

**Personnel, Operations & Procedures Committee
Volusia Growth Management Commission**

MINUTES FOR
MEETING HELD
Thursday, June 11, 2015

Daytona Beach City Hall
Room #149B
301 S. Ridgewood Avenue
Daytona Beach, FL

The meeting was called to order at 1:00 p.m. by Committee Chairman, Gerald Brandon.

The following POP Committee members were present: Committee Chairman Gerald Brandon, Sandy Gallagher, Robert Lovelace, Don Romanik, Robert Storke and Rich Walton. Also in attendance was Merry Chris Smith, VGMC Operations Manager.

NEW BUSINESS

Approval of Minutes

Sandy Gallagher made a motion to approve the minutes of the February 18, 2015 committee meeting as presented; seconded by Robert Lovelace. Motion carried unanimously.

Review Proposals Submitted in Response to RSQ #15-01, Consultant Legal Services

The committee first discussed the proposal submitted by Robert Lincoln. There was general agreement that Mr. Lincoln was well qualified, however, there were concerns expressed over the proposed retainer and fees, the fact that the firm is newly established without a track record, and the lack of depth in that he is the only attorney with the firm. Mr. Walton pointed out that there are additional meetings beyond the regularly scheduled meetings that legal staff attends throughout the year, and this would be an additional expense under Mr. Lincoln's proposed retainer/fee schedule.

The committee then discussed the proposal submitted by Paul Chipok/GrayRobinson. The members commented on the discounted rate GrayRobinson has provided the VGMC over the past, as well as the historical knowledge, reliability and depth of the firm.

Chairman Brandon asked the committee how they would like to proceed. Richard Walton made a motion to move forward with Gray Robinson and authorize Gerald Brandon to work with Mr. Chipok to draft a contract to bring to the full commission for consideration. Motion was seconded by Sandy Gallagher.

Mr. Lovelace asked if it is contemplated the proposed contract would be consistent with the terms of the current contract with GrayRobinson. Mr. Brandon responded affirmatively, adding that we will look at it to see if anything needs to be updated. Following brief discussion, the committee discussed having a copy of the draft contract distributed to the individual committee members for review, with the intention of meeting 30 minutes prior to the regular VGMC

meeting in which it is scheduled for consideration in order to formalize the recommendation to the full commission.

Chairman Brandon called for a vote on the motion to authorize him to work with Mr. Chipok/GrayRobinson to draft a contract. The motion carried unanimously. Mr. Brandon stated he will get with Mr. Chipok to negotiate a draft contract which will then be distributed to each of the POP Committee members. If any of the POP members have concerns they should contact Ms. Smith at the VGMC office and another POP Committee meeting will be scheduled to discuss it, prior to the item being scheduled for consideration by the full commission. If no concerns are raised, the matter will be scheduled on the next regular meeting agenda and the POP Committee can meet immediately prior to formalize their recommendation. Ms. Smith stated she will also forward a copy of the current contract with GrayRobinson to each of the committee members.

Chairman Brandon mentioned to the committee that he will be out of the country and would not be in attendance at the August regular meeting. General discussion ensued concerning the timing of scheduling the GrayRobinson contract for consideration by the commission. Mr. Romanik commented that we are not crunched for time and it could realistically be scheduled in September if necessary. There was general agreement amongst the members.

OTHER BUSINESS

Mr. Brandon stated after the summer months pass, the committee needs to begin looking at readdressing some of the procedural matters and recommend updates where necessary.

With respect to the RSQ process, Mr. Walton stated the City of Daytona Beach has a procedure where those respondents who are qualified but not selected are kept on a list for 6 months which allows them to be revisited without the need for a new RSQ in the event something changes with the selected firm. He suggested we utilize this practice with this and future RSQ processes if it is acceptable. Ms. Smith stated she would check on it.

Ms. Smith reported that pursuant to discussion at the February 18, 2015 POP Committee meeting related to electronic distribution of VGMC applications, she drafted a memorandum to all of the local planning managers to discuss various questions that had been raised by the local governments. She stated the memorandum was reviewed by Mr. Walton, who also reviewed it with a member of his planning staff. VGMC legal counsel also reviewed it and found it to be sufficient. Ms. Smith stated the memorandum was mailed to each of the local government planning managers today, along with a disk containing the VGMC Consistency Certification Rules and a Word version of the VGMC application. In response to a question from Mr. Lovelace, Ms. Smith explained the memo was intended to respond to questions raised by some of the local governments concerning the electronic distribution of applications, and to provide clarification and consistency across the jurisdictions. She stated she would email a copy of the memorandum to each of the POP Committee members.

Mr. Brandon reminded the committee that the County's charter review will take place in 2016 and he encouraged the committee members to speak with their respective jurisdictions relating to

the purpose and need of the VGMC. Ms. Smith stated the status of the VGMC has been questioned in the prior two charter reviews. Mr. Walton asked how often the charter review occurs and whether the County could unilaterally make a decision concerning the VGMC. Mr. Brandon responded that the charter review occurs every 10 years and any proposed change goes onto the ballot as a referendum vote by the general public.

Mr. Lovelace asked what the primary challenges to the VGMC existence have been in the past. Mr. Brandon responded that the need of the commission has been questioned, along with the cost factor. He also stated that he met individually with the County Council members during the last charter review to garner support for the commission, adding that it is important to reach out to the elected officials to explain the importance of the VGMC. Mr. Storke stated he has heard comments in past years that the commission is overstepping their authority. Ms. Smith added there have been comments in the past that the VGMC is just another layer of bureaucracy.

ADJOURNMENT

There being no further business, Chairman Brandon thanked everyone for attending and adjourned the meeting at 1:33 p.m.


Chairman