

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
DECEMBER 14, 2007**

Chairman Christensen called the meeting to order at 9:37 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
 Councilmember Abell
 Vice Mayor Neglia

St. Lucie County: Mayor Christensen
 Commissioner Grande

Martin County: Commissioner Smith
 Commissioner Caspersen, Alternate

Palm Beach County: Commissioner Marcus
 Commissioner Koons
 Mayor Pro Tem Brinkman
 Mayor Ferreri
 Mayor Golonka
 Mayor Jacobson
 Councilor Gottlieb, Alternate

Gubernatorial Appointees: Laurence Davenport
 Kevin Foley
 Susan Hershey
 Susan Caron

Ex-Officios: Mary Murphy, FDEP
 Karen Smith, SFWMD

Council Staff: Kathryn Boer
 Marlene Brunot
 Michael Busha
 Marcela Cambor
 Anthea Gianniotis
 Sandy Gippert
 Elizabeth Gulick
 Wynsum Hatton
 Stephanie Heidt
 Terry Hess
 Trayce Jones
 Peter Merritt
 Greg Vaday

Council Attorney: Roger Saberson
Guest: Councilmember Susan Adams

The Director announced a quorum was present.

AGENDA AND CONSENT AGENDA

Commissioner Smith moved approval of the Agenda and Consent Agenda. Commissioner Grande seconded the motion, which carried unanimously. **Motion**

Items on the Consent Agenda were: 4A, Minutes – October 19, 2007; 4B, 2007/2008 Hazardous Materials Emergency Preparedness Grant Agreement; 4C, Belle Glade Comprehensive Plan Amendments DCA Ref# 08-1ER; 4D, Cloud Lake Comprehensive Plan Amendments DCA Ref# 08-1ER; 4E, Martin County Comprehensive Plan Amendments DCA Ref# 07-2; 4F, Palm Springs Comprehensive Plan Amendments DCA Ref# 08-1; and 4G, Intergovernmental Coordination and Review Log.

ANNOUNCEMENTS

Staff presented 2008 calendars to the Councilmembers.

Staff announced Marcela Cambor has tendered her resignation effective December 31, 2007. It was noted that over the last ten years Ms. Cambor has developed an urban design studio that is an integral part of what makes Council so successful. She was thanked for her diligent work providing excellent service to local governments.

Staff presented Chairman Christensen with a gift of appreciation for service throughout the last year. It was noted that she guided Council through some very difficult meetings. Chairman Christensen stated that it has been a phenomenal learning experience and noted the importance of Council's regional approach to growth management.

COUNCIL ORGANIZATION
MEMBERSHIP APPOINTMENTS AND ELECTION OF OFFICERS

Staff read the names of the new Councilmembers into the record and the Chairman certified that they have been duly appointed for 2008. The Councilmembers for 2008 are as follows:

PALM BEACH COUNTY

Regular Members: Commissioner Karen Marcus
Commissioner Jeff Koons
Commissioner Addie Greene

Regular Member Alternates: Commissioner Mary McCarty
Commissioner Robert J. Kanjian
Commissioner Jess R. Santamaria

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Municipal Members: Mayor Pro Tem Joni Brinkman (Village of Palm Springs)
Mayor Samuel J. Ferreri (City of Greenacres)
Mayor Karen Golonka (Town of Jupiter)
Councilmember Carmine Priore (Village of Wellington)
Mayor Maurice Jacobson (Town of South Palm Beach)

Municipal Alternates: Councilmember Fred Pinto (Village of Royal Palm Beach)
Vice Mayor Retha Lowe (City of Lake Worth)
Vice Mayor John Workman (Town of Palm Beach Shores)
Mayor David Lodwick (Village of Royal Palm Beach)
Councilor Robert Gottlieb (Town of South Palm Beach)

INDIAN RIVER COUNTY

Regular Members Commissioner Gary C. Wheeler
Commissioner Peter D. O'Bryan

Regular Member Alternates: Commissioner Wesley S. Davis
Commissioner Joseph E. Flescher

Municipal Members: Vice Mayor Sabin Abell (City of Vero Beach)
Councilmember Susan Adams (City of Fellsmere)

Municipal Alternates: Councilman William Ahrens (Town Indian River Shores)
Vice Mayor Sal Neglia (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 Commissioner Finn Caspersen (Town of Jupiter Island)

ST. LUCIE COUNTY

Regular Members: Commissioner Doug Coward
Commissioner Charles Grande

Regular Member Alternates: Commissioner Chris Craft
Commissioner Paula Lewis

Municipal Members: Mayor Patricia P. Christensen (City of Port St. Lucie)
Commissioner Edward Becht (City of Fort Pierce)

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Municipal Alternates: Councilwoman Michelle L. Berger (City of Port St. Lucie)
Commissioner R. Duke Nelson (City of Fort Pierce)

GUBERNATORIAL APPOINTEES: Laurence Davenport (Palm Beach County)
Herman Baine (Palm Beach County)
Kevin J. Foley (Martin County)
Susan Hershey (Martin County)
Susan Caron (St. Lucie County)
Ramon Trias (St. Lucie County)
Richard Hurley (Indian River County)

Commissioner Marcus moved for acceptance of the 2008 Councilmembers as read by the Executive Director and certified by the Chairman. Commissioner Hershey seconded the motion, which carried unanimously.

Motion

Vice Mayor Neglia noted that the Nominating Committee recommended the following slate of Officers for 2008:

Chairman: Susan Hershey
Vice Chairman: Gary Wheeler
Secretary/Treasurer: Sam Ferreri

Commissioner Marcus moved approval of the nominations. Commissioner Koons seconded the motion, which carried unanimously.

Motion

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

Commissioner O’Bryan summarized the Budget/Personnel Committee meeting held on November 28, 2007. He noted there were eleven evaluations of the Executive Director received, all being very favorable. He stated in addition to these evaluations the committee extensively reviewed the Executive Director’s performance, evaluating his budget and management abilities as well as professional development for self and staff. He noted there were no staff issues or complaints. In reviewing the evaluations and compensation package, the committee was very cognizant of the fact that all local governments have faced budget cuts with potential new cuts in January. Commissioner O’Bryan noted the Committee wanted to practice good fiscal responsibility while recognizing that the Executive Director performed exceedingly well. He stated the Committee tried to minimize any recurring costs such as large salary increases and discussed revising the formula for evaluations as well as the overall contract and severance package. He provided as a unanimous decision of the Committee; no increase in base salary; two percent increase in deferred compensation; and a one-time cash bonus of \$10,000. Additionally, the Committee recommended meeting at the end of the year to further evaluate the performance of the Executive Director and the financial position of the Council.

Commissioner O’Bryan moved approval of the recommendations of the Budget/Personnel Committee. Commissioner Smith seconded the motion for discussion.

Motion

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Commissioner Smith noted that a mid-year reevaluation should be included in the motion. Commissioner O'Bryan agreed with this inclusion.

Mayor Golonka asked when the reevaluation would occur. Commissioner O'Bryan stated it would be in July or August of 2008, but stated he preferred to leave the date open at this point. Chairman Christensen asked that the reevaluation be done in July to allow the Executive Director time to work on the budget. Commissioner O'Bryan and Commissioner Smith agreed with this date. The motion carried unanimously.

Commissioner Smith personally thanked the Executive Director for his work not only with the local governments, but all his efforts regionally and state-wide as well.

Commissioner Marcus offered her appreciation for the Executive Director's efforts and noted his availability and efforts on any task asked of him.

LOCAL GOVERNMENT COMPREHENSIVE PLANNING/SB360 PRESENTATION BY CHIP MERRIAM, DEPUTY EXECUTIVE DIRECTOR OF WATER RESOURCES, SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Mr. Merriam made a presentation to Council with respect to comprehensive planning, statewide water supply planning, alternative water supplies and water use regulation. He indicated that state law now links growth with water supply components through Senate Bills 360 and 444, which were passed in 2005 and set into motion a series of actions that will culminate with deadlines in 2008. The new laws ensure roads, schools and water are available to meet the needs of communities in one of the fastest growing states in the nation. Additionally, the new laws will increase focus on alternative water supplies, improve communication between utilities and planning departments and strengthen the link between water supply plans and land use planning. He noted that alternative water supplies are needed not only because traditional sources are limited, but a proactive approach to meet future water needs will reduce potential impacts on and competition with natural resources.

He outlined the requirements for local governments which include:

- identifying how future water supply needs will be met;
- preparing a 10-year water supply facilities work plan; and
- amending the local comprehensive plan to incorporate the 10-year water supply facilities work plan.

The 10-Year Water Supply Facility Work Plan must identify:

- Traditional water supply projects
- Alternative water supply projects
- Conservation programs
- Reuse programs
- Financial planning
- Facilities master planning
- Permitting

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- Activities and efforts in coordinating or participating in multijurisdictional projects, where applicable

Mr. Merriam concluded by stating that the South Florida Water Management District's Role in Comprehensive Planning is to:

- update water supply plans;
- review and comment on local government comprehensive plans on water resource issues;
- provide technical assistance; and
- assist with Funding (Alternative Water Supply Grant Program).

Councilmember Davenport asked what the water management districts are doing to financially encourage utilities to conserve water. Mr. Merriam responded that the cost of developing alternatives is higher than conservation.

Councilmember Davenport asked with respect to the drought if the district knew what the three to five year forecast for the region was with respect to availability of water. Mr. Merriam stated that the district has learned more about drought response this year than in any period. He stated the flow was actually cut off into the diversion and impoundment areas in the lower east coast but there was a concern with storing too much water that would have naturally sat in the Everglades for recharge. He stated they are researching capturing surface water for use to allow the groundwater to recover. He noted that geologically, especially in this area and to the south, the system is very dynamic, so providing some relief from groundwater use will allow the water to restore by moving from below and laterally. This will allow consumption before the excess water is released to tide and give the groundwater levels time for restoration.

Commissioner Caspersen noted that the water management district has adopted the same water restrictions for all areas regardless of the amount of water they have, what aquifer they are utilizing, and the conditions of their aquifer. Mr. Merriam noted there is a variance process in place to address issues case-by-case and if a local government is one hundred percent Floridian, then a variance order will be given.

Commissioner Caspersen asked if there was a methodology for utilities to generate funds, or funding assistance available, for accessing the Floridian. Mr. Merriam stated there are several different ways to finance alternative projects such as penalties for excessive use and raising rates to compensate for the restricted use. He stated the district's vision is not just the next four or five months, but how to move forward and ensure conservation efforts are in place for the future. Mr. Merriam noted the district will be working with local governments to identify opportunities for funding from the legislature.

Councilmember Hershey asked how the movement of the water, the restrictions and the shortages in others areas such as Georgia come together. Mr. Merriam stated that water moves differently in each place and the laws differ from state to state. He stated that water is dynamic, but moves in geological time, which is not very fast. However, in a lot of the Floridian type systems there is enough pressure to create recharge from below.

Commissioner Wheeler asked what percentage of water loss is associated with mining operations, dewatering, and evaporation. Mr. Merriam stated he did not know the percentage, but

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did note that in the district's permitting for dewatering activity there is a requirement to store the water on site. The reason for the requirement of on-site water storage is to retain it in the area so it recharged back into where it was withdrawn.

Commissioner Wheeler asked if the well pressure of the businesses and homes surrounding Lake Okeechobee have been affected by the drought. Mr. Merriam stated that at an elevation of ten feet Lake Okeechobee does not pull water away from the surrounding communities.

Commissioner Koons stated he was intrigued that the water management district was putting together a planning department. He offered that with its good working relationships with local governments and utilities, the regional planning council could be a resource for the district. He noted that a lot of Council's regional planning initiatives and long-range plans for this district are embedded with ecosystem preservation and restoration strategies. Mr. Merriam stated it would be helpful to take advantage of already existing tools and collaboration was worth discussion.

Commissioner O'Bryan stated that there is a lot of discussion about storing rainwater rather than diverting it to tide, but noted that at the same time the estuaries are highly dependent upon that fresh water influx. He expressed a need to ensure there is a minimum of fresh water flow into the estuaries so they remain diverse habitats. He asked if St. John's River Water Management District is running this 10-year program. Mr. Merriam stated that all five water management districts are required to do the same process. There is a state-wide effort to meet with the local governments and planning councils to let everyone know what the water management districts are planning and perhaps collaborate to make the programs more effective.

Commissioner O'Bryan expressed his concern that the mining operations need more extensive review. He stated there should be a closer investigation of the net effect of opening up these huge pits then abandoning the mining operations.

Commissioner Marcus stated there are a lot of mining operations showing up in the Everglades Agricultural Area and expressed an interest in having more discussion about the impacts of such operations. Staff noted that there has been collaboration with the water management district to determine that if there is to be a significant level of mining in the Everglades Agricultural Area, there needs to be planning on how they tie in as possible reservoirs. Mr. Merriam stated that a carrying capacity study for the region would be useful.

Commissioner Smith asked if there was still regular dumping of water from C-23 and C-24. Mr. Merriam indicated that there was. Commissioner Smith stated that as this moves forward there needs to be continued pressure on the federal government to do their fair share. Mr. Merriam agreed the way in which the central and south Florida Flood control project works is a wasteful system. He stated that regionally there are several projects that can put together by state, district, and local governments that would provide an increase of water through those reservoirs for use as well as meeting those objectives of not impacting downstream. He stated that there could be a way to collectively pool the funds available to move forward with addressing the problem. Commissioner Smith offered that the regional planning council may be able to offer assistance in that prioritization of projects. Mr. Merriam stated he would bring that suggestion back to his Executive Director. Staff asked those on the Council working in local government to contact their planning directors to get updates on the status of their water supply plans due in January of 2008.

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Councilmember Neglia asked staff if it would be possible to have the St. John's River Water Management District address Council at a meeting early in 2008. Staff indicated this would be possible and an invitation would be extended.

COUNCIL OFFICE UPDATE

Staff noted that since Council authorization for the construction and renovation of the building purchased last year there has been a lengthy contractor selection process, the completion of the working drawings and plans, and securing of the necessary permits and approvals. Staff stated that the original price for the building was \$1.4 million, which was twice the amount in the construction account. After extensive redesigning and modifications, the contractor's price is now \$740,000, but only \$620,000 is in the construction account. Staff stated it would not be preferable to take the money from the contingency fund, which is approximately \$470,000, as this fund should only be utilized for emergencies. Staff requested authorization to extend the credit line with the bank over a five to ten year period, or possibly have the initial note reissued.

Commissioner Caspersen asked what rate had been quoted. Staff replied that the bank had not given an exact quote, but it would be between four and ten percent. Commissioner Caspersen stated that the Town of Jupiter Island recently obtained a loan for \$10 million at a 3.6 percent rate.

Councilmember Foley stated he would prefer to use money from the contingency fund as this would not incur additional interest rate charges. He noted that if an emergency did arise, then extending credit could be considered at that time.

Commissioner Marcus asked if Council was eligible for the Sunshine pool, which provides a good rate to do short-term projects. Commissioner Koons stated this is a floating loan that is usually issued for up to five years.

Commissioner Koons asked for assurance that the building had not been overly value engineered to save money. Staff stated that the building will be patterned after the 1920's building that currently is located there and will be very attractive.

Councilmember Hershey asked what authorization staff would need to proceed. Staff replied authorization would be to obtain funding for additional \$120,000 through the best possible source. Mr. Saberson noted that there was a meeting scheduled at 11:30 a.m. today with the contractor to finalize the contract.

Commissioner Koons moved approval to authorize staff and Council's attorney to utilize the contingency fund for the additional \$120,000 and then provide Council with an update on alternative funding mechanisms to replenish those funds. Commissioner Marcus seconded the motion.

Motion

Chairman Christensen asked for discussion. For clarification, Commissioner Wheeler asked if the motion directed staff to look at the contingency fund versus banks or the Sunshine pool.

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Commissioner Koons stated staff should obtain the additional funding from the contingency fund and then determine the most advantageous way to reimburse the fund.

A vote taken on the motion carried unanimously.

PUBLIC COMMENT

None

COUNCIL MEMBER INFORMATION EXCHANGE

None

STAFF COMMENT

Staff noted there will be a joint meeting with the South Florida Regional Planning Council following the January meeting to discuss regional visioning for the seven counties.

CHAIRMAN’S COMMENT

Chairman Christensen thanked everyone for a productive year. She expressed her disappointment that St. Lucie County representatives do not show a better attendance at Council meetings. She offered it might be helpful for the incoming Chairman to contact the representatives from St. Lucie County to encourage more participation in the coming year.

ADJOURNMENT

There being no further business, Chairman Christensen adjourned the meeting at 11:10 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 14, 2007, meeting of the Treasure Coast Regional Planning Council.

Date

Signature