



NORTHEAST FLORIDA REGIONAL COUNCIL
Board of Directors Meeting
April 2, 2009

MINUTES

The regular monthly meeting of the Northeast Florida Regional Council was held on Thursday, April 2, 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
CLAY	Wendell Davis Robert Page Kenneth Smallwood Chereese Stewart
DUVAL	Bill Bishop Elaine Brown Art Graham Paul Parsons
FLAGLER	Milissa Holland Jon Netts Catherine Robinson Bob Sgroi
NASSAU	Michael Boyle Shirley Graham Bob Spaeth
PUTNAM	Mary Lawson-Brown
ST. JOHNS	Ken Bryan Don Crichlow Jane Miller Karen Stern Cyndi Stevenson
EX-OFFICIO	Jeff Cole Wes Larson Larry Parks Greg Strong

Excused: Michael Griffis, Nancy Harris, Chip Laibl, Darryl Register, Carol Vallencourt and Larry Williams

Others: Steve Fitzgibbons, Dan Chitwood, Geoff Sample, Ray Spofford, Bob Johnson, Staci Rewis, Zack Miller, Doug Miller, Valerie Britt, Beth Weatherford, Tom Jones and other members of the public.

Staff: Brian Teeple, Mario Taylor, Donna Starling, Ed Lehman, Margo Moehring, Michael Hadden, Guy Parola, Ameera Sayeed, Valerie Evans, Michael Calhoun, and Angela Giles Sheron Forde.

President Boyle welcomed everyone along with new and reappointed **Gubernatorial appointees representing: Clay County - Mr. Kenneth Smallwood, Mr. Darryl Register and Ms. Vallencourt; St. Johns County – Ms. Jane Miller and Mrs. Karen Stern; Duval County - Ms. Elaine Brown.** The **President** asked everyone to stand for the Invocation and Pledge of Allegiance. The Invocation and Pledge was led by **President Boyle** of Nassau County.

*Approval of Minutes

Mr. Fish moved approval of the February 5, 2009, meeting’s minutes; seconded by Ms. Miller; motion unanimously carried.

President Boyle mentioned that the March meeting was cancelled due to the minimal amount of business on the agenda. He inquired whether anyone had any concerns regarding the cancellation of meetings. Hearing no objections, he returned to the agenda.

Public Comment

Ms. Valerie Britt, PO Box 49209, Jacksonville Beach, FL, 32240. Ms. Britt also owns property in Pablo Point, 32225. Ms. Valerie Britt, spoke on behalf of her Pablo Pointe Civic Associate and herself as a Jacksonville property owner. Ms. Britt thanked the Committee on the work it did in preparing a statement for the Administration Commission on the Coastal High Hazard Area issues. On behalf of herself, she commented on the Jacksonville adoption series before the Council today stating that she noticed that at the point of adoption, the developers/applicants are proposing to work with staff to make changes. Although she would indeed like to see improvements, her concerns are with the timelines. The time to make those promises/changes are between transmittal and adoption for a reason, which is that it gives the City Council and the public an opportunity to work through those things. It is her opinion that once it is adopted in the City Council the changes can only be officially made through stipulated settlement agreements and remedial actions that are actually adopted by the local government. Therefore, she is concerned with the possibility of it being written off even though they’ve promised to make good on it and changed what has already been adopted in the City Council. It is her hope that this body will look very closely at the problems that were previously identified at the transmittal round as she believes they have not been corrected. She stated that while it may not require an Administrative Hearing, it is her opinion that it will probably require an official action that may be something like a stipulated agreement through the administrative proceeding; otherwise, the Council has already approved and adopted a version that many are saying is not okay yet. She repeated her request that this Council review this carefully, especially the transportation issues.

*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; Ms. Brown seconded; motion carried unanimously.**

Discussion Agenda

*Governors Park DRI Development Order Overview

Mr. Lehman stated that the Governors Park DRI review summary report was presented to the Board a few months ago. Since then, there have been deferrals from this council hearing the report to either adopt, adopt with conditions or deny the Governors Park DRI recommendation report. At the request of Council staff, the applicant is appearing today to provide another overview. Also, as Council Board makeup has changed and/or some may have forgotten what was previously presented and since

action will need to be taken next month, staff felt it was prudent to have them appear. Mr. Lehman stated again that the recommendations will come before the Board in May for approval. He then introduced Mr. Ray Spofford of England, Thims and Miller, to provide the overview of the project.

Mr. Spofford introduced other individuals involved in the project that were in attendance such as Tom Jones, master developer of Governors Park, Bill Brant, Lynn Pappas, Stacy Rewis and Zack Miller, Doug Miller and Bob Johnson. Mr. Spofford stated that the Governors Park DRI is located just west of St. Johns Road in southeast Clay County, along the proposed alignment of the First Coast Outer Beltway; it is approximately 15 minutes of from I-95. In addition, the proposed Green Cove Springs bypass will have an interchange on the Outer Beltway within the project site. Mr. Spofford provided a more detailed overview of the project consisting of retail, office, residential, hotel and industrial land uses. There will also be a trails system linking all the various uses within the site. There will be over 800 acres of green and open space, two proposed elementary schools within the project. The one item that has changed since the last presentation is that there will now be a High School site as opposed to a Middle School. The School District has recently agreed to mitigate for school impacts and there will be at least 64 acres of community parks to include ball fields, tennis, basketball and a multi-use trail. This is a four phase project with expected build out in 2028. He noted that phase one won't have any residential development. Phases two through four will be contingent upon the actual construction of the Outer Beltway. He further mentioned that in working with FDOT, it was agreed that having an interchange within the project site and providing for the south segment of the Green Cove Springs Bypass should provide a relief of the traffic concerns in the City of Green Cove Springs. He also mentioned that the economic benefits of the project will be over one job per household resulting in 603 new permanent jobs. He concluded his overview by stating that the benefit to the County at build out would be a continuous annual net fiscal benefit of approximately 11.7 million dollars. Discussion followed.

Mr. Parsons inquired about any assistance with building schools. Mr. Spofford stated that there is a proportionate share mitigation agreement with the school district. The three school sites will be donated along with payment of impact fees of approximately \$7,000 per unit. After reviewing the capacity and the donation of land with the impact fees payment, it was determined that it would offset the impacts.

*Baker County TD Local Coordinating Board (LCB) Recommendations

Mr. Lehman stated that the Regional Council is the Designated Official Planning Agency for the Transportation Disadvantaged program for Baker County, therefore, two names being proposed for appointment as representatives of the Baker County LCB. They are Jeannette Bullock, representing persons with disabilities and Catherine Grant, representing the Elderly. These names have been reviewed by Baker County representatives, who have expressed no concerns. Therefore, staff requested that the Council approve the appointment of these individuals to the Baker County Transportation Disadvantaged Local Coordinating Board. **Mr. Fish moved approval of the Baker County TD Local Coordination Board Recommendations; seconded by Mr. Parsons; motion carried unanimously.**

*Putnam County Adopted Amendment 09-1

Mr. Lehman provided an overview of the Adopted Amendment which was reviewed and approved in its transmitted form at the Council's December, 2008 meeting. There were two concerns the Council had during the review of the transmitted amendment, which were increasing the density from 9 units to 16 units in the reserve urban area and removing the floor area ratios. These concerns were also identified by DCA in their ORC report. In response, Putnam County has excluded these provisions from the adopted amendment; therefore, staff believes it is consistent with the SRPP and the P&G Committee adopted staff's recommendations unanimously and recommended that the Council find the Putnam County Adopted Amendment 09-1 consistent with the SRPP. **Mrs. Stern moved approval**

of the Putnam County Adopted Amendment 09-1 as consistent with the SRPP; seconded by Vice Mayor Lawson-Brown; motion carried unanimously.

*Baker County Adopted Amendment 09SSA-1

Mr. Parola provided an overview of Adopted Amendment 09SSA-1, indicating that the SSA stands for Stipulated Settlement Agreement. He stated that in October of 2007, the Council found the Baker County Amendment 07-1 consistent with the SRPP, which dealt with intrastate development nodes along I-10. However, DCA issued a statement of intent finding the Amendment not in compliance. It went through Administrative Hearings, resulting in settlement agreements producing remedial actions that included amendments to the comprehensive plans and this is why it is before the Board today. Mr. Parola added that it is staff's opinion that the remedial actions contained in this amendment do not abrogate the Council finding that the previous amendment was consistent with the SRPP. Additionally, staff finds the specific text and requirements contained in this amendment to also be consistent with the SRPP. He stated that the P&G Committee reviewed this amendment and unanimously recommended that the Council find the Baker County Adopted Amendment 09SSA-1 consistent with the SRPP. **Mr. Fish moved approval of the Baker County Adopted Amendment 09SSA-1 as consistent with the SRPP; seconded by Ms. Elaine Brown; motion carried unanimously.**

*Resolution 2009-01 – Honoring Mr. Harry Maxwell

Mr. Teeple stated that this resolution honoring Gubernatorial Appointee, Mr. Harry Maxwell representing St. Johns County. Mr. Maxwell did not seek reappointment by the Governor and therefore was not reappointed. **Commissioner Stevenson moved approval of Resolution 2009-01; seconded by Commissioner Crichlow; motion carried unanimously.** Mr. Teeple relayed Mr. Maxwell's appreciation of his time in service with the Board and his friendship with the members and he wishes all of them well in the future.

*Resolution 2009-02 – Opposing the Proposed Privatization of the Florida State Hospital

Mr. Teeple commented that there have been other attempts in the past to privatize the Northeast Florida State Hospital. He provided a brief background of the hospital's history as an employer and services provider, awards received, etc. Discussion followed. **Mr. Fish moved approval of Resolution 2009-02; seconded by Mrs. Stern; motion carried unanimously.**

Commissioner Chereese Stewart arrived

*City of Jacksonville Adopted Amendment 09-1AR

Mr. Teeple indicated that the AR stands for Alternative Review as the City of Jacksonville, based on Florida Statutes, goes through a different process than other local governments regarding comprehensive plans. He stated that the City of Jacksonville's Adopted Amendment packet was received yesterday afternoon, containing approximately 750 pages. During the Council's review of the transmitted package in December of 2008, a number of public policy concerns with regard to several of the amendments within the package were identified. Therefore, in order to meet our statutory obligations to review this item and provide it to the City and DCA within 30 days, staff recommended to the Planning & Growth Management Committee, and the Committee unanimously approved, the continuance of the Planning & Growth Management committee meeting to April 23rd at 9:00 a.m. and asks that the full Board appoints them as a committee with full power to discharge this responsibility as a Committee of the whole at that point in time.

Discussion followed regarding how best to address the problem of late arrival of agenda items. A suggestion was made that the Council could follow up with the Counties and local governments regarding potential items that may come before the Council for review. **Councilman Art Graham** emphasized his desire for the Alternate Review process to succeed. Based on the City's process, he indicated that there is no excuse for the Council to be receiving these items so late and encouraged

staff to look at ways in which this situation could be avoided in the future. **President Boyle** stated that in asking Council staff to keep abreast of each County and local government's activities to determine whether there are potential items that may come before the Council would place undue pressure on the Council's small staff. He further stated that it should be the responsibilities of the Counties and local governments to inform the Council of such items and transmit the information to the Council in a timely manner. He then stated that the P&G Committee has voted to take on the responsibility of reviewing this amendment at a special meeting on April 23rd. He further stated that the Committee recognized that other Board members may be interested in participating in that meeting and stated that any Board member interested in joining the Planning & Growth Management Committee at that meeting is invited and could be appointed as a special appointment to the Committee to participate in the debate and analysis and the final vote. **Commissioner Stevenson moved that the Planning & Growth Management Committee reconvene on Thursday, April 23rd at 9:00 a.m. with full power regarding this one issue; seconded by Mr. Fish.**

Mr. Teeple asked for a point of clarification, stating that the motion is calling for the Board to appoint the P&G Committee as a Committee with full power to address this one issue. He asked that the motion also include any additional Comp Plan items received, in order to meet statutory requirements, that would otherwise miss the 30-day review period. For discussion **Commissioner Stevenson amended her motion to include any Comp Plan items received that would otherwise miss the 30-day review period. *Mr. Fish withdrew his second of the original motion.*** The amended motion was **seconded by Councilman Graham.** Discussion ensued.

Mr. Fish stated that he approved the original motion because, through staff, the Board had already reviewed a lot of the things contained in the packet. He further stated that he would not be in approval of something that may come up and may not have been considered in the past. Mr. Teeple clarified that because this month's meeting falls on the 2nd of April and next month's meeting falls on the 7th of May, which is some 35 days apart, there is a possibility that between now and the next couple of days we may receive an amendment package from a local government, either adopted or transmitted. During that time, the 30 days would have expired before this Board convened again on May 7th. Therefore, staff is suggesting that the Council gives the Planning & Growth Management Committee full power to continue its meeting on the 23rd to deal with the City of Jacksonville's 09-1AR and also the authority to deal with any other Comp Plan items that may come in during the next several days that would otherwise fall outside of our statutory timeframes on behalf of the full Council at that meeting.

Commissioner Stevenson withdrew her amended motion and Councilman Graham withdrew his second. Commissioner Stevenson offered to sever her amended motion for discussion to best deal with the issues at hand.

With no motion on the floor, President Boyle asked for a motion to appoint the Growth Management Committee with full powers to address the issue of Jacksonville 09-1AR at the continued meeting on April 23rd at 9:00 a.m. here at the NEFRC. **Commissioner Stevenson made the motion; seconded by Mr. Parsons; motion carried unanimously.**

President Boyle asked for a show of hands of those who wished to join the meeting on the 23rd. By a show of hands, Ms. Brown, Commissioner Wendell Davis, Mr. Sgroi, Mr. Fish, Councilman Art Graham and Commissioner Stevenson expressed an interest in attending.

Mayor Netts stated that he supports Mr. Teeple's suggestion with the provision that, if such materials come in, notification via e-mail or otherwise to the full Board be made so that where a member might not have an interest in this particular text amendment, they might have in the new items and can choose to attend or not.

Commissioner Stevenson moved that the Board grant the ability for the Planning and Growth Management Committee, at its continued meeting, to take on additional items that may be statutorily necessary for this Board to have input and with the provision that all Board members be given notice at the earliest convenient time of the agenda thereby allowing for participation of all interested Board members; seconded by Mr. Crichlow. Discussion followed. **Motion carried unanimously.**

Mr. Fish stated that this action is a one-time event. The problem is that the situation that created the need for this action still exists for future months. He requested that staff provide a recommendation in May on how we will deal with this in the future so that we don't have to have these discussions.

CHHA Text Amendment Opposition Letter to Governor

Mr. Teeple stated that the dates for the meetings regarding this issue have been revised by the Governor's office since the writing of the memo included in the meeting packets. Staff has been notified that the Cabinet Aides will now meet on this issue on May 6th, and the Administration Commission will hear this issue on May 13th. Mr. Teeple provided an overview of the issue, highlighting the Hearing Officers findings on this matter and stated that staff will attend the Cabinet Aides and Administration Commission meetings.

Reality Check/Regional Visioning Update

Ms. Moehring mentioned the Reality Check brochures and Legos provided for each Board member. She encouraged each of the members to prominently display these items to spread the word about the Reality Check First Cost (RCFC) event on May 21st. Ms. Moehring provided an update of the RCFC Steering Committee meeting that was held on March 13th; an overview of the format and success of the simultaneous Town Hall meetings and that although this is a leadership exercise, public input is greatly desired. She thanked the members for their assistance with fund development, which has seen an increase in activity. The Regional Community Institute will be meeting June 11th.

The Comprehensive Economic Development Strategy committee met on March 27th to discuss the strengths and weaknesses of the region and the goals and objectives. Two subcommittees were created, one to help vet the actual comprehensive economic development strategy document and one to look at the projects that may be of vital importance to the region. The next meeting is April 24th.

Mr. Teeple mentioned that the two members that were on the Reality Check telecast were Commissioner Holland and Councilman Graham along with Lynn Pappas, a local land use attorney and Dr. Quinton White of Jacksonville University and that they did a great job.

Legislative Update

Mr. Teeple called the Member's attention to the yellow folder at their places containing a copy of the Council's regional 2009 Legislative Priorities brochures, palm cards, Know Your Legislatures booklet, and the most recent Legislative Session weekly report. Mr. Teeple also provided an update of the Governor's recommended budget and the status of the budget in both Houses. The yellow folder contained regional items of interest, including but not limited to the Streamlines publication, the 1000 Friends publication and Reality Check First Coast brochures for members distribution to help spread the word about Reality Check. He indicated that SB 360 was passed in the Senate; the License Plate for the St. Johns River isn't moving much in either House and may not happen this year; SB 1306 is moving and is worthy of watching as it contains a number of the financial feasibility aspects of Growth Management; HB 7049 regarding the dismantling of the Department of Community Affairs was heard in Committees and has a lot of controversy and it is believed that the House is backing off from the dismantling of the Department and probably will take up SB 360 instead. Discussion followed.

*Resolution 2009-03 – Designation of the Flagler County CTC

Mr. Teeple stated that the this resolution is recommending that the Council, in its role as the Designated Official Planning Agency, pursuant State Statutes, authorize the Flagler County Board of County Commissioners to continue as the Community Transportation Coordinator (CTC) for Flagler County. As a local government, the County is able to operate as the CTC without the requirements of having to go through the Request for Proposal process. Therefore, staff requests that the Council approve this resolution designating the Flagler County Board of County Commission as the County's CTC. **Commissioner Holland moved approval of Resolution 2009-03; seconded by Mr. Sgroi; motion carried unanimously.**

Public Comment

None

Members/Ex-Officio Members Reports

Vice Mayor Lawson-Brown – FLC President, Senator Graham and Congressman Fry has taken on the challenge of bringing Government back into the schools, teaching Civics and Ethics. If anyone is interested, they can contact the Florida League of Cities.

Mr. Larson – Current in the last few days of a lawsuit, a public administrative hearing with Volusia County regarding the siting of the Wal-Mart Distribution Center in South Putnam.

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

Mr. Strong, FDEP – provided an update on the GP pipeline.

Mr. Parks, FDOT – provided update on the status of the Outer Beltway, which can be viewed at fdotfirstcoastouterbeltway.com. He also provided a brief presentation on the I-10/I-95 Interchange, which can be viewed online at thebigi.info. In addition, Mr. Parks stated that this District will receive approximately \$101 million for its projects and \$44,053,946 locally and passed out a draft of the local projects.

Mr. Cole, SJRWMD – stated that there will be a special meeting of the WMD's Governing Board to consider the final order for the Seminole County surface water withdrawal permit application on April 13th at 1:00 pm. On April 14th, the regular meeting of the Board will be held with a brief presentation of the St. Johns River water supply impact study.

President's Report

President Boyle stated that each County has a responsibility to make sure the Regional Council is up to speed and in line with what's happening. He believes it is unrealistic and unreasonable to expect that the small staff employed here at the Council will be able to keep track of all the projects in the seven counties. Therefore, in order to avoid the type of issue we dealt with today, he urges each member to tell their Mayor, Administrator, Coordinator, whoever that is, to keep us advised and in the loop on a timely basis so this issue is not repeated. While there may be very valid explanations, no one wins under the current circumstances.

Chief Executive Officer's Report

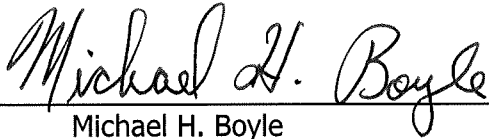
Mr. Teeple called the Members' attention to the front pocket of their binders where they will find a new member roster, the Governor's press release regarding the new Gubernatorial appointees and the Highlights. He also called their attention to the yellow folder at their places, which contains a recent water management district's most recent edition of their newsletter, Streamlines; information from 1000 Friends of Florida, Smart Growth; US Bureau of the Census' publication entitled A Complete Count Committee Guide; Compact Fluorescent Lamp Safety Collection program flyer, for which the Council is a Regional collection center. Mr. Teeple spoke about Council staff's participation in the March of Dimes' March for Babies on April 25th at Metropolitan Park, due to the recent loss of one of our staffer's eight-month old daughter, Angel. Mr. Teeple also mentioned the regional news articles on the front table. As a special note to the members, Mr. Teeple stated that Mr. Hadden is available to take Board Members' portraits.

Next Meeting Date

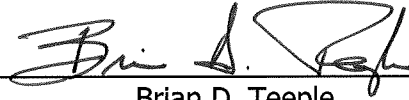
The next Council Board of Director's meeting is scheduled for **Thursday, May 7, 2009** at 10:00 am. at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Adjournment

There being no further business to discuss, the meeting adjourned at 12:10 pm.



Michael H. Boyle
President



Brian D. Teeple
Chief Executive Officer