

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
MARCH 15, 2013**

Chairman O'Bryan called the meeting to order at 9:30 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 Solari
 Mayor Fletcher

Martin County: Commissioner Fielding

St. Lucie County: Commissioner Mowery
 Commissioner Dzadovsky
 Commissioner Perona

Palm Beach County: Commissioner Burdick
 Councilwoman Valeche
 Mayor Golonka
 Mayor DuBois (Alternate)
 Vice Mayor Pro Tem Andel (Alternate)
 Mayor Norris (Alternate)
 Council Member Tinsley (Alternate)

Gubernatorial Appointees: Michael Davis
 Kevin Foley
 Bill Hall
 Reece Parrish
 Peter Sachs

Ex-Officios: Ann Benedetti, St. Johns River Water Management District
 Laura Corry, South Florida Water Management District

Council Staff: Michael Busha
 Phyllis Castro
 Kim DeLaney
 Eloine Sabol
 Liz Gulick
 Stephanie Heidt
 Dana Little
 Peter Merritt
 Greg Vaday
 Joan Young

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

**PUBLIC COMMENT ON
CONSENT AGENDA ITEMS**

None.

AGENDA

Chairman O'Bryan requested Agenda Item 8, the Seven50 Update, be moved to follow the Consent Agenda in order to accommodate the guest speaker.

Councilmember Foley moved approval of the reordered Agenda. Mayor Fletcher seconded the motion, which carried unanimously. **Motion**

CONSENT AGENDA

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

Items on the Consent Agenda were: 5A, Financial Report – December 31, 2012; 5B, Financial Report – January 31, 2013; 5C, Minutes – January 18, 2013; 5D, Village of North Palm Beach Comprehensive Plan Amendment No. 13-1ESR; and 5E, Intergovernmental Coordination and Review Log.

SEVEN50 SOUTHEAST FLORIDA PROSPERITY PLAN UPDATE

Victor Dover, Principal of Dover Kohl and Partners, the lead consultant firm for Seven50, provided an overview of the Future Trends Model and alternative scenarios of the ultimate vision for the Region. This model, which was presented at the Seven50 Summit in January, analyzes the Region's current conditions and portrays the possible outcome over the next five decades if all existing policies and regulations are applied as they exist today and current trends continue. The presentation included existing land use conditions and how the current trends will affect the future of the region with respect to transportation, jobs, housing, natural resources, and facilities/services provided to the increasing population.

Drew Martin, representing the Sierra Club and the Palm Beach County Soil and Water Conservation District, stated he wanted to ensure discussion of Florida's future includes the environmental benefits of Florida such as the Everglades and the natural reef system, and how those promote tourism for the State. He cautioned that moving west in order to avoid sea level rise was a false assumption, and that drainage, which is gravity driven, will not work well with sea level rise. He suggested we need to look at ways to raise up areas of development, not move them west. Additionally, he stated we should not allow development on the seaward side of the Coastal Construction Control Line. He noted that with respect to transportation planning, it is difficult to get people to take the bus or walk if all of the tree cover has been taken away and there is no shade or shelter for those walking or waiting for the bus.

Marcela Cambor-Cutsaimanis, Project Director of Seven50, stated the focus and work for the project has now shifted to the actual creation of the Seven50 Plan. She provided dates and times for upcoming meetings and encouraged Council members to participate and provide outreach efforts to others from their local governments and various boards.

Councilmember Foley stated he was at first skeptical of the Seven50 Plan because he thought it would create a blueprint for the region everyone would be mandated to follow. He stated he has come to learn that the Seven50 Plan will be an important resource that will provide information that will assist in better decision making for not only local governments, but the entire population. He said he has always believed that having the most information possible is the best way to make decisions.

Chairman O'Bryan noted that at the second Seven50 Summit, Secretary Wolfe from the Department of Transportation District IV made a presentation that showed how in South Florida over the last 30 years the lane miles have had a one percent annual growth rate while the population has increased three percent, which has led to the current congestion problems with the roadway system. Secretary Wolfe stated that in Miami-Dade County there is no more room to grow or money to fund expanding the roadways, and they will need to figure out how to make what is currently on the ground work. Commissioner O'Bryan stated that is a lesson the northern counties need to learn from to ensure future mobility and avoid gridlock in our region.

Commissioner Mowery concurred with Councilmember Foley that it is important to be as knowledgeable as possible when making decisions. He stated he had recently been to a Tea Party event and expressed his concern with the unbalanced perspective that is being presented at these meetings. He stated that the focus of the meeting he attended was the perceived ills of regional planning councils, and the defunding of entities like economic development councils. He encouraged Council members to be more aware of what is being presented at these events.

Commissioner Solari stated that while Mr. Dover's presentation was very good, he felt that it was not balanced, but a planner's presentation. He noted the example of Sebastian that was used in the presentation was depicted as a bad thing, but he stated that the City developed exactly as it was planned. He stated there was planning done for Sebastian, but it is not what is currently desired so there is a push to re-plan the City.

Rosa Durando expressed her concern that there had been no evidence presented taking into account impacts to the environment. She stated she had not heard any discussion on water supply for the future. She indicated she was disappointed that the planning process is no better than it was twenty years ago, stating she has observed the deterioration of water supplies to the point where utilities had to be expanded. She stated there had been a voter supported bond in Palm Beach County to buy sensitive land for water storage and protection of wildlife and agriculture, which she believes has been dismantled piece by piece by the political process.

Councilmember Foley emphasized the importance of having as much information as possible when making decisions, and that a plan such as Seven50, with its broad spectrum of leadership and information, cannot possibly be bad for the region.

Commissioner Fielding expressed his appreciation for the information Mr. Martin and Ms. Durando bring to the meetings. He noted that in the three counties to the south there is a coalition that addresses the issues of water supply quality and quantity. In Martin County, he stated there has been a lot of analysis done with respect to saltwater intrusion and the effects on wells and the water supply. He stated Martin County is actively engaged with the South Florida Water Management District in rehydrating the various conservation areas in the county.

Ms. Durando indicated the most significant issue now in front of the South Florida Water Management District is the problem of water quality in the C-51 canal. The problem has been created because not enough water has been retained on development sites. She indicated the problem is made worse by the flow of stormwater from areas west of U.S. Route 441, and from water, that would have previously been stored in thousands of acres of wetlands that were in Wellington. All this extra water is discharged into the C-51 canal, which by study is the dirtiest urban water in the 16 counties that the water management district controls. Now the District is talking about a reservoir for dirty water, even though the situation is compounding and getting worse. Ms. Durando indicated there is no scientific or biological or engineering support that will improve the situation by continuing our current activities.

Councilmember Hall stated he was amazed that someone in the public or private sector has not hired Rosa due to her knowledge with respect to water. He stated that while he not a Tea Party member, he does agree with their concern for the protection of private property rights. He cited Agenda 21, which he stated was a systematic approach to creating more public control of lands and more control over the disbursement of wealth. He stated that while the Seven50 process is positive, it should not be the driving factor where government controls the outcome of private property rights and the disbursement of private wealth.

Councilmember Davis stated he supports Councilmember Foley's comments with respect to Seven50 and said that he also thought it was about private property rights, but that the plan would serve as a protection to those rights. He pointed to Miami-Dade County where the increase in the population has not been sustainable. He stated we cannot design our way out of the problems created by large increases in population such as those in the south. He stated that to not have a plan with alternatives in place would be a disservice to future generations and the property rights of the people of South Florida.

Councilmember Foley noted that Secretary Wolfe is on the executive committee of Seven50 and has hosted several of the meetings.

**PALM BEACH COUNTY COMPREHENSIVE PLAN
AMENDMENT NO. 13-1ESR**

Staff provided a brief overview of the Raceway Market amendment. This amendment proposes to change the land use designation on a 1.78-acre site from Medium Residential to Commercial Low. The amendment is being proposed to develop a convenience store with an 18-pump gas fueling station. Staff stated this site is located in an area that was previously the subject of a 2004 charrette between the County and the Cities of Greenacres and Atlantis. Staff noted that while the change in land use was consistent with the Strategic Regional Policy Plan, the development of the site as proposed is not consistent. Staff indicated that the draft report encourages the County to coordinate

with the Cities of Greenacres and Atlantis, and the Nautica Isles West Home Owners Association to develop a site plan that fulfills the community vision from the charrette master plan.

Mayor DuBois asked how many gas stations were proposed in the area of the charrette. Mr. Lanahan, Assistant City Manager and Planning and Engineering Director for the City of Greenacres, stated that there are twenty-four gas stations within a 2 ½ mile radius of the subject site.

Commissioner Burdick encouraged Council members to support the staff recommendation. She stated there is a plan for the area, and the plan should be followed.

Councilmember Foley stated one of the considerations for a gas station should be the number of stations currently in the area, which he noted was high in this instance. Commissioner Burdick noted the City of Greenacres has worked with this developer to identify other sites that are more appropriate.

Mr. Lanahan stated he was present to support the staff recommendation. He gave a history of the development of the charrette master plan, stating the currently proposed development of the site is not consistent with the charrette master plan for the area. He noted that the charrette master plan calls for mixed-use development and neighborhood services, but the proposed fueling station will create a single, high intensity use that does not follow the form of development laid out in the charrette master plan. He asked Council to support the coordinated planning efforts that have been done for this area and approve the staff recommendation.

Mr. Martin stated he attended the County commission meetings for this item and the residents of the area are opposed to the 24-hour gas station. He said if the concern is private property rights, then those of the current residents need to be considered as well. He encouraged Council to agree with the recommendations of Commissioner Burdick and staff.

Ms. Durando stated that this is a major recharge area for well fields. She noted that the biggest polluters are gas stations and cleaning establishments and she cautioned that this use would not be good for the environment. She said this was not needed because there was already a surplus of gas stations in the area.

Councilmember Sachs asked if there was any support for the project. Commissioner Valeche indicated the Palm Beach County Board of County Commissioners voted to approve the amendment. He stated there was discussion at the meeting that when the actual proposal comes back before the board it will be more thoroughly reviewed. He noted that the parcel immediately adjacent to the proposed site contains a lawn mower repair facility. He stated that the vision of the charrette is not the reality of the current neighborhood, which is heavy commercial and industrial.

Commissioner Burdick agreed that the neighborhood currently has these types of uses, but she stated that as with the Seven50 Plan, there needs to be planning for the future that incorporates the vision for the area that was developed in the charrette master plan. She stated this particular company that is proposing the station has been offered assistance by the City of Greenacres to identify an appropriate site, but they have refused the City's outreach efforts.

Staff provided a brief overview of the Westgate Avenue extension amendment. The purpose of this amendment is to remove the Westgate Avenue extension from Congress Avenue to Old Okeechobee Road from the Thoroughfare Right of Way Identification Map. The County justified the removal of the extension because it is not cost-feasible; modifications to the road being considered by the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) will reduce the road's carrying capacity; and the extension is not included in the Metropolitan Planning Organization's (MPO) 2035 Cost Feasible and Needs Plans. Staff stated the draft report indicates this amendment is inconsistent with the Strategic Regional Policy Plan and encourages the County to retain the extension in order to maintain future options and transportation linkages. For the benefit of new members on Council, staff noted that Council is not a regulatory agency, and any Council recommendations or comments are advisory in nature.

Chairman O'Bryan stated that the job for Council was to approve report that would be submitted, not to approve or decline a project. He asked if when the cost feasible study was done for the extension if it was based on the road going through the existing mobile home park and included the purchase of the land.

Allan Ennis, Assistant Director of Traffic for Palm Beach County, stated that the plan was developed only using generalized cost numbers, which do not look specifically at the roadway, and determine what the right of way costs are going to be or how much it would cost to provide drainage for that particular roadway. In this particular case, the County subsequently had a consultant do an alignment study and the cost numbers for specific roadway alternatives were developed. He stated that is how the \$30-40 million dollars cost was determined for the Westgate Avenue Extension. Chairman O'Bryan asked if that was based on the existing conditions of the mobile home park. Mr. Ennis stated that was correct, but a majority of the cost was associated with crossing one of the water bodies in the area.

Mr. Ennis stated he wanted to respond to the staff report by stating he believes the deletion is appropriate because the state requires the County Transportation Element to be coordinated with the plans and programs of the MPO; and he did not believe this roadway extension could be considered a condition of regional or state-wide concern, which he believes is outside of Council's review responsibilities, citing state statutes. He provided information obtained through modeling done for the area that shows almost no traffic diversion occurring from Okeechobee Boulevard and Belvedere Road to Westgate Avenue. He stated the County was not opposed to having this extension as a local street connection in the future if a developer wanted to build it.

Mr. Saberson stated the statutes Mr. Ennis referred to with respect to Council's statutory responsibilities was contained within the staff report. He asked staff how this amendment falls within the criteria for evaluation. Staff noted that when roads within the regional roadway network, such as Okeechobee Boulevard and Belvedere Road, are operating over capacity, removing arterials and rights of way will weaken the regional roadway network. Staff stated there is no cost to the County to leave the right of way, and should an investor decide to redevelop the area, having the right of way would provide the County with leverage to influence what happens in the area. Commissioner Burdick noted the property was recently sold.

Mr. Ennis stated that the Westgate/Belvedere Homes CRA was not opposed to the amendment. Staff indicated the president of the CRA had been contacted and they are not taking a position for or against the amendment.

Councilmember Davis asked the length of the roadway segment. Mr. Ennis indicated it was one half mile. Councilmember Davis stated that the estimate for the cost of building the extension appeared to be high compared to other roadway construction jobs in Florida.

Commissioner Fielding asked why the mobile home park was built in the right of way. Staff indicated that when the CRA redevelopment plan was done, they recognized the need for the citizens who live in the western area to travel to commercial areas to the east for services and employment.

Mr. Martin stated although he did not have a strong opinion on the amendment, felt he would tend to agree with the County's decision for the removal of the extension. He stated this is a low income neighborhood and the construction of the extension would disrupt the existing neighborhood structure. He stated he would like to see a proposal for a bicycle or foot path that does not involve automobiles.

With respect to the Port of Palm Beach Master Plan Update amendment, Mr. Tom Lundeen, Deputy Director of the Port and Port Engineer, stated he was available for questions.

Gerald Ward, Consulting Engineer, referred to Council Exhibits 12 and 13 in the staff report, noting correspondence from himself and Mr. Martin Murphy to the Palm Beach Board of County Commissioners with respect to the Port of Palm Beach Master Plan Update. Mr. Ward spoke out against the deletion of the State Road 710 connector from Old Dixie Highway to U.S. Highway 1. He stated that when the sky pass for the Port of Palm Beach was constructed in 1995 there was a commitment that this connector would be reestablished. He said this is a very important state road connector for the working waterfront and the marine industry in Riviera Beach. He encouraged Council to recommend keeping the State Road 710 connector in the plan because it is important to maintain transportation connectivity for the area.

Chairman O'Bryan noted that the staff report shows that on February 21, 2013 the Port changed the master plan update to address the City of Riviera Beach's concerns. He asked if the issue had been resolved. Mr. Ward indicated there was revised language in an agreement between the CRA, the City of Riviera Beach, and the Port of Palm Beach, but the revisions did not address the State Road 710 connector. He stated there is only vague language to improve the connectivity of the marina district.

Councilman Foley asked for clarification of Council staff's position on the retention of the State Road 710 connector in the Port's plan. Staff indicated that the amendment was for the County to adopt by reference the updated Port of Palm Beach Master Plan into the County comprehensive plan. Within that updated plan, the State Road 710 connector was deleted, however details concerning the connector were not included in the amendment package submitted by the County. Mr. Ennis indicated the connector was primarily for truck traffic coming from the north along U.S. Highway 1 from the working waterfront and boat yards. Mr. Lundeen noted that the port has two main gates, and the port is divided into north and south sections. He stated the truck traffic uses the

north part of the port. In order to keep the cargo moving, the Port added the south entrance. He noted that the MPO also removed the State Road 710 connector from their transportation improvement program. He stated the Port acquired the land and is currently leasing the land to Florida Power and Light Company. He stated the site would need to go through the rezoning and comprehensive plan amendment process with the City of Riviera Beach before any development could occur there.

Mr. Ennis said a committee had been established to deal with the issue of oversized and overweight trucks coming from the boatyards to the north into the Port of Palm Beach. Six options have been put on the table, one of which involves allowing the vehicles through the secured area of the port. He stated Mr. Lundeen has indicated the Port will allow for that option and offered to escort the trucks through the secured area of the Port. Mr. Lundeen noted that Mr. Murphy is required to obtain two permits for his oversized loads, but they have worked with the Florida Department of Transportation and been able to get that down to one permit. He stated that if the Port is given fifteen minutes notice, they will be able to escort the trucks through the port.

Mayor Golonka stated she could not advocate keeping the Westgate Avenue extension, and then support this connection being removed. She stated that there is very limited connectivity in the southern portion of Riviera Beach and asked that Council consider the comments of Mr. Ward and Mr. Murphy. She stated Council should not hastily support the removal of the road in that area, which could impact the viability of the city.

Staff asked what will be done when Florida Power and Light Company is done staging their construction equipment on the southern property. Mr. Lundeen stated that the land will have to be rezoned and the comprehensive plan modified to reflect the proper use. Staff asked what the intended land use would be for the property. Mr. Lundeen indicated there was an interlocal agreement with the City of West Palm Beach and the City of Riviera Beach for that piece of property. When Florida Power and Light Company indicated what they would be staging equipment for the construction on the property, the Port built an eight-foot wall up against the residential area and established restrictions on the times work could be done on that property. Staff asked if there was a problem with leaving the right of way there. Mr. Lundeen stated that the port wanted the property because they are currently land-locked and unable to expand to the north or west.

Chairman O'Bryan called for Council action on the amendments.

Councilmember Sachs moved approval of the staff recommendation with respect to the Raceway Market proposed amendment. Commissioner Burdick seconded the motion, which carried with Commissioner Valeche opposed.

Motion

Councilmember Hall moved approval of the staff recommendation with respect to the Westgate Avenue extension proposed amendment. Mayor Golonka seconded the motion, which carried with Commissioner Valeche and Council Member Tinsley opposed.

Motion

Councilmember Foley moved approval of the staff recommendation for the Port of Palm Beach Master Plan amendment with the inclusion of Council's recommendation to maintain the State Road 710 connector right-of-way. Mayor Golonka seconded the motion.

Motion

Isaac Hoyos, Principal Planner for Palm Beach County, explained that the amendment was only to adopt by reference the Port of Palm Beach Master plan into the County comprehensive plan. He stated that the County was not changing, accepting, or rejecting anything site specific with the master plan. Staff noted that Council was able to make recommendations to the City of Riviera Beach and the Port of Palm Beach that the right of way be maintained, or determine another solution to the entranceway.

Commissioner Dzadoovsky asked if it was possible for the Port to use the right of way until such time that it is indicated for another activity. Staff indicated this could be done.

The motion carried with Commissioner Valeche, Commissioner Mowery, and Councilmember Sachs opposed.

Staff provided a brief overview of the Canyon Town Center Market Place amendment. This amendment is to add a condition to increase the amount of residential land use by 15,700 square feet on an already developed site. The land use designation of commercial low with an underlying use of agricultural reserve will not be changed. The site is currently approved for 93 dwelling units. Staff did not identify any issues related to this amendment.

Mr. Martin stated that one of the goals of the Sierra Club and the Soil and Water Conservation district is to protect agriculture in Palm Beach County, noting that the voters in Palm Beach County overwhelmingly passed a \$150 million bond issue to protect this area for agricultural use. He stated that once approval is given for this type of increase in density, there will be more requests to follow. He asked that if Council recommendation is for this to move forward that it be firmly stated that no other changes will be accepted for this area.

Councilmember Foley moved approval of the staff recommendation for the remainder of the proposed amendments. Commissioner Mowery seconded the motion, which carried unanimously.

Motion

Ms. Durando referenced the bond issue to preserve the Agricultural Reserve, citing Lyons Road as an area that was needlessly developed and cut through the Agricultural Reserve. She noted that the Army Corps of Engineers stated several years ago that the only two steady sources of money for Palm Beach County were agriculture and the rich Audubon people that came to count birds. She said both of these have been steadily undermined by people with better connections than herself.

BUDGET AMENDMENT FOR FISCAL YEAR 2012 - 2013

Commissioner Mowery reported that Budget/Personnel Committee met on March 8, 2013 to review the proposed budget amendment for Fiscal Year 2012-2013. The amendment is required to reflect an increase of \$525,934 in confirmed revenue from state, federal, and local contracts. Commissioner Mowery moved approval of the Budget/Personnel Committee recommendation. Commissioner Fielding seconded the motion, which carried unanimously.

Motion

COUNCIL EDUCATION, MARKETING, AND UPDATING THE STRATEGIC REGIONAL POLICY PLAN

Michael Busha, Executive Director, noted the Budget/Personnel Committee had indicated in December that there was a need to develop and implement a work program to better educate board members, local governments, and members of the public and private sector on the functions of the regional planning council. Additionally, the Committee recommended updating the Strategic Regional Policy Plan. Mr. Busha stated that this plan, which is Council's business/vision plan, has not been updated since 1995. He suggested that the best time to amend this plan would be once the Seven50 plan has been completed, because that plan will provide new information and trends with respect to the region that will be useful in the update.

Councilmember Foley encouraged an aggressive approach in marketing Council's services.

Mr. Ward stated that he has worked with Council since the 1970s and he appreciates the expertise Council brings to the local governments. He noted a charrette done in 2008 for the City of Riviera Beach which had massive impacts to over 30,000 citizens and is still being talked about today. He asked that there also be focus of involvement of the public in the marketing efforts.

ANNOUNCEMENTS

Staff reported that two Council members, Councilwoman Webster from Royal Palm Beach, and Councilman Lowe from Riviera Beach, were not successful in their re-election bids. Staff noted that Councilwoman Webster was currently serving as Vice Chair for Council, and there would need to be a decision by Council for a replacement from Palm Beach County to this office. Chairman O'Bryan stated that he would like to convene the Nominating Committee to determine who should be nominated to fulfill the Vice Chair office.

Staff also indicated that Mr. Robert Stork, the Gubernatorial appointee from Indian River County, has submitted a letter of resignation. It was noted that there are several gubernatorial vacancies and term expirations, and staff is working with the Governor's appointment office to have those filled. Additionally, there are ex-Officio vacancies for Enterprise Florida, South Florida Water Management District, and the Department of Environmental Protection.

Staff reported that a memorandum of understanding is being developed to coordinate Tri-Rail service on the FEC railway. The parties involved in this efforts are: the South Florida and Treasure Coast Regional Planning Councils; the Miami-Dade, Broward, and Palm Beach Metropolitan Planning Organizations; Districts Four and Six of the Florida Department of Transportation; the South Florida Regional Transportation Authority; and the Southeast Florida Transportation Council. The agreement is being done to eliminate inefficiencies and duplication of efforts, and streamline the process of getting Tri-Rail service on the FEC railway. The memorandum of understanding is scheduled to be presented to Council at the May 17, 2013 meeting. Staff noted that Council support has been critical in achieving this progress.

COUNCIL MEMBER INFORMATION EXCHANGE

Commissioner Dzadovsky informed Council members of a workshop on March 23, 2013 at the Fenn Center in Fort Pierce to discuss the Port of Fort Pierce Master Plan. The workshop will be conducted by St. Lucie County and the City of Fort Pierce. He stated there could be substantial regional changes and encouraged everyone to attend. He also encouraged Mr. Martin and Ms. Durando to attend to offer their input from an environmental perspective.

Commissioner O'Bryan informed Council members of a workshop on March 26, 2013 in Indian River County to address issues related to the Indian River Lagoon. The workshop is being held at the County administration chambers.

Staff indicated information related to these meetings would be sent to Council and ex-Officio members.

Councilmember Foley encouraged everyone to enjoy St. Patrick's Day.

STAFF COMMENT

None.

CHAIRMAN'S COMMENT

Chairman O'Bryan asked staff to coordinate the Nominating Committee to get a recommendation for the Vice Chair position.

ADJOURNMENT

There being no further business, Chairman O'Bryan adjourned the meeting at 12:15 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 March 15, 2013 meeting of the Treasure Coast Regional Planning Council.

Date

Signature