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MEETING NOTICE

EXECUTIVE COMMITTEE

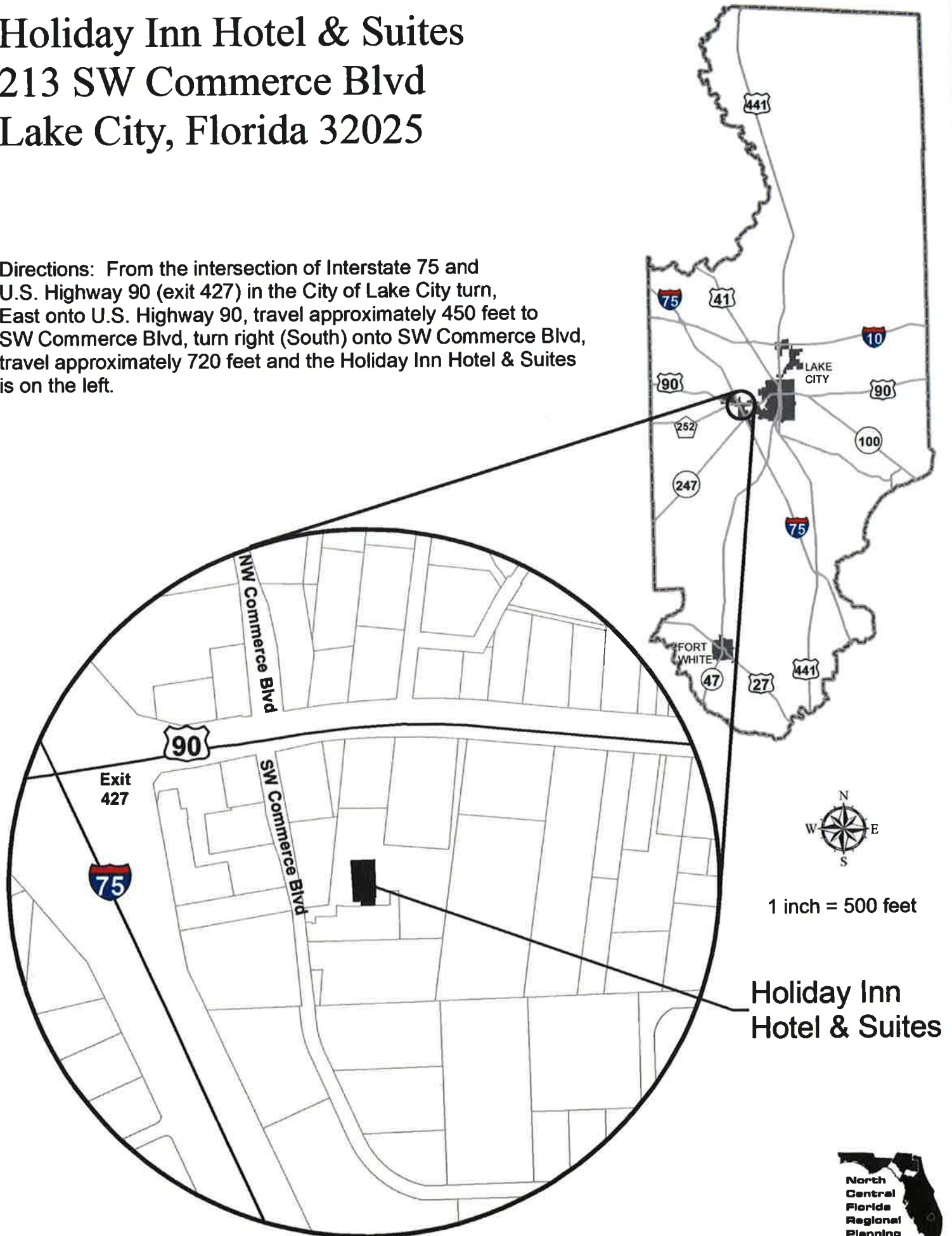
There will be a meeting of the Executive Committee of the North Central Florida Regional Planning Council on December 11, 2014. The meeting will be held at the Lake City Holiday Inn Hotel & Suites, 213 Southwest Commerce Boulevard, Lake City, Florida at 6:00 p.m.

(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
213 Southwest Commerce Boulevard
Lake City, Florida

December 11, 2014
6:00 p.m.

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* 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

October 23, 2014
6:00 p.m.

MEMBERS PRESENT

Rick Davis, Secretary-Treasurer
Garth Nobles, Jr., Immediate Past Chair
Daniel Riddick, Vice-Chair
Carolyn Spooner, Chair

MEMBER ABSENT

Charles Williams, Executive Committee Member

STAFF PRESENT

Scott R. Koons

Chair Carolyn Spooner called the meeting to order at 6:03 p.m.

Chair Spooner asked that Item III.B., Appoint members for two-year terms to the North Central Florida Areawide Development Co., Inc. be added to the agenda.

ACTION: Commissioner Davis made the motion, with a second by Commissioner Riddick to add Item III.B., Appoint members for two-year terms to the North Central Florida Areawide Development Co., Inc. The motion carried unanimously.

I. APPROVAL OF MINUTES - September 25, 2014

Chair Spooner asked that the minutes for the September 25, 2014 Executive Committee meeting be approved as written.

ACTION: Commissioner Riddick made the motion, with a second by Mayor Nobles to approve the minutes for September 25, 2014 as written. The motion carried unanimously.

II. CONTRACTS AND APPLICATIONS - None

III. PROGRAM REPORT

A. Transportation Disadvantaged Program Local Coordinating Board Appointments

ACTION: Commissioner Davis made the motion, with a second by Commissioner Riddick to recommend that the Council appoint Anthony Jennings to the Lafayette County Transportation Disadvantaged Coordinating Board and the Madison County Transportation Disadvantaged Coordinating Board as the alternate for the Regional Workforce Development Representative. The motion carried unanimously.

B. Appoint members for two-year terms to the North Central Florida Areawide Development Co., Inc.

ACTION: Mayor Nobles made the motion, with a second by Commissioner Davis to recommend that the Council appoint 25 members to two-year terms to the North Central Florida Areawide Development Co., Inc. The motion carried unanimously.

IV. GENERAL ADMINISTRATION

A. National Association of Development Organizations Membership

ACTION: Commissioner Davis made the motion, with a second by Mayor Nobles to recommend that the Council upgrade its membership in the National Association of Development Organizations from a Platinum membership at \$4,000 to a Platinum Plus membership at \$6,000. The motion carried 3-1.

B. Check Fraud Status

Mr. Koons updated the Committee concerning the status of the \$49,523.00 check fraud issue with Wells Fargo.

C. Employee Holiday Luncheon

ACTION: Commissioner Riddick made the motion, with a second by Mayor Nobles, to authorize that the Council pay an estimated cost of \$500 to sponsor a holiday luncheon for staff. The motion carried unanimously.

V. OTHER BUSINESS - Florida Regional Councils Association Policy Board Meeting
Tallahassee - January 9, 2015

The meeting adjourned at 6:24 p.m.

Carolyn B. Spooner, Chair

12/11/2014

Date



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December 4, 2014

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director

SUBJECT: Second Amended Agreement with Florida Division of Emergency Management for Additional Training Funds for Hazardous Materials Emergency Preparedness - Fiscal Year 2013-2014

RECOMMENDATION:

Authorize the Chair to execute a second amended agreement with the Florida Division of Emergency Management for an additional amount of \$4,450 in training funds to conduct four additional classes, on behalf of the North Central Florida Local Emergency Planning Committee, for Fiscal Year 2013-14.

BACKGROUND:

The Florida Division of Emergency Management passes through funds from the United States Department of Transportation for hazardous materials planning and training. The Council, on behalf of the North Central Florida Local Emergency Planning Committee, offers free hazardous materials response training to local government employees.

Training funds for Fiscal Year 2013-14 have been spent on conducting 18 hazardous materials emergency response classes. An additional \$4,450 has been requested to conduct four additional classes prior to December 31, 2014. This includes classes in Cross City, Live Oak and Perry.

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

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December 4, 2014

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director

SUBJECT: Purchase Order with the Northeast Florida Regional Council to Assist with
Updating the Statewide Hurricane Evacuation Study

RECOMMENDATION:

Authorize the Council to provide services pursuant to a purchase order with the Northeast Florida Regional Council to assist with updating the Statewide Hurricane Evacuation Study for a fixed fee amount of \$8,000.

BACKGROUND:

The Florida Division of Emergency Management contracted with the Northeast Florida Regional Council to coordinate the state-wide update of Regional Evacuation Studies. The scope of work will consist of developing directional storm surge atlases to assist in hurricane evacuation decisions. Each of the 11 regional planning councils will be responsible for the update of the Regional Evacuation Study for their respective region.

This task will focus on developing the directional atlases using the Council's Geographic Information System.

The Council will be paid a fixed fee amount of \$8,000 for this task by the Northeast Florida Regional Council to assist with the update of the Study.

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

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December 4, 2014

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Transportation Disadvantaged Coordinating Board Appointments

RECOMMENDATION:

- Appoint Michelle Walker-Crawford to the Gilchrist County Transportation Disadvantaged Coordinating Board as the voting Public Education Representative.
- Appoint Leslie Esseck to the Gilchrist County Transportation Disadvantaged Coordinating Board as the voting Persons with Disabilities Representative.
- Appoint Alicia Fowler to the Gilchrist County Transportation Disadvantaged Coordinating Board as the voting Florida Department of Elder Affairs Representative.
- Appoint Brittney Keeling to the Gilchrist County Transportation Disadvantaged Coordinating Board as the voting Medical Community Representative.
- Appoint Commissioner Woody Kitler to the Union County Transportation Disadvantaged Coordinating Board as Chair.
- Appoint Cara Ladnyk to the Gilchrist County Transportation Disadvantaged Coordinating Board as the alternate Florida Department of Elder Affairs Representative.
- Appoint Margaret Minter to the Madison County Transportation Disadvantaged Coordinating Board as the alternate Florida Department of Elder Affairs Representative.
- Appoint Alana McKay to the Madison County Transportation Disadvantaged Coordinating Board as the voting Florida Agency for Health Care Administration Representative.
- Appoint Commissioner Larry Sessions as the Local Elected Official for Suwannee County to the Columbia, Hamilton and Suwannee County Transportation Disadvantaged Coordinating Board.
- Appoint Andrew Singer to the Madison County Transportation Disadvantaged Coordinating Board as the alternate Florida Agency for Health Care Administration Representative.
- Appoint Krishna Stemple to the Gilchrist County Transportation Disadvantaged Coordinating Board as the alternate Medical Community Representative.
- Appoint Julie Thomas to the Gilchrist County Transportation Disadvantaged Coordinating Board as the alternate Public Education Representative.

Memo to Council Members
December 4, 2015
Page 2

BACKGROUND:

According to Rule 41-2.012 of the Florida Administrative Code, the North Central Florida Regional Planning Council, serving as the Designated Official Planning Agency, is responsible for appointing members to the local Transportation Disadvantaged Coordinating Boards. It is recommended Ms. Walker-Crawford, Ms. Esseck, Ms. Fowler, Ms. Keeling, Commissioner Kitler, Ms. Ladnyk, Ms. Minter, Ms. McKay, Mr. Singer, Ms. Stemple and Ms. Thomas be appointed to the Transportation Disadvantaged Coordinating Boards.

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




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December 4, 2014

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Amendment to Clearinghouse Committee Procedures

RECOMMENDATION:

Approve an amendment to Policy 1998-2 Clearinghouse Committee Procedures providing for the Committee to review and recommend comments to the Council concerning environmental impact statements, gas pipeline applications, electric transmission line applications and electrical power generating plants equal to or exceeding 75-megawatts in capacity applications.

BACKGROUND:

At its October 23, 2014 meeting, the Clearinghouse Committee voted to recommend that the Council amend the Clearinghouse Committee Procedures. Please find attached a copy of the proposed amendment.

The proposed amendment to the Clearinghouse Committee Procedures authorizes the Committee to review and prepare recommendations to the Council for its consideration concerning environmental impact statements, gas pipeline applications, electric transmission line applications and electrical power generating plants equal to or exceeding 75-megawatts in capacity applications. Review of these items is currently delegated to staff with the Clearinghouse Committee providing oversight review of staff comments.

The proposed amendment also authorizes staff to schedule, arrange and conduct scoping meetings for sector plans pursuant to Section 163.3245(2), Florida Statutes, as amended. In addition, the proposed amendment also includes a number of editorial changes to the Clearinghouse Committee Procedures.

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

Attachment

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**NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
POLICY 1998-2; AMENDED 11-1-00 AND PROPOSED AMENDMENT 12-11-14
CLEARINGHOUSE COMMITTEE PROCEDURES**

The North Central Florida Regional Planning Council has been designated by the state ~~and~~ **planning agency** as the regional planning agency to exercise certain review responsibilities under Chapters 163, 186, and 380, Florida Statutes, **as amended**, for Administrative District III including the counties of Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Madison, Suwannee, Taylor, and Union.

Council **~~Rule 29C-1, Florida Administrative Code, Procedures~~** establishes the Clearinghouse Committee as a standing committee of the Council having the responsibility of preparing recommendations on each of the individual review items for final action by the Council.

The Committee's regular meetings will be held ~~in conjunction with~~ **immediately prior to the** regular monthly Council meetings ~~beginning at 6:00 or 6:30 p.m. and concluding at 7 p.m. depending on the number and/or type of review items.~~ The Chairman may call special meetings from time to time as may be necessary to carry out the responsibilities of the Committee. Notice of meetings shall be in accordance with the requirements of Chapter 120, **F.S Florida Statutes**. The Committee will follow Robert's Rules of Order except where specified otherwise.

GAS PIPELINES, ELECTRIC TRANSMISSION LINES AND ENVIRONMENTAL IMPACT STATEMENTS

The Clearinghouse Committee is assigned the responsibility of reviewing and preparing recommendations to the Council regarding Environmental Impact Statements, gas pipeline applications, electric transmission line applications and electrical power generating plants equal to or exceeding 75-megawatts in capacity applications. The Clearinghouse Committee shall review said items for adverse effects on regional resources or facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region.

The Clearinghouse Committee is given the responsibility of preparing a report and recommendation to the Council on said items, and presenting its findings to the Council for final action.

INTERGOVERNMENTAL COORDINATION AND REVIEW (~~IC&R~~) PROCESS

Established and governed by Presidential Executive Order 12372 and Gubernatorial Executive Order ~~83-150~~ 95-359, the **IC&R Intergovernmental Coordination and Review** process attempts to ensure the compatibility of federal or federally funded projects with local, regional and state plans and programs through a 30-day review process. The Council has been designated by the state as the regional clearinghouse for Administrative District III. Due to their relatively small size/scope, nearly ~~100-percent~~ all of the applications for federal assistance and/or proposed federal projects received for review affect or have the potential to affect only small (local) areas.

Staff is assigned the responsibility of processing proposed projects submitted to the Council for review with the Committee providing oversight of staff reviews at regular intervals. On receipt, staff forward copies of the project description to potentially impacted local governments/~~and~~ **government** agencies for their review and comments which, once received, are forwarded to the State Clearinghouse, the single point of contact (for federal agencies) for the state. Based on the comments received, staff makes a determination of the consistency of the proposed project with local and areawide plans and programs.

Copies of the project description, along with staff findings and local comments, are reviewed by the Committee at its regular monthly meeting.

DEVELOPMENTS OF REGIONAL IMPACT (~~DRI~~) AND FLORIDA QUALITY DEVELOPMENT (~~FQD~~) REVIEW PROCESSES

The Council has been designated by the state as the regional planning agency for Administrative District III for purposes of implementing Section 380.06, ~~F.S~~ **Florida Statutes**. The Council's responsibilities in this review process are strictly governed by the statute and rules adopted by the State Land Planning Agency, currently the Florida Department of ~~Community Affairs~~ **Economic Opportunity**.

The Clearinghouse Committee is given the responsibility of preparing the report and recommendation required by the statute and rule, and present it to the Council for final action.

The staff is authorized to schedule, ~~and~~ arrange and conduct **DRI** preapplication conferences for Developments of Regional Impact and determining when the application for development approval, application for development approval of a substantial deviation, application for development designation, and application for development designation of a substantial change, are sufficient to begin their respective review processes.

SECTOR PLANS

The staff is also authorized to schedule, arrange and conduct scoping meetings for Sector Plans pursuant to Section 163.3245(2), Florida Statutes.

LOCAL GOVERNMENT COMPREHENSIVE PLAN AND PLAN AMENDMENT REVIEWS

Section ~~163.3164(5)~~, F.S. 163.3184(3) and (4), Florida Statutes, establishes a requirement that proposed local comprehensive plans and amendments to the plans be reviewed for **potential impacts to regional resources and facilities and adjacent local governments. Once the plans/amendments are adopted by the local governments, the plans as a whole are to be reviewed for overall consistency with the adopted strategic regional policy plan for the regional planning district within which the local governments reside. adverse effects on regional resources or facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region.**

The Clearinghouse Committee is assigned the responsibility of reviewing both the draft and adopted plans/amendments and preparing a recommendation for consideration of the Council which takes final action. However, the Committee is delegated the responsibility of forwarding comments to the Department of ~~Community Affairs~~ Economic Opportunity and the local governments on those proposed or adopted plan amendments which require action prior to the regularly-scheduled meetings of the Council.

Reports submitted in accordance with this delegation will be included as "information" items on the agenda of the next regularly-scheduled meeting of the Council.

OTHER REVIEW AND COMMENT REQUESTS

All other items, including electric utility ten-year site plans, sent to the Council for review and comment shall be processed in the same manner as IC&R Intergovernmental Coordination and Review requests with the exception of campus master plans prepared in accordance with Section 240.155(3), F.S. Florida Statutes. Campus master plans shall be processed in the same manner as local government comprehensive plan reviews.

Carolyn B. Spooner, Chair

12/11/14
Date



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December 4, 2014

TO: Council Members

FROM: Scott R. Koons, AICP, Executive Director

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.

September 18, 2014

Page 2

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 was 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. However, the hearing was rescheduled for January 24, 2014. At the conclusion of the hearing, the Circuit Court granted the Motion to Compel Arbitration.

A letter was sent to Wells Fargo on May 13, 2014 requesting additional information concerning the disputed check. On September 24, 2014 a Notice of Arbitration and Statement of Claim was filed with the American Arbitration Association by Co-Counsel Stanley Cushman on behalf of the Council. On October 14, 2014 attorneys from Wells Fargo filed a Respondent's Answering Statement to the Statement of Claim.

Council Attorney Wershow and Co-Counsel Stanley Cushman are continuing to coordinate with the attorney of Wells Fargo on the selection of an arbitrator and scheduling of the arbitration hearing.

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

December 4, 2014

<u>Month</u>	<u>Amount</u>
August 2013	\$1,383
September 2013	\$2,253
October 2013	\$3,445
November 2013	\$180
December 2013	\$0
January 2014	\$2,760
February 2014	\$1,410
March 2014	\$2,502
April 2014	\$2,669
May 2014	\$2,970
June 2014	\$6,515
July 2014	\$330
August 2014	\$420
September 2014	\$810
October 2014	<u>\$3,429</u>
 Total	 \$31,076