

To: Volusia County Charter Review Commission Subcommittee  
From: Deanie Lowe  
Date: January 4, 2016

Jerry Brandon also is here, to respond to questions. He has alternately served as Chairman and Vice Chairman of the Volusia Growth Management Commission off and on for the past 23 years.

Neither of us can represent the VGMC, as a whole, because of the Sunshine Law. Jerry has not had the opportunity to meet with and discuss the issues with the VGMC membership, and I have been careful not to speak to other VGMC members, to avoid being perceived as a conduit. So, please keep in mind that Jerry and I speak today only as individuals.

Several people have suggested to you that abolishment of the VGMC should be placed on the ballot. However, we believe that the majority of those who have expressed opinions have recognized that such an amendment has a strong likelihood of failing, resulting in no solutions to perceived problems being achieved. Therefore, perhaps it would be better to try to improve matters through amendments to the VGMC's rules of procedure.

Jerry and I have put in many hours over the past couple of months, researching possibilities along these lines. We believe the primary complaints that have been brought to you concern the issues of:

#1 - "Standing"

#2 - Time involved with review and approval of applications

#3 - Lack of procedure for appeal, other than through the court system.

During our research, we have identified areas of the VGMC rules that could be modified, regarding standing and expediting the process. To date, we have not been able to find a feasible avenue for an appeal at the local level, because the Charter specifically states that the consistency of the comp plans/amendments being submitted must be determined by the VGMC. However, there could be a way to shorten the time period between original submission and resubmission of an application, to serve as a second opportunity before resorting to the courts.

We are here today to suggest that your committee recommend to the full Charter Review Commission that, at its meeting on January 11, the Commission formally ask the VGMC to consider proposing rule amendments to address issues that have been raised. Jerry could then call a meeting of the VGMC's Personnel, Operations and Procedures Committee, which could bring a proposal to the full VGMC membership, possibly at a January 27 meeting.

If the full VGMC approves such amendments, they could be brought to the Charter Review Commission, for its review and endorsement. Should the CRC recommend changes, the VGMC could consider making those, prior to taking the changes to the County Council for adoption. This process conceivably could be accomplished before the Charter Review Commission's May deadline and could be part of the CRC's report on matters that do not require a vote by the electorate.