

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
DECEMBER 17, 2004**

Chairman Smith called the meeting to order at 9:30 a.m. and welcomed everyone. He asked for a moment of silence and led the pledge of allegiance. He requested roll call.

The following members and alternates were present:

Indian River County:	Commissioner Wheeler Commissioner Lowther Councilmember Abell Vice Mayor Barczyk
St. Lucie County:	Commissioner Coward Commissioner Craft Mayor Minsky R. "Duke" Nelson, Alternate
Martin County:	Commissioner Smith Commissioner Bausch, Alternate
Palm Beach County:	Commissioner Marcus Commissioner Koons Councilmember Brinkman Mayor Golonka Commissioner Exline, Alternate Mayor Ferreri Councilman Jacobson, Alternate
Gubernatorial Appointees:	Susan Hershey Kevin J. Foley Ramon Trias Eugene Gibbins Herman Baine
Ex-Officios:	Mary Murphy, FDEP
Council Staff:	Michael J. Busha Marcela Cambor Sandra Gippert Elizabeth Gulick Wynsum Hatton Terry L. Hess Dana Little Peter G. Merritt Joan Young

The Executive Director announced a quorum was present.

AGENDA

Commissioner Marcus moved that the Agenda and the Consent Agenda be approved. Mayor Ferreri seconded the motion, which carried unanimously. Items on the Consent Agenda were 7A, Financial Report for the Period Ending September 30, 2004; 7B, Minutes – November 19, 2004; 7C, Resolution 04-03 – Designation of Hazardous Materials Awareness Week; 7D, Resolution 04-04 – Assistance from Martin County; 7E, Resolution 04-05 – Loxahatchee River Preservation Initiative; 7F, City of Lake Worth Comprehensive Plan Amendments; 7G, Charrette Calendar; and 7H, Intergovernmental Coordination and Review Log.

ANNOUNCEMENTS

Councilmember Haynie's appointment to Council was reconfirmed by the Senate. She will be serving three more years.

Staff distributed a graph showing the Treasure Coast legislative delegation's position on various issues. Staff asked Council to lobby for continued funding for regional planning councils.

Council congratulated Vice Mayor Barczyk, Councilmember Brinkman, Councilmember Foley, and Commissioner Smith for perfect attendance.

Staff pointed out a letter from Nathaniel Reed expressing his view to the Governor on the Palm Beach County Biotechnology Research Park.

Staff also pointed out a letter that Council's chairman had written to the Secretary of the Department of Community Affairs and a save the date flyer for the Downtown West Palm Beach Transit-Oriented Development Charrette being planned for January 22 through the 28th.

Councilmember Foley questioned why Mr. Reed's letter was distributed to Council since it is a letter from an individual rather than an organization. Staff replied that Mr. Reed had requested that it be distributed to Council, a common practice. Commissioner Coward indicated that Council cannot selectively choose types of letters that are distributed to Council. If an individual asks for a letter to be distributed to Council, then staff is obligated to distribute it. Councilmember Foley cautioned that Council will receive an abundance of such letters if this is Council's policy. Commissioner Marcus retorted that local elected officials are accustomed to receiving such correspondence. Mayor Minsky indicated that it would have been more appropriate if Mr. Reed had indicated that Council be courtesy copied. Chairman Smith asked if there was a cover letter included with the faxed letter. Staff replied that the cover letter requested the letter be distributed to Council. Chairman Smith indicated that correspondence distributed to Council should indicate that it should be distributed to Council. Councilmember Hershey suggested that Council correspondence be included as part of the Agenda. Councilmember Foley suggested correspondence be put in the Communication Package. Chairman Smith stated Council's policy is that correspondence be included in a correspondence package. If someone wishes to ask Council to take a position or action, that person should make a request through the Executive Director and Chairman.

Staff thanked Commissioner Lowther for attending the Florida Regional Council's Association meeting in Riviera Beach. All the directors expressed gratitude to Councilmember Foley for hosting a dinner. Chairman Smith also thanked Councilmember Foley.

Commissioner Koons stressed the importance of the West Palm Beach Transit-Oriented Development project. He thanked Council staff for its hard work.

Commissioner Marcus pointed out that page 11 of the Communication Package shows Industrial/Biotechnology uses at 10 million square feet. Palm Beach County approved 8 to 8.5 million square feet.

COUNCIL REORGANIZATION - 2005
MEMBERSHIP APPOINTMENTS AND ELECTION OF OFFICERS

Staff read the names of the new Councilmembers into the record and asked that the Chairman certify that they have been duly appointed.

PALM BEACH COUNTY

Regular Members:

Commissioner Karen Marcus
Commissioner Jeff Koons
Commissioner Warren Newell

Regular Member Alternates:

Commissioner Mary McCarty
Commissioner Addie Greene
Commissioner Tony Masilotti

Municipal Members:

Councilmember Joni Brinkman (Village of Palm Springs)
Mayor Samuel J. Ferreri (City of Greenacres)
Mayor Karen Golonka (Town of Jupiter)
Councilwoman Carmela Starace (Village of Royal Palm Beach)
Commissioner James Exline (City of West Palm Beach)

Municipal Alternates:

Vice Mayor Elizabeth Tennyson (Town of Lantana)
Commissioner Retha Lowe (City of Lake Worth)
Councilman Maurice Jacobson (Town of South Palm Beach)
Vice Mayor Lizbeth Benacquisto (Village of Wellington)
Councilwoman Annie Delgado (City of Palm Beach Gardens)

INDIAN RIVER COUNTY

Regular Members: Commissioner Gary Wheeler
Commissioner Thomas Lowther

Regular Member Alternates: Commissioner Sandra Bowden
Commissioner Wesley S. Davis

Municipal Members: Councilmember Sabin Abell (City of Vero Beach)
Vice Mayor Joe Barczyk (City of Sebastian)

Municipal Alternates: Councilman William Ahrens (Town of Indian River Shores)
Mayor Nate McCollum, (City of Sebastian)

MARTIN COUNTY

Regular Members: Commissioner Doug Smith
Commissioner Susan Valliere

Regular Member Alternates: Commissioner Michael DiTerlizzi
Commissioner Sarah Heard

Municipal Member: Commissioner Tom Bausch, Town of Sewall's Point

Municipal Alternate: Mayor Joseph Connolly, Town of Jupiter Island

ST. LUCIE COUNTY

Regular Members: Commissioner Doug Coward
Commissioner Chris Craft

Regular Member Alternates: Commissioner Paula Lewis
Commissioner Joseph Smith

Municipal Members: Mayor Robert Minsky (City of Port St. Lucie)
Commissioner Edward Becht (City of Fort Pierce)

Municipal Alternates: Vice Mayor Patricia Christensen (City of Port St. Lucie)
Commissioner R. Duke Nelson (City of Fort Pierce)

GUBERNATORIAL APPOINTEES: Kevin J. Foley (Palm Beach County)
Elizabeth Webb (Palm Beach County)
Susan I. Haynie (Palm Beach County)
Herman Baine (Palm Beach County)
Susan Hershey (Martin County)
Eugene Gibbins (St. Lucie County)
Ramon Trias (St. Lucie County)
Richard Hurley (Indian River County)

Election of Officers

Mayor Ferreri reported that the Nominating Committee met prior to the Council meeting to recommend a slate of new officers. The following members were nominated for officer positions for the year 2005:

Chairman	Commissioner Thomas Lowther
Vice Chairman	Commissioner Jeff Koons
Secretary/Treasurer	Mayor Robert Minsky

There being no other nominations, a motion was made by Councilmember Hershey to cast a unanimous ballot for the slate of officers as recommended by the Nominating Committee. Commissioner Wheeler seconded the motion, which carried unanimously.

BUDGET/PERSONNEL COMMITTEE – ANNUAL REVIEW OF COUNCIL’S EXECUTIVE DIRECTOR

Commissioner Koons related that the Budget/Personnel Committee met to discuss the Executive Director’s annual review. All seventeen of the review forms received were positive. The committee recommended the Executive Director receive a three percent cost of living increase, a two percent merit increase, and a two percent increase in the deferred compensation plan. Commissioner Marcus moved approval of the committee’s recommendation. Commissioner Coward seconded the motion, which carried unanimously.

ORIENTATION SERIES ON TOWN PLANNING AND DEVELOPMENT – CIVIC AND PUBLIC BUILDINGS

Staff gave a presentation on civic and public buildings, the sixth in a series explaining principles found in the *Vision* Section of the *Strategic Regional Policy Plan*. Civic buildings define the character of the surrounding community and give the neighborhood an identity. Because of their importance and prominence in the community, civic buildings should not be subject to zoning codes. In the past fifty years, civic and public buildings have been built to look like typical neighborhood buildings.

The full presentation along with the PowerPoint presentation can be found on Council’s website.

Commissioner Bausch asked how a local government could justify exempting civic buildings from zoning codes. Staff replied that the exempted zoning code would be limited to aesthetic qualities such as height and architectural elements. A civic building should be given more prominence and differentiate itself from the neighborhood. Councilmember Trias furthered that staff is talking about design issues and not code issues. Special buildings should have flexibility to become special and prominent in the neighborhood. It is a matter of aesthetics and gives room for architectural innovation. There are two different types of buildings. The first type is the general type of building found in the neighborhood. The second is special buildings that are treated special. If every civic building located throughout a City is treated special, it makes for a nicer city. Commissioner Bausch pointed out the issue is legality and fairness rather than architecture. Councilmember Trias countered that the issue was architecture.

Councilman Jacobson said that creativity should not be limited to civic buildings. Councilmember Foley indicated all buildings should be governed by code. However, civic buildings could have a category that would allow them to have exemptions to the codes.

Chairman Smith related a Martin County example. Martin County passed a public facilities ordinance that exempts public facilities, fire stations, libraries, and schools from zoning codes. The reasoning behind the exemption was that Martin County has limited space for public buildings. The exemption held up to a legal challenge and has a checklist.

Commissioner Wheeler noted that exemptions based upon aesthetics is like the beauty of art -- it is in the eye of the beholder.

Mayor Golonka went back to an image of a church in an old gas station that staff used as an example of civic buildings not looking like civic buildings. She pointed out the reason churches use buildings for purposes differently than they were designed for is that the population is moving out of the city centers. Councilmember Gibbins went on to say that the fact that civic uses are taking over regular building has to do with economics and reuse. Instead of demolishing the building to build a “civic” building, the user is reusing. Staff suggested a solution could be to provide incentives to keep the buildings as the use they were intended for.

Chairman Smith stated the issue is the need to do better planning. Local governments should look at the overall picture rather than individual buildings and uses.

Mayor Golonka informed Council that local governments should set an example. Oftentimes, local officials are so concerned about justifying the cost of buildings to their constituents they forgo design issues. Local governments should find the courage spend the extra money to make the building prominent.

Councilmember Hershey concurred with Chairman Smith. Because of stringent zoning, civic uses are being driven to the suburbs and creating sprawl.

Commissioner Koons related the example of the City of Delray Beach. The City has been setting aside land for public uses for many years. Palm Beach County development codes are targeted toward new development and not redevelopment. Redevelopment codes should have flexibility and consider the surrounding community.

The item was presented for informational purposes only.

MEMORANDUM OF AGREEMENT – EXPEDITED PERMIT REVIEW PROCESS

Council previously entered into a Memorandum of Agreement with the Florida State Office of Trade, Tourism, and Economic Development (OTTED) for an expedited permit review process. Council has gone through the expedited review process twice with two Developments of Regional Impact. Council staff explained that modifying the

review process, the designation process and the agreement would result in much better outcomes.

Commissioner Marcus asked if the Florida Regional Councils Association had taken a position on changing the agreement. Staff responded that the association had not taken a position. Commissioner Marcus asked if any other regional planning councils had gone through the expedited review process. Staff stated that two other regional planning councils have gone through the process and have similar views as staff about the process. Commissioner Marcus related the process is not well structured, oftentimes the different jurisdictions involved create confusion, and there is a lack of planning and design. She asked that the issue be presented to the Florida Regional Councils Association to create clear definitions of the roles of the various organizations involved in the process.

Commissioner Koons reviewed the chronological events of the Palm Beach County Biotechnology Research Park DRI. The process was originally secretive lacking the involvement of any local government or organization that may have known the issues in the region. He suggested Council senior staff be involved in the beginning so the project developers could have an understanding of issues in the area.

Commissioner Marcus moved that Council authorize staff to work with the Florida Regional Councils Association, OTTED, and through the review of the growth management legislation to refine the expedited permit review and designation process to make it more proactive in planning. She concurred with Commissioner Koons' suggestion that regional planning council staff be involved in the preliminary stages prior to designation of a project by OTTED. Commissioner Lowther seconded the motion.

Chairman Smith asked if revisions to the expedited permit review process agreement would have to go through the legislature. Staff replied that the OTTED could not render an opinion on whether or not the agreement could be modified or if there needed to be legislative changes to amend the designation and review process. Chairman Smith asked if it would help the process if there were criteria used in designating a project for expedited review. Staff explained that the *Florida Statutes* provides some instructions for designating a project. Staff explained that what would be most helpful is a period for local governments, regulatory agencies and the regional planning councils to provide input on permissibility and feasibility for a site before it is designated by OTTED.

Upon being put to a vote, Commissioner Marcus' motion passed unanimously.

DEPARTMENT OF COMMUNITY AFFAIRS GROWTH MANAGEMENT INITIATIVE

Staff gave a presentation on a DCA growth management initiative. The DCA has recently published a draft report *Growth Management Initiative: Redefining the State/Regional Partnership for Managing Florida's Growth*. Copies are available on the DCA's website, and staff has summarized the report. The Committee for Regional Collaboration, a committee comprised of the Governor's office, the McArthur Foundation, and St. Joe's Paper, is working on another initiative. Also, a Florida Senate Committee is working on another initiative.

Councilmember Hershey commented that the proposed DCA initiative is exciting and frightening at the same time. Several proposals need clarification. She suggested local government staffs review the report.

Chairman Smith indicated that Councilmember Hershey's concerns and comments were valid. He suggested the Secretary of the DCA make a presentation to Council.

Mayor Golonka expressed concern about the Florida Senate committee's initiative since the legislature shows a lack of trust and respect for local governments.

Chairman Smith pointed out that many of the DCA's proposals carry over from the Governor's growth management committee's recommendations proposed during the governor's first term. Councilmember Hershey encouraged involvement during the initial stages of the initiative or else the regional planning councils would become quasi-judicial bodies.

Commissioner Koons explained that the Secretary of the DCA wants regional planning councils to act like regions.

The item was for informational purposes only.

COUNCIL MEMBER INFORMATION EXCHANGE

None

PUBLIC COMMENT

None

STAFF COMMENT

None

CHAIRMAN'S COMMENT

None

ADJOURNMENT

There being no further business, Chairman Smith adjourned the meeting at 11:05 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 December 17, 2004, meeting of the Treasure Coast Regional Planning Council.

Date

Signature