

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
FULL COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

March 26, 2009
7:30 p.m.

MEMBERS PRESENT

Stephen Bailey, Columbia County
Louie Davis, City of Waldo
Paula DeLaney, Alachua County
Roy Ellis, Madison County
Sandra Haas, Suwannee County
Donnie Hamlin, Lafayette County
Thomas Hawkins, City of Gainesville
John Hersey, Bradford County
Eddie Martin, Alachua County
Charles Maulsby, Taylor County
James Painter, Alachua County
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Lewis Vaughn, Hamilton County
Wesley Wainwright, Suwannee County
Ronald Williams, Columbia County
Stephen Witt, City of Lake City

GUESTS PRESENT

None

COUNCIL ATTORNEY PRESENT

Jon Wershow

MEMBERS ABSENT

Cynthia Chestnut, Alachua County
Gib Coerper, City of Alachua
David Dodge, Bradford County
Dixie Donovan, Columbia County
Jack Donovan, City of Gainesville
John Glanzer, City of Newberry
Scherwin Henry, City of Gainesville
Emily Weed Ketring, City of Perry
Ann Lessman, City of Jasper
Rodney Long, Alachua County
Jeanna Mastrodicasa, City of Gainesville
Garth Nobles, Jr., City of Live Oak
Blanch Parker, City of Archer
Rudolph Parker, Taylor County
Lee Pinkoson, Alachua County
Lauren Poe, City of Gainesville
Eleanor Randall, City of Hawthorne
Andrew Smith, Union County
James Tallman, Union County
Byran Williams, City of High Springs

EX-OFFICIO MEMBER PRESENT

Jordan Green, representing Charles Baldwin,
FL Dept. of Transportation
Beth Weatherford, FL Dept. of
Environmental Protection

STAFF PRESENT

Steve Dopp
Scott Koons
Carol Laine
Jean Strong

Board Members names are bolded

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Myra Valentine called the meeting to order at 7:32 p.m. with an invocation given by Commissioner John Hersey, and the pledge of allegiance to the flag. Chair Valentine stated that there was a quorum of the Board of Directors and all Council members were able to vote.

Chair Valentine introduced and welcomed Beth Weatherford, representing the Florida Department of Environmental Protection.

II. APPROVAL OF MINUTES - February 26, 2009

Chair Valentine asked that the minutes of the February 26, 2009 meeting be approved as written.

ACTION: Mr. Painter made the motion, with a second by Mr. Martin, to approve the minutes of the February 26, 2009 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

A. Comprehensive Plan Evaluation and Appraisal Report Agreement - Town of Cross City

B. Research Agreement - University of Florida

Chair Valentine asked if there were any questions regarding the items on the Consent Agenda and requested that these items be approved.

ACTION: Mr. Painter made the motion, with a second by Mr. Martin, to approve the items on the Consent Agenda. The motion carried unanimously.

IV. CHAIR'S REPORT - Introduction of New Members

Chair Valentine reported that there were no new members to introduce.

V. COMMITTEE REPORTS

A. Executive Committee

1. American Recovery and Reinvestment Act of 2009
(Federal Economic Stimulus Package)

Mr. Scott Koons, Executive Director, stated that on February 13, 2009, the U. S. House of Representatives and the U. S. Senate passed the \$787.2

billion American Recovery and Reinvestment Act of 2009 (Federal Economic Stimulus Package) and on February 17, 2009, President Obama signed the legislation into law. Mr. Koons further stated that the State of Florida will receive an estimated \$1.3 billion in highway and bridge funding. The Florida Department of Transportation, District 2, recently submitted its draft list of projects for highways and transit which allocates projects within the 11 counties of north central Florida totaling \$15,122,570. Mr. Koons stated that the Executive Committee recommended that the Council authorize the Chair to sign a letter to District Secretary Charles Baldwin of the Florida Department of Transportation, District 2, expressing the Council's appreciation for the District staff working diligently to ensure that the communities in the north central Florida region, in particular the counties located in the Rural Area of Critical Economic Concern, received funding to complete at least one substantial project.

ACTION: Commissioner Hersey made the motion, with a second by Mr. Martin, to authorize the Chair to sign a letter to District Secretary Charles Baldwin of the Florida Department of Transportation, District 2, expressing the Council's appreciation for the District staff working diligently to ensure that the communities in the north central Florida region, in particular the counties located in the Rural Area of Critical Economic Concern, received funding to complete at least one substantial project. The motion carried unanimously.

B. Clearinghouse Committee

Clearinghouse Committee Chair Sandra Haas gave the Clearinghouse Committee report. She stated that members of the Clearinghouse Committee met earlier in the evening with a quorum present and reviewed one agenda item.

#70 - City of Hawthorne Comprehensive Plan Adopted Amendment

She stated that the Clearinghouse Committee found that the Comprehensive Plan, as amended, remained consistent with the regional plan. She further stated that the Clearinghouse Committee recommended forwarding this finding to the City of Hawthorne and the Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Commissioner DeLaney, to approve the Clearinghouse Committee recommendation concerning Item #70, City of Hawthorne Comprehensive Plan Adopted Amendment. The motion carried unanimously.

C. Program Committee - FY 2009-10 Overall Program Design

Mayor Louie Davis, Program Committee Chairman, stated that the Program Committee met earlier in the evening to develop an Overall Program Design for the Council's consideration for Fiscal Year 2009-10. He stated that the Overall Program Design is used as the basis for the development of a budget and is also to give instruction to staff as to the work which is to be done during the next year.

Mayor Davis reported that the Program Committee anticipates recommending the Overall Program Design to the Council for adoption at the May 28, 2009 Council meeting.

No action was required on this item.

D. Regional Planning Committee - Strategic Regional Policy Plan
Evaluation and Appraisal Report Based Amendments

Mr. Jim Painter, Regional Planning Committee Chairman, reported that the Regional Planning Committee met earlier in the evening to continue its work on developing proposed amendments to the regional plan. He stated that the Council adopted an Evaluation and Appraisal Report at the October 23, 2008 Council meeting which serves as the basis for amendments to the regional plan. He further stated that at this point the Committee has reviewed potential changes to the Affordable Housing and Economic Development Elements of the regional plan. Mr. Painter stated that the Committee anticipates bringing a complete set of amendments to the Council for consideration later this year.

No action was required on this item.

VI. EXECUTIVE DIRECTOR'S REPORT

A. Legislative Report

Mr. Koons reported that the Florida Department of Community Affairs budget request for Fiscal Year 2009-10 included an appropriation request of \$2.42 million for all 11 regional planning councils. He stated that this is the same level of funding provided in the Fiscal Year 2008-09 appropriation. Mr. Koons stated that Governor Crist has recommended \$1.4 million for regional planning councils in his Fiscal Year 2009-10 proposed budget. He further stated that the Florida House of Representatives has proposed \$2.5 million, however the Florida Senate has proposed \$0 in its Fiscal Year 2009-10 proposed budget.

Mr. Koons reported that several bills have been filed concerning growth management issues. He stated that Florida Senate Committee on Community Affairs Proposed Committee Bill, Senate Bill 360 has been amended to define densely urban land area as any city that has a population density of 1,000 persons per square mile and a minimum total population of at least 5,000 persons and any county that has a population density of 1,000 persons per square mile or a population of at least 1,000,000. Mr. Koons stated that a preliminary list includes the municipality of Gainesville and no counties in the north central Florida region. He stated that this bill would exempt all development in these communities from the development of regional impact process and would establish all of these communities as transportation concurrency exception areas. He then reviewed other aspects of the bill, including extending the deadline for the annual adoption of capital improvement element updates from December 1, 2008 to December 1, 2011 and the limiting of comprehensive plan text amendments to once a year.

Mr. Koons further reported that Senate Bill 1306 is another growth management bill that primarily addresses the transportation level of service standards, transportation proportionate share and mobility fee. He stated that the bill would provide that school concurrency determination would be based on the achieving and maintaining the level of service standards by the end of the five-year planning period rather than each year within the five-year planning period.

Mr. Koons stated that the House Military and Local Affairs Committee recently approved a proposed committee bill, House PCB MLA 09-01, concerning the Florida Department of Community Affairs. The bill abolishes the Florida Department of Community Affairs as a separate state agency, transfers the Division of State and Community Planning and Division of Housing and Community Development and all associated resources, rules, and existing laws to the Florida Department of State, moves the Division of Emergency Management to the Governor's Office and moves the oversight of the Florida Housing Finance Corporation to the Florida Department of State for administrative purposes.

Mr. Koons further reported that a second bill has been proposed in the House concerning the Florida Department of Community Affairs. The Government Accountability Act Council recently approved a proposed Council bill, House PCB GAAC4. This bill also abolishes the Florida Department of Community Affairs as a separate state agency, transfers the Division of State and Community Planning and Division of Housing and Community Development to the Florida Department of State, moves the Department of Emergency Management to the Governor's Office and moves the Florida Building Commission to the Florida Department of Business and Professional Regulation.

B. SpringHills Comprehensive Plan Amendments for the Development of Regional Impact Lawsuit Status Report

Mr. Koons reported that following the denial by Alachua County Board of County Commissioners of a comprehensive plan amendment and development order for the SpringHills Development of Regional Impact Substantial Deviation, the Council was named as a co-defendant along with Alachua County in a lawsuit filed by the developer of the project.

Mr. Koons stated that on December 6, 2007 Circuit Court Judge Roundtree dismissed the case filed by the plaintiff against the County and the Council and gave the plaintiff an opportunity to refile their motion. However, the written order dismissing the case was not filed until March 27, 2008. On February 29, 2008, the Plaintiff prematurely filed a first amended Complaint for Declaratory and Injunctive Relief. The Council attorney, in conjunction with the Alachua County attorney, filed a Motion to Dismiss the amended lawsuit on April 18, 2008.

Mr. Koons further stated that on November 5, 2008, Judge Roundtree issued an order dismissing the Council from Counts I, III and IV of the lawsuit and vacating protective orders and that the Council remains a defendant to Count II of the lawsuit. He stated that Council staff and the Council attorney have responded to the plaintiff's request for production of documents and interrogatories and that these documents and interrogatories have been submitted to the plaintiff.

Mr. Wershow, Council Attorney, reported that on March 4, 2009, the plaintiff's attorney sent a letter to the County's attorney stating that the plaintiff has requested a suspension of all discovery concerning the lawsuit until April 13, 2009. The letter further stated that the plaintiff has engaged additional legal counsel to meet with the County attorney and Council attorney to discuss a possible settlement of the lawsuit. Mr. Wershow stated that on March 6, 2009, the attorneys for all parties signed a statement agreeing to suspend all action concerning the lawsuit until the next status hearing with Circuit Court Judge Roundtree on April 16, 2009.

Mr. Wershow further stated that on March 12, 2009, the attorneys for all parties met for an initial meeting to discuss a possible settlement. At that meeting the attorneys agreed to meet again to continue the discussion of a possible settlement.

C. Santa Fe Village Development of Regional Impact Sufficiency Review of First Sufficiency Review Response and Application for Development Approval Update

Mr. Koons reported that on February 10, 2009, the applicant for the Santa Fe Village Development of Regional Impact Substantial Deviation submitted its First Sufficiency

Review Response and Application for Development Approval Update to the Council, the Florida Department of Community Affairs and Alachua County. The Santa Fe Healthcare Development of Regional Impact is located near the interchange of I-75 and State Road 222 in Alachua County and is adjacent to the SpringHills Development of Regional Impact.

Mr. Koons further reported that on March 9, 2009, the Council transmitted state, regional and local review agency sufficiency comments to the applicant. The applicant is required to provide a response to the sufficiency comments within 120 days.

D. Butler Plaza North Development of Regional Impact
Sufficiency Review of Application for Development Approval

Mr. Koons stated that on February 20, 2009, the applicant for the Butler Plaza Development of Regional Impact submitted its Application for Development Approval to the Council, Florida Department of Community Affairs and the City of Gainesville. Butler Plaza is an existing retail shopping complex located at the northwest corner of State Road 24 (Archer Road) and State Road 121 (Southwest 34th Street) in Alachua County which consists of 1,000,408 square feet of retail use. Mr. Koons stated that the proposed expansion would build over a ten-year period an additional 1,250,000 square feet of retail use and add 200,000 square feet of office space and 400 hotel rooms.

Mr. Koons stated that on March 18, 2009, the Council transmitted state, regional and local review agency sufficiency comments to the applicant. The applicant is required to provide a response to the sufficiency comments within 120 days.

E. St. Johns River Water Management District Water Supply Planning Regional
Coordination Meeting

Mr. Koons stated that every five years water management districts are required to conduct a water supply assessment for a 20-year horizon. If that assessment indicates that a water supply shortage is projected to occur, the water management district must prepare a water supply plan to identify alternative water supply sources. Cities and counties are then required to adopt, as part of their comprehensive plans, water supply work plans identifying the schedule and funding for alternative water supply projects.

Mr. Koons reported that the St. Johns River Water Management District will be initiating this process in the next few months. The District has asked the Council to host a water supply planning regional coordination meeting for District staff and staff of the six regional planning councils, East Central Florida Regional Planning Council, Northeast Florida Regional Council, North Central Florida Regional Planning

Council, Central Florida Regional Planning Council, Treasure Coast Regional Planning Council and Withlacoochee Regional Planning Council, located within the District. He further reported that the meeting will be held at the Council office during the next few months.

Chair Valentine informed the Council that the next Council meeting will be held on April 23, 2009 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:02 p.m.



Myra Valentine, Chair

4/23/09

Date