

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

May 26, 2011
7:30 p.m.

MEMBERS PRESENT

LaBarfield Bryant, City of Jasper
Louie Davis, City of Waldo
Alphonso Dowdell, City of Perry
Roy Ellis, Madison County
Sandra Haas, Suwannee County
Thomas Hawkins, City of Gainesville
Eddie Martin, Alachua County
Charles Maultsby, Taylor County
James Montgomery, Columbia County
Garth Nobles, Jr., City of Live Oak
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Charles Williams, Hamilton County
Mike Williams, Madison County

OTHERS PRESENT

Diana Davis

EX-OFFICIO MEMBER PRESENT

Barney Bennette, FL Dept. of Transportation

STAFF PRESENT

Steve Dopp
Scott Koons
Carol Laine
Jean Strong

MEMBERS ABSENT

Adeniyi Aderibigbe, Lafayette County
Stephen Bailey, Columbia County
David Biddle, Gilchrist County
Susan Baird, Alachua County
Susan Bottcher, City of Gainesville
Ben Boukari, Jr., City of Alachua
Mike Byerly, Alachua County
Todd Chase, City of Gainesville
Thomas Collett, Alachua County
Paula DeLaney, Alachua County
Rusty DePratter, Columbia County
David Dodge, Bradford County
Donnie Hamlin, Lafayette County
Scherwin Henry, City of Gainesville
Jason Holifield, Dixie County
Jordan Marlowe, City of Newberry
Ronny Morgan, Hamilton County
Frank Ogborn, City of Archer
Lee Pinkoson, Alachua County
Eleanor Randall, City of Hawthorne
Daniel Riddick, Bradford County
Andrew Smith, Union County
James Tallman, Union County
Wesley Wainwright, Suwannee County
Randy Wells, City of Gainesville
Mark Wiggins, Taylor County
Byran Williams, City of High Springs
Stephen Witt, City of Lake City

COUNCIL ATTORNEY PRESENT

Jonathan Wershow

Board Members names are bolded
Gubernatorial Members names are italicized

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Louie Davis called the meeting to order at 7:31 p.m., with an invocation given by Chair Davis and the pledge of allegiance to the flag. He stated that there was a quorum of the Board and all Council members were able to vote.

Chair Davis thanked the Council for all of the condolences he and his family have received concerning the recent passing of his mother.

Chair Davis asked that Item III.B. Contract with the Florida Department of Community Affairs, Division of Community Planning, Fiscal Year 2011-12, be removed from the agenda.

ACTION: Mr. Martin made the motion, with a second by Commissioner Spooner to remove Item III.B. Contract with the Florida Department of Community Affairs, Division of Community Planning, Fiscal Year 2011-12, from the agenda. The motion carried unanimously.

II. APPROVAL OF MINUTES - April 28, 2011

Chair Davis asked that the minutes of the April 28, 2011 meeting be approved as written.

ACTION: Mayor Nobles made the motion, with a second by Commissioner Spooner, to approve the minutes of the April 28, 2011 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

- A. Meeting Schedule Program Year 2011-12
- C. Contract with the Florida Department of Community Affairs - Division of Emergency Management, Fiscal Year 2011-12
- D. Florida's Transportation Disadvantaged Program - Community Transportation Coordinator Selection
- E. Florida's Transportation Disadvantaged Program - Community Transportation Coordinator Designation

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

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

IV. CHAIR'S REPORT

- A. Introduction of New Members

Chair Davis stated that there were no new members to introduce.

B. Resolutions of Appreciation - Warren Nielsen
Lauren Poe

Chair Davis asked that Resolutions of Appreciation for past services to the Council be approved for former Commissioner Warren Nielsen and former Commissioner Lauren Poe, who both served as representatives for the City of Gainesville.

ACTION: Commissioner Spooner made the motion, with a second by Mr. Maultsby, to approve the Resolutions of Appreciation for former Commissioner Warren Nielsen and former Commissioner Lauren Poe. The motion carried unanimously.

C. Transportation Disadvantaged Program Resolution of Appreciation - Margaret Dalton

Chair Davis asked that a Resolution of Appreciation for past services be approved for Margaret Dalton, who served as the Citizen Advocate of the Bradford County Transportation Disadvantaged Coordinating Board since December 2006.

ACTION: Mr. Martin made the motion, with a second by Commissioner Spooner, to approve the Resolution of Appreciation for Margaret Dalton. The motion carried unanimously.

D. Employee Certificate of Service - Scott Koons

Chair Davis presented Scott Koons, Executive Director, a 35-year Certificate of Service and a 35-year service pin in appreciation of his many years of service to the Council. Mr. Koons joined the Planning Council on April 1, 1976. During his years of service, Mr. Koons has worked as a regional planner, local government assistance planner, director of local planning assistance, director of economic development, director of regional and local government programs, and assistant executive director. Mr. Koons is the longest serving employee in the history of the Council.

V. COMMITTEE REPORTS

A. Executive Committee

Chair Davis stated that there were no items to report.

B. Clearinghouse Committee

Clearinghouse Committee Chair Sandra Haas gave the Clearinghouse Committee report. She stated that the Clearinghouse Committee met earlier in the evening with a quorum present and reviewed three local government comprehensive plan amendments and one evaluation and appraisal report. She further stated that these items were grouped for purposes of presentation.

#99 - City of Gainesville Comprehensive Plan Draft Amendments

#100 - Alachua County Comprehensive Plan Draft Amendments

Ms. Haas stated that the Clearinghouse Committee found the comprehensive plans, if amended as proposed, would remain consistent with the regional plan. Ms. Haas stated

that the Committee recommended forwarding these finding to the respective local governments and Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Commissioner Spooner, to approve the Clearinghouse Committee recommendations concerning Item #99, City of Gainesville Comprehensive Plan Draft Amendments and Item #100, Alachua County Comprehensive Plan Draft Amendments. The motion carried unanimously.

#97 - City of Fanning Springs Comprehensive Plan Adopted Amendment

Ms. Haas stated that the Clearinghouse Committee found the comprehensive plan, as amended, remained consistent with the regional plan. She stated that the Committee recommended forwarding these findings to the City of Fanning Springs and the Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Commissioner Spooner, to approve the Clearinghouse Committee recommendations concerning Item #97, City of Fanning Springs Comprehensive Plan Adopted Amendment. The motion carried unanimously.

#91 - City of Waldo Comprehensive Plan Adopted Evaluation and Appraisal Report

Ms. Haas stated that the Clearinghouse Committee found the comprehensive plan, if amended as recommended by the Evaluation and Appraisal Report, would remain consistent with the regional plan. However, she stated that the Committee may reach different conclusions for the specific comprehensive plan amendments contained as part of any future evaluation and appraisal report-based amendment package. She stated that the Committee recommended forwarding these findings to the City of Waldo and the Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Commissioner Spooner, to approve the Clearinghouse Committee recommendations concerning Item #91, City of Waldo Comprehensive Plan Adopted Evaluation and Appraisal Report. The motion carried unanimously.

C. Program Committee - Overall Program Design - Program Year 2011-12

Mr. Eddie Martin, Program Committee Chairman, stated that the Program Committee met on March 24, 2011, to develop an Overall Program Design for the Council's consideration for Program Year 2011-12. He stated that except for editorial revisions, the document is the same as the current year edition.

Mr. Martin reported that the Program Committee recommended approval of the Overall Program Design for Program Year 2011-12.

ACTION: Mr. Martin made the motion, with a second by Commissioner Spooner, to approve the Overall Program Design for Program Year 2011-12 as recommended by the Program Committee. The motion carried unanimously.

D. Finance Committee - Budget - Fiscal Year 2011-12

Commissioner Roy Ellis, Finance Committee Chairman, stated that the Finance Committee met on May 13, 2011, to review the proposed budget for Fiscal Year 2011-12. However, he stated that since the Governor vetoed the entire \$2.5 million in appropriations for all 11 regional planning councils, which included the Council's estimated share of approximately \$179,000 on the afternoon of May 26, 2011, Council staff had revised the budget for Fiscal Year 2011-12 to include this reduction in funds. He stated that the staff revisions to the proposed Fiscal Year 2011-12 budget were distributed to Council members earlier in the evening. Mr. Scott Koons, Executive Director, then reported that the proposed budget revised by staff deletes the \$179,000 previously anticipated state appropriation which was included in the proposed Fiscal Year 2011-12 budget recommended by the Finance Committee. He stated that the anticipated expenditures for next year will now be \$1,894,300 which is (\$216,600) less than the current year budget. Mr. Koons further reported that members pay dues, which are proposed to remain at \$.30 per capita for the 30th year as recommended by the Finance Committee, producing \$123,600, or approximately \$3,100 more than last year.

Mr. Koons reviewed the most significant policy decisions to be made with respect to the budget which are personnel items. He stated that in the line item descriptions in the budget, there is a provision for a total of 16 full-time staff positions, plus funds for part-time positions, which was the same number of positions budgeted for the current year. The budget includes a nonrecurring payment across the board for all employees, including the Executive Director, equal to two percent of the salary of each employee, as recommended by the Finance Committee.

Commissioner Ellis then stated that this budget provides for significant services to be rendered to member cities and counties. This is to be done by effectively using all available resources, and at the same time, ensuring that the Council remains in a sound financial condition.

ACTION: Commissioner Ellis made the motion, with a second by Mr. Martin, to approve the Fiscal Year 2011-12 budget as recommended by the Finance Committee and revised by staff. The motion carried unanimously.

E. Nominating Committee - Postponement of Election of Officers and Board of Directors

Commissioner Myra Valentine, Chair of the Nominating Committee, stated that the Nominating Committee met on May 5, 2011 to make, for the Council's consideration, recommendations regarding all officer positions, including the additional Executive Committee member, and other members of the Board of Directors to a one-year term for Program Year 2011-12. She stated that the Governor's office recently informed staff that several Council members' terms will expire 45 days after the close of the 2011 legislative session. Since two of these individuals are currently serving on the Board of Directors and the Executive Committee, Thomas Collett and Eddie Martin, the Nominating Committee recommended that the election of officers and Board of Directors for Program Year 2011-12 be postponed until the August 25, 2011 Council meeting or until the Governor makes appointments to the Council, whichever occurs first.

ACTION: Commissioner Valentine made the motion, with a second by Commissioner Ellis, to approve the Nominating Committee recommendation to postpone the election of officers and Board of Directors for 2011-12 until the August 25, 2011 Council meeting or until the Governor makes appointments to the Council, whichever occurs first. The motion carried unanimously.

VI. EXECUTIVE DIRECTOR'S REPORT

Mr. Koons thanked the Council for their continued support and for the opportunity to serve as executive director and fulfill the shared mission of promoting the north central Florida region by 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.

A. Legislative Report

Budget

Mr. Koons reported that the Fiscal Year 2011-12 budget recently adopted by the House provides \$66.5 billion, including an appropriation of \$2.5 million for all 11 regional planning councils. However, he further reported that on the afternoon of May 26, 2011, Governor Scott signed the budget and vetoed \$615 million in appropriations, including the entire \$2.5 million appropriation for all 11 regional planning councils. Thus, the projected revenue for the Council for Fiscal Year 2011-12 will be \$179,000 less than previously anticipated.

Regional Planning Councils

Mr. Koons reported that Senate Bill 1910 relating to regional planning councils filed by Senator Diaz de la Portilla had been withdrawn from further consideration. The bill repealed any and all functions of and references to regional planning councils in 19 statutes, including Chapter 163, Local Government Comprehensive Planning and Land Development Regulations Act concerning local government comprehensive plan amendment reviews, Chapter 186, State and Regional Planning Act concerning strategic regional policy plans and Chapter 380, Land and Water Conservation Act concerning developments of regional impact.

Florida Department of Community Affairs - Senate Bill 2156

Mr. Koons stated that Senate Bill 2156 by the Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations, was passed by the Legislature. The bill creates a new State agency called the Florida Department of Economic Opportunity. He stated that this new agency will house community development, economic development and workforce programs. The new agency becomes effective by October 1, 2011. In particular,

- the Division of Community Planning, Division of Housing and Community Development and the Florida Housing Finance Corporation are transferred from the Florida Department of Community Affairs to the new Florida Department of Economic Opportunity;
- the Division of Emergency Management is transferred from the Florida Department of Community Affairs to the Governor's Office;

- the Florida Building Commission is transferred from the Florida Department of Community Affairs to the Florida Department of Business and Professional Regulation;
- the Florida Communities Trust and Working Waterfronts Program are transferred from the Florida Department of Community Affairs to the Florida Department of Environmental Protection;
- the Agency for Workforce Innovation, the Office of Unemployment Compensation and the Office of Workforce Services are transferred to the new Florida Department of Economic Opportunity; and
- the Office of Tourism, Transportation and Economic Development is transferred from the Governor's Office to the new Florida Department of Economic Opportunity.

Growth Management - House Bill 7207

Mr. Koons stated that House Bill 7207, which changes the name of Chapter 163 from the Local Government Comprehensive and Land Development Regulation Act to the Community Planning Act, was passed by the Legislature and be effective upon becoming law. In particular, the bill

- repeals Chapter 9-J5, Florida Administrative Code, Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance;
- repeals the twice a year limitation on regular comprehensive plan amendments, limits State and regional agency review to specific areas of jurisdiction;
- makes transportation, parks and recreation, and school concurrency optional;
- makes the pilot alternative comprehensive plan amendment process the standard process applicable to all counties and cities;
- makes the pilot sector planning process for areas of 15,000 acres or more available to all counties and cities.
- removes financial feasibility and requires local governments to list funded and unfunded capital improvements;
- requires local governments to evaluate their comprehensive plans once every seven years and to adopt update amendments as necessary, but removes the requirement for local governments to adopt an evaluation and appraisal report subject to the state review and approval every seven years.
- extends at the option of the developer build-out of developments of regional impact by four years;

- exempts mining, industrial development, movie theatres, hotels and motels from the development of regional impact review process; and
- deletes shared infrastructure as one of the criteria to determine if a development is subject to the development of regional impact review process.

Growth Management - House Bill 7001

Mr. Koons stated that House Bill 7001 relating to amendments to existing growth management laws filed by Representative Workman, Chair of the House Community and Military Affairs Subcommittee was passed by the Legislature. The bill reenacts the provisions of State Bill 360 currently subject to a legal challenge relating to dense urban land areas with a density of 1,000 persons per square mile which exempts such areas from the development of regional impact review process and transportation concurrency. This provision only applies to the City of Gainesville in the north central Florida region. He further stated that House Bill 7003 addressing affordable housing and House Bill 93 addressing security cameras were also passed by the Legislature.

Growth Management - Senate Bill 410

Mr. Koons reported Senate Bill 410, filed by Senator Bennett was passed by the Legislature. He stated that the bill requires that should an impact fee ordinance be challenged, the local government must show by a preponderance of evidence that the imposition or amount of the fee meets the requirements of state legal precedent. The bill effectively prohibits the court from using the deferential standard of review for the local government decision, the fairly debatable standard, when evaluating the legality of an impact fee ordinance.

B. Quarterly Financial Report - Quarter Ending March 31, 2011

Mr. Koons reported that the overall expenditures for the operation of the Council for the past six months are within budgeted figures. He stated that at the end of 50 percent of the year, only one program area is over expended - "Public Safety and Regulatory Compliance." He stated that changes in distribution of staff resources during the next six months will result in expenditures being within budgeted revenue by the end of the fiscal year. He stated that it is anticipated that the fiscal year should end with revenues exceeding expenditures.

C. Foley Master Development of Regional Impact Status Report

Mr. Koons stated that on November 5 and November 12, 2009, a pre-application conference was held with the applicant and review agencies for the master development of regional impact to begin the review process. The Foley Timber and Land Company intend to submit an application for Master Development Approval for the Foley Master Development of Regional Impact. The project is located in Taylor County and is designed to implement the Taylor County Vision 2060.

Mr. Koons reported the revised development is anticipated to consist of 32,710 residential dwelling units, 2,686,400 square feet of retail commercial, 1,318,900 square feet of office, 650,000 square feet of industrial/warehousing, 1,250 hotel rooms, a 600-bed hospital and educational/institutional uses.

Mr. Koons stated transportation methodology meetings were held with the applicant and review agencies on December 1, 2009 and December 17, 2009. Following the December 17, 2009 transportation methodology meeting, the County had received from the Florida Department of Community Affairs the Objections, Recommendations and Comment Report concerning the County Evaluation and Appraisal Report amendments which include portions of the Taylor County Vision 2060. Based upon the Objections, Recommendations and Comment Report, the applicant had requested that future transportation methodology meetings not be scheduled until the County responds to the objections raised by the Florida Department of Community Affairs in the Objections, Recommendations and Comment Report. The County recently responded to the Objections, Recommendations and Comment Report and adopted Evaluation and Appraisal Report amendments. The final transportation methodology meeting was held on September 8, 2010. The Master Development Agreement among the applicant, County and Council concerning the review process was approved by the Council on October 28, 2010.

Mr. Koons further reported on December 8, 2010, in accordance with the transportation methodology, a meeting attended by the applicant, County representatives, state agencies and Council staff was held to review pass-by trips, background traffic and modeling for trip distribution and assignment of project trips. The applicant has indicated that they still anticipate submitting the Application for Master Development Approval for sufficiency review within the next few months.

D. Annual City-County Managers Meeting - June 3, 2011

Mr. Koons advised Council members that the annual city-county manager growth management meeting hosted by the Council would be held at the Holiday Inn Hotel & Suites, 213 Southwest Commerce Boulevard in Lake City on June 3, 2011.

E. Financial Disclosure Report Filing

Mr. Koons reminded all gubernatorial appointees to the Council to file their financial disclosure forms with the supervisor of elections in their respective counties by July 1, 2011.

Chair Davis informed the Council that the next Council meeting will be held on June 30, 2011 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:28 p.m.



Louie Davis, Chair

6/30/11

Date