

OVERVIEW

DEVELOPING FLORIDA'S PLANNING
PROFESSIONALS SINCE 1951



SENATE BILL 360 RULED UNCONSTITUTIONAL



BY: TOM BROOKS

On August 26, Judge Charles Francis of the Second Judicial Circuit for Leon County ruled Senate Bill 360 an illegal and unconstitutional unfunded mandate. The decision caught many planners by surprise, although it was no surprise to the attorneys who filed the case, the law firm of Weiss Serota Helfman Pastoriza Cole and Boniske. The attorneys had a number of jurisdictions (initially eight but

growing to 22) as clients in the case. The City of Weston is arguably the most interested client-- the city created a Facebook page dedicated to informing residents about the lawsuit. The website (http://www.westonfl.org/SB_360_Intro.aspx) offers the most comprehensive listing of documents on this case.

When the court decision was issued, I came across the name of Susan

Trevarthen among the list of attorneys for the plaintiffs. I had met her at the Tallahassee Growth Management Conference in February 2010. Susan Trevarthen is an attorney and a member of AICP. I e-mailed her at her law firm to get her views on the case. In my e-mail, I described her firm's win as a David-versus-Goliath victory.

Her response was as follows: "We felt it was clear basis for invalidation but many others underestimated our case. The most important part is to send a message to Tallahassee that our Constitution is not a technicality. They cannot keep removing responsibility to lower levels of government without adequate resources."

Now for background on Senate Bill 360: The 2009 bill is the child of the first Senate Bill 360 that passed in 2005. Like many sequels, Senate Bill 360 is a much weaker version of the original. The first Senate Bill 360 was passed during an era of record number of building permits, high employment, and seemingly unlimited economic growth. The second version of Senate Bill 360 was passed in a climate where state and local governments were struggling to meet their obligations with declining property values, declining building permits, high unemployment, and a record number of

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A WORD FROM THE PRESIDENT



It is mid-September and the 2010 Hurricane Season is going full tilt. Having attended the August 27th FPZA Regional Forum on the Oil Spill at the Hillsborough County Emergency Operations Center, I am confident that Florida is prepared for disasters. The update on the Oil Spill is one of lasting consequence to Florida in how all of us plan for disaster, whether it is man-made or natural. That is the good news. The other good news is that the oil is no longer flowing. The not-so-good news is that we won't know the true environmental and economic consequences of the Event Horizon Oil Spill for years to come.

The FPZA State Board will be hosting another Regional Forum in January in Orlando. The topic has not yet been decided. The reason for the delay in selecting the topic is the upcoming elections. With Amendment 4 on the November Ballot, there is much uncertainty about the potential impacts to planning and development in Florida. I encourage each FPZA member to research the issues and the impact on St. Pete Beach. There is a desire to make changes to the way Florida plans. This year the Department of Community Affairs was under review, Senate Bill 360 was recently overturned, and "Hometown Democracy" has gained popularity. The voting public will decide whether they trust the politicians they have elected to make informed decisions.

Our friends are losing their jobs and homes, our beaches are perceived to be covered in oil, and our development and tourism industries are suffering. Even in these troubled times, my optimistic nature allows me hope for the future. There is always opportunity for good things to happen. This is our time to reflect on what worked and what didn't work.

During the 2007 FPZA Conference, Steve Siebert challenged us to help Florida decide what it wants to be when it grows up. What better time is there to take this challenge? Please pull out your community visioning plans. How are these visioning plans being implemented? What does your community want to be when it grows up? Now is the time to review regulations and processes to incorporate community visions and make appropriate changes to allow Florida to become a sustainable and thriving paradise.

Whether you are a public sector planner, a consultant, or even unemployed, I encourage you to find a way to get involved in your community to help Florida become paradise once again. I believe that volunteerism is a necessary part of how Florida will rebuild itself and that there are many ways to give your time and expertise to assist your community.

Rachel Layton

OVERVIEW

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foreclosures. In a sense, the two Senate 360 bills passed in 2005 and 2009 reminded me of the opening line from Charles Dickens' *Tale of Two Cities*:

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair,..."

The Best of Times: Senate Bill 360 in 2005

The first Senate Bill 360 included financial feasibility requirements, school concurrency, water supply concurrency, urban service boundary incentives, and exempted Rural Land Stewardship Areas from the DRI process. The bill also created a number of study commissions including the School Concurrency Task Force, the Impact Fee Task Force, the Century Commission for a Sustainable Florida, and an Infrastructure Funding Program. In retrospect, the Infrastructure Funding Program was small compared to the infrastructure needs that had to be met by the bill. However, the dominant view in the State was that growth in Florida was inevitable and that growth would—and should—pay for itself. It is doubtful that the 2005 version of Senate Bill 360 bill would pass in the present economic climate.

The Worst of Times: Senate Bill 360 in 2009

The 2009 version of Senate Bill 360 passed the State Legislature in the economic climate of what now is termed the "Great Recession," which began in December 2007. Unemployment has more than doubled in the State of Florida since 2005, and building permits were off by 80 to 90 percent in many Florida cities and counties. The State of Florida lost population for the first time since 1945-46 when a migration of soldiers out of the State after World War II caused a slight decline in Florida's population. The 2009 version of SB 360 did not add new state requirements, at least for the private

sector. Critics called the new SB 360 a dismantling of growth management laws, particularly the DRI statute, which has been created by the first ELMS committee under Governor Reuben Askew in 1972. Cities and counties that did not qualify as a Dense Urban Land Area (DULA) under the 2005 legislation and could not obtain the benefits of a DULA related to transportation concurrency now have mechanisms to create CRAs, Urban Service Areas, and other sub-areas in their jurisdiction to obtain similar exemptions. The bill also addressed disparate items such as tax exemptions and valuation methodologies for affordable housing and security cameras. The inclusion of these additional items became one of the legal grounds for the plaintiffs' challenge to the statute.

Supporters of the law argued that the DRI statute was a relic of the past when local governments had little sophistication or few professional planners on staff to manage large, regional developments. They also argued that the present law on concurrency encouraged sprawl, while the establishment of DULAs and mobility fee rules would reduce it.

Two Key Features of SB 360 - DULAs and Transportation Mobility Fees

A DULA is defined under SB 360 as any jurisdiction with a minimum density of 1,000 persons per square mile, consistent with the definition of an "urban area" utilized by the United States Census Bureau. However, within a square mile (640 acres), 1,000 people can be accommodated at a density of less than one unit per acre—a density consistent with the very definition of sprawl.

SB 360 requires that a mobility fee be created within two years of the TCEA. This requirement was used by plaintiffs' attorneys as the legal grounds for the unfunded mandated argument. This will be discussed below in the analysis of the court's decision.

City of Weston, Florida et al vs. Crist, Browning, Atwater and Cretul

The Facebook page of Weston gives all the background necessary to understand why the city

sued over Senate Bill 360. Weston believes the Act has substantial negative impacts on the City and other local governments. The law firm of Weiss Serota Helfman Pastoriza Cole & Boniske PL (the Firm), which serves as the City Attorney for Weston, was requested to do a legal analysis to determine whether the Act was subject to challenge on constitutional grounds. As set forth in the analysis, the Firm determined that a strong argument can be made that the enactment of the Bill violated: (1) Article VII, Section 18 of the Florida Constitution, which prevents the legislature from imposing requirements on local governments without providing a means to pay for such requirements unless certain requirements are satisfied (the Unfunded Mandate Provision), and (2) Article III, Section 6 of the Florida Constitution, which requires that every law embrace only one subject (the Single Subject Provision).

On July 7, 2009, the City of Weston, joined by the Village of Key Biscayne, the Town of Cutler Bay, Lee County, the City of Deerfield Beach, the City of Miami Gardens, the city of Fruitland Park, and the City of Parkland, filed a Complaint of Declaratory and Injunctive Relief in the Circuit Court of Leon County against Florida's Governor, Secretary of State, President of the Senate and Speaker of the House challenging the constitutionality of SB 360. Subsequently the following also joined in as plaintiffs: Village of Palmetto Bay, City of Pompano Beach, City of Homestead, City of Cooper City, City of North Miami, City of Coral Gables, City of Pembroke Pines, Broward County, North Miami, St. Lucie County, Levy County, Islamorada Village of Islands, Lauderdale-By-The-Sea, City of Homestead. The case was assigned to the Honorable Charles A. Frances, currently serving as the Chief Judge of the Second Judicial Circuit.

The court decision came down to the following two legal issues. The first issue was related to Article III of the Florida Constitution, which requires that every law embrace only one subject (the Single Subject Provision of Section 6 of the Florida Constitution).

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Plaintiffs' lawyers argued SB 360 was unconstitutional, since the bill addressed multiple subjects unrelated to its stated single subject of growth management, addressing other issues, such as security cameras and tax exemptions and valuation methodologies. Attorneys for the Governor, et al, successfully argued the single subject issue was moot by noting the legislature has resolved any procedural irregularity in the passage of Senate Bill 360 by readopting the entirety of Florida Statutes 2010 during the regular session. This is a procedure the legislature does every two years. Since the judge's decision is being appealed, it is possible for the plaintiffs' attorneys to cross-claim against this part of the decision as being decided incorrectly by the trial court.

The second Issue was related to Article VII, Section 18 (a) of the Florida Constitution, which prevents the legislature from imposing requirements on local governments without providing a means to pay for such requirements unless certain conditions are satisfied (the Unfunded Mandate Provision). The plaintiffs' lawyers alleged that SB 360 requires plaintiffs and other local governments to "spend funds" or to "take an action requiring the expenditure of funds" to meet certain growth management requirements, summarized below.

- Mandated adoption of comprehensive plan amendments and transportation strategies "to support and fund mobility."
- Litigation expenses and increased cost of road improvements as a result of the elimination of state-mandated transportation concurrency.
- Litigation costs and administrative costs associated within the two-year permit extension provisions of the law.
- Expenses in connection with mandated formal mediation to resolve inter-governmental coordination disputes.
- The elimination of the Developments of Regional Impact (DRI) process will result in the cost of mitigating such impacts on local government.

- The requirement of giving 90-day notice of increase in impact fees will result in increased costs to local government for annual publication and notice of notices, drafting of resolution and hearings.
- The prohibition against local government adopting security camera regulations to enhance local police services that require local business to expend money, which result in the transfer of costs from business owners to local taxpayers will also cause the local governments to expend funds.

Attorneys for the Governor argued that the costs were either not mandates or that it was an issue of material fact that the law exceeded the insignificant fiscal impact, calculated as Florida's population times ten cents, or approximately \$1.8 million. The judge rejected the above points *b* through *g* because the motion for summary judgment requires that that the issue is beyond material fact. That is, the only way the plaintiffs could prove these points was to let the bill become law and compare the expenditures before and after the requirements. The costs are quantifiable in *b*, *d* and *e* only if the bill had become law.

The argument concerning point *a* is where the plaintiffs had the strongest case. The court found there was no dispute of fact that counties and municipalities designated as Transportation Concurrency Exception Areas by virtue of being a DULA are required to comply with the mandates to adopt comprehensive plan amendment and transportation strategies and to file these amendments within two years of being designated a TCEA. The cost of meeting this requirement for 246 local governments would range from \$41,264 to \$104,170 per government. Taken together, the cost to local governments would range from \$10.15 million to \$25.62 million, which greatly exceeds the limit of \$1.86 million. It was on this issue that the plaintiffs won their case.

The Key to the Case

One item that was a key to the case is how Senate Bill 360 passed in the House. The State

Legislature can impose unfunded mandates on local governments, if the measure is passed by a two-thirds vote. SB 360 passed in the Senate on a vote of 32 to 8, but by 76 to 41 in the House, which was just four votes short of the two-thirds majority. Had the House worked with the opposition to the bill a little longer to resolve their concerns, they might have been to get the additional affirmative votes. Instead, the vote split largely along partisan lines.

Appeal of the Case

The defendants in this case have a filed an appeal. One key issue in their appeal is the judge's decision to strike down the entire law. They will argue that only the mobility fees and comprehensive plan mandates were found to be an unfunded mandate, therefore, all the other elements of the law—including the permit extensions, DULAs, and all other provisions unrelated to the comprehensive planning mandates—should stand. If that appeal is successful, the DULAs, DRI exemptions, and exemptions from state road concurrency would stand without the requirement of a mobility fee. The appeal allows additional time for the Legislature during the 2011 session to obtain the two-thirds majority necessary to pass the same bill just struck down by the court.

Impact of the SB 360 Decision

The case serves as an important reminder about the unfunded mandate requirements of the Florida Constitution. Until this case, I cannot remember a successful lawsuit over this issue. Yet if the appeal is successful, it could be a Pyrrhic victory. The DULAs, DRI exemptions, and the exemption from state road concurrency could stand, while the transportation mobility fee, a key feature of SB 360 to encourage transit, could be abolished.

Mr. Brooks is a planner with Volusia County.

59TH ANNUAL FPZA CONFERENCE

CELEBRATING 60 YEARS OF FPZA

Join us June 8th to the 11th at the beautiful Naples Beach Hotel and Golf Resort for the 2011 FPZA Conference! This year we will be celebrating 60 years of FPZA. As the host, the Calusa Chapter is already busy planning an exciting conference with interactive and educational mobile workshops and tours, as well as unique and entertaining networking events. This promises to be a great conference, bringing together planning, land use, and development professionals.



REGISTRATION TYPE	MEMBER	NON-MEMBER
EARLY (By May 6, 2011)	\$325	\$350
LATE (After May, 2011)	\$375	\$400
ON-SITE	\$400	\$425
STUDENT	\$150	\$175
ONE DAY ONLY	\$200	\$225

Reduced Registration Rates. Registration prices reflect some of the lowest conference rates in years! There are a variety of options to provide maximum flexibility for attendees and their families. Remember to register early to take advantage of discount pricing.

Call for Proposals. The Chapter is currently seeking session proposals based on our theme the *Evolution of Innovation*. If you want to showcase your ideas, solutions, and strategies to colleagues and potential clients from across the state, submit your session proposal today! Tell us how your expertise, approaches, and projects have evolved over time to fit the ever-changing needs of the

planning industry.

Request the "Session Proposal Form" by emailing Paula McMichael at paulamcmichael@gmail.com or Alexis Crespo at alexisc@en-site.com. Submit your proposal, including CM Credit Form, prior to deadline of **Friday, February 4th, 2011**.

Sponsorship Opportunities. A variety of sponsorship options are available to market your company's services to a wide range of professionals from across the state. Please visit www.fpza.org to check out all of your sponsorship options, or contact the Conference Co-Chairs, Paula McMichael at paulamcmichael@gmail.com or Alexis Crespo at alexisc@en-site.com. The Calusa Chapter

2011 FPZA STATE CONFERENCE: CALL FOR PROPOSALS

Want to showcase your ideas, solutions, and strategies to colleagues and potential clients from across the state? Then submit your session proposal today for FPZA's 2011 Conference...

"60 Years of FPZA: Yesterday, Today & Tomorrow"

Please tailor your proposals to fit with our theme of *The Evolution of Innovation*. Tell us how your expertise, approaches, and projects have evolved over time to fit the ever-changing needs of the planning industry!

Request your "Session Proposal Form" by emailing **Paula McMichael** at paulamcmichael@gmail.com or **Alexis Crespo** at alexisc@en-site.com. Submit your proposal, including CM Credit Form, prior to deadline of **Friday, February 4th, 2011**.

The 2011 FPZA State Conference will be held at the beautiful Naples Beach Hotel and Golf Club in the heart of Southwest Florida. The conference will run from Wednesday, June 8th through Saturday, June 11th. The Calusa Chapter is hosting and will be offering some of the lowest registration rates in years! Please join us and take advantage of this opportunity to earn 16+ CM credits!

For details on the 2011 conference please visit www.fpza.org.

2011 FPZA CONFERENCE SPONSOR OPPORTUNITIES

The 59th Annual Florida Planning & Zoning Association (FPZA) State Conference will be held June 8th - 11th at the Naples Beach Hotel & Golf Resort in Naples, FL. The conference brings together professionals from multiple disciplines within the planning world including public and private sector planners, developers, attorneys, elected officials, landscape architects, engineers, citizens, environmentalists, and design professionals.

The conference provides an excellent forum to advertise and promote your organization and services, and also offers invaluable networking opportunities.

To make the conference a success, we need your support and sponsorship! The Calusa Chapter has designed several sponsorship opportunities to meet your organization's specific marketing needs.

Your sponsorship demonstrates your strong support for FPZA and the Florida planning industry in general. Thank you in advance for your consideration, and **remember every \$1 counts!**

SPONSORSHIP LEVELS

CONFERENCE SPONSOR (\$2,000)

This deluxe package acknowledges your organization as the top conference sponsor.

Benefits include:

- Recognition at receptions/lunches
- Full page ad in the FPZA Overview

- Company logo displayed on FPZA website & conference program
- Recognition at Opening Sessions
- Sponsor website link on FPZA website (6 months)
- Exhibit Display Table in Exhibitor's Hall
- One (1) full conference registration

JOINT VENTURE SPONSOR (\$1,250)

Benefits include:

- Half page ad in the FPZA Overview
- Company logo displayed on FPZA website & conference program
- Recognition at Opening Sessions
- Exhibit Display Table in Exhibitor's Hall
- One (1) complimentary mobile tour registration

ASSOCIATE SPONSOR (\$750)

Benefits include:

- Quarter-page ad in the FPZA Overview
- Company logo in conference program
- Recognition at Opening Sessions
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- One (1) complimentary lunch ticket

AFFILIATE SPONSOR (\$250)

Benefits include:

- Business Card ad in the FPZA Overview
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HOSPITALITY SUITE (\$250/NIGHT)

Sponsor the suite any evening from June 8th through 10th and enjoy:

- Signage in hospitality suite
- Company logo in conference program
- Recognition at Opening Sessions

REFRESHMENT BREAK (\$250/BREAK)

Sponsor any afternoon refreshment break and receive the following benefits:

- Signage at the refreshment table
- Recognition at the Opening Session
- Company logo in conference program

EXHIBIT DISPLAY TABLE (\$300)

Benefits include:

- Exhibit Display Table in Exhibitor's Hall
- Company logo in conference program

MOBILE WORKSHOP (\$350)

Benefits are for sponsorship of one (1) workshop based on a first come first choice basis:

- On-site signage
- Company logo in conference program
- Recognition at Opening Sessions
- Recognition during mobile tour

OPENING RECEPTION SPONSOR

FPZA is welcoming any level of donation for the opening evening reception. For your sponsorship you will receive on-site signage at the reception and recognition during the event.

Please make check payable to "FPZA" and mail to:
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OVERVIEW

UPCOMING FPZA BOARD OF DIRECTORS QUARTERLY MEETING

NOVEMBER 6TH, 2010

8:30 AM to 12 Noon

Jacksonville

Kimley-Horn & Associates

8657 Baypine Road, Suite 300

Jacksonville, FL 32256

Check back at our website,
www.fpza.org, for more
information.

Please call the FPZA Office at
(407) 895-2654 if you would like to
attend.

COMPLIMENTARY MEMBERSHIP

FPZA will extend a complimentary membership, for up to one year, to current members who have been laid off or lost their job due to the economic situation. Please contact the FPZA Office at (407) 895-2654 or fpza@bellsouth.net, or the VP of Member Services, Brady Woods, at bmwoods_1@yahoo.com for more information.

NEW FINANCIAL REPORTING POLICY

A new financial reporting policy was adopted at the last state board meeting on August 28, 2010. The State VP of Finance requests financial reports biannually from each chapter, for the periods of January-June and July-December. We have been requesting that these reports be made on a standardized Excel spreadsheet. The spreadsheet makes it possible for the FPZA accountant to report the organization's finances accurately, and saves the accountant time, and hence FPZA money.

The new policy requires that chapters report using the Excel spreadsheet. If a chapter doesn't make a financial report using the spreadsheet, the chapter will not be eligible to receive their membership dues reimbursement from the state until they do so. This policy is in effect, so chapters that have not yet sent in a financial report will not receive a dues reimbursement check until one has been received.

We value the work you do as chapters, and we are instituting this in order to save FPZA money -- and be able to use the money saved on programs and services for our members. If you have any questions, please e-mail the current VP of Finance, Paula McMichael, at paulamcmichael@gmail.com.

ADOPTED STATE BOARD POLICY

AUGUST 28, 2010

At the request of the state Vice President of Finance, Chapters shall submit their chapter's biannual financial report for the reporting periods of January to June and July to December, to the state Vice President of Finance in the form of the standard FPZA financial report spreadsheet. If the Chapter's Financial Report is not returned to the state Vice President of Finance by September 15 and February 15 of each year, the chapters will not receive their collection of membership dues reimbursement checks until said financial report spreadsheet is received by the state Vice President of Finance for that fiscal year.

If no chapter report is submitted for the fiscal year, the chapter will be deemed financially inactive, and the chapter will not be eligible to receive dues retroactively. Chapter reimbursements not dispersed will be reserved for chapter development or other state-wide educational programs. Financially inactive chapters may request moneys from the chapter development fund from the State Board.

WHO BELONGS TO THE FLORIDA PLANNING AND ZONING ASSOCIATION?

WOMEN AND MEN WHO ARE...

Planning professionals - public and private zoning staff, transportation engineers, land-use lawyers, expert witnesses, members of the Florida Bar, city, county and state-elected officials, members of local planning and zoning boards, university professors, architects, landscape architects, housing professionals, real estate agents, transportation specialists, surveyors, marketing professionals, communications directors, graphic artists, students of land planning, public relations professionals...and more.

FOR A CHANCE TO NETWORK WITH LIKE-MINDED PROFESSIONALS AND COMMUNITY LEADERS, WHY NOT JOIN US?

Call the state office of FPZA at (407) 895-2654 for chapter membership within Florida and your local community. Visit our website at www.FPZA.org or contact: **Thad Crowe, AICP** at tcrowe6@cfl.rr.com or **Doug Kelly, AICP** at d.kelly@gaiconsultants.com (407) 423-8398.

UPCOMING SURFCOAST CHAPTER EVENT

WHAT:

Critical Linkages in Community Planning, Economic Development, and Sustainability:

In the aftermath of our country's housing market collapse, the critical importance of merging economic development and community planning to achieve the common goal of diversified economies and long term economic viability has become apparent. Join a discussion regarding economic development in Volusia County.

WHEN:

Friday, Oct. 29, 2010, 11:30 AM to 1:00 PM

WHERE:

Volusia Room, Daytona Beach International Airport, 700 Catalina Drive, Daytona Beach, FL 32114

WHO TO CONTACT:

RSVP to (386) 736-5959 or email rtodd@co.volusia.fl.us by noon Tuesday, October 26

HOW MUCH:

\$18 for members, \$22 for non-members

AICP CM CREDITS:

CM Credits Pending

The OVERVIEW is a quarterly publication of the Florida Planning & Zoning Association. Publication dates are February, May, August, and November. The views expressed in the OVERVIEW are those of the Editor or other contributors and do not necessarily reflect the opinions of the FPZA. News articles, press releases, or other contributions are encouraged. Ad space is also available. Business card ads are \$100/year or can be pro-rated for fewer issues. Material should be emailed to the Editor and may be edited to conform to space and/or style requirements. Letters must be signed.

News and advertising deadline for the Spring 2011 issue is January 14, 2011.

MEMBER PROFILE MISTY SERVIA, FPZA GULF COAST CHAPTER

Q. WHERE ARE YOU FROM ORIGINALLY?

A. I was born in Sarasota and grew up there.

Q. WHAT COLLEGE/UNIVERSITY DID YOU ATTEND/GRADUATE FROM?

A. Florida State University – GO 'NOLES!

Q. PLEASE LIST YOUR DEGREE(S) AND IF YOU HAVE ANY SPECIALIZED TRAINING.

A. Bachelor of Science - Geography

Q. HOW DID YOU BECOME INVOLVED IN FPZA AND HOW LONG HAVE YOU BEEN A MEMBER?

A. I have been an FPZA member since 1989. Our Gulf Coast chapter was (and continues to be) very strong in the Manatee/Sarasota area. I became involved in our chapter to interact with all of the individuals and professionals that are involved in the land development field.

Q. WHAT IS YOUR CURRENT POSITION AND AREA(S) OF EXPERTISE?

A. I am currently the Planning Dept. Manager for King Engineering in Sarasota. My focus is on entitlement work including: Developments of Regional Impact, Zoning Atlas Amendments, Comprehensive Plan Amendments, and Special Permits, as well as drafting ordinances and regulations. A big part of my job involves consensus building with neighborhood associations and community groups and the negotiation of project details with state, regional, and local agencies.

Q. WHAT ARE YOUR HOBBIES AND INTERESTS?

A. I love reading, riding my bicycle, cooking, politics, and gardening; however, my latest interest is "network marketing." I cannot read enough about this fascinating business model,

which is thriving during a time when many businesses are shutting the doors.

Q. WHAT DO YOU THINK YOU'D BE DOING NOW IF YOU HADN'T CHOSEN YOUR CURRENT PROFESSION?

A. I may have been a lobbyist or an attorney – I love both of these professions.



Q. IF A NEW COLLEGE GRADUATE ASKED YOU FOR ADVICE ABOUT YOUR FIELD, WHAT WOULD YOU TELL THEM? WHAT DIDN'T YOU LEARN IN SCHOOL?

A. I believe the most important ways to achieve success in planning or any other fields are to be hard-working, open-minded, organized, and deeply

involved in your community. Every person I know that is successful is a hard worker – if you are lazy, you will settle for mediocrity, at best. You must be receptive to new ideas and the opinions of others, even if they do not align with your own. You must be organized – without it you will waste a lot of time and miss opportunities. Community involvement allows you to interact with all of the people who make the community tick – I believe that it is through this network of support that you can accomplish anything!

Q. WHAT PERSONAL GOALS WOULD YOU LIKE TO ACHIEVE (BEFORE YOU RETIRE)?

A. Shepherd our three children through a college education and become a published author.



THE GREAT RECESSION IS OVER

According to the National Bureau of Economic Research, the recession ended in June 2009. So what do 15 months of recovery look like?

- From a low of 3.4% in October 2006, the unemployment rate in Florida rose to a high of 12.3% in March 2010. The current unemployment rate (Aug 2010) is 11.7%. (Bureau of Labor Statistics)
- From 2007 to 2009, existing home sale prices declined an average of 62% in Florida's twelve Metropolitan Statistical Areas. For the same time period, the number of existing home sales in Florida rose 20%. (National Association of Realtors)
- From April 1, 2008, to April 1, 2009, Florida lost an estimated 56, 736 residents, the first population decline since the end of World War II. From April 1, 2009, to April 1, 2010, Florida added 21,285 residents. (Bureau of Economic and Business Research at the University of Florida)
- State General Revenue Receipts were approximately \$27.1B in 2005/2006, and were estimated at \$21B in 2009/2010. (The People's Budget)



MEMBER PROFILE

JOSEPH P. QUINN, AICP, FPZA SPRINGS CHAPTER

Q. WHERE ARE YOU FROM ORIGINALLY?

A. I was born in Washington, D.C. at the former Columbia Hospital for Women, but grew up on the west coast of Florida. On a creative reuse and "things that are creepy" note, this hospital closed in 2002 and was converted to condominiums.

Q. WHAT COLLEGE/UNIVERSITY DID YOU ATTEND/GRADUATE FROM?

A. I completed my undergraduate work in Geography, with a Business minor, at the University of South Florida (USF). I'm currently pursuing a Master of Business Administration degree at Saint Leo University (SLU).

Q. PLEASE LIST YOUR DEGREE(S) AND IF YOU HAVE ANY SPECIALIZED TRAINING.

A. I received my Bachelor of Arts in Geography and completed some graduate courses in Public Administration at USF. I'm currently attending SLU to finish my graduate work in Business Administration. I've also previously completed training in Transit Operations Planning with the Center for Urban Transportation Research at the USF.

Q. HOW DID YOU BECOME INVOLVED IN FPZA AND HOW LONG HAVE YOU BEEN A MEMBER?

A. I originally became involved with FPZA at the encouragement of Springs Chapter members in the mid-1990s. Previous gigs have included serving as Springs Chapter President and as co-chair of the FPZA State Conference held in Gainesville in 2000.

Q. WHAT IS YOUR CURRENT POSITION AND AREA(S) OF EXPERTISE?

A. After a few years in private consulting, I've recently returned to the Southwest Florida Water Management District as a Staff Planner. My background is in environmental planning, with an emphasis on water resources and land use planning. My current work involves

comprehensive plan amendment and Development of Regional Impact reviews, regional water supply planning and outreach, local government technical assistance, planning for two District Basin Boards, and serving as agency liaison on northern District planning matters.

Q. WHAT ARE YOUR HOBBIES AND INTERESTS?

A. Many of my current hobbies and interests are derived from my involvement in family activities. These include biking, traveling, and spending time around the house. I've recently learned to simultaneously handle the fashion crises of a teenage daughter

and the children's literature and television demands of a two-year-old son.

Q. WHAT DO YOU THINK YOU'D BE DOING NOW IF YOU HADN'T CHOSEN YOUR CURRENT PROFESSION?

A. I would likely have entered the insurance business, as my parents owned a successful brokerage for years. Luckily, my interests prevailed over the lure of the family business.

Q. IF A NEW COLLEGE GRADUATE ASKED YOU FOR ADVICE ABOUT YOUR FIELD, WHAT WOULD YOU TELL THEM? WHAT DIDN'T YOU LEARN IN SCHOOL?

A. The best advice for new college graduates would be to get involved in as many projects and activities as possible on your new job. This will broaden your view of the profession, build your skill set, and provide an opportunity to discover those areas in which you wish to concentrate. Maintain a good sense of humor and become a student of psychology, negotiation, and reasonable compromise, as all will be required throughout your career.

Q. WHAT PERSONAL GOALS WOULD YOU LIKE TO ACHIEVE (BEFORE YOU RETIRE)?

A. My personal goal is to spend more time with the family, traveling to our "must see" places.



BOARD OF DIRECTORS MEETING MINUTES

AUGUST 28, 2010

HILLSBOROUGH COUNTY OFFICES

President Layton called the meeting to order at 8:40 AM. The following were present:

RACHEL LAYTON – GULF COAST
 PAULA MCMICHAEL – CALUSA
 BRADY WOODS – CENTRAL FLORIDA
 NANCY ROBERTS – CENTRAL FLORIDA
 MISTY SERVIA – GULF COAST
 WANDA SLOAN – SUN COAST
 JOHN THOMSON – SURFCOAST
 LARA DIETRICH – FIRST COAST
 KATHLEEN THOMPSON – GULF COAST
 TINA MAYFIELD – CALUSA
 COURTNEY MENDEZ – GULF COAST
 DIANE CHADWICK – SUN COAST
 PATRICIA ORTIZ – SUN COAST
 LEIGH KERR – SOUTH FLORIDA
 TOM BROOKS - SURFCOAST
 ELAINE LUND – SUN COAST
 JOE QUINN - SPRINGS
 SHARON TARMAN – GULF COAST
 WANDA CLASSE ATTENDED AS ADMINISTRATOR



WELCOME AND INTRODUCTION – President Layton welcomed everyone and thanked them for attending. Introductions were made by each individual stating name and chapter affiliation.

ADMINISTRATOR'S REPORT – Wanda Classe distributed director packets. The Membership Report showed a total of 707 members – 236 individual members, 452 members from 146 agencies, 18 students and one honorary. Wanda stated that there were actually three honorary members but two paid so they were counted in the general numbers. She was asked to show them Honorary paid. The May 2009 bank balance was \$51,250.23 compared to the May 2010 bank balance of \$36,474.65.

Members were asked for additions or deletions to the June 12, 2010 board of directors meeting minutes. Misty Servia stated that she was listed as being Sun Coast and should have stated Gulf Coast. With this correction, Misty Servia made a motion to approve the minutes. Nancy Roberts seconded the motion; approved. In the packet was a list of State Officers, Chapter Directors, Past President and Presidential Appointments.

VICE PRESIDENT FINANCIAL AFFAIRS REPORT – Treasurer McMichael stated that

renewal dues were ahead of last year at this time. She distributed a budget report showing income and expenses from January through July, 2010 and a proposed budget for 2011. After review of the report, Courtney Mendez made a motion to accept the financial report as presented. Joe Quinn seconded the motion; approved. President Layton stated several more colleges were offering planning programs and stated that this needed to be considered when preparing the 2011 budget. There was discussion regarding the proposed budget and how scholarships should be distributed and how much allocated to each recipient. President Layton stated that there would be breakout sessions later in the meeting and asked that the concerns with scholarship be discussed.

There was discussion regarding reimbursing the chapter for their dues. After discussion, Brady Woods made a motion to adopt the following policy. Paula McMichael seconded the motion; approved.

At the request of the state Vice President of Finance, chapters shall submit their chapter's bi-annual financial report for the reporting periods of January to June and July to December, to the state Vice President of Finance in the form of the standard FPZA financial report spreadsheet.

If the chapter's financial report is not returned to the state Vice President of Finance by September 15 and February 15 of each year, the chapters will not receive their collection of membership reimbursement checks until said financial report spreadsheet is received by the state Vice President of Finance for that fiscal year. If no chapter report is submitted for the fiscal year, the chapter will be deemed financially inactive and the chapter will not be eligible to receive dues retroactively. Chapter reimbursements not dispersed will be reserved for chapter development or other state-wide educational programs. Financially inactive chapters may request moneys from the chapter development fund from the State Board.

VICE PRESIDENT MEMBERSHIP SERVICES REPORT – Brady Woods stated that the Springs Chapter has been targeted as a chapter in need of mentoring. He also stated that the Central Florida Chapter attended an event at UCF and introduced them to FPZA. His goal is to reach out to both Rollins and UCF.

Nancy Roberts spearheaded a Regional Forum with the Sun Coast Chapter on August 27th. The forum was successful and the Board wants

CONTINUED ON PAGE 10

OVERVIEW

MEETING MINUTES CONTINUED

to plan one in conjunction with the January Board Meeting in Orlando and the March Board Meeting in Ft. Lauderdale. The previous day's forum charged attendees \$10.00 and they received lunch and 2 ½ hours continuing education.

He encouraged everyone to attend the First Coast Annual Awards Dinner that will be held the evening prior to the November Board Meeting. He is still working on social networking with Facebook and LinkedIn. There was also discussion regarding other accreditations for CEUs.

PRESIDENT ELECT REPORT – Nancy Roberts reported that as the Professional Development Officer she will send a letter to the chapters outlining the procedure to offer CEUs. CEU information should be sent to her and she will send it to Wanda to be posted on the web site. She encouraged chapters to partner with other organizations and associations in events and educational programs.

OVERVIEW – Editor Paula McMichael gave the following deadlines for receiving materials for the newsletter: October 1, 2010; January 14, 2011 which will announce the 2011 Conference and April 1, 2011 which will be heavy with conference materials. Several members were asked to submit membership profiles for the publication: Misty Servia and Joe Quinn will submit profiles to Paula. She also encouraged chapters to send her information about their events. If the event is scheduled to be held after publication, she will include the information on the event and if it is held prior to publication she would like to publish an after event article.

STRATEGIC PLANNING AND GOALS FOR 2010-2011 – After breakout sessions the following reports were given.

BYLAWS – President Layton stated that since it has been a few years since the bylaws were updated and situations have occurred that the bylaws do not specifically govern, the bylaws need to be updated. The goal of the committee is to review all the bylaws and present a draft at the January meeting. The proposed by-laws will be put to a vote during the annual elections and adopted at the annual meeting following the conference on June 11, 2011.

BUDGET – A proposed budget will be the

emphasis at the November Meeting. John Thomson made a motion to present one scholarship recipient with \$1,500 scholarship and conference hotel room and registration, and one scholarship recipient with \$500 scholarship and conference and conference hotel room and registration. Joe Quinn seconded the motion. In discussion, it was decided that the motion should be delayed until the November Board Meeting. The motion and second were withdrawn. Courtney Mendez will chair Scholarship committee preparing a scholarship application and guidelines for awarding the scholarships.

MEMBERSHIP – The committee reported that more emphasis should be placed on the unemployed member and felt that this has not been communicated enough. They recommended that personal information such as a personal email be requested on the renewal notices. Relationships should be formed with colleges toward recruiting student memberships as well as relationships with other organizations/associations.

CHAPTER REPORTS

CALUSA – A chapter meeting was held the previous day and was well attended. They are having conference planning meetings.

CENTRAL FLORIDA – A joint happy hour event was held the previous Wednesday with 25-30 attending. A green building event was held and approximately 20 attended. The next luncheon will be Urban Park Development. A Holiday Event will be held in December. The chapter is also beginning to plan the 2012 conference by getting quotes from local hotels.

FIRST COAST CHAPTER – They are holding frequent meetings and socials. They will be holding their 2010 Annual Awards Dinner and Installation of Officers on Friday, November 5, 2010. This is the evening prior to the scheduled board meeting on Saturday, November 6, 2010. The cost is \$50.00 per person. Lara invited board members to attend and stated that it is absolutely necessary that reservations be made. She will provide detailed information to be forwarded with the board notice. She also reported that the chapter had just completed their four playground project that cost \$15,000.

GULF COAST – There were chapter meetings in July and August but no meeting will be held in

September. Attendance, at the meetings, is down in comparison to what they have been in the past. This year their Holiday Banquet will be a lunch meeting instead of a dinner.

SPRINGS – They are planning to begin holding meetings and plan to rotate from north and south with the location.

SURFCOAST – So far this year they have held five lunch meetings. They are inviting the Central Florida Chapter to their meetings. They are also beginning to plan the 2013 conference. The Annual Awards Gala will be held in December. They will also be looking at their dues and their bylaws stating the amount to be charged. They will let the FPZA office know the amount they want their dues to be.

SUN COAST – Wanda Sloan reported that the chapter was a conference and forum sponsor. Many of their board members have moved out of the area and they are in the process of reforming the board. When a new board is formed, they will meet and formulate future plans.

OLD BUSINESS

2010 CONFERENCE - Kathleen Thompson distributed a 2010 Conference Report showing expenses of \$50,305.42 and income of \$44,004.00 showing a shortage of \$6,301.42, Gulf Coast CD from their last conference of \$12,652.54 resulting in a balance of \$6,351.12. She presented the state with a check for \$2,500 repaying the seed money given to them by the state.

2011 CONFERENCE UPDATE – The conference will be held at the Naples Beach Club from June 8 through June 11, 2011.

NEW BUSINESS

The next board meeting will be held on Saturday, November 6, 2010 at the office of Kimley Horn.

Student internships were discussed but no recommendation or action was taken.

ADJOURN – With no further business – the meeting was adjourned at 12:43 PM.

OVERVIEW

MEMBERSHIP IN FPZA LOCAL CHAPTERS

DUES

TO JOIN THE FLORIDA PLANNING AND ZONING ASSOCIATION, IDENTIFY A CHAPTER CONTAINING YOUR LOCATION ON THE LIST AT LEFT. REFER TO THE CURRENT LIST OF CHAPTER DUES BELOW TO DETERMINE THE APPROPRIATE DUES AMOUNT. THESE AMOUNTS INCLUDE BOTH STATE AND LOCAL DUES.

Chapter	Individual Dues	Agency/ Organization Dues	Planning Boards*
Apalachee	\$55	\$125	\$125
Calusa	\$60	\$130	\$130
Central Florida	\$65	\$160	\$160
First Coast	\$80	\$170	\$170
Gulfcoast	\$60	\$135	\$135
Gulfstream	\$60	\$145	\$145
Heartland	\$55	\$120	\$120
Northwest	\$55	\$120	\$120
Springs	\$55	\$125	\$125
South Florida	\$55	\$120	\$120
Surfcoast	\$70	\$170	\$170
Suncoast	\$65	\$140	\$140
Suwannee	\$55	\$120	\$120

- Agency/Organizational membership may have a maximum of three individuals. Elected / Appointed Planning Board may have a maximum of five individuals. Include these names with the attached application form for them to receive all the FPZA benefits.
- Full-time Students may utilize a Student Membership and may join at a dues rate of \$5.00 per individual. Include student identification with this application. (First Coast Student dues are \$15.00 per individual.)
- Sustaining Members, wishing to increase their financial support of FPZA, may increase individual dues to \$100.00.

CHAPTERS BY COUNTY

APALACHEE CHAPTER

Franklin • Gadsden • Jefferson • Leon
Liberty • Madison • Taylor • Wakulla

CALUSA CHAPTER

Charlotte • Collier • Hendry • Lee

CENTRAL FLORIDA CHAPTER

Lake • Orange • Osceola • Polk • Seminole • Brevard

FIRST COAST CHAPTER

Clay • Duval • Nassau • Putnam • St. Johns

GULFCOAST CHAPTER

Manatee • Sarasota

GULFSTREAM CHAPTER

Indian River • Martin • Palm Beach • St. Lucie

HEARTLAND CHAPTER

Desoto • Glades • Hardee • Highlands • Okeechobee

NORTHWEST CHAPTER

Bay • Calhoun • Escambia • Gulf • Holmes • Jackson
Okaloosa • Santa Rosa • Walton • Washington

SPRINGS CHAPTER

Alachua • Citrus • Hernando • Levy • Marion • Sumter

SOUTH FLORIDA CHAPTER

Broward • Miami-Dade • Monroe

SURFCOAST CHAPTER

Flagler • Volusia

SUNCOAST CHAPTER

Hillsborough • Pinellas • Pasco

SUWANNEE CHAPTER

Baker • Bradford • Columbia • Dixie • Gilchrist
Hamilton • Lafayette • Suwannee • Union

MEMBERSHIP APPLICATION

NAME	List additional names as applicable for Agencies or Organizations.
AFFILIATION	1. _____
ADDRESS	2. _____
CITY/STATE/ZIP	3. _____
PHONE	List additional names as applicable for Elected or Appointed Board Members.
FAX	1. _____
EMAIL	2. _____
LOCAL CHAPTER	3. _____
REFERRED BY	4. _____
FPZA DUES \$ _____	5. _____

Mail application with check payable to FPZA to:
Florida Planning & Zoning Association
P. O. Box 568544
Orlando, Florida 32856-8544
Phone / Fax (407) 895-2654
www.fpza.org
fpza@bellsouth.net