

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
JULY 20, 2007**

Chairman Christensen called the meeting to order at 9:30 a.m. and welcomed everyone to the meeting. She led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County:	Commissioner Wheeler Commissioner O'Bryan
St. Lucie County:	Mayor Christensen
Martin County:	Commissioner Valliere Commissioner Smith
Palm Beach County:	Commissioner Marcus Commissioner Koons Councilmember Pinto (Alternate) Mayor Ferreri Mayor Golonka Councilmember Dr. Priore Mayor Jacobson Councilor Gottlieb (Alternate)
Gubernatorial Appointees:	Herman Baine Bob Kanjian Laurence Davenport Kevin Foley Susan Hershey Susan Caron
Ex-Officios:	Marguerita Engle, SJRWMD Mary Murphy, FDEP Karen Smith, SFWMD
Other Elected Officials:	Councilwoman Susan Adams, City of Fellsmere
Council Staff:	Marlene Brunot Michael Busha Anthea Gianniotis Sandy Gippert Elizabeth Gulick Wynsum Hatton Stephanie Heidt Terry Hess

DRAFT

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Peter Merritt
Gregory Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

AGENDA

Commissioner Marcus moved approval of the Agenda. Mayor Ferreri seconded the motion, which carried unanimously. **Motion**

CONSENT AGENDA

Commissioner Smith moved approval of the Consent Agenda. Commissioner Wheeler seconded the motion, which carried unanimously. Items on the Consent Agenda were: 4A, Financial Report – May 31, 2007; 4B, Minutes – June 22, 2007; and 4C, Intergovernmental Coordination and Review Log. **Motion**

ANNOUNCEMENTS

Staff noted there is a Florida Regional Councils Association meeting scheduled for August 17th. At least four Council members as well as the executive director will be attending this meeting. Chairman Christensen noted this is also the date for the meeting of the Florida League of Cities. Chairman Christensen suggested canceling the August Council meeting.

Commissioner Smith made a motion to cancel the August Council meeting. Councilmember Foley seconded the motion, which carried unanimously. **Motion**

Staff made reference to the Florida Regional Councils Association Annual Report provided to Council members which satisfies statutory obligations for delivery of an annual report to the Governor.

Staff noted a distributed article from the Los Angeles Times in which Chairman Christensen as well Governor Schwarzenegger and Mayor Bloomberg of New York were quoted.

MANGONIA PARK COMPREHENSIVE PLAN AMENDMENT DCA REF# 07-1

Staff made a presentation to Council with respect to one Future Land Use Map amendment as well as text amendments to the Future Land Use, Transportation, Potable Water and Intergovernmental Coordination Elements of the Town Comprehensive Plan. Staff noted the entire municipality is less than five hundred acres in size, has approximately 2,500 residents with the median family income and median housing unit

DRAFT

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value well below that of the County as a whole. Staff noted the Future Land Use Map Amendment is for a fifty-two acre parcel in the center of the Town that is the site of an abandoned Jai Alai Fronton. Part of this property is leased for parking for the adjacent Tri-Rail Station. The current Future Land Use designation is Commercial Recreation to accommodate the Jai Alai Fronton. The proposed designation is for Commercial Flex, which will allow research and development related to bio-science, professional offices, retail, light manufacturing/showrooms and distribution centers. Staff noted that the Town reserves the right to determine the specific mix of uses in its land development regulations and the Town has indicated that the uses are to be supportive of the Tri-Rail ridership. Staff stated that the concern is with the lack of specificity in the comprehensive plan that will ensure a mix of uses will occur and that the mix as approved will support the Tri-Rail Station. Staff noted that if the property were to be developed entirely with one single use it could have a very negative impact on the Tri-Rail Station such as impeding access to the station and creating vehicular conflict for users. Staff acknowledged that although the Commercial Flex Future Land Use Map designation is not in conflict with the Strategic Regional Policy Plan, there are concerns that the designation, as currently defined, would not be supportive of and compatible with the Mangonia Park Tri-Rail Station. Staff reviewed the recommendations contained in the report relative to the consistency with the Strategic Regional Policy Plan. Staff noted a letter received from the Town requesting Council staff organize a public charrette for this area. Staff additionally provided Council with a letter received from Walter H. Keller, Inc. and noted that the responses contained in this letter do not change staff recommendations.

Commissioner Smith asked for clarification of what the Town is requesting of the regional planning council. Staff stated that the letter from the Town indicates the Town Council's support of a "charrette as an appropriate and desirable method to interact with citizens and property owners in gaining their assistance and participation for future development within the Town of Mangonia Park". Staff indicated that the letter further requests the regional planning council to organize the charrette process. Commissioner Smith noted his previous experience with the traffic and parking at the Tri-Rail station and offered his support for Council staff participating in the charrette process with the Town.

Mayor Ferreri made reference to the letter from Walter Keller that indicates the current landowner has terminated lease negotiations with Tri-Rail, but the contract purchaser is interested in working with Tri-Rail. He voiced concern that if the purchaser is willing to work with Tri-Rail and Council is not more flexible in allowing the Town to work with the purchaser, the situation for Tri-Rail could worsen.

Commissioner Koons noted this is a unique set of circumstances as the Town of Mangonia Park is one of the smaller towns in the region with one of the largest urban opportunities in America. He noted that within the last three to four years the metropolitan planning organization and the Florida Department of Transportation has provided funding as well as worked with the Town to do a development that not only meets the regional guidelines but will allow for more density and intensity. He stated that

DRAFT

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the metropolitan planning organization and the Department of Transportation have offered to fund a charrette to help guide the Town through the regional planning process and plan development that will receive the necessary approvals from Tallahassee. He stated that this is the prototype urban infill that he believes the regional planning council should be doing. He noted the Tri-Rail station will be part of some future development and the County and State will demand it as part of the traffic relieving strategies.

Commissioner Marcus noted that there have been several contract purchasers for the property and this one is proposing low scale development to stay under the traffic threshold, which does not meet the current needs of the Town. She stated the Town wants to be more creative and remain part of the bio-science overlay. She also noted her support of a charrette.

Mayor Golonka stated she understood Mayor Ferreri's concerns of discouraging the property owner, but she stated she did not think the inconsistency finding would be an insurmountable problem as the main concerns were the lack of reference to any particular mix of uses.

Councilmember Dr. Priore asked what the overall impact of an inconsistent recommendation would be for the proposed amendment. He asked what other recommendations are being made in lieu of the Commercial Flex, other than just adding the component for mixed use. Staff replied that recommendations are that the Commercial Flex designation is appropriate, except the lack of residential use. Staff is recommending that the Town find a way to allow residential use on the property while remaining consistent with the Bio-Science Overlay. Additionally, Staff noted that the recommendations are asking the Town to define the mix of uses within the comprehensive plan. Staff's concern is if the amendments are developed as proposed, the developer will be allowed to develop the entire property with only one use, such as a distribution facility, which is not desirable.

Commissioner Smith asked for a recommendation of a charrette that would address staff's concerns and be consistent with Council's policies be made part of the motion. Staff noted that a recommendation could be added that would articulate the point of the purpose of a charrette.

Commissioner Koons added that he would like to see a recommendation that the regional planning council, the Florida Department of Transportation, and the County work on a cooperative basis to take a look at traffic issues and possible incentives.

Commissioner Smith asked to have these recommendations included to show the Department of Community Affairs that there will be a connection between what is accomplished with the charrette process and what Council is currently recommending. Staff provided a recommendation to work with the Town through a charrette process to implement Council's recommendations as part of their comprehensive plan amendment.

DRAFT

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Motion

Commissioner Smith made a motion to support staff recommendations with the inclusion of the additional commentary to engage in a charrette process that will ensure Council's recommendations are met. Mayor Golonka seconded the motion, which carried unanimously.

Commissioner Smith asked staff to update Council when the charrette is scheduled.

WATER SUPPLY AND LOCAL COMPREHENSIVE PLANNING PRESENTATION BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Jim Jackson, Senior Supervising Planner with the South Florida Water Management District, made a presentation on the coordination of water supply planning and local comprehensive planning that included the status of the Water Management District's water supply plans. Mr. Jackson's presentation included linking growth with water availability through increased focus on alternative water supplies, improved communication between utilities and planning departments, and a strengthened link between water supply plans and land use planning. He reviewed the Regional Water Availability Rule for Palm Beach County that restricts increased withdrawals from specified waterbodies. Mr. Jackson provided timelines for linking water supply and land use planning, notification and amendment requirements of the local governments, emerging issues, and points to address when amending the comprehensive plan. Additionally, Mr. Jackson provided information with respect to technical assistance available to local governments.

Commissioner Koons asked if the same system could be used in terms of natural water restoration systems. He expressed his concern that the natural system's restoration is very important and there will be a lack of funding resources from the federal and state governments to address these systems. He noted there is funding available for comprehensive reuse strategies, but there may not be enough funding available to restore the natural systems going forward. He asked if Mr. Jackson felt there are opportunities to take this planning to the next level and develop natural system restoration strategies. Mr. Jackson responded that the complexity of managing natural systems requires that these strategies be kept separate. He agreed that the pressures are being felt with the changes in Tallahassee in terms of the tax roll back and the lack of federal funding has been particularly crippling with respect to projects such as the Everglades Restoration Plan and Acceler8. He noted that the state legislation was intended to help by providing for the first time a state roll for funding. He indicated that over \$4 billion worth of projects have been identified over the next 20 years with only a recurring funding of state and district matches of only \$36 million a year. Mr. Jackson noted that one of the aspects of the regional availability rule is that it would allow offsets to be used, so if a utility can pump more water from the ground, as well as have some recharge projects for wastewater reuse, actually pumping into the system can offset it.

Commissioner Koons noted that Palm Beach County would like to have a workshop with South Florida Water Management District as there is a real concern with respect to the restoration of the natural systems. He stated that there needs to be more regional

DRAFT

Subject to modifications

coordination for water restoration strategies. Mr. Jackson concurred that it will take all levels of government to look into ways of working more efficiently together.

Commissioner Marcus asked how an elected official can justify issuing a consumptive use permit for twenty years to a new development when current residents are told they need to restrict their use. She noted that there are problems currently in terms of storage and once a permit is issued the local government no longer has a say in that development. Mr. Jackson agreed that the issue with South Florida is a lack of storage. He noted also that particularly crippling issues in the Treasure Coast Region are the concerns that the levee is not strong enough, the inconsistent projections from meteorologists, and the historical rainfall lows.

Commissioner Marcus asked if the water management district had the ability to restrict local governments from issuing these permits until the water levels are where they should be. She stated that there needs to be some authority that can put a stop to allowing new permits until the current water shortages are resolved. Mr. Jackson noted that on a positive note, the 900 million gallons a day that the district estimates will be needed in the next twenty years is intended to come from alternative sources.

Commissioner O'Bryan noted his concerns that although Indian River County is a water-rich, population-poor county, the rapid growth in the surrounding counties will threaten their water supply. He stated that when the water management districts review plans, they should consider the effects on not only their region, but the surrounding counties as well. He stated that in terms of population projections, it might be better to look at the resources first, then decide how many people can be supported, rather than estimate what the population will be and then try to accommodate for that. He also noted it could take up to twelve years from planning, design, engineering and implementation of alternative water supply sources. He questioned why this was not being mandated sooner.

Mr. Jackson stated there will need to be more detailed focus on how each utility specifically deals with their needs, but at the same time, address the state and regional issues. He noted that South Florida Water Management District is collaborating with St. John's and the Southwest Florida Water Management District in the greater Orlando area to produce computer modeling and needs identification to determine if there is enough water in the Florida aquifer in that area to cover to 2013. He noted that under SB 444 there was a push to have a reservation for urban needs, but currently, under state law, water reserves in the natural system are to take care of wildlife and then used on a first come, first serve basis. He stated that if you look at the situation from the standpoint of filling up a bucket, there is a certain aspect where it is not a fixed volume. If water is taken out, then the capacity can be replenished to some extent. He stated that aquifers work the same way, there is a certain part that the more water that is withdrawn, the more the aquifer can absorb additional water from rainfall and have a larger capacity. Commissioner O'Bryan asked Mr. Jackson if he was saying that by removing water more capacity for storage will be created. Mr. Jackson stated that it is a reservoir type of situation, so additional capacity will be created. He noted that the problem in Florida is not rainfall, but storage. He stated that one of the main objectives of the Everglades

DRAFT

Subject to modifications

Restoration Effort is to create large reservoirs and other systems to store the water that will be available for later use. He said that in the case of surficial aquifers, it is a matter of if there are additional wells that can actually allow more water to be withdrawn from that aquifer. Commissioner O'Bryan stated that he did not agree that if the aquifer is drawn down faster it will create more storage space. He noted that if the aquifer is full and there is less draw down, or if there is more draw down and then more water is added, it is still the same capacity. He asked if the approval of new permits will be stopped in 2013 when the water is gone. Mr. Jackson noted that one of the requirements of concurrency is when the local government are doing with their comprehensive plan they must indicate how there will be systems in place that will prevent a local government from issuing permits or occupancy permits if there is no water available, but the idea is to plan ahead so that there will be water available to issue the permits. He stated that what local governments are to do now is work collectively with the large utilities to identify future needs, identify the most cost-effective options to pursue, and build that into the work supply plans for those regions.

Commissioner Smith noted that even though we are in a drought, the water management district is dumping millions of gallons to tide daily. Mr. Jackson stated this is done on operational schedules in order to prevent flooding when there are excessive amount of rain in short periods of time and to maintain salinity levels. Commissioner Smith noted the water being dumped to tide is an asset and there needs to be something done to make use of it, either for the natural systems or for consumptive use. Mr. Jackson noted that the heart of the Comprehensive Everglades Restoration Plan was to build tremendous amounts of storage to be able to deal with this water.

Mayor Ferreri noted that there is much discussion about consumptive use permits, but he feels the discussions need to be about land use. He noted there is a significant amount of money being spent to build large recharge areas. He stated that instead of consumptive use permits and capacity, the focus should be on the capacity of the land to have enough recharge in each of those areas. He stated there should be discussion not about issuing permits, but where will there be protection and preservation of the land for recharge and what to do with the water that is being dumped to the ocean daily.

Mr. Jackson stated that several decisions made decades ago to lower the water table for development has done more to impact water resources than all the well permits that have been issued. He noted the current issues are a series of outcomes that were not anticipated or desired from these actions. He referenced a requirement that was added twenty years ago in surface water management permits to require onsite storage which worked with the development community because they did not take land out of what could be houses. The district is now looking at a much larger scales in terms of the Everglades Restoration Projects, Acceler8 and those types of projects as well as efforts to reuse wastewater.

Councilmember Baine asked who is the ultimate authority for controlling the water and if it is being addressed as a crisis arises. Mr. Jackson replied that it is a layered governmental approach with roles for water management agencies, individuals, local,

DRAFT

Subject to modifications

state and federal governments. Above that, he stated specific problems need to be dealt with as they arise. He stated there are people at the district focused on the water problem daily, but the district also has a state mandated role to look at the water resources and to balance the flood protection, environmental protection, water quality and water supply. He noted the elected officials must deal with decisions in terms of land use and prior property rights, but emphasized that the roles need to fit together. Councilmember Baine asked if there was any authority to deny future development on the basis of water availability. Mr. Jackson stated water will not be the reason to curb development. He pointed out that the state is a peninsula and that water can be obtained through alternative measures. Councilmember Baine expressed his concern that there appeared to be a lack of public support of this issue which he feels is the most important issue the state is currently facing.

Rosa Durando agreed that the question of ultimate authority was a good one and stated that there is no one formally in charge. She stated that the failure in this state of water management to adequately protect water resources is shared by the Department of Environmental Protection. She noted that various environmental groups have stepped up and won some very important lawsuits for environmental restoration. She referenced a recent article with respect to the DiVosta developments and cited from the article that it was determined that the retention areas contained dirty water and required the installation of impervious membranes. She noted pumping of water that should be retained for recharge for the aquifer, and different control elevations as reasons for the water problems. She cited a 1972 study commissioned by the Department of Environmental Protection and done by the water management district that indicated there would be no water west of SR 7. She noted that water is continually being drained into the C 51 canal which dumps into the Lake Worth Lagoon. She said that all the money being spent to clean up the Lake Worth Lagoon is being wasted as there is poor quality water being continually pumped into it.

Alex Larson noted that the water management stated they only have \$36 million a year for resource projects. She stated that already \$400 million has been paid to Bernard Parsons for a pipeline and \$350 million to consultants. She noted her frustration that sixty percent of water goes to irrigation and stated her preference to have all lawns turn brown to save water for future generations. She noted that if the County would comply with the comprehensive plan and not allow changes to the land use there would not be all these problems. She placed blame on everyone for the current problems and said it is up to everyone, not just the environmentalists, to solve the water crisis.

REPORT ON GOVERNOR'S CLIMATE CHANGE SUMMIT

Staff gave a presentation to Council on the Florida Summit on Global Climate Change in Miami that was hosted by Governor Charlie Crist. Staff noted that the summit featured leading state, regional, national, and international policy makers, as well as scientists, environmentalists, and investors in the business community. Staff noted Florida's vulnerability to the effects of global climate change for several reasons which include sea level rise, exposure from climate changes related to extreme weather conditions such as

DRAFT

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hurricanes, and changes to the coral reefs in the ocean. Staff stated that Florida is currently the fourth most populous state and ranks third in energy consumption, with seventy percent of the electricity being generated by fossil fuels. The Governor emphasized that the state must take action to achieve more energy conservation, greater energy efficiency, less use of fossil fuels and more use of renewable energy including biofuels, hydrogen, solar and wind energy. Staff noted the conference concluded with the Governor signing three executive orders that address the state leading by example; taking immediate actions to reduce greenhouse gas emissions and setting up an action team on energy and climate change that will assist in developing legislation. Additionally, the Governor signed agreements with dignitaries from Germany and Great Britain to partner on business relationships and share information with respect to new technologies.

Alex Larson urged Council to begin considering solar as an alternative energy source. She stated that this is not the plan of the power company, and she stated that Florida Power and Light's position that solar is not viable in Florida. She noted power plants use tremendous amounts of water, natural gas, and diesel fuel.

Rosa Durando stated she felt the Governor's Summit was basically a big media event. She noted her disappointment in not hearing mentioned the issue of consumptive use, especially petroleum. She stated that someone needs to address the issue of how much fuel the trucking industry consumes.

COUNCIL'S ENERGY PLANNING GUIDE - UPDATE

Commissioner Marcus moved approval of staff recommendations. Commissioner O'Bryan seconded the motion. Staff noted that one of the recommendations in the report is for the Chair to appoint an energy planning committee from the Council board members. Chairman Christensen stated she would like to select six or seven members for the committee. She asked Council members interested in serving on this committee should contact her. She warned she will be making appointments if there are no volunteers.

Motion

Rosa Durando noted the need for recognition of the long range water use by power plants. She cited Florida Department of Environmental Protection estimates that Florida Power and Light Company will increase their consumption of water by over eight hundred percent in the next twenty years. She stated this is not a local problem, noting problems currently occurring in Tampa. She noted statistics that the spring system through the middle of the state is now lower than it has ever been in recorded history. She stated that the energy situation has ramifications for the water supply, which is not being addressed adequately.

Alex Larson commended Council for developing an energy guide. She expressed her concern with the water issue and noted a power plant being built in her neighborhood that will use large volumes of water. Additionally, she noted that the Palm Beach County

DRAFT

Subject to modifications

water utilities will be selling the power plant 3.2 million gallons a day. She expressed her desire to have members of the energy committee be environmentally concerned.

Commissioner Marcus noted that Diana Sawyer Crane from the Governor's office is seeking to identify a region to use as a pilot project and asked if Council would want to volunteer. Staff stated they would call the Governor's office to determine what would be involved with being a pilot region and report back to Council.

Chairman Christensen called for a vote on the motion, which carried unanimously.

RESOLUTION SUPPORTING COMMUNITY WORKFORCE HOUSING INNOVATIVE PILOT (CWHIP) PROGRAM CITY OF LAKE WORTH

Commissioner Marcus moved approval of the resolution. Mayor Ferreri seconded the motion.

Motion

Councilmember Kanjian asked if this resolution was Council-initiated or at the request of the applicant. Staff replied it was at the applicant's request. Councilmember Kanjian expressed concern with appearing to support one development over another and asked that the resolution be changed to indicate programs such as these are consistent with the Strategic Regional Policy Plan of the Treasure Coast Regional Planning Council and not identify a particular project.

Commissioner Marcus stated that she would amend her motion to include that recommendation. Mayor Ferreri seconded the amended motion.

**Amended
Motion**

Councilmember Hershey noted another request by Quillen for Council's support in obtaining funding under the CWHIP program. Mr. Saberson clarified that the current issue before Council was to adopt a resolution of support which differed from the Quillen project in that they were requesting Council form a public/private partnership as part of the CWHIP application. He also noted that Council did adopt a resolution indicating support of the Quillen project and the concept of workforce housing integrated into neighborhoods within that project.

Councilmember Foley noted that he is a partner in Quillen and confirmed that Council was asked to be a partner in the Quillen grant application, but had to decline due to bonding concerns. He noted that Quillen was awarded the grant and intends to build those affordable units as well as twenty percent of all their units as affordable housing.

Chairman Christensen called for a vote on the motion, which carried unanimously.

COUNCILMEMBER EXCHANGE

None

PUBLIC COMMENT

None

STAFF COMMENT

None

CHAIRMAN COMMENT

None

ADJOURNMENT

There being no further business, Chairman Christensen adjourned the meeting at 11:40 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 July 20, 2007, meeting of the Treasure Coast Regional Planning Council.

Date

Signature