

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

**MINUTES FOR MEETING HELD
Wednesday, August 28, 2019**

Daytona Beach City Hall
301 S. Ridgewood Avenue
Conference Room #149A
Daytona Beach, FL 32114

The meeting was called to order at 6:17 p.m. by VGMC Chair Debbie Connors.

The following POP Committee members were also present: Larry Saffer, Robert Storke, Mary Swiderski and Sid Vihlen, Jr. Also in attendance was VGMC Operations Manager Merry Chris Smith.

NEW BUSINESS

- 1) Approval of the minutes of the March 27, 2019 POP Committee Meeting

Robert Storke made a motion to approve the minutes of the March 27, 2019 POP Committee meeting as presented; motion seconded by Mary Swiderski. Motion carried unanimously.

- 2) Consider recommendation for renewal of the GrayRobinson legal services contract for the 2019-20 Fiscal Year

Ms. Connors stated the only change in the proposed GrayRobinson contract from last year to the this year is an increase in the attorney rate from \$200/hour to \$225/hour and the paralegal rate from \$95/hour to \$105/hour. She stated this is the first rate increase in legal services in approximately 3 years. Ms. Smith pointed out that this represents only the fourth rate increase in legal services proposed by GrayRobinson in the 30+ years that they've represented the VGMC. Additionally, she stated that GrayRobinson has a full menu of attorneys available to the commission when needed, all at the same contracted rate. From a budget and cost perspective, Ms. Smith stated that since the change in the consistency rules were adopted in 2016, we are billed an average of six hours per month in legal services.

Mary Swiderski made a motion to recommend the full commission approve the renewal of the GrayRobinson legal services contract for the 2019-20 fiscal year; motion seconded by Robert Storke. Motion carried unanimously.

- 3) Consider recommendation for renewal of the S&ME planning services contract for the 2019-20 Fiscal Year

Ms. Connors stated there is no change in the proposed S&ME planning services contract from last year to this year. She added that Mr. Dougherty is very responsive, timely and knowledgeable.

Mr. Saffer commented that it appears most of the applications go through the process with little or no question. He asked if the planning reviews are thorough enough or if we should be looking at the amendments more closely. Ms. Smith stated that the majority of the applications we receive are small scale applications and under the new rules, VGMC staff cannot request additional information on those applications. She further stated the applications are reviewed by staff in accordance with the established review criteria, and the planning reports are prepared based on their findings. In cases where consistency cannot be determined based upon the information and data submitted by the applicant local government, this finding is included in the planning report which is distributed to all units of local government. Once the planning report goes out, all other units of local government have an additional week to comment or petition for hearing on the application. Ms. Swiderski added that the VGMC acts as a mediator when the local governments have a dispute on a proposed amendment. As an example, there was discussion relating to the proposed I-4 Auto Mall, where through the coordination of VGMC staff, the parties all met and were able to resolve their concerns without the need for a public hearing before the commission.

Mr. Saffer commented that he was not being critical, just asking if there is a need to apply more scrutiny when reviewing the applications. Ms. Connors responded that the applications are being reviewed based upon the VGMC review criteria. She added that during the rules review, the local governments expressed that their own planners review the applications and felt that the VGMC should only be involved if there is a conflict amongst the jurisdictions.

Mr. Vihlen commented that Mr. Dougherty has a very good reputation and asked Ms. Smith if she felt that Mr. Dougherty reviews the applications to the highest level of professional planning standards. Ms. Smith responded that she believes he does. She further added that even though our rules do not allow us to request additional information on many of the applications, it is not uncommon for Mr. Dougherty to contact the local government planner(s) to point out matters that may be of question.

Following further discussion, Mr. Vihlen made a motion to recommend the full commission approve the renewal of the S&ME planning services contract for the 2019-20 fiscal year; motion seconded by Mary Swiderski. Motion carried unanimously.

4) Consider recommendation for renewal of the VHB planning services contract for the 2019-20 Fiscal Year

Ms. Connors stated that VHB serves primarily as the back-up planner to the VGMC and, therefore, does not review as many applications as S&ME. Mr. Storke asked if we've started sending a few applications to VHB for review. Ms. Smith confirmed that we stay in touch with Erika at VHB and do send new applications to her for review as well.

Mary Swiderski made a motion to recommend the full commission approve the renewal of the VHB planning services contract for the 2019-20 fiscal year; motion seconded by Larry Saffer. Motion carried unanimously.

OLD BUSINESS

None

OTHER BUSINESS

Ms. Connors brought up to the committee that the County has had a number of discussions recently relating to smart growth, and this subject is scheduled for discussion at the next County Council meeting as well as the next Elected Officials Roundtable meeting. In the discussions, there have been reports that consideration is being given to possibly establishing a committee to include appointments from all of the local governments to participate in the smart growth process. Ms. Connors commented that the VGMC is made up of representatives from all of the local governments.

Ms. Swiderski spoke regarding efforts made several years ago relating to smart growth and some of the results that came out of that initiative.

Ms. Connors stated a suggestion was received from former commission member John Meikle to recommend to the County that the VGMC could also serve as the smart growth committee/board if they decide to establish such a board.

Mr. Vihlen suggested that the commission consider a recommendation to officially notify the County Council that the VGMC is willing to participate in a smart growth committee and would recommend VGMC have membership on the committee. Several committee members suggested rather than creating a new committee or organization for smart growth, perhaps the VGMC could fill that role since many of the components of smart growth are already part of the VGMC review process. Mr. Vihlen stated that he liked the idea, but also commented that the VGMC has a limited role as defined by the charter. Several committee members agreed.

Ms. Smith discussed the upcoming agenda item scheduled for the next County Council meeting, stating that it appears the planning staffs of the local governments have been meeting for the past several months relating to smart growth. She added that it may be too early for anyone to know the future direction this current initiative may take.

Following further discussion, Mr. Vihlen asked if the majority of VGMC members agree, should we advise the County early on that the VGMC is willing to take part in this initiative. Several committee members agreed with this approach.

Sid Vihlen made a motion for the POP Committee to recommend to the full commission that a letter from the Chair be sent to the Volusia County Council expressing interest in participating in the smart growth initiative, and to present it to the County Council at an appropriate time. Motion seconded by Larry Saffer, which carried unanimously.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:55 p.m.



Sid Vihlen, Jr., POP Committee Chair