

# East Central Florida Regional Planning Council

## Council Meeting Minutes

June 20, 2007

Chairman Jon Rawlson Presiding

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### IN ATTENDANCE:

#### **County Representatives**

Commissioner Chuck Nelson, Brevard County  
Commissioner Welton Cadwell, Lake County  
Commissioner Fred Brummer, Orange County  
Property Appraiser Atlee Mercer, Osceola County  
Commissioner Brenda Carey, Seminole County  
Commissioner Robert Dallari, Seminole County  
Councilwoman Joie Alexander, Volusia County  
Councilman Art Giles, Volusia County

#### **Municipal Representatives**

Mayor Rocky Randels, Space Coast League of Cities  
Mayor John Land, Tri-County League of Cities  
Commissioner Cheryl Grieb, City of Kissimmee  
Mayor Tom Walters, City of Oviedo  
Vice Mayor Mary Martin, Volusia County  
League of Cities

#### **Gubernatorial Appointees**

Mr. Malcolm McLouth, Brevard County  
Commissioner Evelyn Smith, Lake County  
Mr. Jon Rawlson, Orange County  
Ms. Maria Grulich, Osceola County

#### **Ex-Officio and Other Municipal Representatives**

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

#### **Other Attendees**

Gerald Livingston, ECFRPC Counsel  
Ms. Liz Alward, Brevard County  
Mr. Dave Dingley, Brevard County  
Ms. Althea Jefferson, Orange County Planning

#### **Members not in Attendance**

Commissioner Mary Bolin, Brevard County  
Commissioner Elaine Renick, Lake County  
Commissioner Teresa Jacobs, Orange County  
Commissioner Bill Lane, Osceola County  
Commissioner Patty Sheehan, City of Orlando  
Ms. Sue Carlson, Brevard County  
Ms. Aileen Cubillos, Seminole County  
Ms. Maryam Ghyabi, Volusia County  
Mr. Thomas Genovese, SFWMD  
Ms. Lennon Moore, OOCEA

#### **ECFRPC Staff**

Mr. Phil Laurien  
Ms. Lelia Hars  
Mr. Fred Milch  
Ms. Laura Murray  
Ms. Ruth Little  
Ms. Kimberly Loewen  
Mr. Andrew Landis  
Ms. Tara McCue  
Mr. Keith Smith  
Ms. April Raulerson

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

Chairman Jon Rawlson called the meeting to order at 10:15 a.m. Ms. Ruth Little called the roll and announced that a quorum was present.

**II. Prior Minutes**

Minutes from the May 2007 meeting and revised minutes from the March 2007 meeting were presented for approval by Vice Mayor Martin. Mr. McLouth made a motion to approve the May 2007 minutes, which was seconded by Commissioner Cadwell. The motion to approve the May 2007 minutes passed unanimously. Councilwoman Alexander moved that the March 2007 minutes be approved as amended. The motion was seconded by Councilman Giles and the motion to approve the March 2007 minutes passed unanimously.

**III. Financial Reports**

Mr. McLouth reviewed the May 2007 financial report, pointing out that expenditures are well under budget at 54% compared with 66% of the fiscal year lapsed. Mayor Land moved for approval of the financial report. The motion was seconded by Mr. Mercer and the motion to approve the May 2007 financial report passed unanimously.

**IV. Chairman's Report – Chairman Jon Rawlson**

Chairman Rawlson welcomed Tom Walters, Mayor of Oviedo, as a new council member representing the Tri County League of Cities.

Chairman Rawlson reminded all council members that the annual conference for the National Association of Regional Councils (NARC) is being held this Saturday through Tuesday in Orlando at the Shingle Creek Resort. The ECFRPC along with MetroPlan Orlando are co-hosting the event. The financial commitment has been covered through sponsorships from consultants and others interested in exhibition booths, leaving only a gold level sponsorship obligation for the RPC of \$6,000.

Next, Mr. Rawlson unveiled the new logo for the ECFRPC. Mr. Laurien explained that the staff came up with the basic concept and used a graphic designer, Ryan Lane, to bring the idea to life, at a total cost of only \$1,755. Mr. Laurien felt it was important to establish a brand for the council in its 45<sup>th</sup> anniversary year. Vice Mayor Martin moved for approval of the logo as the official seal of the East Central Florida Regional Planning Council. Mayor Land seconded the motion and the seal was officially adopted.

Mr. Rawlson next addressed the topic of publishing a request for proposal for a retirement plan provider for the Council because of dissatisfaction with the existing provider. Mr. Livingston said that he had requested information from the current provider, which he received before the meeting today. Mr. Livingston offered to report on that information at the next meeting and that an RFP may or may not be necessary. Mr. Laurien raised the possibility of an audit of the current pension and benefits, and Mr. Mercer noted that a financial evaluation of the fund is very different from an audit. After discussion, it was agreed that an evaluation would provide the information necessary to make a decision about changing retirement management firms or staying with the current provider.

Gallagher Benefits Services (Michael Blake's) firm was mentioned as a possible contact for performing the evaluation. Mr. Cadwell expressed concern about the work being given to a former member of the Council and whether it would preclude Mr. Blake's firm from bidding on the RFP. After discussion, Mr. McLouth's original motion to authorize an audit was amended to authorize the Executive Committee to obtain a financial analysis of the investment performance and fees of the current retirement plan provider and compare it with other choices including the state retirement plan. Mayor Land seconded the motion and the motion passed unanimously.

**V. Palm Bay Comprehensive Plan Amendments – Andrew Landis**

Mr. Landis reviewed the highlights of the Comprehensive Plan Amendments submitted by the City of Palm Bay. Neighbors and environmental groups have filed formal objections with the State Department of Community Affairs (DCA). The two areas in question are 6,765 acres with extensive wetland and wildlife habitat which border the Deer Run neighborhood, and 4 parcels totaling 1,490 acres along Micco Road. Both are proposed for a new land use category, "Mixed Use" which is not well defined in the Amendment. Some of the parcels have also been designated for future purchase by the Florida Forever Program. Mr. Landis stated that there is insufficient data and analysis provided in the amendment package, and that no clear need has been demonstrated for the proposed changes. Additionally, environmental and wildlife studies have not been done, and school capacity, transportation and traffic issues need to be addressed.

Mr. Laurien explained that the issue is being brought before the council for many reasons, including the confirmation that all the parcels are in the 100 year flood plain. He believes it is appropriate for the RPC staff to formally make objections and seek council approval on this kind of action. Comment deadline was May 31, but additional comments can be forwarded at any time. Several council members noted that their county or municipality had made comments to DCA. Mr. Landis said that final approval has not yet been granted, but that the Land Development Board has already approved the plan.

Mr. Mercer expressed his support for staff recommendations and objections to approval. He pointed out that the amendment is counter to the How Shall We Grow process. Vice Mayor Martin agreed and listed the flood plain, transportation, and environment as problems with the plan. Commissioner Nelson cautioned that approval of the land use changes would be devastating to this property being acquired into the Florida Forever Program. Commissioner Brummer suggested a resolution to the Florida Forever Program to increase the priority of this piece of property. Mr. McLouth reminded the council that our role is recommendations; our actions do not have force of law. He feels in this case that if we didn't take an action and give our recommendation in a strong way we would be absent in our duty.

Mr. Mercer moved that the Regional Planning Council make a resolution in support of the recommendations of staff in opposing the Comprehensive Plan Amendments sought by Palm Bay and further state that this is a movement away from the efforts of the ECFRPC's regional visioning efforts. The motion was seconded by Vice Mayor Mary Martin and unanimously passed.

It was also agreed that, without knowing the status and location of other parcels on their list, the council members were reluctant to make a formal request that Florida Forever move these parcels up in priority. Mr. Brummer moved that a copy of The ECFRPC's Resolution opposing Palm Bay's plans be sent to Florida Forever, informing them of the immediate threat and asking for due consideration in the hope that it may also be useful in their efforts to get more funding. Commissioner Nelson seconded the motion, and it was unanimously passed.

## **VI. Staff Reports**

*Proposed Housing Bill – Kimberly Loewen.* Ms. Loewen reviewed the pending housing legislation HB1375, which will be either signed or rejected today by the Governor. One change of concern is a clause that will allow exemption from transportation concurrency requirements if 50% of affordable housing units are employed at an identified employment center. A discussion followed on this and unintended outcomes to this incentive. Ms. Loewen also briefly covered changes to EAR requirements, ad valorem taxes changes, new exemptions to DRI substantial deviations, the duties and authority of the Florida Housing Finance Corporation, and changes to the Community Workforce Housing Innovation pilot program.

*Proposed Legislative Bills – Fred Milch.* Mr. Milch presented an overview of the proposed HB7203, Growth Management Bill, selecting those items which are pertinent to the role of the Regional Planning Council. Changes to the bill include allowing CDD's to cross county lines, changes to classroom concurrency requirements, and a change in the maximum duration of a DRI from 10 years to 20 years. House Bill 985 includes proportionate share mitigation changes. Mr. Milch also reviewed House Bill 7123, the Emergency Conservation and Sustainable Buildings Act, which includes programs for solar, greenhouse and biofuel retail sales incentives.

*FPL Five-Year Plan for Substations – Kimberly Loewen.* Ms. Loewen made a brief informational presentation on Florida Power and Light's five year plan which is updated and submitted annually. The plans are very preliminary and are revised depending upon population growth.

*Green Building for DRI's – Fred Milch.* Mr. Milch shared the ECFRPC's current and suggested recommendations for Green Building requirements and dark sky provisions. Right now we have very minimal residential construction standards. Mr. Milch recommends a requirement for meeting Energy Star standards and Water Star standards. Research suggests that in new housing, Water Star standards can save 21 percent on water usages for a \$400-\$800 investment. For a \$4,000 investment in dark sky technology, the end user can save money on electricity and the region can enjoy dark skies. Our own regional strategic regional policy plan calls for energy efficient construction. Both FHA and conventional lenders recognize savings and will loan more money on a green building.

Projects in process include the Burnham Institute, which will be building Green in Lake Nona. The Viera DRI has tentatively agreed to building Green. Wildwood Springs DRI in Sumter County includes a LEEDS construction commitment. A Disney office building is designed to meet LEEDS platinum standards – it will be the first in Florida and one of only five in the world. Research also shows that buyers are willing to pay a premium between 11% and 25% for an environmentally friendly home.

The staff has been working hard, asking for direction, and would like to see this recommendation in our future DRI's. The Water Star, Energy Star, and Dark Skies provisions are widely acceptable and will add some construction costs, but have big payback to the end user. There are also implications for competing with other states on an economic development level. Commissioner Cadwell made a motion to authorize staff to move forward in their efforts. The motion was seconded by Vice Mayor Martin and passed unanimously.

**VII. Executive Director's Report** – Executive Director Phil Laurien

In this month's *myregion.org* update, Mr. Laurien informed the council of a request he has received from Seminole County. The Council of mayors and managers has asked for assistance in implementing the core issues of the How Shall We Grow findings into their planning. Mr. Laurien sees this as the next step in the process. Seeking council approval to move forward with his ideas, Mr. Laurien explained his perspective on offering consulting services to the 93 jurisdictions that make up the East Central Florida region. He emphasized the momentum created by the *myregion* process, and feels that providing needed services to member communities should be a role of the RPC. He discussed finding the balance between performing work for member cities and counties without taking work away from private consultants. A discussion followed about the importance of carefully selecting the right kinds of projects. There was some concern about taking work from private consultants and balancing the statutory roles of the RPC with the possible consulting work. With the understanding that the work performed by the council would be in the arena of regional visioning implementation, Mayor Land made a motion for council approval in offering consulting work to member municipalities and counties. The motion was seconded by Commissioner Dallari and unanimously passed.

Next Mr. Laurien discussed the green print decision process that is underway with the How Shall We Grow project, which involves getting all 7 counties to agree which green print (Conservation GIS Layers) will be used.

The question of office space was addressed next. Mr. Laurien stated that this building will probably not be here in 2012, it is owned by FDOT, which intends to raze it to widen the I-4 interchange, so a move is in our future. With current lease costs at about \$120k per year, Mr. Laurien would like to consider purchasing a building. Mr. Cadwell commented that with current market conditions, this might be a good time to buy. Current square footage is about 6,000 sq. ft., but if there is a conference room nearby that could be rented once or twice a month, a smaller building would suit needs. Options about square footage, conference room availability and convenience, and the possibility of purchasing a larger

space and being a landlord were all discussed. Vice Mayor Martin asked that the staff look into options and submit a recommendation, noting that the Maitland area is very central in the region.

There were also several comments that the chairs in the council meeting room should be replaced. FDEP representative Vivian Garfein asked that we buy new conference room chairs. Council concurred.

**VIII. Announcements / Comments**

Chairman Rawlson opened an opportunity for Council members and members of the public to bring up events, issues or other items of interest, asking particularly about July 4 celebrations.

**IX. Adjournment**

There being no further business before the Council, Chairman Rawlson adjourned the meeting at 12:20 p.m.

PENDING APPROVAL