

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

COUNCIL MEETING MINUTES

April 15, 2009

Commissioner Malcolm McLouth Presiding

IN ATTENDANCE:

County Representatives

Commissioner Welton Cadwell, Lake County
Commissioner Elaine Renick, Lake County
Commissioner S. Scott Boyd, Orange County
Commissioner Fred Brummer, Orange County
Commissioner Brandon Arrington, Osceola County
Commissioner Dick Van Der Weide, Seminole
Commissioner Brenda Carey, Seminole County
Councilwoman Patricia Northey, Volusia County
Councilman Jack Hayman, Volusia County

Municipal Representatives

Commissioner Patty Sheehan, City of Orlando
Mayor Rocky Randels, Space Coast League of
Cities
Mayor John Land, Tri-County League of Cities
Deputy Mayor Joanne Krebs, Tri-County League
of Cities
Vice Mayor Mary Martin, Volusia County
League of Cities

Gubernatorial Appointees

Mayor Melissa DeMarco, Lake County
Mr. Daniel O'Keefe, Orange County
Mr. Julius Melendez, Osceola County
Ms. Melanie Chase, Seminole County
Ms. Aileen Cubillos, Seminole County
Mr. Lonnie Groot, Volusia County
Mr. William McDermott, Enterprise Florida

Ex-Officio and Other Municipal Reps

Ms. Nancy Christman, SJRWMD
Ms. Vivian Garfein, FDEP
Ms. Cecelia Weaver, SFWMD
Ms. Susan Sadighi, FDOT

Other Attendees

Gerald Livingston, ECFRPC Counsel
Mr. John Adams, Rj Whidden
Mr. Randy Austin, AEC
Mr. Scott Byrd, Orange County
Mr. Jeff Reive, LYNX
Mr. Malcolm McLouth, Canaveral Port Auth.
Ms. Antonia Gerli, City of Sanford
Ms. Kathy Hale, EMD
Ms. Catherine Howard, Orange County
Mr. Chris Testerman, Orange County

Members not in Attendance

Commissioner Robin Fisher, Brevard County
Commissioner Andy Anderson, Brevard County
Commissioner Fred Hawkins, Osceola County
Commissioner Cheryl Grieb, Kissimmee
Ms. Jackie Colon, Brevard County
Mr. Al Glover, Brevard County
Commissioner Jack Bridges, City of Sanford

ECFRPC Staff

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

I. Call to Order and General Business

Chair Mary Martin called the meeting to order at 10:00 a.m. Ruth Little called the roll and announced that a quorum was present.

II. Consent Agenda

Vice Mayor Martin asked for comments and questions on the Consent Agenda. Commissioner Sheehan noted that the March 18, 2009 minutes should reflect that she voted against approval of the International Corporate Park DRI. Ms. Sadighi asked that the third item on the Consent Agenda, the approval of the FDOT/ECFRPC JPA, be removed from consideration. With the changes noted above, Commissioner Sheehan made a MOTION TO APPROVE THE CONSENT AGENDA. The MOTION was seconded by Councilman Hayman and UNANIMOUSLY PASSED.

III. Grand Palisades Resort Park DRI

ECFRPC. Mr. Fred Milch gave a presentation of the Grand Palisades Resort DRI beginning with a Google “fly-in” to show the location of the site near the Lake County line. The project site map was shown along with photos from the site visit, including evidence of sand skink. The wetland impact is limited to road crossings and impacts only one to two acres on the 210-acre site. The primary environmental concern is the presence of the Lake Wales Ridge, an environmentally sensitive highland that goes through five counties in Florida. The developer has agreed to Water Star standards and limiting non-native plantings. The DRI is a resort and expected to generate a lower demand for public services, little to no impact on schools, and reduced trip generations.

Mr. Laurien commented that the developer has acknowledged the need for an east-west connection. While there is no recommendation in the staff report addressing this issue, the RPC looks at connectivity across county lines.

Mr. Milch showed a map of property in Polk County the developer proposes to use for mitigation of sand skink habitat. Staff recommends on-site preservation of the habitat, or alternatively a 4 to 1 mitigation ratio. The Florida Fish and Wildlife requires 2 acres of mitigation for every acre of habitat lost. Discussion followed about the difference between the Fish & Wildlife recommendation compared with the ECFRPC staff recommendation for mitigation. There was also discussion of the value of mitigation so far from the project site.

Applicant. Chair Martin recognized John Adams of RJ Whidden to speak for the applicant. Mr. Adams showed the current development plan which includes 210 acres, over 4,000 resort units, and 60,000 square feet of retail space. Mr. Randy Austin from Austin Environmental questioned recommendation #18 and suggested modifications to language related to sand skink habitat mitigation and the Lake Wales Ridge State Forest. Mr. Austin pointed to recent projects’ approved mitigation ratios; only one project was required to provide a 3 to 1 mitigation ratio, all others were 2 to 1. He said they are willing to comply with state and federal requirements, and asked that this project be treated equitably. The Dantzman Property, which will be used for mitigation, was purchased by the applicant at the recommendation of The Nature Conservancy. It is adjacent to another state-owned property that offers habitat for sand skink. Mr. Austin added that the applicant cannot use the same parcel to mitigate for additional species, so the ultimate total mitigation ratio will be greater than 2-1.

Mr. Adams addressed the road connectivity issue into Lake County. While he agrees with the concept of interconnectivity as a good planning practice, he believes the proposed roadway should be located north of the project. Some development has already occurred within the project area. A connecting roadway within the site would impact open space, recreation and wetlands areas, and could adversely affect existing Lake County residents. Mr. Adams also answered questions about water supply and the interlocal agreement with the Toho Water Authority. A discussion of the possible east-west connectivity corridors and water supply issues followed.

There was additional discussion and questions raised about the mitigation ratios for loss of sand skink habitat and the RPC's ability to impose higher requirements. Mr. Laurien said the intent is not to put anyone at an unfair disadvantage, but to recognize the unique aspects of the Lake Wales Ridge within the project.

Chair Martin asked each of the involved agencies and governments for comment. Susan Sadighi from FDOT asked for a language change in recommendation 55, adding an escalation factor into the recommendation, which was verbally agreed to by the applicant. Ms. Weaver of the South Florida Water Management District commented that, depending on the timing of construction, Orange County may or may not have an adequate allocation for water. Other agencies had no comment.

After further discussion, Commissioner Carey made a MOTION TO APPROVE the Staff Recommendations with two changes: at Recommendation 18, delete everything after "Lake Wales Ridge" at 18b., and amend Recommendation 55 as requested by FDOT. The Motion was seconded by Melanie Chase. There was additional discussion of the mitigation requirements and the RPC's role. Chair Martin asked for a show of hands. Because the vote appeared to be close, the vote was taken by roll call and the MOTION TO APPROVE PASSED with 10 in favor and 8 opposed.

IV. Chair's Report – Vice Mayor Marty Martin

Chair Martin welcomed the new gubernatorial appointees serving on the Council. She also thanked former Chair Malcolm "Mac" McLouth for his service to the ECFRPC and presented him with a plaque. Mr. McLouth commented that he has been working on regionalization for over 10 years and looks forward to continuing that work. He is the new Commissioner of the Canaveral Port Authority and continues to serve on the *myregion.org* board. Mr. Laurien thanked Mr. McLouth for his service and leadership.

Chair Martin asked for a nominating committee to fill the vacant position on the Executive Committee. Mayor Land agreed to chair the nominating committee and it was agreed that Vice Mayor Martin and Mr. Al Glover would also serve. They will meet prior to the May 20, 2009 Council meeting. Nominations may be forwarded to the Executive Director.

Chair Martin informed the members of an opening on the Florida Regional Councils Association (FRCA). FRCA is our link to the legislative process, and anyone who is interested in serving in the capacity should contact the Executive Director.

V. Approval of FDOT/ECFRPC JPA Language Change

Ms. Susan Sadighi of the FDOT asked that the amendment to the existing Joint Participation Agreement (JPA) be considered. The amendment was briefly reviewed and Commissioner Cadwell made a MOTION TO APPROVE the amendment. The motion was seconded by Vice Mayor Martin and unanimously approved.

VI. Executive Director's Report

Mr. Laurien briefly reviewed each item on the handout for outreach programs and contract opportunities.

Mr. Laurien then reported on Senate Bill 360, which was recently passed by the Senate. A related bill in the House will be voted on shortly. If passed in its current form, SB360 will exempt certain projects from the DRI review process. Mr. Laurien believes that the DRI review process is a growth management strategy that works and results in better developments. SB360 recognizes that transportation concurrency promotes sprawl, and we should be promoting more growth in urban areas as we work towards the regional vision. The ECFRPC has asked Senator Constantine to consider an amendment to encourage three things within Dense Urban Land Areas (DULAs): an interconnected street network, the allowance of mixed use, and a suggested minimum threshold density. If the final Bill can include these three things, we could begin seeing the vision implemented here and throughout Florida.

Senate Bill 362, also under current consideration, allows DCA to charge municipalities for comprehensive plan amendment reviews. We have asked that a portion of that fee go to the state's Regional Planning Councils for their actual costs in reviewing comprehensive plans.

Mr. Laurien then reported on the new office space in Altamonte Springs. The June 17, 2009 RPC meeting will be held at 309 Cranes Roost Blvd in Altamonte Springs. There will be information on the web site and more detailed information at the May 2009 meeting. The Executive Committee has approved expenditures for a new phone system and computer server. He reminded members that difference in rent, utilities and building costs will save the Council \$16,000 over the first year.

The Executive Committee has also approved a \$10,000 allowance for furniture. Most of the existing furniture will be used at the new location, but three staff members are working at folding tables, and additional bookcases will be necessary.

Mr. Laurien reported that he is beginning to hear from County staff inquiring about dues for next year for their budget projections. There are many unanswered questions about what the legislature is going to do, but he would like to formulate the ECFRPC budget in August and vote on it at the September 2009 meeting. One goal is to keep the existing staff together and freeze staff salaries for the coming budget year. Mr. Laurien gave three scenarios for possible dues levels: the original rate of \$0.23 per capita, the current rate of \$0.2047 per capita, or \$0.19, which constitutes a reduction of 7.2% from last year's multiplier. Resulting deficits will be made up through reserves (about \$300,000). Commissioners Cadwell and Hayman agreed with the goal of keeping a successful team together. Commissioner Van der

Weide said he is not willing to give up the ECFRPC to budget cuts, and said that the willingness to cut assessment costs shows intent that we are all in this together

VII. Announcements and Comments

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

Mayor Randels expressed his appreciation for the ECFRPC and looks forward to being involved in the Visioning process that the RPC will be facilitating in Cape Canaveral.

Chair Martin noted that a new member orientation will be held prior to the May 20, 2009 meeting.

VIII. Adjournment

There being no further business before the Council, Chair Martin adjourned the meeting at 12:15.