



East Central Florida Regional Planning Council

Agenda

Wednesday, November 16, 2011 • 10:00 a.m.

309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

I. Call to Order and General Business

- Call to Order – Chair Cheryl Grieb
- Pledge of Allegiance – Mayor John Land
- Roll Call – Ms. Tuesdai Brunsonbyrd-Bowden

II. Consent Agenda

- September 2011 Council Minutes (Attachment 1)
- September/October 2011 Financials (Attachment 2)
- TIGER III Resolution for Ratification (Attachment 3)
- Certificate of Appreciation (Attachment 4)
- Year-End Budget Adjustment (Attachment 5)

III. Chair's Report – Chair Cheryl Grieb

- Policy Board Reorganization
- Reaffirm Executive Committee

IV. Adoption of the 2060 ECF Plan

- Motion to adopt as Council's updated SRPP Pursuant to FS 186.507-508

V. Budget Amendment

- HazMat/USAR Grant Funded Coordinator Positions (Attachment 6)

VI. Interim Executive Director's Report- Mr. George Kinney

- Orange County PDRP – Ms. April Raulerson
- Economic Development Administration Awards (Attachment 7)
- Outreach Strategy
- State Strategic Plan/Directional Meeting

VII. Announcement/Comments

- An opportunity for Council members and members of the public to bring up events, issues or other items of interest to the Council.

VIII. Adjournment

ATTACHMENT 1

September 2011 Council Minutes

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

COUNCIL MEETING MINUTES

SEPTEMBER 21, 2011

CHAIR COMMISSIONER CHERYL L. GRIEB PRESIDING

In Attendance:

County Representatives:

Diana Dethlefs for Commissioner Scott Boyd, Orange County
Commissioner Brenda Carey, Seminole County
Councilman Andy Kelly, Volusia County
Councilwoman Patricia Northey, Volusia County

Municipal Representatives:

Commissioner Patty Sheehan, City of Orlando
Mayor Rocky Randels, Space Coast League of Cities
Mayor John Land, Apopka, Tri-County Leagues of Cities
Commissioner Cheryl Grieb, Kissimmee, Tri-County League of Cities

Gubernatorial Appointees:

Mr. Al Glover, Brevard County
Mr. Atlee Mercer, Osceola County
Ms. Melanie Chase, Seminole County
Mr. John Lesman, Seminole County

Ex-Officio Members:

Ms. Vivian Garfein, Florida Department of Environmental Protection
Ms. Cecelia Weaver, South Florida Water Management District
Ms. Susan Sadighi, Florida Department of Transportation

Other Attendees:

Mr. Dick Boyer, Seminole County
Mr. David Bottomley, MetroPlan BPAC Chair
Mr. Chris Testerman, Orange County Administration
Ms. Amye King, Growth Management Director, Lake County

Members not in Attendance:

Commissioner Andy Anderson, Brevard County
Commissioner Chuck Nelson, Brevard County
Commissioner Welton Cadwell, Lake County
Commissioner Sean Parks, Lake County
Commissioner Fred Brummer, Orange County
Commissioner Brandon Arrington, Osceola County
Commissioner Frank Attkisson, Osceola County
Commissioner, John Horan, Seminole County
Mayor David Meador, Lake Mary, Tri-County League of Cities

Commissioner Leigh Matusick, Volusia County League of Cities
Ms. Christina Dixon, Orange County
Mr. Lonnie Groot, Volusia County
Mr. Russell Gibson, City of Sanford
Mr. William McDermott, Seminole County Economic Development
Ms. Nancy Christman, St. Johns River Water Management District

ECFRPC Staff in attendance:

Attorney Jerry Livingston
Mr. George Kinney
Ms. Lelia Hars
Mr. Keith Smith
Mr. Chris Chagdes
Ms. Gina Marchica
Mr. Fred Milch
Ms. Tara McCue
Mr. Matt Boerger
Mr. Andrew Landis

I. Call to Order and General Business

Chairperson Cheryl Grieb called the meeting to order at 10:05 a.m. Ms. Tuesday Brunsonbyrd called the roll and announced a quorum was present.

II. Consent Agenda

Chairperson Grieb asked for a motion to approve the August 2011 Meeting Minutes and the August 2011 Financial Reports. Being that there were no discussion or corrections, the motion was made for approval and seconded. All were in favor and the motion passed.

III. Chair's Report

Chairperson Grieb asked Attorney Livingston to provide an update regarding the statutory mandates. Attorney Livingston called the Council's attention to the Memorandum included in the council packet. He stated Governor Rick Scott's veto of funding for the regional planning councils for FY 2011-2012 does not relinquish the statutorily mandated obligations of the regional planning councils.

A discussion followed identifying the core purpose of the planning councils.

Mr. Mercer pointed out that most of the RPC obligations are services provided to the counties.

Commissioner Carey emphasized the importance of adhering to the Planning Council's core purpose.

Councilwomen Northey agreed with Commissioner Carey and suggested staff contact the Planning Directors of each County and perhaps visits the elected officials to determine what services are most important to them.

Mr. Mercer suggested developing a policy around Conflict Resolution services. He suspects the RPC will be doing more Conflict Resolutions therefore someone will have to provide that service and the Planning Council is the logical group for that job.

A brief discussion followed addressing and advising Staff the direction the Planning Council should follow dealing with Conflict Resolution services.

Chairperson Grieb moved on to Legal Counsel funding and services. She stated legal services were cut this year and the Council budget was approved for a flat fee of \$20,000. The fees were reduced from \$3,333.33 per month to \$1,667.00 per month, and it is expected that project requests from the previous fiscal year will be completed pursuant to that funding year. Staff will make requests for assistance to Mr. Livingston in writing and include a time frame for review and response. Also, Mr. Livingston will provide billable hours with monthly invoices.

A brief discussion followed concerning the cost of legal fees.

Ms. Chase requested that any change in legal counsel for the RPC be brought before the full Council and Commissioner Carey agreed.

Chairperson Grieb stated the Executive Committee will track and monitor legal services. In order to more accurately determine the funding necessary for legal fees for next year's budget.

Commissioner Carey stated in order to save the board time on some issues, the Executive Committee Meeting minutes should be distributed to the full Council.

Mr. Mercer stated that funding was not sufficiently budgeted for legal issues and this needs to be addressed for future budgets.

Chairperson Grieb addressed the Interim Executive Director position. She informed the Council that the Search Committee interviewed Mr. George Kinney for the Interim Executive Director position and after much discussion, the Committee recommends the Council to offer Mr. Kinney the position as Interim Executive Director with a pay raise to \$90K for 120 days and month to month afterward.

Mr. Mercer spoke on behalf of the Executive Director Search Committee. They recommended to the Executive Committee to offer Mr. Kinney the position as Interim Executive Director. Before searching for an Executive Director, the Council should wait for the legislator's decisions regarding the Planning Council's future.

Mr. Mercer stated not knowing the future of the Planning Councils, he felt it would be disingenuous to offer a long term contract at this time to a new Executive Director.

Chairperson Grieb stated after making the salary offer to Mr. Kinney, Mr. Kinney made a counteroffer of a one time bonus.

A brief discussion took place and a Motion was made to name Mr. Kinney as Interim Executive Director beginning October 1, 2011 at his current salary plus a \$2000 bonus. The Motion was seconded by Mr. Mercer.

Since a portion of this bonus will be distributed to staff, Commissioner Carey suggested a distribution such that taxes on the \$2,000 will not be paid entirely by Mr. Kinney.

Being there was no more discussion, all were in favor and the Motion passed unanimously.

Chairperson Grieb updated the Council regarding the nomination of Executive Committee members and announced that Mayor Land headed the Nominating Committee.

Mayor Land reported on behalf of the Nominating Committee, which met to recommend nominations to the Executive Committee. A brief discussion ensued regarding position recommendations and it was decided that given the transitional nature of the Regional Planning Council and the need for continuity, the current officers should remain in place. Mayor Land reviewed the current makeup of the Executive Committee as follows: Commissioner Cheryl L. Grieb remains as Chair, Ms. Melanie Chase remains as Vice Chair, Commissioner Patty Sheehan remains as Secretary, and Commissioner Chuck Nelson remains as Treasurer. The nomination of Commissioner Welton Cadwell was made as the Member-at-Large.

Mr. Mercer stated because there is no past Chair, Commissioner Cadwell has served in the past as Chair and is very knowledgeable about Council matters.

Being there were no other nominations from the floor, a motion was made to close nominations by Mr. Glover and the Motion was seconded by Mr. Mercer.

Chairperson Grieb requested a Motion to Approve the Executive Committee Officers as previously recited. All were in favor and the Motion passed unanimously.

IV. 2011 ECF Comprehensive Economic Development Strategy (CEDS)

Ms. Elizabeth Rothbeind opened the presentation with background information followed by an overview of the CEDS Governing Board, Governing Board Presentation Dates, CEDS Strategy Committee, Strategy Committee Meetings, Mission Statement and CEDS Approval Process. She asked the Council to Sign a Resolution of Support for the 2011 CEDS update to be submitted to EDA by September 30, 2011. The floor was open for questions and being there were no questions, a Motion was made by Mr. Mercer and the Motion was seconded by Councilwoman Northey.

V. HUD Grant Update

Ms. Elizabeth Rothbeind gave a brief update on the HUD Grant. She stated the preapplication was approved and ECFRPC was invited to submit a full application prior to October 5, 2011. She described the HUD requirements and the necessary Consortium Agreement Letter. A very brief discussion followed to clarify the HUD requirements.

There were no more questions, and the Motion for approval was made by Councilwoman Northey and seconded by Commissioner Carey. All were in favor and the Motion passed unanimously.

VI. Planning Manager's Report

Mr. George Kinney reported a possible State contract regarding energy resiliency and a contract from Emergency Management. He encouraged the Council to go over the State Transportation Vision hand-out referred to by DCA as "The Government Priority."

He stated that a Senate Subcommittee is looking at the DRI process. The Senate Subcommittee reached out to FRCA for feedback on the pros and cons of the DRI process.

Mr. Kinney noted receipt of a NADO Award and that he was invited to sit on the Open for Business Management Committee.

A discussion followed. Commissioner Carey suggested Staff prioritize opportunities that are only related to the Council's core mission. She feels we need to send the right message.

Mr. Mercer and Mr. Glover stated that staff needs to inform the public how useful we can be.

VII. Announcement/Comments

Councilwoman Northey made a request for a resolution of support from the Council for a Tiger III Grant to help with building the trail and she asked if Tara McCue can write the resolution of support letter.

Commissioner Carey asked Councilwoman Northey since Lake County and Brevard County are deeply involved in the project, if they can draft a letter of support and send it to Tara.

After a short discussion, and being this is a time sensitive matter, it was decided to trust the staff to write the resolution and send it out by e-mail for approval.

Mayor Randels stated Mr. George Kinney did an excellent job representing the Planning Council when he spoke at the Brevard County Space Coast League of Cities. He announced due to the visioning plan done by the Regional Planning Council for Cape Canaveral they received a \$7,000,000 Economic Development plan from HUD. He noted a brewing company, another hotel, and a 300 bed independent and assisted living facility are locating in Cape Canaveral. That creates jobs that will make the city eligible for a job creating grant.

Mr. David Bottomley, MetroPlan BPAC Chair, announced LIFE at UCF is a Learning Institute for the Elders and he has scheduled four speaking sections at UCF for the RPC Staff.

VIII. Adjournment

There being no further business before the Council, Chairperson Grieb adjourned the meeting at 11:10 a.m.

ATTACHMENT 2

September/October 2011 Financial Report
October Report to be Handed Out

Financial Forecast

Statement of Condition as of September 30, 2011

Cash-in-bank on September 1, 2011		\$1,480,461.78
Deposits and Interest - September 2011	\$162,493.48	
Checks Issued - September 2011	<u>-\$223,367.55</u>	
Cash-in-bank on September 30, 2011		<u>\$1,419,587.71</u>

Financial Forecast for October 2011

Operating Cash October 1, 2011		\$1,419,587.71
Accounts Payable on October 1, 2011		<u>-24,224.92</u>
Net Operating Cash for October 1, 2011		\$1,395,362.79

Anticipated Revenue/Expense for October 2011:		
Accounts Receivables (Revenues)	\$32,472.48	
Accounts Payables (Expenditures)	<u>-148,662.33</u>	
Net Anticipated Revenue/Expense		-116,189.85
Anticipated Operating Cash for November 1, 2011		<u>\$1,279,172.94</u>

	<u>Budget</u>	<u>8/31/2011</u>	<u>Actual</u>	<u>Current</u>	<u>Under (Over)</u>	<u>100.0%</u>
		<u>Year to Date</u>	<u>September</u>	<u>Year to Date</u>		
Personnel						
Salaries & Wages (Permanent)	978,920	876,129	127,881	1,004,010	(25,090)	102.6%
Fringe Benefits	347,000	303,436	36,107	339,543	7,457	97.9%
Outside /Temporary Services	11,650	17,189	258	17,447	(5,797)	149.8%
Contract labor-SRPP and contracts	5,000	-	-	-	5,000	0.0%
Interns	16,800	1,005	-	1,005	15,795	6.0%
Unemployment	3,500	275	-	275	3,225	7.9%
Total Personnel	1,362,870	1,198,034	164,246	1,362,280	590	100.0%
Overhead						
Annual Audit	17,000	19,720	-	19,720	(2,720)	116.0%
Advertising/Regional Promotion	3,000	50	-	50	2,950	1.7%
Computer Ops (General)	35,000	19,837	439	20,276	14,724	57.9%
Depreciation/Use Charge	12,000	17,982	445	18,427	(6,427)	153.6%
Equipment (General)	22,000	8,481	1,786	10,267	11,733	46.7%
Equipment Maintenance/Rental	1,500	996	-	996	504	66.4%
Equipment Lease/Sales Taxes	400	1	1	2	398	0.5%
Graphics/Outside Printing	29,650	18,307	1,192	19,499	10,151	65.8%
Insurance	14,000	8,740	880	9,620	4,380	68.7%
Inter-Regnl Bd Rel (travel/training)	3,000	-	-	-	3,000	0.0%
Legal Counsel	44,000	42,744	13,791	56,535	(12,535)	128.5%
Library/Publications/Subscriptions	3,000	2,533	208	2,741	259	91.4%
Office Supplies	11,000	7,553	522	8,075	2,925	73.4%
Pension Fund Mgmt. Fee	900	1,220	-	1,220	(320)	135.6%
Postage	9,000	2,939	140	3,079	5,921	34.2%
Professional Dues	26,000	25,810	2,057	27,867	(1,867)	107.2%
Rent	123,750	113,228	10,521	123,749	1	100.0%
Office Maintenance	2,000	2,298	-	2,298	(298)	114.9%
Staff Training	9,000	8,266	1,900	10,166	(1,166)	113.0%
Telephone & Communications	8,000	5,989	556	6,545	1,455	81.8%
Staff Travel	24,000	19,936	3,797	23,733	267	98.9%
Recruiting	4,000	-	-	-	4,000	0.0%
Hmep Training	33,000	34,336	630	34,966	(1,966)	106.0%
Emergency Mgmt Exercise Expense		39,133	83	39,216	(39,216)	
Overtime/backfill reimbursement		3,231	-	3,231	(3,231)	
GIS Coordination	3,000	3,000	-	3,000	-	100.0%
GIS Data Collection	1,500	-	-	-	1,500	0.0%
Consultants (DRI)	50,000	7,033	2,961	9,994	40,006	20.0%
Consultants DEM Communication Exercise	50,000	5,949	-	5,949	44,051	11.9%
Consultants - UASI EM Portal		20,000	-	20,000	(20,000)	
Consultants - Safe Routes to School Viedo		-	12,480	12,480	(12,480)	
Consultants - Regional Evacuation Study		-	7,400	7,400	(7,400)	
Consultants - HUD Grant		-	8,000	8,000	(8,000)	
Storage-Off Site Records	1,600	1,681	148	1,829	(229)	114.3%
Meeting Expenses	10,000	4,599	304	4,903	5,097	49.0%
CFGIS Workshop Expenses	-	541	-	541	(541)	
Web site maintenance		10,000	-	10,000	(10,000)	
REMI Annual Maintenance	20,600	18,883	1,717	20,600	-	100.0%
S. Bitar VISA Sponsorship	6,000	-	-	-	6,000	0.0%
Total Overhead	577,900	475,016	71,958	546,974	30,926	94.6%
Total Expenditures	1,940,770	1,673,050	236,204	1,909,254	31,516	98.4%

East Central Florida Regional Planning Council
Financial Report September 2011

		DRI	FY11	FY12	FY11	FY12	FY11	FDOT	Regional	USDC	USDC	USDC	SR 50	Comms	State TEP	UASE			Greenways	UASI
Project:	General	Reviews	DCA	Unfunded	LEPC Staff	LEPC Staff	Haz Mat Emrg	Con't & Imp	Evacuation	EDA/CEDS	EDA/CEDS	EDA/CEDS	Corridor	Exercise	2011-2013	2010	RDSTF	HSEEP	& Trails	Gap
			General	Mandates	Support	Support	Preparedness	of CFGIS	Study	FY08-10	FY11	FY12	Study	Planning 11-12	Update	Exerciser	FY09	Fall 2010	Economic	Analysis
REVENUES																				
Revenues Paid:																				
Member Assessments	519,601.00																			
Member REMI Contributions																				
Federal							22,780.29			18,941.51	13,159.31				15,000.00	509.61	23,590.00	2,717.14		4,000.00
State			185,541.92		35,532.79			37,417.09												2,508.00
Local																				5,600.00
DRI Fees		92,590.77																		
Other	20,802.77																			
Total Revenues Received	540,403.77	92,590.77	185,541.92	0.00	35,532.79	0.00	22,780.29	37,417.09	0.00	18,941.51	13,159.31		0.00		15,000.00	509.61	23,590.00	2,717.14	8,108.00	4,000.00
Account Receivables:																				
Member Assessments	-33,585.90									11,873.81	8,772.88	12,939.21								
Federal							30,198.36		18,108.56			12,939.20		45.65			4,510.61			
State			2,361.59		9,357.63			5,001.13												
Local/Other																				
Total Accounts Receivables	-33,585.90	0.00	2,361.59		0.00		30,198.36	5,001.13	18,108.56	11,873.81	8,772.88	25,878.41	0.00	45.65	0.00	0.00	4,510.61	0.00	0.00	0.00
TOTAL REVENUES	506,817.87	92,590.77	187,903.51	0.00	35,532.79	9,357.63	52,978.65	42,418.22	18,108.56	30,815.32	21,932.19	25,878.41	0.00	45.65	15,000.00	509.61	28,100.61	2,717.14	8,108.00	4,000.00
EXPENDITURES																				
Salaries	371,566.12	43,346.12	165,187.45	33,834.95	18,531.05	4,983.90	11,353.49	13,009.12	5,086.97	17,483.27	12,265.53	14,568.05	192.45	33.00	1,379.48	263.30	16,038.75	1,770.90	5,180.23	2,564.94
Fringe Benefits (Pool)	129,067.53	15,721.74	58,057.92	12,263.42	6,116.95	1,568.68	3,249.50	3,519.05	1,841.58	6,345.51	4,442.30	4,685.07	69.85	2.53	500.68	95.56	5,159.41	571.16	1,832.76	930.94
Indirect Cost (Pool)	142,660.25	16,831.95	63,615.87	13,136.15	7,023.68	1,867.22	4,161.27	4,709.85	1,974.35	6,790.24	4,761.05	5,486.36	74.74	10.12	535.77	102.26	6,040.62	667.40	1,998.42	996.18
Unemployment Comp	275.00																			
Audit Fees																				
Advertising/Regional Promotion	50.00																			
Computer Operations	8,325.49							8,180.00			39.90								79.80	
Dues	4,654.50																			
Equipment	9,692.44								193.50											
Graphics	5,785.69	4,391.54	4,053.36	1,486.42	1,077.80	136.38	1,234.55	0.20	84.41	42.78	249.41	227.78			16.74	3.83	103.33	1,197.76	395.74	0.40
Inter-Regnl Bd Relations																				
Legal	55,022.96	1,512.50																		
Office Supplies	2,258.79		397.13									25.98								
Postage	778.22	720.37	415.44	3.64	11.03	13.20	49.50		19.95	38.02	0.88	33.80			2.34	16.43	38.38	7.50	22.50	0.44
Publications	1,738.26		439.79		251.32	69.50														
Recruiting																				
Rent																				
Equipment Rent & Maintenance																				
Staff Training	9,271.28				225.00				175.00		70.00	425.00								
HMEP Training					99.00		32,136.38													
Emergency Mgmt Exercise Exp																				
Overtime/Backfill reimbursement																				
Taxes, Sales/Property	1.65																			
Telephone																				
Travel	12,972.38	26.70	1,876.28	571.36	1,627.28	718.75	793.96		1,332.80			426.37					720.12	37.22	36.32	9.05
Temporary Labor/Outside Services	14,453.16	45.37	581.62							115.50	103.12								1,100.00	
Interest Expense																				
DATA Fees																				
Consultants	8,000.00	9,994.48							7,400.00											
GIS Coordination								3,000.00												
CFGIS Workshop Expense	541.04																			
Meeting Expenses	3,424.05																			
REMI Annual Maintenance	20,599.99																			
Web Site Maintenance								10,000.00												
Web Site Upgrade																				
S. Bitar VISA Sponsorship																				
Office Maint/Painting	2,298.23																			
New Office Fit Up																				
TOTAL EXPENDITURES	803,437.03	92,590.77	294,624.86	61,295.94	34,963.11	9,357.63	52,978.65	42,418.22	18,108.56	30,815.32	21,932.19	25,878.41	337.04	45.65	2,435.01	481.38	28,100.61	4,251.94	10,645.77	4,501.95

East Central Florida Regional Planning Council
Financial Report September 2011

	Motorola & Harris Training	Brevard PDRP	UASI EM Portal	UASI Proj. Mgmt. Fy 2008	CDC Radiation Drill	Communication Exercise Planning	SunRail TOD Sketchbook	State TEP 12-14	Apopka Food Assessment	Volusia CEMP Update	Rollins 2011 TTX	Comms Exercise Logistics	2011 PRND Exercise	Seminole Cty Whole Comm Exercise	Osceola RMLP	Safe Routes to School Video	FDOH Workshop	FDOH Leading Edge Exercise	Seminole Trails Economic
REVENUES																			
Revenues Paid:																			
Member Assessments																			
Member REMI Contributions																			
Federal	7,500.00	89,354.48	20,500.00	7,000.00	36,375.00	62,312.00		6,485.00	15,935.00			32,847.51		20,000.00	9,985.60		4,000.00		
State							31,200.00												
Local											3,000.00								
DRI Fees																			
Other																			
Total Revenues Received	7,500.00	89,354.48	20,500.00	7,000.00	36,375.00	62,312.00	31,200.00	6,485.00	0.00	15,935.00	3,000.00	32,847.51	0.00	20,000.00	9,985.60	0.00	4,000.00	0.00	0.00
Account Receivables:																			
Member Assessments																			
Federal													10,896.18					374.94	
State							20,701.56												
Local/Other									14,640.91										
Total Accounts Receivables	0.00	0.00	0.00	0.00	0.00	0.00	20,701.56	0.00	14,640.91	0.00	0.00	0.00	10,896.18	0.00	0.00	0.00	0.00	374.94	
TOTAL REVENUES	7,500.00	89,354.48	20,500.00	7,000.00	36,375.00	62,312.00	51,901.56	6,485.00	14,640.91	15,935.00	3,000.00	32,847.51	10,896.18	20,000.00	9,985.60	0.00	4,000.00	374.94	0.00
EXPENDITURES																			
Salaries	316.28	49,922.77	820.49	3,694.96	14,657.21	8,412.32	30,694.20	580.10	9,374.10	2,938.40	1,762.14	115.51	6,173.01	2,744.24	5,248.13	2,263.66	399.92	193.76	2,311.62
Fringe Benefits (Pool)	105.34	14,075.45	297.80	1,321.03	3,837.68	2,458.93	9,738.28	99.37	1,990.06	350.63	502.84	8.85	2,052.64	662.58	1,353.05	801.29	106.17	62.05	732.44
Indirect Cost (Pool)	120.15	18,236.90	318.66	1,429.35	5,270.29	3,097.86	11,521.61	193.62	3,238.32	937.24	645.43	35.44	2,343.98	970.81	1,881.07	873.39	144.22	72.89	867.43
Unemployment Comp																			
Audit Fees																			
Advertising/Regional Promotion																			
Computer Operations																			23.99
Dues																			
Equipment																			
Graphics	0.40	1,218.84	0.66	2.00	3,187.72	137.33	228.63	11.96	28.64		88.20	428.18	242.30	473.59	164.14	20.38	205.74	1.20	47.77
Inter-Regnl Bd Relations																			
Legal																			
Office Supplies		39.24			138.97		2.49												
Postage	10.28	10.44	0.44	118.19	108.58	6.83			0.44						4.80	10.16	0.44	4.28	5.20
Publications				13.64												7.44			
Recruiting																			
Rent																			
Equipment Rent & Maintenance																			
Staff Training																			
HMEP Training	2,410.46																		
Emergency Mgmt Exercise Exp					3,197.16														
Overtime/Backfill reimbursement												28,995.43		5,950.30				535.03	
Taxes, Sales/Property												3,230.51							
Telephone																			
Travel	115.61	619.12		36.20	20.96	474.66			9.35	73.96	13.60		84.25	31.19	142.17		13.53	40.76	
Temporary Labor/Outside Services		49.50		41.24	82.50														
Interest Expense																			
DATA Fees																			
Consultants			20,000.00			5,949.15										12,480.00			
GIS Coordination																			
CFGIS Workshop Expense																			
Meeting Expenses	1,026.44																		
REMI Annual Maintenance																			
Web Site Maintenance																			
Web Site Upgrade																			
S. Bitar VISA Sponsorship																			
Office Maint/Painting																			
New Office Fit Up																			
TOTAL EXPENDITURES	4,104.96	84,172.26	21,438.05	6,656.61	30,501.07	20,537.08	52,185.21	885.05	14,640.91	4,300.23	3,012.21	32,831.08	10,896.18	10,832.71	8,793.36	16,456.32	1,405.05	374.94	3,988.45

East Central Florida Regional Planning Council
Financial Report September 2011

	UASI NBA	OUC	Volusia CSA	UASI Fire Project Mgmt	Orange County	FINN & MARC	UASI TEP 2012-2014	I O	RDSTF	UASI Project Management	
Project:	Exercise	ITX	Project	FY09	PDRP	Training	Orl/Orange Co	Summit	FY10	FY09	Total
REVENUES											
Revenues Paid:											
Member Assessments											519,601.00
Member REMI Contributions											0.00
Federal						16,500.00		6,500.00	259.26		436,251.71
State											292,199.80
Local											8,600.00
DRI Fees											92,590.77
Other											20,802.77
Total Revenues Received	0.00	0.00	0.00	0.00	0.00	16,500.00	0.00	6,500.00	259.26	0.00	1,370,046.05
Account Receivables:											0.00
Member Assessments											0.00
Federal	4,283.45			1,970.47	9,220.38		1,280.67		2,558.77	6,587.06	102,974.30
State											37,421.91
Local/Other		2,545.38									17,186.29
Total Accounts Receivables									2,558.77	6,587.06	128,924.52
TOTAL REVENUES	4,283.45	2,545.38	0.00	1,970.47	9,220.38	16,500.00	1,280.67	6,500.00	2,818.03	6,587.06	1,527,628.55
EXPENDITURES											
Salaries	2,447.93	1,528.07	4,938.54	1,103.88	5,158.56	491.90	749.54	1,289.70	1,657.64	3,764.97	904,392.62
Fringe Benefits (Pool)	783.63	360.17	1,663.68	345.50	1,691.70	78.88	244.88	465.73	467.74	1,282.98	303,983.51
Indirect Cost (Pool)	920.87	538.07	1,881.36	413.01	1,952.04	162.65	283.37	500.23	605.64	1,438.46	344,338.11
Unemployment Comp											275.00
Audit Fees											0.00
Advertising/Regional Promotion											50.00
Computer Operations											16,649.18
Dues											4,654.50
Equipment											9,885.94
Graphics	35.85	52.00	45.28	8.01	213.17	11.46		1.37	0.40	10.72	27,354.06
Inter-Regnl Bd Relations											0.00
Legal											56,535.46
Office Supplies					96.31						2,958.91
Postage				30.58		0.44	2.88	0.44		9.80	2,513.02
Publications					77.00					14.88	2,611.83
Recruiting											0.00
Rent											0.00
Equipment Rent & Maintenance											0.00
Staff Training											10,166.28
HMEP Training						320.00					34,965.84
Emergency Mgmt Exercise Exp						538.27					39,216.19
Overtime/Backfill reimbursement											3,230.51
Taxes, Sales/Property											1.65
Telephone											0.00
Travel	95.17	67.07	129.76	69.49	31.60	100.91		263.38	86.61	65.25	23,733.19
Temporary Labor/Outside Services											16,572.01
Interest Expense											0.00
DATA Fees											0.00
Consultants											63,823.63
GIS Coordination											3,000.00
CFGIS Workshop Expense											541.04
Meeting Expenses						452.30					4,902.79
REMI Annual Maintenance											20,599.99
Web Site Maintenance											10,000.00
Web Site Upgrade											0.00
S. Bitar VISA Sponsorship											0.00
Office Maint/Painting											2,298.23
New Office Fit Up											0.00
TOTAL EXPENDITURES	4,283.45	2,545.38	8,658.62	1,970.47	9,220.38	2,156.81	1,280.67	2,520.85	2,818.03	6,587.06	1,909,253.49

ATTACHMENT 3

TIGER III Grant Resolution



East Central Florida Regional Planning Council

Resolution #06-2011

*Support of the East Central Florida Regional Rail Trail
FDOT Tiger III Grant Application
By the East Central Florida Regional Planning Council (ECFRPC)*

WHEREAS, regional multi – use trails are important community connectors, serve as alternative modes of transportation, increase property values and promote economic development and ecotourism; and

WHEREAS, the most frequently requested information by visitors at the State of Florida’s Official Welcome Centers is trail information; and

WHEREAS, the East Central Florida Regional Planning Council, in addition to numerous other organizations across the nation, report that trails have a positive economic impact on local economies; and

WHEREAS, the Rails-to-Trails conservancy reports that trails improve local economy by stimulating tourism; and

WHEREAS, Volusia, St. Johns, Putnam, Flagler and Brevard Counties have issued a Memorandum of Understanding of the necessity of working together in the development of a regional trail known as the “St. Johns River to the Sea Loop Trail”; and

WHEREAS, the East Central Florida Regional Rail Trail (ECFRRT) is a major 50 mile section of this regional tourist destination loop trail; and

WHEREAS, the impacts of the ECFRRT on Brevard and Volusia Counties will not only entail direct economic impacts through consumer spending but create a more robust ecotourism business sector, creating new local jobs and promoting redevelopment of areas such as downtown Titusville, Edgewater and Maytown; and

WHEREAS, the East Central Florida Regional Rail Trail serves as a regional connection for east central Floridians between Titusville, Osteen and Edgewater and will connect central Florida to northeast Florida, playing a major role in eco-tourism and transportation in the state; and

WHEREAS, with the approved SunRail Commuter Rail Line accessing ECFRRT trail heads, the ability for central Floridians to move around the region via alternate, sustainable and healthy modes of transportation is a reality; and

WHEREAS, the East Central Florida Regional Planning Council has supported efforts of the ECFRRT and its parties since the year 2000 and will continue to support the trail development and opportunities;

Now Therefore, the East Central Florida Regional Planning Council, hereby, fully supports the Tiger III grant application of Brevard and Volusia Counties, the Volusia County TPO, and the Brevard County TPO, to complete the construction of the regionally significant East Central Florida Regional Rail Trail.

Attest:

EAST CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL:



Melanie Chase
Vice Chair, ECFRPC



George Kinney
Interim Executive Director

ATTACHMENT 4

Certificate of Appreciation

CERTIFICATE OF APPRECIATION



*RECOGNIZING SERVICE OF
LOLA SMITH
AS
AREA DIRECTOR, ATLANTA REGION
U.S. ECONOMIC DEVELOPMENT ADMINISTRATION*

WHEREAS, Lola Smith has provided 23 years of distinguished service as an employee of the Atlanta Region, U.S. Economic Development Administration;

WHEREAS, Lola Smith also served as Division Chief, Atlanta Region, U.S. Economic Development Administration and as the Economic Development Representative for the states of Florida and Georgia;

WHEREAS, Lola Smith has provided distinguished leadership as Area Director, U.S. Economic Development Administration from October 2007 to October 2011;

WHEREAS, Lola Smith was previously employed by the U.S. Department of Agriculture, Farmers Home Administration, serving as a loan officer, grants specialist and district director in Florida and Georgia;

WHEREAS, Lola Smith is a native of Alachua County and north central Florida;

WHEREAS, Lola Smith is a graduate of the University of Florida with a Bachelor's Degree in Economics as well as a graduate of the Economic Development Institute at the University of Oklahoma and holds a Certified Master Consultant designation from Business Retention and Expansion International;

WHEREAS, Lola Smith is a recipient of the U.S. Department of Commerce Silver Medal Award and the U.S. Secretary of Commerce's Performance Excellence Award; and

WHEREAS, Lola Smith is retiring as Area Director of the Atlanta Region of the U.S. Economic Development Administration on October 31, 2011.

Now Therefore, the East Central Florida Regional Planning Council hereby recognizes the outstanding contributions made to the communities and citizens of Florida by Lola Smith as a dedicated public servant.

DULY ADOPTED BY THE EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL this ____ day of _____ 2011.

Attest:

EAST CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL:

Cheryl L. Grieb
Chair, ECFRPC

George Kinney
Interim Executive Director

ATTACHMENT 5

Year-End Budget Adjustment

	Approved Budget FY2011	Amendment #1 Budget FY2011
1		
2		
3		
4		
5	Federal Revenues	
6	Regional Evacuation	9,000
7	2011-2013 TEP Update	5,000
8	UASI 2010 Exercise	510
9	RDSTF FY09	75,000
10	HSEEP Fall 2010	28,100
11	US EDA/CEDS	2,717
12	US EDA/CEDS	66,000
13	DCA /DEM(HMEP) Training and Planning	33,000
14	Osceola RMLP	13,000
15	Safe Routes to School Video	60,000
16	FDOH Workshop	53,000
17	FDOH Leading Edge Exercise	9,985
18	UASI NBA Exercise	4,000
19	UASI TEP 2012-2014 Orlando/Orange County	1,000
20	Volusia CSA	4,300
21	UASI Fire Project Mgmt FY09	1,300
22	Orange County PDRP	8,700
23	FINN & MARC Training	2,000
24	IO Summit	9,300
25	UASI Gap Analysis	16,500
26	Motorola & Harris Training	6,500
27	BREVARD PDRP	4,000
28	UASI EM Portal	7,500
29	UASI Project mgmt FY 2008	89,355
30	CDC RADIATION DRILL	20,500
31	Communication Exercise Planning	7,000
32	RDSTF FY10	36,375
33	State TEP 12-14	62,312
34	Volusia CEMP Update	3,000
35	Comms Exercise Logistics	6,485
36	UASI Project Mgmt FY09	15,935
37	2011 PRND Exercise	32,850
38	Seminole County Whole community Exercise	6,600
39	Total Federal Revenues	20,000
40	State Revenues	
41	DCA (General Revenue) FY10	285,000
42	DCA/ DEM (LEPC Staff Support) FY11	41,000
43	DCA/ DEM (LEPC Staff Support) FY12	36,000
44	Seminole County Trails Economic Survey	9,500
45	DCA (Wakiva Commission)	4,000
46	Greenways & Trails Economic Study	0
47	FDOT SunRail TOD Sketchbook	0
48	FDOT (GIS Coordination)	2508
49	Total State Revenues	10,000
50	Local Revenues	
51	Member Assessments @ \$0.164421 for 2011*	43,000
52	DRI Fees - (estimated)	10,000
53	Greenways & Trails Economic Study	5,600
54	Apopka Food Assessment	14,000
55	Rollins 2011 TTX	3,000
56	OUC TTX	2,500
57	Interest	1,200
58	Sales (Publications/GIS Maps)	1,000
59	Pension Fund Forfeitures	1,000
60	Total Projected Local Revenues	640,601
61	Additional new Contract Revenue	646,901
62	Possible - Prospective	75,000
63	Speculative	
64	Total Prospective Revenues	1,257,601
65	Total Projected Expenditures	1,939,270
66	Reserves Balance (projected 10/1/10)	1,985,876
67	Reserves (Needed to balance Budget)	681,669
68	Speculative Revenues - FY 2011 Contracts	
69	Contract Description	Revenues
70		Likely
71	REMI Econ Impact Studies	20,000
72	Emergency Mgt Special Projects**	30,000
73	DEM communications Exercise	100,000
74	FDOT SR 50 phases 2-4	40,000
75	FDOT DRI Tool	4,000
76	FDOT Future Land Use	30,000
77	FDOT 2040 SIS Plan	30,000
78	Daytona Beach DRI type reviews	10,000
79	OGT Economic Impact study Orange Co trails	30,000
80	Kissimmee CRA Blight Study	8,000
81	Daytona ISB corridor analysis	50,000
82	EDC GIS support	75,000
83	GIS Mapping contract projects	30,000
84	SunRail stops TOD design & fiscal impact analysis	15,000
85	Cape Canaveral HUD SCP Grant	8,000
86	EPA wetlands mapping Indian River lagoon	500,000
87	Mt. Dora Vision plan	2,000,000
88	YMCA Community School siting project R. L.	35,000
89	Safe routes to School	30,000
90	Healthy Community Initiative grant	30,000
91	Food planning	30,000
92	Umatilla vision scenic byway	30,000
93	Speculative Contracts Total	3,202,000
		300,000

Page 2 ECFRPC FY 2011 Proposed Expenditures Budget Am. Amendment #1

1	A	B		C		D		E		Adjustment
		Approved 2011		Amendment #1						
2		Items	Totals	Items	Totals	Items	Totals	Items	Totals	Totals
3	Personnel									
4	Salaries & Wages-full time (2011)	\$	933,120	\$	1,005,015	\$	71,895	\$		
5	Paid leave	\$	25,000	\$	-	\$	(25,000)	\$		
6	Part time salaries	\$	20,800	\$	-	\$	(20,800)	\$		
7	Fringe Benefits	\$	347,000	\$	347,000	\$	-	\$		
8			\$ 1,325,920		\$ 1,352,015		\$ 26,095			
9										
10	Casual Labor (secretarial temps)	\$	2,000	\$	2,000	\$	-	\$		
11	Contract labor- SRPP and contracts	\$	5,000	\$	5,000	\$	-	\$		
12	Outside Services - Computers	\$	9,650	\$	9,650	\$	-	\$		
13	Interns	\$	16,800	\$	16,800	\$	-	\$		
14	Unemployment	\$	3,500	\$	3,500	\$	-	\$		
15	Total Contract and Unemployment		\$ 36,950		\$ 36,950		\$ -			
16	Total Personnel		\$ 1,362,870		\$ 1,388,965		\$ 26,095			
17	A	B	C	D	E					
18		Proposed 2011		Approved 2011						
19	Operating Expenses	Items	Totals	Items	Totals					
20	Office Administration									
21	Insurance	\$	14,000	\$	14,000	\$	-	\$		
22	Pension Fund Management Fee	\$	900	\$	1,220	\$	320	\$		
23	Total Office Administration		\$ 14,900		\$ 15,220		\$ 320			
24	Office Operations									
25	Advertising/Regional Promotion	\$	3,000	\$	3,000	\$	-	\$		
26	Cleaning/Pest Control Services		0		0		-			
27	Computer Operations (General)	\$	35,000	\$	22,000	\$	(13,000)	\$		
28	Electric Utility		0		0		-			
29	Copy costs/Graphics/Printing	\$	29,650	\$	21,000	\$	(8,650)	\$		
30	Library/Subscriptions/Legal Ads	\$	3,000	\$	3,000	\$	-	\$		
31	Meeting Expenses	\$	10,000	\$	6,000	\$	(4,000)	\$		
32	Office Supplies	\$	11,000	\$	10,000	\$	(1,000)	\$		
33	Postage	\$	9,000	\$	4,500	\$	(4,500)	\$		
34	Professional & Agency Dues	\$	26,000	\$	28,000	\$	2,000	\$		
35	Rent	\$	123,750	\$	123,750	\$	-	\$		
36	Office Maintenance	\$	2,000	\$	2,400	\$	400	\$		
37	Sales and Lease Taxes	\$	400	\$	400	\$	-	\$		
38	Storage - Off Site Records	\$	1,600	\$	2,000	\$	400	\$		
39	Telephone Communications	\$	8,000	\$	8,000	\$	-	\$		
40	Web site maintenance			\$	10,000	\$	10,000	\$		
41	Total Office Operations		\$ 262,400		\$ 234,050		\$ (28,350)			
42	Equipment									
43	Equipment (General)	\$	22,000	\$	15,000	\$	(7,000)	\$		
44	Equipment Maintenance/Rental	\$	1,500	\$	1,500	\$	-	\$		
45	Equipment Use Charge	\$	12,000	\$	19,000	\$	7,000	\$		
46	Total Equipment		\$ 35,500		\$ 35,500		\$ -			
47	Staff Support									
48	Staff Training	\$	9,000	\$	10,500	\$	1,500	\$		
49	Staff Travel/Sustenance	\$	24,000	\$	24,000	\$	-	\$		
50	Recruiting	\$	4,000	\$	4,000	\$	-	\$		
51	Total Staff Support		\$ 37,000		\$ 38,500		\$ 1,500			
52	Board Support									
53	Inter-Regional Board Relations	\$	3,000	\$	3,000	\$	-	\$		
54	Total Board Support		\$ 3,000		\$ 3,000		\$ -			
55	Contingencies									
56	Contingencies	\$	-	\$	-	\$	-	\$		
57	Total Contingencies		\$ -		\$ -		\$ -			
58	Total Operating Expenses		\$ 1,715,670		\$ 1,715,235		\$ (435)			
59	A	B	C	D	E					
60		Proposed 2011		Approved 2011						
61	External Expenses	Items	Totals	Items	Totals					
62	Professional Services									
63	Annual Audit/Audit Preparation	\$	17,000	\$	20,000	\$	3,000	\$		
64	Legal Counsel	\$	44,000	\$	57,000	\$	13,000	\$		
65	S. Bitar VISA Sponsorship	\$	6,000	\$	-	\$	(6,000)	\$		
66	Consultants (DRI)	\$	50,000	\$	10,000	\$	(40,000)	\$		
67	Consultants HUD Grant	\$	-	\$	8,000	\$	8,000	\$		
68	Consultants DEM Communication Exer	\$	50,000	\$	6,000	\$	(44,000)	\$		
69	Consultants UASI EM Portal	\$	-	\$	20,000	\$	20,000	\$		
70	Consultants Safe Routes to School Vid			\$	12,500	\$	12,500	\$		
71	Consultants Reg Evacuation Study		0		7,400	\$	7,400	\$		
72	Total Professional Services		\$ 167,000		\$ 121,000		\$ (46,000)			
73	Project Expenses									
74	GIS Coordination	\$	3,000	\$	3,000	\$	-	\$		
75	GIS Data Collection	\$	1,500	\$	1,500	\$	-	\$		
76	CFGIS Workshop Expense			\$	550	\$	550	\$		
77	HMEP Training	\$	33,000	\$	34,000	\$	1,000	\$		
78	Emergency Mgmt Exercise Expense			\$	39,500	\$	39,500	\$		
79	Overtime/backfill reimbursement			\$	3,300	\$	3,300	\$		
80	REMI Maintenance	\$	20,600	\$	20,600	\$	-	\$		
81	Total Project Expenses		\$ 58,100		\$ 102,450		\$ 44,350			
82	Total External Expenses		\$ 225,100		\$ 223,450		\$ (1,650)			
83	Total Expenditures		\$ 1,940,770		\$ 1,938,685		\$ (2,085)			

ATTACHMENT 6

HazMat/USAR Grant Funded Coordinator Positions

General Functions – UASI Funded HazMat Planner

This position will include administrative, technical and fieldwork in the execution and coordination of activities and programs of the Orlando/Orange County Regional Hazardous Material (Chemical – Biological – Radiological – Nuclear – Explosive (CBRNE) and Weapons of Mass Destruction (WMD) Teams. Work is performed at the direction of the UASI Fire UAWG and UASI Fire Executive Board Member under the East Central Florida Regional Planning Council’s (ECFRPC) Emergency Preparedness Manager.

Work Hours, Location and Conditions – Both Planners

Hours: 8:30am – 5:00pm, Monday through Friday. Hours may be flexed for special events or assignments.

Location – ECFRPC, 309 Cranes Roost Blvd., #2000, Altamonte Springs, FL 32701

ECFRPC and the UASI Fire Executive Board will provide overall staff supervision.

The ECFRPC will provide a fully equipped office and workstation with all hardware, software and direct staff supervision. Employee will provide bi-weekly timesheet and project work summary to the ECFRPC.

Continued employment in this position is contingent upon renewal of grant funding.

12 months at \$20/hour estimated cost

<u>Salary</u>	<u>Fringe</u>	<u>Indirect</u>	<u>Total</u>
\$39,000	\$14,430	\$16,029	\$69,459

Travel is estimated at an additional \$300 per month

Office supply costs are estimated at \$1,500

Total: \$74,559

Contract with Orange County Sheriff’s Office is for reimbursement of expenses related to planner for up to \$75,000.

Regional Hazardous Materials Teams Coordinator

Full Time – Planner Position

East Central Florida Regional Planning Council (ECFRPC)

Orange / Orlando Urban Area Security Initiative (UASI)

General Functions

Administrative, technical and fieldwork in the execution and coordination of activities and programs of the Orlando/Orange County Regional Hazardous Material (Chemical – Biological – Radiological – Nuclear – Explosive (CBRNE) and Weapons of Mass Destruction (WMD) Teams. Work is performed at the direction of the UASI Fire UAWG and UASI Fire Executive Board Member under the East Central Florida Regional Planning Council's (ECFRPC) Emergency Preparedness Manager.

Duties and Assignments (Essential Functions)

Serves as Regional Planner for Hazardous Material Teams to enhance collaboration, interoperability and response capabilities to a hazardous materials, CBRNE and/or WMD event.

Reviews, updates, disseminates and administer Regional Policies and Procedures in concert with Federal, State and Local guidelines.

Ensures equipment, training records, and current certification tracking procedures are effective and are adhered to by all recognized regional teams.

Liaisons with State and Federal Hazardous Material Teams

Coordinates, assigns and oversees planning efforts in the areas of Logistics, Training and Planning for collaboration and activities.

Performs necessary Strategic Plans through SWOT analysis every three to five years for the Orlando/Orange County UASI identified Regional Hazardous Materials teams to ensure Homeland Security Grant compliance.

Provides grant oversight and ensures compliance in the execution of Investment Justifications, equipment procurement, reimbursements, and reporting and travel/training request in cooperation with the ECFRPC.

Participates in Regional collaborative efforts regarding Department of Homeland Security funding (UASI, SHSGP) as it relates to Hazardous Materials.

Seek out and identify alternative funding for long term sustainment of the Orlando/Orange County UASI Hazardous Materials teams.

Participates in management and new team member selection processes.

General Functions – UASI Funded USAR Planner

This position will include administrative, technical and fieldwork in the execution and coordination of activities and programs of the Orlando/Orange County Regional Urban Search and Rescue (USAR) Teams. Work is performed at the direction of the Fire Chief’s Consortium Group and UASI Fire Executive Board Member under the East Central Florida Regional Planning Council’s (ECFRPC) Emergency Preparedness Manager.

Work Hours, Location and Conditions – Both Planners

Hours: 8:30am – 5:00pm, Monday through Friday. Hours may be flexed for special events or assignments.

Location – ECFRPC, 309 Cranes Roost Blvd., #2000, Altamonte Springs, FL 32701

ECFRPC and the UASI Fire Executive Board will provide overall staff supervision.

The ECFRPC will provide a fully equipped office and workstation with all hardware, software and direct staff supervision. Employee will provide bi-weekly timesheet and project work summary to the ECFRPC.

Continued employment in this position is contingent upon renewal of grant funding.

12 months at \$20/hour estimated cost

<u>Salary</u>	<u>Fringe</u>	<u>Indirect</u>	<u>Total</u>
\$39,000	\$14,430	\$16,029	\$69,459

Travel is estimated at an additional \$300 per month

Office supply costs are estimated at \$1,500

Total: \$74,559

Contract with Orange County Sheriff’s Office is for reimbursement of expenses related to planner for up to \$75,000.

Regional USAR Teams Coordinator

Full Time – Planner Position

East Central Florida Regional Planning Council (ECFRPC)

Orange / Orlando Urban Area Security Initiative (UASI)

General Functions

Administrative, technical and fieldwork in the execution and coordination of activities and programs of the Orlando/Orange County Regional Urban Search and Rescue (USAR) Teams. Work is performed at the direction of the Fire Chief's Consortium Group and UASI Fire Executive Board Member under the East Central Florida Regional Planning Council's (ECFRPC) Emergency Preparedness Manager.

Duties and Assignments (Essential Functions)

Serves as primary program manager for FL-TF4 and Liaison to the Fire Chief's Consortium Group including oversight and management of FL-TF4 assigned Planners.

Coordinates, assigns and oversees planning efforts in the areas of Logistics, Training and Planning for collaboration and activities.

Performs necessary Strategic Plans through SWOT analysis every three to five years for the Orlando/Orange County UASI identified Regional USAR teams to ensure Homeland Security Grant compliance.

Provides grant oversight and ensures compliance in the execution of Investment Justifications, equipment procurement, reimbursements, and reporting and travel/training request in cooperation with the ECFRPC.

Participates in Regional collaborative efforts regarding Department of Homeland Security funding (UASI, SHSGP) as it relates to USAR.

Seek out and identify alternative funding for long term sustainment of the Orlando/Orange County UASI USAR teams.

Participates in management and new team member selection processes.

Participates in assigned local and State working groups and committees involving USAR activities (RDSTF, RATTF, DSOC, State - USAR).

Attends public relation events, Mobex exercises, Regional and State drills and training sessions at the direction of the UASI Fire/USAR Program Manager.

Assist in the development and implementation of training programs for Orlando/Orange County UASI Regional USAR team's personnel.

Salary	\$39,000	
Fringe	\$14,430	
	FICA	\$2,983.50
	Health Ins	\$6,495.50
	Pension	\$3,900.00
	Life/AD&D	\$78.00
	Dental Ins	\$446.00
	LTD	\$175.00
	STD	\$242.50
	Worker's Comp	\$110.00
		<u>\$14,430.50</u>
Indirect	\$16,029	
	0.277996 Salaries	\$4,456.00
	0.101199 Fringe Benefits	\$1,622.11
	0.063364 Audit Fees	\$1,015.66
	0.010867 Computer Ops	\$174.19
	0.068373 Dues	\$1,095.95
	0.001224 Equipment	\$19.62
	-0.02393 Graphics	(\$383.50)
	0.028083 Insurance	\$450.14
	0.015288 Office Supplies	\$245.05
	0.001748 Postage	\$28.02
	0.000414 Publications	\$6.64
	0.36382 Rent	\$5,831.67
	0.0032 Equipment Rent & Mainten	\$51.30
	0.019244 Telephone	\$308.46
	0.057782 Use Charge	\$926.19
	0.00392 Pension Admin	\$62.83
	0.005401 Storage-Off Site	\$86.58
	0.002008 Outside Services	<u>\$32.19</u>
		<u>\$16,029.11</u>

ATTACHMENT 7

Economic Development Administration Awards



EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

309 Cranes Roost Blvd. Suite 2000 · Altamonte Springs, FL 32701
Phone (407).262.7772 · Fax (407).262.7788 · www.ecfrpc.org

Philip Laurien, AICP
Executive Director

May 11, 2011

U.S. Department of Commerce
1401 Constitution Avenue, NW
Suite 7800
Washington, DC 20230

To Whom This May Concern:

The East Central Florida Regional Planning Council (ECFRPC) supports the University of Central Florida's Igniting Innovation Clean Technology Acceleration Center and their application for an i6 Green Challenge Grant.

The proposal focuses on three main elements:

1. Cataloging of clean technology research facilities and intellectual property at Florida universities, negotiating usage of the facilities and catalyzing a dialog between researchers, entrepreneurs and economic development programs.
2. Entrepreneurial mentoring, and capital access and educational programs conducted by TRDA and UCF.
3. Creation of a "gap" fund for validating the commercial and technological feasibility of promising clean tech research, developing business plans and identifying qualified teams to lead the formation of new energy startups.

The University of Central Florida, in partnership with the Technological Research and Development Authority (TRDA) and the Florida Energy Systems Consortium comports with the East Central Florida Region's Mission A and fifth Vital Project of the Comprehensive Economic Development Strategy (CEDS);

Mission A: Connect and build upon mature and blossoming technology centers (space, oceanographic research, bio-medical, simulation and green energy).

Vital Project 5: Support a focused transition program for the aerospace industry to bridge the four year gap between the space shuttle termination in 2010 and the start of the constellation program. This should include targeted economic development activities, specialized workforce curriculum, training tools, career counseling and employment agreements.

Executive Committee

Chair

Cheryl L. Grieb
City Commissioner
City of Kissimmee

Vice Chair

Daniel O'Keefe
Gubernatorial Appointee
Orange County

Secretary

Melanie Chase
Gubernatorial Appointee
Seminole County

Treasurer

Patty Sheehan
City Commissioner
City of Orlando

Member at Large

Chuck Nelson
County commissioner
Brevard County

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

University of Central Florida's Igniting Innovation Clean Technology Acceleration Center will enhance the workforce and business climate in East Central Florida and will create high-wage, high-value jobs. The specific focus on growing new and existing ventures in the Space Coast region, which is losing almost 10,000 jobs due to the closure of NASA's Space Shuttle program.

Project collaboration would also include Space Florida, the Florida High Tech Corridor Council, the Florida Solar Energy Center, the Florida Institute for the Commercialization of Public Research, the Space Coast Energy Consortium, the Manufacturing Extension Partnership and the Florida Opportunity Fund. The regional ramifications and strength of this project can be seen through this collaboration.

The East Central Florida Regional Planning Council supports the University's efforts and recommends the University of Central Florida for an i6 Green Challenge Grant.

Sincerely,

A handwritten signature in cursive script that reads "Philip Laurien". The signature is written in dark ink and is positioned above the printed name.

Philip Laurien, AICP
Executive Director

U.S. Economic Development Administration (EDA) Grant Award Updates

University of Central Florida, Technological Research and Development Authority, and University of Florida *i6 Challenge Grant*

\$1,000,000 EDA funds and **\$149,487** DOE funds

Implementation of a unique model that links Florida-based universities, incubation networks, investors and industry resources together to create a network of Proof of Concept centers to accelerate the creation and commercialization of innovative clean technology research

*1 of 6 grant award recipients in the Country

Space Florida

Jobs & Innovation Accelerator Challenge

Space Coast Clean Energy Jobs Accelerator (CEJA)

\$2,148,198 in funding

Space Florida

Repurposing Study for the Space Life Sciences Laboratory

*Selected for further consideration (pursuant FY2012 appropriations)

\$350,000 in funding

Space Coast Energy Consortium

Development of a commercial energy efficiency financing program for Brevard County

*Selected for further consideration (pursuant FY2012 appropriations)

\$219,000 in funding

City of Melbourne Airport Authority

Airport improvements to support the expansion of AAR Airlift Group, Inc.

*Selected for further consideration (pursuant FY2012 appropriations)

\$400,000 in funding

The East Central Florida Regional Planning Council established and manages the Economic Development District (EDD) for the East Central Florida Region. An EDD is a federally designated organization charged with the maintenance and implementation of the CEDS plan. Serving as a bridge between the private and public sectors, the EDD brings forth more economic development projects potentially eligible for grant funding. The EDD serves as the umbrella for U.S. EDA grant applications in the East Central Florida Region, establishing eligibility.

For each U.S. EDA grant application within the East Central Florida EDD, the ECFRPC submits a letter of support detailing the applications alignment with the region's Comprehensive Economic Development Strategy. Please find an example from the i6 Challenge Grant attached.



HAND OUT A

orlandosentinel.com/news/politics/os-trails-economic-impact-20111017,0,3028584.story

OrlandoSentinel.com

Bike trails pump \$42M into Central Florida economy, study says

By Dan Tracy, Orlando Sentinel

7:27 PM EDT, October 17, 2011

WINTER GARDEN — Dennis Jones moved to Winter Garden six years ago because he enjoyed using the West Orange Trail, a paved bike path that cuts through the heart of the downtown district.

The trail now provides him with a living because he and his wife own Wheel Works, a bike shop they opened three years ago in downtown. They are doubling in size because business is so good.

"It [the trail] is the reason we are here," said Jones, a prime example of the impact of the three abandoned rail corridors in Orange County transformed into bike trails during the 1990s.

The trio of paths pumps \$42 million into the local economy annually and supports 516 jobs, according to a study conducted by the East Central Florida Regional Planning Council.

The report comes at critical time in the public-transportation debate. There is a move in Congress to end mandatory spending of federal gas-tax dollars on trails, landscaping and mass transit in favor of building roads alone.

Right now, about 10 percent of the \$32 billion raised each year through gas taxes must be spent on sidewalks and other enhancements. Last year, about \$35 million of that was spent in Central Florida on bike paths, sidewalks and other endeavors such as historic preservation.

U.S. Rep. John Mica, R-Winter Park, chairman of the House transportation committee, said he wants to give the states more flexibility in how gas taxes are spent. Florida Department of Transportation Secretary Ananth Prasad supports Mica.

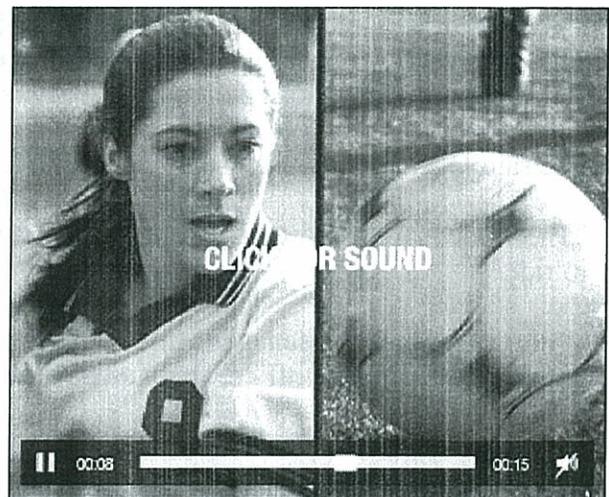
But Prasad promised money still will be spent on extras, such as bike trails, although he stopped short of naming a specific amount.

"We're not going to build a project nobody likes," he said.

The trails have plenty of supporters.

County officials estimate 1.7 million people use them each year, including 900,000 on the West Orange

advertisement



Trail, which runs for 22 miles and links Winter Garden with Clermont and Apopka. The other trails are the 7.4-mile Little Econ Greenway in east Orange and the 6.5-mile Cady Way Trail in Orlando and Winter Park.

The paths are "extremely valuable to the region," said Elizabeth Rothbeind, an economic-development and communications specialist with the planning council.

On average, she said, trail users spend \$19 apiece while they are out and about, frequently on a meal or beverage. The vast majority of people, the study said, take to the trails for recreation, typically by biking, running or walking.

Jones says he sells bikes that range from \$145 to \$7,000, though most go for \$1,000 to \$1,500.

Cecelia Kimball, 53, and her husband have been riding the West Orange Trail regularly for four years. The Montverde woman bikes about 30 miles each time, mostly on weekends or when she has a day off. Her husband, Mike, rides the trails at least six times a week.

She said local governments should continue investing in new trails.

"There needs to be more bicycle-friendly roads," she said. "They [urban trails] are definitely a safer way to ride."

Winter Garden City Manager Mike Bollhoefer rides the trail often, too, though he uses it to go from his home to his City Hall office, about a two-mile trip.

He credits the trail with the resurrection of Winter Garden's downtown, which was pocked with empty buildings before the first section of the path opened in 1994. Now, Bollhoefer said, there is a waiting list of businesses wanting to rent space along a vibrant main street.

Last year, the collective value of the downtown property stood at \$69.3 million; in 1993, it was \$22 million, according to the study.

Bollhoefer calls the trail "a marketing vehicle" for the restaurants and shops bisecting the trail.

There is another benefit that goes beyond money, Rothbeind said.

"This is one of the things that makes for a better place to live," she said.

Staff writer Eloísa Ruano González contributed to this report. dltracy@tribune.com or 407-420-5444.

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HAND OUT B

George Kinney

From: George Kinney
Sent: Monday, October 31, 2011 8:36 AM
To: 'David F Tomek'; Carson, Rodney (RCarson@cfdc.org); 'jtaylor@TampaBay.org'; Elizabeth Rothbeind
Cc: Maria Grulich; Patty Chambers; Shelley Maccini; Jeff Jones; Kerry Godwin; Shelley Lauten (Shelley.lauten@orlando.org); 'CHERYL GRIEB'
Subject: RE: Thank you

Thank you Dave,

The ECFRPC is pleased to offer any assistance it can as the County moves forward.

George

From: David F Tomek [<mailto:dtom@OSCEOLA.ORG>]
Sent: Monday, October 31, 2011 8:27 AM
To: Carson, Rodney (RCarson@cfdc.org); 'jtaylor@TampaBay.org'; Elizabeth Rothbeind; George Kinney
Cc: Maria Grulich; Patty Chambers; Shelley Maccini; Jeff Jones; Kerry Godwin; Shelley Lauten (Shelley.lauten@orlando.org)
Subject: Thank you

Rodney/Jennifer/Elizabeth/George, I just wanted to drop a note to all of you with my thanks for coming by and sharing your experiences and knowledge of the industry cluster analysis and strategies for attracting and maintaining businesses in the region. It was obvious that you all were well versed in this research and the benefits of proactive strategies towards economic development. It was also very evident that your current workloads were demanding if not overflowing, and I appreciate the time you took to drive over and share your experiences with us. Osceola County is fortunate to have you as partners. Dave

Osceola County
Community Development Department
Dave Tomek
Director
1 Courthouse Square
Suite 1400
Kissimmee, FL 34741
(407)742-0281
dtom@osceola.org

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HAND OUT C

Executive Committee Meeting
East Central Florida Regional Planning Council
Wednesday, October 19, 2011
9:00 a.m.

Committee: Vice-Chair Melanie Chase, Commissioner Patty Sheehan,
Commissioner Chuck Nelson, Commissioner Welton Cadwell

Staff: Interim Executive Director George Kinney, Ms. Lelia Hars

I. Call to Order

Vice-Chair Chase called the Executive Committee Meeting to order at 9:00 a.m.

II. Emergency Management Planner Positions

Mr. George Kinney explained the need to clarify two Emergency Management grant funded positions as a budget amendment. The positions were not properly located or funded as approved in the FY2012 budget. Mr. Kinney noted the UASI grant, which covers employee expenses including salary. A salary breakdown was provided including all indirect and fringe benefits.

A discussion ensued and afterwards the Emergency Management Manager, April Raulerson, was asked to address the Committee's questions and concerns. She briefly outlined the purpose for the positions and the purpose of having the Grant run through the Planning Council.

After a brief discussion, Commissioner Cadwell Motioned to approve the budget amendment and bring the request to the full Council. The Motion was seconded by Commissioner Sheehan.

III. DRI Fees

Staff presented outstanding DRI fees due to the Council for services rendered. The Committee discussed the outstanding fees and what could be done to prevent similar situations moving forward. The Committee authorized Council Attorney, Jerry Livingston to negotiate settlements where possible and forward demand letters if necessary. The Committee also advised staff to discontinue work on future DRI's when funding has been exhausted and a DRI account has not been replenished.

IV. FDOT Tiger III Grant

Mr. Kinney requested approval of a Tiger III Grant application in support of the East Central Florida Regional Rail Trail. He explained that the submission was time sensitive

and needed to be delivered but it would be brought back to the full Council in November for ratification. The resolution was written by staff at the request of Councilwoman Northey and sent out by e-mail to the full Council for review and recommendation.

The Motion for approval was made by Commissioner Cadwell and the Motion was seconded by Commissioner Nelson.

V. Get Active Orlando

Ms. Tara McCue gave a brief overview regarding Get Active Orlando and Mr. Dean Grandin opened his presentation with a program overview. After naming the partnerships, purpose, and goals, he listed how neighborhoods benefits from the program. He identified the advantages of the program and a potential regional growth.

A discussion ensued regarding the potential of the program under the leadership of the RPC. Mr. Grandin stated there is little to no cost to staff because the program is run by volunteers. Grant awards help to supplement these efforts and fund many of the programs.

Following discussion, the Executive Committee instructed staff to research the statutory authority and provide additional detail related to funding. This information is to be brought back to the November Executive Committee meeting prior to full Council consideration.

VI. Comments

Commissioner Cadwell raised a question regarding the Nomination of the Executive Committee members. Other commitments may conflict with or limit the time he would have available to the Executive Committee and he indicated his preference to allow Mr. Parks to continue in the Member At Large position.

IX. Adjournment

The meeting adjourned at 10:40a.m.

HAND OUT D



The Florida Senate

Interim Report 2012-114

September 2011

Committee on Community Affairs

THE DEVELOPMENT OF REGIONAL IMPACT PROCESS

Issue Description

Section 380.06, F.S., provides for state and regional review of development decisions for large developments that, because of their character, magnitude, or location, would have a substantial effect on the health, safety, or welfare of the citizens of more than one county. These developments, which meet certain specified statutory criteria, are known as developments of regional impact (DRIs). Over the years, the statutory criteria have been changed and numerous exemptions have been created. During the 2011 session, HB 7207 again expanded these exemptions and provided for DRI permit extensions. This interim report proposes to review the DRI process and examine whether it continues to serve its intended purpose or whether it is a regulatory process that the state may want to reduce or eliminate. Ultimately, this report concludes that the exemptions that have been made to the DRI program leave the DRI process in place in those areas that need it most. Although the comprehensive planning process may be strong enough to completely supplant the DRI process, there remains value in ensuring that the rural communities of our state build efficiently and properly consider the infrastructure and resource impacts of large-scale development.

Background

History

The Development of Regional Impact (DRI) process provides for state and regional review of the impacts anticipated by large developments that, because of their character, magnitude, or location, would have a substantial effect on the health, safety, or welfare of the citizens of more than one county.¹ The state land planning agency that administers the DRI process has historically been the Department of Community Affairs' Division of Community Planning, which will now be part of the Department of Economic Opportunity (the "Department"). Unlike other development projects, which are usually reviewed primarily by the relevant local government, the development orders (DOs) for DRIs must be submitted to the regional planning council and the Department. The DO is the primary controlling document for the DRI.

The DRI process was implemented by the Florida Environmental Land and Water Management Act of 1972 and predates the state's current comprehensive planning process. Prior to the adoption of the comprehensive planning process, the DRI process was one of the state's primary growth management tools.² It was viewed as an interim measure "to give the state time to put in place a more comprehensive approach to growth management."³ In 1975, the Legislature enacted the Local Government Comprehensive Planning Act, requiring all local governments to adopt a comprehensive plan to address land use and related issues.⁴ In 1985, the Legislature enacted major amendments to those statutes requiring that all local comprehensive plans be consistent with state goals, objectives, and policies; that each local plan provide that adequate public facilities and services be available to

¹ Section 380.06, F.S.

² See Joseph Van Rooy, *The Development of Regional Impact in Florida's Growth Management Scheme: The Changing Role in Regionalism*, 19 J. LAND USE & ENVTL. L. 255, 282 (2004).

³ Thomas G. Pelham, *A Historical Perspective for Evaluating Florida's Evolving Growth Management Process*, in GROWTH MANAGEMENT IN FLORIDA: PLANNING FOR PARADISE, 8 (Timothy S. Chapin, Charles E. Connerly, and Harrison T. Higgins eds. 2005).

⁴ Chapter 75-257, Laws of Fla. (codified as amended at s. 163.3167, F.S.).

meet the demands created by new development; and that each local government adopt certain land development regulations to implement its plan.⁵

Comprehensive plans contain chapters or “elements” that address future land use, housing, transportation, sanitary sewer, solid waste, drainage, potable water, natural groundwater recharge, coastal management, conservation, recreation and open space, intergovernmental coordination, and capital improvements. During the 2011 session, the growth management laws were again significantly revised.⁶

Throughout the evolution of the Comprehensive Planning Act, the Development of Regional Impact process has stayed in place. However, the number of developments that would be covered by the DRI process has been reduced.⁷ Revisions to or elimination of the DRI process has been considered a number of times.⁸ The process has been criticized by the business community for the expense, delay, and duplication required by the process.⁹ In the past, it was supported by environmental interests and those concerned about the impacts of growth.¹⁰

The Environmental Land Management Study Committee (ELMS III) issued a 1992 Final Report entitled “Building Successful Communities,” which stated that “the time has come to begin shifting the burden of regulating large land developments in most jurisdictions from the DRI program to the local planning-based processes which Florida has been implementing since 1975.” One of the valuable aspects of the DRI program has been that it considers extrajurisdictional impacts, whereas the comprehensive planning process focuses on planning within a single jurisdiction. As a result, the 1993 Legislature took steps toward removing the DRI process and replacing it with an enhanced intergovernmental coordination element.¹¹ However, the implementation of the enhanced intergovernmental coordination element proved problematic.¹² The provision was repealed and the DRI process was kept in place. Even the development community, who bore the burdens of the DRI process, preferred the DRI process to the new intergovernmental coordination element requirements. Although concerns about the DRI process remained, the participants at least understood the process and felt that it provided a greater level of certainty for those developments that followed the process.¹³

Since the 1993 attempt to phase out the program, the DRI program has been scaled back and alternative large-scale development programs have been created.¹⁴ More exemptions also have been created. The thresholds governing which projects are determined to be DRIs have been increased allowing more developments to avoid the process. Additionally, in practice, some projects have avoided the DRI process by dividing up a large project into smaller projects that do not trigger DRI review. This occurs despite the aggregation rule which states that two or more developments, represented by their owners or developers to be separate developments, shall be aggregated and treated as a single development when they are determined to be part of a unified plan of development and are physically proximate to one other. Section 380.0651, F.S., and rule 9J-2.0275, F.A.C., specify how this rule is to be applied.

⁵ Chapter 85-55, Laws of Fla. (codified at s. 163.3177, F.S.).

⁶ 2011-139, Laws of Fla.

⁷ See, e.g., 2002-296, Laws of Fla.; 2011-139, Laws of Fla.

⁸ FINAL REPORT OF THE ENVIRONMENTAL LAND MANAGEMENT STUDY COMMITTEE, STATE OF FLORIDA, 37 (1984) [hereinafter ELMS II Report]; FINAL REPORT OF THE ENVIRONMENTAL LAND MANAGEMENT STUDY COMMITTEE, STATE OF FLORIDA, (1982) [hereinafter ELMS III Report] A LIVEABLE FLORIDA FOR TODAY AND TOMORROW, FLORIDA'S GROWTH MANAGEMENT STUDY COMMISSION FINAL REPORT, STATE OF FLORIDA, 13 (2001).

⁹ See ELMS II at 37; Tim Chapin, Harrison Higgins, and Evan Rosenberg, COMPARISON OF FLORIDA'S APPROACHES TO LARGE-SCALE PLANNING: DRI, RLSA, OSP, AWDRI, SAP, Prepared for the Florida Department of Community Affairs, 1 (Aug. 2007) available at <http://www.fsu.edu/~fpdl/Projects/RLSA%20Program%20Comparison.pdf> (last visited Aug 15, 2011).

¹⁰ See ELMS II at 37; ELMS III at 77.

¹¹ Chapter 93-206, Laws of Fla.

¹² Van Rooy, *supra* note 2 at 255, 288; David L. Powell, *Growth Management: Florida's Past as Prologue for the Future*, 28 FLA. ST. U. L. REV. 519, 528 (2001).

¹³ *Id.* at 255.

¹⁴ Chapin, et al., *supra* note 8.

DRI Thresholds and Exemptions

The Florida Statutes¹⁵ and rules promulgated by the Administration Commission¹⁶ set thresholds and standards for what types of developments will be considered DRIs. These rules set out the following developments as DRIs:

- Attractions and recreation facilities (except certain additions to sports facilities);¹⁷
 - single performance facilities that
 - provide parking spaces for more than 2,500 cars, or
 - provide more than 10,000 permanent seats for spectators;
 - serial performance facilities that
 - provide parking spaces for more than 1,000 cars, or
 - provide more than 4,000 permanent seats for spectators;
- Office parks that¹⁸
 - encompass more than 300,000 square feet of gross floor area, or
 - encompass more than 600,000 square feet of gross floor area in counties with a population greater than 500,000 and only in geographic areas specifically designated as highly suitable for increased threshold intensity in the approved local comprehensive plan and in the comprehensive regional policy plan;
- Residential developments;¹⁹
 - in counties with a population of less than 25,000 -- 250 dwelling units,
 - in counties with a population between 25,000 and 50,000 -- 500 dwelling units,
 - in counties with a population between 50,001 and 100,000 -- 750 dwelling units,
 - in counties with a population between 100,001 and 250,000 -- 1,000 dwelling units,
 - in counties with a population between 250,001 and 500,000 -- 2,000 dwelling units,
 - in counties with a population in excess of 500,000 -- 3,000 dwelling units;
- Schools;²⁰
 - any post-secondary educational campus (but not state universities) which provides for a design population of more than 3,000 full-time equivalent students, or
 - the proposed physical expansion of any post-secondary educational campus having such a design population, by at least twenty percent of the design population;
- A retail, service, or wholesale business establishment that²¹
 - encompasses more than 400,000 sq. ft. of gross area,
 - occupies more than forty acres of land, or
 - provides parking spaces for more than 2,500 cars;
- Recreational vehicle development planned to accommodate 500 or more spaces;²²
- Multi-use development with two or more land uses under common ownership, development plan, advertising or management where the sum of the percentages of the appropriate thresholds for each land use in the development is equal to or greater than 145 percent. Multi-use development with three or more land uses under common ownership, development plan, advertising or management where the sum of the percentages of the appropriate thresholds for each land use in the development is equal to or greater than 160 percent.²³

Variations from these thresholds exist for areas such as the Wekiva protection area and certain urban areas.²⁴ Local governments can petition to increase or decrease the thresholds within their jurisdiction.²⁵

¹⁵ Section 380.0651, F.S.

¹⁶ Rule 28-24, F.A.C.

¹⁷ Rules 28-24.002, 28-24.016, F.A.C.; s. 380.06(24)(c)(d)(e)(f)(g), F.S.

¹⁸ Rules 28-24.007, 28.020, F.A.C.

¹⁹ Rules 28-24.010, 28-24.023, F.A.C.

²⁰ Rule 28-24.011, F.A.C.

²¹ Rules 28-24.012, 28-24.025, 28-24.031, F.A.C.

²² Rule 28-24.027, F.A.C.

²³ Section 380.0651, F.S.

²⁴ Rule 28-24.014, F.A.C.

²⁵ Section 380.06(3), F.S.

The following uses have been considered DRIs in the past, but are now exempt: airports, power plants and transmission lines, industrial, hotel/motel, mining, petroleum storage facilities, port facilities, marinas, and hospitals.²⁶ A number of these uses are already governed by separate regulatory processes and were removed from the list in order to avoid duplication. Certain job creation projects are exempt from the DRI process.²⁷ Any renovation or redevelopment within the same land parcel which does not change land use or increase density or intensity of use is exempt from DRI review.²⁸ Military installations, self-storage warehousing, nursing homes, assisted living facilities, developments within an airport or a campus master plan, and area within a research and education authority are all specifically exempt from the DRI process. Partial statutory exemptions also exist for certain types of development.²⁹ These exemptions exempt the development from all but the transportation portion of the review process. Transportation is generally considered one of the most significant impacts of a DRI, and the extrajurisdictional traffic impacts may not be considered in the comprehensive planning process.

Rural land stewardship areas and development within sector planning areas are exempt as these processes are designed to be alternatives to the DRI process. All development is exempt from the DRI process in “dense urban land areas.” Local governments that meet the statutory density criteria for this exemption include 8 counties (the exemption applies only within their urban service area) and 242 cities. This exemption removes the DRI process from Florida’s urban areas, leaving it in place in the rural areas. It is generally thought that many of Florida’s more sophisticated local governments can handle DRI-sized projects without needing DRI review; whereas smaller or more rural areas can benefit from the assistance of the RPC in ensuring that the large-scale development complies with applicable requirements and mitigates anticipated adverse impacts.

The DRI Process

The DRI process sets up an in-depth, comprehensive process for evaluating certain large developments. The RPC plays the most significant role, guiding the process, “acting in the statutorily provided role of coordinator and information clearinghouse.”³⁰ The following chart illustrates the steps in the DRI process:

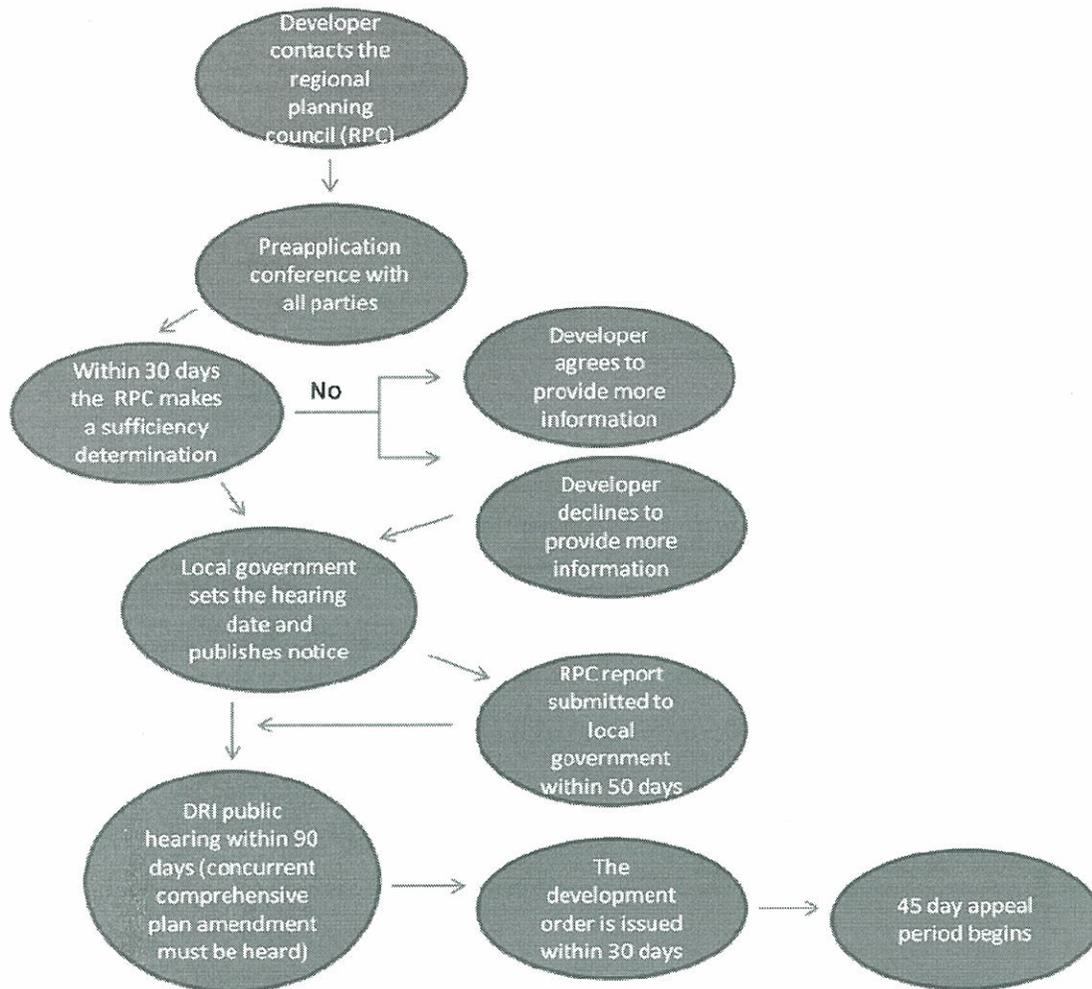
²⁶ Section 380.06(24), F.S.

²⁷ Section 380.06(2)(d)1.c., F.S.

²⁸ Section 280.06, (24)(j), F.S.

²⁹ Section 380.06(28), F.S.

³⁰ Chapin, et al., *supra* note 8.



Regional Planning Council (RPC) Preapplication Process and Review

The regional planning councils (RPCs) are charged with multi-agency review of proposed DRIs. The role of the RPCs is to provide a broad-based regional perspective and to enhance the ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries.³¹ At least two-thirds of the voting membership of an RPC is made up of elected officials of local general-purpose governments.³² Florida has 11 RPCs. Just as Florida is a state with very different regions, so are the RPCs different from one another. Their level of review of proposed DRIs may be more or less detailed and/or the amount of mitigation the RPC recommends may vary depending on the membership of the RPC and the specific region’s strategic policy plan. The RPCs can charge for the cost of the review, but their fees are capped at \$75,000.³³ The income generally is less than 5% of their budget.³⁴

Before filing an application for development approval, the developer holds a preapplication conference with the RPC that has jurisdiction over the proposed development.³⁵ Upon the request of the developer or the RPC, other affected state and regional agencies may participate in this conference. The conference is designed to identify

³¹ Section 186.502, F.S.

³² Section 186.504, F.S.

³³ Section 380.06(23)(d), F.S.

³⁴ The following estimated percent budget revenue from developments of regional impact fees from the RPCs for Fiscal Year 2010-11 by regional planning council: Apalachee 1.5%; Central 5.1%; East Central 4.9%; Northeast 2.2%; North Central 2.4%; South 1.6%; Southwest 4.7%; Tampa Bay 2.9%; Treasure Coast 3.4%; West 0.2%; and Withlacoochee 4.6%.

³⁵ Section 380.06(7), F.S.; r. 9J-2.021, F.A.C.

issues, coordinate appropriate state and local agency requirements, and otherwise promote a proper and efficient review of the proposed development.³⁶ By bringing together the relevant government entities, the RPC facilitates coordination and helps ensure consistency in assessing the DRI's regulatory and mitigation requirements. The RPC also acts like a planning consultant, assisting the developer at the early stages in understanding and planning for the appropriate regional impacts, which ultimately is designed to result in project designs that are improved relative to the initial submitted proposal. This technical and planning support can be particularly valuable to small and/or rural communities that do not have their own planning staff. The end product of the preapplication conference should set out known outcomes for impact mitigation, which often makes those projects more likely to receive approval by the local government.

The RPC reviews the application for development approval for sufficiency, and may request additional information if the application is deemed insufficient. At each level of sufficiency review (the RPC may require a maximum of 2), the RPC has 30 days to review and provide the developer with comments. The local government then holds a public hearing.

Within 50 days after receipt of the notice of public hearing the RPC prepares and submits to the local government a report and recommendations on the regional impact of the proposed development. Generally the RPC is required to examine whether:

- The development will have a favorable or unfavorable impact on state or regional resources or facilities identified in the applicable state or regional plans.
- The development will significantly impact adjacent jurisdictions.
- The development will favorably or adversely affect the ability of people to find adequate housing reasonably accessible to their places of employment.³⁷

Ultimately, however, the RPC's recommendation is purely advisory. The local government retains the ability to accept or refuse the RPC's recommendations.

The Development Agreement

At the public hearing any amendments necessary to allow compliance of the proposed project with the local comprehensive plan must be considered. Within 30 days of the public hearing, the local government must issue a DO that is consistent with the findings and results of the public hearing. The local government issuing the DO is primarily responsible for monitoring the development and enforcing the provisions of the development order. Local governments may not issue any permits or approvals or provide any extensions of services if the developer fails to act in substantial compliance with the DO.³⁸ Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency, is a substantial deviation and the proposed change is subject to further development-of-regional-impact review.³⁹ DRI projects may be abandoned, but the abandonment process must be in accordance with specified statutory criteria to ensure that the impacts of the abandonment are mitigated.⁴⁰

The DO must at a minimum contain:

- The monitoring procedures and the local official responsible for assuring compliance by the developer with the development order;
- Compliance dates for the development order, including a deadline for commencing physical development and for compliance with conditions of approval or phasing requirements, and shall include a buildout date that reasonably reflects the time anticipated to complete the development;
- A date until which the local government agrees that the approved development of regional impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the local government

³⁶ Section 380.06(7), F.S.

³⁷ Section 380.06(12), F.S.

³⁸ Section 380.06(17), F.S.

³⁹ Section 380.06(19), F.S.

⁴⁰ Section 380.06(26), F.S.

can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred or the development order was based on substantially inaccurate information provided by the developer or that the change is clearly established by local government to be essential to the public health, safety, or welfare;

- The requirements for a biennial report, which must be sent to the local government, the RPC, the Department, and all affected permit agencies;
- Types of changes to the development which shall require submission for a substantial deviation determination or a notice of proposed change; and
- A legal description of the property.

The Department reviews DRIs for compliance with state law and to identify the regional and state impacts of large-scale developments and makes recommendations to local governments for approving, suggesting mitigation conditions, or not approving proposed developments. Additionally, the Department has procedural and substantive rules governing the DRI process. In addition to requiring the DO to be consistent with the state, regional, and local plans, the set of uniform rules provides procedures for considering:

- The conservation of listed plant and wildlife resources;⁴¹
- The treatment of archaeological and historical resources;⁴²
- Hazardous material usage, potable water, wastewater, and solid waste;⁴³
- Transportation;⁴⁴
- Air quality;⁴⁵ and
- Adequate housing, including the affordable housing requirement.⁴⁶

A developer or the Department may appeal local government decisions to the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission. Aggrieved or adversely affected persons may challenge a development order for consistency with the comprehensive plan under s. 163.3215, F.S.

In response to the economic downturn, the Legislature has granted a series of extensions to existing DRI development orders.⁴⁷ Additionally, the maximum term of a development order was recently increased from 20 years to 30 years.⁴⁸

Vesting Rights

DRIs are large-scale, high-cost, long-term development projects that often occur in phases. Local governments have the right to change their land uses in their comprehensive plan and through zoning restrictions using their local legislative processes. However, for a developer to invest the type of capital it takes to fund the planning and development of a DRI, the developer needs to know that land use restrictions will not change in a way that would prohibit the full build-out of their planned development. Therefore, s. 163.3167(8), F.S., provides that, “Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.” This has been interpreted to mean that “[o]nce a DRI has been approved, the right to develop pursuant to the terms of the DRI vests. Vesting means development rights obtained through a previously approved DRI are not lost by subsequent changes in the law. It does not, and cannot, create entitlement to greater rights than those originally obtained.”⁴⁹ Section 380.06(20), F.S., provides for vesting of developments that received certain approvals prior to 1973 and developers that agree to convey property to the local government or the state as a prerequisite for a zoning change approval. If a developer is in

⁴¹ Rule 9J-2.041, F.A.C.

⁴² Rule 9J-2.043, F.A.C.

⁴³ Rule 9J-2.044, F.A.C.

⁴⁴ Rule 9J-2.045, F.A.C.

⁴⁵ Rule 9J-2.046, F.A.C.

⁴⁶ Rule 9J-2.048, F.A.C.

⁴⁷ Chapters 2009-96, s. 14; 2010-147, s. 46; 2011-139, ss. 54, 73 Laws of Fla.

⁴⁸ Chapter 2011-139, s. 24, Laws of Fla.

⁴⁹ *Bay Point Club, Inc. v. Bay County*, 890 So. 2d 256 (Fla. 1st DCA 2004) (citing s.163.3167(8), F.S.).

doubt about whether they vested under s. 380.06(20), F.S., the developer can request a binding letter of interpretation from the Department.

Alternative Large Scale Planning Mechanisms

Two alternatives to the DRI process, the sector planning process and the rural land stewardship program, were both significantly revised during the 2011 session.⁵⁰ Although there has been some use of the optional sector planning pilot program and the rural land stewardship program, the revisions to these programs are significant enough that we have yet to see whether these programs will be successful large-scale planning programs.

Sector Planning

Sector planning, authorized by s. 163.3245, F.S., is a process in which one or more local governments engage in long-term planning for large areas (at least 15,000 acres). The term includes “optional sector plans,” the label the program had prior to the 2011 revisions.⁵¹ The sector planning process encompasses two levels: adoption in the comprehensive plan of the long-term master plan, and subsequent adoption by local development order of two or more detailed specific area plans that implement the master plan. The long-term master plan may be based on a planning period longer than the generally applicable planning period of the local comprehensive plan. The master plan and the detailed specific area plan must address issues such as:

- allowed land uses and densities;
- water supplies needed including water resource development, water supply development, and water conservation;
- transportation;
- other regionally significant public facilities necessary to support future land uses;
- conservation plans and procedures; and
- intergovernmental coordination to address extrajurisdictional impacts from the future land uses.

At the request of a local government having jurisdiction, the RPC conducts a scoping meeting with affected local government and relevant state agencies prior to preparation of the sector plan. The RPC makes recommendations to the state land planning agency and affected local governments. The scoping meeting is noticed and open to the public.

A landowner, the developer, or the state land planning agency may appeal a local government development order implementing a detailed specific area plan to the Florida Land and Water Adjudicatory Commission.

Upon approval of the long-term master plan:

- the Metropolitan Planning Organization long-range transportation plan must be consistent with the long-term master plan;
- the water supply projects shall be incorporated into the regional water supply plan;
- a landowner may request a consumptive use permit for the long-term planning period; and
- development agreements within the master planning area may exceed the statutory cap of 30 years in s. 163.3229, F.S.

The detailed specific area plan establishes a buildout date until which the approved development is not subject to downzoning, unit density reduction, or intensity reduction, unless the local government can demonstrate that implementation of the plan is not continuing in good faith based on standards established by the plan policy, that substantial changes in the conditions underlying the approval of the detailed specific area plan have occurred, that the detailed specific area plan was based on substantially inaccurate information provided by the applicant, or that the change is clearly established to be essential to the public health, safety, or welfare. The applicant may also apply to create such a build-out date at the master plan stage by using the DRI master plan development order process.⁵²

⁵⁰ Chapter 2011-139, Laws of Fla.

⁵¹ Section 163.3164, F.S.

⁵² Section 163.3245, F.S. referencing s. 380.06(21), F.S.

Rural Land Stewardship

The rural land stewardship process provides that one or more landowners may request that the local government designate lands as a rural land stewardship area (RLSA). Local governments may adopt a future land use overlay for the RLSA. The overlay should set up a sending and receiving area. This is essentially a transfer of development rights program designed to preserve certain areas for agricultural or environmental purposes (sending areas) while promoting density in a core development area (the receiving area). A local government or one or more property owners may request assistance and participation in the development of a plan for the rural land stewardship area from the state land planning agency, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the regional planning council, private land owners, and stakeholders.

A rural land stewardship area must be at least 10,000 acres, must be located outside of municipalities and established urban service areas, and must be designated by a plan amendment by each local government with jurisdiction over the rural land stewardship area. Plan amendments are subject to review under the State Coordinated Review Process contained in s. 163.3184(4), F.S.

Findings and/or Conclusions

Benefits

Improved Large Scale Development

In practice, the DRI process creates better projects. Developers sit down at the outset and consider how their development will be reviewed in a comprehensive nature. By considering early in the development process the regional interests the development will impact, the developer can more efficiently craft a plan for development and the impacts of that development on regional infrastructure, natural resources, and affordable housing needs. Because these projects can have such a significant effect on the infrastructure, natural resources, and very character of a region for a long time to come, it is important for our state that they are properly planned and implemented. However, the value of the improvements created during the DRI process needs to be considered against the cost and delay it causes the developer. There is concern “that DRIs involve a great deal of oversight and micro-management of what have proven to be the best-capitalized and often most planning friendly developers and projects.”⁵³

Coordination

The RPCs help to coordinate governmental review. Often these large projects must deal with a number of state, regional, and local planning entities. By consolidating the recommendations of these government entities, the RPC can help prevent conflicting or overlapping recommendations from these government entities. For example, if a local government and a Department of Transportation district are recommending conflicting mitigation measures for impacted roadways, the RPC might work to make one coherent recommendation for transportation impacts. In this way, the RPC could be seen as a facilitator, working with the developer to help them incorporate the needs of the region into the plan of development. However, RPCs are different from one another and may recommend different levels of mitigation as a result.

Regional Perspective

The DRI process is “by far the most prevalent and successful of the state’s attempts to promote some form of regional planning.”⁵⁴ Comprehensive planning historically focuses on one jurisdiction at a time. In contrast, the role of the RPC in the DRI process includes consideration of the impact of the development on regional infrastructure and resources. This recommendation can result in extrajurisdictional impact mitigation, but there is

⁵³ Chapin, et al., *supra* note 8.

⁵⁴ Chapin, et al., *supra* note 8. See also Van Rooy, *supra* note 2.

no requirement that the local government issuing the development order actually require mitigation of impacts in adjacent jurisdictions.

However, local comprehensive plans do have an intergovernmental coordination element,⁵⁵ and local governments are authorized to enter into intergovernmental agreements on how to handle the impacts. The intergovernmental coordination element should demonstrate consideration of the particular effects of the local plan upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan. The element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas. Local governments must include mechanisms that address the impacts of development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region and the state. The element should also ensure coordination in establishing level of service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibility for such facilities.

The intergovernmental coordination element should provide for a dispute resolution process designed by the RPC. The statutory criteria requires the dispute resolution process to provide for: voluntary meetings among the disputing parties; if those meetings fail to resolve the dispute, initiation of mandatory mediation or a similar process; if that process fails, initiation of arbitration or administrative or judicial action, where appropriate.⁵⁶

Although the DRI process is viewed as one of the few regionalist growth management processes used in Florida today, local governments do have state direction to deal with extrajurisdictional impacts through the comprehensive planning process. Additionally, they have the tools to come to interlocal agreements on their own without necessarily involving the RPC. However, when the intergovernmental coordination element was strengthened in the past, it proved problematic and developers preferred the certainty associated with the well established DRI process over the uncertainty associated with the more complicated intergovernmental coordination element that Florida attempted to implement in 1993.

Technical and Planning Assistance

Small or rural local governments may not have the planning expertise to know how to handle a DRI-sized project. For those local governments, the role of the RPC's recommendation, made in coordination with other state and local entities, is particularly valuable. Moreover, the recent exemption for dense urban land areas means that the DRI process is really only left in place in these more rural areas. Absent the DRI process, the local government could still request that the RPC review a proposed project, but the statutory procedures and criteria would not necessarily be in place to provide the RPC with direction.

Vesting

With land use regulations subject to change, the vested rights that a developer receives upon receiving a DO help to protect the developer's investment. This is particularly valuable to both the local government and the developer when the DO is for a long time period. If the developer wants to proceed with a substantial part of its development 15 years after it builds the first portion, it knows that it has vested rights to that development too even if the land use regulations change. The local government, however, has the certainty of knowing that the vested rights are limited to the term and conditions laid out in the DO.

Detriments

Duplication

In contrast to when the DRI process was formulated, Florida now has a strong Comprehensive Planning Act. Even in the early stages of the comprehensive planning process, one commentator had this to say about the DRI process:

⁵⁵ Section 163.3177, F.S.

⁵⁶ Section 186.509, F.S.

Once a local government has adopted a comprehensive plan as required by Florida law, the focus of the regional planning agency report should shift from full scale impact analysis to a determination of the consistency of DRI with local, regional, and state comprehensive plans. Since the local comprehensive plan must accommodate, and be coordinated with, state and regional goals, the consistency requirement is a sounder method for promoting regional values than the current ad hoc impact analysis that lacks a firm planning base.⁵⁷

Oftentimes, the factors considered in the comprehensive planning process are the same as the factors considered in the DRI process. However, in the DRI process it is an impact assessment for a specific project not a planning process for a given area. Nevertheless, the impacts of the land use type and density would be considered during the DRI process.

[I]mpact analysis duplicates the work of comprehensive planning. A comprehensive plan considers a broad range of environmental, social, and economic values and makes the necessary trade-offs. Impact analysis, which assesses a specific project in relation to its surroundings, entails consideration of the same factors as a comprehensive plan. But the difference . . . is that under impact analysis, in contrast to comprehensive planning, each individual project must be studied anew.⁵⁸

However, since those comments were made, the role of the RPC was changed to require them to focus on technical assistance. The data and analysis developed as part of the DRI process can be used to support the comprehensive plan amendment that usually accompanies the DRI. Additionally, compliance with the process can help the developer receive ultimate approval from the local government.

Cost and Delay

With the economic downturn, there are significantly fewer DRIs now than just a few years ago. The Department had 41 applications in 2006 and just 4 in 2010. The process often takes over 9 months to complete and in some cases it can take years to get a project through the process. Studies and mitigation expenditures can be costly. "The involvement of all affected local governments, a regional planning council (RPC), and several state agencies often results in significant concessions from the developer before a project receives final approval."⁵⁹

Thresholds

Some would question whether the DRI thresholds are based on sound evidence or whether they are simply created politically. Moreover, developments can get around the process by creating multiple smaller projects. Some would argue that it would be best to allow the developers to build larger, integrated projects rather than having them subdivide the projects to avoid a regulatory process.

Options and/or Recommendations

An argument can be made that the DRI process has outlived its time. The comprehensive planning process is now a more firm planning foundation, and affected or aggrieved parties would still be able to challenge development orders for consistency with the comprehensive plan even if the DRI process went away. Slightly smaller developments that have an equal amount or greater amount of impacts can avoid DRI review. This can put developers at a disadvantage when they want to undertake a larger, comprehensively-planned development.

However, many people agree that the DRI program helps to improve large-scale developments. The quality of these large developments could affect the State of Florida for many decades to come. Infrastructure and natural resource problems that exist at the beginning of a new project are much more difficult and costly to change at a later date. Many types of DRIs, such as mining and waterports, which were doubly regulated by significant

⁵⁷ Thomas G. Pelham, *Regulating Developments of Regional Impact: Florida and the Model Code*, 29 U. FLA. L. REV. 789, 851-52 (1977).

⁵⁸ *Id.*

⁵⁹ Chapin, et al., *supra* note 8.

environmental permit requirements, have been exempted from the DRI process. Additionally, the program only remains in those communities that do not qualify as dense urban land areas. As a result, the DRI program continues only in Florida's rural areas, the areas that need the technical assistance the most. Although elimination of the DRI process would be feasible, it has been pared back and still adds value. Therefore, professional staff recommends retaining the process at this time.

HAND OUT E

Mixed-use draws strong following in Cocoa Beach

COCOA BEACH — Reacting to shuttered storefronts and abandoned buildings, city voters hope that adding apartments or condos will economically rejuvenate their flagging downtown.

By a margin of 61 percent to 39 percent (1,774 votes to 1,133 votes), residents approved future mixed-use development — blending residential units with today’s commercial properties — across 24 square blocks in the downtown area.

“Looking out 20 or 30 years, it certainly opens up the doors to transforming our community. It sends a message,” said Commissioner Dave Netterstrom, chairman of the Yes To Mixed Use political committee.

“Nothing magic is going to happen overnight. This is a nonbinding resolution. We’ve got the input from the voters. It should free up all five of the commissioners to change the charter to allow mixed-use in the downtown redevelopment area,” Netterstrom said.

According to Cocoa Beach’s current charter, a 5-0 City Commission vote is required to approve downtown mixed-use development.

Tuesday’s referendum went to the voters after Commissioner Skip Williams declined to support mixed-use this summer.

After the votes were counted, Williams said he will vote to approve mixed-use developments that meet Cocoa Beach’s planning guidelines.

“I think the voter turnout blew away the expectations. Looks like we got 33 or 35 percent,” Williams said. “So it was an important enough issue to put on the ballot for the people.”

Ben Malik voted for mixed-use development because he believes it will transform Cocoa Beach.

“The thing has become all about the developers and the Realtors,” he said. But in reality, this is about the small-business owners. Their kids go to school here, and they live here and they’re part of our community,” he said. “These are tough times.”

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About one-third of downtown Cocoa Beach is vacant property or parking lots, according to the city's downtown vision plan.

Tuesday's vote does not affect Cocoa Beach's existing 45-foot building-height limits, nor does it change the maximum-allowed population density of 10 units per acre.

Ron and Cheryl Lindsey co-founded the Vote No Mixed Use political committee, fearing the measure might trigger construction of "a concrete jungle" of tall buildings.

Cheryl Lindsey chatted with a variety of mixed-use supporters and opponents Tuesday at the Cocoa Beach Recreation Center polling site. She said many residents prefer a compromise: Mixed-use development with a two-story height limit.

After Tuesday's results were tallied, Ron Lindsey vowed to pursue that avenue.

"We might try to take another little run at this with some type of petition for the council. That was a common thread between the 'yes' and the 'no,'" he said of a two-story cap. "So that'll be the plan — we'll still try to affect the overall height of it."



Purchase Image Zoom
Voters head to polls at Cocoa Beach Community Church, United Church of Christ, where precinct 22 was located. / Tim Shortt/FLORIDA TODAY

Estimated turnout: 16 percent

An estimated 16 percent of those eligible cast votes Tuesday. That's as much as 4 percentage points more than initially anticipated.

"It's better than I expected and better than two years ago in the 2009 municipal elections," said Supervisor of Elections Lori Scott. The turnout then was 12 percent. Scott said poll workers reported noticeably heavy turnout Tuesday in Barefoot Bay and Satellite Beach.

— Don Walker, FLORIDA TODAY

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