

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

COUNCIL MEETING MINUTES

March 18, 2009

Commissioner Malcolm McLouth Presiding

IN ATTENDANCE:

County Representatives

Commissioner Welton Cadwell, Lake County
Commissioner Elaine Renick, Lake County
Ms. Diana Dethlefs for Commissioner S. Scott
Boyd, Orange County
Commissioner Fred Brummer, Orange County
Commissioner Brandon Arrington, Osceola County
Commissioner Fred Hawkins, Osceola County
Commissioner Dick Van Der Weide, Seminole
Commissioner Brenda Carey, Seminole County
Councilwoman Patricia Northey, Volusia County

Municipal Representatives

Commissioner Patty Sheehan, City of Orlando
Mayor John Land, Tri-County League of Cities
Commissioner Cheryl Grieb, Kissimmee
Mayor Gary Bruhn, Tri-County League of Cities

Gubernatorial Appointees

Commissioner Malcolm McLouth, Brevard County
Mr. Al Glover, Brevard County
Mr. Jon Rawlson, Orange County

Ex-Officio and Other Municipal Reps

Ms. Nancy Christman, SJRWMD
Ms. Lisa Kelley for Vivian Garfein, FDEP
Mr. Larry Pierson for SFWMD
Mr. Jon Weiss, FDOT
Mr. William McDermott, Enterprise Florida

ECFRPC Staff

Mr. Phil Laurien Ms. Lelia Hars
Mr. Fred Milch Mr. Chris Romano
Ms. Tara McCue Ms. Ruth Little
Mr. Jeremy Mikrut Mr. Sam Bitar
Mr. George Kinney Mr. Keith Smith
Ms. Claudia Paskauskas

Other Attendees

Gerald Livingston, ECFRPC Counsel
Mr. Jim Pratt, Burrn & Forman
Mr. John Florio, DWNA
J. D. Humpherys, SLR
Ms. Catherine Howard, Orange County
Ms. Sara Forelle, Orange County
R. Nastasi, OCPW
Ms. Antonia Gerli, City of Sanford
Mr. Chris Testerman, Orange County
Mr. Wayne Rich, Broad & Cassel
Mr. John Geiger, OCEPD
Ms. Amanda O'Connor, EPD
Ms. Melina Duggal, RCCO
Mr. Michael Dennis, BDA
Mr. Don McIntosh, DWMA
Ms. Leanne Kazi, Orange County
Ms. Charley Williams, GEC

Members not in Attendance

Commissioner Robin Fisher, Brevard County
Commissioner Andy Anderson, Brevard County
Councilman Jack Hayman, Volusia County
Mayor Rocky Randels, Space Coast League of
Cities
Vice Mayor Mary Martin, Volusia County
League of Cities
Mr. Daniel O'Keefe, Orange County
Ms. Aileen Cubillos, Seminole County
Commissioner Jack Bridges, City of Sanford

I. Call to Order and General Business

Chairman Commissioner McLouth called the meeting to order at 10:00 a.m. Ruth Little called the roll and announced that a quorum was present.

Commissioner McLouth briefly reviewed the legal opinion letter from Council Attorney Jerry Livingston. According to the ECFRPC By-Laws, Orange County's failure to pay their assessment results in the loss of voting rights for the two Commissioners from Orange County. The voting rights of the Gubernatorial Appointees and the Municipal Representatives from Orange County are not affected. Mr. Livingston responded to a question by adding that the Orange County Commissioners have the right to comment as part of the public, but not the right to make a motion or vote.

After discussion on the Council's efforts to collect the delinquent assessments, Mayor Bruhn made a Motion to send a letter to Orange County stating that Florida statues require their membership in the ECFRPC, and until the dues are paid in full, their voting privileges are suspended. The Motion was second by Commissioner Cadwell. After discussion, the Motion to send a letter to Orange County as stated above was unanimously passed.

Mr. Atlee Mercer, a former member of the ECFRPC Executive Committee, encouraged the Council to look at history before making any changes. The RPC was reorganized in 1999 at the request of Orange County, which objected to the municipalities diluting the voting power of the counties. The current funding and assessment structure is a direct result of actions taken by Orange County, ironically the only member county that has not paid their assessment. Mr. Mercer also pointed out that the ECFRPC is more efficient than any other RPC in the state. He cautioned members not to cripple the funding of the RPC.

II. Consent Agenda

Commissioner Sheehan made a Motion to approve the three items on the Consent Agenda. The Motion was seconded by Mayor Land and unanimously passed.

III. International Corporate Park DRI

ECFRPC. Mr. Fred Milch began the presentation of the International Corporate Park (ICP) with overview maps showing the project location and nearby DRIs. A regional map showed the headwaters of the Econlockhatchee and the Desiree Ranch, an affiliate of the owners of ICP. This DRI was originally approved in 1986 but a development order was not obtained. The current project has evolved over time to meet new county requirements. It now includes less acreage, fewer single family residences, and more retail and multi-family units.

Mr. Milch reviewed maps of the development and transportation plan, and maps showing conservation lands, buffers and wetlands. Because the DRI is already approved, there are certain rights already in place which limited staff recommendations. The issue of grandfathered wetlands lines will be worked out between the County and the FDEP. Also, because no long-term water supply has been identified for the project, the developer will need to solve water supply before moving forward. Innovation Way Policies, which are imposed by the County, require 10% affordable housing. Staff finds there is an inadequate amount of affordable housing included and recommends accessory units to mitigate.

Mr. Milch then outlined the positive attributes of ICP, including transit-oriented design and a well thought out multi-modal transportation plan. He applauds the accessory dwelling units,

a key part of the Innovation Way corridor. The housing requirement was not in the earlier DRI approval, but the developer is voluntarily adopting.

Mr. Milch reviewed the final changes to the staff recommendations as shown in red ink. There was a lengthy discussion on transportation issues. Commissioner Sheehan expressed concern about looking at two separate but adjacent DRIs without looking at the combined effect on traffic. Mr. Milch pointed out that the recommendations include a stipulation that the development cannot move forward unless the mitigation options are met.

Applicant. Commissioner McLouth recognized Mr. Don McIntosh to present for the applicant. Mr. McIntosh discussed the changes in the ICP project from the industrial focus originally conceived in the 1980s to the sustainable community presented today. The project is designed to promote the implementation of Innovation Way Policies and Orange County's attempt to create a high-tech, high value center with transit-oriented design.

Mr. Sinclair made a brief presentation about the project, explaining the mix of retail and residential. The land use map illustrated placement of commercial and residential areas, along with parks, linear parks, and the role they play in walkability of the community. Mr. Dennis addressed the details of the statutorily grandfathered conditions. There is a meeting next week with the FDEP to discuss bringing the project into compliance with Innovation Way regulations. Also, the conservation and wildlife efforts are an improvement over those approved in 1986. The additional road crossings required by the Innovation Way policies are designed to allow for wildlife movement and facilitate connectivity.

Commissioner McLouth opened the floor to discussion and questions. Questions were raised about parking availability, light rail and preservation of a future rail corridor, reclaimed water and other water issues. A lengthy discussion followed. Comments were solicited from involved governments and agencies. The City of Orlando expressed concern about coordination of traffic connections and interchanges. Lynx is pleased with the transit concessions and asked that paragraph 28E add the phrase "or other appropriate transit services" so that the project will not be limited to light rail but can include street cars. The FDEP stands by their previous position but will be meeting next week to resolve the issues surrounding grandfathering. The SJRWMD noted that the applicant will need to identify water supplies to meet future needs and coordinate with the SFWMD and the SJRWMD.

Mr. Milch asked the Council for approval of staff recommendations. There was additional discussion on the question of water supply and alternative water sources after 2012. Commissioner Cadwell made a Motion for approval based on staff recommendations and the language change requested by Lynx. Mayor Land seconded the Motion. The Motion to approve passed with Commissioner Renick, Commissioner Sheehan, and Mayor Bruhn opposed.

IV. Demonstration of new ECFRPC Website

Mr. Allen Ibaugh of Data Transfer Solutions (DTS) gave an introduction of the new website for ECFRPC. DTS Senior Project Manager Lakshmi gave a live demonstration, concentrating on the items that the council members might use the most.

V. Chairman's Report

Commissioner McLouth reported on the progress of the Central Florida 2050 Task Force in rewriting the Strategic Regional Policy Plan. A project timetable and drafts of the first two chapters were distributed for members to review.

Commissioner McLouth introduce new member Mayor Gary Bruhn representing the Tri-County League of Cities.

Commissioner McLouth explained Resolution 01-2009 in support of the marine corridor designation. As a Commissioner of the port authority, he feels this proposal is an important effort in reducing traffic along the East Coast. Mr. John Rawlson made a Motion to support the resolution, which was seconded by Commissioner Pat Northey and unanimously passed.

A second resolution to extend the current LRTP Contract with FDOT for three months was briefly discussed. A motion to approve was made by Mayor Bruhn, seconded by Mr. Rawlson, and unanimously passed.

VI. Executive Director's Report

Mr. Laurien reported on the lease negotiations for office space in Altamonte Springs. The current lease terminates in May of 2009. The new space is more square feet and, because of the terms of the lease and included services, represents a savings of \$16,000 the first year, or \$43,000 over the five year term of the lease. After questions and discussion, Mayor Bruhn moved for approval to enter into a lease agreement for the space at 309 Crane's Roost Boulevard. Commissioner Sheehan seconded the Motion and it was passed unanimously.

Mr. Laurien explained Attachment 6 regarding Senate Bill 360. The Florida Regional Councils Association took an initial position in opposition to SB360, with their major concern focusing on the DRI process being eliminated.

VII. Announcements and Comments

Mr. Kinney gave a brief summary of the approval certification for the Lake Agnes Line Certification, which includes 27.5 miles of overhead transmission lines through Polk and Osceola counties.

Commissioner McLouth provided an opportunity for Council members and members of the public to bring up events, issues or other items of interest.

VIII. Adjournment

There being no further business before the Council, Chairman McLouth adjourned the meeting at 12:00.