

Minutes of the
NORTHEAST FLORIDA REGIONAL COUNCIL
March 2, 2006

The monthly meeting of the Northeast Florida Regional Council was held on Thursday, March 2, 2006, at 10:00 a.m., at the St. Johns River Community College (SJRCC), Criminal Justice Center, 2990 College Drive, St. Augustine, FL 32084.

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

BAKER	Hugh Fish Charles Prachar Gordon Crews
CLAY	Harold Rutledge Bill Basford
DUVAL	Rea Fleckenstein Mary Louise Dungey Jerry Holland James Fletcher
FLAGLER	Bob Sgroi Blair Kanbar Joann King
NASSAU	Bob Spaeth Ansley Acree Tom Branan
PUTNAM	Chip Laibl Linda Myers Mary Lawson Brown
ST. JOHNS	Don Crichlow Bruce Maguire Karen Stern Clare Berry Harry Maxwell
EX-OFFICIO	Larry Parks Wes Larson

Excused Absence: Ginger Barber, Carol Vallencourt, Brad Purcell, Deidra Franklin, Linda Burnette, Gregory Strong

Absent: Elaine Brown

Others: Jack Cubbedge, Jennifer Auger, Geoffrey Sample, Rachael Bennett, Christine Wentzel, John Metcalf, Doug Miller, Don Smith, Bob Crumarde, Eric Wilson, Glenn Maron, Lisa Kemson, Lindsay Haga, Margo Moehring, Doug McDowall, Brad Wester, Lynn Pappas, Tom Ingram, Jim Robinson, Peter Guinta, Susan McDonald, Jeff Cramond, Ray Spofford, Staci Rewis, Cyndi Stevenson, and other members of the public.

Staff Present: Brian Teeple, Mario Taylor, Ed Lehman, Mike Brown, Carol Brady, Ed Preston, Steve Mahaven, Jeff Alexander, Chris Bono, Jeanie Palmer, Mike Hadden, Donna Starling, Jennifer Bodine, and Peggy Conrad

Commissioner Kanbar led the Pledge of Allegiance.

Dr. Glenn Moore, Provost of the St. Augustine Campus of the St. Johns River Community College, welcomed everyone to the campus and invited everyone to tour the campus after the meeting.

President Stern asked members of the audience to introduce themselves.

*Approval of Minutes

Supervisor Holland moved approval of the February 2, 2006, meetings' minutes; seconded by Mr. Sgroi; motion unanimously carried.

President's Report

President Stern welcomed **Commissioner James Fletcher**, City of Atlantic Beach.

*Consent Agenda

President Stern asked if any items needed to be moved from the Consent Agenda to the Discussion Agenda. There were no items to be moved to the Discussion Agenda.

Mr. Laibl moved approval of the Consent Agenda; seconded by Commissioner Lawson-Brown; motion unanimously carried.

Discussion Agenda

*SilverLeaf Plantation DRI

Mr. Lehman called attention to a map showing the location of the project stating that the Planning & Growth Management Committee adopted Staff's recommendations with two changes. Mr. Lehman then discussed the following specific conditions:

- Recommendation # 1 – allows the continuation of on-site silviculture activities provided the buffer requirements are met
- Gopher Tortoise Habitat – developer contributing \$619,706.43 to gopher tortoise habitat
- Wildlife Crossings
- Jurisdictional Wetlands

- Land development code for buffers
- Protection of wetlands
- Stormwater pollution prevention plan
- Water quality monitoring plan
- Floodplains
- Water supply
- Irrigation demands
- Water conservation strategies
- Maintenance for central water
- Surface water management system
- Solid waste
 - Transportation – Mr. Lehman stated that the mitigation plan will create somewhat of a grid system of roads in this part of the County
 - Applicant responsible for the design and construction of C.R. 2209 and the change recommended by the Committee is that **“the applicant shall be responsible for the design and construction of C.R. 2209 as a six (6) lane facility from C.R. 210 to International Golf Parkway within Phase I**
 - Leo Maguire Parkway extension
 - Extension of S.R. 16 and C.R. 16A
 - Phasing to construction of S.R. 9B - **the committee recommended change in language stating “the applicant has the option to calculate the project’s proportionate share of the cost of construction of S.R. 9B to be reviewed and approved by the County with input from the NEFRC and FDOT. If the applicant’s total proportionate share exceeds the cost of the improvements in the mitigation plan, the applicant will be responsible for the difference to be contributed toward a regional improvement”.**
 - Mr. Metcalf discussed the 300 foot Right of Way Reservation for a three year period to allow FDOT time for River Crossing studies
 - Application of Conversion Table
 - Transportation Management Organization
- Bicycle and Pedestrian Connections
- Construction Dust
- Affordable Housing
- On-site Fire & Police
- Establishment of Regional Park
- Provision of School Sites
- Historical and Archeological Sites

Mr. Lehman stated that the recommendation of the Planning & Growth Management Committee was to approve the SilverLeaf Plantation DRI recommendation report unanimously, with the two changes, for transmittal to St. Johns County. **Supervisor Holland moved approval of transmittal of the SilverLeaf Plantation DRI; seconded by Commissioner Acree; motion unanimously carried.**

Comprehensive Plan Amendment Review

Mr. Lehman stated that during the month of February the Council reviewed nine (9) comprehensive plan amendments, two of which were approved in the Consent Agenda and two more being brought before the Board for review.

*City of St. Augustine – Transmitted Amendment 06-1

Mr. Teeple gave a brief history of how and why the Council is looking at increases in density in the Coastal High Hazard Area (CHHA). Of the two amendments found inconsistent by the Council since September 2005, the DCA found the City of Jacksonville FLUM amendment “not in compliance” but Flagler County, FLUM amendment “in compliance”. A meeting was held between Staff, Coastal County local governments, and the DCA. The SRPP was reviewed and although the meeting was very poorly attended by our local governments it was decided that we will have another meeting and broaden the scope of attendees to include the FDOT, MPO, private sector planners, and developers.

Mr. Lehman then called attention to the City of St. Augustine – Transmitted Amendment 06-1 stating this was entirely within the CHHA and the Category 1 Evacuation Zone. The Committee adopted Staff’s recommendation, which stated that the County should reconsider this amendment which increases population densities in the evacuation zone, unanimously.

Ms. Lynn Pappas, with Pappas, Metcalf, Jenks, & Miller, spoke regarding two amendments stating that an alternate recommendation had been submitted that differed greatly from the Staff recommendations. Ms. Pappas stated that each amendment should be looked at on a case-by-case analysis and pledged to continue to work with the Regional Council.

Mr. Teeple stated that Staff is not suggesting that residential development should be shut down in the CHHA, but that densities should not be increased.

Commissioner Myers voiced concerns that since this is the third time of visiting this issue and although each of the amendments has been different, the policy applied was a blanket policy. The counties do not have blanket characteristics so there will not be any equity until there is a factual base to work from.

Mr. Fish stated that until a change is made that the Council needed to support the Staff.

Commissioner Crichlow stated he understood there was need to limit density but not in areas that can handle the density and stated that as such the policy does not give any leeway. However, **Commissioner Crichlow** felt like he needed to stand by the policy of the Council then mentioned that the City had passed this amendment on to the DCA without Commission support because they wanted to see what DCA would say.

Commissioner Maguire stated he was concerned about the Board of the Regional Council taking away local authority to make decisions. The County Courthouse stands adjacent to this property and **Commissioner Maguire** stated that he could see nothing that justified Staff turning this down since this property was to be used for an expansion of the Courthouse complex. **Commissioner Maguire** stated he was concerned that a change in policy would take a long time and felt that the Council should support local authority’s ability to make decisions.

Commissioner Kanbar stated we have created flawed policy and asked if Staff could re-visit and redefine the policy to see if it can be modified to fit the circumstances.

Ms. Dungey stated that in the past she wanted to be consistent and wanted to support Staff but felt like last month's meeting presented a missed opportunity. After hearing from the City and County, Ms. Dungey felt that she would be in favor of substituting language for the word "ensure" in the Staff's recommendation.

A discussion followed regarding policy interpretation.

Mr. Teeple reminded everyone that Staff makes recommendations to the Board then the Board disposes of the recommendations. Also, changes to the SRPP to effectuate any new Board policy would require rulemaking under Chapter 120 and can take six to nine months to complete.

Commissioner Maguire stated that after consulting the SRPP, the actual policy is to direct density away from the CHHA.

Mr. Fish stated that it is the Council's responsibility to make Regional decisions then made a motion to accept Staff's recommendation regarding the City of St. Augustine – Transmitted Amendment 06-1 to transmit to DCA; seconded by Mr. Sgroi.

Further discussion ensued regarding policy interpretation and the upcoming information from the latest Hurricane Evacuation Study.

Mr. Prachar called to vote on the question; seconded by Mr. Fish; motion carried unanimously.

The motion to approve Staff's recommendation was then voted upon; the "Ayes" carried the motion; there were four "Nays" from Commissioner Maguire, Commissioner Kanbar, Commissioner Myers, and Ms. Berry. Ms. Dungey abstained.

Commissioner Crichlow stated he had reversed his decision between the Committee and the Council meetings.

*City of Jacksonville – Transmitted Amendment 06-1

Mr. Lehman reviewed the City of Jacksonville – Transmitted Amendment 06-1 stating that the Planning & Growth Management Committee had not had time to address this at the Committee meeting. Mr. Lehman then called attention to Staff's recommendations.

Ms. Lynn Pappas spoke regarding the proposed amendment to change 264 acres from Agriculture (ii) to Agriculture (iv) stating that the property is located on Black Hammock Island and has an elevation of 10 feet above sea level. The City's maps show this parcel is located in the Category 2 Evacuation Zone placing it outside the CHHA. A "Draft" Hurricane Evacuation report now shows this property to be in the Category 1 Evacuation Zone. Ms. Pappas voiced concerns regarding following a "Draft" report then called attention to the substitute recommendation (similar to the one provided for the City of St. Augustine) and stated that the property must be determined to be in the CHHA before the negative recommendations by Staff would apply.

In order to dispose of non-controversial items contained in City of Jacksonville -

Transmitted Amendment 06-1, Mr. Fish made a motion to approve Staff's recommendations on City of Jacksonville – Transmitted Amendment 06-1 with the exception of Item 17 & Item 19; seconded by Supervisor Holland; motion unanimously carried.

A discussion followed regarding Item 19 and the City of Jacksonville evacuation times. The map that was provided to the applicant shows the property to be in the CHHA. Upon review Staff initially felt that the property was in the Category 2 Evacuation Zone. The 2006 Draft Study shows the property to be in the CHHA. In the final analysis Staff reviewed and found this to be in the Category 1 Evacuation Zone.

Ms. Margo Moehring, with the City of Jacksonville, stated that the Planning Department's data indicated the property was in the CHHA. The 1998 Hurricane Evacuation Study shows this as being in the Category 2 Evacuation Zone. The "Draft" 2006 Hurricane Evacuation Report shows this property to be in Category 1 in the CHHA. Mr. Teeple stated that incorrect data may have been sent from the Regional Council to the City of Jacksonville.

Ms. Pappas asked that should there be a recommendation regarding no changes to this property then the negative recommendation should state it be conditional upon whether it lies within the CHHA.

Supervisor Holland made a motion to amend Staff's recommendation, on Item 19 of the City of Jacksonville – Transmitted Amendment 06-1, to state that the amendment should be reconsidered if the subject site is determined to be in the CHHA; seconded by Mr. Sgroi; motion unanimously carried.

Commissioner Rutledge made a motion to approve Item 19 with the amendment; seconded by Supervisor Holland; motion carried. Ms. Dungey abstained.

Commissioner Myers stated she was ready to make a motion regarding Item # 17 but voiced concerns regarding a disproportionate burden being placed on counties that are behind in development. **Commissioner Myers made a motion to accept the Planning & Development's motion that it be passed with conditions as outlined on Page 7; seconded by Supervisor Holland.**

A discussion was held as to how best word the motion.

Commissioner Myers restated the motion regarding Item #17 of the City of Jacksonville - Transmitted Amendment 06-1 to say "The Council agrees with the P&D recommendation and recommends that, absent the analysis in the City's conditional recommendation, this amendment should not be adopted."; seconded by Commissioner Holland; motion carried with four opposed. The "Nays" were Mr. Sgroi, Commissioner Rutledge, Commissioner Maguire and Ms. Dungey.

*Town of Hastings Adopted Amendment

Mr. Lehman indicated that the memorandum should state "Town of Hastings" not

“Marineland”. Commissioner Acree moved approval of Staff’s recommendation that the Town of Hastings Adopted Amendment 06-1 is consistent with the SRPP; seconded by Supervisor Holland; motion unanimously carried.

DCA Notice of Compliance – City of Jacksonville – Adopted Amendment 05-2
Mr. Lehman called attention to the DCA Notice of Compliance sent to Mayor Peyton.

Key Legislative Contacts

Mr. Teeple asked that Board members take a moment to complete the Florida Regional Councils Association (FRCA) Legislative Contact Form to be utilized during the upcoming session.

Urban Land Institute (ULI) Symposium

Mr. Teeple called attention to the Symposium being hosted by the ULI and stated that this information had been sent to all gubernatorial appointees to the Regional Councils throughout Florida. There will be an invitation only session held with the Governor. Any member wishing to participate was encouraged to contact Mr. Teeple.

Commissioner Myers called attention to the article from the Miami Herald regarding strategies for regional cooperation.

Affordable Housing Task Force

Mr. Taylor called attention to Staff’s recommendations regarding members of the Affordable Housing Task Force which includes all appropriate entities with some slots still to be filled. It is recommended that the Committee not become too large. Mr. Taylor asked that if Board members are interested or know of anyone who would be interested to please contact him.

Members Reports

None.

Public Comment

None.

Chief Executive Officer’s Report

Highlights – Mr. Teeple called attention to the “Hold Out the Lifeline” article regarding their award for Project Moses. Mr. Teeple recognized Staff member, Maurice Postal, for his assistance with the Emergency Management Enhancement Plan. Other articles included the Thomas Yatabe Award given to LEPC member Morrison Braren, and an Economic Development Quarterly Luncheon with speaker Steven Seibert.

Legislative Update – Mr. Teeple called attention to the FRCA and the Florida Chapter of the American Planning Association (FAPA) bill tracking charts.

Newspaper Articles – These are included for information purposes.

Web site – Mr. Teeple called attention to the information regarding the new Council web site stating this will continue to be a work in progress then thanked all program directors as well as Mike Hadden for their assistance with this project.

President Stern thanked Dr. Moore from SJRCC for remaining at the Council meeting for its entirety. Dr. Moore invited any interested members to tour the facility.

Next Meeting Date

The next meeting is scheduled for Thursday, April 6, 2006, at 10:00 a.m., 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 1:20 p.m.

Karen Stern
President

Brian Teeple
Chief Executive Officer