

# East Central Florida Regional Planning Council

631 North Wymore Road, Suite 100  
Maitland, Florida 32751

Wednesday, October 15, 2008

## Meeting Agenda

- I. Call to Order and General Business
  - Call to Order – *Chair, Commissioner Teresa Jacobs*
  - Roll Call – *Ruth Little*
- II. Consent Agenda
  - Minutes (September 2008) – *Secretary Atlee Mercer (Attachment 1)*
  - Financial Report (September 2008) – *Treasurer Mary Martin (Attachment 2)*
  - Resolution in support of National Scenic Byway designation for the Green Mountain Scenic Byway (**Attachment 3**)
- III. Chair's Report – *Commissioner Teresa Jacobs*
  - Request from Governor's Appointment desk (Lake, Osceola, and Volusia County representatives)
  - South Florida Water Management District representative Thomas Genovese departure
  - Welcome to SFWMD new representative Cecelia Weaver
  - Appointment of Executive Committee Nominating Committee
- IV. Florida Hospital Health Village DRI - *Mr. Fred Milch*
- V. Landmark Sun Resort and Spa DRI – *Mr. Fred Milch*
- VI. SRPP Update – *Malcolm McLouth*
  - Report on September 29 NRORS Sounding Board Meeting
  - Next steps
- VII. Executive Director's Report – *Phil Laurien*
  - Economic Development Administration Grant Award – *Phil Laurien (Attachment 4)*
  - Claudia Paskauskas URISA (Urban and Regional Information Systems Association) award recipient
- VIII. Announcements/Comments
  - An opportunity for Council members and members of the public to bring up events, issues or other items of interest to the Council.
  - Informational copy of DCA email to all Regional Planning Councils (**Attachment 5**)
- IX. Adjournment

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All Council meetings are open to the public as required by Florida Sunshine Law, Chapter 286, FS, and shall meet the requirements of Chapter 120, FS. The agenda is set as per Chapter 29F, FAC, the rules of the East Central Florida Regional Planning Council. Persons participating in a Council meeting shall be allocated a reasonable amount of time to present oral testimony and offer written materials relevant to their position. The Chairperson shall instruct all persons as to amount of time allocated for presentation and appropriateness of written materials. An opportunity for general public comment will be included in each agenda. If a person decides to appeal a decision on any matter considered on the above listed agenda, such person must ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based.

# **ATTACHMENT 1**

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Minutes (September 2008)

# EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

## COUNCIL MEETING MINUTES

September 17, 2008

Commissioner Teresa Jacobs Presiding

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### IN ATTENDANCE:

#### County Representatives

Commissioner Helen Voltz, Brevard County  
Commissioner Chuck Nelson, Brevard County  
Commissioner Welton Cadwell, Lake County  
Commissioner Elaine Renick, Lake County  
Commissioner Teresa Jacobs, Orange County  
Commissioner Fred Brummer, Orange County  
Commissioner John Quinones, Osceola County  
Mr. Atlee Mercer, Osceola County  
Commissioner Dick Van Der Weide,  
Seminole County  
Commissioner Mike McLean, Seminole County  
Councilwoman Joie Alexander, Volusia County

#### Municipal Representatives

Mayor Rocky Randels, Space Coast League of  
Cities  
Mayor John Land, Tri-County League of Cities  
Commissioner Cheryl Grieb, Kissimmee  
Mayor John Bush, Seminole County League of  
Cities

#### Gubernatorial Appointees

Mr. Malcolm McLouth, Brevard County  
Mr. Jon Rawlson, Orange County  
Mr. Daniel O'Keefe, Orange County  
Ms. Aileen Cubillos, Seminole County

#### Ex-Officio and Other Municipal Reps

Ms. Nancy Christman, SJRWMD  
Ms. Vivian Garfein, FDEP  
Ms. Susan Sadighi, FDOT  
Mr. Russell Gibson, City of Sanford

#### Other Attendees

Gerald Livingston, ECFRPC Counsel  
Mr. Jeff Jones, Osceola County  
Ms. Liz Alward, Brevard County  
Mr. Roger Neiswender, City of Orlando  
Mr. Chris Testerman, Orange County  
Ms. Alissa Barber Torres, Orange County  
Ms. Robin Drage, Osceola School Board  
Mr. Ken Biden

#### ECFRPC Staff

Mr. Phil Laurien  
Ms. Lelia Hars  
Mr. Fred Milch  
Ms. Claudia Paskauskas  
Mr. Keith Smith  
Ms. Tara McCue  
Ms. Ruth Little  
Ms. Tuesdai Brunsonbyrd-Bowden

#### Members not in Attendance

Councilman Art Giles, Volusia County  
Commissioner Patty Sheehan, City of Orlando  
Vice Mayor Mary Martin, Volusia County  
League of Cities  
Mr. Al Glover, Brevard County  
Mr. William McDermott, Enterprise Florida

### I. **Call to Order and General Business**

Chair Teresa Jacobs called the meeting to order at 10:07 a.m. Ruth Little called the roll and announced that a quorum was present.

**II. Consent Agenda**

A MOTION to approve the Consent Agenda was made by Mr. McLouth and seconded by Councilwoman Alexander. The MOTION to approve the Consent Agenda was PASSED UNANIMOUSLY.

**III. Downtown Orlando Transit Circulator Planning— *Mr. Roger Neiswender, Transportation Director, City of Orlando***

Mr. Neiswender gave a presentation on the existing Downtown Circulator bus program and plans for its expansion. The planning process began with the findings of the *How Shall We Grow* process, recognizing the need to promote centers and corridors. The perceived borders of downtown were expanded to include the Citrus Bowl and other employment centers and residential areas. Mr. Neiswender also talked about other transit strategies including HOV lanes, remote parking, and staggered work times.

**IV. Request for Waiver of NOPC Fee— *Ms. Robin Drage, Counsel for Osceola County School Board***

Ms. Drage made a brief presentation of behalf of the Osceola County School Board requesting that the usual \$2,500 fee for a proposed change (NOPC) be waived for the Osceola Corporate Center DRI. The change involves the removal of a parcel of property from the DRI due to the purchase of that property by the school board. After discussion, Commissioner Quinones made a MOTION TO APPROVE WAIVING THE FEE. The MOTION was seconded by Mayor Land. A discussion ensued to consider billing the school board for the actual costs of processing the NOPC. Mr. Mercer cautioned against setting a precedent. Mayor Land MOVED TO AMEND THE MOTION to bill the school board at cost. Commissioner Quinones agreed and seconded the MOTION TO AMEND and the MOTION TO AMEND the earlier MOTION was passed unanimously. Additional discussion followed until Mayor Land Called the Question. A vote was taken by roll call and the MOTION TO CHARGE ACTUAL COSTS FOR THE NOPC FAILED with a vote of 9 in favor and 10 against.

Commissioner Nelson immediately asked that the question be re-opened. He expressed his belief that the change is very minor, and he wanted to vote on a MOTION TO WAIVE THE FEE completely. The MOTION was seconded by Commissioner Voltz. Mr. Mercer acknowledged that the budget is under stress and restated his concern about precedent setting. After discussion, a vote was taken on the MOTION TO WAIVE THE NOPC FEE. The MOTION TO WAIVE THE NOPC FEE FAILED with 7 in favor and 12 against by a show of hands.

A MOTION TO REVOTE the motion to charge actual costs was made, seconded and passed. On a vote taken by a show of hands, the MOTION TO CHARGE ACUTAL COST ON THE NOPC WAS PASSED with 10 voting in favor of charging actual cost and 9 voting against.

**V. FY 2009 Work Program Summary – *Mr. Phil Laurien***

Mr. Laurien asked ECFRPC counsel Jerry Livingston to begin the discussion of the work program and budget process. Mr. Livingston gave brief history including the RPCs

reorganization in 1999 which gave more voting power to counties and solidified the obligation of counties to pay due as set by the Council. He said the correct procedure is to first set and adopt a work program for the coming year. The Council then must fund the work program, and counties are subsequently obligated to their per capita share of that funding.

Discussion followed. Mr. Laurien responded to a question about which items on the work program are required by statute and which are discretionary. He pointed out that the Council is already obligated under some contracts, and the potential contracts on the work program would be self supporting. He explained that the work covered in our contract with DCA is under funded, yet that work is legislatively required; the so-called "discretionary" work performed by the RPC essentially finances the mandated work.

Mr. Livingston reminded members that the annual assessment of 23 cents per capita, which was set 10 years ago, has not been increased and in fact was reduced last year. Major Land made a MOTION TO ADOPT THE WORK PROGRAM. The MOTION was seconded by Mr. Rawlson.

Discussion followed. Commissioner Quinones suggested that the Council return to the core services the RPC is supposed to provide to counties. Mr. Laurien answered questions about contracts listed on the work program. Commissioner Jacobs suggested that any work which is not mandated and represent a cost to the Council should be eliminated. No one suggested any work program eliminations. Mr. Laurien assured the Council that all discretionary contract work is self-funded. He cited the Urban Area Security Initiative as an example, which is a contract with the Orange County Sherriff's Office to administer a program funded by Federal Homeland Security dollars. The program provides needed services to our member counties and actually results in \$60,000 to the RPC for administration of the program.

Mr. Laurien said that DCA cut our funding, yet increased their work program. Billable contract work helps to bridge the funding gap and makes it possible to keep the county assessment at 23 cents. Last year the council approved a one-year 6% assessment reduction to 21 cents in sympathy to member counties' loss of property tax revenue. This year's assessment automatically reset to 23 cents per capita based on last year's population numbers. Commissioner Nelson stated he wanted the FY09 dues reduced by 11% below the FY08 dues. Mr. Mercer stated that this would actually be a 20% reduction from the 23 cents per capita amount at 2007 population numbers. Mr. Laurien then said that Brevard County's request for a reduction of 11% below the 2008 dues would result in an additional budget shortfall of about \$76,000. He suggested the Council compromise and reduce the dues 11% from the 23 cents per capita times the 2007 population. This would result in a 20.47 cents per capita rate. He suggested the Council could vote to use reserve funds to offset the reduction in the annual assessment.

Commissioner Van Der Weide agreed with Mr. Laurien's suggestion and said that his county is also tapping reserves. He cautioned against criticism of the RPC, which he

believes is doing a good job, and asked members to focus on the problem which is strictly budgetary.

Additional discussion followed and Mayor Land reminded the members that the Motion before them was approval of the work program. Mayor Land moved to call the question on approval of the work program, which was seconded by Councilwoman Alexander. The MOTION to call the question was passed unanimously.

Commissioner Jacobs asked for a show of hands in favor of adopting the work program. The MOTION TO ADOPT THE WORK PROGRAM PASSED with 12 voting in favor and 5 opposed.

Mayor Land made a MOTION TO APPROVE THE BUDGET and accept the recommendation of Director Laurien to reduce the assessment by 11% across the board and to use reserve funds to cover the shortfall as temporary relief. The MOTION was seconded by Councilwoman Alexander, who added that the MOTION does not affect the future base per capita assessment amount.

Commissioner Nelson asked for clarification. He said an 11% reduction from the 23 cents amount was not enough. Commissioner Jacobs said that Orange County had also approved a lower amount. After discussion, Commissioner Jacobs asked for a vote. The MOTION TO APPROVE THE BUDGET WITH AN ASSESSMENT RATE OF 11% OFF THE BASE ASSESSMENT OF 23 CENTS PER CAPITA WITH THE BALANCE FUNDED FROM RESERVES was PASSED by a show of hands, 12 voting in favor and 5 opposed.

**VI. Staff Report – Ms. Tara McCue**

Ms. McCue referred council members to Attachment 8 which addressed three items: the regional prioritization of Greenways and Trails Opportunity Corridors, RPC staff review and comments on Florida Community Trust's Florida Forever Grant, and a draft staff report on the Levy Power Plant Transmission Line Corridor. Mr. McLouth made a MOTION TO ADOPT THE DRAFT TRANSMISSION LINE CORRIDOR REPORT. The MOTION was seconded by Mr. Mercer and UNANIMOUSLY PASSED.

**VII. SRPP Update – Mr. Malcolm McLouth**

Mr. McLouth gave a brief report on the progress of the Strategic Regional Policy Plan Task Force. The second Natural Resources Sounding Board meeting will take place on September 29, where a draft policy and map layers will be presented.

Mr. McLouth also presented his proposed resolution regarding State Route 528. There was a discussion on the feasibility of the plan and it was agreed that more information would be presented at a later date.

**VIII. Office Space Update– Phil Laurien**

Mr. Mercer recommended that the discussion of office space be tabled for at least 30 days. There was general agreement to Mr. Mercer's suggestion.

**IX. Miscellaneous**

The discussion returned to the RPC Work Program and the presentation of information. The suggestion was made to present the work program information in a different format. There was a discussion whether or not a council member is obligated to vote the same way their Board of County Commissioners voted. There was a discussion of the obligation of member counties to pay the assessment amount adopted by the a vote of the Council.

**X. Announcements /Comments**

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

**XI. Adjournment**

There being no further business before the Council, the meeting was adjourned at 12:27.

## **ATTACHMENT 2**

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**Financial Report (September 2008)  
(to be distributed October 15, 2008)**

## **ATTACHMENT 3**

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### **Green Mountain Scenic Byway Resolution**



*East Central Florida Regional Planning Council*

## **Resolution #04-2008**

*Resolution Of Support  
For National Scenic Byway Designation  
For The Green Mountain Scenic Byway*

**WHEREAS**, portions of Lake County Roads 455 and Old Highway 50 in Lake County and Oakland Avenue in Orange County have been designated by the Secretary of the Florida Department of Transportation as a Florida Scenic Highway known as the Green Mountain Scenic Byway; and

**WHEREAS**, the Green Mountain Scenic Byway is an international destination for touring, training and competitive cyclists, as well as a regional destination for motorcyclists, car clubs and Sunday drivers; and

**WHEREAS**, Lake Apopka and the St Johns River Water Management District's North Shore Restoration Area, the Ferndale Preserve and the Oakland Nature Preserve have become regionally and nationally known as bird watching destinations; and

**WHEREAS**, citizens of Lake and Orange Counties have formed a citizen's organization known as the Green Mountain Scenic Byway Corridor Management Committee for the purpose of implementing the Corridor Management Plan of the Green Mountain Scenic Byway; and

**WHEREAS**, the Green Mountain Scenic Byway Corridor Management Committee has determined to seek National Scenic Byway designation for the Green Mountain Scenic Byway based on the Byway's regionally significant recreational resources; and

**WHEREAS**, designation of the Green Mountain Scenic Byway as a National Scenic Byway will increase funding and marketing opportunities for the preservation, maintenance, protection and enhancement of existing recreational, natural, scenic, cultural, historic and scenic resources along the Scenic Byway corridor, as well as the development of new resources for the Byway traveler and local residents alike; and

**WHEREAS**, National Scenic Byway designation requires no restrictions beyond those of the present Florida Scenic Highway designation,

**NOW, THEREFORE** be it resolved by the East Central Florida Regional Planning Council:

**Section One:** The East Central Florida Regional Planning Council supports the Green Mountain Scenic Byway Committee's efforts to achieve National Scenic Byway Designation for the Green Mountain Scenic Byway.

**Section Two:** The East Central Florida Regional Planning Council encourages the Secretary of Transportation, United States Department of Transportation to favorably review any such application from the Green Mountain Scenic Byway Committee.

**Section Three:** This Resolution shall become effective upon adoption.

**DONE and RESOLVED** by the East Central Florida Regional Planning Council in regular session this \_\_\_\_ day of October, 2008.

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Teresa Jacobs, Chair  
East Central Florida Regional Planning Council

# **ATTACHMENT 4**

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EDA Grant



# East Central Florida Regional Planning Council

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Phone 407.623.1075 • Fax 407.623.1084 • www.ecfrpc.org

Philip Laurien, AICP  
Executive Director

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October 7, 2008

Mr. Chester J. Straub Jr.  
Executive Director  
Technological Research and Development Authority  
1050 West NASA Blvd  
Melbourne FL, 32901

Dear Mr. Chester,

After reviewing the pre-application to the Economic Development Administration for the Strategic Planning for the Impact of the Termination of the Space Shuttle Program, it is clear that the proposed project satisfies the first mission of the region's Comprehensive Economic Development Strategy and its recommendations.

In addition, the proposed project is considered a vital CEDS project by the Strategy Committee to help reduce the negative economic impacts of the transition period between the shuttle program and the new constellation program on Brevard County, the East Central Florida Region, and the State of Florida.

The East Central Florida Regional Planning Council finds the proposed project a key step the region must take to eliminate the economic downturn resulting from the end of the shuttle program. The project demonstrates the continuous efforts by the public and the private sectors to advance and diversify the economy of our region.

As a result, the East Central Florida Regional Planning Council supports the proposed project by the State of Florida Technological Research and Development Authority, and its co-applicant the Brevard Workforce Development Board, Inc. The project will take place in Brevard County and the Space Coast region.

Sincerely,

Phil Laurien  
Executive Director

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#### **Executive Committee**

**Chair**  
Teresa Jacobs  
Commissioner  
Orange County

**Vice Chair**  
Malcolm McLouth  
Governor's Appointee  
Brevard County

**Treasurer**  
Mary Martin  
Vice Mayor of Port Orange  
Volusia County League of Cities

**Secretary**  
Atlee Mercer  
Property Appraiser  
Osceola County

**Former Chair**  
Jon B. Rawlson  
Governor's Appointee  
Orange County

*Serving Brevard, Lake, Orange, Osceola, Seminole and Volusia Counties.*

# **ATTACHMENT 5**

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DCA Email

What this means is that we can look forward to more potential cuts from DCA.

Phil

**From:** Sheri.Coven@dca.state.fl.us [mailto:Sheri.Coven@dca.state.fl.us]  
**Sent:** Saturday, October 04, 2008 4:35 PM  
**To:** joseph@wfrpc.dst.fl.us; cblume@gtcom.net; koons@ncfrpc.org;  
bteep@nefrpc.org; moehlman@wrpc.cc; plaurien@ecfrpc.org; psteed@cfrpc.org;  
manny@tbrpc.org; admin@tcrpc.org; cdekle@sfrpc.com; thess@tcrpc.org;  
ron@rlbookpa.com; lee@wrengroupllc.com; frank@wrengroupllc.com;  
kelly@rlbookpa.com; kheatherington@swfrpc.org; rana@rlbookpa.com  
**Subject:** FY 2008-2009 Funding

Dear RPC Executive Directors:

For the first time, Regional Planning Council funding (FY 2008-2009) is tied to a trust fund with a primary revenue source of a half-cent/square foot fee on residential and commercial construction. This trust fund is designed to fund the Florida Building Code Program. Given the downturn in construction activity, particularly residential construction, the trust fund projections may not live up to our expectations. As a result, there may not be enough money to cover all of the fund's commitments through the end of the year. In addition to the Building Code Program and Regional Planning Councils, the Front Porch Program, Civil Legal Assistance Program, and miscellaneous community planning activities are funded out of this trust fund.

If the revenues fall short, each of the programs mentioned above will take a proportionate share of the cuts necessary to prevent over-spending. At this point, we cannot predict when or how that might occur but wanted to make you aware of this potential budget shortfall to help you plan accordingly. I should have more details in time for the FRCA meeting next Friday. I will be participating by teleconference. In the meantime, please feel free to call or email if you need to reach me.

Sincerely,

Sheri Coven

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Sheri Coven  
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