



NORTHEAST FLORIDA REGIONAL COUNCIL  
Board of Directors Meeting  
February 5, 2009

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MINUTES

The regular monthly meeting of the Northeast Florida Regional Council was held on Thursday, February 5, 2009, at 10:00 a.m., at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216.

**President Boyle** called the meeting to order with the following members present representing a quorum:

BAKER	Hugh Fish Darryl Register
CLAY	Wendell Davis Robert Page Chereese Stewart
DUVAL	Bill Bishop Art Graham
FLAGLER	Milissa Holland Jon Netts Catherine Robinson Bob Sgroi
NASSAU	Michael Boyle
PUTNAM	Nancy Harris Chip Laibl
ST. JOHNS	Ken Bryan Don Crichlow Cyndi Stevenson
EX-OFFICIO	Jeff Cole Wes Larson Larry Parks Beth Weatherford for Greg Strong

Excused: Michael Griffis, Carol Vallencourt, Paul Parsons, Bob Spaeth, Larry Williams, Mary Lawson-Brown, Harry Maxwell, Karen Stern, Greg Strong

Absent: Shirley Graham

Others: Steve Fitzgibbons, Dan Chitwood, Geoff Sample, Valerie Britt and other members of the public.

Staff: Brian Teeple, Mario Taylor, Ed Lehman, Donna Starling, Michael Hadden, Margo Moehring, Guy Parola, Beth Payne, Jonathan Goyings and Angela Giles.

**President Boyle** welcomed everyone and introduced new Board Member **Clay County Commission Chair Wendell Davis**. The **President** asked everyone to stand for the Invocation and Pledge of

Allegiance. The Invocation was offered by **Commissioner Chereese Stewart**, and the Pledge was led by **Commissioner Davis** of Clay County.

\*Approval of Minutes

**Commissioner Laibl moved approval of the January 8, 2009, meeting's minutes; seconded by Mayor Netts; motion unanimously carried.**

Public Comment

None.

\*Consent Agenda

**President Boyle** asked if any items should be removed from the Consent Agenda. There being no items to be pulled from the Consent Agenda, **Mr. Fish moved approval of the Consent Agenda; Commissioner Bryan seconded; motion carried unanimously.**

Discussion Agenda

\*City of Bunnell Adopted Amendment 09CIE-1

Mr. Parola stated that the Florida Statutes require capital improvements that are subject to level of service (LOS) requirements within a comprehensive plan be incorporated into a financially feasible Capital Improvements Program, which is then adopted into the Capital Improvements Element (CIE). He also stated that the CIE amendments require only an adoption hearing by local governments; therefore, there is no transmittal phase to this amendment. The City of Bunnell adopted this amendment on January 20, 2009. The Planning & Growth Management Policy Committee (P&G) Committee reviewed this amendment, and unanimously recommended that the Council find this Amendment consistent with the Northeast Florida Strategic Regional Policy Plan (SRPP). **Mr. Sgroi moved approval of City of Bunnell 09CIE-1 as consistent with the SRPP; Mayor Netts seconded the motion; motion carried unanimously.**

**\*Councilman Art Graham arrived at 10:12 am.**

\*City of Green Cove Springs Adopted Amendment 08CIE-1

Mr. Parola stated that the Florida Statutes require capital improvements that are subject to level of service (LOS) requirements within a comprehensive plan be incorporated into a financially feasible Capital Improvements Program, which is then adopted into the Capital Improvements Element (CIE). He also stated that the CIE amendments require only an adoption hearing by local governments; therefore, there is no transmittal phase to this amendment. The City of Green Cove Springs adopted this amendment on September 29, 2008. The Planning & Growth Management Policy Committee (P&G) Committee reviewed this amendment and unanimously recommended that the Council find this Amendment consistent with the Northeast Florida Strategic Regional Policy Plan (SRPP). **Mr. Register moved approval of the City of Green Cove Springs Adopted Amendment 08CIE-1 as consistent with the SRPP; seconded by Councilman Bishop; motion carried unanimously.**

\*City of Green Cove Springs Adopted Amendment 08-1

Mr. Parola provided an overview of the Adopted Amendment which was reviewed and approved in its transmitted form at the Council's October, 2008 meeting. The Amendment consists of a number of changes to the Future Land Use Map (FLUM) and a text amendment. Staff has no comments or concerns. The P&G Committee reviewed this amendment and unanimously recommended that the Council find the City of Green Cove Springs Adopted Amendment 08-1 consistent with the SRPP. **Commissioner Stewart moved approval of the City of Green Cove Springs Adopted**

**Amendment 08-1 as consistent with the SRPP; seconded by Commissioner Bryan; motion carried unanimously.**

\*City of Flagler Beach Adopted Amendment 09-1

Mr. Lehman provided an overview of the Adopted Amendment, which was reviewed and approved, with one comment, in its transmitted form at the Council's November, 2008 meeting. By letter dated December 23, 2008, the Department of Community Affairs (DCA) issued an Objections, Recommendations, and Comments (ORC) report, and had two comments to the transmitted amendment, but no objections. The Amendment consists of adding several policies to the Comprehensive Plan to address the proposal of three downtown overlays, to provide the framework for development and redevelopment to take place within downtown Flagler Beach. The three downtown overlays are the Downtown Mixed-Use Overlay, the Downtown A1A Retail Corridor Overlay and the Downtown Residential Neighborhoods Overlay. Staff has concerns over the standards for hurricane evacuation times, but believe they should be addressed in the land development regulations. The P&G Committee reviewed this amendment and unanimously recommended that the Council find the City of Flagler Beach Adopted Amendment 09-1 consistent with the SRPP. Discussion followed.

**Mr. Register moved approval of the City of Flagler Beach Adopted Amendment 09-1 as consistent with the SRPP; seconded by Mr. Sgroi; motion carried unanimously.**

Moody Property Coastal High Hazard Area (CHHA) Update

Mr. Lehman presented a memo prepared by Jeff Alexander, regarding the Moody Site Administrative Hearing (City of Jacksonville). At the June, 2007 Council meeting, the Council recommended that the City of Jacksonville amendment to change 77.2 acres from Water Dependent-Water Related & Agriculture(iv) to Community/General Commercial was not consistent with the SRPP. In their review of the adopted amendment, the DCA determined that the amendment was Not In Compliance, due to concerns that the site was located within the CHHA. An Administrative hearing took place, and the conclusion of the administrative hearing officer as it pertains to the objections and findings of the Council of inconsistency with the SRPP were that, while the Moody land use amendment was not in compliance, the site was not in the CHHA. Mr. Lehman stated that there were three points of key note:

- 1) It acknowledged that the atlas is the document that delineates the CHHA, and that it is designed for evacuation planning purposes, with its only fault for use in land use planning being that it is not built on the most accurate mapping, in that it uses USGS Quad maps;
- 2) The Recommended Order accepts that it is appropriate that the statutory mitigation requirements of development in the CHHA can be circumvented by a property owner who fills the property to raise the development above anticipated storm surge levels;
- 3) In several findings, the Recommended Order sites the Atlas as delineating the CHHA, and that it is accepted by the City and State as defining the CHHA. It also recognizes the City's right to determine that there is better data available, as the City is allowing Site specific survey data to be considered as best available. The Site survey is permitted to "adjust the lines."

These three points form the foundation from which the conclusion is derived. The DCA has filed exceptions to the Recommended Order, and the Governor and Cabinet will rule on the exceptions and hand down the Final Order. Discussion followed regarding how the Council could stop the outcome of the Administrative Order which could be a statewide interpretation that it is possible to fill sites and thus remove them from CHHA. **President Boyle asked for a motion for the Council to prepare a strongly worded resolution to send to the Governor to oppose the findings of the Administrative Order specific to the text, but not the FLUM amendment. Commissioner Bryan made the motion; seconded by Commissioner Harris; motion carried unanimously.** Discussion followed.

Public Comment

Ms. Valerie Britt, PO Box 49209, Jacksonville Beach, FL, 32240. Ms. Britt also owns property in Pablo Point, 32225. Ms. Britt stated that DCA has filed an exception to the Administrative Law Judge's Recommended Order concerning the text amendment. In addition, Ms. Britt stated that the Moody FLUM amendment was found not in compliance by the Hearing Officer and even the planner for Moody admitted that it was not in compliance. Ms. Britt expressed concern that the last minute amendment to the text amendment has caused the problem and was concerned with the findings of the Hearing Officer if not revised by the Governor and Cabinet.

Strategic Regional Evacuation Study Program (SRESP) Update

Ms. Payne gave the Members a presentation on the status of the SRESP, including information regarding Sea, Lake and Overland Surge from Hurricanes (SLOSH) modeling and the usage of Light Detection and Ranging (LIDAR) data. Discussion followed.

Florida Economic Overview

Mr. Teeple spoke to the Board regarding the handout by the Florida Office of Demographic and Economic Research (DER). Mr. Teeple stated that their outlook seemed overly optimistic, and the State's revenue shortfall is now 5.5 or 6 Billion dollars. There are 4 sources of revenue the Legislature is looking at: tax on cigarettes, a new Indian Gaming Compact, documentary stamps, and regulatory reform. The State is also considering a mobility fee, to replace the proportionate share, or impact fees. Mr. Teeple stated that a pre-filed bill exists within the Senate, SB 730, which will abolish the DCA. Discussion followed.

Reality Check/Regional Visioning Update

Ms. Moehring gave the members a brief update on the status of Reality Check First Coast, and the Council's efforts on Regional Visioning. Ms. Moehring stated that regional visioning is the right thing to do, and the right thing to do now. The RCFC is working on a fundraising blitz to generate funds for the event. Ms. Moehring informed the members that there were several upcoming events that would be of interest – the Land Use and Quality of Life on January 30<sup>th</sup>, the RCFC Kick Off press conference on February 9<sup>th</sup> at UNF. Ms. Moehring noted that it is time for the staff to start talking to the County Commissions and City and Town Councils regarding Reality Check. A RCFC Steering Committee meeting is scheduled for March 13<sup>th</sup>, and simultaneous town hall meetings are set for March 23<sup>rd</sup>. The RCI Board will meet on February 12<sup>th</sup>, and the Comprehensive Economic Development Strategy (CEDS) Steering Committee will meet on February 20<sup>th</sup> to discuss the State of the Region. Mr. Teeple noted that RCFC had already received media coverage in Nassau County, and is expecting coverage in Baker, Palatka, Flagler, Ponte Vedra and St. Johns County.

Regional Leadership Series(RLS) Update

Mr. Hadden informed the Members that the RLS had its kick off meetings on January 14 and 15. The meetings were "Our Region 101" and "Equity and Diversity". Both meetings were well attended, and the evaluations received from attendees were close to "5" for both days, with 5 being the highest/best. Mr. Hadden stated that the next RLS day would be "Emergency Preparedness" on February 11, 2009.

NEFRC 2008 Annual Report

Mr. Hadden passed out copies of the NEFRC 2008 Annual Report to the Members, informing them that this was the most high profile publication produced by the Council; with the largest distribution. As the Annual Report highlights every program area in the Council, it showcases all aspects of what the Council does.

Mr. Hadden noted that the 2008/2009 Regional Directory would be provided in hard copy to the members at the March 2009 Board Meeting.

Public Comment

Ms. Valerie Britt thanked the Council and staff for taking a strong position on the CHHA issue. Ms. Britt emphasized the need to focus on the text amendment in the resolution to the Governor and Cabinet.

**President Boyle** thanked Ms. Britt for being an involved citizen.

Members/Ex-Officio Members Reports

**Commissioner Stevenson** – stated that the LCIR report on the State web site has good data.

**Ms. Weatherford, FDEP** – stated that the DEP is still considering allowing the GP pipeline a 2 year extension.

**Mr. Parks, FDOT** – passed out Economic Stimulus information, and stated that there would be a statewide video conference on February 13. DOT is ready and willing to help counties and municipalities prepare shovel ready projects to qualify for federal funding. Mr. Parks also stated he believes that the Outer Beltway tax issue may go before the Legislature.

**Mr. Cole, SJRWMD** – stated that there have been changes to the local irrigation rules, and requests local governments help in making sure these rules are followed.

President's Report

**President Boyle** stated that he would like the Resolution on CHHA to state that the Council "strongly" objects to the text findings.

Chief Executive Officer's Report

Mr. Teeple informed the members that Mr. Hadden would be available to take Board Members portraits. Mr. Teeple introduced Ms. Shirley Orberg, the 2008 NEFRC Employee of the Year. Mr. Teeple called the Members' attention to the Highlights in the front of the Members' binders and upcoming events of interest. Mr. Teeple also pointed out the regional news articles on the front table.

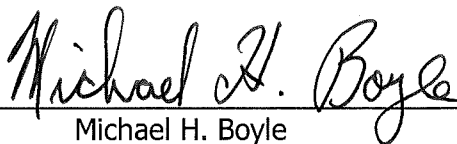
There is a Legislative Committee meeting downstairs immediately after this meeting.

Next Meeting Date

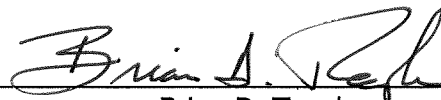
The next Council Board of Director's meeting is scheduled for **Thursday, March 5, 2009** at 10:00 am. at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Adjournment

There being no further business to discuss, the meeting adjourned at 12:08 pm.



Michael H. Boyle  
President



Brian D. Teeple  
Chief Executive Officer