

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

March 25, 2010
7:30 p.m.

MEMBERS PRESENT

Louie Davis, City of Waldo
Paula DeLaney, Alachua County
Alphonso Dowdell, City of Perry
Roy Ellis, Madison County
Ken Green, City of Archer
Donnie Hamlin, Lafayette County
John Hersey, Bradford County
Gene Higginbotham, Dixie County
Eddie Martin, Alachua County
Charles Maulsby, Taylor County
James Montgomery, Columbia County
Harry Nichols, City of Newberry
Garth Nobles, Jr., City of Live Oak
James Painter, Alachua County
Rudolph Parker, Taylor County
Lauren Poe, City of Gainesville
Andrew Smith, Union County
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Lewis Vaughn, Hamilton County
Charles Williams, Hamilton County
Mike Williams, Madison County
Stephen Witt, City of Lake City

GUESTS PRESENT

Diana Davis
Farrah Gosford
Gina Reynolds, Columbia County
Industrial Development Authority

MEMBERS ABSENT

Adeniyi Aderibigbe, Lafayette County
Stephen Bailey, Columbia County
David Biddle, Gilchrist County
Mike Byerly, Alachua County
William Coughlin, City of High Springs
Gib Coerper, City of Alachua
David Dodge, Bradford County
Jack Donovan, City of Gainesville
Wesley Eubank, Alachua County
Sandra Haas, Suwannee County
Thomas Hawkins, City of Gainesville
Scherwin Henry, City of Gainesville
Ann Lessman, City of Jasper
Rodney Long, Alachua County
Jeanna Mastrodicasa, City of Gainesville
Lee Pinkoson, Alachua County
Eleanor Randall, City of Hawthorne
James Tallman, Union County
Wesley Wainwright, Suwannee County
Ronald Williams, Columbia County

EX-OFFICIO MEMBERS PRESENT

Jordan Green, FL Dept. of Transportation
Bill Henderson, FL Dept. of Transportation

COUNCIL ATTORNEY PRESENT

Jon Wershow

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 7:34 p.m. with an invocation given by Mayor Davis, and the pledge of allegiance to the flag. Chair Valentine stated that there was a quorum of the Council and all Council members were able to vote.

Chair Valentine introduced Diana Davis, wife of Mayor Davis, Gina Reynolds from the Columbia County Industrial Development Authority and Farrah Gosford, a citizen from the City of Lake City.

Chair Valentine asked that Item VI.B.4. - City of Live Oak Comprehensive Plan Draft Amendment, be added to the agenda.

ACTION: Mr. Smith made the motion, with a second by Commissioner DeLaney, to add Item IV.B.4 - City of Live Oak Comprehensive Plan Draft Amendment to the agenda. The motion carried unanimously.

II. APPROVAL OF MINUTES - February 25, 2010

Chair Valentine asked that the minutes of the February 25, 2010 meeting be approved as written.

ACTION: Commissioner Vaughn made the motion, with a second by Commissioner Green, to approve the minutes of the February 25, 2010 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

- A. Purchase Order with Northeast Florida Regional Council - Florida Training and Exercise Plan Update
- B. Amendment to Memorandum of Agreement with Tampa Bay Regional Planning Council Concerning Regional Economic Modeling, Inc.

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

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

IV. CHAIR'S REPORT - Introduction of New Members

Chair Valentine introduced and welcomed new member Commissioner Gene Higginbotham from Dixie County.

V. 2060 FLORIDA TRANSPORTATION PLAN PRESENTATION

Chair Valentine introduced and welcomed Bill Henderson, District 2 Planning and Environmental Manager, Florida Department of Transportation. Mr. Henderson gave a presentation concerning the 2060 Florida Transportation Plan. He stated that the Florida Department of Transportation is charged by law to bring together partners and the public to develop and update the Florida Transportation Plan at least every five years. He stated that the Florida Transportation Plan must be updated by December 2010. Mr. Henderson added that the Florida Transportation Plan will now extend beyond 20 years to 2060 to identify goals, objectives and strategies to move toward a new era for transportation in Florida.

He stated that a Steering Committee is guiding the development of the 2060 Florida Transportation Plan. The Committee includes representatives from transportation providers, state, federal, regional and local government agencies, economic development, business, military, community and environmental interests and citizens.

He reported that workshops will be held in each region to involve the public in the process of developing a long range vision of Florida's transportation system. He stated that workshops have been scheduled on June 14, 2010 at 2:00 p.m. at the Florida Department of Transportation State Materials Office, 4007 Northeast 39th Avenue, Gainesville, Florida and on June 16, 2010 at 2:00 p.m. at the Florida Department of Transportation Jacksonville Urban Office, 2198 Edison Avenue, Jacksonville, Florida. Mr. Henderson then answered questions from Council members. Chair Valentine thanked Mr. Henderson for his presentation.

VI. COMMITTEE REPORTS

A. Executive Committee

1. Interbasin Transfer of Water

Mr. Scott Koons, Executive Director, stated that, as previously reported, the Florida Senate Committee on Environmental Preservation and Conservation report issued on September 2009 recommended among other things that the Legislature review the "local sources first" policy concerning water use and consider the establishment of a central regulatory commission to oversee Florida's water resources and supply development. He stated that at their January 28, 2010 meeting, the Council adopted a resolution supporting the existing "local sources first" water policy and opposing the establishment of a central regulatory commission on water. He added that in response to the report, the Senate President appointed a Select Committee on Florida's Inland Waters. The nine-member committee included Senators Charles Dean, Al Lawson, Jr. and Steve Oelrich representing the north central Florida region.

The Committee conducted hearings throughout the State and recently released its findings and recommendations. The Committee recommendations included support for the existing "local sources first" water policy and did not include the establishment of a central regulatory commission on water. Mr. Koons stated that the Executive Committee recommended that the Council authorize the Chair to send letters to Senators Charles Dean, Al Lawson, Jr. and Steve Oelrich thanking them for supporting the "local sources first" water policy, opposing the

establishment of a central regulatory commission on water and recognizing the paramount importance that water resources play in ensuring an economically and environmentally sustainable future of our region and all of Florida.

ACTION: **Commissioner DeLaney made the motion, with a second by Ms. Thomas, to authorize the Chair to send letters to Senators Charles Dean, Al Lawson, Jr. and Steve Oelrich thanking them for supporting the “local sources first” water policy, opposing the establishment of a central regulatory commission on water and recognizing the paramount importance that water resources play in ensuring an economically and environmentally sustainable future for our region and all of Florida. The motion carried unanimously.**

2. Amtrak Sunset Limited Service

Mr. Koons stated that the Sunset Limited service from New Orleans to Florida ended in 2005 due to damage from Hurricane Katrina and the costs associated with restoring service. He reported that on December 5, 2008, the Council sent letters to U. S. Senators Martinez and Nelson and our Congressional delegation supporting the re-establishment of the Sunset Limited service. He stated that one of the factors limiting the re-establishment of the rail passenger service is the need to renovate or construct stations damaged by Hurricane Katrina. Mr. Koons further reported that in order to facilitate the re-establishment of Sunset Limited services, the Executive Committee recommended that the Council contact the regional planning councils along the route in Alabama, Florida, Louisiana and Mississippi to solicit their assistance with coordinating the renovation and/or construction of the stations.

Mr. Koons also stated that Congresswoman Corrine Brown, Chair of the U. S. House Transportation and Infrastructure Subcommittee, plans to hold a Congressional hearing in Jacksonville during the next few months to solicit comments concerning the need for re-establishing the Sunset Limited. He stated that the Executive Committee recommended that the Council authorize the Chair to testify at the hearing concerning the economic benefits of this passenger rail service to the region.

ACTION: **Commissioner DeLaney made the motion, with a second by Commissioner Ellis, to authorize the Council to send letters to regional planning councils along the Amtrak Sunset Limited route in Alabama, Florida, Louisiana and Mississippi to solicit their assistance with coordinating the renovation and/or construction of stations and also to authorize the Chair to testify at the Congressional hearing tentatively scheduled to be held in Jacksonville concerning the economic benefits of the Amtrak Sunset Limited Service to the region. The motion carried unanimously.**

B. Clearinghouse Committee

In the absence of the Clearinghouse Committee Chair, Vice-Chair Paula DeLaney gave the Clearinghouse Committee report. She stated that the Clearinghouse Committee met earlier in the evening with a quorum present and reviewed four local government

comprehensive plan amendments. Commissioner DeLaney stated that the items have been grouped for purposes of presentation.

#72 - Hamilton County Comprehensive Plan Adopted Amendment
#74 - City of Newberry Comprehensive Plan Adopted Amendments

Commissioner DeLaney reported that the Clearinghouse Committee found the comprehensive plans, as amended remained consistent with the regional plan. Commissioner DeLaney stated that the Clearinghouse Committee recommended forwarding these findings to the respective local governments and the Florida Department of Community Affairs as regional comment.

ACTION: Commissioner DeLaney made the motion, with a second by Commissioner Poe, to approve the Clearinghouse Committee recommendations concerning Item #72, Hamilton County Comprehensive Plan Adopted Amendment and Item #74, City of Newberry Comprehensive Plan Adopted Amendments. The motion carried unanimously.

#73 - Suwannee County Comprehensive Plan Draft Amendment
#76 - City of Live Oak Comprehensive Plan Draft Amendment (added to agenda)

Commissioner DeLaney reported that the Clearinghouse Committee found that the comprehensive plans, if amended as proposed, would remain consistent with the regional plan. Commissioner DeLaney stated that the Clearinghouse Committee recommended forwarding these findings to the respective local governments and the Florida Department of Community Affairs as regional comment.

ACTION: Commissioner DeLaney made the motion, with a second by Commissioner Poe, to approve the Clearinghouse Committee recommendations concerning Item #73, Suwannee County Comprehensive Plan Draft Amendment and Item #76, City of Live Oak Comprehensive Plan Draft Amendment (added to agenda). The motion carried unanimously.

C. Program Committee - FY 2010-11 Overall Program Design

Mayor Louie Davis, Program Committee Chair, stated that the Program Committee met earlier in the evening to develop an Overall Program Design for the Council's consideration for Fiscal Year 2010-11. 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 27, 2010 Council meeting.

No action was required on this item.

VII. EXECUTIVE DIRECTOR'S REPORT

A. Legislative Report

Mr. Koons reported that the Florida Department of Community Affairs budget request for Fiscal Year 2010-11 submitted to Governor Crist included an appropriation request of \$2.5 million for all 11 regional planning councils. He stated that the Council's share of the appropriation would be approximately \$179,000. He further reported that the Governor released his proposed Fiscal Year 2010-11 budget on January 29, 2010. The Governor's budget includes an appropriation request of \$500,000 for all 11 regional planning councils with the Council's estimated share of these funds to be approximately \$35,000. Mr. Koons further reported that both the House and Senate Transportation and Economic Development Appropriations Subcommittees have included an appropriation of \$2.5 million for all 11 regional planning councils.

Mr. Koons reported that the Florida Department of Community Affairs will not be proposing legislation concerning amendments to Chapter 163 and Chapter 186. He stated that the Legislature is scheduled to complete the second year of the two-year agency sunset review of the Department. The sunset process will either reauthorize the Department as presently constituted, reorganize the duties and responsibilities of the Department, or abolish the Department. He further reported that the Joint Legislative Sunset Committee recently issued its report on the sunset review of the Florida Department of Community Affairs. The report recommends the continued existence of the Department.

Mr. Koons reviewed bills filed concerning growth management, including House Bill 7099 by the House Military and Local Affairs Policy Committee and Senate Bill 2452 by Senator Bennett. These proposed bills provide that in the event a court invalidates any portion of Senate Bill 360, certain actions would remain valid if taken prior to such judicial declaration. Mr. Koons stated that proposed Committee Bill Military and Local Affairs 10-07 would require communication and coordination between local governments and the military bases within their boundaries with regard to certain land use actions near the bases.

Mr. Koons reported that Senate Bill 1742, addresses transportation concurrency exception areas and transit-oriented development. He stated that the bill creates a statutory definition of transit-oriented development, provides that comprehensive plan amendments to implement transportation concurrency exception areas would be exempt from the twice a year limitation on regular comprehensive plan amendments and such amendments could use the alternative state review process, provides for accounting of time value of money for mitigation costs of phased projects, provides for sharing of mitigation funds among all affected local governments, provides for certain landowners or developers to request local governments to establish a transportation concurrency backlog area to fund transportation improvements and exempts transit-oriented developments from transportation impacts in the development of regional impact review process.

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. Koons 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. Koons 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. Koons further stated that on March 12, 2009, the attorneys for all parties met for an initial meeting to discuss a possible settlement. On April 10, 2009, the attorneys and representatives for the parties met to continue their discussion concerning a possible settlement. The plaintiff presented the attorneys and representatives for the Council and County a revised conceptual development plan for the project. The attorneys and representatives for the Council and County requested that the plaintiff suspend their lawsuit for six months and continue to work with Council and County staff to review and refine the revised development plan. The plaintiff's attorney and representatives agreed to suspend the lawsuit for a six-month period with a three-month opt out provision.

Mr. Koons stated that on May 12, 2009, the Alachua County Board of County Commissioners voted to authorize their staff to work with the plaintiff to review and refine the revised development plan. He added that at its May 28, 2009 meeting, the Council agreed to suspend the SpringHills Comprehensive Plan Amendments for the Development of Regional Impact lawsuit and authorized staff to work with representatives of Pennsylvania Real Estate Investment Trust to review and refine the revised development plan for the SpringHills development. Mr. Koons further stated that

Council staff and Alachua County staff met with the applicant on June 11, 2009 and July 10, 2009 to discuss the revised development plan and that on July 15, 2009, the attorneys for all parties held a status hearing with Circuit Court Judge Roundtree and agreed to continue the lawsuit suspension for an additional 90 days. He stated that no meetings have been held between Council staff and the applicant or Alachua County staff since February 25, 2010.

Mr. Jon Wershow, Council Attorney, reported that a status hearing originally scheduled for February 18, 2010 with Circuit Court Judge Roundtree and the attorneys for all parties was been postponed and was rescheduled for April 14, 2010. He stated that on the afternoon of March 25, 2010, the plaintiff sent an agreement for stipulated dismissal of the lawsuit to his office. Mr. Wershow recommended that the Chair be authorized to sign the agreement for stipulated dismissal of the lawsuit. He further recommended that he be authorized to act on behalf of the Council in order to facilitate the dismissal of the lawsuit. Mr. Koons added that the Executive Committee recommended that the Chair be authorized to sign the agreement for stipulated dismissal of the lawsuit and that authorization be given to Mr. Wershow to act on behalf of the Council to facilitate the dismissal of the lawsuit.

ACTION: Mr. Smith made the motion, with a second by Commissioner Spooner, to authorize the Chair to sign the agreement for stipulated dismissal of the lawsuit between the applicant and the Council and to further authorize Jon Wershow, Council attorney, to act on behalf of the Council in order to facilitate the dismissal of the lawsuit. The motion carried unanimously.

Mr. Koons thanked Mr. Wershow for all of his efforts in representing the Council concerning the SpringHills lawsuit and bringing the matter to a satisfactory resolution that will result in the stipulated dismissal of the lawsuit.

C. U. S. Economic Development Administration - Santa Fe College Clinical Laboratory Science Program

Mr. Koons reported that the Santa Fe College has received preliminary approval of an application made to the U.S. Economic Development Administration for a \$1.67 million grant to help fund a laboratory and classroom addition to the new Charles F. and Nancy V. Perry Emerging Technologies Center. He stated that the Council is designated by the U. S. Economic Development Administration as an economic development district and that in 2007 the Council adopted and in 2010 amended the 2008-2012 Comprehensive Economic Development Strategy. He stated that the strategy is a result of a continuing economic development planning process developed by a Comprehensive Economic Development Strategy Committee representing both the public and private sector, and sets forth the goals and objectives necessary to solve the economic development problems of the region.

Mr. Koons stated that since health care and life sciences professional workforce development is a priority project in the Strategy, Santa Fe College was able to secure U. S. Economic Development Administration funds for their project. He stated that the proposed \$2.5 million project will construct a 6,000 square foot laboratory and classroom in Alachua.


D. The Original Florida Tourism Task Force Equestrian Familiarization Tour

Mr. Koons stated that the Original Florida Tourism Task Force recently invited travel and nature journalists to explore the equestrian opportunities in Natural North Florida during their Equestrian Familiarization trip from March 4-7, 2010. He reported that the tour included stops in Alachua County at the Mill Creek Home for Retired Horses, Paynes Prairie State Park Preserve La Chua Trail and Gainesville Hawthorne Trail, Levy County at the Goethe State Forest Fun In The Sun Endurance Rides, Lafayette County at the R. O. Ranch Equestrian Park, Leon County at the Elinor Klapp-Phipps Park Red Hills Horse Trail and Wakulla County at the Three Y Ranch. He stated that this press familiarization tour included three journalists that focus on nature and travel and that several of the journalists already have produced articles for their internet "blogs."

E. 2010 Census

Mr. Koons reported that the 2010 Census forms were mailed during the week of March 22nd and the Census Bureau has requested that the forms be returned by April 1, 2010, "National Census Day." He added that during April - June 2010 Census enumerators will be visiting households to obtain information from those households that did not return a form by mail.

Chair Valentine informed the Council that the next Council meeting will be held on April 22, 2010 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:37 p.m.



Myra Valentine, Chair

4/22/10

Date