EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

COUNCIL MEETING MINUTES
November 17, 2010
Chair Commissioner Cheryl L. Grieb Presiding

In Attendance:
County Representatives:
Commissioner Chuck Nelson, Brevard County
Commissioner Fred Brummer, Orange County
Councilman Andy Kelly, Volusia County
Councilwoman Pat Northey, Volusia County

Municipal Representatives:
Mayor Rocky Randels, Space Coast League of Cities
Commissioner Patty Sheehan, City of Orlando
Commissioner Cheryl Grieb, City of Kissimmee
Mayor John Land, City of Apopka
Commissioner Leigh Matusick, Volusia County

Gubernatorial Appointees:
Mr. Al Glover, Brevard County
Mayor Melissa DeMarco, Lake County
Ms. Christina Dixon, Orange County
Mr. Dan O'Keefe, Orange County
Ms. Melanie Chase, Seminole County
Mr. John Lesman, Seminole County
Mr. William McDermott, Economic Development

Ex-Officio Members:
Ms. Nancy Christman, St. Johns River Water Management District
Ms. Vivian Garfein, Florida Department of Environmental Protection
Mr. John Moore for Susan Sadighi, Florida Department of Transportation

Other Attendees:
Mr. Chris Testerman, Orange County
Ms. Judy Pizzo, FDOT
Ms. Liz Alward, Brevard County
Mr. Rick Geller, Orange County, District 1, Planning and Zoning
Mr. Carson Good

Members not in Attendance:
Commissioner Mary Bolin, Brevard County
Commissioner Welton Cadwell, Lake County
Commissioner Scott Boyd, Orange County
Commissioner Brandon Arrington, Osceola County
Commissioner Kenneth Smith, Osceola County
Commissioner Michael McLean, Seminole County
Commissioner Brenda Carey, Seminole County
Commissioner Joanne Krebs, Winter Springs
Mr. Atlee Mercer, Osceola County
Mr. Lonnie Groot, Volusia County
Ms. Cecelia Weaver, South Florida Water Management District

Mr. Russell Gibson, City of Sanford

ECFRPC Staff in attendance:
Executive Director Philip Laurien
Attorney Jerry Livingston
Mr. George Kinney
Mr. Fred Milch
Ms. Lelia Hars
Mr. Chris Chagdes
Mr. Keith Smith
Ms. April Raulerson
Mr. Andrew Landis
Ms. Tara McCue
Ms. Elizabeth Rothbeind
Mr. Matt Boerger

I. Call to Order and General Business

Commissioner Cheryl Grieb called the meeting to order at 10:00 a.m., and asked if there were any new appointments. Commissioner Leigh Matusick from Volusia County was introduced and welcomed to the Council. Ms. Carole Clark called the roll and announced a quorum was present.

II. Consent Agenda

Commissioner Grieb asked for a motion to approve the October 2010 Meeting Minutes, the October 2010 Financial Report, and the final draft of the Metro Plan ICAR 5 year Renewable Cooperation Agreement. The motion was made by Mayor John Land and seconded by Mr. William McDermott.

All were in favor.

III. Budget Amendment Package #1 2010

Ms. Lelia Hars presented the Budget Amendment Package for FY2010 which ended September 30, 2010. The amendment noted an increase of $64,374 in actual contract income over the budgeted contracts; shifted the expenditure amount for the line items to reflect actual expenses for the year; showed which line items were increased or decreased by category, and showed the September 2010 Fiscal Budget vs. Actual Expenses monthly financial report updates with the changes in budget amendment #1. Ms. Hars also pointed out that reserves of only $243,647 were needed this year rather than the projected $307,921.

Chairwoman Grieb brought up the topic of bonuses for eligible RPC staff. This discussion was started during budget planning several months ago but was deferred by Council until final numbers for FY 2010 were completed.

Director Phil Laurien mentioned that the RPC staff has not received salary increases in three years; and that this year they have shown a high degree of commitment by bringing in new contracts and putting in significant overtime working on the HUD grant application and the Emergency Preparedness project. His recommendation was to approve a $2,000 bonus for each of 13 eligible full-time employees. He noted that proposed health care savings would save the Council $24,000/year, which could be used towards the bonuses.

In the discussion that followed, the Council offered opposing views of the recommendation. While everyone acknowledged a job well done by the RPC staff, many voiced concerns about granting a bonus at this time. Many regions represented by the Council have experienced little or no increase in salary over the last few years and some have experienced decreased pay and benefits as well as eliminated positions. It was also mentioned that it would be irresponsible to give bonuses when almost

$250,000 of reserves have been tapped. (Note: Reserves are being used because dues have been rolled back three (3) years in a row, at a savings to members of $726,842).

Other Council members pointed out that in order to keep good employees it is sometimes necessary, even in hard times, to reward those who go above and beyond what is expected. They also pointed out that with the extra revenue from unexpected contracts in FY2010 and the increase of revenues to be received going forward from the projected savings connected to Director Laurien's health insurance coverage, the cost to the Council would be minimal.

Mayor Land motioned that $26,000 be set aside for bonuses and that each eligible employee be considered individually at the next Executive Committee meeting for their portion of the allocation. The motion was seconded by Commissioner Patty Sheehan.

In further discussion, it was stated that the bonuses should be given at Director Laurien's discretion and there was no need for the Executive Committee to be involved. Mr. Al Glover amended the motion to state that bonuses should be granted and there was no need for individual review by the Executive Committee. The motion was seconded (could not hear by whom) and put to vote by show of hands. The motion did not pass.

There was more discussion for and against the recommendation to give bonuses. The original motion made by Mayor Land was brought back to the table for a vote by roll call. The vote resulted in a tie of eight (8) for and eight (8) against. According to Robert's Rules of Order, in case of a tie vote, the motion does not pass.

Chairwoman Grieb called for a motion to approve Budget Amendment #1 for FY 2010 which showed the increase in revenues from extra contracts during the year. The motion was granted and seconded. All were in favor and the motion passed.

IV. Director's Report

Director Laurien proposed setting a deadline for DRI negotiations of 5:00 p.m. on the Monday one week prior to the monthly Council meeting. Currently, a copy of the DRI staff report is sent to the Council at least one week prior to the monthly meeting for review. At the meeting, Council members are presented with another copy of the report which contains strikethroughs and revisions reflecting negotiations that have taken place since the original report was sent. The result is confusion and frustration because members prepare their responses based on the original document they received and do not have adequate time before the meeting to review the entire document again looking for changes and revisions.

Proposing a deadline would allow the RPC staff to send one clean staff report to the Council that includes all of the finalized negotiations as of the deadline. Then at the Council meeting, rather than receiving the whole document again marked up with changes, the staff would present Council members with a clean addendum which would include any last minute negotiations and list any unresolved issues that need to be introduced at Council with reference to page and line number.

As part of the process, the applicant and the staff would also need to have solution language prepared for any remaining issues in order to save time in the Council meeting.

Mr. Jerry Livingston stated that the proposal should be written as a policy rather than a rule and should be incorporated into the pre-application conference so that the applicant is clear on what is required.

There are currently two DRI's in process, and it was noted that once this policy is written, the applicants would need adequate time after notification to adjust their process accordingly.

The RPC staff is aware that setting the afore-mentioned deadline does not mean that no negotiations will take place after the deadline, but by presenting a deadline, the staff hopes to streamline the DRI process and cut down on confusion.

A motion was made and seconded to write the policy for a DRI deadline of 5:00 PM the Monday one week prior to the Council meeting in which it will be reviewed.

All were in favor.

Director Laurien informed the council that the RPC staff has been tasked with obtaining copies of Development Orders from five other RPC's in the state to see what they are doing, what format they are using and how they may differ from ours. The goal is to create a standardized format that will streamline the DRI process while addressing statutes, rules and policy plan, removal of redundant information, and protecting natural resources. The streamlined DRI format would also provide an option to include local issues for those smaller cities without a planning staff who solicit the RPC staff to assist them in writing their complete Development Order.

Director Laurien mentioned that under the new governor of Florida, the future role of the DCA is uncertain. This could mean more responsibility for the RPC and, if so, hopefully an increase in compensation.

He also mentioned that April Raulerson has already secured two unanticipated contracts for the new fiscal year: the Brevard PDRP in the amount of $89,300 and a Post Radiation Drill (PDR) for the Center of Disease Control for $59,000.

VI. Planning Manger's Report

Mr. George Kinney presented the October Planning Manager's Report and mentioned there was no unusual activity. For those new to the Council, he explained that the report summarizes the RPC staff's activities for the previous month and includes a list of the comprehensive plans that were reviewed, utility plans that were reviewed, and any intergovernmental coordination reviewed. It also includes a summary of any workshops, meetings, functions, or conferences the staff has attended.

Mr. Kinney informed the Council that the 400 hundred comments received on the Policy Plan have been reviewed. The result is approximately five (5) pages of comments that need further investigation and action. The RPC staff has set a deadline of December 8th to have their report ready for the Policy Plan Task Force. Once the Task Force has reviewed the outstanding comments and made their recommendations, the Policy Plan will be ready for the Council to approve.

As an example of how the Policy Plan can be used to improve the quality of life in our region, Mr. Kinney introduced a video presentation, *Living in the Crosswalk*, prepared by Tara McCue. Before watching the presentation, Director Laurien mentioned that statistically, the Orlando Metro area has been shown to be the most dangerous community in America and has the highest pedestrian kill rate of anywhere in the country. He went on to say that as planners, we have to ask ourselves, "Why is this so?" and, "What are we going to do about it?"

The video presentation highlighted roadways where children have recently been killed. Tara and Director Laurien pointed out that the Policy Plan could be used to develop better integration between road design and land use. It will provide the ability to bring agencies who are currently acting independently of each other to the same table so they can work together to create an infrastructure that intertwines transportation planning, surrounding land use planning, and school planning.

In the discussion following the video presentation, Director Laurien stated that the RPC staff is available to make presentations to help educate regional councils, school boards, and planners on ways to improve regional design. Tara mentioned that she is working to schedule presentations with each of the school boards and county commissions represented in our region to endorse planning design and safe routes to school.

VII. Announcements and Comments

Mayor DeMarco mentioned that she had heard the Office of Greenways and Trails (OGT) was being cut and wondered if there was any update as to the status of the office. Director Laurien, who sits on the Board for OGT had no news to report concerning this.

Mayor DeMarco motioned that the Council draft a letter in support of maintaining the Office of Greenways and Trails. Ms. Matusick seconded the motion.

In the discussion that followed, it was pointed out that the Council did not have enough information concerning OGT and its goals and agendas to make a decision concerning support of their operation. It was suggested that a presentation be made at the next Council meeting to inform the Council as to the practices and objectives of OGT. The Council was in favor of this approach, so Mr. Glover motioned that the original motion to draft the letter be tabled. This motion was seconded and all were in favor. Chairwoman Grieb requested that the OGT presentation be added to the agenda for the next Council meeting.

As there were no more comments from the Council, Chairwoman Grieb opened the meeting up to the public for comments. Mr. Rick Geller, the District 1 Commissioner with the Planning and Zoning Board, took the floor and expressed his concern for pedestrian safety and his support of the Council in their efforts to educate and influence those who design and make decisions about Central Florida roadways.

After Mr. Geller spoke, Mr. Carson Good, the father of a high schooler whose friend was recently killed on Aloma Avenue, read a letter his son had written expressing the grief and suffering of those affected by his friend's death. In the letter, he expressed the urgent need for those who are in a position to make a difference to change the way they plan and design roads so that innocent pedestrians are protected.

Chairwoman Grieb encouraged the Council to take all of the information discussed at the meeting back to their individual councils to make changes happen.

IX. Adjournment

There being no further business before the Council, Chairwoman Grieb adjourned the meeting at 11:45 a.m.

Financial Forecast

Statement of Condition as of November 30, 2010

Cash-in-bank on November 1, 2010		$1,703,796.11
Deposits and Interest - November 2010	$439,457.64	
Checks Issued - November 2010	-$227,620.89	
Cash-in-bank on November 30, 2010		$1,915,632.86

Financial Forecast for December 2010

Operating Cash December 1, 2010		$1,915,632.86
Accounts Payable on December 1, 2010		-28,442.58
Net Operating Cash for December 1, 2010		$1,887,190.28

Anticipated Revenue/Expense for December 2010:		
Accounts Receivables (Revenues)	$201,267.59	
Accounts Payables (Expenditures)	-129,761.84	
Net Anticipated Revenue/Expense		71,505.75
Anticipated Operating Cash for January 1, 2011		$1,958,696.03

	Budget	10/31/2010 Year to Date	Actual November	Current Year to Date	Under (Over)	16.7%
Personnel						
Salaries & Wages (Permanent)	978,920	57,366	77,777	135,143	843,777	13.8%
Fringe Benefits	347,000	23,507	26,208	49,715	297,285	14.3%
Outside /Temporary Services	11,650	553	3,336	3,889	7,761	33.4%
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	-	-	-	3,500	0.0%
Total Personnel	1,362,870	82,431	107,321	189,752	1,173,118	13.9%
Overhead						
Annual Audit	17,000	770	-	770	16,230	4.5%
Advertising/Regional Promotion	3,000	-	-	-	3,000	0.0%
Computer Ops (General)	35,000	522	486	1,008	33,992	2.9%
Depreciation/Use Charge	12,000	1,635	1,634	3,269	8,731	27.2%
Equipment (General)	22,000	-	1,838	1,838	20,162	8.4%
Equipment Maintenance/Rental	1,500	-	-	-	1,500	0.0%
Equipment Lease/Sales Taxes	400	-	-	-	400	0.0%
Graphics/Outside Printing	29,650	2,972	1,285	4,257	25,393	14.4%
Insurance	14,000	880	881	1,761	12,239	12.6%
Inter-Regnl Bd Rel (travel/training)	3,000	-	-	-	3,000	0.0%
Legal Counsel	44,000	3,333	3,334	6,667	37,333	15.2%
Library/Publications/Subscriptions	3,000	57	72	129	2,871	4.3%
Office Supplies	11,000	938	409	1,347	9,653	12.2%
Pension Fund Mgmt. Fee	900	-	-	-	900	0.0%
Postage	9,000	532	181	713	8,287	7.9%
Professional Dues	26,000	2,058	2,699	4,757	21,243	18.3%
Rent	123,750	10,208	10,209	20,417	103,333	16.5%
Office Maintenance	2,000	-	1,489	1,489	511	74.5%
Staff Training	9,000	165	235	400	8,600	4.4%
Telephone & Communications	8,000	540	531	1,071	6,929	13.4%
Staff Travel	24,000	1,135	1,104	2,239	21,761	9.3%
Recruting	4,000	-	-	-	4,000	0.0%
Hmep Training	33,000	208	731	939	32,061	2.8%
GIS Coordination	3,000	-	-	-	3,000	0.0%
GIS Data Collection	1,500	-	-	-	1,500	0.0%
Consultants (DRI)	50,000	3,312	-	3,312	46,688	6.6%
Consultants DEM Communication Exercise	50,000	-	-	-	50,000	0.0%
Storage-Off Site Records	1,600	161	143	304	1,296	19.0%
Meeting Expenses	10,000	318	93	411	9,589	4.1%
CFGIS Workshop Expenses	-	445	96	541	(541)	
REMI Annual Maintenance	20,600	1,717	1,716	3,433	17,167	16.7%
S. Bitar VISA Sponsorship	6,000	-	-	-	6,000	0.0%
Total Overhead	577,900	31,906	29,166	61,072	516,828	10.6%
Total Expenditures	1,940,770	114,337	136,487	250,824	1,689,946	12.9%

East Central Florida Regional Planning Council
Financial Report
November 2010

Project:	General	DRI Reviews	FY11 DCA General	FY11 LEPC Staff Support	FY11 Haz Mat Emrg Preparedness	FDOT Con't & Imp of CFGIS	Regional Evacuation Study	USDC EDA/CEDS FY11	SR 50 Corridor Study	State TEP 2011-2013 Update	UASE 2010 Exerciser	RDSTF FY09	HSEEP Fall 2010	Greenways & Trails Economic	UASI Gap Analysis	Motorola & Harris Training	Brevard PDRP	Total
REVENUES																		
Revenues Paid:																		
Member Assessments	292,426.00																	292,426.00
Member REMI Contributions																		0.00
Federal											59,327.97		4,000.00					63,327.97
State																		0.00
Local																		0.00
DRI Fees		22,389.02																22,389.02
Other	3,820.61																	3,820.61
Total Revenues Received	296,246.61	22,389.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	59,327.97	0.00	4,000.00	0.00	0.00	0.00	0.00	381,963.60
Account Receivables:																		0.00
Member Assessments								7,396.16										7,396.16
Federal					3,812.21		1,343.97	11,094.23		404.76		7,125.10			3,364.03	123.08	1,033.81	23,780.27
State			56,036.14	5,922.33		1,968.69												63,927.16
Local/Other														4,587.26				4,587.26
Total Accounts Receivables	0.00	0.00	56,036.14	5,922.33	3,812.21	1,968.69	1,343.97	18,490.39	0.00	404.76	0.00	7,125.10	0.00	4,587.26				99,690.85
TOTAL REVENUES	296,246.61	22,389.02	56,036.14	5,922.33	3,812.21	1,968.69	1,343.97	18,490.39	0.00	404.76	59,327.97	7,125.10	4,000.00	4,587.26	3,364.03	123.08	1,033.81	481,654.45
EXPENDITURES																		
Salaries	55,054.16	9,003.43	31,437.66	3,027.15	1,466.79	1,183.70	746.72	10,325.26	115.14	223.63	244.58	3,937.71	1,703.13	1,772.63	1,878.78	68.74	577.15	122,766.36
Fringe Benefits (Pool)	20,136.49	3,398.06	11,199.00	1,086.82	535.03	330.77	281.83	3,896.95	43.46	84.40	92.31	1,405.73	565.45	655.10	709.09	25.94	217.83	44,664.26
Indirect Cost (Pool)	22,551.49	3,719.53	12,787.76	1,233.88	600.40	454.22	308.49	4,265.59	47.57	92.39	101.04	1,602.63	680.40	728.13	776.16	28.40	238.43	50,216.51
Unemployment Comp																		0.00
Audit Fees																		0.00
Advertising/Regional Promotion																		0.00
Computer Operations	483.32													19.95				503.27
Dues	888.00																	888.00
Equipment	1,456.75																	1,456.75
Graphics	1,201.82	2,513.78	260.00	61.05	140.66		5.20	2.59		4.34	3.83	18.38	1,197.76	270.74			0.40	5,680.15
Inter-Regnl Bd Relations																		0.00
Legal	6,666.66																	6,666.66
Office Supplies	603.72																	603.72
Postage	169.45	373.77	1.32	6.97	7.94		1.73				16.43	3.80	7.50	20.77				609.68
Publications	88.04			26.04														114.08
Recruiting																		0.00
Rent																		0.00
Equipment Rent & Maintenance																		0.00
Staff Training	400.00																	400.00
HMEP Training					938.69													938.69
Overtime/Backfill reimbursement																		0.00
Taxes, Sales/Property																		0.00
Telephone																		0.00
Travel	1,325.86	26.70	69.90	480.42	122.70							156.85	37.22	19.94				2,239.59
Temporary Labor/Outside Services	2,466.76	41.25	280.50											1,100.00				3,888.51
Interest Expense																		0.00
DATA Fees																		0.00
Consultants		3,312.50																3,312.50
GIS Coordination																		0.00
CFGIS Workshop Expense	541.04																	541.04
Meeting Expenses	411.14																	411.14
REMI Annual Maintenance	3,433.33																	3,433.33
Web Site Maintenance																		0.00
Web Site Upgrade																		0.00
S. Bitar VISA Sponsorship																		0.00
Office Maint/Painting	1,489.00																	1,489.00
New Office Fit Up																		0.00
TOTAL EXPENDITURES	119,367.03	22,389.02	56,036.14	5,922.33	3,812.21	1,968.69	1,343.97	18,490.39	206.17	404.76	458.19	7,125.10	4,191.46	4,587.26	3,364.03	123.08	1,033.81	246,302.72

Financial Forecast

Statement of Condition as of December 31, 2010

Cash-in-bank on December 1, 2010		$1,915,632.86
Deposits and Interest - December 2010	$202,815.02	
Checks Issued - December 2010	-$114,169.72	
Cash-in-bank on December 31, 2010	.	$2,004,278.16

Financial Forecast for January 2011

Operating Cash January 1, 2011		$2,004,278.16
Accounts Payable on January 1, 2011		-26,563.24
Net Operating Cash for January 1, 2011		$1,977,714.92

Anticipated Revenue/Expense for January 2011:		
Accounts Receivables (Revenues)	$204,288.57	
Accounts Payables (Expenditures)	-141,664.05	
Net Anticipated Revenue/Expense		62,624.52
Anticipated Operating Cash for February 1, 2011		$2,040,339.44

	Budget	11/30/2010	Actual	Current	Under (Over)	25.0%
		Year to Date	December	Year to Date		
Personnel						
Salaries & Wages (Permanent)	978,920	135,143	69,507	204,650	774,270	20.9%
Fringe Benefits	347,000	49,715	28,370	78,085	268,915	22.5%
Outside /Temporary Services	11,650	3,889	2,360	6,248	5,402	53.6%
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	-	-	-	3,500	0.0%
Total Personnel	1,362,870	189,752	100,236	289,988	1,072,882	21.3%
Overhead						
Annual Audit	17,000	770	-	770	16,230	4.5%
Advertising/Regional Promotion	3,000	-	-	-	3,000	0.0%
Computer Ops (General)	35,000	1,008	527	1,535	33,465	4.4%
Depreciation/Use Charge	12,000	3,269	1,635	4,904	7,096	40.9%
Equipment (General)	22,000	1,838	1,323	3,161	18,839	14.4%
Equipment Maintenance/Rental	1,500	-	-	-	1,500	0.0%
Equipment Lease/Sales Taxes	400	-	-	-	400	0.0%
Graphics/Outside Printing	29,650	4,257	1,014	5,271	24,379	17.8%
Insurance	14,000	1,761	(122)	1,639	12,361	11.7%
Inter-Regnl Bd Rel (travel/training)	3,000	-	-	-	3,000	0.0%
Legal Counsel	44,000	6,667	4,846	11,513	32,487	26.2%
Library/Publications/Subscriptions	3,000	129	22	151	2,849	5.0%
Office Supplies	11,000	1,347	762	2,109	8,891	19.2%
Pension Fund Mgmt. Fee	900	-	-	-	900	0.0%
Postage	9,000	713	154	867	8,133	9.6%
Professional Dues	26,000	4,757	2,683	7,440	18,560	28.6%
Rent	123,750	20,417	10,208	30,625	93,125	24.7%
Office Maintenance	2,000	1,489	67	1,556	444	77.8%
Staff Training	9,000	400	-	400	8,600	4.4%
Telephone & Communications	8,000	1,071	340	1,411	6,589	17.6%
Staff Travel	24,000	2,239	2,424	4,663	19,337	19.4%
Recruting	4,000	-	-	-	4,000	0.0%
Hmep Training	33,000	939	1,200	2,139	30,861	6.5%
GIS Coordination	3,000	-	-	-	3,000	0.0%
GIS Data Collection	1,500	-	-	-	1,500	0.0%
Consultants (DRI)	50,000	3,312	-	3,312	46,688	6.6%
Consultants DEM Communication Exercise	50,000	-	-	-	50,000	0.0%
Storage-Off Site Records	1,600	304	143	447	1,153	27.9%
Meeting Expenses	10,000	411	331	742	9,258	7.4%
CFGIS Workshop Expenses	-	541	-	541	(541)	
REMI Annual Maintenance	20,600	3,433	1,717	5,150	15,450	25.0%
S. Bitar VISA Sponsorship	6,000	-	-	-	6,000	0.0%
Total Overhead	577,900	61,072	29,274	90,346	487,554	15.6%
Total Expenditures	1,940,770	250,824	129,510	380,334	1,560,436	19.6%

Project:	General	DRI Reviews	FY11 DCA General	FY11 LEPC Staff Support	FY11 Haz Mat Emrg Preparedness	FDOT Con't & Imp of CFGIS	Regional Evacuation Study	USDC EDA/CEDS FY11	SR 50 Corridor Study	State TEP 2011-2013 Update	UASE 2010 Exerciser	RDSTF FY09	HSEEP Fall 2010	Greenways & Trails Economic	UASI Gap Analysis	Motorola & Harris Training	Brevard PDRP	UASI EM Portal	UASI Proj. Mgmt. Fy 2008	Total
REVENUES																				
Revenues Paid:																				
Member Assessments	337,278.00																			337,278.00
Member REMI Contributions																				0.00
Federal											59,327.97		4,000.00							63,327.97
State																				0.00
Local																				0.00
DRI Fees		30,913.13																		30,913.13
Other	5,596.83																			5,596.83
Total Revenues Received	342,874.83	30,913.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	59,327.97	0.00	4,000.00	0.00	0.00	0.00	0.00	0.00	0.00	437,115.93
Account Receivables:																				0.00
Member Assessments								11,977.05												11,977.05
Federal					6,830.08		1,545.89	17,965.57		1,747.97		10,496.88			4,673.69	130.81	9,195.18	763.25	265.99	53,615.31
State			90,067.06	7,329.76		5,641.26														103,038.08
Local/Other														5,776.30						5,776.30
Total Accounts Receivables	0.00	0.00	90,067.06	7,329.76	6,830.08	5,641.26	1,545.89	29,942.62	0.00	1,747.97	0.00	10,496.88	0.00	5,776.30						159,377.82
TOTAL REVENUES	342,874.83	30,913.13	90,067.06	7,329.76	6,830.08	5,641.26	1,545.89	29,942.62	0.00	1,747.97	59,327.97	10,496.88	4,000.00	5,776.30	4,673.69	130.81	9,195.18	763.25	265.99	611,522.67
EXPENDITURES																				
Salaries	75,642.09	12,751.66	49,571.98	3,762.45	2,404.80	3,441.99	848.37	16,398.05	192.90	953.07	263.92	5,731.13	1,774.47	2,383.66	2,570.98	72.11	5,265.74	420.64	146.63	184,596.64
Fringe Benefits (Pool)	29,102.39	5,035.79	18,325.16	1,427.43	930.22	895.94	335.03	6,475.78	76.18	376.38	104.22	2,178.93	619.65	926.73	1,015.31	28.48	1,691.49	166.12	57.91	69,769.14
Indirect Cost (Pool)	31,470.70	5,344.29	20,399.85	1,559.31	1,002.01	1,303.33	355.56	6,872.49	80.85	399.44	110.61	2,376.59	719.32	994.61	1,077.51	30.22	2,090.31	176.29	61.45	76,424.74
Unemployment Comp																				
Audit Fees																				0.00
Advertising/Regional Promotion																				0.00
Computer Operations	724.98													59.85						784.83
Dues	1,636.50																			1,636.50
Equipment	2,779.73																			2,779.73
Graphics	1,257.09	2,514.67	567.00	67.14	140.66		5.20	42.78		16.74	3.83	18.38	1,197.76	270.74	0.40		122.40	0.20		6,224.99
Inter-Regnl Bd Relations																				0.00
Legal	9,999.99	1,512.50																		11,512.49
Office Supplies	1,013.70																			1,013.70
Postage	179.53	373.77	43.82	6.97	7.94		1.73	38.02		2.34	16.43	3.80	7.50	20.77	0.44					703.06
Publications	110.04			26.04																136.08
Recruiting																				0.00
Rent																				0.00
Equipment Rent & Maintenance																				0.00
Staff Training	400.00																			400.00
HMEP Training					2,138.69															2,138.69
Overtime/Backfill reimbursement																				0.00
Taxes, Sales/Property																				0.00
Telephone																				0.00
Travel	2,825.15	26.70	845.75	480.42	205.76							188.05	37.22	19.94	9.05		25.24			4,663.28
Temporary Labor/Outside Services	4,677.76	41.25	313.50					115.50						1,100.00						6,248.01
Interest Expense																				0.00
DATA Fees																				0.00
Consultants		3,312.50																		3,312.50
GIS Coordination																				0.00
CFGIS Workshop Expense	541.04																			541.04
Meeting Expenses	742.48																			742.48
REMI Annual Maintenance	5,149.99																			5,149.99
Web Site Maintenance																				0.00
Web Site Upgrade																				0.00
S. Bitar VISA Sponsorship																				0.00
Office Maint/Painting	1,556.23																			1,556.23
New Office Fit Up																				0.00
TOTAL EXPENDITURES	169,809.39	30,913.13	90,067.06	7,329.76	6,830.08	5,641.26	1,545.89	29,942.62	349.93	1,747.97	499.01	10,496.88	4,355.92	5,776.30	4,673.69	130.81	9,195.18	763.25	265.99	380,334.12

STEVEN H. KANE*
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Florida Board Certified in
Wills, Estates and Trusts

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IRINA G. DOLINSKIY***
ELINA G. VALENTINE

***Also admitted in New York

December 27, 2010

PERSONAL AND CONFIDENTIAL

Ms. Lelia Hars
East Central Florida Regional Planning Council
309 Cranes Roost Boulevard
Suite 2000
Altamonte Springs, Florida 32701

Re: East Central Florida Regional Planning Council
Money Purchase Pension Plan and Trust

Dear Lelia:

As a result of pension legislation passed by Congress, the Council's retirement plan is required to be amended to comply with the Heroes Earnings Assistance and Relief Tax Act of 2008 and related guidance issued by the IRS interpreting that legislation (the "HEART Act"), as well as the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"). Many of the changes made by the HEART Act and WRERA are technical in nature and will have limited effect on the manner in which the Plan is operated. In order to comply with the HEART Act and WRERA legislation, I have enclosed the following:

1. Supplemental HEART Act and WRERA Amendment. Please review the Amendment and let me know if you have any questions. The Amendment should be dated and signed where indicated no later than December 31, 2010. The original of the signed Amendment should be retained with your Plan records, and a copy of the executed Amendment returned to me for my files.

2. Resolution, which certifies that the Board of Directors has approved the Amendment. The Resolution should be signed by an authorized representative of the Council or otherwise documented in the formal minutes of the Board. The original should be retained with your Plan records; please return a signed copy of the Resolution to me for my files.

Please call me if you have any questions.

Happy Holidays and best wishes for the New Year!

Sincerely,

Jeffrey M. Koltun

JMK:db
Enclosures

**EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MONEY PURCHASE PENSION PLAN AND TRUST**

SUPPLEMENTAL AMENDMENT FOR HEART ACT AND WRERA

SUPPLEMENTAL AMENDMENT FOR HEART ACT AND WRERA

ARTICLE I
PREAMBLE

1.1 **Effective date of Amendment.** The Employer adopts this Amendment to the Plan to reflect recent law changes. This Amendment is effective as indicated below for the respective provisions.

1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.

1.3 **Employer's election.** The Employer adopts all the default provisions of this Amendment except as otherwise elected in Article II.

1.4 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment, and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section or other numbering designations.

1.5 **Effect of restatement of Plan.** If the Employer restates the Plan, then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates these HEART and WRERA provisions).

ARTICLE II
EMPLOYER ELECTIONS

The Employer only needs to complete the questions in Sections 2.2 through 2.3 below in order to override the default provisions set forth below.

2.1 **Default Provisions.** Unless the Employer elects otherwise in this Article, the following defaults will apply:

a. **Continued benefit accruals pursuant to the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act) are not provided.**

b. **Differential wage payments are treated as Compensation for all Plan benefit purposes.**

c. **The Plan permits distributions pursuant to the HEART Act on account of "deemed" severance of employment.**

d. **Required Minimum Distributions (RMDs) for 2009 were suspended unless a Participant or Beneficiary elected to receive such distributions.**

2.2 **HEART ACT provisions** (Article III).

Continued benefit accruals. Amendment Section 3.2 will not apply unless elected below:

a. [ ] The provisions of Amendment Section 3.2 apply effective as of: (select one)
  1. [ ] the first day of the 2007 Plan Year
  2. [ ]______________ (may not be earlier than the first day of the 2007 Plan Year).

  However, the provisions no longer apply effective as of: (select if applicable)
  3. [ ] __________________.

Differential pay. Differential wage payments (as described in Amendment Section 3.3) will be treated, for Plan Years beginning after December 31, 2008, as compensation for all Plan benefit purposes unless b. is elected below:

b. [ ] In lieu of the above default provision, the employer elects the following (select all that apply; these selections do not affect the operation of Amendment Section 3.3(ii)):
  1. [ ] the inclusion is effective for Plan Years beginning after ________________ (may not be earlier than December 31, 2008).
  2. [ ] the inclusion only applies to Compensation for purposes of Elective Deferrals.

Distributions for deemed severance of employment. The Plan permits distributions pursuant to Amendment Section 3.4 unless otherwise elected below:

c. [ ] The Plan does not permit such distributions.

d. [ ] The Plan permits such distributions effective as of _______________(may not be earlier than January 1, 2007).

2.3 **WRERA (RMD waivers for 2009).** The provisions of Amendment Section 4.1 apply (RMDs are suspended unless a Participant or Beneficiary elects otherwise) unless otherwise elected below:

a. [ ] The provisions of Amendment Section 4.2 apply (RMDs continued unless otherwise elected by a Participant or Beneficiary).

b. [ ] RMDs continued in accordance with the terms of the Plan without regard to this Amendment (i.e., no election available to Participants or Beneficiaries).

c. [ ] Other:____________________________

For purposes of Amendment Section 4.3, the Plan will also treat the following as eligible rollover distributions in 2009: (If no election is made, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(H)):

d. [ ] 2009 RMDs and Extended 2009 RMDs (both as defined in Article IV of this Amendment).

e. [ ] 2009 RMDs (as defined in Article IV of this Amendment) but only if paid with an additional amount that is an eligible rollover distribution without regard to Code §401(a)(9)(H).

ARTICLE III
HEART ACT PROVISIONS

3.1 **Death benefits.** In the case of a death occurring on or after January 1, 2007, if a Participant dies while performing qualified military service (as defined in Code §414(u)), the Participant's Beneficiary is entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the Plan as if the Participant had resumed employment and then terminated employment on account of death. Moreover, the Plan will credit the Participant's qualified military service as service for vesting purposes, as though the Participant had resumed employment under USERRA immediately prior to the Participant's death.

3.2 **Benefit accrual.** If the Employer elects in Amendment Section 2.2 to apply this Section 3.2, then effective as of the date specified in Amendment Section 2.2, for benefit accrual purposes, the Plan treats an individual who dies or becomes disabled (as defined under the terms of the Plan) while performing qualified military service with respect to the Employer as if the individual had resumed employment in accordance with the individual's reemployment rights under USERRA, on the day preceding death or disability (as the case may be) and terminated employment on the actual date of death or disability.

a. **Determination of benefits.** The Plan will determine the amount of employee contributions and the amount of elective deferrals of an individual treated as reemployed under this Section 3.2 for purposes of applying paragraph Code §414(u)(8)(C) on the basis of the individual's average actual employee contributions or elective deferrals for the lesser of: (i) the 12-month period of service with the Employer immediately prior to qualified military service; or (ii) the actual length of continuous service with the Employer.

3.3 **Differential wage payments.** For years beginning after December 31, 2008: (i) an individual receiving a differential wage payment, as defined by Code §3401(h)(2), is treated as an employee of the employer making the payment; (ii) the differential wage payment is treated as compensation for purposes of Code §415(c)(3) and Treasury Reg. §1.415(c)-2 (e.g., for purposes of Code §415, top-heavy provisions of Code §416, determination of highly compensated employees under Code §414(q), and applying the 5% gateway requirement under the Code § 401(a)(4) regulations); and (iii) the Plan is not treated as failing to meet the requirements of any provision described in Code §414(u)(1)(C) (or corresponding plan provisions, including, but not limited to, Plan provisions related to the ADP or ACP test) by reason of any contribution or benefit which is based on the differential wage payment. The Plan Administrator operationally may determine, for purposes of the provisions described in Code §414(u)(1)(C), whether to take into account any deferrals, and if applicable, any matching contributions, attributable to differential wages. Differential wage payments (as described herein) will also be considered compensation for all Plan purposes unless otherwise elected at Amendment Section 2.2.

Section 3.3(iii) above applies only if all employees of the Employer performing service in the uniformed services described in Code §3401(h)(2)(A) are entitled to receive differential wage payments (as defined in Code §3401(h)(2)) on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the Employer, to make contributions based on the payments on reasonably equivalent terms (taking into account Code §§410(b)(3), (4), and (5)).

3.4 **Deemed Severance.** Notwithstanding Section 3.3(i), if a Participant performs service in the uniformed services (as defined in Code §414(u)(12)(B)) on active duty for a period of more than 30 days, the Participant will be deemed to have a severance from employment solely for purposes of eligibility for distribution of amounts not subject to Code §412. However, the Plan will not distribute such a Participant's account on account of this deemed severance unless the Participant specifically elects to receive a benefit distribution hereunder. If a Participant elects to receive a distribution on account of this deemed severance, then the individual may not make an elective deferral or employee contribution during the 6-month period beginning on the date of the distribution. If a Participant would be entitled to a distribution on account of a deemed severance, and a distribution on account of another Plan provision (such as a qualified reservist distribution), then the other Plan provision will control and the 6-month suspension will not apply.

ARTICLE IV
WAIVER OF 2009 REQUIRED DISTRIBUTIONS

4.1 **Suspension of RMDs unless otherwise elected by Participant.** This paragraph does not apply if the Employer elected Amendment Section 2.3a, b, or c. Notwithstanding the provisions of the Plan relating to required minimum distributions under Code §401(a)(9), a Participant or Beneficiary who would have been required to receive required minimum distributions for 2009 but for the enactment of Code §401(a)(9)(H) ("2009 RMDs"), and who would have satisfied that requirement by receiving distributions that are (1) equal to the 2009 RMDs or (2) one or more payments in a series of substantially equal distributions (that include the 2009 RMDs) made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancy) of the Participant and the Participant's designated Beneficiary, or for a period of at least 10 years ("Extended 2009 RMDs"), will not receive those distributions for 2009 unless the Participant or Beneficiary chooses to receive such distributions. Participants and Beneficiaries described in the preceding sentence will be given the opportunity to elect to receive the distributions described in the preceding sentence.

4.2 **Continuation of RMDs unless otherwise elected by Participant.** This paragraph applies if Amendment Section 2.3a is selected. Notwithstanding the provisions of the Plan relating to required minimum distributions under Code §401(a)(9), a Participant or Beneficiary who would have been required to receive required minimum distributions for 2009 but for the enactment of Code §401(a)(9)(H) ("2009 RMDs"), and who would have satisfied that requirement by receiving distributions that are (1) equal to the 2009 RMDs or (2) one or more payments in a series of substantially equal distributions (that include the 2009 RMDs) made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancy) of the Participant and the Participant's designated Beneficiary, or for a period of at least 10 years ("Extended 2009 RMDs"), will receive those distributions for 2009 unless the Participant or Beneficiary chooses not to receive such distributions. Participants and Beneficiaries described in the preceding sentence will be given the opportunity to elect to stop receiving the distributions described in the preceding sentence.

4.3 **Direct Rollovers.** Notwithstanding the provisions of the Plan relating to required minimum distributions under Code §401(a)(9), and solely for purposes of applying the direct rollover provisions of the Plan, certain additional distributions in 2009, as elected by the Employer in Amendment Section 2.3, will be treated as eligible rollover distributions. If no election is made by the Employer in Amendment Section 2.3, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(H).

ARTICLE V
DIVESTMENT OF EMPLOYER SECURITIES

5.1 **Application and Effective Date of Article.**

a. **Application.** This Article V only applies to a Plan that is an "applicable defined contribution plan." Except as provided herein or in Treas. Reg. §1.401(a)(35)-1, an "applicable defined contribution plan" means a defined contribution plan that holds employer securities (within the meaning of Treas. Reg. 1.401(a)(35)-1(f)(3)) that are publicly traded (within the meaning of Treas. Reg. 1.401(a)(35)-1(f)(5)). An "applicable defined contribution" does not include a one-participant plan, as defined in Code §401(a)(35)(E)(iv) or an employee stock ownership plan ("ESOP") as defined in Code §4975(e)(7) if: (i) the ESOP holds no contributions (or related earnings) that are (or were ever) subject to Code §§ 401(k) or 401(m); and (ii) the ESOP is a separate plan, for purposes of Code §414(l), from any other defined benefit plan or defined contribution plan maintained by the same employer or employers. Except as provided in Treas. Reg. §1.401(a)(35)-1(f)(2)(iv) or in Code §401(a)(35)(F)(ii) (relating to certain controlled groups), the Plan is treated as holding publicly traded Employer securities if any Employer corporation, or any member of a controlled group of corporations which includes such Employer corporation (as defined in Code §401(a)(35)(F)(iii)) has issued a class of stock which is a publicly traded Employer security.

b. **Effective date.** The provisions of Code §401(a)(35) generally apply to Plan Years beginning after December 31, 2006. However, the effective date of the provisions relating to Treas. Reg. 1.4.01(a)(35)-1 are applicable to Plan Years beginning on or after January 1, 2011.

5.2 **Rule applicable to elective deferrals and employee contributions.** If any portion of an "applicable individual's" account attributable to elective deferrals or employee contributions is invested in publicly-traded Employer securities, then, except as otherwise provided herein, the "applicable individual" may elect to direct the Plan to divest any such securities, and to reinvest an equivalent amount in other investment options which satisfy the requirements of Section 5.4. For purposes of this Section 5.2, an "applicable individual" means: (i) a Participant; (ii) an alternate payee who has an account under the Plan; or (iii) a Beneficiary of a deceased Participant.

5.3 **Rule applicable to Employer contributions.** If any portion of an "applicable individual's" account attributable to nonelective or matching contributions is invested in publicly-traded Employer securities, then, except as otherwise provided herein, the "applicable individual" may elect to direct the Plan to divest any such securities, and to reinvest an equivalent amount in other investment options which satisfy the requirements of Section 5.4.

a. **Definition of "Applicable individual."** For purposes of this Section 5.3, an "applicable individual" means: (i) a Participant who has completed at least three (3) years of service; (ii) an alternate payee who has an account under the Plan with respect to a Participant who has completed at least three (3) years of service; or (iii) a Beneficiary of a deceased Participant. For this purpose, a Participant completes three (3) years of service on the last day of the vesting computation period provided for under the Plan that constitutes the completion of the third year of service under Code §411(a)(5). However, if the Plan uses the elapsed time method of crediting service for vesting purposes (or the Plan provides for immediate vesting without using a vesting computation period or the elapsed time method of determining vesting), a Participant completes three (3) years of service on the day immediately preceding the third anniversary of the Participant's date of hire.

b. **Three-year phase-in applicable to Employer contributions.** For Employer securities acquired with nonelective or matching contributions during a Plan Year beginning before January 1, 2007, the rule described in this Section 5.3 only applies to the percentage of the Employer securities (applied separately for each class of securities) as follows:

Plan Year	Percentage
2007	33
2008	66
2009	100

c. **Exception to phase-in for certain age 55 Participants.** The 3-year phase-in rule of Section 5.3.b does not apply to a Participant who has attained age 55 and who has completed at least three (3) years of service (as defined in Section 5.3.a above) before the first Plan Year beginning after December 31, 2005.

5.3 **Investment options.** For purposes of this Article V, other investment options must include not less than three (3) investment options, other than Employer securities, to which the individual who has the right to divest under Amendment Section 5.2 or 5.3 may direct the proceeds from the divestment of Employer securities. Each of the three (3) investment options must be diversified and have materially different risk and return characteristics. For this purpose, investment options that constitute a broad range of investment alternatives within the meaning of Department of Labor Regulation §2550.404c–1(b)(3) are treated as being diversified and having materially different risk and return characteristics.

5.4 **Restrictions or conditions on investments in Employer securities.** The Plan must provide reasonable divestment and reinvestment opportunities at least quarterly. Furthermore, except as permitted by Treas. Reg. §1.401(a)(35)-1(e), the Plan may not impose restrictions or conditions on the investment of Employer securities which the Plan does not impose on the investment of other Plan assets.

This amendment is executed as follows:

Name of Plan: East Central Florida Regional Planning Council Money Purchase Pension Plan and Trust

Name of Employer: East Central Florida Regional Planning Council

By: ______________________________ Date: December ______, 2010

RESOLUTION OF
EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

The undersigned, on behalf of EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL (the "Employer"), hereby certifies that the Board of Directors of the Employer adopted the following resolutions:

WHEREAS, the Employer sponsors the East Central Florida Regional Planning Council Money Purchase Pension Plan and Trust, a qualified retirement plan maintained for the benefit of eligible employees (the "Plan"); and

WHEREAS, the Board of Directors was advised that all qualified plans are required to be amended to comply with the provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 and the Worker, Retiree, and Employer Recovery Act of 2008; and

WHEREAS, the Board of Directors reviewed a good-faith supplemental amendment which is intended to comply with the provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008, including guidance contained in IRS Notice 2010-15, and the Worker, Retiree, and Employer Recovery Act of 2008 (the "Supplemental HEART Act and WRERA Amendment"), with the recommendation that it be adopted as drafted.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Supplemental HEART Act and WRERA Amendment is hereby approved and adopted effective as provided therein.

RESOLVED, that the Board of Directors hereby ratifies, confirms and approves the execution of the Supplemental HEART Act and WRERA Amendment.

IN WITNESS WHEREOF, the undersigned hereby certifies that the Board of Directors of the Employer adopted the foregoing actions on ______________________.

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

By:______________________________

Page 4 ECFRPC FY 2011 Projected Revenues

		Approved Budget FY2011	Amendment #1 Budget FY2011	Outside consultant or contract costs FY2011
1				
2				
3	Federal Revenues			
4	DCA /DEM(HMEP) Training and Planning	60,000	60,000	33,000
5	RDSTF	75,000	75,000	0
6	UASI TEP 2011-2013	5,000	5,000	0
7	US EDA/CEDS	66,000	66,000	
8	BREVARD PRDRP		89,300	
9	CDC RADIATION DRILL		52,000	
10	**Total Federal Revenues**	**$ 206,000**	**$ 347,300**	
11	State Revenues			
12	DCA (General Revenue)	285,000	285,000	
13	DCA/ DEM (LEPC Staff Support)	41,000	41,000	
14	DCA (Wekiva Commission)	0	0	
15	FDOT (GIS Coordination) - carryover	10,000	10,000	
16	FDOT (GIS Coordination) - additional		30,000	
17	FDEP-Office of Greenways & Trails		2,500	
18	**Total State Revenues**	**$ 336,000**	**$ 368,500**	
19	Local Revenues			
20	Member Assessments @ $0.164421 for 2011*	**$ 519,601**	**$ 519,601**	
21	DRI Fees - (estimated)	100,000	100,000	
22	Florida Greenways & trails Foundation		5,600	
23	Interest	20,000	20,000	
24	Sales (Publications/GIS Maps)	1,000	1,000	
25	Pension Fund Forfeitures			
26	**Total Projected Local Revenues**	**$ 640,601**	**$ 646,201**	
27	**Likely Speculative Contract Revenue**	**$ 300,000**	**$ 262,000**	
28	**Total Prospective Revenues**	**$ 1,482,601**	**$ 1,624,001**	
29	**Total Projected Expenditures**	**$ 1,939,270**	**$ 1,939,270**	
30	Reserves Balance (projected 10/1/10)	$ 1,985,876		
31	Reserves (Needed to balance Budget)	$ 456,669	$ 315,269	
32				
33	**Speculative Revenues - FY 2011 Contracts**			Outside consultant
34	**Contract Description**	Revenues	Likely	or contract costs
35	REMI Econ Impact Studies	$ 20,000	$ 20,000	
36	Emergency Mgt Special Projects**	$ 30,000		
37	DEM communications Exercise	$ 100,000	$ 100,000	50,000
38	FDOT SR 50 phases 2-4	$ 40,000	40,000	
39	FDOT DRI Tool	$ 4,000	4,000	
40	FDOT Future Land Use	$ 30,000	$ -	
41	FDOT 2040 SIS Plan	$ 10,000	$ 10,000	
42	Daytona Beach DRI type reviews	$ 30,000	$ 30,000	
43	OGT Economic Impact study Orange Co trails	$ 8,000	$ -	
44	Kissimmee CRA Blight Study	$ 50,000	$ 50,000	
45	Daytona ISB corridor analysis	$ 75,000		
46	EDC GIS support	30,000		
47	GIS Mapping contract projects	15,000	$ 8,000	
48	SunRail stops TOD design & fiscal impact analysis	500,000		350,000
49	Cape Canaveral HUD SCP Grant	2,000,000		1,700,000
50	EPA wetlands mapping Indian River lagoon	35,000		
51	Mt. Dora Vision plan	75,000		
52	YMCA Community School siting project R. L.	30,000		
53	Safe routes to School	30,000		
54	Healthy Community Initiative grant	30,000		
55	Food planning	30,000		
56	Umatilla vision scenic byway	30,000		
57	**Speculative Contracts Total**	**$ 3,202,000**	**$ 262,000**	**$ 2,100,000**

HUD Conference Call Notes
December 7, 2010

General Information and Comments:
225 applications - 45 were funded
$550 million requested - $98 million awarded

Factor 1 – Capacity of Region and Consortium
7 out of 10 points
- Orange County has a demonstration program in place to provide Affordable Housing needs
- Partnership is strong
- Relative experience demonstrated
- Minimal discussion of outreach to the marginalized population and the needy
- Staffing needs for successful outreach efforts was vaguely addressed
- Lack descriptions of voting consensus and resolving differences

Factor 2 – Statement of Need
7 out of 10 points
- Restated our needs data for housing and transportation costs and lack of transportation options other than the vehicle
- Economic need supported by narrative
- There was no discussion in factor 1 or 2 on low-income populations and housing
- Incoherent land use

Factor 3 – Soundness of Approach
39 out of 55 points
- Most of focus is on train stops and some TOD need for affordable mixed income housing
- 2060 plan focuses on rail and TOD potential for TOD to generate Economic Development
- Pages 3-11 demonstrate understanding
- Plan lacks substantive discussion on benefit of livability for low income and communities of color
- Existing plan and principles are CLEAR
- Low income and communities of color not emphasized
- Strong plan for communities
- Little focused on marginalized population
- Lack specific details and measurable outcomes for marginalized population through community outreach
- Outreach was described but very broad in mention – what exactly are you going to do to reach out to populations and how are you going to do it. What will go on at those meetings – how will their opinions weigh into the process

- No mention of adjustment of the organizational structure – what do you do if you encounter issues that cause a change of course or action? How will you adjust the Consortium to incorporate new stakeholders?
- Diverse engagement involvement does not seem to be a priority
- Benchmarks needed in the implementation schedule for each focus area
- Cross cutting policy knowledge – bring in diverse Consortium and develop policies within Consortium that are relayed to all of the communities in the region

Factor 4 – Leveraging Funding
1 point
- Trace dollars to Feds and have them sign off on them. "We administer from X City Federal dollars and we will include these Federal dollars in overall Sustainable Development Plan"
- This will give the application 2 extra points

Factor 5 – Results and Evaluation
15 out of 20 points
- Alignment of livability
- Little reference of target meetings to marginalized populations
- Did not dedicate staff to community engagement
- Effectively addressed 3 of the 4 elements

3 main issues
Capacity for staff and partners
Outreach and participation strengthened
Cross cutting policy knowledge

Total Score
69 out of 100

Additional Notes
- You need 85 points to get funded
- We were at the higher end of medium scores and the lower end of the top scores
- Call Minneapolis and ask to read their plans. Plans will be available on websites in the near future
- Round 2 funding - late to mid spring

American Planning Association *Making Great Communities Happen*

Planning — December 2010

Sarasota's Smart Growth Dividend

Doing the numbers proves that compact, centrally located, mixed use development yields the most property taxes.

By Peter Katz

Sarasota County, like many other Florida counties, saw a huge wave of suburban development in the boom years from 1995 to 2007. During that time, more than 31,000 acres of land within the county and its incorporated municipalities came under development. Responding to state growth management policies and seeking to discourage future sprawl, county officials enacted an urban services boundary in 1997. Its purpose was to channel future growth into areas where the county was planning to provide urban services and infrastructure. A citizen-led initiative in 2008 strengthened the growth limit, requiring a unanimous vote of the county commission to enlarge the land area within it.

While the boundary now constrains the county's supply of developable land, the three home-rule cities in the county — Venice, North Port, and Sarasota — can still annex into unincorporated county lands inside the urban services boundary. Given such limits on its supply of developable land, and possible losses due to annexation, Sarasota County is concerned that future property tax revenues could be squeezed. The county's current revenue has already taken a major hit in the post-boom economy.

The shortfall results mostly from lower property assessments tied to falling real estate prices, coupled with and exacervbated by a slowdown of population growth. A further impact on local revenue collections is the loss of fee income due to a downturn in new construction: Residential permitting activity in Sarasota County has gone from more than 2,300 newly platted lots in 2005 to under 90 in 2009. Commercial development has followed a similar pattern: There were 110 projects in 2005 and fewer than 30 in 2009.

With such threats to its future revenue base, county staffers have started to rethink their approach to community building. "We need a better understanding of where our revenues are coming from," said Sarasota County Administrator Jim Ley last year. With regard to creating new sources of revenue, he added, "we need to start thinking more like a city."

Responding to Ley's directive, county planners came up with an idea. When researching new approaches for a comprehensive plan update, they found a unique tax revenue analysis of the Asheville, North Carolina, area. The analysis, prepared by Joe Minicozzi of Public Interest Projects, included a "revenue profile" that compared tax revenues generated by a range of building types in different locations around the city.

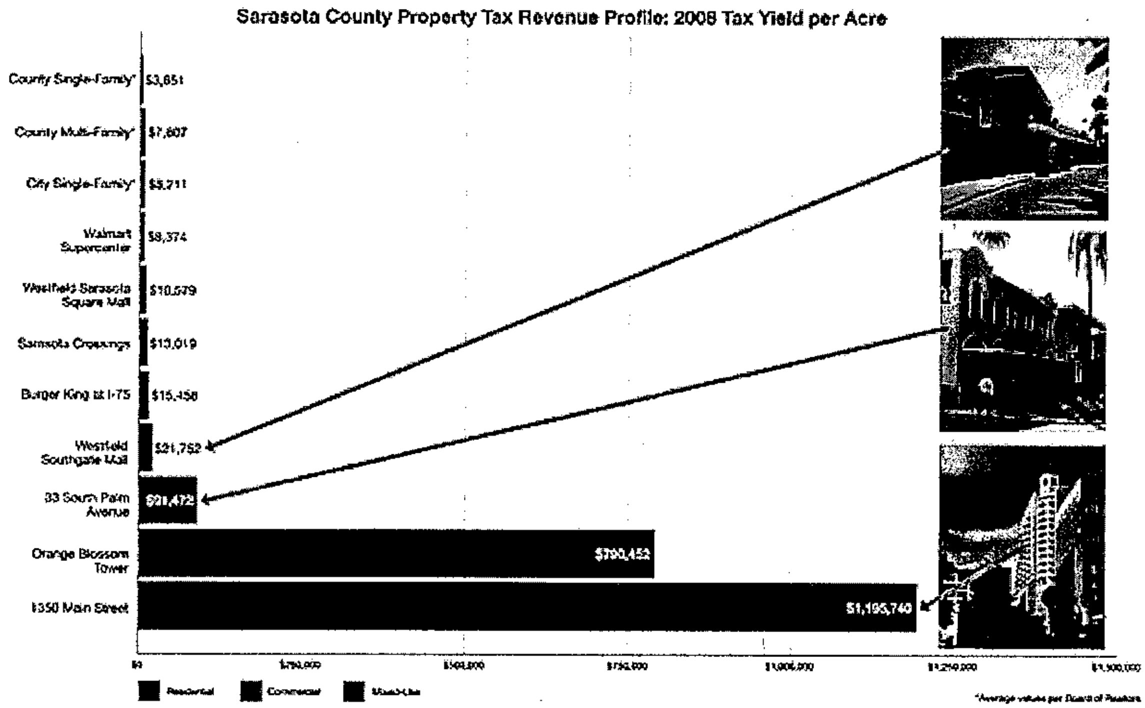
What made that analysis different from more conventional studies was that the figures were calculated on a per acrebasis rather than the more typical per lot, per unit, or per household basis. Although unusual, this approach clearly showed a much greater return from some types of development — mostly close-in, mixed use properties, both old and new — over more conventional, single-use suburban offerings.

Seeing the dramatic results for Asheville, Sarasota County staff asked Public Interest Projects to compile a similar profile for the Sarasota region. That work is the primary focus of this article.

The data highlighted in the profile is straightforward — it's the amount of county property tax paid by the owners of each of the profiled properties (information that is readily obtainable from the local tax assessor). The taxes are then divided into the land area occupied by each property to obtain a tax per acre figure. The complete revenue profile thus provides an apples-to-apples comparison of the property tax yield for each development type.

While the revenue analysis may be straightforward, the cost analysis is not. That is because municipal services are provided, charged for, and accessed in ways that differ greatly from place to place.

Still, common sense suggests that some of the biggest public costs will be lower in downtown areas. Funding public schools is generally cheaper there because, in most U.S. regions, families with children tend to live in more suburban areas. Among families who do live downtown, many will opt to place their children in private schools. Water use, too, is likely to be lower in more urban areas because yards are relatively small if they exist at all.



The county's revenue profile

Looking at the top bar of Sarasota's revenue profile (in the graphic above), one sees that owners of single-family homes in the unincorporated county pay, on average, almost $3,700 per acre a year in property taxes. Multifamily developments (such as apartments or condominiums) are typically assessed at more than double that amount, yielding about $7,800 in property taxes on a per acre basis. Within the city of Sarasota, single-family home owners annually pay $8,211 per acre, on average, in county taxes alone.

Looking at commercial development (the red bars in the graphic), one sees that the county's new 21-acre Walmart Supercenter annually pays only $163 more in property taxes per year, on a per acre basis, than the average single-family home in the city of Sarasota. Walmart's tax bill of $8,374 per acre seems low, especially given the controversy that such big-box projects generate when they come before reviewing bodies.

Southgate, an established shopping mall anchored by Macy's, Dillards, and Saks Fifth Avenue, suggests a different story. The 32-acre property, which is located within the city of Sarasota, brings in more than two and one-half times the tax revenue of the big box center, or $21,752 per acre. The difference can be attributed to a more central location, a better standard of construction, and the higher merchandise price point set by upscale anchor merchants (the latter translating into higher rents per square foot, and thus higher property valuations).

A first-tier regional shopping center like Southgate may be the best revenue generator that many counties can ever hope to attain. That is why local governments try so hard to woo prestigious national merchants like Macy's or Nordstrom (the ultimate prize). But it's an achievable goal only if the locality has the demographic makeup to attract such merchants.

Mixed use: changing the game

Mixed use properties (shown in the green bars at the bottom of the profile) perform dramatically better even than Southgate, the strongest mall in the county, when it comes to generating property tax revenue. Take these examples, all of them located at or near one intersection in downtown Sarasota, just a few blocks in from the bay:

- 33 South Palm Avenue, a two-story building dating from the 1920s, was originally part of a larger hotel complex. Its first floor is a retail store; the second floor is zoned for offices. The structure currently generates more than $90,000 in county property taxes per year, calculated on a per acre basis.

- The 10-story Orange Blossom Tower was built in 1926 as the American National Bank Building. In the 1930s, it was converted to a hotel and later became a retirement residence. Today, the structure houses condominiums, second-floor offices, and ground floor retail. It brings in nearly $800,000 in county property taxes per acre.
- 1350 Main Street generates more taxes than any other building in the profile. Its arcaded ground floor houses a bank and other retail uses; condominiums occupy the upper floors. Although some units have water views, the building's principal attraction is the vibrant nearby street life that emerged after streetscape improvements were made in the early 1990s.

Although the building occupies just over two-thirds of an acre, it generated nearly $1.01 million in combined city and county taxes in 2008. Extrapolating this earning power to a full-acre site, the same kind of building would generate $1.2 million in county taxes alone. On a per acre basis, 1350 Main brings in 142 times more revenue than the new Walmart Supercenter. It would take both that development and Southgate, together occupying 55 acres, to match the property tax contribution of 1350 Main, which sits on just 0.68 of an acre.

Takeaway

The most obvious lesson from Sarasota's revenue profile is that compact mixed use developments in urbanized areas generate property tax revenue at a much higher rate than do single-use developments in more suburban locations.

Skeptics are sure to ask: What about sales taxes? It's true that a large, high-volume retailer can make a significant financial contribution to a town or city. That's why so much effort is made to lure a productive retailer across municipal boundaries and why local governments focus so much on fiscal zoning. But at the regional scale, this becomes a zero-sum game. Consider: Sarasota County's total retail sales bring in $60 million to $70 million a year in sales tax revenue. Barring a huge influx of wealthy residents who decide to make most or all of their purchases locally, that number is unlikely to change.

If enhancing revenue is the goal, municipalities are far better off with compact development that generates higher property taxes. A grouping of 70 buildings like 1350 Main Street (a gridded cluster measuring seven rows wide by 10 deep) would bring in as much revenue as all of the sales tax currently collected in the entire county.

A quick calculation suggests that such a cluster could easily fit in an area of about 100 acres, including the land needed for streets, alleys, and a small public square or two. (By comparison, Sarasota's existing downtown is about 700 acres.) True, a large volume of new construction in a confined area is unlikely to happen in Sarasota County, or even the city of Sarasota. Nor is it being recommended here. But the notion provides a useful point of comparison between two important revenue sources — sales tax and property tax — that are available to local government.

With a new generation of smart growth development showing that greater density can be packaged in a physical form that is compelling to a wide range of citizens, and the fiscal information that can be gleaned from a community's revenue profile, longtime opponents of infill development may now be persuaded to consider a different, and potentially more cost-effective, approach to community building. With enough citizen buy-in, compact, walkable "smart growth districts" could be infinitely replicable, even in a suburban county such as Sarasota. Enabling them would be a far more viable strategy for increasing the county's revenue base than trying to squeeze more sales tax dollars from existing local residents, many of whom now live on fixed incomes.

Such compact development would also mean a more rapid payback on public investment. Comparing the return from a two- and three-story garden apartment complex near Interstate 75 (357 housing units on just over 30 acres) with 1350 Main Street and two other adjacent downtown buildings (a total of 197 units on 1.9 acres), one sees that residential units in the suburban development will take 42 years to pay back the county's infrastructure outlay, versus just three years for units in the downtown building. (Revenue from the commercial portions of the downtown properties was excluded to keep this an apples-to-apples comparison.)

The rapid payback is due to the fact that taller, more compact buildings require less of the horizontal infrastructure (roads, water, and sewer lines) that government typically pays for. Vertical infrastructure (elevators, stair towers, conduit, and structural steel), by contrast, are paid for by the builder or developer. Thus, the more that government can induce the private sector to spend on a given parcel of land, the more it stands to gain long-term, when the development is complete and higher property taxes begin to flow in.

Indeed, governments have always encouraged such private sector investment with expenditures and actions of their own, ranging from the subdivision of land into salable parcels to the provision of public improvements such as streets, parks, and utilities. Citing earlier development models that may have been more economically viable, County Administrator Jim Ley remarked: "Observation points out just how far we've traveled from the basic understanding about what it takes to build a financially sustainable community — that denser urban centers produce the community wealth that sustains the less dense areas."

As municipalities become more proactive in evaluating competing development models and driving toward the models that best meet their objectives in multiple realms — quality of life, quality of place, and economic sustainability — one can expect that tools such as the revenue profile will become an increasingly important part of the community decision-making process.

Peter Katz is Sarasota County's director of Smart Growth/Urban Planning. He is the author of The New Urbanism: Toward an Architecture of Community (McGraw-Hill, 1993).

What the Numbers Show

By Joe Minicozzi, AICP

Our firm has created a computer model that shows that capital invested in high-density projects can produce a higher rate of return than lower density projects, including the big box stores that so many communities may mistakenly covet. The key is to look at municipal revenues generated per acre by a variety of land uses, including single-family housing, a typical suburban mall, and a more complex mixed use property.

Our 2008 study of Buncombe County, North Carolina, broke down the county property tax yield of Asheville-area properties on a per acre basis. We found that the average acre of single-family housing in the county contributed about $1,236 in property tax while the average acre of housing within the Asheville city limits contributed $1,716. The findings for downtown Asheville were far more dramatic: An average six-story mixed use project yielded $250,125 per acre. That's about 31 times the property tax yield of the Asheville Mall, which is also within the city limits but produced just $7,995 in county taxes per acre. Even after big box retail taxes were added to the study, the combined big box property and retail tax yields a total of about $51,000 per acre.

Results were similar in Sarasota, where we found that 3.4 acres of mixed use downtown development yielded 8.3 times more annual county property taxes than a suburban 30.6-acre, 357-unit garden-style apartment project. Further, the multifamily residential public infrastructure costs downtown were only 57 percent of the suburban project, while the revenues were 830 percent greater. A difference of $1.9 million a year versus $239,000 a year. And it took the urban project just three years to pay for the infrastructure versus the 42 years for the suburban project.

In sum, the urban form consumed less land, cost less to provide public infrastructure, and had a higher tax return.