

**EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL**

**Council Meeting Minutes**

May 17, 2006

Commissioner Michael Blake  
Presiding

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**IN ATTENDANCE:**

**County Representatives**

Commissioner Sue Carlson, Brevard County  
Commissioner Welton Cadwell, Lake County  
Commissioner Robert Pool, Lake County  
Councilwoman Joie Alexander, Volusia County  
Councilman Dwight Lewis, Volusia County

**Municipal Representatives**

Commissioner Patty Sheehan, City of Orlando  
Mr. Ed Booth, Space Coast League of Cities, Malabar  
Mayor John Land, Tri-County League of Cities,  
Apopka  
Commissioner Michael Blake, Tri-County League of  
Cities, Winter Springs  
Vice Mayor Mary Martin, Volusia County League of  
Cities, Port Orange

**Gubernatorial Appointees**

Mr. Malcolm McLouth, Brevard County  
Ms. Janice Kershaw, Brevard County  
Mr. Daniel O'Keefe, Orange County  
Ms. Maria Grulich, Osceola County  
Ms. Nancy Acevedo, Seminole County  
Ms. Maryam Ghyabi, Volusia County

**Ex-Officio and Other Municipal Representatives**

Ms. Nancy Christman, SJRWMD  
Ms. Vivian Garfein, FDEP  
Mr. Thomas Genovese, SFWMD  
Ms. Susan Sadighi for Ms. Lennon Moore, FDOT

**Staff**

Mr. Phil Laurien  
Ms. Andrea Fant  
Ms. Lelia Hars  
Mr. Fred Milch  
Ms. Susan Caswell  
Ms. Claudia Paskauskas  
Ms. Tara McCue  
Mr. Mark Sievers  
Mr. Tom Tomerlin  
Mr. Samer Bitar  
Ms. Tuesdai Brunsonbyrd

**Other Attendees**

Mr. Gerald Livingston, ECFRPC Counsel  
Mr. Dan O'Keefe, Moore Stephens Lovelace, P.A.  
Mr. Jon Weiss, FDOT  
Ms. Shelley Lauten, myregion.org  
Mr. David Bottomley, MetroPlan Orlando Bicycle and  
Pedestrian Advisory Committee

**Members not in Attendance**

Commissioner Jackie Colon, Brevard County  
Commissioner Homer Hartage, Orange County  
Commissioner Teresa Jacobs, Orange County  
Commissioner Bill Lane, Osceola County  
Clerk of the Courts Larry Whaley, Osceola County  
Commissioner Brenda Carey, Seminole County  
Commissioner Randy Morris, Seminole County  
Vice Mayor Wendell McKinnon, Tri-County League  
of Cities, Kissimmee  
Commissioner Evelyn Smith, City of Eustis  
Mr. Jon Rawlson, Orange County  
Ms. Lennon Moore, FDOT  
Mr. Russell Gibson, City of Sanford

**I. CALL TO ORDER AND GENERAL BUSINESS**

Commissioner Blake called the meeting to order at 10:04 a.m. Ms. Fant called the roll and announced a quorum was present.

**II. APPROVAL OF MINUTES**

Commissioner Blake offered the March 2006 meeting minutes for consideration.

**MOTION:** Mr. McLouth moved to approve the March 2006 minutes. Vice Mayor Martin seconded the motion. The motion passed unanimously.

**FINANCIAL REPORTS**

Commissioner Blake offered for consideration the March and April 2006 financial reports.

**MOTION:** Mr. McLouth moved for approval of the March and April 2006 financial reports. Mr. Lewis seconded the motion. The motion passed unanimously.

**III. Annual Financial Report – Mr. Dan O’Keefe, Moore Stephens Lovelace, P.A.**

Mr. O’Keefe informed the Council that the ECFRPC had been rendered an unqualified opinion on its financial statements; he noted an unqualified opinion is the best comment that can be given. Mr. O’Keefe stated he did not find any weaknesses or issues of noncompliance within the Audit. He informed the Council that the RPC has unrestricted net assets of approximately \$1.3 million and expenditures equaling approximately \$1.4 million; he commented the Council has an excellent reserve and is in a very good position.

**MOTION:** Mr. McLouth moved to approve the Annual Financial Report. Councilwoman Alexander seconded the motion. The motion passed unanimously.

**IV. DRI Update – Fred Milch**

Mr. Milch provided a summary of the upcoming DRIs. He mentioned there have been several requests for preapplication meetings, most within Osceola County. He noted upcoming DRIs include Karlton (Lake County) to be presented to the board in June, Westlake Cove (Osceola County) in July, and Innovation Place (Orange County) in August.

Mr. Milch noted the Karlton DRI is proposing a new roadway. He mentioned the project will include residential units, offices and retail buildings, and a hospital, which will operate in conjunction with Valencia Community College’s nursing school in Horizon West. Mr. Milch stated the applicant declined to answer second sufficiency questions as they wanted to proceed with the DRI process. Mr. Milch commented staff recommendations for the Karlton DRI will reflect several issues, transportation in particular, as the review process is more difficult with second sufficiency questions unanswered.

Mr. Milch stated the Westlake Cove DRI will be the first of the Lake Tohopekaliga DRIs to come before the Council. He noted the Westlake Cove DRI consists of approximately 1,600 acres and is the most northern DRI within the Lake Toho area. He mentioned the Westlake Cove DRI has 500 low density residential units, 2,700 medium density units, and other various land uses. He also stated the main entrance leads to the Turnpike Interchange. Mr. Milch noted attempts are being made to design one roadway that intersects each Lake Toho DRI.

Mr. Milch mentioned the Innovation Place DRI, which includes 1,400 acres and runs along SR 417.

Mr. McLouth inquired as to whether the ECFRPC had sufficient staff to complete the work necessary for the numerous upcoming DRIs. Mr. Milch replied he relies on staff members from various agencies involved in the projects. He also mentioned the ECFRPC may gain additional staff in the near future.

Ms. Garfein inquired about the progress of the Lake Toho DRI working groups. Mr. Milch replied the meetings have provided useful input to the review process. Commissioner Carlson asked if every aspect of the DRIs and its impacts are being considered, including areas where DRIs and roadways are not expected to appear. Mr. Milch replied every aspect of a DRI is reviewed during the process. He noted each local government is required to set forth the growth patterns in their regions. Also, he noted myregion.org staff members are examining the region on a broader scope. Ms. Ghyabi commented during the DRI process, applicants and developers should be required to pay special attention to transportation issues. Mr. Milch replied he works with the Florida Department of Transportation (FDOT) extensively throughout the DRI process. Ms. Sadighi commented the Council should make sure adequate responsibilities are given to the applicant.

Mr. Jon Weiss, FDOT, stated there were unresolved transportation responses from the Karlton DRI applicant during the first sufficiency stage; he noted unresolved transportation issues coupled with the applicant’s refusal to provide second sufficiency responses caused FDOT staff difficulty in providing recommendations for the ECFRPC. He stated in listening to the Karlton DRI presentation

next month, Council members may hear a difference of transportation solutions from FDOT and the applicant.

**V. Chairman's Report – Commissioner Michael Blake**

Commissioner Blake referenced the Florida's Annual Growth Management Summit agenda provided in the Council agenda packet and announced there may still be time for Council members to register. He noted there is a registration fee of \$200.

Commissioner Blake stated the ECFRPC Summit was very well organized and served as a starting point to developing a strategic method of operation. Commissioner Blake referenced the Power Point presentation provided in the Council agenda packet. He commented he will present the Power Point, but Council members should review it in more detail at a later time. Commissioner Blake stated on the Summit's first day, attendees engaged in a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis; he noted 28 attendees cast 134 votes for issues they believed were most important. Commissioner Blake mentioned Mr. Mark Brewer spoke about the survey on Social Capital, a survey focusing on quality of life issues. Commissioner Blake noted Mr. Brewer's entire presentation can be found on myregion.org's website. He also noted speakers on the second day of the Summit included Mr. Chick Krautler (Atlanta Regional Commission), Mr. Dave Robertson (Metropolitan Washington Council of Governments), and Ms. Sandy Bushue (U.S. Department of Transportation). He noted Mr. Robertson spoke on implementing policies, providing incentives, and creating unity, and Ms. Bushue provided insight on transportation issues from a federal level.

Commissioner Blake noted over the course of the Summit, Council members discussed the present and ideal roles of the ECFRPC. Commissioner Blake also mentioned there was discussion of revising the Strategic Plan; he commented participation on such a revision should come from every Council member.

Vice Mayor Martin stated Council members who were absent during the Summit missed a huge opportunity to speak and provide input. Ms. Ghyabi stated the Summit was very informative, and she believed the best outcome was the consensus that Council members need to take action and follow through with a plan. Commissioner Cadwell commented the Council will face obstacles in its efforts to implement an action plan and become a strong force.

**VI. Executive Director's Report – Mr. Phil Laurien**

Mr. Laurien noted in the future, the DCA quarterly report will be included in the agenda packet as it includes information of interest to Council members. Specifically, he referenced the list of comprehensive plans in the quarterly report and stated they will be reviewed more thoroughly in the future. Mr. Laurien noted he intends to use additional staff members, as well as CFGIS to review the comprehensive plans. Mr. Laurien mentioned Ms. Iris Patten, a University of Florida student, will begin on Monday, May 22<sup>nd</sup> as an intern to help Mr. Milch and other staff members with DRI projects, CFGIS, and comprehensive plans.

Mr. Laurien stated the Rural Land Stewardship Program presents an opportunity to preserve a considerable amount of natural resources through conservation subdivisions. He noted the Farmton Tract, 57,000 acres in Brevard and Volusia County owned by Miami Corporation, may never undergo the DRI process due to exemptions outlined within the Rural Land Stewardship Program. He referenced Chapter 380.06 (24)(m), which reads, "any proposed development within a rural land stewardship area created under s. 1632.3177 (11) (d) is exempt from the provisions of this section [DRI review] if the local government that has adopted the rural stewardship area has entered into a binding agreement with jurisdictions that would be impacted and the Department of Transportation regarding the mitigation of impacts on state and regional transportation facilities, and has adopted a proportionate share methodology pursuant to s.163.3180 (16)."

Commissioner Carlson asked Mr. Laurien if RPC staff had performed an analysis comparing the pros and cons of the DRI process and the Rural Land Stewardship Program. Mr. Laurien replied in the negative, but noted the attorney representing Miami Corporation performed an analysis and

concluded there was a huge advantage to selecting the Rural Land Stewardship Program instead of the DRI process.

Commissioner Carlson noted representatives from the Miami Corporation visited Brevard County and expressed interest in the Rural Land Stewardship Program as other property owners are choosing to do the same; she noted Adams Ranch in St. Lucie County is another such area.

Mr. Laurien noted the Rural Land Stewardship Program requires a minimum tract size of 10,000 acres. Commissioner Carlson added large land owners are permitted to pair parcels of land together in order to attain the required 10,000 acres.

Regarding personnel matters, Mr. Laurien noted Mr. Jeff Jones resigned effective May 12, 2006. Mayor Land announced he had created a resolution for Mr. Jones. Commissioner Blake read the Resolution.

**MOTION:** Mayor Land moved to adopt the Resolution for Mr. Jones. Commissioner Carlson seconded. The motion passed unanimously.

Mr. Laurien made note of Ms. Jenifer Domerchie's resignation effective April 7, 2006. He commented he made offers to Ms. Patten and Ms. Kimberly Loewen as ECFRPC staff is in need of additional assistance. He also noted Ms. Andrea Fant and Ms. Tara McCue received evaluations and raises based on the Cody study, the salary survey used in Brevard County. He noted the Council needs to conduct a comprehensive salary survey for the ECFRPC staff in order to provide competitive salaries. He mentioned he will work with Mr. McLouth to compile a list of job descriptions and salaries for the staff and report the results to the Council members.

Commissioner Carlson noted Brevard County is instituting 50% of the salary study performed by Cody & Associates and plans to institute the remaining 50% next year. She commented government agencies are losing their staff to the private sector due to salary differences. She stated the Cody study will increase Brevard County's salaries to a competitive level, but only compared to other government agencies.

Vice Mayor Martin noted the Council lost two experienced employees and substituted them with two less experienced staff members. She commented it will soon be necessary for the Council to hire additional staff with extensive experience and knowledge.

**VII. Consent Agenda – Mr. Phil Laurien**

Mr. Laurien requested Council approval on the eight contracts listed on the agenda. He noted in the future, he will request approval of all contracts. Councilwoman Alexander requested the Urban Land Institute (ULI) contract be removed from the consent agenda as she needed additional information on the agreement. Commissioner Blake noted all the contracts listed are a part of the Work Program, but Mr. Laurien would like to bring each contract before the Council for approval.

**MAIN MOTION:** Mr. O'Keefe moved approval of all contracts listed in the consent agenda with the exception of the ULI contract (#3). Commissioner Carlson seconded. The motion was later amended and unanimously passed.

Mr. Livingston commented he has spoken with Mr. Laurien and the Executive Committee about each contract listed on the agenda and he recommends approval. Commissioner Blake asked Mr. Laurien to brief the Council members on each contract.

Mr. Laurien noted regarding the Foundation for Building Communities (myregion.org), the Council will receive \$145,438 for providing staff support, \$95,438 of which will be used to pay Criterion Planners (planning consultants) for services and software.

Mr. Laurien stated the \$56,727 Tampa Bay RPC contract (#2) is for the Fiscal Impact Analysis Model (FIAM) and related training sessions. He added by December 31, 2006, all of the local governments in the region are supposed to decide whether or not they will use FIAM and if not, which program will be used instead. He mentioned the RPC has two staff members who are trained in using FIAM and who will be training local government staff.

*Attachment 1*

Mr. Laurien stated the \$55,000 ULI contract (#3) is to obtain adequate review of all five Lake Toho DRIs. He noted Osceola County hired the ULI consultants to conduct a review and the ECFRPC agreed to pay half the cost. Commissioner Blake noted the RPC portion of the ULI contract was funded through DRI fees.

Ms. Garfein asked whether it would be appropriate to have Osceola County representatives present at a future Council meeting to explain what they have gained and what they intend to implement from the review. Mr. Laurien and Commissioner Blake replied in the affirmative.

Ms. Sadighi asked whether Council members could get a copy of the report and data from ULI. Ms. Grulich noted ULI representatives provided a recommendation. She stated the collaboration between ULI and the ECFRPC staff was a very positive approach as it allowed new ideas to surface regarding handling multiple DRIs in the same vicinity. Ms. Caswell stated she will email the Council members a link to the ULI Power Point presentation, which is posted on the RPC's ftp site. She added a Lake Toho briefing book prepared by RPC staff containing data and ideas for the Lake Toho DRIs is also posted on the ftp site.

Mr. Laurien noted the contract with Glatting Jackson (#4) is a Letter of Agreement for environmental review services of the five Lake Toho DRIs. He stated the contract does not specify a price limit, but all future contracts will include a cap.

Mr. Laurien noted the \$15,000 contract with Fishkind & Associates (#5) is for calibration of the FIAM model to analyze the fiscal impact of the five Lake Toho DRIs.

M. Laurien mentioned the \$52,000 grant (#6) recently awarded to the RPC by the Economic Development Administration (EDA) for continued planning activities for the Economic Development District (EDD). He noted Ms. Caswell has been working with EDA on the grant and the EDD. Ms. Caswell reminded Council members the east central Florida region was designated an EDD last year. She stated during the next fiscal year, the ECFRPC will undergo a new planning process to develop a new Comprehensive Economic Development Strategy (CEDS); the \$52,000 provides the funding for that process. She commented becoming an economic development district allows local governments to pursue EDA funding and changes the local match requirements from 50% federal-50% local to 60% federal-40% local. She noted it also allows local governments to apply for EDA funding without having to develop an EDA-approved plan of their own.

Mr. Laurien noted the U.S. Department of Transportation contract (#7) is for a \$2,750 Hazardous Materials Emergency Preparedness training agreement and will be facilitated by ECFRPC staff.

Mr. Laurien noted this year's annual DCA contract (#8) is for the amount of \$339,944; he stated this item is simply an acknowledgement for the Council. He noted the MPO also brings acknowledgements to its members.

**MOTION:** Mayor Land moved to amend the main motion to reinstate the ULI contract (#3) to the consent agenda. Mr. O'Keefe seconded the motion. The motion passed unanimously.

The **MAIN MOTION**, as amended, passed unanimously.

**VIII. Announcements/Comments – Mr. Malcolm McLouth**

Mr. McLouth commented there is a need to rapidly revise the 1999 Strategic Regional Policy Plan as more data is evolving and resources are improving. Mr. McLouth read his draft resolution for the 1999 Strategic Policy Plan.

**MOTION:** Mr. McLouth moved to have the ECFRPC work program for 2006 and 2007 include a comprehensive amendment of the Strategic Regional Policy Plan along with a recommended draft Central Florida regional future development map to serve as a visual aid to assist local and county elected officials in developing consensus for a 50 year growth vision that provides Central Florida's population the desired security, education, environmental and transportation priorities identified in the Central Florida Values Study. Commissioner Cadwell seconded the motion. The motion passed unanimously.

Commissioner Cadwell commented the Council members need to move rapidly.

*Attachment 1*

Commissioner Carlson inquired as to whether Mr. Laurien would provide a report to the Council members as they take action toward amending the Strategic Regional Policy Plan. Mr. Laurien replied he will provide a report during the next fiscal year, approximately in October. Mr. Laurien commented the amendment needs to be accomplished in-house.

Ms. Sadighi commented the Council should collect concurrency information from the local governments and draft an annual report that provides the happenings in each county. She stated from one tool, viewers should be able to see congested roadways, upcoming DRIs, MPO priorities and more from a regional standpoint.

Commissioner Cadwell asked if there was anything in Mr. McLouth's resolution that would impede the efforts of myregion.org. Mr. Laurien replied in the negative.

Commissioner Blake commented Mr. Laurien will soon present the Council with a work plan proposal for a Strategic Regional Policy Plan revision.

Mr. Laurien made mention of 15 visioning workshops to be held in the ECFRPC counties. He commented the workshops will allow attendees to develop growth patterns for their counties. Commissioner Blake noted Council members can go to the myregion.org website to sign up.

Commissioner Carlson referenced Ms. Sadighi's aforementioned comment regarding concurrency. Ms. Sadighi stated in implementing an action plan, Council members need to gather existing tools (i.e. CFGIS) and discover the gaps.

**MOTION:** Commissioner Carlson moved the ECFRPC make a presentation to request concurrency be added as a layer to the CFGIS. Councilwoman Alexander seconded the motion. The motion passed unanimously.

**IX. Public Comment**

Mr. David Bottomley, appointee of the MetroPlan Orlando Bicycle and Pedestrian Advisory Committee, commented the ECFRPC should continue working with MetroPlan as it has tools and data pertaining to the issues discussed throughout the Council meeting.

Ms. Shelley Lauten, myregion.org, thanked the Council and Mr. Laurien for the leadership they have shown.

**X. Adjournment**

Commissioner Blake adjourned the meeting at 11:45 a.m.

Approved by the East Central Florida Regional Planning Council this 21<sup>st</sup> day of June 2006.

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Mr. Jon Rawlson