noting there is an item on the agenda that includes a resolution to proclaim March as Florida Bike month. Staff noted this is an opportunity to

raise awareness about cycling and cycling safety and its contribution to health and quality of life, and the mobility of Florida.

Staff indicated the RPCs received a National Association of Development Organizations Award for its Comprehensive Economic Development Strategy plan. Staff noted all ten RPCs work together on a statewide approach using the same methodology for their economic development programs.

Staff noted the March 18<sup>th</sup> Council meeting cannot be held at the current location and asked if any Council members may know of a location that might be available.

### **CHAIRMAN'S COMMENTS**

Chairman Davis stated it is an honor to serve as Chairman and he is looking forward to a productive year for Council. Chairman Davis noted he, Commissioner Mowery, and the executive director attended the FRCA policy board meeting in Tallahassee. He stated it is clear there is an image problem for RPCs, and we need to do a better job of articulating what we do and the great value that RPCs provide statewide. Chairman Davis provided an image of Florida at night from the space shuttle, noting the image clearly shows we are a region. He indicated Senator Bill Nelson will be speaking later in the meeting, noting Senator Nelson flew on space shuttle Colombia and one of the things that struck him when he was there is it is a region. Chairman Davis stated this image points out why we have to look at things not only from a local perspective, but also as a region when it comes to transportation, water, and the economy. He indicated his priorities as Chairman are the continuation of Council's 2016 Legislative Priorities. He stated it is obvious from a water perspective and through the debates over where, how fast, and how much water goes into our ecosystem, it is critical to move Everglades restoration projects forward. He stated it is his hope that with the power and intellectual capacity of Council, federal, state, and local agencies can be pushed to find some solutions. Chairman Davis indicated Senator Nelson will be speaking about some of his proposed legislation, and later in the agenda Council will be discussing a resolution of support for state level legislation.

Chairman Davis stated his second Council priority for 2016 is looking at the issue of housing from a regional perspective. He noted most local governments represented on Council have issues with affordable housing and how to address attracting large business and talent to our region. He stated this is also an issue for teachers, firefighters, policemen, and others. He stated there have already been conversations with Palm Beach County administration on how Council might be able to facilitate this issue not only for the four counties in our region, but on a more broader scale. He stated Council support would not be in terms of financing, it would be more of a role to help host and facilitate summits and bringing groups together to develop ideas on policy and approaches that will work. Chairman Davis thanked the public for their participation, noting it is important for their voices to be heard.

Vice Mayor Valeche indicated that in terms of water there is a lot of legislation and planned projects that have not been funded. He stated he would like to see a compilation of all the projects that are being contemplated, because we do not need to re-invent the wheel. Chairman Davis stated it would be good to have the Army Corps of Engineers (ACOE) and the water management districts (WMDs) present to Council what they have accomplished since legislation was signed in December

of 2000, and what they expect to occur in the next few years. Vice Mayor Valeche asked if Congress recently passed a water bill. Chairman Davis stated they did about a year ago, and there are rumors there might be another water bill this year, which is not unusual in an election year. He indicated Senator Nelson will have a better sense of this, because he is proposing alternate legislation to take some Comprehensive Everglades Restoration Plan (CERP) projects out of water resources development to help move them along.

Commissioner Fielding stated even if the 68 proposed projects are completed, they will only handle about 200,000 acre-feet, and we need at least 1 million acre-feet. He stated he wants Council to engage in the concept that what is scheduled is terribly insufficient. He noted in the last 4 to 5 months the South Florida WMD has been given direction from a new director to focus entirely on completing projects. He indicated this is acceptable, but we need to be aware the proposed projects are insufficient to handle both the discharge and getting sufficient water for the Everglades. Chairman Davis stated an update from both the ACOE and WMD will be very helpful and he will work with staff to invite both agencies to present at a future meeting.

Commissioner O'Bryan noted the housing issue is one for a lot of counties around the state, with many counties hosting summits to tackle this very important issue. He also noted when talking with the local chamber business leaders, they have expressed the same issue. He stated when they try to expand, they want to hire people, but it is hard for the individuals to find either apartments or rental homes they can afford on a starting salary. He indicated this is a timely, economic development issue and he fully supports Chairman Davis' priority to bring the housing issue forward.

Commissioner Burdick stated Palm Beach County has a plan, it just needs to be implemented. She said part of the issue is for policymakers to stick to a plan. She stated a lot of local governments opt out of the plan, because they hear from the communities that do not want affordable housing, or the developers do not want to pay the dollars.

### **COUNCIL MEMBER UPDATE**

Commissioner Fielding indicated there was a recent two-day symposium at Harbor Branch Oceanographic Institute. He stated one of the things that came out of the symposium is that use of seawalls and riprap is a total failure for stabilization of the shoreline for the long-term. He noted the Florida Department of Environmental Protection (DEP) researched this and suggests that living shorelines are best. Commissioner Fielding encouraged Council members to give consideration to this when looking at their planning and development regulations. He also noted that there was information provided from the Florida Institute of Technology research on the adverse effects of muck, especially for the Indian River Lagoon. He stated a way for local governments to reduce the amount of muck going into the lagoon is by changing the way aquatic weeds are sprayed. He stated muck is a releaser of nitrogen, which is an extremely harmful element to our water bodies. He noted currently there is a very heavy brown algae bloom at the north end of the lagoon, and to the south there are constant releases from the lake that kill off the seagrasses. He stated the lagoon is in very dire straits and we need to focus on things that we can do to improve our waters. Chairman Davis encouraged Council members to look at the living seawalls, which his firm designs.

Commissioner Perona noted the City of Fort Pierce is looking again to move its wastewater treatment plant, and have engaged a special committee to look at this issue. He noted the plant does not fit in with the state-of-the-art marina, port, museums, and schools in the area. He stated this is probably one of the most valuable pieces of property in the city.

Commissioner Lewis stated she was mildly amused to discover that while we are currently trying to push for Everglades restoration, there are other parts of the nation that are overwrought with us, because they feel Florida is getting too much of the funding. Chairman Davis stated there is a lot of Everglades envy across the country. Commissioner Lewis noted there are some flood suppression efforts individuals would like to see move forward, because the main mission of the ACOE is the protection of life. She indicated she is heartened to hear there is quite a large proportion of the funding going to Florida.

Commissioner O'Bryan noted that at the Florida Association of Counties legislative conference in Tallahassee in early February the most disturbing issue is a coordinated effort to remove home rule authority from counties and cities. He stated this is something Council needs to be aware of and vigilant against. He indicated there are 21 bills floating around that have some form of preemption in them, and another 18 bills impact our ad valorem taxes. He noted a couple of representatives, who were formally local elected officials now serving in Tallahassee, spoke to the group and expressed the same concern that there is an orchestrated, coordinated effort to remove home rule rights. He noted earlier in the week Senator Simpson fought an amendment to a bill to override any existing local fertilizer ordinance that banned the fertilizing, but outcry was so loud Senator Simpson withdrew his amendment.

Vice Mayor Norris indicated North Palm Beach is continuing its progress on a new master plan with the assistance of Council staff. He stated there was an amazing week-long charrette a few weeks ago that totally invigorated the residents. He stated he is very positive about the future and cannot praise staff enough. He noted Vero Beach is on the list of potential projects and offered his assistance if they have any questions.

Vice Mayor Valeche stated he agrees with Commissioner O'Bryan on the subject of preemption. However, he stated one thing he would like to see preempted is Uber. He stated this has been dealt with on a county basis throughout the state, but believes there needs to be statewide regulation on Uber. Vice Mayor Valeche stated the county's local planning agency approved the Indian Trail Groves project on Northlake Boulevard last week. He asked staff if Council is a consultant on the Avenir project. Staff indicated no. Vice Mayor Valeche also noted the county has approved a project called West Lake, formerly Minto West, in the Acreage, and now Palm Beach Gardens has approved Avenir, which includes 3,000 homes. He stated he is not sure how the traffic issues will be addressed with this amount of additional homes and only one road coming east. He stated there is not a mechanism to widen Northlake Boulevard beyond a couple lanes. He also noted there is a proposal at the intersection of Beeline Highway and Northlake Boulevard to do an urban interchange. He noted there is a very large infrastructure back log in the county that has been neglected over the past 5 to 6 years, and the county administrator has identified about \$700 million in projects, some of which are new. He stated funding has been a serious discussion in the county, with talk of perhaps a one cent increase in the sales tax in combination with the school board, or possibly through a bond. He stated he believes this issue will probably be on the ballot in November

as a referendum. Staff noted if the county decides to transmit the Indian Trails Grove project, it will be as a comprehensive plan amendment brought before Council in March or April. Vice Mayor Valeche stated it will be in the next transmittal round, because this project is moving rapidly through the process.

Commissioner Burdick stated the MPO's Commuter Challenge is a very exciting cultural move to involve individuals through a very comprehensive approach, which she believes everyone will enjoy. She noted the living shorelines in the City of Lake Worth are outstanding. She indicated that in the past there were no identified oystercatcher birds in Palm Beach County, but now they have come back and there are several nesting pairs. She stated this is not only good for the shorelines, but it enhances ecotourism for the county, because people are coming from all over the world to rent kayaks to get in the water and take pictures of the oystercatchers. Chairman Davis requested someone from the county environmental office provide information to Council on the living shorelines.

Commissioner Conze noted the Town of Jupiter Island is immersed in an effort to move 1.65 million cubic yards of sand back onto their beaches. He stated there is also the issue of Miami attempting to siphon off sand from one of the town's preserves, which represents about 50 years' worth of potential sand re-nourishment for the town. He stated there is on-going communication with the ACOE to try to get Miami to understand the nature of the ocean body and that by filtering this sand into their reserve, they are depleting the town's reserve. Staff noted Council has taken action on this issue and Council's recommendation will be forwarded to Commissioner Conze.

Vice Mayor Old indicated the City of Vero Beach has been working on their cultural arts area, noting Council staff is in the final stages of the charrette process that began in September. He stated he is very pleased that the community has been enthusiastic and it is taking on a life of its own.

Commissioner Thurlow-Lippisch noted her town is in the middle of the St. Lucie River and Indian River Lagoon and getting bombarded again by polluted water. She indicated the town is in the process of re-working its sign ordinance after the Supreme Court ruling last year. She said it has been very tricky, because they have always been able to say they want black and white signs, but they can no longer discriminate, such as saying a political sign can have color, but everything else must be black and white. She stated this will change the character of the town.

Councilmember Parrish noted that on his drive to the meeting, the manager of the City of Fellsmere mentioned Council and how impressed he is with our work during a radio interview. He thanked Council members for electing him secretary/treasurer and said he will do his best.

Commissioner Mowery expressed his pleasure with spring training and what is coming to Palm Beach County. He noted the City of Port St. Lucie has the Mets, a World Series championship team, and invited everyone to come to the third largest city in the state.

Councilmember Overdorf thanked everyone who recently came out and supported Harbor Branch at the *Love Your Lagoon* event. He stated this event showed how business is able to support an environmental cause and they were able to raise some money for a member to do his research within the lagoon. He noted another way business and the environment are combining in Palm

Beach County is a large development where they are doing a restoration project at Hatcher park in Jupiter. He noted this is a way that business may have impacts on a large urban area, but is able to restore a park that will be there forever.

Councilmember Houston asked Council members traveling south after the meeting to look to their right toward I-95 at the St. Lucie River, which he said looks like chocolate milk or bad coffee. He stated Commissioner Fielding made some important points, noting there is a group that has a paddleboard business in Stuart that has closed down. He stated people can no longer fish in Stuart, because the silt content is so high, and in the Indian River there is a plume moving up and down the channel. He stated we need to begin to look at other solutions, suggesting creating a partnership between agriculture and urban growth that looks at tying the interest of both groups together to do something to prevent more water coming off agricultural properties. He stated there are transfer of development rights programs around the country that have tried different things, and he encouraged the region to begin to say there is a coupling of land use to large regional environmental issues.

Council Member Tinsley indicated Vice Mayor Valeche made some interesting points regarding traffic that should be discussed under agenda item 10. She stated the Honda Classic held its kickoff event the previous night, and invited everyone to attend the event. She noted the Honda Classic has been a wonderful addition to the city and the entire north county, and has brought in over \$2 million in charitable contributions to the area.

Councilwoman Gerwig noted that because of the rain it has been a difficult equestrian season for Wellington. She indicated the international polo club is up for sale which is a huge impact to the region, noting the equestrian industry has an economic value of approximately \$200 million for the county. She stated with the sale issue, polo is susceptible and she would like to do whatever we can as a region to maintain that part of our equestrian industry, but we are left without control over how that happens, because it is all private investment.

Councilman Hmara stated he shares Vice Mayor Valeche's concerns about the traffic impacts from the growth in the western and northwestern parts of Palm Beach County. He noted West Fest will be held in Royal Palm Beach at Commons Park February 26<sup>th</sup> through the 29<sup>th</sup>. He stated there will be live country music and a chili cook-off competition.

Lois Bush indicated the vision and policy elements for the update of the Florida Transportation Plan have been completed and the implementation element will be developed this year. She stated she has copies for distribution and encouraged Council members to visit the website.

Kathy LaMartina stated the South Florida Water Management District (SFWMD) is putting together a couple new tools to keep everyone informed and updated on water issues. She noted one of these tools is *Just the Fact* sheets, noting she has with her for distribution one on the 2015-2016 wet/dry season. The other tool is a daily operations update, which she said will be distributed through email to all elected officials. She offered to add anyone to the list who wants to receive these updates. She indicated the SFWMD is trying to get creative on how to move water and are discussing two new ways to move additional water south. One is using the C4 detention basin, which is historically used for just flood control, but will now be used to move some water south. She stated they will also be placing some water into aquifer storage recovery wells. Chairman Davis

asked for the entire Council to be put on the email list for information. He stated because water is a Council priority for 2016, he would like to ask the Colonel of the ACOE and the executive director of the WMD to provide updates at future Council meetings on what is being accomplished with Everglade's restoration and how Council can assist.

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

None.

### **CONSENT AGENDA**

Councilmember Sachs moved approval of the Consent Agenda. Vice Mayor Valeche seconded the motion, which carried unanimously. **Motion**

Items on the Consent Agenda were: 8A, Financial Report – November 30, 2015; 8B, Financial Report – December 31, 2015; 8C, Minutes – December 11, 2015; 8D, Resolution in Support of Florida Bike Month; 8E, Town of Hypoluxo Comprehensive Plan Amendment No. 15-1ESR; 8F, Indian River County Comprehensive Plan Amendment No. 16-1ESR; 8G, Village of Royal Palm Beach Comprehensive Plan Amendment No. 16-1ESR; 8H, City of Vero Beach Comprehensive Plan Amendment No. 16-1ESR; and 8I, Intergovernmental Coordination and Review Log.

### **COMMITTEE APPOINTMENTS - 2016**

Commissioner Burdick moved approval of the recommended committee appointments. Commissioner Houston seconded the motion, which carried unanimously. **Motion**

### **CITY OF PALM BEACH GARDENS COMPREHENSIVE PLAN AMENDMENT NO. 16-1ESR**

Chairman Davis recused himself from voting on the item, because he was one of the principal architects of the environmental component for this project at his former firm. He stated although he no longer works there, in the spirit of avoiding any misperceptions he is recusing himself.

Staff indicated Chapter 163 of the Florida Statutes requires RPCs to review local government comprehensive plans prior to their adoption. Council's role is to provide comments on adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan, and extrajurisdictional impacts that would be inconsistent with the comprehensive plans of affected local governments within the region. Staff indicated the current amendment being submitted by the City of Palm Beach Gardens is to change the future land use designation on 4,673 acres from rural residential to mixed use development and modify the urban growth boundary to include the subject property. Staff noted the proposed development, known as Avenir, is located on Northlake Boulevard in the western portion of the city.

Staff's presentation of this item was suspended due to the arrival of Senator Nelson.

Chairman Davis said it was a great honor and pleasure to have the senior Florida Senator present. He noted Senator Nelson's family has been in Florida since 1929 and he has the distinction of having flown on the space shuttle Columbia. He indicated Senator Nelson started his career in 1972 in the Florida Legislature and served in the U.S. Congress for 6 terms before being elected to the Florida Senate in 2000. Chairman Davis stated Senator Nelson is great advocate of public service and a great advocate of environmental and water issues.

Senator Nelson thanked Chairman Davis stating it is good to see all the Council members and expressed his appreciation for support on these issues. He noted that while serving in the state legislature in the 1970s, one of the bills he was able to forward was the state's first comprehensive land planning bill, the Local Government Comprehensive Planning Act of 1975. He stated this was the forerunner to the Growth Management Act of 1985. He indicated that out of the original legislation came the movement of regional planning commissions, which is exceptionally important because problems need to be solved on a regional basis as well as on a municipal or county basis. He stated that in 1975 he had to convince the state legislators that planning for growth was not communist, and there was a growth boom that had been happening in Florida since World War II. He stated he was not getting anywhere until he received the endorsement of the Florida Association of Counties which helped him get his legislation passed.

Senator Nelson thanked Council for what it does and the plethora of items being reviewed on the agenda. He indicated what he wants to talk about is water. He stated the problems began in the late 1920s when the Tamiami Trail was built. The water started backing up water and aided in the drowning of 2,000 people around Lake Okeechobee in a massive hurricane. He stated Lake Okeechobee did not have defined boundaries, but when the waters came and people started to populate around the lake, the question was one of flood control, and that is why the SFWMD was originally known as the Flood Control District. He indicated for over a half century the idea was flood control and moving the water off the land, which is why the big canals were dug to divert the water to tide. He stated we have come to understand this messes us up and is the complete reverse of what mother nature intended. He stated the water was intended to start in the north at Shingle Creek, come down through the Kissimmee Basin and be cleaned by the Kissimmee River, because it is a meandering stream and the water moved slowing to the south through the "river of grass." He stated we reversed everything and began sending too much freshwater to tide and affecting our estuaries. He also indicated part of the problem is supplying water for 6.5 million residents and trying to supply a very large agricultural industry. He stated Everglades restoration is intended to be a 50/50 partnership between the state and the federal government. He noted that because we have had an extraordinary rain period over the last several months, releases from Lake Okeechobee have occurred to relieve the pressure on the dike, with this water coming east to the St. Lucie River and west to the Caloosahatchee River and polluting the water. He stated several years ago a water bill was passed to construct a massive reservoir area of 9,000 acres called C-44, which is currently under construction and will be completed in 2019.

Senator Nelson noted Congress passed a water bill in early December. He indicated the next step is to get the ACOE Chief's report into the water bill so construction projects can be authorized. He noted the water bill is not just for Florida, but for the entire country. He indicated we need to get the Central Everglades Planning Project (CEPP) authorized so we can begin work to move the water to the south, and not dump it into the St. Lucie and Caloosahatchee rivers. He indicated one of the

projects occurring is to raise the level of the Tamiami Trail to hold more water. The project is to build bridges in place of the road dikes. He indicated one bridge has already been completed with authorization for the ACOE. Senator Nelson stated last week the ACOE was asked to raise the canal that is parallel to the Tamiami Trail a foot and therefore give the water pressure to get in under the mile-long bridge and send the water south into Everglades National Park. He stated the sad thing is Everglades National Park is starving for water, and there has been too much water to the north of the Tamiami Trail in Stormwater Treatment Area 3 and wildlife is drowning due to the excess water. He noted that the Miccosukee and Seminole tribes have been given a 90-day permit, and Florida Power and Light Company has been given a 30-day permit to flood those lands.

Senator Nelson thanked everyone for the privilege of being able to work for the State of Florida. He noted that the SFWMD needs emergency declarations in order to do what they need to do, and in the meantime he will work to pass bipartisan legislation that authorizes the CEPP through the next water bill and then work to get the appropriations in order to keep the projects moving forward. Senator Nelson stated he understands the water issues well, because he grew up in Indian River County and understands the lay of the land. He stated that as a young state legislator he was naive when trying to pass the Comprehensive Planning Act. He stated he worked with the environmentalists and the ranchers who were at odds, but now they are all pulling in the same direction, particularly north of Lake Okeechobee, where huge conservation easements areas are a win for everyone. He stated they are a win for the ranchers who want to continue their ranching heritage for themselves and their children, because they are able to earn some money from the land. It is a win for the environmentalists, because it keeps the polluted water from getting polluted going into the Kissimmee basin and Lake Okeechobee. And it is a win for the taxpayers, because it is the cleanest and most inexpensive way to clean up the water. Senator Nelson asked if the Chairman would allow questions.

Chairman Davis thanked Senator Nelson for addressing Council and for his decades of public service to not only Florida, but the entire nation. He offered Council's support of his legislation this year. Senator Nelson stated he is going to the Stuart Airport to have the SFWMD staff take him over the dike and also see the progress on the construction of the C-44 project.

Commissioner Conze stated it was a wonderful coincidence to meet the Senator today, and Senator Nelson noted they had attended school together. Commissioner Conze noted the electorate in Florida voted effectively through Amendment One to dedicate up to \$750 million dollars for the purchase of land for water conservation. He noted there have been options to buy certain large parcels of land, particularly on the south side of Lake Okeechobee. He asked what can be done to induce the legislature to finally hear the will of the people and allow and permit these expenditures to be made for the benefit of all of the people of Florida. Senator Nelson stated the people of Florida did overwhelming vote for Amendment One, which the constitution says is to be used as a dedicated source of revenue for the acquisition of environmentally endangered lands and to provide monies for the 50/50 compact between the State of Florida and the federal government for Everglades restoration. He noted there are now efforts to get the legislature to take \$200 million of the \$750 million for the acquisition of land and instead use it for salaries and other government functions. He indicated he would suggest if that is all we can get, then we should get that even though that is not what the constitution.

Councilmember Overdorf thanked Senator Nelson for addressing Council. He noted when he was a grad student he worked on the restoration of the Kissimmee River, where they actually had money allocated under Presidents Bush, Sr. and Clinton to help out with restoration efforts within Central Florida. He stated that now, 20 some odd years later, we may have another Bush or Clinton coming into office and nothing has changed. He stated that Senator Nelson mentioned these efforts are a 50/50 partnership between the state and the federal government, and the state has been putting up money for restoration. He stated the state desperately needs the federal side of the partnership, and asked if the Senator would comment on that. Senator Nelson indicated there have been times over the decades the federal government has responded when the state has not. Councilmember Overdorf stated that it has overwhelming been the state doing the funding. Senator Nelson stated the federal government obviously has to do its part, and that is what they are trying to do. Chairman Davis thanked Senator Nelson for attending.

Vice Chairman Thurlow-Lippisch asked staff to continue with the presentation on the City of Palm Beach Gardens comprehensive plan amendment. Staff moved to the conclusion of the report in order to allow the city and applicant time to address Council. Staff noted there are seven recommendations contained in the report that are intended to be constructive comments to assist the city with planning the project and strengthen the city's comprehensive plan. The recommendations are to:

1. Include the 2,407-acre area proposed to become a future conservation area in the note on the Future Land Use Map and designate this area as Conservation land use rather than Mixed Use Development.
2. Establish plan policies clearly outlining the goals and objectives for restoration of the conservation area and a commitment to work with Palm Beach County and the SFWMD on the combined design and long-term management and operation of the Avenir and Mecca Farms restoration areas.
3. Include a phasing plan as part of the proposed amendment that would require construction of a balanced mix/ratio of housing and commercial uses through the build out of the project.
4. Establish minimum net densities for Avenir neighborhoods and districts that meet minimum transit-supportive density standards.
5. Adopt a series of transit-supportive plan policies for this area that will positively influence the design of Avenir to better accommodate transit options.
6. Illustrate the boundaries of the areas to be developed as part of the proposed amendment.
7. Work with the Town of Jupiter and City of West Palm Beach to resolve their concerns and extrajurisdictional issues.

Staff noted the report also includes a letter from the Town of Jupiter and resolution adopted by the City of West Palm Beach that describe their concerns related to traffic and other issues. Staff recommended Council approve the report and authorize its transmittal to the City of Palm Beach Gardens and the Florida Department of Economic Opportunity.

Commissioner O'Bryan asked what the proposed residential density will be. Staff indicated 0.68 gross density, noting Council's policy plan recommends a net density of 8 units per acre for transit. Commissioner O'Bryan stated staff indicated there will be water and sewer service provided for the homes that are part of the urban service area, and asked if those outside the urban service area will

be on septic. Staff indicates that it is their understanding, but indicated the city could provide a more definitive answer.

Natalie Crowley, director of planning and zoning for the City of Palm Beach Gardens, indicated the city has been working on this project since 2013 with the current owners of the property. Ms. Crowley indicated there are many important locally-oriented parts of this project that involve zoning that will help to address some of the Council staff recommendations. She indicated these include the rezoning petition, the master plan approval, the design guidelines, and the proportionate share agreement. She noted there has been substantial evolution of the master plan since it was first submitted in June of 2013. She stated the original plan included a whole development area to the north with over 7,600 residential units. She indicated at that time the city had a number of concerns, particularly that there had been no public outreach. She stated the applicant did do extensive outreach and returned in October of 2014 with a substantially revised master plan. The revised plan eliminated entirely the northern development and the residential units were dropped to 4,760. Ms. Crowley noted that Council staff had provided the city with comments on the initial submittal, which are appreciated and helped to strengthen the plan. She stated the next evaluation of the plan was in January of this year to further incorporate some of the higher quality wetlands in the southwest corner, and the residential units were again reduced to 3,735 units. She noted that based on city staff's recommendations and feedback, the applicant incorporated workforce housing into the program to be specifically located in the town center, and increased the nonresidential for additional employment opportunities. She stated the final plan that was unanimously approved by the city council further reduced the residential to 3,000 single family units to include workforce housing in the town center; and a slight increase in the non-residential by 140,000 to 2,540,000 square feet. She noted that as part of the proposal, there are 180 acres dedicated for public use, which includes a 55-acre city park; a 60-acre civic recreation facility; a 15-acre city annex for city services; and a 50-acre parcel for economic development.

Ms. Crowley stated what Council is considering today is the land use amendment for the project that will change the land use from Rural Residential to Mixed Use Development. She noted the current land use allows for 405 residential units, which would need to utilize wells and septic. She provided a copy of the proposed future land use map, stating the note on the map that provides a cap to the mixed use land designation and reiterates what was approved and what was transmitted to the state, which is the latest program for 3,000 single-family units.

With respect the staff comment regarding making the 2,407-acre area as part of the land use map, Ms. Crowley indicated that including just that piece of information will provide a limited perspective of what is being proposed. She stated the fact is that over the last three years during the review process ensuring this land is protected as conservation land was a very big part of the conversation. She stated there is a part of the resolution for this development order that specifically requires this area be protected. She indicated there will be a requirement for this to be platted as a conservation area and be delineated in the master plan, with the easement ultimately being deeded to a governmental agency, most likely Palm Beach County. She noted letters have been received from both Vice Mayor Valeche and Rob Robbins from Palm Beach County's Department of Environmental Resources Management stating the county's willingness to accept the property. She noted the city is approximately 53 square miles with over 48 percent of the city perpetually dedicated as conservation. She stated that conservation can be achieved without necessarily

showing it on the land use map. She noted there has been public discussion of the city council's desire to have the area ultimately converted, but now is not the correct time. She stated the city is currently working on very specific delineations of the conservation area due to the connector road which may impact the CSX railroad crossing.

With respect to Council's second recommendation for establishing plan policies outlining the goals and objectives for restoration, she indicated the resolution requires a preserve area management plan, which requires the specific logistics of how the restoration is to occur. She stated the city is creating an amazing connection of publically owned lands for environmental restoration to naturally accommodate the wildlife corridors and water restoration, which will increase the city's percentage of conservation land by 7 percent, making the entire land base 56 percent dedicated to conservation.

Ms. Crowley indicated Council's recommendation to include a phasing plan in the amendment to address the balance between housing and commercial is an excellent comment. However, she noted the city included this in the resolution, which is what they feel is appropriate. She noted there is a phasing chart that has been adopted as part of the development plan that contains a specific condition of approval that stops residential development after each phase until 50 percent of the commercial is actually built. She stated this is to ensure the applicant is not able to front-load all the residential. She indicated there is a 50-acre economic development parcel that will be given to the city for marketing to their targeted industries, which includes medical, aerospace, and office. She stated this parcel will not only balance the commercial uses, but also employment opportunities to balance that with the development of residential homes through the life of the project.

With respect to Council's recommendation to establish minimum net densities for the neighborhoods and districts to meet minimum transit-supportive standards, Ms. Crowley indicated the low densities in the application do not support transit or compact walkable communities. She stated criteria the city considered in the comprehensive plan amendments are level of service and compatibility with the surrounding land uses and residential communities. She said the city engaged a consultant to help with the design of walkable neighborhoods within the development standards. She noted there will be a requirement for a one-acre park within each neighborhood within a quarter mile radius, which will be in addition to the 180 acres that have been dedicated in the development, and also a requirement for a ¼ mile walk within the town center and workplace district. She noted that there is a proposed farm-to-table operation as part of the master plan.

Ms. Crowley indicated there are transit plans and policies in the city's comprehensive plan that address Council's comment to include transit-supportive policies to positively influence design. She stated there were two traffic studies done for this project; one dealing with concurrency for the county and the other study was specifically done for the current comprehensive plan amendment. She stated that when those levels of service failed, the city decided to develop a strong program that would have a positive impact on traffic. She indicated the program includes: 2,407 acres dedicated as conservation; workforce housing; phasing chart dealing with the balance of the commercial, residential, and office; a requirement for the applicant to coordinate with Palm Tran to bring transit to the project; and a requirement for the applicant to do bus shelters along Northlake Boulevard in accordance with the city's bus shelter design criteria. She noted the applicant is also required to do a multi-modal center within the town center that includes a park-and-ride lot and bike sharing facility. Finally, the applicant is required to incorporate transportation demand management strategies that

shall include ride sharing and a compressed work week within the workplace district. Ms. Crowley stated one of the biggest issues was addressing Northlake Boulevard and some of the specific road improvements. She indicated the city wanted to ensure the infrastructure was loaded up front to address the impacts. She stated the applicant agreed to construct a connector road connecting Beeline Highway to Northlake Boulevard, which is a 4.2 mile section of road, within the first phase. She indicated the applicant has committed to widen Northlake Boulevard, which is not a requirement for concurrency, but a key transportation demand management strategy the city developed to ensure that it was incorporated to address the project's impact.

With respect to the Council comment regarding delineating the boundary area to assure development will be done as represented and be compatible with the airport, Ms. Crowley indicated this is done in the master plan. She noted that it is not associated with the comprehensive plan amendment, but does clearly define the boundary areas of the development. She stated the city and the airport have an interlocal agreement and have been working together on this project. She stated the city has also been working with the Town of Jupiter and the City of West Palm Beach to address their extrajurisdictional concerns.

Ms. Crowley stated that many of the issues and comments raised are very good. She indicated the city believes these conditions of approval are appropriately located within the resolution, because the comprehensive plan is legislative and not self-amending. She stated the resolution requires the designation of mixed use be rezoned to a Planned Community Development, so having the resolution and the rezoning are both needed in order to implement this project. She stated the city believes this is an incredible project that will provide the public benefits of parks, recreation, fire and police services, and economic development. She stated the fiscal analysis is very positive, and the alternative of having 405 ranchette homes on well and septic would be an environmental catastrophe.

Commissioner O'Bryan noted that a lot of the conservation lands that were shown that were protected through platting and easements were skinny little fringe areas that are not good examples of conservation areas. He noted the city could go through the process of changing the land use for the entire parcel to mixed use, and even if the applicant has signed development orders and agreements, in the future they can say they do not want to move forward with the development plan. He noted the city would have then up-zoned the land and if the applicant sells the land there is nothing to prevent the new buyer from saying they have the right to develop the entire parcel as mixed use. He said a new developer would be guaranteed the land use rights, and the city's agreements may not be enforceable. He stated the best course of action is to show the conservation land on the map to ensure it is preserved as a large, contiguous area. Ms. Crowley stated that the requirement in the code would trigger the necessity of adopting a resolution. She stated that if the current applicant walks away, a new applicant will not have the same rights, because the comprehensive plan only achieves half of the requirements. She stated there is no way to determine what might occur, but the city believes they have built in those protections. Commissioner O'Bryan asked how easy it is for the city to change a resolution, as compared to their comprehensive plan. She stated the requirements that relate to Chapter 163 are elements of the comprehensive plan dealing with the levels of service and compatibility, and those are appropriately located in what was submitted. She stated local governments have to be consistent with the statutes and what their requirements are so one could look at comprehensive planning in today's day and age as being a

pretty straight forward issue based on the recent growth management legislation. She stated the city feels the conditions have been addressed appropriately in the resolution.

Council Member Tinsley noted one of the developments within the city is Evergreen, which is an Audubon signature sanctuary, with hundreds of acres of wetlands and uplands throughout the community. In this development, she stated the slivers are SFWMD jurisdictional wetlands and uplands. She stated in the city's comprehensive plan conservation areas are memorialized by plat, by conservation easements, and by jurisdictional wetlands. She noted that this has been done at the airport and the communities within the city. She stated this has also been done in the neighboring community of Abacoa, in the Town of Jupiter. She stated this development is not only consistent with the city's comprehensive, but also with the comprehensive plan of the county.

Commissioner O'Bryan stated that in Indian River County when a parcel is zoned residential and it is going to be developed, they plat out the conservation area. He stated his concern is that the city is changing the land use for a very conservative density and uploading the entire parcel, including all the conservation areas, to a higher development level. He stated if there is going to be conservation, why not just designate it now, so there will be no issues in the future. Ms. Crowley indicated it is the city's goal to designate the land as conservation; however they want to first get the connection established across the CSX railroad to Beeline Highway.

Commissioner Fielding stated that for him it gets down to the contrast of what we continue to do and looking forward to sustainability. He stated that some point we need to stop and start thinking about how there is not enough water now and how we will deal with that issue. He stated we need to start thinking more in a more sustainable long-term basis for future generations.

Councilmember Weaver stated that in the phasing it seems the city is allowing the applicant to build all the residential units and with only 100,000 square feet of commercial development, and not the professional office or medical. Ms. Crowley stated that within each phase the minimum amount of commercial that is required is 50 percent of what is shown in each phase and the 100,000 square feet she referred to is just for the first phase. She indicated that the other half is in terms of professional office where the city is going to be actively marketing and working with the Business Development Board of Palm Beach County to get the jobs to the city, which will help mitigate the traffic. She stated the commercial is tied to each phase, and medical office is an allowable use within the commercial designation. Councilmember Weaver asked if there is phase specificity for the affordable housing elements. Ms. Crowley indicated it is in the first phase.

Councilman Hmara noted that from a western community point of view, one of the primary concerns is traffic impact. He stated that of all the development he has seen proposed for the western community area, this is the first one that actually offers something that might mitigate the potential traffic impact, and he is inclined to view the proposal favorably. He asked staff to comment on whether or not the recommendations in the report have been adequately addressed by additional information that was provided by the city. Staff stated the recommendations have been addressed, but there is not a guarantee all of those things will happen. Staff stated that when looking at the comprehensive plan amendment, staff is recommending the amendment guarantee those things. Staff pointed out that the note at the bottom of the city's map indicates how many acres are to be used for parks, and other things. However, conservation has been left out, and staff believes

that is important. Staff noted the city has done a great job looking at all those elements, but after the comprehensive plan amendment is done, Council will not have another chance to look at this, and things may change later by resolution. Staff stated the focus of the recommendations is on the amendment and making the amendment and the city's comprehensive plan as strong as possible. Staff stated the policies Ms. Crowley mentions are not in the comprehensive plan, but in zoning resolutions and other documents. Staff stated the strongest back stop to a city's code and platting process is a strong comprehensive plan.

Commissioner Burdick requested more information on the transit district concept. Ms. Crowley indicated the city brought this up, because they do not currently have a contract with Palm Tran to service that area. However, the MPO 2050 plan does have some anticipated transit, so the city worked with the MPO to include this policy. She stated they will be pushing in the proportion share money with the county to include capital for transit, specifically buses, and the city hopes that a condition of approval that addresses some of the operational expenses will help advance some type of transit. Commissioner Burdick asked if ongoing operational expenses are part of the agreement. Ms. Crowley stated yes, and the plan is to look at some type of ongoing district to help fund the operational expenses.

Under public comment, Ken Tuma with Urban Design Kilday Studios and on behalf of Avenir Holding stated he is available to answer any questions regarding the project. He noted that everything that was presented by the city has been agreed to by the developer.

Kevin Foley noted that he served on Council for 26 years, and on the Palm Beach County planning and zoning board for 21 years. He stated that he has read some of the recommendations and focused special attention on Palm Beach Gardens recently, because a friend is about to become a Councilmember. He noted that there are 38 municipalities in Palm Beach County and 4 municipalities in Martin County, as well as additional municipalities in Indian River and St. Lucie counties. He stated he does not remember a municipality that has 50 percent of its territory in conservation, and that this particular project will have 51 percent of its acreage to add to that. He stated he believes this is a great project, with the proposed north/south arterial being a wonderful connection to an area where companies are locating and will offer employment opportunities. He stated he believes some of the additional commercial area will keep a lot of the activity for services and employment in the area. He stated there will be impacts to Northlake Boulevard, and he has spoken with George Webb from the county who said a portion of it will initially have to be expanded to six lanes and maybe ultimately to 8. Mr. Foley stated that SR 7 has always been slotted from the south end of the county all the way through Okeechobee Boulevard and up to Northlake Boulevard, noting the northern most section of the road is already to Ibis. He said they went so far as to add a 200 foot right-of-way and to the east to buffer Grassy Waters. He stated proper design of the north/south corridor for critter crossings and water crossings will be an excellent addition. He stated he believes the City of Palm Beach Gardens is one of the finest municipalities in the region, and they ought to get the benefit of the doubt.

Drew Martin stated he does not think the presentation gives the real story. He stated that if it is not in the comprehensive plan, the land will not be protected. He also noted the Audubon Signature Program designation mentioned earlier is not the same as Audubon Florida. He stated the reason the development looks so good is because of the way Palm Beach Gardens has handled things in the

past and is a great place to live. He stated they do have a lot of open space, but he does not think this will be the case in the future. He stated this development is not compatible with anything around it. He stated the pictures that were shown of Ibis make it look busy, but it is actually a very peaceful community with no workforce housing, no commercial. He stated the city has a lot of area that is not currently being protected, and if they are not going to put in a conservation easement from the beginning, there will be no guarantees. He noted the road has been left out of the plan, but it will have a tremendous impact to the area. He stated there is no way they will be able to handle the traffic, and Mr. Webb has said the county is going to be hit with huge impact fees. He stated Council is making a development of regional impact decision on this project, and this was always slated to be developed at 456 ranchette homes, because that would fit in the area. He indicated they are now talking about commercial, workforce housing and all kinds of other elements that are completely changing what was originally proposed. He noted that if we ever get to the point where people do not drive their cars very much, this will not matter. However, right now people use their cars everywhere they go. He said one of his greatest concerns is this road will just increase traffic in other places, and there is no way to facilitate this project with the existing road system. He stated we need to seriously think where we are going in Palm Beach County. He said the City of Palm Beach Gardens should not be moving west with this kind of intense development. He noted they have attempted to improve the project, but he believes that there needs to be a very strong comprehensive plan element that guarantees this land will be protected.

Commissioner O'Bryan moved approval of the staff report with the condition of amending the first recommendation to designate the 2,407 acres as conservation on the future land use map. Councilmember Weaver seconded the motion.

**Motion**

Commissioner Zorc stated he would like to hear the opinion of the applicant on this additional request. He stated there are a lot of requirements being asked of the applicant, and it seems this will never be financially feasible for them unless they start the unit cost at a million dollars. He stated the applicant will have to agree to these conditions and he would like to ask them to respond. Mr. Ken Tuma, with Urban Kilday Studios and representing the applicant, indicated Joanne Davis, who is part of the project team, was also present. He stated the note that is on the city's comprehensive plan identifies specially the amount of units, density, commercial and retail that is available. He said the 2,407 acres are going to be conservation and dedicated to a public agency, which has been agreed to on behalf of the owner, and along with the city they prefer not to have it in conservation at this time. He stated there are issues to work through and they do not know the final alignment of the proposed roadway that will go over the CSX railroad crossing. He noted that the applicant has spent three years working with consultants, city, county, and community and they would like to move forward with the comprehensive plan amendment as presented by the city.

Councilmember Houston stated this is a great example of a municipality carefully weighing a lot of issues and one of the key things some of the comments failed to understand is this is a regional location. He stated he believes the city has done a very good job of balancing non-city regional issues, including nonresidential issues. He stated he is very familiar with this property and agrees it will be extremely complicated if the land use amendments are attached to the alignment of the north/south roadway. He stated this is a very environmentally sensitive connection and they will need to be creative. He said that between the housing, mixed use and potential for transit, this is a great example of how you do a plan well in what is the core of a significant regional area.

Councilmember Houston complimented staff on putting together a very good proposal of comments for discussion.

Council Member Tinsley thanked Ms. Crowley for her presentation and stated as a planner she agrees that this is not the time to assign the conservation designation. She indicated the city is still working on the plan and need to meet with several government agencies, and for the last 20 years they have done comprehensive plan amendments this way so they will not have to go back and do another amendment. She stated the city takes this project seriously and has worked with the community and adjacent municipalities. Council Member Tinsley requested the motion be amended to exclude Council comments, and include the presentations of Palm Beach Gardens' staff and the applicant.

Councilmember Weaver stated that after hearing the discussion regarding the 2,407 acres that need to be dedicated, he understands the city is not currently able to pin down the exact acres until the plans for the road are done. He stated he is withdrawing his second to the motion. Chairman Davis called for a second to Commissioner O'Bryan's original motion. Councilwoman Gerwig asked for clarification of the motion. Commissioner O'Bryan stated the motion is to amend the first recommendation to require the 2,407 acres be shown on the future land use map. Councilwoman Gerwig asked if the argument against that is it is too soon to do that. Commissioner O'Bryan stated the city has not yet determined the location for the north/south connector road. He said they could designate 2,390 acres and give them a strip that can later be dedicated to conservation. He stated he does not know why they need to have 2,400 acres not designated because of one road segment. Chairman Davis called for a second, which there was none.

Councilwoman Gerwig stated she would like to make a motion to transmit without the conditions, but include the Palm Beach Gardens presentation and the applicant's presentation. Councilmember Houston seconded the motion.

**Motion**

Commissioner O'Bryan asked if the motion is to transmit without any recommendations. Councilwoman Gerwig answer yes, because they have already been addressed. Councilmember Weaver stated he believes the staff recommendations need to be included. Chairman Davis called for discussion on including Council staff recommendations and the city's presentation. Council Member Tinsley stated she would like to have the comments excluded, because they have already been addressed. Councilwoman Gerwig asked for clarification of what it means for Council to leave in or take out the comments. Keith Davis stated the motion on the table is to approve the report, but not adopt the staff's recommendations as part of the report. Councilwoman Gerwig asked what the repercussions if the recommendations are not included. Mr. Davis stated the comments would not move forward. Council Member Tinsley indicated she wanted to clarify that she asked that the presentations that address the recommendations be included. Councilman Hmara stated that he does not understand why the comments would be excluded if the presentation was an effort to address them. He stated one possibility is to include both the recommendations and the presentation. Councilwoman Gerwig indicated she would like to revise the motion to include both. Mr. Davis stated there is a motion and a second on the table to approve the report without the staff recommendations, but with the city and consultant presentations. Mr. Houston noted the recommendations are included in the presentation. Commissioner Conze asked why there is a request to not include the recommendation, noting that is Council's responsibility. Chairman Davis

stated that the recommendation is to not submit the recommendations of Council staff, but to include the presentations of the city and consultants. Upon being put to a vote, the motion failed.

Councilmember Sachs moved approval of the staff recommendation. Councilmember Overdorf seconded the motion. **Motion**

Council Member Tinsley asked for the city's presentation to be included. Seeing no objections from the motion makers, Chairman Davis stated the motion is to submit the recommendations as proposed by Council staff and include the City of Palm Beach Gardens' presentation. Upon being put to a vote, the motion carried with Councilmember Houston opposed.

### **REFINANCING OF REVENUE NOTE ON COUNCIL'S OFFICE BUILDING**

As directed by Council at the December meeting, staff has been working on the refinancing of the note on Council's office building. Staff noted that since the December meeting where the 13-year note starting at 3.86 percent and for the final years would be 3.97 percent, the first three years will be at 3.74 percent. Staff stated the current recommendation is for Council to adopt Resolution 16-02, with the understanding that Council will target a minimum of \$2,500 additional payment per month toward the principal balance; and 2) authorize the executive director, in consultation with Council's attorney, to finalize negotiations with TD Bank consistent with Resolution 16-02.

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

### **RESOLUTION OF SUPPORT FOR PROPOSED HOUSE BILL 989 AND SENATE BILL 1168**

Staff indicated these two bills will dedicate about \$200 million to the restoration of the Everglades and the correction of too much water going east and west, and not enough water going south. Staff indicated HB 989 is out of committee and waiting to be heard on the house floor; and Senator Negron's bill, SB 1168, still has to go through the General Appropriations and full Appropriations subcommittees. Staff stated the recommendation is for Council to adopt a resolution in support of these two bills and approve their transmittal to the governor and legislature.

Commissioner O'Bryan moved approval of the staff recommendation, noting Senator Negron's bill was amended to include an additional \$75 million for spring protection. Commissioner Haddox seconded the motion, which passed unanimously. **Motion**

Under public comment, Mr. Martin stated he is in favor of the resolutions.

Chairman Davis stated he would like to defer Agenda Items 13 and 14 to the next meeting. Commissioner O'Bryan motioned to table Agenda Item 13, Village of North Palm Beach Charrette Work in Progress Presentation and Agenda Item 14, All Aboard Florida Update. Councilwoman Gerwig seconded the motion, which carried with Commissioner Conze opposed. **Motion**

Commissioner Conze stated he was opposed stating the Chairman had not asked for discussion. Chairman Davis called for discussion. Commissioner Conze asked if it is within the realm of possibility that Council is going to either support or recommend against All Aboard Florida (AAF). Staff indicated this would have to be put on an agenda, and this is only an update. Commissioner Conze requested the AAF project be put on the next agenda for full discussion with consideration as to whether or not Council will stand in favor of or opposed the AAF recommendation. Chairman Davis noted the AAF update is a standing agenda item for Council. Mayor DuBois indicated Council has prepared a list of objections and recommendations and has already weighed in on this matter. Commissioner Conze stated he would do his homework. Chairman Davis asked staff to provide Commissioner Conze background material on the AAF project.

**VILLAGE OF NORTH PALM BEACH CHARRETTE –  
WORK-IN-PROGRESS PRESENTATION**

Tabled to next meeting.

**ALL ABOARD FLORIDA UPDATE**

Tabled to next meeting.

**PUBLIC COMMENT**

Mr. Martin stated that Gael Silverblatt left the meeting, but she had wanted to talk about the importance of the Lake Worth living shoreline. Mr. Martin stated Gail’s comment is that the City stopped a 600-foot planting of mangroves along Bryant park, leaving just the seawall and riprap and that it also took out 1,500-feet of mangroves along the golf course shoreline. He stated the SFWMD is also permitting the loss of mangroves. He said he read an article about Typhoon Haiyan, which struck the Philippines in an area with mangroves and there was no loss of life, because the mangroves absorbed the storm surge. He stated we need to really emphasize the importance of living shorelines and how they work. He asked Council to talk about the urban service boundaries for the counties and how far west we want the counties to go, because the more west development moves, there will be more impacts on traffic and drainage. He stated he supports Senator Nelson’s comments on the importance of the water bill.

**STAFF COMMENT**

None.

**ADJOURNMENT**

There being no further business, Chairman Davis adjourned the meeting at 12:45 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 19, 2016 meeting of the Treasure Coast Regional Planning Council.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>DAVIS, MICHAEL L.</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>TCRPC</b>
MAILING ADDRESS <b>202 Greenwood Dr</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY <b>State</b>
CITY      COUNTY <b>WPB      Palm Beach</b>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <b>Feb 17, 2016</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

#### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**APPOINTED OFFICERS (continued)**

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

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

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

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Michael L. Davis, hereby disclose that on Feb 17, 20 16:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item 10. Previously worked as a consultant to the Avenir Project.

2/17/16  
Date Filed

Michael L. Davis  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.