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MEETING NOTICE

EXECUTIVE COMMITTEE

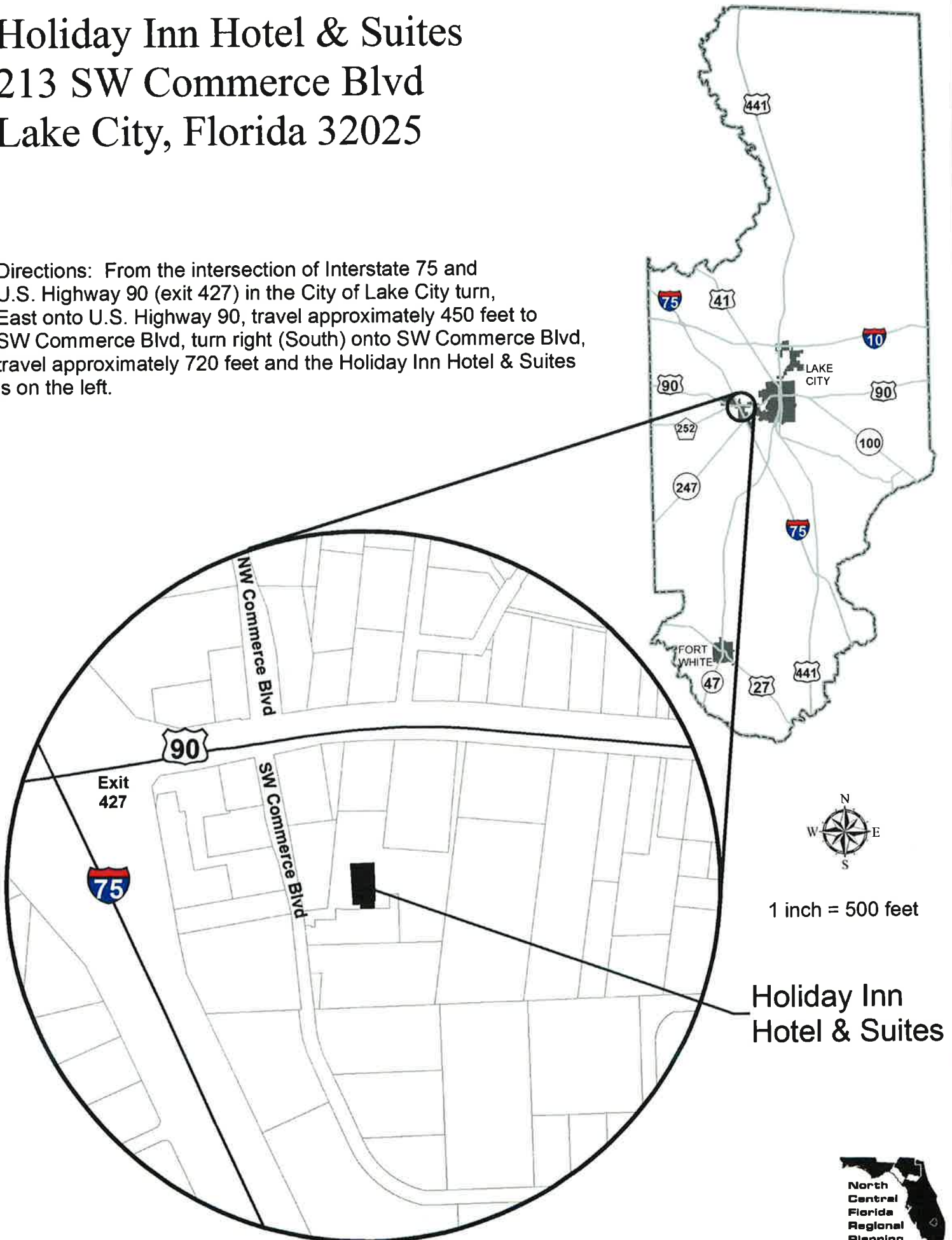
There will be a meeting of the Executive Committee of the North Central Florida Regional Planning Council on October 24, 2013. The meeting will be held at the Holiday Inn Hotel & Suites, 213 Southwest Commerce Boulevard, Lake City, Florida at 6:00 p.m.

(Location Map on Back)

Holiday Inn Hotel & Suites

213 SW Commerce Blvd
Lake City, Florida 32025

Directions: From the intersection of Interstate 75 and U.S. Highway 90 (exit 427) in the City of Lake City turn, East onto U.S. Highway 90, travel approximately 450 feet to SW Commerce Blvd, turn right (South) onto SW Commerce Blvd, travel approximately 720 feet and the Holiday Inn Hotel & Suites is on the left.





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AGENDA

EXECUTIVE COMMITTEE

Holiday Inn Hotel & Suites
 Lake City, Florida

October 24, 2013
 6:00 p.m.

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V. OTHER BUSINESS - Florida Regional Councils Association Policy Board Retreat January 9-10, 2014 - Tallahassee	

* See Attachments

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Dedicated to improving the quality of life of the Region's citizens,
 by coordinating growth management, protecting regional resources,
 promoting economic development and providing technical services to local governments.

EXECUTIVE COMMITTEE
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

September 26, 2013
6:00 p.m.

MEMBERS PRESENT

Rick Davis, Executive Committee Member
Garth Nobles, Jr., Chair
Daniel Riddick, Secretary-Treasurer
Carolyn Spooner, Vice-Chair
Lorene Thomas, Immediate Past Chair

MEMBERS ABSENT

None

STAFF PRESENT

Scott R. Koons

Chair Garth Nobles, Jr. called the meeting to order at 6:04 p.m.

I. APPROVAL OF MINUTES - August 22, 2013

Chair Nobles asked that the minutes for the August 22, 2013 Executive Committee meeting be approved as written.

ACTION: Ms. Thomas made the motion, with a second by Commissioner Davis, to approve the minutes of the Executive Committee meeting held on August 22, 2013 as written. The motion carried unanimously.

II. CONTRACTS AND APPLICATIONS - U.S. Economic Development Administration
Short-Term Planning and State Planning
Grant Amendment

ACTION: Ms. Thomas made the motion, with a second by Commissioner Spooner, to recommend that the Council authorize the Executive Director to submit a six-month extension amendment for the Federal Assistance for a Short-Term Planning and State Planning Investment Grant awarded by the U.S. Economic Development Administration in the amount of \$200,000 and authorize the Chair to execute the time extension. The motion carried unanimously.

III. PROGRAM REPORT - Transportation Disadvantaged Program - Appointments to
Bradford, Madison and Union County Coordinating Boards

ACTION: Commissioner Spooner made the motion, with a second by Commissioner Davis, to recommend that the Council appoint members to the Bradford, Madison and Union County Transportation Disadvantaged Coordinating Boards. The motion carried unanimously.

IV. GENERAL ADMINISTRATION

A. Amendment to Council's Organization Policy

ACTION: Ms. Thomas made the motion, with a second by Commissioner Riddick, to recommend that the Council approve an amendment to the Organization Policies of the Council by adding a new Section 18, entitled Public Participation. The motion carried unanimously.

B. Proclamation Declaring October 2013 as Community Planning Month

ACTION: Commissioner Spooner made the motion, with a second by Commissioner Davis, to recommend that the Council adopt a proclamation proclaiming the month of October 2013 as Community Planning Month in north central Florida. The motion carried unanimously.

C. Check Fraud Status Report

Scott Koons, Executive Director reported on the status of the fraudulent check written against the Council's bank account which was processed and paid by Wells Fargo. He reported that on September 9, 2013, Wells Fargo responded to the complaint by filing a Motion to Compel Arbitration. He stated that Wells Fargo alleges that disputes related to the Council's checking account are to be resolved by an arbitrator. He reported that Council Attorney Wershow and Co-Counsel Stanley Cushman responded to the motion stating arbitration does not apply to the dispute.

D. Executive Director Annual Performance Evaluation

ACTION: Commissioner Davis made the motion, with a second by Commissioner Spooner, to award the executive director a five percent merit pay adjustment, based upon the performance evaluation conducted by the members of the Executive Committee resulting in either "exceeds job requirements" for all evaluation criteria and resulting in an overall score of 5.0 on a 5.0 scale. Since funds have not been appropriated for any other Council staff to receive merit increases during Fiscal Year 2014, Mr. Koons requested that his merit pay increase for Fiscal Year 2014, along with the deferred Fiscal Year 2010 merit pay increase, Fiscal Year 2011 merit pay increase, Fiscal Year 2012 merit pay increase and Fiscal Year 2013 merit pay increase, be deferred until Fiscal Year 2015. The maker and seconder of the motion both agreed to the deferral request. The motion, including the deferral of the merit awards to Fiscal Year 2015, carried unanimously.

The meeting was adjourned at 6:27 p.m.

Garth R. Nobles, Jr., Chair

10/24/13
Date



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October 17, 2013

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Fiscal Year 2013-14 Technical Assistance Planning Grant Agreement -
Florida Department of Economic Opportunity

RECOMMENDATION:

Authorize the Chair to sign an agreement with the Florida Department of Economic Opportunity to prepare economic profile studies for Bradford, Columbia, Dixie, Gilchrist, Lafayette and Union Counties for a fixed fee amount of \$25,000.

BACKGROUND:

The Council proposes to enter into a technical assistance planning grant agreement with the Florida Department of Economic Opportunity to prepare economic profile studies for Bradford, Columbia, Dixie, Gilchrist, Lafayette and Union Counties.

A high priority of these counties is to promote economic development. The counties are desirous of establishing strategies to expand job opportunities. In order to establish the foundation for these strategies, an Economic Profile Study will be prepared for each of these counties. The studies will serve as the basis for the future development of optional Economic Development Elements of the Comprehensive Plans of each of these counties. The amount of the agreement will be a fixed fee amount of \$25,000.

If you have any questions concerning this matter, please do not hesitate to contact me.




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October 17, 2013

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Fiscal Year 2013-14 Community Redevelopment Area
 Planning Assistance Agreement - City of Madison

RECOMMENDATION:

Authorize the Chair to sign an agreement with the City of Madison to provide Community Redevelopment planning assistance services for a fixed fee amount of \$7,500.

BACKGROUND:

The Council proposes to enter into a technical assistance agreement with the City of Madison to provide planning assistance to prepare a finding of necessity study to determine if certain areas meet statutory requirements as slum and blighted areas for possible addition to the existing Community Redevelopment Area in the City. This agreement will be funded with City Community Redevelopment Area funds. The amount of the agreement will be a fixed fee amount of \$7,500.

If you have any questions concerning this matter, please do not hesitate to contact me.



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October 17, 2013

TO: Council Members

FROM: Garth R. Nobles, Jr., Chair

SUBJECT: Appointment of Florida Regional Councils Association
 Policy Board Retreat Delegation

RECOMMENDATION:

Ratify the appointment of Florida Regional Councils Association Policy Board Retreat Delegation as recommended by the Chair.

BACKGROUND:

The Florida Regional Councils Association is the statewide organization of the 11 regional planning councils. The Association strengthens Florida’s regional planning councils, partners with government and the business community to enhance regional economic prosperity and improves the consistency and quality of regional planning councils programs to ensure they add value to state, regional and local initiatives.

The Florida Regional Councils Association has scheduled a retreat for January 9-10, 2014, to be held in Tallahassee. The purpose of the retreat is to review the roles and responsibilities of regional planning councils in furthering their mission to improve the quality of life in regions throughout Florida. The retreat will be facilitated by the SouthEast Regional Directors Institute. Prior to the retreat, interviews and surveys will be conducted by the SouthEast Regional Directors Institute with regional planning council partners and stakeholders.

Each regional planning council is being afforded the opportunity to be represented by a five-member delegation. The composition of the delegation is to consist of the three Florida Regional Councils Association Policy Board representatives from each regional planning council and two other Council members, provided that the delegation at a minimum includes the Chair and Vice-Chair of each regional planning council.

Therefore, it is recommended that the following Council members be appointed to the Florida Regional Councils Association Retreat Delegation.

- Rick Davis, Executive Committee Member
- Garth Nobles, Jr., Chair, Policy Board Representative
- Carolyn Spooner, Vice-Chair
- Daniel Riddick, Secretary-Treasurer, Policy Board Representative
- Lorene Thomas, Immediate Past Chair, Policy Board Representative

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October 17, 2013

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director *SRK*

SUBJECT: Check Fraud Status Report

On March 20, 2013, a fraudulent check in the amount of \$49,523.00 that was written on the Council's bank account was processed and paid by Wells Fargo. Also on March 20, 2013, Council staff filed an affidavit of check fraud concerning this matter with Wells Fargo. On March 25, 2013, Council staff filed a crime report concerning this matter with the Gainesville Police Department.

On March 28, 2013, Council Attorney Jonathan Wershow and Council staff briefed the Executive Committee concerning this matter. On April 18, 2013, the Council Attorney sent a letter to Wells Fargo requesting that Wells Fargo remit to the Council within 30 days the unauthorized \$49,523.00 released by Wells Fargo from the Council's account. On April 25, 2013, Council staff briefed the Council concerning this matter. On June 3, 2013, attorneys for Wells Fargo responded via letter to Mr. Wershow's letter stating that Wells Fargo will not reimburse the Council for the \$49,523.00 released from the Council's account by Wells Fargo.

On July 25, 2013, the Council authorized the Council Attorney to file a lawsuit against Wells Fargo to recover the unauthorized \$49,523.00 and designate Scott Koons, Executive Director, as the Council's representative concerning all matters related to such lawsuit. In addition, the Council authorized the Council Attorney and the Executive Director to contact federal and state law enforcement agencies to discuss the fraudulent check processed and paid out of the Council's bank account by Wells Fargo.

On August 5, 2013, Council Attorney Wershow and I met with Mr. William Cervone, State's Attorney for the Eighth Judicial Circuit of Florida to discuss the check fraud incident. Mr. Cervone offered the assistance of his staff to work with the Gainesville Police Department to secure the bank records relating to the check fraud incident.

On August 6, 2013, Council Attorney Wershow and Co-Council Stanley Cushman filed a five-count lawsuit in the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida, against Wells Fargo Bank, N.A. to recover the unauthorized \$49,523.00 released by Wells Fargo from the Council's bank account.

On September 9, 2013, Wells Fargo responded to the complaint by filing a Motion to Compel Arbitration. Wells Fargo alleges that disputes related to the Council's checking account are to be resolved by an arbitrator. Council Attorney Wershow and Co-Counsel Stanley Cushman responded to the motion stating arbitration does not apply to the dispute.

A hearing has been scheduled for October 30, 2013 in the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida on the Motion to Compel Arbitration filed by Wells Fargo to resolve the dispute between the Council and Wells Fargo.

Please find attached a summary of legal fees incurred to date concerning the lawsuit.

If you have questions concerning this matter, please do not hesitate to contact me.

Attachment

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NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
Wells Fargo Lawsuit
Legal Fees

October 17, 2013

<u>Month</u>	<u>Amount</u>
August 2013	\$1,833
September 2013	<u>\$2,508</u>
Total	\$4,341

