TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

From: Staff

Date: May 16, 2014 Council Meeting

Subject: Legislative Matters

Introduction

Over the last three months, the Gubernatorial Committee has been monitoring House Bill (HB) 703, Senate Bill (SB) 372, and HB 1055. In addition, the Committee suggested the Council may want to advocate for state funding of regional planning councils to: 1) assist in eliminating an unfunded state mandate for carrying out work required by state statute; and 2) better provide key functions and values of state, local, and regional importance. For the Council’s information, attached are the April 18, 2014 draft minutes from the Gubernatorial Committee meeting (Exhibit 1). This report provides general background information on these bills, and the rationale for supporting state funding of regional planning councils to carry out statutory mandates and expand the capacity of councils to assist local governments in carrying out their priorities.

Background

House and Senate Bills. HB 703 and SB 372 proposed changes to growth management, environmental permitting, and local government planning and approval processes. Much of what was proposed in these bills was not favorable for local governments. HB 1055 proposed amendments to Chapter 381.00655, Florida Statutes, to allow conversion of existing on-site septic systems to a central sewage system in a more cost effective manner and without completely abandoning the existing on-site septic system. All of these bills failed to pass out of the Legislature this year.

State Funding of Regional Planning Councils. Councils perform several required activities under 16 different state statutes (Exhibit 2). They also provide significant functions, values, and services to local governments statewide (Exhibit 3). The Governor appoints one-third of the voting members of the eleven regional planning councils around the state. State funding of around $2.5 million per year has been provided to regional planning councils since 1986 (Exhibit 4). During that time, Council has received about $250,000 per year from the state. During the last three years the Legislature has budgeted $2.5 million for regional planning councils. However, the Governor has vetoed regional planning council funding in each of the last three years. No definitive reason for the vetoes has been provided by the Governor’s office.
This year the Legislature again requested $2.5 million dollars (Exhibit 5) for regional planning council funding. It is likely the Governor will veto the request. Defunding regional planning councils establishes another unfunded state mandate and allows the state to have equal representation and voting rights on the board without the same financial stake as its member local governments. It also reduces the capacity of regional planning councils to provide services to its member local governments.

Restoring state funding of regional planning councils will eliminate an unfunded state mandate, restore financial parity for the privilege of being a voting member of the regional planning council, and will allow Council to improve service to its local government. Currently, a meeting with the Governor and his regional planning council appointees is being organized by the Florida Regional Councils Association (FRCA) for the purpose of securing state funding of regional planning councils.

Last month, Council authorized Governor Scott appointees to attend any meeting scheduled by FRCA with the Governor for restoring a state appropriation for regional planning councils. Council also authorized and encouraged its members to communicate directly with the Governor’s office about restoring a state appropriation for regional planning councils. A meeting with the Governor about restoring regional planning council funding has been requested and is a top priority for FRCA. Some Council members have already contacted the Governor’s office directly (see Exhibit 6).

**Recommendation**

For informational purposes only.

**Attachments**
MINUTES OF THE TREASURE COAST REGIONAL PLANNING COUNCIL
GUBERNATORIAL COMMITTEE

April 18, 2014

The meeting of the Gubernatorial Committee was called to order by Chairman Steven Weaver, Sr. at 1:15 p.m. Mr. Busha called the roll.

The following committee members, staff, and Council Members were present:

Gubernatorial Committee:  Councilmember Tobin Overdorf  (Martin County)
Councilmember Michael Houston  (Martin County)
Councilmember Steven Weaver, Sr. (St. Lucie County)
Councilmember Reece Parrish  (St. Lucie County)
Councilmember Michael Davis  (Palm Beach County)

Council Staff:  Michael J. Busha
Peter G. Merritt
Liz Gulick

Council Attorney:  Roger Saberson

Council Members:  Commissioner Ed Fielding, Martin County

APPROVAL OF AGENDA

Councilmember Parrish moved approval of the agenda. Councilmember Davis seconded the
Motion

MINUTES – MARCH 21, 2014

Councilmember Overdorf moved approval of the minutes. Councilmember Houston seconded
Motion

GUBERNATORIAL APPOINTEE MEETING WITH GOVERNOR SCOTT

Mr. Busha noted that the Apalachee Regional Planning Council will contact all regional planning
council gubernatorial appointees to schedule a meeting with Governor Scott before the budget is
signed. Chairman Weaver asked when this would occur. Mr. Busha said sometime after the
legislative session, possibly the end of May, but before the Governor is scheduled to sign the
budget into law. Chairman Weaver noted that there has been discussion about several appointees
meeting simultaneously and the Sunshine Law. Mr. Busha indicated that a meeting like this
would be advertised in advance so it would comply with the Sunshine Law.
COMMITTEE MEMBER DISCUSISON (OLD BUSINESS)

Mr. Busha noted that House Bill 703 and Senate Bill 372 are probably dead. He noted that House Bill 1055, Onsite Sewage Treatment and Disposal Systems, is still alive and Council approved sending a letter of support. He noted this bill is still a priority for Representative Mayfield.

Chairman Weaver said this committee will move forward with support of Council funding and House Bill 1055. Councilmember Parrish asked if this committee needs to contact Senator Thrasher or Representative Mayfield on House Bill 1055. Councilmember Davis asked if staff should write a letter from all of the gubernatorial appointees. Mr. Saberson said that Council had authorized staff to write a letter for the Chair of the regional planning council to sign.

Chairman Weaver asked if any of the committee members met with the Governor related to the talking points. Councilmember Overdorf noted that he met last Friday with Governor Scott, along with the Lieutenant Governor and the Secretary of the Department of Environmental Protection. He pointed out some of the highlights of the meeting. He talked to the Governor about Council’s funding and also the direction on All Aboard Florida. The Governor indicated that he would look at the overall budget. He noted that the Governor did not give any direction for his appointees on All Aboard Florida. He also noted that he sent an email to the Governor regarding All Aboard Florida, but has not received a response. He shared the email with Mr. Busha and also suggested that this committee receive the email.

Chairman Weaver recalled that this committee had come to an agreement on All Aboard Florida but the meeting minutes did not reflect that. Councilmember Overdorf said the request from this committee was to ask for guidance from Governor Scott and the Governor did not give any guidance on All Aboard Florida. Councilmember Overdorf noted that he has a contact for the Governor’s office in Palm Beach County. Councilmember Parrish asked if the Governor had a specific aid that is dedicated to All Aboard Florida.

Councilmember Overdorf responded that the Governor did not have an aid dedicated to All Aboard Florida at this time and he assumed that the All Aboard Florida project would be handled through the Governor’s regional/local office in Palm Beach County. Councilmember Overdorf noted that he has a contact and would be happy to share with Michael and disseminate to this committee.

Councilmember Overdorf noted the meeting with the Governor included discussion on the St. Lucie River, the discharges associated with that system, as well as Lake Okeechobee and the Loxahatchee River. There was open discussion about the Army Corps of Engineers, and the limitations they have placed upon us. Councilmember Overdorf noted that they discussed everything from dredging to the realignment of the waterways. There was also discussion on the Northern Everglades funding associated with storing water on farmland and what a great benefit that has been as adding to recharge for groundwater as well as looking at the ability to hold water back from flowing out of the waterways.
Chairman Weaver noted that he hoped this committee would be in support of the water farming and Council would take a position on as well and he hoped staff would keep the committee posted. Mr. Busha noted the Council’s previous support of water farming and how it was a key component of Seven50.

COMMITTEE MEMBER DISCUSSION (NEW BUSINESS)

Commissioner Fielding talked about rehydration of conservation lands. Mr. Busha noted that Council staff conducted charrettes in the late nineties on the 10-Mile Creek, Allapatah Ranch, and V-2 Ranch which led to two water storage projects being designed and constructed. Mr. Overdorf noted that the South Florida Water Management District is proposing to take over the 10-Mile Creek project from federal control.

Councilmember Overdorf liked the idea of a potential workshop with All Aboard Florida and having the various commenting agencies attend the workshop. He thought this would be a great regional forum and suggested that this is something that should be embraced in a future agenda item on the All Aboard Florida project.

Commissioner Fielding noted that Martin County has scheduled a meeting on All Aboard Florida on May 15th at the Blake Library and that meeting will include the U.S. Coast Guard. He also noted that Congressman Patrick Murphy will be a speaker at the meeting. He indicated that he would ask the Florida Inland Navigational District and Florida Fish and Wildlife Commission to attend that meeting.

Mr. Busha pointed out that Congressman Murphy will also be speaking at the May 16th Council meeting.

Chairman Weaver stated the role of this committee is to take to Council as a whole the legislative lobbying intent and not much more. Councilmember Houston noted that Council did not suggest this committee go anywhere with All Aboard Florida. Mr. Busha indicated that at the end of the Environmental Impact Statement process, Council would likely take a position on the project and their recommendation would indicate if the project is consistent or inconsistent with Council policies. Chairman Weaver noted that the committee should be mindful of its limited scope.

STAFF COMMENT

None.

CHAIRMAN’S COMMENT

Chairman Weaver pointed out that members of this committee have a much more limited opportunity to make a difference than the elected officials do. He proposed that this committee as individuals, ask that items be put on Council’s agenda and lead by example. He noted that he does not see enough of this from the other board members.
Mr. Busha stated Council’s Chair sets the agenda and that any Council member can ask for an item to be put on the agenda. Mr. Busha also noted that he would work with Commissioner Solari on the All Aboard Florida agenda item. Mr. Overdorff noted that two of the items were to extend the draft Environmental Impact Statement comment period and sealed corridors. Chairman Weaver pointed out that there are members of the public that believe the corridors are not wide enough to support a derailment scenario for anything over 79 mph.

Councilmember Overdorff reported the Stuart Sailfish Regatta will take place on May 16-18, 2014 at the Stuart Causeway.

ADJOURNMENT

There being no further business, Councilmember Parrish motioned to adjourn the meeting at 1:44 p.m. Councilmember Houston seconded the motion, which carried unanimously. The next meeting of the Committee is scheduled for May 16, 2014, immediately following the regular Council meeting.
Regional Planning Council
Statutory Mandates

Chapter 163, F.S. Intergovernmental Programs
Chapter 186, F.S. State and Regional Planning
Chapter 253, F.S. State Lands
Chapter 260, F.S. Florida Greenways and Trails Act /
Chapter 282, F.S. Communications and Data Processing
Chapter 288, F.S. Commercial Development and Capital Improvements
Chapter 335, F.S. State Highway System
Chapter 339, F.S. Transportation Finance and Planning
Chapter 373, F.S. Water Resources
Chapter 378, F.S. Land Reclamation
Chapter 380, F.S. Land and Water Management
Chapter 403, F.S. Environmental Control
Chapter 419, F.S. Community Residential Homes, Confliction Resolution
Chapter 420, F.S. Housing
Chapter 427, F.S. Special Transportation and Communications
Chapter 985, F.S. Juvenile Justice, Confliction Resolution for Sites
Basic Regional Planning Council Functions, Values, and Services

- Designated as federal Economic Development Districts to promote economic development in conjunction with local economic development organizations, provide access to federal economic development funding, and provide technical assistance to local governments, private businesses and neighborhood-based organizations with respect to the creation and expansion of infrastructure and jobs.

- Prepare 5-year Comprehensive Economic Development Strategies, or investment plans, using the Florida Chamber Foundation’s Six-Pillars as the organizing framework, which will help implement the State Strategic Plan for Economic Development and meet the Governor’s job creation goals.

- Assist the Florida Department of Economic Opportunity in the implementation of the Florida Strategic Plan for Economic Development, including tracking and reporting on tactics and metrics to measure progress toward implementing that plan.

- Use regional econometric modeling to provide objective economic impact analyses on policy and investment decisions in support of local economic development organizations, helping them create jobs and invest in local communities.

- Prepare grant applications for federal/state economic development infrastructure funds to support economic development and job creation projects at the request of local economic development organizations and local governments.

- Convene community leaders to develop regional visions that link business development, job creation, infrastructure, environment, land use, and transportation into long-term investment plans.

- Collaborate with military bases on a variety of activities to protect their mission and save jobs while ensuring public safety and compatible growth in their adjacent communities.

- Administer brownfield revolving loan funds and business-related revolving loan funds, undertake brownfield revitalization projects, and serve as the regional clearinghouse for the federal Intergovernmental Coordination and Review process, ensuring access to hundreds of millions of federal infrastructure, economic development, and job creation investment dollars on an annual basis.

**METRICS**

- **Invested $66 million in 60 projects** in Florida to create/retain **13,700 jobs** (January 2003 – August 2010).
- Conducted **420 regional economic impact analyses** (over the past 10 years).
- Loaned **$38.6 million** through a revolving loan fund portfolio, resulting in the creation of **over 1,800 jobs** (over the past 10 years).
- Leveraged **11 dollars** in local, federal, and private direct investment for every dollar invested by the State of Florida (FY 2010-11).
- Reviewed **14,800 projects** through Federal Consistency Review linking infrastructure investment to local, regional, and state economic development priorities (over the past 10 years).
Regional Planning Council State Appropriation
Fiscal Years 1985-86 to 2012-2013

Exhibit 4
Hi everyone, The budget was just released and here is our line item! Rana

Line 2226A SPECIAL CATEGORIES

GRANTS AND AIDS - REGIONAL PLANNING COUNCILS

FROM GRANTS AND DONATIONS TRUST
FUND . . . . . . . . . . . . . . . . . . 1,750,000

FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND . . . . 750,000

Funds in Specific Appropriation 2226A are provided to the Regional Planning Councils, 75 percent of which must be divided equally among the councils, and 25 percent of which must be allocated according to population. The funds shall be used to implement the Florida Five-Year Strategic Plan for economic development, address problems of greater-than-local concern, and provide technical services to local governments, economic development organizations, and other stakeholders.

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I understand the Senate/House Budget item for the regional planning council budgets have been finalized. The Governor has, in the past, chosen to veto the budget item. On behalf of the Gubernatorial Appointees on the TCRPC I am requesting that the Governor allow this year’s budget funding for the Regional Planning Councils to pass. For your information, the specific item is as follows:

**Line 2226A SPECIAL CATEGORIES**

**GRANTS AND AIDS – REGIONAL PLANNING COUNCILS**

**FROM GRANTS AND DONATIONS TRUST**

**FUND** ........................................ 1,750,000

**FROM SPECIAL EMPLOYMENT SECURITY**

**ADMINISTRATION TRUST FUND** ........ 750,000

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