



Council Minutes

March 8, 2010
10:00 a.m.

REPRESENTATIVES PRESENT

Chair, Commissioner Jack Mariano, Pasco County
Vice Chair, Ms. Jill Collins, Hillsborough County Gubernatorial Appointee
Commissioner Nina Bandoni, City of Safety Harbor
Commissioner Ron Barnette, City of Dunedin
Mayor Scott Black, City of Dade City
Commissioner Neil Brickfield, Pinellas County
Vice Mayor Woody Brown, City of Largo
Deputy Mayor Bob Consalvo, City of New Port Richey
Vice Mayor Al Halpern, City of St. Pete Beach
Mr. Robert Kersteen, Pinellas County Gubernatorial Appointee
Mr. Harry Kinnan, Manatee County Gubernatorial Appointee
Ms. Angeleah Kinsler, Hillsborough County Gubernatorial Appointee
Vice Mayor Bob Matthews, City of Seminole
Mayor Bob Minning, City of Treasure Island
Councilwoman Mary Mulhern, City of Tampa
Council Member Wengay Newton, City of St. Petersburg
Mr. Andy Núñez, Pinellas County Gubernatorial Appointee
Mayor Kathleen Peters, City of South Pasadena
Council Member Carlen Petersen, City of Clearwater
Councilman Patrick Roff, City of Bradenton
Vice Mayor Robin Saenger, City of Tarpon Springs
Ms. Barbara Sheen Todd, Pinellas County Gubernatorial Appointee
Council Member Suzanne Vale, City of Oldsmar
Vice Mayor Robert Worthington, City of Gulfport
Mr. Waddah Farah, Alt., Ex-Officio, Florida Department of Transportation
Ms. Pamala Vazquez, Alt., Ex-Officio, Department of Environmental Protection
Ms. Michelle Miller, Ex-Officio, Enterprise Florida
Mr. Todd Pressman, Ex-Officio, Southwest Florida Water Management District

REPRESENTATIVES ABSENT

Secretary/Treasurer, Commissioner Larry Bustle, Manatee County
Past Chair, Commissioner Bill Dodson, City of Plant City
Commissioner Kevin Beckner, Hillsborough County
Mayor Shirley Groover Bryant, City of Palmetto
Council Member Alison Fernandez, City of Temple Terrace
Mr. Julian Garcia, Jr., Hillsborough County Gubernatorial Appointee
Councilman Ed Taylor, City of Pinellas Park
Ms. Kim Vance, Hillsborough County Gubernatorial Appointee
Mr. Charles Waller, Pasco County Gubernatorial Appointee
Mr. Earl Young, Pasco County Gubernatorial Appointee

OTHERS PRESENT

John Healey, Planner, Hillsborough County
Trisha Neasman, Planner, SWFWMD

Shawn Colledge, Exec. Planner, Hillsborough Planning Commission
Jennifer Conan, Attorney, Lewis, et al
Diane Chadwick, Planner, Wilson Miller
Harland Henry, Economic Development Strategist, Sunbiz Showcase Alliance
Troy Manning, Partner, Cherry, Bekaert & Holland
David L. Smith, Attorney, Gray Robinson-Tampa Port Authority
Mike Campbell, LNR, Owner
Dan Santos, DRI Coordinator, FDOT
Robert McCoy, Business Manager, Carpenters Local 140
Jason Mickl, Planner, SWFWMD

STAFF PRESENT

Mr. Manny Pumariega, Executive Director
Mr. Donald Conn, Legal Counsel
Ms. Suzanne Cooper, Principal Planner
Ms. Lori Denman, Recording Secretary
Mr. John Jacobsen, Accounting Manager
Ms. Betti Johnson, Principal Planner
Mr. John Meyer, Principal Planner
Mr. Greg Miller, Senior Planner
Ms. Wren Krahl, Director of Administration/Public Information
Ms. Jessica Lunsford, Senior Planner
Mr. Greg Miller, Senior Planner
Mr. Patrick O'Neil, Senior Planner
Mr. Brady Smith, Senior Planner
Mr. Avera Wynne, Planning Director

Call to Order – Chair Mariano

The March 8, 2010 regular meeting of the Tampa Bay Regional Planning Council (TBRPC) was called to order at 10:03 a.m.

The Invocation was given by Ms. Barbara Sheen Todd, followed by the pledge of allegiance.

Roll Call -- Recording Secretary

A quorum was present.

Voting Conflict Report -- Recording Secretary

Vice Chair Collins filed voting conflict reports on Consent Agenda Item # 3.D. DRI #132-Gateway Centre/St. Petersburg, City of St. Petersburg and on Consent Agenda Item # 3.E.2. DRI # 260-Wiregrass Ranch, Pasco County and refrained from voting on these two items.

Announcements: - Chair Mariano

The annual Future of the Region Awards luncheon is taking place on Friday, March 19th, at the Quorum Hotel in Tampa. The luncheon is complimentary for Council Members. Please RSVP to Sue Young in order to have an accurate count for the luncheon.

The One Bay implementation event called “A Congress of Regional Leaders: Implementing a Shared Vision” takes place on April 16th at the Tampa Convention Center from 8:00 a.m. until noon. There is

no charge for the event but registration is required and space is limited. We would like all Council members to participate and be a part of this milestone event of the visioning process.

Presentations:

Council Member Carlen Petersen, City of Clearwater is term-limited. She has been a dedicated member to the Council for the past six years and served on our Legislative Committee as Vice Chair. Council Member Petersen was presented with an engraved bookmark. Chair Mariano and Council Members thanked her for all of her efforts on behalf of the TBRPC and wished her the best in her future endeavors.

Council Member Petersen: I would like to thank everyone and tell you it has been a privilege and an honor to serve with all of you. To the staff and to Manny, you run an incredible organization and I am so impressed by all of your reports, dedication, expertise and everything you bring to us. Those of us who are elected officials are responsible for a lot of different things and we depend on the expertise of others many times and staff has never failed us. You represent our region well. Manny, you are a great leader and I thoroughly enjoyed my six years on this Council. To my peers and colleagues, thank you for giving your time to the community. You work very hard and are very dedicated and I am very impressed by what you give to your community and the importance you place on your role. Certainly what I've learned from this board is the importance of regionalism. As I was driving down for the meeting this morning I thought about six years ago when I started and the economic times versus where we are now and I think even more important now is regionalism and working together. It's going to be the way of the future and organizations like this are well positioned to be leaders and take us forward and make our communities the best place to live and work and play. Thank you. It's been a privilege.

Commissioner Bob Worthington, City of Gulfport has decided not to seek re-election. He has served on the Council since 2007 and has been an active and dedicated member of the Agency on Bay Management. Commissioner Worthington was presented with an engraved bookmark. Chair Mariano and Council Members thanked Commissioner Worthington for all of his efforts on behalf of the TBPRC.

Commissioner Worthington: I would like to echo Council Member Petersen's comments on this Council and the peers I have worked with. It has been an honor to work with the great leaders of this community. I was very fortunate in my working career as I worked with the space industry. I worked with some of the most brilliant people in this world. We started with literally very little except ideas and thought and we put together a wonderful space program. We can do the same whether it is with alternative fuels or cleaning up our water. It takes people like you, dedicated towards your community, towards your state, and towards your nation to make it happen. Thank you very much.

1. **Approval of Minutes** – Vice Chair Collins
The minutes from the February 8, 2010 regular meeting were approved (Black/Matthews).
2. **Budget Committee** – Vice Chair Collins
 - A. The Financial Report for the period ending 01/31/10 was approved (Kersteen/Todd)
 - B. The FY 2009 Annual Audit. Ms. Troy Manning, Partner, Cherry Bekaert & Holland provided an overview of the audit. We met with the Executive/Budget Committee in February and presented the audit in detail. Overall we issued our opinion on the audited financial statements dated February 17th in which we expressed an unqualified opinion which means that the financial statements were presented fairly and all materials were in accordance with generally accepted accounting principals. The more common term is

that it is a clean opinion. Overall there were no material weaknesses reported and no significant deficiencies. When compared to the prior year, this year was strictly a financial statement audit. In the prior year the TBRPC also had a Florida single audit. This year they didn't expend enough funding to have a Florida single audit. We also are issuing a report to the Florida Auditor General in which we are reporting that there were no violations of contracts, grants, or loan agreements and that there were no conditions of financial emergency or deteriorating financial conditions as defined by the Florida statutes. Nothing came to our attention that would cause us to believe that the TBRPC was in non-compliance with Florida statutes as it relates to investment of public funds. I would like to express my appreciation to John Jacobsen for his cooperation during the audit and responsiveness to all of our questions, as well as all the other employees that were involved.

The FY 2009 Annual Audit was approved. (Matthews/Newton)

3. Consent Agenda – Chair Mariano

A. Budget and Contractual - None

B. Intergovernmental Coordination & Review (IC&R) Program

1. IC&R Reviews by Jurisdiction - February 2010
2. IC&R Database - February 2010

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

C. DRI Development Order Reports (DOR) - None

D. DRI Development Order Amendment Reports (DOAR)

DRI # 132 - Gateway Centre/St. Petersburg, City of St. Petersburg

Action Recommended: Approve staff report

Staff contact: John Meyer, ext. 29

E. Notice of Proposed Change (NOPC) Reports

1. DRI # 240 - Heritage Harbour, Manatee County
2. DRI # 260 - Wiregrass Ranch, Pasco County

Action Recommended: Approve staff reports

Staff contact: John Meyer, ext. 29

F. Annual Report Summaries (ARS)/Biennial Report Summaries (BRS)

1. DRI # 110 - Rocky Point Harbor, RY 2008-09 Annual Report, City of Tampa
2. DRI # 118 - Tampa Cruise Ship Terminal, RY 2008-09 Annual Report, City of Tampa
3. DRI # 151 - Crosstown Center, RY 2008-09 Annual Report, Hillsborough County
4. DRI # 210 - New River, RY 2008-09 Annual Report, Pasco County
5. DRI # 218 - Gateway North, RY 2008-09 Annual Report, Manatee County
6. DRI # 249 - Southshore Corporate Park, RY 2008-09 Annual Report, Hillsborough County

Action Recommended: Approve staff reports

Staff contact: John Meyer, ext. 29

G. DRI Status Report

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

H. Local Government Comprehensive Plan Amendments (LGCP)

Due to statutory and contractual requirements, the following reports have been transmitted to the Florida Department of Community Affairs (FDCA) and the appropriate local government in accordance with Rule 29H-1.003(3), F.A.C.

- 1. DCA # 10-1AR, City of Gulfport (proposed)
- 2. DCA # 10-CIE, Pasco County (adopted)

Action Recommended: For Information

Staff contact: Jessica Lunsford, ext. 38

I. Local Government Comprehensive Plan Amendments (LGCP)

The following report(s) are presented for Council action:

- 1. DCA # 10-1CIE/AR, City of St. Pete Beach (adopted)
- 2. DCA # 10-1CIE/AR, City of Oldsmar (adopted)
- 3. DCA # 10-1, City of Bradenton (proposed)

Action Recommended: Approve staff reports

Staff contact: Jessica Lunsford, ext. 38

The Consent Agenda was approved. (Kersteen/Black)

4. Item(s) Removed from Consent Agenda and Addendum Item(s) - None

5. Review Item(s) or Any Other Item(s) for Discussion - None

Chair Mariano stated that staff has worked to secure a proponent speaker for Amendment 4 during the past five weeks and had a commitment from Mr. George Niemann, but he unfortunately cancelled on Friday afternoon due to personal reasons.

Councilwoman Mulhern: Will someone else present the other side? I would like to ask that we have a proponent speak at our next meeting. Motion to have a proponent of Amendment 4 speak at the April Council meeting.
(Mulhern/Brickfield)

Chair Mariano: I would also want an opposing speaker at the April meeting as well as a proponent speaker.

Councilwoman Mulhern: A lot of people are for Amendment 4 and I could easily find someone.

6. Amendment 4

Mr. Ron Weaver, Chairman for the Land Use, Environment and Government Affairs Department for the Stearns Weaver law firm.

Over the last two years Florida has seen one of its most amazing issues come before us. It began with a message that the people should have the power to control their communities and to determine how their communities should be governed and the comprehensive planning of their communities. Florida Hometown Democracy is a good name, but with all due respect, it is not a good idea because it takes the comprehensive out of planning. It does so by replacing it with high priced media campaigns in order to vote on everything.

What exactly is Amendment 4?

Taxpayers would fund referenda on **any change** to a local “**comprehensive plan**,” often including:

- Roadway improvements and expansions,
- Hospitals, schools, parks lands, fire and police stations
- Traffic signalizations and the purchase of municipal vehicles
- Additions to government buildings and expansion of public recreational facilities

Many of those are a part of the comprehensive plan.

How often will we vote?

Some governments have 501 amendments, some 300 amendments and others as high as 600 amendments in their comprehensive plans. The language we are talking about for the next six months, as Florida comes to grips with a great idea that the people have control over their government, that they have control of their planning, that they have some voice in what is done in their community - the problem is that this is not only an overreaction but it is the taking away of the existing structure of staff recommendation and hard work to figure out what’s going on and to do so on behalf of the folks in a representative government. Not a Greek democracy, not a vigilante and not a storming of the Bastille where the emotions of the day govern. But where we have reasonable thoughtful decision making over careful deliberations of staff and the elected officials. The people have power now and the ability to come and speak to a comprehensive plan amendment yea or nay.

Ballot Summary: Establishes that before a local government may adopt a new comprehensive land use plan, or amend a comprehensive land use plan, the proposed plan or amendment shall be subject to vote of the electors of the local government by referendum, following preparation by the local planning agency, consideration by the governing body and notice. Provides definitions. You have to vote on the old ones, the new ones, the five-year EARs and on every little amendment. That means you are going to take the process of comprehensive planning and you are going to turn it into “not in my backyard” piece-meal planning and you are going to encourage instead of decreasing fraud. Here’s how and here’s why. The proposal can limit responsible new development in more populated urbanized areas. Look what it is going to do when it comes time to create density around rail and other locations. We get \$1.25 million from the federal government and we are thinking about voting on an amendment to implement the high speed rail. To implement that decision yea or nay by Tampa this year, and others next year on transit, rail, bus system and our road system. When it comes time to do transit oriented development to facilitate that transit, we’ve locked up our comprehensive plan.

Who is Funding this Amendment?

Special Interest Lawyers

Sierra Club

Adult Entertainment Interests

Population Control Advocates

According to a major economic study Amendment 4 would “...permanently impact the economic growth potential for Florida, causing a steady decline in the standard of living of all Florida residents.” (Tony Villamil, Washington Economics Group). We will loose 267,000 jobs. Why is it 267,000? That’s because we will loose 25% of our residential and commercial development. We keep 75% because of the affects if Amendment 4 passes. That means that we are going to

lose \$34 billion to the Florida economy every single year according to Tony Villamil's Washington Economics Group. That includes \$11 billion in wages, \$4 billion in revenues that you would be collecting as governments. The total economic impact in lost spending and lost wages and in revenues to your local governments every year is a \$34 billion economic impact if Amendment 4 should pass.

Florida's Editorial Boards have weighed in on Amendment 4. The South Florida Sun-Sentinel says "Floridians would make a big mistake supporting this misguided effort." The Orlando Sentinel says "The cost to local governments of including the land-use amendments on ballots would soar into the millions." The Daytona Beach News-Journal - "We will not support Amendment 4 ...It could make a bigger mess of community planning ... with too many of Florida's natural assets and the livability of Florida communities at stake." Amendment 4 is not going to save the environment. In fact, in many ways it will jeopardize the environment because when it comes time to comprehensively plan for greater density and rail we won't be able to amend the comprehensive plan to put the density where it belongs and as a result it will sprawl like it has for the last 15-20 years. This will actually encourage sprawl. Most of the editorial boards agree. The Bradenton Herald "...this amendment is an extreme overreaction ... Amendment 4 will serve to throttle an economic recovery and compound unemployment." Can you imagine doing this to the poor folks in construction? 41% of that \$34 billion is 105,000 lost jobs in construction. The St. Petersburg Times says "A three-year experiment in St. Pete Beach shows land planning via referendum is a messy, unpredictable business that leads to higher government costs due to litigation and a stalemate when it comes to development." (More quotes from Florida newspapers can be found in the presentation on our web site).

Environmental, labor and business groups have raised serious concerns about Amendment 4. 1000 Friends of Florida: Amendment 4 "could limit efforts ... to lessen sprawling patterns of development." Florida Chamber of Commerce: Amendment 4 is a "Jobs killer..." Florida State Council of Machinists and Aerospace Workers: Amendment 4 is a "grave threat to Florida's jobs and economy..." It is not the right time to take a process that needs some hard work in our fixing it and replacing it with the kind of unpredictable uncertainty of Amendment 4.

Questions & Comments:

Councilman Newton:

You noted in your handout that there are special interest groups backing the support of this bill. That's kind of the premise that this came to life under because what that alleges is that special groups are the only elected officials and elected officials are not voting for government by the people and for the people, they are voting for the people with the money that are backing the campaign rather than what is right for the people. Who pays for these special amendment elections? How much would the estimated cost be?

Mr. Weaver:

I have seen special elections cost as little as \$10,000 and I've seen them cost as much as \$30,000. Even more in some governments and we would pay for them out of the taxpayer's dollars, unless someone would get a special kind of approval and provide a check which would go to the special interest question that you raised.

Council Member Petersen:

Someone emailed me a sample ballot and my question to you is, when you have these amendments is it true that our ballots would be 40-50 pages long? Would citizens be expected to read through 40-50 different amendments that they are going to have to vote on?

Mr. Weaver: Probably not, but it will be 1/3 that bad. Honest estimates are that because the amendment process is subjected to the people, then a lot of people are going to exert political pressure to separate them so that they can decide which ones they do and do not want to support. So where we may have 12 now there may be 100 or 200. So 40-50 pages is conceivable but the bottom line is, it all depends on the breaking out into separate items. There is nothing prohibiting all 50 or 100 items in a comprehensive plan, each being a separate item, to let the people decide among them rather than being stuck with a yes or no to 100 things that they have no interest in, no knowledge, no ability to figure it out and so the pressure will be to separate them.

Mayor Peters: I want to make a comment on the cost of those elections. It's a regular run election and you know in St. Petersburg that's about \$295,000 to run an election. Clearwater it's \$110,000. My city (South Pasadena) is significantly smaller. When you look at a county election for an unincorporated area, you are talking over \$1 million. That's all going to be paid by the taxpayers.

Mr. Weaver: If it's a special election. If you have your regular election then it might be less. \$1 million is not out of the play if you did need a special election in a large jurisdiction.

Commissioner Barnette: You made a convincing and eloquent argument and I suspect the consequences are, whether unintended or intended it makes you wonder why it was difficult to have a proponent here today. Largely behind this movement we read that more than 75% of voters feel the relationship between elected officials and developers have made growth decisions unfair. Rightly or wrongly perceived. As an elected official I find myself inclined to vote against the amendment, but I take a greater responsibility to correct that perception. What have we done wrong? Why have we gotten into this situation?

Mr. Weaver introduced Julia Rettig, former President of NAIOP.

Ms. Rettig: That's a great comment because I am a recovering developer. I have been privy to a publicly traded company and we put a lot of infrastructure and a lot of money into our respective communities. We brought thousands of jobs to this area. It's a very difficult process. The notion that a developer is in the pocket of a politician cracks me up because we are in the sunshine state and everything we do is out there for public consumption. It isn't possible for us, particularly when you work for a publicly traded company. We aren't allowed to give money to campaigns. The process to develop in any county is incredibly difficult. When I worked for these publicly traded companies I competed with other markets. I ran the Tampa market for a big publicly traded developer and we only did commercial - I built offices and big distribution centers. I was competing with my peers around the country and I was competing with Atlanta or Denver. I would be looking for the same pool of money. We would look not only at the cost of the project and the ability of getting the project approved and what would it take. How much time would it take? How much would it cost? Florida is one of the most difficult states to develop in. I typically lost to other states

that were competing for the same money. If I could convince my upper management people that it was a good risk, then I could convince them with the story that our economy was thriving. They would then take the risk even though it would be more expensive and it would take longer. It is a very difficult process and to hand it out to the voters - it's a tough argument because we are arguing against the fundamental right to vote. That's what the other side is saying. We are giving the people the right to vote again. They already have the right to be very involved and believe me, they are very vocal. And then we have to hire people like Mr. Weaver to help us through the process and it is very expensive. I appreciate you saying what you said.

Commissioner Barnette:

Elected officials need to correct the perception. I see a mismatch leading to overreaction.

Vice Chair Collins:

I think it's not just the elected officials. I think it's the developer's responsibility to send a better message. I've been in the industry myself in the past and we don't always get out there and send the message of the good things we do. I think it is perception and I think the developers need to be looking at how to change the message.

Ms. Rettig:

A perfect example is one project I worked on in particular in Hillsborough County on I-75, MLK and 301. We bought 88 acres and we put \$2.2 million into that project and built a beautiful office park and JP Morgan Chase relocated their treasury division from Manhattan, high paying jobs, minimum job payment that was \$70,000 a year. It was one of the best relocations Tampa ever received. Had my company not paid for that infrastructure, had we not taken the risk, they would have gone to another state. We had the perfect situation for them. We had a great employment pool to pull from. That company is still there and is thriving. They love the relocation. When you are competing against other states it is difficult to sell because other states have more incentives than Florida and it isn't as difficult to develop. Imagine if now all of a sudden the process is almost impossible because as a developer I would basically have to run a campaign and I'm not interested in convincing anyone to do that.

Vice Mayor Halpern:

If we are going to vote on every comprehensive plan amendment that comes across the board that means, if I understand this correctly, that any political action committee can campaign for the vote either way. That tells me that whichever political action committee has the most money could influence the vote, right or wrong. That kind of defeats the purpose of a representative government.

Mr. Weaver:

Exactly. It shouldn't be the most money wins the issue. It should be a liberation on all the issues by staff and the elected officials who are conscious on what is really going on in the community.

Ms. Rettig:

And it's not just the bad evil developers, it is also schools and hospital expansion - it's not just the traditional developer who everyone loves to hate. It's municipalities trying to grow. Frankly I wouldn't pay the money to put that campaign forward. I wouldn't try to attract jobs here anymore.

Council Member Vale:

I recently went to a seminar and I was talking to people from Charlotte and Charleston and they are attracting a lot of jobs because they have

more freedom than we do. You didn't really answer his question. The question was, why is this perception out there? My question is, what can we do to counteract the public's perception that you are in bed with politicians and there are kick-backs? What can we do to counteract that perception?

Mr. Weaver:

In the March issue of the Florida Trend magazine Ross Burnaman says, and I quote, "I think people understand how corrupt our government is." I didn't use his quote because I don't think it's responsible and I think he speaks for 1% of the people. Just because there are corrupt folks in Palm Beach County that doesn't make everybody corrupt. I think the perception is when they go down there and they do not respectfully understand the issues any more than they will in a ballot box. They just don't get the job based relationship, they don't get the urban sprawl versus non-urban sprawl. This is complicated enough for those who do this for a living. How do you think a citizen is going to not come away saying that's the greedy developer. He was at the campaign parties. I went on line and saw the list of contributors to this campaign. There are more of him than there are of us, therefore they must be voting with their campaign ledger. That is the misconception. 99.9% are honest and that's what needs to be cleared up.

Councilman Newton:

If you would sit in the Chambers of the City of St. Petersburg you would see we have environmentalists and an assortment of 10+ groups. What I normally see is before they go off with the plans to the community that will be impacted they don't go out and do their homework. They just come to the council people and think it will be a cakewalk. The problem is that people see that. As I said before, you have to understand how this was born. Some of my colleagues as well as a lot of other people think that they were elected because they know how to do things better. With voter apathy you get about a 10-15% turnout. That's not a mandate. You have 90% of the people who don't even care. Those are the people who will raise up and hopefully come to the polls. The education process lies on our shoulders. We have to do a better job in communicating and getting closer with the public input sessions. A lot of cases are being filed by everyday citizens.

Councilman Roff:

I'm interested in Colorado and Arizona where this was defeated. When were they defeated and how did they go about that?

Mr. Weaver:

About three years ago very similar measures inspired the local movement and they were virtually the same exact vote on everything and what happened is the editorial boards, like the ones I read, and the folks in Colorado and Arizona basically did an education campaign in which they took the real consequences and they painted them very clearly for the voters and the editorial boards got it and they helped carry it over the top to prevent those two kind of measures.

Councilman Roff:

So it was at a period of high growth.

Mr. Weaver:

Yes. In both cases it was during the boom of 2002-2004.

Councilman Roff:

Do you think it would be more easy to sell this because people are worried about jobs now where they weren't before. Do you think that is in our favor?

Mr. Weaver:

I do. It's a reality.

Ms. Rettig: I think if we keep the message simple and we stick to the economy of jobs when you go out to the regular voter. There side is very Mom and Apple Pie. Hometown Democracy sounds great, but if we stick to the economy and jobs I think we can sell it. There is a growing sediment out there that government corrupts and developers have always been considered evil. I don't think it's going to be easy.

Council Member Petersen: I want to comment on what Councilman Newton was saying. My first job out of law school was working for government and I think it has always been implied by citizens that you can't fight city hall. I appreciate your question about what can we do to change that perception. In my community in Clearwater we have had a couple of developers who have been very successful. Why? Because they start in the neighborhoods. They don't even come to us first. They go out and meet with the neighbors, they show them what they are going to do. They listen to their objections. They let the neighbors buy in to the project. I think that is what we need more of. The projects that come in that are built with no input from the neighbors except for at city Council meetings and a lot of people are in fear of or can't come so the citizens feel they have no voice. I think it is incumbent upon developers as well as elected officials to make sure that the citizens at that level have buy in.

Mr. Weaver: Secretary Tom Pelham opposes this amendment and would rather do five things instead by legislation called the Citizens Bill of Rights:

- 1) The right to shape changes to your neighborhood, community, and region;
- 2) The right to a process free of last minute changes;
- 3) The right to a super majority vote on major decisions;
- 4) The right to more easily challenge decisions made by your local government;
- 5) The right to be free of fear of unwarranted legal retaliation.

Council Member Mulhern: I think you are a little hard on yourselves saying there is this misconception of corruption. It's not that. You know, because when you come before us you are being paid a lot of money and you have a lot of money behind you and you have made contributions. One of the reasons I ran for office is because I wanted to represent neighborhoods and citizens and influence the planning and growth that was happening in Tampa. There definitely is a problem in perception. Sadly, Tom Pelham opposed SB 360. Between the push for Hometown Democracy we had our legislature pass a more pro-growth bill that is not what the citizens would have wanted. The feeling of not being able to influence - I feel that way on Council. We have intelligent, convincing attorneys and developers coming before us making arguments. Then you have the citizens on the other side. Then you need money to run for office. It's a huge problem everywhere, not just in Tampa Bay. I don't know if Mr. Conn talked about SB 216. This bill basically says that elected officials cannot spend money to support or oppose a citizen's referendum. I feel that my place is to certainly not take an official stand on this issue. I don't feel it is my place to influence the voters. I also want to comment on what Council Member Petersen said. We have problems when a

developer goes into a neighborhood. What happens is that instead of influencing the Council they are influencing the neighborhood association by offering them rewards. By the time it comes before the Council there has already been a deal made. We have citizens telling us they really want the project but it may not be the best thing from a planning perspective.

Chair Mariano: I want to ask Mr. Conn (TBRPC Legal Counsel) to speak on the legalities on taking a position and what is legal.

Mr. Conn: We had a brief discussion of this at our last meeting and since that time I have looked into the legislation that Councilwoman Mulhern referred to. It is a very significant point. We have to be aware of the legislation that was passed last year. Specifically that legislation prohibits the use of public funds for political advertisement or election hearing communication. There's also language in that legislation that specifically indicates that it does not preclude elected officials of local governments from expressing opinion. Based on that a number of regional planning councils have passed resolutions expressing an opinion. Very careful however not to advocate through political advertisements, or any kind of electionary communication, but rather in the exercise of free speech expressing an opinion on the issue one way or the other. Local governments, I know several counties have as well. If the question is put to me, I feel as though this Council could, without violating SB 216 2009, pass a resolution expressing an opinion but without doing anything further in terms of trying to advocate a position one way or the other.

Vice Mayor Matthews: Following the conversation about not using state funds, is there a violation in that process if you present examples that say it is not a good thing? Could you put a packet together and give it to your constituents?

Mr. Weaver: I doubt it. That would probably be borderline. You can't do it on technically "city time" such as being on city camera. If you are asked on your own time on the way to your car what you think of Amendment 4 I think you can answer them honestly, as any citizen can even though you are an elected official. Anything beyond an opinion is thin ice.

Mr. Conn: I would agree with that.

Vice Mayor Matthews: What can we do for our citizens to educate them?

Mr. Weaver: When you are away from the city cameras and away from city time and money you are a citizen with a right to your opinion.

Mr. Conn: I would go further to say that certainly local governments are free to have forums such as we were attempting to have today with the pros and cons on the issue and have advocates on either side come in front of your Council.

Mr. Weaver: You can talk about it all day long as long as both sides are allowed, invited, and get a chance to come and speak.

Vice Chair Collins: Councilwoman Mulhern, you say that you want constituents to be happy, yet if the developer and the neighborhood convene and come to an agreement before coming to your Council you say they don't know what is best for them. It seems to me that if they do come to an agreement before coming to Council and that everyone is getting along, it is a good thing, something you would want.

Councilwoman Mulhern: No, I'm not saying that you shouldn't meet with them. I'm just saying you have to be careful because we've had experiences in the city where that happened and there was corruption involved. We had a problem with that. I'm not saying you shouldn't meet with them, I'm just saying that as elected officials we have to be cautious. We know how organized the neighborhood associations are and they know what they want so they can be extorted by the developers in order to come before the Council and say they approve of it.

I feel like the intent of this law is that when there is a citizen referendum, local government should not be campaigning one way or the other. It's very clear that as individuals any of us can say whatever we want. I would be uncomfortable with this board or city Council or any of the boards I sit on lending our name and be a part of this campaign against Amendment 4. As an official I have problems with it and if there is a resolution I would have to think about whether I could support that. I think the intent of the law is that you allow the citizens referendum to come to a vote and they vote.

Commissioner Brickfield: I respect your opinion Councilwoman Mulhern, but I am of the complete opposite opinion. I think as elected officials we should voice our opinion on this.

Mr. Conn: Opinion as opposed to advocacy or campaigning.

Commissioner Brickfield: I think as a regional planning council this is going to affect our communities in such a way that we have a responsibility as elected officials. We can argue as perhaps some of the most informed people in our communities and say this is our opinion - take it for what you want. I would like to see us bring a resolution forward, debate it, and come to an opinion one way or the other. I think that's our job.

Vice Mayor Brown: I am disappointed that both sides aren't here today because I haven't heard anything from the other side. What's wrong with making a plan and then making it hard to change. If you make a good, solid comprehensive plan then it would be difficult to change moving forward. I think that would be more likely to be successful. I don't support this amendment but that would be their argument. Can you speak to that please?

Mr. Weaver: I can't. I think that's an excellent way of trying to get the other side issues on the table because they need to be here so we can have an honest debate. The Citizens Bill of Rights (which hasn't passed) is a proposal that is supported by Secretary Tom Pelham and says that it would make it harder to change the comprehensive plan. Honestly, there may be needs for major decisions, some kind of additional layers such as a 2nd or 3rd layer of a hearing or a super majority with respect to changing certain major items in the comprehensive plan once it is adopted so it is a little harder to change and that would be a part of the balance that we are talking about in the Citizens Bill of Rights.

Mayor Peters: I suggest we hear the rest of the presentation.

Mr. Ward Friszolowski, former St. Pete Beach Mayor and former member of this Council for over 10 years. Mr. Friszolowski provided a local perspective on Amendment 4.

I served as an elected official in St. Pete Beach for 14 years. I also served on the TBRPC for eleven years, from 1997 to 2008 and I thank each of you for all your services, not only in your communities but understanding how important regionalism is.

Most of you are familiar with St. Pete Beach in general. We are a barrier island in Pinellas County. We are a relatively small community at about 10,000 permanent residents and swell up to about 25,000 with tourism. We are the first, and only, municipality to adopt a local version of Amendment 4. For St. Pete Beach it was a Charter Amendment which requires a referendum vote on any changes to the City's Comprehensive Plan. Our voters voted on this in November, 2006 so we have now gone through more than three years of this experience that I would like to share with you.

First I would like to start out with, how sacred is a comprehensive plan? Proponents of Amendment 4 would like you to believe that a comprehensive plan is very sacred, that it has been so well done that it should very rarely ever be changed. However, a city's comprehensive plan has to be a living, changing document reflecting the current will of its citizens. Comprehensive Plans need to respond to economic changes, demographic changes, environmental changes, etc.

Our Comprehensive Plan was adopted in 1989 as a result of the 1985 legislative session which required all of us to adopt a comprehensive plan and ours favored condominium development. You could build on a given piece of land, either 15 units per acre for a condo or 30 units per acre for a hotel. What's happened over time is that our hotels were going away and people were building condominiums. Our residents recognized that. They didn't want to see the loss of hotels. Hotels bring that vitalism to our community and the people staying at the hotels support our restaurants, shops and they support all the things that we like to do as residents. We decided that we need to be revitalized and we needed to work on that. We started in 2002 the process to change the Comprehensive Plan. In 2002-2003 the city went through the comprehensive visioning and planning process, at least 22 public workshops of meetings are held. We had a great turnout from the public. From 2003-2005 we worked with our citizens and elected officials to develop the comprehensive plan amendments to implement the adopted master plan. It was a long process. We had to go before the TBRPC and get approval, the Pinellas Planning Council and get approval, we had to go before the Pinellas County Commission for approval, and we had to go through the long process of going through the Department of Community Affairs (DCA) which took two years. It was not a simple, not an easy process to go through.

We went through that whole process and it worked well. Then in 2005 we had some people who didn't participate in the process form a local political action committee (PAC) called Citizens for Responsible Growth (CRG). They submitted several petitions to amend the City Charter which would require a vote on every comprehensive plan. We challenged that in court because we thought that did not abide by state law. They then submitted two additional petitions, one of those was to repeal that comprehensive plan that took us years to go through and change. In November 2006 the Circuit Court sides with the City and said it was state law and you can't change it, however that went through an appeals process and it was overturned. We then adopted the Hometown Democracy provision.

From 2006-2009 we are now living with our version of Amendment 4. Here's a sampling of some of the votes we have had in St. Pete Beach:

- The State mandated that we are a Coastal High Hazard Area. We had to put that

- on our comprehensive plan. Normally that would be a vote from our city Commission. We had to have an election. Each election costs us \$20,000.
- The state mandates now the you have your Capital Improvements Plan (CIP) in your comprehensive plan. So even though we had zero new projects in our CIP, our citizens still had to vote for it. And ironically 25% said no.
- The state requires to put our water supply plan in and we don't even have a water supply. But we still had to put that up for a vote. We are a retail customer with Pinellas County. Again, we had to do that. We were out of compliance because we didn't want to hold a special election so the state said we were out of compliance. We couldn't go through any more comprehensive plan changes because we were out of compliance, but we wanted to save money instead of dealing with a special election again.
- The state mandated that we have a school facility zone. Cities cooperate and coordinate with schools. This is a direct relationship. We had to put that before our voters.
- We go through an Evaluation Appraisal Report (EAR) and we do that every 5-7 years. That has to go before our voters.

Fortunately all of these we were able to couple with regular elections, even though we were out of compliance at times due to timing of elections. As I mentioned, it costs us \$20,000 for each one of them so we were not looked upon well with the state.

We wanted to go through changes in Pass-A-Grille and we wanted to go through changes but that got caught up in this whole process. Ironically, we had another political action committee that was formed called "Save Our Little Village" (SOLV). They initiated a citizens referendum saying they were going to take the old comprehensive plan that was repealed and put it back before the voters and see if they will approve it. It was 175 pages of a technical document and it passed by a wide margin. I think our community had seen through all of this and it passed 60% to 40% and it had only been repealed by 22 votes. Ironically, that same political action committee that wanted Amendment 4 in the first place were the same ones who are legally challenging that in court. They are the ones that said they wanted a right to vote and they are now the ones that are in court that the vote should not count.

In November 2009 our city commission decided to ask the voters again if they wanted to change this. Our community after dealing with 3 years significantly repealed a good portion of Amendment 4. The only things that we are dealing with now are heights, density, intensity and land use which I think was maybe the original intent of Amendment 4. However, they can't change that ballot language because it cost over \$1 million to get signatures over a four year period.

Some of my personal observations of the St. Pete Beach experience:

- Voter fatigue – issues are complicated and difficult for voters to understand. We have great voter turnout in St. Pete Beach. Voters really pride themselves on looking into issues and trying to understand so when they go to vote they feel comfortable with their vote. The vote on June 3, 2008 where one political action committee put a comprehensive plan before our voters, it was 175 pages long. It's a technical document that I read ten times over because it cross-references different sections. You have to ask yourself if this is good public policy to ask voters to do this? I don't think it is. What's happening is that instead of reading a document like this, what they are listening to is the political action committees. One day when I got home from work I had six pieces of

literature in my mailbox - vote yes, vote no, listen to me. The voters didn't know who to believe anymore. There are political action committees on both sides and that's what this is turning in to. Instead of listening to the elected officials you are going to listen to and believe political action committees? It has reeked havoc in St. Pete Beach.

SB 216 has been mentioned. Elected officials don't feel like they can talk about this anymore and the void is filled by political action committees, often with special interest, sometimes not even related to the subject. People vote on issues based on who is supporting or opposing, rather than understanding the merit of the issue.

What's winning elections? It's who can have the best campaign, who has the most money, who puts the best flyers together. There is uncertainty in our community. We have business owners who want to revitalize and revamp their businesses. They aren't sure where to go anymore. The uncertainty extends to lending institutions. There has been economic hardship. I've had a hotel owner in St. Pete Beach say that he has a family run business for over 30 years. He has been very fortunate and has paid all of his mortgage. He also owns another hotel in Colorado that is paid off. His idea was to sell his place in Colorado, use that capital to reinvest in St. Pete Beach but he can't do that under these circumstances.

We used to be the poster child for Hometown Democracy, now we're their worst nightmare. They are trying to back off from us as much as possible. There is only one difference between St. Pete Beach and Hometown Democracy and that is that our voters decided not to include 5 or fewer parcels. So if you have 5 or fewer parcels our city commission can still vote on it. Hometown Democracy takes it down to every single parcel. My concern is I think that Hometown Democracy thinks they are going to stop the Walmarts. The Walmarts are going to have the money to back it up but it's the small businesses that want to expand aren't going to be able to expand. They are the ones that will get hurt the most. We are spending more money on legal fees right now than we are on our whole community development department in total. We aren't doing any planning and this was supposed to be all about planning. We are spending all the money on attorneys. Part of the irony is Ross Burnaman, whose name was mentioned and is one of the co-founders of Amendment 4, is personally involved right now at stopping the vote in St. Pete Beach. He was one of the ones who said you ought to be able to vote on these things. He's now working against it.

That's the most disturbing thing for our citizens who are trying to do the right thing in our community. They were told to just let people vote and when they did vote it was the same people that filed lawsuit after lawsuit to overturn the results of an election. Our experience has really been a battleground of special interests. It has not empowered citizens. It has not resulted in wiser growth management, it has erased growth management altogether. It has not empowered ordinary citizens - it has empowered lawyers and those with the deepest pockets. At a time of economic hardship it has caused extraordinary damage to our City's economy.

I hate to think that after what we've been through in St. Pete Beach and how much money we have spent, how much frustration there has been from voters that this could possibly go through a state-wide vote. It has caused unbelievable harm in St. Pete Beach. It's going to take a lot of work to get people to understand that this really is not about just allowing citizens to vote.

Questions & Comments:

Chair Mariano:

If you could, please speak on the St. Pete Beach slides in Mr. Weaver's presentation.

Mr. Friszolowski:

Referring to a slide in Mr. Weaver's presentation - this is an example of someone who owns a piece of property, they had their plans in the works. What's happened now is that even though our voters did vote to approve this comprehensive plan, which would allow this development to go forward, it's being challenged by the backers of Amendment 4. DCA now recognizes this as our new comprehensive plan as the voters voted on it. However, with it in litigation this owner is faced with the fact that, what if this litigation prevails and things are overturned? Voters should be allowed to vote on everything, let the vote count. Here's an example of what they are suing about right now. They are saying that the 75 word ballot did not accurately depict these 185 pages. Well, they are the ones that came up with these rules. Anyone in this room, try to come up with 75 words that would accurately depict this (comp plan). It's almost impossible.

Councilwoman Mulhern:

So the City of St. Pete Beach adopted a new comprehensive plan that the Commission was happy with. Then the CAC came in. My first question is, what were they unhappy about? Or, what did they think they were going to accomplish?

Mr. Friszolowski:

I don't want to speak for them specifically because I can only guess. We asked several times if they could tell us specifically what they didn't like about this. I think in general it was the sentiment. Back at that time, in 2005-2006 the economy was moving and I think they were fearful about changes. They were looking at examples of bad planning throughout the state. There was a lot of inaccurate information. There were newspaper ads taken out that were talking about 25-30 story condominiums. They were showing pictures of 20-30 story buildings and it was scaring people. It was a lot of misinformation and I think it was general sentiment about changing the community and over development.

Councilwoman Mulhern:

What I remember reading about were the small Mom & Pop hotels and the beach cottages being worried. Is that something your Comp Plan would have helped or hurt?

Mr. Friszolowski:

It would have helped. We actually didn't have any developers in the mix in St. Pete Beach. The people who were involved, if you want to call them developers, were some long term owners of hotels that are also residents in our community. One of the great things about St. Pete Beach is that a lot of the hotels are locally owned by families that have been there for multiple generations. We never had any out of town developers that were coming in and asking for these things.

Councilwoman Mulhern:

So then the Pass-A-Grille people basically wanted to go back to your comprehensive plan?

Mr. Friszolowski:

Pass-A-Grille has never had any change.

Councilwoman Mulhern:

You were talking about the village.

Mr. Friszolowski:

That was after that. The Pass-A-Grille area is not part of this. This was mainly our downtown and hotel area. This didn't include any of the neighborhoods, it didn't include Pass-A-Grille at all. What I was

referring to in Pass-A-Grille is another comprehensive plan change subsequent to this.

Councilwoman Mulhern:
Mr. Friszolowski:

Where are you now?

This is our comp plan, however, it's still tied up in the legal system being challenged. We have an election in St. Pete Beach tomorrow and Al Halpern, our Vice Mayor, is being re-elected. We had another elected official who did not have opposition. We would normally not have a vote in St. Pete Beach. Because of Hometown Democracy that we have, this is on the ballot. We've been working with Pinellas County for years trying to develop a CRA (Community Redevelopment Area) for our hotel area. This would normally go before a vote on our City Commission, however, this is on the ballot for vote tomorrow (March 9). It will be a mail in ballot and it should be interesting because it is only a mail in ballot. Think of yourself as a regular voter if you were going to vote on this because I know a lot of you know about CRAs. Question #1: Title: Community Redevelopment Plan - The City Commission adopted Resolution 2010-01 proposing the adoption by the City Commission of the Community Redevelopment Plan for the Community Redevelopment Area (CRA) of the city. Shall the Community Redevelopment Plan for the Community Redevelopment Area of the City, as proposed by adoption, by Resolution 2010-01 be adopted by the City Commission? Yes or No? This is why it is bad public policy. People look at this and ask what? I don't understand what you are talking about. I know some people ask if we could use better language? It has to be legal, it has to meet the 75 Florida limit - so is this the right way to ask? And our city can't even put out literature explaining that because of the concern about SB 216.

I appreciate the ability to come out and tell you what we've been through for three years because you will hear both sides say what it might be. This is what it's been for us. When you see our citizens repealing a significant portion of this after three years, I think that's where the proof in the pudding is. We just finally said we've had enough.

Councilman Newton:

I read about this from afar before I was thinking about getting into politics. There were a lot of heated meetings which were well attended. We have a lot to do in educating our constituency about exactly what the process is. When a developer comes before me the first thing I'm going to ask is if he has spoken to the neighbors. I would ask him a lot of questions because I would want to know where they are at. We, as elected officials, wear two hats. There are some things that I think the public should be voting on, but not everything and I always ask for public input.

Mr. Kersteen:

I think in summary Hometown Democracy runs counter to why we exist in every local government.

Chair Mariano:

We live in a republic where elected private people represent the people and make these types of decisions. When we have to read these 75 page documents we have staff look at them and summarize and then get sued, it will be a tough thing.

Mayor Peters:

I would like to say I'm one of those who had a small regional business

on St. Pete Beach for 25 years and we have suffered greatly the last 5 years. I would like to propose, regardless of whether or not the other side wants to present, that we draft a resolution in our opinion that we do not support the passing of this. (Seconded by Councilman Newton).

Chair Mariano: This goes counter to what we approved earlier.

Mayor Peters: I think we can have it drafted and then if we don't want to pass it at the time then that's fine. I propose we move forward.

Council Member Petersen: I don't think this body should jump to any conclusions until you hear from both sides. If you want to have something drafted that's fine but I think we need to hear from the other side as well.

Chair Mariano: I agree with that but the motion is not for us to pass it, it's just to prepare it.

Councilwoman Mulhern: I'm just a little worried about where we stand legally. I'm sure you will draft the resolution so you can make sure we are on solid ground. I also feel that we shouldn't be putting our name on campaign materials.

Chair Mariano: The motion is to draft a resolution in opposition of Amendment 4. Motion carried. We voted earlier to bring someone to the April Council meeting to provide a proponent's view of Amendment 4. Staff can detail a legal opinion on taking a position.

Mayor Black: Isn't there a bill to repeal to some degree and when would that take place?

Mayor Peters: He is not repealing that bill, it's just to make definitions and amendments in that bill.

Power Point presentation(s) can be found at www.tbrpc.org/councilagendas/councilpresentations.htm

7. Council Members' Comments

Dr. Mike Monohan, Vice President for Business Assistance with the The Upper Tampa Bay Chamber of Commerce, invited Council members to the Congressman Gus Bilirakis' 3rd Annual Career Fair for the tri-county. The Fair will be held on April 6, 2010 at 11:00 a.m. to 4:00 p.m. at the Bayanihan Arts & Event Center, 14301 Nine Eagles Drive, Tampa, FL 33626. All are welcome to attend. As of today's date, here are 26 employers scheduled to participate and we are hopeful to have about 70 employers participate.

8. Program Reports

A. Agency on Bay Management (ABM) – Chair, Mr. Robert Kersteen
 The Agency's Natural Resources/Environmental Impact Review Committee met on February 11th.

We had a presentation from staff of the Southwest Florida Water Management District's Surface Water Improvement and Management program on the Clam Bayou Habitat Restoration & Stormwater Treatment Project. This project is planned to reduce sedimentation within the Bayou and improve water quality. Several stormwater ponds and wetlands will be constructed on land purchased by the City of St. Petersburg.

Staff from the Environmental Protection Commission of Hillsborough County presented their findings from sediment sampling in Clam Bayou and throughout Tampa Bay - focusing on contaminated sediments and sediment-dwelling creatures. One fascinating point is that, although the sediments of the bay are contaminated, and in some cases very

contaminated, the number and variety of creatures living in those sediments are quite healthy.

The committee discussed the proposed Aquatic Resource Fund In-lieu Fee Program for Seagrass and Other Submerged Aquatic Resource Impacts. This permit application from the Ocean Foundation is under review by the U.S. Army Corps of Engineers. The committee members raised a number of concerns about this project. The full Agency will discuss this item further at our meeting this Thursday, March 11th, at 9 a.m.

B. Clearinghouse Review Committee (CRC) - No Report

C. Local Emergency Planning Committee (LEPC) – No Report

D. Emergency Management - No Report

E. Legislative Committee – Chair, Mayor Scott Black

In your agenda packet we included a legislative opening day preview provided by Ron Book. The report obviously mentions that Florida's budget continues to be of top concern. Other items mentioned were:

1. Medicaid reform and extension.
2. Oil drilling legislation and Senate President Jeff Atwater's study.
3. Reconsideration of the gaming impact.
4. Tweaks to Florida's class size amendment will be debated.
5. Filing of SB 1778, SB 780 and SB 2242 related to foreclosures.
6. Property tax reform continues to be on the front burner. Joint resolutions have been filed under SB 1254 and HB 655 to limit the assessment to non-homestead property to no more than 5 percent annually. The bills also propose a first-time buyer additional exemption.
7. We can expect to see numerous growth management bills dealing with transportation, environment and economic development areas. Particular to the environment, legislators are expected to address a potential water supply rewrite, drinking water standards. Another issue the state will address this session is the impact of requirements from U.S. EPA. As Mr. Kersteen alluded in his report that ABM will be discussing EPA's draft freshwater numeric criteria rule.
8. There is increasing support from the legislators for lifting the cap on the affordable housing trust fund to stimulate economic development to mainly upgrade existing houses instead of building new buildings. HB 665 has been filed in support of this effort.

Bills to watch:

- SB 1742 – This bill relates to last year's SB 360. Some of the proposed language includes:
 - Makes any local ordinances relating to transportation concurrency ineffective within state designated transportation concurrency exception areas.
 - Any transit oriented development incorporated in the

comprehensive plan that includes adopted land use and strategies to support and fund mobility is exempt from review for transportation impacts.

- Also allows large landowners/developers to request creation of “transportation concurrency backlog areas.” These could require local governments to spend their ad valorem revenue on backlogged roads rather than on other locally-identified priorities.

F. Regional Planning Advisory Committee (RPAC) – No Report

G. Economic Development – No Report

H. Regional Domestic Security Task Force (RDSTF) - No Report

9. Other Council Reports

National Association of Regional Councils 2010 Conference of Regions

A few weeks ago we attended the annual NARC Conference of Regions in Washington, DC. I am pleased to announce that the NARC Board voted unanimously to name the Tampa Bay Regional Planning Council as their hosts for the 2012 National Conference. Thanks to all of you for your Resolutions of Support which played a major role in securing our bid to host the conference. I am sure all of our communities will benefit from the economic boost.

While in Washington DC we visited several of our federal legislators which included Senator Nelson, Congressman Young, Congresswoman Castor, and Congressman Bilirakis. We took the opportunity to bring them up to date on current Council activities and provided them with information regarding offshore drilling to assist them in their deliberations at the federal level.

One of the focuses of the conference was to learn about important federal legislation which applies to regional planning councils from speakers such as Secretary Tom Vilsack, Dept. of Agriculture; Shelley Poticha, Senior Advisor for HUD’s Sustainable Housing and Communities; Congressman Jim Oberstar, Chair of the Transportation and Infrastructure Committee; and Adolfo Carrion, Director for the Office of Urban Affairs in the White House. The Conference covered a number of topics such as the environment, homeland security, transportation, climate change, and economic development.

There was a great deal of discussion and presentations on the HUD Sustainable Communities Planning Grant Program. There could be many opportunities for regional planning councils regarding this program. We included some information on the program in your original mail-out and I would like to call on Greg Miller to provide a brief overview of this program.

Greg Miller, Senior Planner provided an overview.

In the 2010 Budget, Congress provided a total of \$150 million to HUD for a Sustainable Communities Initiative to improve regional planning efforts that integrate housing and transportation decisions, and increase the capacity to improve land use and zoning. Of the \$150 million, approximately \$100 million will be available for regional integrated planning initiatives through HUD’s Sustainable Communities Planning Grant Program.

HUD recently released an Advance Notice with a description and framework of the grant program for

public comment. HUD will be seeking input from the public, including State and local governments, regional bodies, community development entities, and a broad range of other stakeholders on how the Program should be structured in order to have the most meaningful impact on sustainable regional planning.

The proposed eligible entities for the grant program include multi-jurisdictional and multi-sector partnerships consisting of a consortium of units of general local government and all government, civic, philanthropic and business entities with a responsibility for implementing a Regional Plan for Sustainable Development.

The Program as described in the Advance Notice will provide funding for projects within 3 categories. The 3 proposed categories are:

- creation of regional plans for sustainable development,
- preparation of more detailed execution plans and programs,
- and implementation of regional sustainable development plans.

The One Bay regional visioning initiative and the Strategic Regional Policy Plan provide the Tampa Bay region with an opportunity to attract some of this funding for development of more detailed plans and implementation of components of the vision.

In responding to HUD's request for comments, NARC has compiled recommendations regarding the proposed program. We received NARC's latest draft comments on Friday and have included copies in your folders. TBRPC staff is also working on additional comments addressing some of the specific questions put forth by HUD in the Advance Notice.

Comments on the Advance Notice are due to HUD by the Friday, March 12th. The Notice of Funding Availability is anticipated to be published the week of April 12th with applications due around the first week in June.

Related legislation has been introduced in both the US Senate and House. US Senate Bill 1619 and recently introduced House companion Bill 4690 seek to further the sustainability initiative and would make this program more permanent. We will continue to monitor these bills and others related to the Sustainable Communities Initiative.

10. Executive/Budget Committee Report – Chair Mariano - None

11. Chair's Report

The Pinellas Convention and Visitors Bureau took care of the expense of the NARC Policy Board meeting which showed how committed we are in showing our support.

12. Executive Director's Report

Mr. Pumariega thanked John Jacobsen and the accounting staff for the excellent audit report that was presented this morning. I will work with Councilwoman Mulhern to find a proponent speaker for Amendment 4 to present at the April Council meeting.

Next meeting, April 12, 2010 at 10:00 a.m.

Adjournment: 11:50 a.m.



Jack Mariano, Chair

Lori Denman

Lori Denman, Recording Secretary