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Serving the communities of Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns Counties

***Bringing Communities Together***

## MINUTES

The regular meeting of the Northeast Florida Regional Council's Executive Committee was held on Thursday, October 20, 2016 at 10:00 a.m. at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216.

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

BAKER	Jimmy Anderson Darryl Register
DUVAL	Stan Totman
FLAGLER	Jon Netts
NASSAU	Robert Spaeth
PUTNAM	Kenny Eubanks Vernon Myers
ST. JOHNS	Roxanne Horvath

Also Present: NEFRC Board Member Doug Conkey and Michael Griffis

Excused: Wendell Davis and Bill McClure

Guests: Mark Homans, Marshall McCrary, Russell Schweiss, Tammi Bach, Kelly Gibson, Colby Slaughter and other members of the public

Staff Present: Michael Calhoun, Ed Preston, Margo Moehring, Donna Starling, Brian Teeple and Sheron Forde

### \*APPROVAL OF MINUTES

**President Myers called for a motion on the September 1, 2016 Committee meeting minutes. Mr. Register moved approval; seconded by Mayor Netts. Motion carried.**

### PASSING OF THE GAVEL

Outgoing President Myers passed the gavel to incoming President Horvath. He expressed his appreciation for the opportunity to serve and thanked staff for their assistance over the past year. President Horvath thanked President Myers for his service and leadership over the past year. She thanked Mr. Myers for his service and looks forward to serving as President over the upcoming year.

## FY 2016-17 BOARD/COMMITTEE MEETING SCHEDULE

The meeting schedule for the FY16/17 was provided.

### INVITATION TO SPEAK

President Horvath announced that members of the public are welcome and encouraged to speak on any item that is brought before the Council.

### REPORTS/ACTION ITEMS

#### City of City of Fernandina Beach Adopted Amendment 16-3ESR

*The City of Fernandina Beach item was taken out of order to accommodate the out of town guests.*

Ms. Moehring stated that the City of Fernandina Beach Adopted 16-3ESR, which is an amendment to the City's Conservation and Coastal Management Element and is the same as what was provided in the transmittal round with a few exceptions. She provided an overview of the transmittal language, acknowledging that the City did change the limitation to heavy industrial zoning districts to the industrial future land use designation in response to staff's comments. However, the remainder of the amendment remained the same. Staff's review did not find any extra-jurisdictional impacts, but indicated that the amendment was inconsistent with the Strategic Regional Policy Plan (SRPP) and did find impacts to resources of regional significance. Discussion followed.

Mr. Teeple directed the Members attention to their packets containing correspondence from Commissioner Len Kreger of City of Fernandina Beach.

**Mr. Spaeth** stated that there is an existing procedure by Rayonier that will be followed by Lignotech, which requires chemicals to be emptied into rail cars that would be moved off the island if there is a threat of a surge. Smaller amounts of chemicals would be stored in drums and elevated within the plant. This procedure was followed during Hurricane Matthew. This project would provide the economic development that Fernandina Beach needs and he hopes the Committee reconsiders staff's recommendation.

Mr. Teeple pointed out that the amendment is not site specific. This is a citywide policy that is applicable to all industrial land use designations. Although recognizing the importance of the Lignotech project to the City of Fernandina Beach and Nassau County, it is a larger policy issue.

Mr. Teeple stated that the City had an opportunity to respond in a policy fashion in their comp plan to the comments that you all made sitting as an executive committee, which they did by responding and taking it out of the zoning category and putting it into the industrial land use. Then, should the City add any industrial land uses within their city limits, it would come to the Council as a comprehensive plan amendment. He stated that staff went above and beyond statutory requirements to review the companion changes to the land development codes looking for things that would provide an opportunity for staff to make a different recommendation. The restrictions are simply those primarily provided by FEMA: elevating the base flood elevation at the bottom of tanks to one foot above base flood elevation and all the requisite anchoring, etc.

Mr. Teeple provided an overview of the review of comprehensive plan process from transmittal to adoption phase. Following the Council's decision at the adoption phase, staff will forward the

information to the local government and the Department of Economic Opportunity (DEO). DEO has the authority to challenge a local government comprehensive plan with one basis being its consistency or non-consistency with the Council's SRPP. However, as DEO did not have a concern during the transmittal phase, they may not have any during the adoption phase. Therefore, the City of Fernandina Beach, who has already adopted this amendment, will enforce this policy. Still, there is the opportunity for adversely affected parties to challenge this.

*Commissioner Anderson arrived*  
*Mayor Totman arrived*

Further discussion followed.

Kelly Gibson, Senior Planner, City of Fernandina Beach, addressed the shortcoming in the City's existing Conservation and Coastal Management Element, which strictly prohibits the storage of hazardous materials within a flood zone. The language as previously written caps the City's waterfront industry to their present state and does not allow improvements or integration as new technologies which could serve to provide cleaner air, cleaner water, or better water quality in the future. It limits the City's industrial operations and restricts the ability to look for partner opportunities, which generate jobs. The issue was brought to the City as the result of a requested development agreement from an organization seeking to form a partnership with the City's existing mills. However, the amendment does not serve to solely benefit a single entity. Instead, it acknowledges an existing deficiency found in our comprehensive plan. She provided some current and historical facts about the City and its economic development, industrial operations, FEMA standing, etc.

Ms. Gibson stated that this adopted amendment is not a straight forward issue. The modified language serves to address a complex matter, which involves a balancing of both environmental concerns and continued economic opportunity. A simple review of this existing language as compared to the previous language does not provide a full context of the matter at hand. The Council's SRPP is not a document to be viewed in a silo, it contains multiple objectives in addition to environmental concerns. She reviewed some policies of the SRPP she believes were omitted from the Council's report, i.e., Policies 49, 63C, 64C and the summary tied to the SRPP. She added that the State's comprehensive plan serves as a basis for the SRPP that contains policy languages that should also be viewed as part of the Council's recommendation, specifically the policies contained in FL Statutes 187.201 p121 b1, p121 b12, p121 b1 and F.S. 187.201 p25 b1. The City's own comprehensive plan supports economic and supports the business retention strategies for the ability of businesses to expand and grow through its policy 12.03. She reviewed maps demonstrating the limited land area where the amendment would apply.

She stated that Council staff cites that the City failed to address vulnerability associated with the modified plan language and state that their review is limited to a single portion of the SRPP and did not consider all policies contained in the plan. Although staff's review is limited to the language contained in the adopted plan amendment, it does fail to recognize the language contained in the other documents associated with such a policy statement revision, including the guidance for such structures found in the adopted land development code language, the Florida building code and the City's flood management ordinance, which do serve to address those vulnerabilities of any structures which are created. Collectively, these documents work together.

Mr. Colby Slaughter, Assistant General Counsel for Raynior Advanced Materials, 10 Gum

Street, Fernandina Beach, FL, thanked the Committee for their consideration of the issue. The dialogue shows that this is more than just a binary decision, it's not linear. There is context and various factors involved. Rayonier has appreciated the partnership that the City has demonstrated in trying to learn about their business and their situation and making the law make sense in the context of finding the City as it currently sits today and hopes to evolve in the future. The Lignotech project brought light onto the language discrepancy in the comprehensive plan, but it was only a matter of time before this language would become an issue. Aside from the Lignotech project, the City's decision to potentially upgrade its waste water treatment plant could have also triggered this; any upgrade of a component that has a value of greater than 30 percent or the asset would trigger building permit review and the building department would be unable to issue a permit that violated the comprehensive plan. He agreed and supports Ms. Gibson's comments regarding what contexts should be included along with the economic benefits. He has worked on the Lignotech project over the past two years bringing in a Norwegian partner who is reputable in its industry and responsible in its compliance with the law. These are two entities willing to invest over \$100 million in a facility, we've done our due diligence and these are not investments that we take or make lightly. He thanked the Committee again for their consideration and the City of Fernandina Beach for their thoughtful approach as well.

Mr. Mark Howans, project manager, Rayonier Advanced Materials, 10 Gum Street, Fernandina Beach, FL, provided additional information on the Aluminum Sulfate, the only new chemical to be used for this project. This project is an overall development of higher byproduct that it currently burns. There is significant environmental and economic impact for the City. Rayonier looked at all the standards and made a recommendation for the building code. He assures that the bottom of the tank is way above all the standards. He provided an overview of the activities associated with the recent hurricane Matthew which produced a seven foot storm surge. The bottom of the tank is at 14 feet. They don't want anything bad to happen to this tank, so they are all incentivized for this chemical to remain contained.

Ms. Laura DiBella, Executive Director, Nassau County Economic Development Board, 76346 William Burgiss Blvd., Yulee, FL 32097, thanked the Committee for their time and consideration for this project. She echoed the comments of those who spoke before her and highlighted that Nassau County is still a rural county and this project means much to the county as well as the region. The region does have many manufacturing projects that are seriously considering us right now, they don't see the border of the counties, just the region. If there are pus backs of groups wanting to come to this area that support existing industries like this, it is viewed a lot differently from the outside. She encouraged the Committee to keep that in mind as they consider this a bit further and in making a decision. Secondly, the Department of Economic Opportunity recognizes this project, along with the Florida Department of Transportation, as a very strong project. They have awarded up to \$9,000 per job in this particular case because it falls under the qualified target industry; it is exactly what the State wants. The Florida Department of Transportation has come in with their own grant awarded on the transportation side as far as infrastructure is concerned that is necessary here to the tune of \$800,000; the QTI is \$450,000 that's been awarded to this project over the course of four years. On the economic development side, this is such an important project, not just for the county but for the region because it is making a broad based appeal on so many different levels.

Mr. Teeple cautioned the Committee and the Council as a whole that if down the road the litmus

test is a mass balance of policies, there will be nothing that comes before this committee that won't be correct, that you will find everything consistent. In a mass balance scenario, depending on what weight you give factors, there will be no bad things that will ever come before you, you'll find them all to be perfectly fine. In certain cases, for certain reasons, for certain instances, that some policies weigh more and are better valued than others. Many of those really relate to the long term support and benefit. A mass balance test, providing everything of equal weight in the future, will lead you down the path that everything will be just fine that is brought before you, and he cautions against that.

**President Horvath called for a motion on the City of Fernandina Beach Adopted Amendment 16-3ESR. Mr. Eubanks made the motion to find, in consideration of the competing policies in the Strategic Regional Policy Plan, that this amendment is not inconsistent with the Strategic Regional Policy Plan; seconded by Mr. Register. A roll call vote was requested and is as follows:**

**Commissioner Anderson – Yes**  
**Mr. Register – Yes**  
**Mayor Totman – Yes**  
**Mayor Netts – Yes**  
**Mr. Spaeth – Yes**  
**President Horvath – No**  
**Mr. Eubanks – Yes**  
**Mr. Myers – Yes**

**The motion passed.**

**Mr. Register** stated that he takes the advice of Mr. Teeple very strongly and hopes that the Council staff does not get soft in their reviews of further things that comes before the Council and hope they continue to review things based on the standards that the Board has approved and hopes they continue to stand firm on their positions and bring them to the Board in the manner that they have done so with this.

#### **Personnel, Budget & Finance Policy Committee**

Mr. Register provided an overview of the August 2016 Financial Report, reflecting a net loss for the month in the amount of \$11,288 and a year-to-date loss of \$20,593. A brief discussion followed.

**Mr. Register motioned to approve the August 2016 Financial Report; seconded by Mr. Myers. Motion carried.**

#### **Building Sale Update**

Mr. Teeple provided a status update on the sale of the building. The inspection has taken place and, if all goes well, we will have 90 days to vacate the building.

#### **Proposed Lease of Office Space**

Mr. Teeple stated that, after reviewing the options, staff has negotiated the leasing of space at the WJCT office downtown Jacksonville. He provided information on the location with ample parking, available meeting rooms and staff offices. He reviewed the cost per square foot as compared to the going rates and stated they are equivalent. The leasing of space at this location is presented for the Members approval. Discussion ensued.

**President Horvath called for a motion. Mr. Myers motioned to approve the leasing of Council office space at the WJCT location; seconded by Mayor Netts. Motion carried.**

**St. Johns County Transmitted Amendment 16-3ESR**

Mr. Preston presented an overview of the St. Johns County Transmitted Amendment 16-3ESR, seeking to amend the Future Land Use Map designation of approximately 14.32 acres from Rural Silviculture to Community Commercial. There are no extra-jurisdictional impacts, and no impacts to regional resources and/or facilities were identified. Brief discussion followed.

**President Horvath called for a motion. Mr. Register motioned to approve the St. Johns County Transmitted Amendment 16-3ESR; seconded by Commissioner Anderson. Motion carried.**

**St. Johns County Transmitted Amendment 16-4ESR**

Mr. Preston provided an overview of the St. Johns County Transmitted Amendment 16-4ESR; seeking to amend the Future Land Use Map designation of approximately 42.3 acres from Rural Silviculture to Intensive Commercial. It also seeks to add text policy limiting the intensive of development of recreational and commercial uses that do not generate more than 700 pm peak-hour trips. No extra-jurisdictional impacts, nor impacts to regional resources and/or facilities were identified. Brief discussion followed.

*Mayor Totman not present for vote.*

**President Horvath called for a motion. Commissioner Anderson motioned to approve the St. Johns County Transmitted Amendment 16-4ESR; seconded by Mr. Register. Motion carried.**

**City of Jacksonville Transmitted Amendment 16-5ESR**

Mr. Preston provided an overview of the City Jacksonville Transmitted Amendment 16-5ESR, which proposes an increase in density of 34.29 acres. No regional resources are adversely impacted by the proposed land use change.

*Mayor Totman rejoined the meeting prior to vote.*

**President Myers called for a motion. Mr. Myers motioned to approve the City of Jacksonville Transmitted Amendment 16-5ESR; seconded by Mr. Eubanks. Motion carried.**

**RCI Policy Recommendations: Tampa to Jacksonville Corridor: Implementing First Coast Vision and the Strategic Regional Policy Plan**

Mr. Doug Conkey, Chair, Transportation Committee of the Regional Community Institute of the Northeast Florida provided an overview of the Committee's activities and recommendations related to planning for the proposed corridor in Northeast Florida that would link Tampa to Jacksonville. The recommendations report will be presented to the Board, the Florida Department of Transportation and posted on the Council's website.

**President Horvath called for a motion. Commissioner Anderson motioned to adopt the RCI Transportation Committee's recommendation as policy of the NEFRC; seconded by Mr. Eubanks. Motion carried.**

### **Comprehensive Economic Development Strategy Update**

Ms. Moehring provided an overview of the Comprehensive Economic Development Strategy (CEDS), which is a requirement for our Region to be eligible for federal grant programs and reviewed annually. The Strategy Committee met on August 30, 2016 and reviewed the CEDS project list. The Committee is proposing to add five projects: Affordable Housing Needs Plan, Florida Scenic Byways, Supply Chain Mapping for Northeast Florida, the Livable Communities Coalition, and the Northeast Florida Economic and Community Development Roundtable. A 30-day comment period ran from September 6<sup>th</sup> through October 5<sup>th</sup>. The only change made based on input received was to add the names of the four Scenic Byways in Northeast Florida.

**President Horvath called for a motion. Mr. Myers moved approval of the Comprehensive Economic Development Strategy Update; seconded by Mr. Register. Motion carried.**

### **Selection of 2017 NEFRC Legislative Priorities**

Due to Hurricane Matthew, the October 6<sup>th</sup> Legislative Committee meeting was cancelled. Therefore, the Executive Committee is being asked to take up the task of reviewing and approving the draft 2017 Legislative Priorities and top five regional issues for the upcoming Legislative Session. A brief discussion followed.

**President Horvath called for a motion. Mr. Register moved approval of the 2017 Legislative Priorities, as presented; seconded by Commissioner Anderson. Motion carried.**

### **Resolution 2016-14: Mayor Jon Netts**

Mr. Teeple presented Resolution 2016-4 honoring Mayor Netts, who is term limited out of office, for his service to the Council and the citizens of Northeast Florida.

**President Horvath called for a motion. Mr. Register moved approval of Resolution 2016-14; seconded by Mr. Eubanks. Motion carried.**

### **Resolution 2016-15: Commissioner Bill McClure**

Mr. Teeple presented Resolution 2016-15 honoring Commissioner McClure, who did not run for re-election, for his service to the Council and the citizens of Northeast Florida.

**President Horvath called for a motion. Mr. Myers moved approval of Resolution 2016-15; seconded by Mr. Register. Motion carried.**

### **Resolution 2016-16: Commissioner Wendell Davis**

Mr. Teeple presented Resolution 2016-16 honoring Commissioner Davis, who is term limited out of office, for his service to the Council and the citizens of Northeast Florida.

**President Horvath called for a motion. Mr. Myers moved approval of Resolution 2016-16; seconded by Mr. Register. Motion carried.**

### **Policy Update**

Regional Leadership Academy recruitment has begun. Please let staff know of anyone who may be interested.

### **Florida Regional Councils Association Update**

Nothing to report at this time.

**Council Contracts Update**

There are two contracts coming in; Florida First Coast Disaster Council and a joint project with the University of North Florida for the St. Johns County Sheriff's office.

**Elected Officials Regional Leadership Awards Luncheon**

Members were provided with an invitation w/ registration instructions for the Awards Luncheon. They were also provided with a copy of the sponsorship form and asked to provide the information to anyone willing to sponsor the event.

**2016-2017 Committee Assignments**

The committee assignment listing was provided for the 2016-2017 fiscal year. Members are asked to let staff know of any preference they may have.

Public Comment

None

President's Report

The Members were asked their preference regarding the next meeting due to the close proximity to this special meeting. It was mutually agreed by the Members to move the next Executive Committee meeting to January 5, 2017.

Chief Executive Officer's Report

Highlights are provided for the Members information.

Next Meeting Date

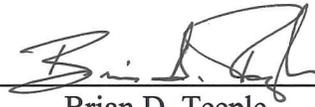
The next Executive Committee meeting is scheduled for **Thursday, January 5, 2017** at 10:00 a.m. at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Adjournment

**President Horvath** inquired if there were any other items for discussion; hearing none, the meeting was adjourned at 12:25 p.m.



Roxanne Horvath  
President



Brian D. Teeple  
Chief Executive Officer