

**FLORIDA SEAPORT TRANSPORTATION
AND ECONOMIC DEVELOPMENT
COUNCIL MEETING**

WEDNESDAY, SEPTEMBER 7, 2011

1:00 P.M. - 4:00 P.M.

**ROOM 110, SENATE OFFICE BUILDING
TALLAHASSEE, FL**

TAB 1

CALL TO ORDER

TAB 2

ROLL CALL

FLORIDA SEAPORT TRANSPORTATION AND ECONOMIC DEVELOPMENT COUNCIL

ROLL CALL

MEMBER:

DESIGNEE:

STAN PAYNE, CANAVERAL

TBD, CITRUS

PHIL ALLEN, EVERGLADES

VAL SCHWEC, FERNANDINA

FAYE OUTLAW, FT. PIERCE

PAUL ANDERSON, JACKSONVILLE

JIM FITTON, KEY WEST

DAVID MCDONALD, MANATEE

BILL JOHNSON, MIAMI

MANNY ALMIRA, PALM BEACH

WAYNE STUBBS, PANAMA CITY

CLYDE MATHIS, PENSACOLA

TOMMY PITTS, PORT ST. JOE

WALTER MILLER, ST. PETERSBURG

RICHARD WAINIO, TAMPA

KATHERINE MORRISON

DEPARTMENT OF ECONOMIC OPPORTUNITY/GOVERNOR'S OFFICE OF
TOURISM, TRADE, AND ECONOMIC DEVELOPMENT

SHERI COVEN

DEPARTMENT OF ECONOMIC OPPORTUNITY/DEPARTMENT OF COMMUNITY
AFFAIRS

ANANTH PRASAD

DEPARTMENT OF TRANSPORTATION

9/23/11

TAB 3

**APPROVAL OF MINUTES
OF JUNE 23, 2011
FSTED COUNCIL MEETING**

MEETING SUMMARY

FLORIDA SEAPORT TRANSPORTATION AND ECONOMIC DEVELOPMENT COUNCIL

June 23, 2011

Ft. Lauderdale, Florida

A meeting of the Florida Seaport Transportation and Economic Development (FSTED) Council was held on June 23, 2011, in Ft. Lauderdale, Florida. Chairman Richard Wainio called the meeting to order. The Assistant Secretary called the roll. Members present were:

Stan Payne, Canaveral
Brad Thorpe, Citrus County
Glenn Wiltshire for Phil Allen, Everglades
Val Schwec, Fernandina
Paul Anderson, Jacksonville
Jim Fitton, Key West
Bob Armstrong for David McDonald, Manatee
Khalid Salahuddin for Bill Johnson, Miami
Manny Almira, Palm Beach
Wayne Stubbs, Panama City
Tommy Pitts, Port St. Joe
Walt Miller, St. Petersburg
Richard Wainio, Tampa.
Meredith Dahlrose for Secretary Ananth Prasad, Florida Department of Transportation

A quorum was present. Also in attendance were:

Michael Poole, Jacksonville	Jeff Weidner, FDOT D-4
David Kaufman, Jacksonville	Michael Hole, Citigroup
Joan Sanchez, JD Sanchez Consulting	Ken Frink, Citrus County
Dionne Henry, FDOT	Bob Schweicker, Jr., Public
Joe Meek, Citrus County	Fran Bohnsack, MARAD
Ram Kancharla, Tampa	Ward Blakely, Tidewater Associates
Rep. Lake Ray, D-17 FL House	Dave Ericks, Broward/Everglades
Scott Entin, Panther International	Candice Ericks, Broward/Everglades
Richard Wesch, Citrus County	Christopher Ryan, Broward MPO
David McKeever, Jacobs Engineering	Chris Ahern, Jacobs Engineering
Tom Schanze, Jacobs Engineering	Michael Rubin, FPC
Doug Wheeler, FPC	Nancy Leikauf, FPC
Toy Keller, FPC	

Agenda Item 3, Approval of the Minutes of October 13, 2010 and December 17, 2010, FSTED Council Meetings were taken up. A motion was made and passed approving the minutes.

Agenda Item 4, Legislative Report on 2011 Regular Session was taken up. Mr. Rubin provided the members with the report and directed them to the information contained in their materials. Mr. Rubin informed the members of the substantial number of seaport bills that passed during the 2011 Regular Session – to include seaport security reform

and \$117 million in appropriations for seaport development projects. Mr. Rubin noted that Representative Ray wanted to talk to the Council about HB 399 – which included language pertaining to the development of seaport development plans. Mr. Rubin also reminded the members that the 2011 Legislature created the State Economic Enhancement and Development (SEED) Fund which could be used to finance priority seaport development projects.

Agenda Item 5, Report from the FSTED Council Seaport Security Committee was taken up. Mr. Wiltshire provided the report and directed the members to the information in their materials. Mr. Wiltshire informed the members that the Committee had agreed to meet quarterly to discuss potential changes to individual seaport security plans and the use of the TWIC and the smart card access control technology. The members noted the need to develop a consistent approach to access control, given the different populations at each seaport.

Agenda Item 6, Agency Reports was taken up. Ms. Dahlrose provided the report for FDOT. Ms. Dahlrose informed the members that Secretary Ananth Prasad had been appointed Secretary of FDOT, and Mr. Francis Gibbs had been hired as his Chief of Staff – both should be able to attend future meetings of the FSTED Council. Secretary Prasad was reviewing the structure of FDOT and considering reorganizing to include the creation of a freight and logistics office. Ms. Dahlrose noted that the Governor had met and will continue to meet with the seaports regarding their unfunded needs. The Governor has expressed a strong commitment to growing Florida's seaports as a crucial piece of the state's overall economic development package. Ms. Dahlrose stated that she would continue working with the seaports and their FDOT districts on priority project lists. The Fiscal Year 2012/13 allocation process will be moved up this year with Regular Session 2012 starting in January, and the application cycle is already underway. Ms. Dahlrose informed the members that FDOT was working on Phase II of the Seaport Systems Plan, and would inform them concerning future meetings on the next phase. Ms. Dahlrose provided members with the Five-Year Work Program chart for seaport projects.

Chairman Wainio formally welcomed Representative Lake Ray to the FSTED Council meeting. Representative Ray discussed the passage of HB 399, and noted that the legislation was part of a greater vision for growth of seaports and for financing freight needs. Representative Ray stated that the ports received the highest single-year allocation of state funds this year, and that he expected that over the course of the next five years the Legislature may again allocate the same amount of funding. Representative Ray noted the statutory changes to the permitting processes for seaports – and his expectation that this legislation would reduce certain regulatory burdens on Florida's seaports. Representative Ray informed the Council that the intent of the bill was changed at the last minute and did not really capture his original intent when he filed the legislation. Representative Ray stated that his objective was to ensure that seaports developed a strategic plan that would encompass not only what happens on-port but also capture issues off-port that are necessary to help develop ports to the next level. Seaports must engage with possible rail and freight operators to get the whole perspective on moving freight. Representative Ray stated that his goal was to work with seaports, FDOT, rail and others to develop the big picture on how to expand economic development efforts around the state. Florida is in the midst of a constantly moving system – we are either going to start losing capacity and markets or we are going to go forward with a state initiative that enhances our seaports as economic drivers. Representative Ray stated that he was preparing to hold a couple of freight movement summits around the state, and would be looking for members of the Council to participate in these summits.

Agenda Item 7, Report from the Project Review Group was taken up. Mr. Pitts provided the report for the Group. Mr. Pitts directed the members to the letters in their materials concerning a funding request from Port St. Joe and Miami, and a reallocation notice from the Port of Key West. A project came in under budget for the Port of Key West, and the Port has returned for reallocation by the Council \$106,734.20. The ports of Miami and Port St. Joe have submitted a request for use of such funds. Mr. Salahuddin informed the members that the Port of Miami was withdrawing its request for the funds, and suggested that the funds be allocated to the Port of Port St. Joe for their eligible project. A motion was made, seconded and approved to reallocate \$106,734.20 to Port St. Joe for its eligible project.

Agenda Item 8, Review of Seaport Funding Spend Downs was taken up. Ms. Keller provided the report and directed the members to the charts in their materials. Ms. Keller informed the members that all of the spend downs were

moving along smoothly. Ms. Dahlrose stated that FDOT was pleased with the progress by seaports on their spend downs.

Agenda Item 9, Report from the Florida Ports Financing Commission was taken up. Ms. Leikauf provided the report on the Commission's refinancing activities and directed the members to the information in their materials. The total savings available to the Council for eligible FSTED Program projects was approximately \$15 million. \$11.4 million of those funds are available for allocation by the Council beginning July 1, 2011, and \$2.9 million would be available beginning July 1, 2012. Because Regular Session 2012 begins in January 2012, the Council will need to allocate these funds at the September meeting and provide the list of allocations and projects to FDOT for inclusion in their budget request to the Governor and the Florida Legislature. The members asked when the Fiscal Year 2011/12 funds would be available. Ms. Dahlrose informed the members that the Florida Legislature would have to formally approve "spending authority" for the additional funds, and that this would probably mean that those funds would be available to spend before the end of the year.

Agenda Item 10, Discussion of FSTED Program Project Review and Allocation Process was taken up. Chairman Wainio noted that the issue of FSTED Program funding allocations had been discussed in the past and that the Council needed to have a long-term view on the criteria and process used by the FSTED Council. Chairman Wainio stated that there were a number of other issues regarding the current FSTED structure, and the members needed to go beyond just allocation issues and look at FSTED as a whole – the broader issues of the role that FSTED plays and how it continues to support everything needed to achieve success in the state of Florida with our ports going forward. Chairman Wainio proposed the creation of a committee to look at the immediate issue of the allocation process and criteria, and then move into the longer term issues of what we want the FSTED program to become and what role it should play. Chairman Wainio proposed creating a committee comprised of representatives from various regions of the state – Mike Poole from Jacksonville, Ram Kancharla from Tampa, Wayne Stubbs from Panama City, and David Anderton from Everglades. The members agreed upon the creation of the committee, and Chairman Wainio appointed Mr. Stubbs as chairman of the committee. Representatives from both FDOT and OTTED/New Department of Economic Opportunity also were asked to participate on the committee.

Agenda Item 11, Report on Federal Initiatives and Funding Opportunities was taken up. Ms. Keller provided the report and directed the members to the information in their materials. Chairman Wainio formally introduced Ms. Bohnsack to the members as the new South Atlantic Gateway Director for MARAD.

Agenda Item 12, Discussion of Next Steps was taken up. Mr. Wheeler noted that the next FSTED Council meeting would be in Tallahassee and that the dates of September 7th, 8th and 9th were being looked at as possible meeting dates.

The meeting was adjourned at 3:56 p.m.

TAB 4

**FSTED SEAPORT ENVIRONMENTAL
MANAGEMENT COMMITTEE
REPORT**

TO BE DISCUSSED AT MEETING

TAB 5

**FSTED COUNCIL PROJECT REVIEW
AND ALLOCATION PROCESS
COMMITTEE**

TO BE DISCUSSED AT MEETING

TAB 6

AGENCY REPORTS

TAB 6A

**DEPARTMENT OF ECONOMIC
OPPORTUNITY/
GOVERNOR'S OFFICE OF TOURISM,
TRADE, AND ECONOMIC
DEVELOPMENT**

TO BE DISCUSSED AT MEETING

TAB 6B

**DEPARTMENT OF ECONOMIC
OPPORTUNITY/**

**DEPARTMENT OF COMMUNITY
AFFAIRS**

Department of Community Affairs Agency Report
FSTED Development Council Meeting
September 7, 2011

Comprehensive Planning Update:

Pursuant to Section 311.09, Florida Statutes, the Department of Community Affairs reviews proposed projects that have been submitted for funding through the Florida Seaport Transportation and Economic Development Council for consistency with local government comprehensive plans and port master plans prepared in accordance with s.163.3187(2)(k), F.S. Rule 14B-1.004(2), Florida Administrative Code, establishes the time period and criteria for these departmental reviews.

In July/August 2011, the Department reviewed 32 Florida Seaports Fiscal Year 2012/2013 Cycle Applications for State funding under the Florida Seaport Transportation and Economic Development Program and found all projects consistent with the local governments' comprehensive plans (see July 28, 2011 letter under Tab 8).

In addition, during the first 8 months of 2011, three local governments transmitted or adopted plan amendments affecting their respective ports:

City of Port St. Joe

In March 2011, the City of Port St. Joe adopted new Policies 1.1.3 and 1.6.3 in its Traffic Circulation Element to recognize the designation of the Port of St. Joe as a Planned Emerging Strategic Intermodal System (SIS) Seaport, adopting the state-mandated level-of-service standards for SIS facilities and promoting local and regional economic development consistent with the Port Master Plan. New Policy 1.5.6 requires the City to collaborate with the Port St. Joe Port Authority and federal, county, and state agencies responsible for water, highway, and rail connectivity to ensure infrastructure is in place to serve Port operations. The Department found the plan amendment in compliance.

Gulf County

In May 2011, Gulf County proposed a new Economic Development Element, wherein under one new goal and objective and 15 corresponding policies, provisions are set forth for creating and supporting a diverse economy by working with businesses, industries, and area organizations to expand existing businesses and create new commercial and mixed-use development opportunities. Recognizing the potential of Port St. Joe for both barge and deep water vessels and formally promoting the Gulf to Bay Highway and the Gulf Coast Parkway projects, the County intends to maximize development in these corridors and along the railroad to encourage water-dependent uses along the Gulf County Canal. Other provisions involve offering tax-based incentives within its designated Enterprise Zones, obtaining grant funding, and coordinating with area industries and schools to create a trained labor force. Proposed policies require the County to promote commercial, industrial, and mixed-use development; encourage waterfront dependent development contiguous to the Gulf County Canal; and,

encourage continued development of the port for both barge and deep water vessels. The amendments were adopted by the Gulf County Board of County Commissioners on August 23, 2011, and are being transmitted to the Department.

City of Jacksonville/Duval County

Jacksonville/Duval County updated its Capital Improvements Element as part of the City's 2011 amendments to its Comprehensive Plan to incorporate the Jacksonville Port Authority's (Jaxport) 5-Year Schedule of Capital Improvements Plan for FY 2010/11 to 2014/15. The 5-Year Schedule of Capital Improvements Plan includes projects needed to support the expansion and development of the port consistent with the Jaxport Master Plan Sub-element of the City's Comprehensive Plan. The Department found the plan amendment in compliance.

Community Planning Act (HB 7207):

The 2011 Legislature passed HB 7207, which made sweeping changes to Florida's growth management laws. While the new law made no substantive changes to Chapter 311, F.S. or to the Department's role in its review of seaport project applications, a comparison of the former growth management law to the Community Planning Act is attached to this update. Additional information pertaining to the Community Planning Act can be found at <http://www.dca.state.fl.us/fdcp/dcp/CPAct/>.

Transition Update:

Please see the attached joint progress report, *Department of Economic Opportunity, SB 2156: Reorganization*.

The Growth Management Act versus the Community Planning Act

Local Government Comprehensive Planning and Land Development Regulation Act (1985 – June 1, 2011)	Community Planning Act (June 2, 2011)
<p>Focus and Intent: The State role included reviewing all local and state planning issues in comprehensive plans and amendments to determine compliance with statutory and rule requirements. Comprehensive plan review was focused on the technical requirements to encourage the most appropriate use of land, water, and resources and to facilitate the adequate provision of public facilities.</p>	<p>Focus and Intent: The State role in reviewing comprehensive plan amendments is focused on protecting the functions of important state resources and facilities and providing technical assistance to local governments to promote economic development and create jobs. The intent is to encourage economic diversification, workforce development, and community planning.</p>
<p>Concurrency: Seven types of public facilities are subject to the concurrency requirement on a statewide basis to ensure that such facilities are available to serve new development.</p> <p><u>Transportation Concurrency</u></p> <ul style="list-style-type: none"> • A process to ensure that new development does not occur unless adequate transportation improvements are committed to support growth; • FDOT establishes the level of service standards on roads that are part of the Strategic Intermodal System (SIS); • Many, but not all local governments allow proportionate share payment by developers for road contributions; • A number of exceptions to transportation concurrency were authorized in statutes to address the needs of urban areas. <p><u>School Concurrency</u></p> <ul style="list-style-type: none"> • A local government is required to adopt a public school element with its comprehensive plan; 	<p>Concurrency: Only sewer, solid waste, water and stormwater facilities remain subject to the concurrency requirement on a statewide basis. Local government may opt to maintain concurrency for transportation, schools, and parks and recreation facilities.</p> <p><u>Transportation Concurrency</u></p> <ul style="list-style-type: none"> • Requires local governments to allow proportionate share contributions by applicants to satisfy the concurrency requirements; • Local governments cannot require developers to contribute to deficient roads; • Local governments now establish the levels of service on SIS facilities; • If a local government opts to maintain transportation concurrency, then it can establish exceptions to concurrency within its jurisdiction to promote community goals. <p><u>School Concurrency</u></p> <ul style="list-style-type: none"> • A local government is no longer required to adopt a public school element;

<ul style="list-style-type: none"> Local governments are required to submit the proposed interlocal agreement with the school board and local governments within the county to the Department for review; Local governments are required to apply school concurrency on a less than districtwide basis, such as attendance zones or service areas. 	<ul style="list-style-type: none"> Local governments are no longer required to submit the interlocal agreement to the Department for review; Local governments are encouraged to apply school concurrency on a districtwide basis; When the county and one or more municipalities that represent 80% of the county-wide population elect to adopt concurrency, the failure of one or more municipalities to adopt concurrency does not preclude its implementation with the school district.
<p>Comprehensive Plan Amendment Review: 1. <u>Regular review of a large-scale comprehensive plan amendment</u> applied to all comprehensive plan amendments except the limited number of local governments that were eligible to be reviewed under the Alternate Review Pilot Program. The regular review usually included the issuance of an Objections, Recommendations, and Comments (ORC) Report by the state on the proposed local amendment and the publication of a Notice of Intent to determine the compliance of the adopted amendment in a newspaper. <u>The Review Period</u> – the total state and third party review of a plan amendment was 136 days.</p>	<p>Comprehensive Plan Amendment Review: <u>Expedited State Review Process</u> applies to all comprehensive plan amendments except those required to undergo the State Coordinated Review Process. There is no issuance of an ORC Report or publication of a compliance notification in the newspaper. <u>The Review Period</u> – the total state and third party review of a plan amendment is reduced to 65 days.</p>
<p>Small Scale Plan Amendments – one public hearing required.</p> <ul style="list-style-type: none"> The map amendment must be 10 acres or less, with some exceptions; Density limitations; Limitations regarding the timing and owner’s location criteria; Maximum acreage per year was 80 to 120 acres; Text changes not allowed; Adopted amendments must be transmitted to the Department and the appropriate regional planning council. 	<p>Small Scale Plan Amendments - one public hearing required.</p> <ul style="list-style-type: none"> The map amendment must still be 10 acres or less; No longer a density limitation; Limitations regarding timing and owner’s location criteria are eliminated; The maximum acreage per year is increased to 120 acres for all local governments; Text changes specifically related to the small scale map amendment are permissible; No longer required to send copies of the amendments to the Department or the regional planning council, however, they are encouraged to do so.

<p>Evaluation and Appraisal Process – the process required a local government to adopt an evaluation and appraisal report (EAR) which was submitted to the Department for a sufficiency review. Once the sufficiency review was completed, the local government had 18 – 24 months from that date to adopt the EAR-based comprehensive plan amendments. The evaluation and appraisal review was subject to 16 state compliance criteria and could take a total of 3 to 4 years of review time for a local government to complete.</p>	<p>The Evaluation and Appraisal Process – local governments are no longer required to submit an EAR to the Department for sufficiency review and to submit mandated EAR-based amendments every seven years for compliance review. Local governments are now only required to send a letter to the Department every seven years to indicate whether it will update its comprehensive plan to reflect new state requirements.</p>
<p>Frequency of Plan Amendments – amendments were limited to twice per year with some exceptions.</p>	<p>Frequency of Plan Amendments – amendments to comprehensive plans are no longer limited to twice per year.</p>
<p>Rule 9J-5, F.A.C. All comprehensive plans and amendments were required to be consistent with Rule 9J-5, in addition to the statutory requirements of Chapter 163, F.S.</p>	<p>Rule 9J-5, F.A.C. The rule was repealed but portions of the rule provisions are incorporated into the Statutes.</p>
<p>Optional Sector Plan Program A limited pilot program which allowed up to five local governments to participate.</p> <ul style="list-style-type: none"> • 5,000 acre minimum site; • Required approval of the Department to proceed; • Required two approval levels, each of which required amendment to the comprehensive plan – conceptual and detailed specific area plan (DSAP); • Must demonstrate land use need; • No DRI review required upon approval of a DSAP. 	<p>Sector Plan Program</p> <ul style="list-style-type: none"> • The pilot program status was eliminated so there is no limit on the number of local governments that may propose sector plans; • Streamlined and incentivized program; • Minimum planning area was increased from 5,000 acres to 15,000 acres; • Long-term master plans continue to require amendments to the comprehensive plan; • Detailed specific area plans are adopted through a local government development order; • May be based on a planning period longer than the comprehensive plan’s planning horizon; • Not required to demonstrate land use need through the planning periods; • The Department no longer must authorize preparation of a sector plan; • The landowner has the right to continue existing

	<p>agricultural or silvicultural operations after approvals;</p> <ul style="list-style-type: none"> • Development orders approving specific area plans can now receive downzoning protection from the local government; • Allows the conversion of certain large scale plan amendments which were approved prior to July 1, 2011, to Sector Plans provided they meet certain requirements.
<p>Rural Land Stewardship Areas</p> <ul style="list-style-type: none"> • Initiated by a local government in conjunction with a regional planning council, a stakeholder organization of private land owners, or another local government; • Required authorization by the Department to proceed; • Land use need must be demonstrated; • Subject to rules adopted by the Department; • Subject to DRI review. 	<p>Rural Land Stewardship Areas</p> <ul style="list-style-type: none"> • Initiated by request of the land owner(s); • No longer requires prior authorization of the Department to proceed; • Does not require a demonstration of need based on population or any other factors; • Department rules are repealed; • Generally streamlines, clarifies and incentivizes the program; • No longer subject to DRI review; and, • Recognizes the existing adopted Collier County rural land stewardship area as a statutory rural land stewardship area which is afforded the incentives of the statutory program.
<p>Land Use Need</p> <ul style="list-style-type: none"> • Large-scale comprehensive plan amendments were subject to a maximum land need determination by the Department based on population projections. 	<p>Land Use Need</p> <ul style="list-style-type: none"> • No longer a maximum need based strictly on population projections, but allows operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses; • Must accommodate a minimum of 10 years growth based on BEBR medium population projections.
<p>Urban Sprawl The plan amendment was reviewed for 13 primary indicators and numerous secondary land use control criteria in Rule 9J-5, F.A.C., to determine if the amendment promoted urban sprawl.</p>	<p>Urban Sprawl</p> <ul style="list-style-type: none"> • New definition of “urban sprawl” in statutes; • Requires an amendment to be analyzed to determine

	<p>whether it incorporates a development pattern or urban form that achieves four or more of eight new criteria in statutes.</p>
<p>Technical Assistance – technical assistance was generally limited to projects which would assist local governments in developing plan amendments to meet the criteria of Chapter 163, Part II and Rule 9J-5, F.A.C.</p>	<p>Technical Assistance – Directing the Department to provide technical assistance for innovative planning and development strategies that promote a diverse economy and vibrant healthy communities. This new direction will include:</p> <ul style="list-style-type: none"> • Expanding the amount and type of technical assistance; • Training staff in areas of expertise; • Developing web pages to inform local government of additional technical assistance; • Working closely with large landowners to promote economic development opportunities; • Developing a relationship with county economic development directors; • Assisting local governments in finding solutions that will foster economic growth, facilitate the creation of jobs and protect the quality of resources.
<p>State Comprehensive Plan A local comprehensive plan must be consistent with the provisions of the State Comprehensive Plan in order to be found in compliance.</p>	<p>State Comprehensive Plan The State Comprehensive Plan is no longer required as part of a compliance determination for local comprehensive plans.</p>
<p>Financial Feasibility Local governments must demonstrate that there are sufficient revenues to fund the five-year capital improvement plan. Such plan must be updated annually and submitted to the Department for review.</p>	<p>Financial Feasibility No longer a requirement to demonstrate financial feasibility of the five-year capital improvement plans. The five-year plan must indicate which improvements are funded or unfunded and given a level of priority for funding. Such plan must be updated annually but no longer has to be submitted to the Department for review.</p>
<p>Energy Efficiency/Greenhouse Gas Reduction Local governments are required to adopt energy efficiency/greenhouse reduction policies into several elements of the comprehensive plan.</p>	<p>Energy Efficiency/Greenhouse Gas Reduction Local governments are no longer required to adopt these policies into the comprehensive plan.</p>

<p>Referenda on Development Orders and Plan Amendments Local governments have the authority and some have adopted the requirement for a local referendum on development orders and plan amendments.</p>	<p>Referenda on Development Orders and Plan Amendments Local governments are prohibited from requiring local referenda on development orders or plan amendments.</p>
<p>Development of Regional Impact (DRI) Program</p> <ul style="list-style-type: none"> • Ten types of development are subject to DRI review; • Requires the aggregation of allegedly separate projects into a single development for a DRI determination based on meeting 2 of 5 criteria; • Substantial deviation criteria allow for a determination of when changes to a DRI require additional DRI review; • Buildout dates and other dates are established in DRI development orders to address public facility analysis and mitigation contributions. 	<p>Development of Regional Impact (DRI) Program</p> <ul style="list-style-type: none"> • Mining, industrial and hotel/motel development are no longer subject to DRI review; • Reduces the number of aggregation criteria to four and requires that 3 out of 4 criteria must be met for aggregation; • Increases substantial deviation criteria for retail, office, and attraction and recreation development; • Provides for an automatic 4-year extension to buildout and related dates in development orders regardless of previous extensions, to reflect the continued poor economic market.



DEPARTMENT OF ECONOMIC OPPORTUNITY

SB 2156: Reorganization

Joint Progress Report

August 15, 2011

TRANSITION COORDINATORS

Billy Buzzett, Transition Coordinator
Secretary of the Department of Community Affairs

Debby Kearney, Assistant Transition Coordinator
Assistant Secretary of the Department of Community Affairs

Cynthia Lorenzo, Coordinator for Agency for Workforce Innovation
Director of the Agency for Workforce Innovation

Brian McManus, Coordinator for the Department of Community Affairs
Director of Legislative Affairs for the Department of Community Affairs

Linda Champion, Coordinator for the Department of Education
Deputy Commissioner, Finance and Operations

Michelle Dennard, Deputy Director for the Office of Tourism,
Trade and Economic Development

TABLE OF CONTENTS

- I. EXECUTIVE SUMMARY
- II. DEPARTMENT OF ECONOMIC OPPORTUNITY
 - A. Department's FTE Composition
 - B. Responsibilities of the Department of Economic Opportunity
 - C. Agency Head/Executive Offices
 - D. Agency Divisions
 - 1. Division of Strategic Business Development (DSBD)
 - 2. Division of Community Development (DCD)
 - 3. Division of Workforce Services (DWS)
 - 4. Division of Finance and Administration (DFA)
 - E. Agency Partners
- III. AGENCY REORGANIZATION PROGRESS
 - A. DEPARTMENT OF ECONOMIC OPPORTUNITY
 - B. MGT of AMERICA, INC.
 - C. EXECUTIVE OFFICE OF THE GOVERNOR – Division of Emergency Management
 - D. DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION – Florida Building Codes and Standards Section
 - E. DEPARTMENT OF ENVIRONMENTAL PROTECTION – Florida Communities Trust
 - F. DEPARTMENT OF EDUCATION – Office of Early Learning
- IV. PROSPECTIVE EFFICIENCIES
- V. NEXT STEPS

I. EXECUTIVE SUMMARY

Senate Bill 2156 (2011) realizes the goal of consolidating Florida's economic development efforts into a single, highly focused agency. The Department of Economic Opportunity is designed to work hand-in-hand with Enterprise Florida, Inc. and Workforce Florida, Inc. to accomplish the goals for job creation and improving Florida's business climate.

The Legislature provided the period between July 1 and October 1 to establish the Department of Economic Opportunity and to effectuate the reorganization of a number of other governmental units. Additional time was allotted, until December 31, for the transition of the Florida Sports Foundation and the Black Business Investment Board from independent entities to subdivisions of Enterprise Florida, Inc. This report is submitted pursuant to a requirement in the bill for a Joint Progress Report to be submitted by agency transition coordinators to the Governor, President of the Senate, and Speaker of the House of Representatives by August 15, 2011. The transition coordinators are continuing to work with a team of business leaders in Florida, outside consultants, and economic experts in building the Department of Economic Opportunity and to further the other organizational changes framed by the Governor and the Legislature. Progress to date includes:

- MGT of America, Inc., has been employed by the Executive Office of the Governor for advice on the efficacy of the organizational charts and particularly to recommend a structure that will enhance the integration of the migrating units.
- Evaluation of DEO overhead costs by funding source is currently underway.
- Planning meetings are ongoing between AWI, DCA and DMS related to transfer of FTE positions to DEO.
- A team of government agencies, public-private partnerships, and members of the business community has been assembled and is working with a facilitator to develop a Business Plan by September 1, as required by Senate Bill 2156, that will guide strategic alignment of the Department of Economic Opportunity and the use of economic development incentives.
- The Enterprise Florida's Board of Directors has authorized Enterprise Florida management to complete merger transactions and seek an Attorney General's opinion on compliance with the reorganization statute.
- DMS has prepared a document establishing the step-by-step responsibilities of each constituent agency to accomplish and validate the People First agency data that must be loaded in order to migrate the agencies to DEO.
- Relocation planning is in progress; transition coordinators are in discussion with DMS.

The Transition Coordinators are pleased to report that SB 2156 does not cause any adverse impacts to agency programs. No agencies have failed to cooperate with the reorganization. On the contrary, all participating agencies have worked diligently and harmoniously to further the reorganization. It is expected that timelines will be met and all essential time-sensitive elements of the reorganization will be completed by October 1.

II. DEPARTMENT OF ECONOMIC OPPORTUNITY

The mission of the Department of Economic Opportunity is to assist the Governor in working with legislative leaders, state agencies, business leaders, and economic development professionals to formulate and implement clear and consistent policies and strategies to promote economic opportunities for all Floridians. The challenge for the Department is to integrate the state's economic development goals and policies, workforce development, community planning and development, and affordable housing. MGT has been instrumental in articulating structural guidelines, including:

- Assuring the agency establishes a single point of contact for economic and job growth initiatives for all of state government;
- Eliminating unnecessary duplication between EFI and the state;
- Dramatically reducing response time of state and local governments;
- Integrating the functions of the three agencies; and,
- Facilitating planning input from WFI and EFI and other growth partners.

The transition coordinators, in conjunction with interested public and private partners, are working to finalize the mission and structure of the Department, its constituent units, and statutory partners.

A. Department's FTE Composition

There are 1,672 FTE's available for transfer to the Department of Economic Opportunity. A detailed proposal for organizational structure and reductions will be included in the budget amendment submitted to the Legislative Budget Commission.

B. Responsibilities of the Department

Principal responsibilities of the Department are as follows:

- Overseeing and coordinating economic development, housing, community planning, community development, and unemployment compensation programs.
- Developing a single statewide five-year strategic plan to address the promotion of business formation, expansion, recruitment, and retention to create jobs for all regions of the state. The plan must address economic

development, marketing, and infrastructure development for rural communities.

- Submitting an annual report, with assistance from Enterprise Florida, Inc. and Workforce Florida, Inc., on the state's business climate and economic development.
- Establishing annual performance standards for Enterprise Florida, Workforce Florida, VISIT Florida, and Space Florida and annual reporting on compliance with the standards.
- Monitoring the activities of Enterprise Florida, Workforce Florida, the Florida Housing Finance Corporation, and other public-private partnerships.
- Promoting viable, sustainable communities by providing technical assistance and guidance on growth and development issues, grants, and other assistance to local communities.

C. Agency Head/Executive Offices

The Department of Economic Opportunity is headed by an Executive Director appointed by the Governor and is subject to Senate confirmation. In addition to the Executive Director's responsibility to administer the Department, Senate Bill 2156 envisions the Director will work cooperatively with Florida's Secretary of Commerce, Enterprise Florida, and Workforce Florida to accelerate the state's economic recovery, promote job growth and support the state's vision of a streamlined, more efficient and business-friendly government.

The following offices and functions are within the Office of the Executive Director:

- Office of the General Counsel
- Office of Information Technology
- Office of the Inspector General
- Office for Civil Rights¹

D. Agency Divisions

1. Division of Strategic Business Development - DSBD

This Division is composed of programs and personnel that have been operating as OTTED. This new alignment enables the State to provide a single point of entry for businesses interested in relocating to or expanding in Florida.

The Division's primary responsibilities will continue to be to assist government and businesses to formulate and implement consistent policies and strategies

¹ The U. S. Department of Labor requires the appointment of an Equal Employment Opportunity officer who reports directly to the highest level unemployment compensation agency official in order to ensure nondiscrimination and equal opportunity in employment, programs, and services within the agency's jurisdiction.

TAB 9 B

FY 11/12 BOND DEBT SERVICE SAVINGS

TAB 9 C

FY 12/13 BOND DEBT SERVICE SAVINGS

TAB 9 D

**DISCUSSION OF ALLOCATION OF
REMAINING BOND DEBT SERVICE
SAVINGS FUNDS**

TAB 10

OTHER ISSUES

The Florida Ocean Alliance is a nonpartisan organization dedicated to bringing together the private sector, academia, and nonprofit research organizations in Florida to protect and enhance Florida's coastal and ocean resources for continued social and economic benefits. Recognizing the interconnection of Florida to its neighbors in the Caribbean Basin, along the Gulf of Mexico, and the Atlantic Coast, the Florida Ocean Alliance is committed to positioning Florida as an international leader to integrate ocean conservation, education, and responsible economic development. Private sector members include representatives from ocean-related industries in tourism, ports, shipping, cruising, recreational and commercial fishing, and recreational boating. Other members include representatives from nonprofit research organizations, academia, the ocean research community, and public interest groups.

The Alliance serves as a clearinghouse for information on key ocean and coastal issues facing Florida. It monitors and publicizes actions related to the oceans and coasts. The Alliance focuses on outreach and educational activities for the public and policymakers, including conferences, papers on ocean and coastal policies, economic studies, and testimony to national or state agencies and commissions concerned with ocean or coastal policy. Each year the Alliance sponsors Florida Oceans Day in the State Capitol in Tallahassee.

The Alliance was formed in late 1999 and evolved from the members participating in the Florida Governor's Ocean Committee. This group recognized the vital role of coastal and ocean resources to Florida's quality of life and economic vitality in their 1999 Final Report, available at: www.dca.state.fl.us/ffcm/FCMP/Programs/prog.htm. Since that time, two national commissions have considered the impact of the oceans on the nation, and a new effort is underway to develop a national ocean policy that includes marine spatial planning. Part of the Alliance's role is to ensure that Florida's perspective is represented in this national dialogue and that members have an opportunity to raise their issues with national and state policymakers. Additional information on the Alliance is available online at www.floridaoceanalliance.org.

Florida Ocean Alliance Board Members

David L. McDonald (Chair)
Florida Ports Council

Kumar Mahadevan, Ph.D. (Vice Chair)
Mote Marine Laboratory

James F. Murley, Esq. (Treasurer)
Florida Atlantic University

Laura Geselbracht (Secretary)
The Nature Conservancy

James Cantonis
Acme Sponge & Chamois, Co.

Duane E. De Freese, Ph.D.
AquaFiber Technologies Corporation

Eric Draper
Audubon Society

Ken Haddad
Florida Fish and Wildlife Conservation Commission, Retired

Karl E. Havens, Ph.D.
Florida Sea Grant College Program

Elaine Heldewier
Carnival Cruise Lines

Frank Herhold
Marine Industries Association of South Florida

Rob Kramer
International Game Fish Association

Megan Stolen
Hubbs-Sea World Research Institute

R. Steven Lewis
Lewis, Longman & Walker, P.A.

*George A. Maul, Ph.D.
Florida Institute of Technology*

*Bill Hogarth, Ph.D.
Florida Institute of Oceanography*

*John Ogden, Ph.D.
University of South Florida*

*Shirley Pomponi, Ph.D.
Harbor Branch Oceanographic Institution*

*Ellen Prager, Ph.D.
Earth2Ocean, Inc.*

*Richard M. Pruitt
Royal Caribbean Cruises Ltd.*

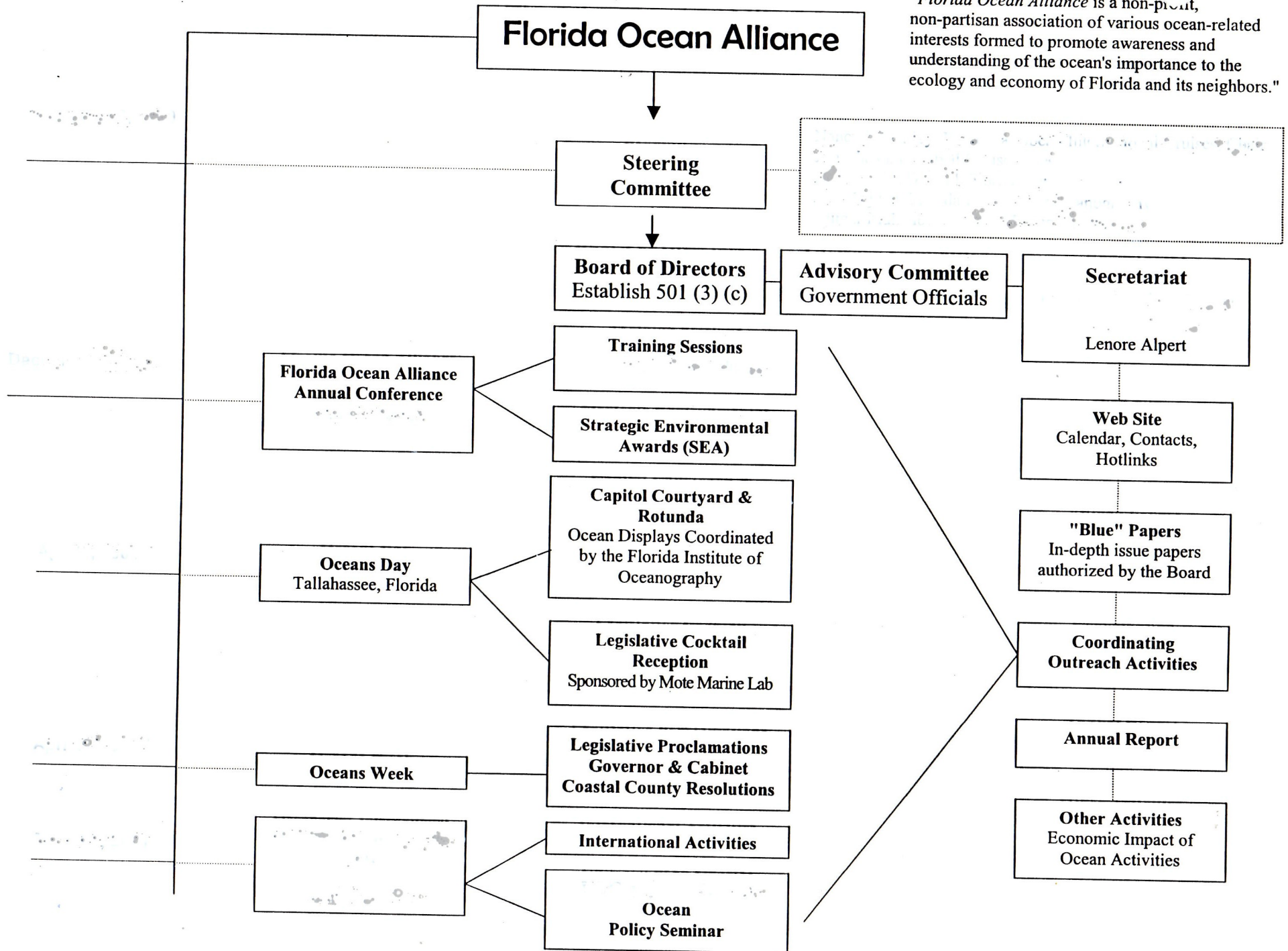
*Jerry Sansom
Organized Fishermen of Florida*

*Michael W. Sole
Florida Power & Light Company*

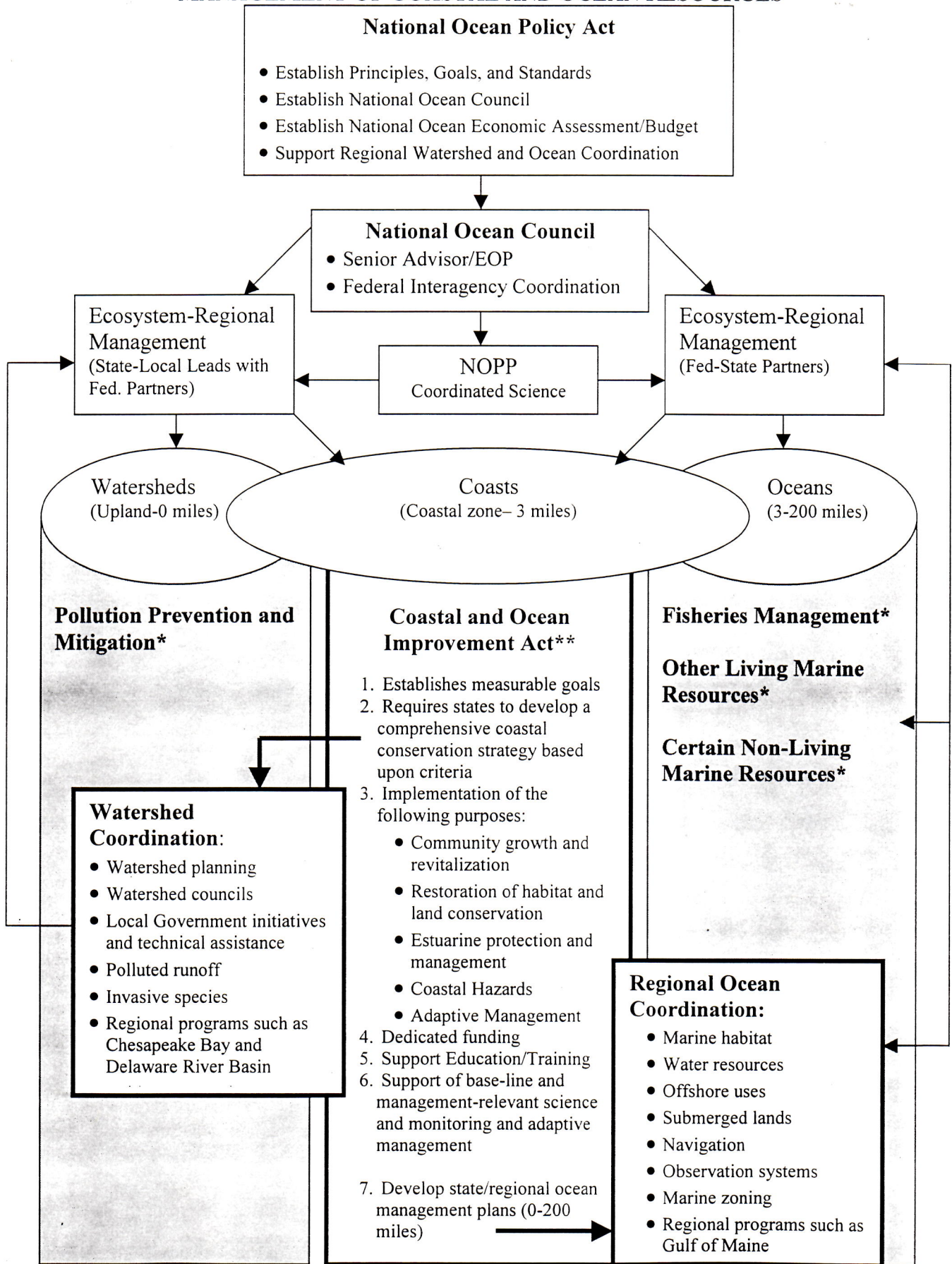
*R. Bruce Taylor, Ph.D.
Taylor Engineering*

*Lenore Alpert, Ph.D.
(Executive Director)
Florida Ocean Alliance*

"Florida Ocean Alliance is a non-profit, non-partisan association of various ocean-related interests formed to promote awareness and understanding of the ocean's importance to the ecology and economy of Florida and its neighbors."



**A FRAMEWORK FOR FEDERAL-STATE PARTNERSHIPS AND
MANAGEMENT OF COASTAL AND OCEAN RESOURCES**



* These items are for illustrative purposes and are not intended to be comprehensive.

** This Act would expand the existing authorities and tools under the CZMA.