



# Council Minutes

September 10, 2007  
10:00 a.m.

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## **REPRESENTATIVES PRESENT**

Chair, Commissioner Scott Black, City of Dade City  
Vice Chair, Vice Mayor Deborah Kynes, City of Dunedin  
Secretary/Treasurer, Reverend James T. Golden, City of Bradenton  
Past Chair, Mr. Robert Kersteen, Gubernatorial Appointee, Pinellas County  
Commissioner Gigi Arntzen, City of Largo  
Ms. Jane Bittner, Gubernatorial Appointee, Pinellas County  
Mayor Larry Bustle, City of Palmetto  
Council Member Bob Consalvo, City of New Port Richey  
Vice Mayor Larry Crowley, City of South Pasadena  
Commissioner Bill Dodson, City of Plant City  
Commissioner Ronnie Duncan, Pinellas County  
Commissioner Rose Ferlita, Hillsborough County  
Council Member Alison Fernandez, City of Temple Terrace  
Ms. Angeleah Kinsler, Gubernatorial Appointee, Hillsborough County  
Commissioner Jack Mariano, Pasco County  
Councilor Bob Matthews, City of Seminole  
Council Member Janice Miller, City of Oldsmar  
Commissioner Bob Minning, City of Treasure Island  
Councilwoman Mary Mulhern, City of Tampa  
Mr. Andy Núñez, Gubernatorial Appointee, Pinellas County  
Council Member Carlen Petersen, City of Clearwater  
Vice Mayor John Philips, Alt., City of Gulfport  
Ms. Kim Vance, Gubernatorial Appointee, Hillsborough County  
Mr. Philip Waller, Gubernatorial Appointee, Hillsborough County  
Councilman Earnest Williams, City of St. Petersburg  
Mr. Bob Clifford, Alt., Ex-officio, Florida Department of Transportation  
Mr. Todd Pressman, Ex-officio, SWFWMD

## **REPRESENTATIVES ABSENT**

Mayor Ward Friszolowski, City of St. Pete Beach  
Mr. Julian Garcia, Jr., Gubernatorial Appointee, Hillsborough County  
Dr. Lois Gerber, Gubernatorial Appointee, Manatee County  
Commissioner James McCormick, City of Safety Harbor  
Commissioner Robin Saenger, City of Tarpon Springs  
Councilman Ed Taylor, City of Pinellas Park  
Ms. Barbara Sheen Todd, Gubernatorial Appointee, Pinellas County  
Commissioner Jane von Hahmann, Manatee County  
Mr. Charles Waller, Gubernatorial Appointee, Pasco County  
Mr. Mike Farley, Ex-officio, Department of Environmental Protection  
Ms. Michelle Miller, Ex-officio, Enterprise Florida

## **OTHERS PRESENT**

Shawn College, Exec. Planner, Hillsborough Planning Commission  
John Healey, Planner, Hillsborough County

Joanne McClellan, Planning Liaison, SWFWMD  
Trisha Neasman, Planner, SWFWMD  
Nancy Takemari, Attorney, Hillsborough County  
Bob Campbell, Director, Transportation & Land Development. Review, Hillsborough County  
Roy Chapman, Vice President, Florida Design Consultants  
Bill Hickman, President, BH & LW, LLC  
Art Welhoelter, General Counsel, BH & LW, LLC

**STAFF PRESENT**

Mr. Manny Pumariega, Executive Director  
Mr. Donald Conn, Legal Counsel  
Ms. Suzanne Cooper, Principal Planner  
Ms. Lori Denman, Administrative Assistant/Recording Secretary  
Mr. John Jacobsen, Accounting Manager  
Ms. Wren Krahl, Manager of Administration/Public Information  
Mr. Bill Lofgren, Principal Planner  
Mr. John Meyer, Principal Planner  
Mr. Greg Miller, Senior Planner  
Mr. Patrick O'Neil, Senior Planner  
Mr. Brady Smith, Senior Planner  
Mr. Mike Spina, Senior Planner  
Ms. Jessica White, Senior Planner  
Ms. Kim Williams, Communications/Graphics Coordinator  
Mr. Avera Wynne, Planning Director

**Call to Order** - Chairman Black

The regular meeting of the Tampa Bay Regional Planning Council was called to order by Chairman Black on September 10, 2007 at 10:10 a.m.

Chairman Black welcomed Vice Mayor John Philips, former TBRPC Council member, and sitting as the alternate for Commissioner Robert Worthington, who couldn't attend.

The Invocation was given by Councilor Bob Matthews, followed by the pledge of allegiance.

Announcements:

Due to Veterans Day falling on the November 12<sup>th</sup> Council meeting day, the meeting is being moved to Monday, November 5<sup>th</sup>. Council members were requested to mark their calendars and a reminder will be sent out in the future.

**Roll Call** - Recording Secretary

A quorum was present. There were no voting conflicts.

1. **Approval of Minutes** - Chairman Black  
The minutes from the August 13, 2007 meeting were approved. (Kersteen/Ferlita)
2. **Budget Committee** -Chairman Black
  - A. The Financial Report for the period ending 7/31/07 was approved. (Golden/Waller)
  - B. The Budget Committee met this morning and was presented with the 2006/2007 Final Budget

Amendment. The overall budget decreased \$94,000 primarily due to the following:

- Statewide evacuation plans decreased \$74,000
- DS-GIS Homeland Security decreased \$11,000
- Tampa Bay Telework Phase II decreased \$8,000 because less expenditures will be incurred in this fiscal year. These expenditures will be included in next fiscal year.

These reductions will be partially offset by an increase in funding for One Bay Regional Visioning of \$15,000 and the addition of \$7,000 for the Florida Small Business Survival Kit.

The Budget Committee unanimously approved the proposed Final Budget Amendment.

The FY 2006/2007 Final Budget Amendment was approved. (Waller/Ferlita)

Chairman Black referred the Council to an item in the folders for Consent Agenda Item 3.A.2. The Council has received two proposals for the Hillsborough County Generator Assessment project. After reviewing both proposals, staff recommends A&H Electrical Services of Tampa.

- Mr. Philip Waller: Referencing Consent Agenda Item #C: DRI Development Order Report, DRI #260, Wiregrass Ranch – How does the letter from Hillsborough County to the Department of Community Affairs requesting an appeal apply to the Development Order staff report?
- Mr. Pumariega: Hillsborough County is requesting DCA appeal the Development Order. The letter was sent under separate mailing so we could share all information with the Council members before the meeting.

Commissioner Ferlita stated she had staff from Hillsborough County on hand to answer questions.

Ms. Nancy Takemori, Attorney, stated Hillsborough County has sent a letter to DCA requesting that they appeal the Development Order. We have not heard yet or received a response, but we anticipate receiving a response by Friday of this week.

**3. Consent Agenda - Chairman Black**

- Authorized the Chair to sign the Hazardous Materials Emergency Preparedness (HMEP) Subgrant agreement with DCA.
- Authorized the Chair to contract or sign purchase order with A & H Electrical Services for \$34,375 to complete the generator assessments of 125 critical Hillsborough County facilities. The assessments will be completed on or before December 7, 2007.
- Development Order Report (DOR) DRI # 260 – Wiregrass Ranch, Pasco County.
- Development Order Amendment Report (DOAR) DRI # 157 – Trinity Communities, Pasco & Pinellas County.
- Notice of Proposed Change (NOPC) Report DRI # 123 – Bay Area Outlet Mall/BH &AW, LLC, City of Largo.
- DRI # 106 – Corporex Park, RY 2006-07 ARS, Hillsborough County
- DRI # 114 – Tampa Oaks, RY 2006-07 ARS, City of Temple Terrace
- DRI # 131 – Regency Park North, RY 2006-07 ARS, Hillsborough County
- DRI # 148 – The Pavilion, RY 2006-07 ARS, Hillsborough County
- DRI # 212 – Hillsborough River Realty, RY 2006-07 ARS City of Tampa
- DRI # 231 – CFI Gypsum Stack Expansion, RY 2006-07 ARS, Hillsborough County
- DRI # 242 – Phosphogypsum Stack System Expansion, RY 2006-07 ARS, Hillsborough County
- DRI # 243 – Mitchell Ranch Plaza, RY 2006-07 ARS, Pasco County
- DRI # 246 – Suncoast Crossings, RY 2006-07 ARS, Pasco County
- Local Government Comprehensive Plan Proposed Amendment Report DCA # 07-2, City of Plant City.
- Local Government Comprehensive Plan Proposed Amendment Report DCA # 07ER, Town of North Redington Beach.
- Local Government Comprehensive Plan Adopted Amendment Report DCA # 07-D-3, Pasco County.
- Local Government Comprehensive Plan Adopted Amendment Report DCA # 07D-5, Pasco County.

The Consent Agenda was approved. (Consalvo/Mulhern)

4. **Carlos A. Lacasa**, member of the Florida Taxation and Budget Reform Commission (TBRC) provided an update on the Commissions activities.

The TBRC is a constitutional commission and meets every 20 years. There are 25 voting members appointed by the Governor, the President of the Senate and the Speaker of the House. 17 of the members can put items on the ballot in November 2008. It takes a vote of 17, a super majority, in order to get items on the ballot. In past years the commissions have put 3, 4, 5 items on the ballot, maximum so as we go forward the issues will crystalize and we will be focusing on some narrow issues.

The purpose of the Commission is to review the budget and planning processes at the state and local levels. We have been meeting regularly for the last 3 months trying to get the big picture. We've been getting testimony from organizations like Tax Watch, the Florida Economic and Demographic Research Institute and from other state agencies and budget staffers to help get the members of the commission familiar with the budgeting processes of the state. What has come out of all of this is, at least from my perspective as Chair of one of the four subcommittees, is that the state budgeting process seems to be working well. No major adjustments to the way the state budgeting process needs to be made at this time. We have not had anyone from local governments come to us and say we want to do things a little differently in the budgeting process at the local level. So far that hasn't surfaced.

We start Public Hearings at the end of this month and all through October. We will be going around the state and getting public testimony to hear what the public would like to see from the TBRC. The commission has a very broad jurisdiction. It can put on the ballot questions having to do with tax, the budgeting and planning processes of the state at all levels. The issues that I have been seeing come to the surface are focused on property tax, highest and best use property evaluation, and sales tax exemptions. The concern being that the revenues of the state are starting to decline. You know there is a \$1 billion shortfall projected for this year and the legislature is trying to get back into special session to adjust the current year's budget. Given the shortfalls in revenue, given the bursting of the bubble in real estate and the burdens that taxes, windstorm insurance etc. are putting on homeowners, the commission has a full agenda.

The legislature went into special session recently and as a result of that both statutory and constitutional actions took place. On the statutory side they required a rollback - all local government, including water management districts and special taxing districts to 2006-2007 levels. In addition, depending on the budgeting practices of each local government or taxing agency, an additional discount was required. In Dade County for example, based on their budgeting practices, we would have to go down another 9% based on budgeting practices for the last few years. Hillsborough was 5%.

In addition to the rollback and additional discounting from the budget, the legislature required a cap on growth revenues based on personal income and new construction. Revenue levels could be exceeded with a super majority vote on those commissions, or if you wanted to exceed them beyond a certain level you had to go as far as a referendum. Schools were exempted from these rollbacks. On the constitutional side the legislature put on the ballot in January a constitutional amendment which would codify the revenue caps that they put into law statutorily for this year. They would ask us to repeal Save Our Homes essentially. You would keep Save Our Homes as long as you didn't move, but once you moved or if you were a new owner, you would not have the benefit of Save Our Homes. Instead you would get up to \$195,000 in a super exemption, based on a formula. 75% on the first \$200,000 and 15% on the next \$300,000 for a total of up to \$195,000 against a \$500,000 taxable valuation. The elderly would get up to \$100,000 in additional

homestead exemption and tangible personal property would be exempt on the first \$25,000. Schools are not exempted from the constitutional amendment. Any financial impact from the amendment would be negative to schools. Businesses and non-homestead properties, as everybody knows, got absolutely nothing from the statutory or constitutional actions of the legislature.

What happens now? As a member of the commission I personally feel that we need to go further on property taxes and sales tax exemptions and on revenue. It's not likely that the commission will put more than 3 or 4 items on the ballot, however that is my own speculation. It could be 20 items because there is nothing holding us back except time itself. Given that the commission comes out with a final report in May, which would have the ballot items themselves, I seriously doubt we would have more than 3 or 4 or 5 items. If that's true, then you can imagine the kind of attention certain specific issues - property taxes and exemptions - need to be getting.

Exemptions are important because they represent about \$12 billion a year in lost revenue for the state. I'm sure we can all agree that food and medicine should always be exempt as a matter of policy. But there are other exceptions out there like ostrich feed and special tax treatment for businesses that we wanted to foster their growth years ago, but now no one has evaluated the value of those exemptions. There is no process to do that. If you ask the legislature to put a Sunset Review Process on sales tax exemptions the political battles that would come from that would be significant. A non-elected body such as the TBRC is probably the right place to do that.

On the property tax side, speaking entirely for myself and not for any members on the commission, I personally feel that we need to go farther for commercial property and for non-homestead property. I'm going to be floating a plan that would continue Save Our Homes in Florida, and grant a super exemption for new home buyers. Make a portion of Save Our Homes portable so you can take it with you to another home, capping the rate of growth of taxable value on property the same way we do for Save Our Homes today. These are ideas that I want to float for discussion purposes only. I want to see what the impact would be on local governments. To not discuss these kinds of issues is to ignore a fundamental problem in the state's economy - that property taxes are too high, when tropical windstorm and real estate values are making home ownership in Florida very difficult. When you consider the demographic trends in Florida over the next 20 years - the fact that our school age population is stabilizing, the rate of growth is stabilizing, the rate of growth of our working age population is stabilizing, and the rate of growth of the elderly/retiree population is growing at twice the rate - we really need to have migration into the state. The future of our workforce is based on net migration into the state. That's been our reality for the last five years and it will continue to be our reality well into the future.

Questions & Comments:

- Vice Chair Kynes: What are you going to do about highest and best use? That could be handled legislatively.
- Mr. Lacasa: It could be handled legislatively. The commission has the ability to make recommendations to the legislature without actually putting something on the ballot and that may be the way we go with highest and best use. There are four committees of the commission and the Financing Tax Committee is handling that particular issue, Chaired by Ms. Story from the Panhandle.
- Vice Chair Kynes: You do believe highest and best use is part of the issue for commercial?
- Mr. Lacasa: It is an issue that is rightly before the commission, we have jurisdiction over it. And we have a difference of opinion on the commission about whether it is an issue or not. Some people feel it is an issue, that they are being taxed out of their commercial properties because they are being appraised based on "this" method

rather than the income method. Other commissioners feel it is a non-issue, that those are anomalies in the appraisal system of the state.

Council Member Miller: I read in the paper that because of the shortfall they were saying that the real estate market is what is hurting them. Well, what they are really saying is that they don't have as much money in the Sadowski Fund which is really the trust fund. You are talking about workforce housing. If they would release that money every year since that is what it is for we wouldn't have that much of a problem with workforce housing. This has to be a part of the discussion. When people qualify for a loan, you roll in your taxes and insurance, and they no longer qualify.

Mr. Lacasa: We can talk about insurance for a long time. The problem with affordable housing is just that. It's very difficult to qualify a person for a unit, even if you give them grants they still can't qualify to pay the other costs that are not paid by the loan proceeds.

Council Member Miller: And the Sadowski Fund is what they would pay into. So if they are not buying they are not paying in, therefore the state can't raid it.

Mr. Lacasa: I don't want to stray to far off TBRC issues, but it has always been my opinion, having been involved in housing and insurance, that the affordable housing issue in Florida is not a question of subsidizing. It's a question of long range planning as well.

Mr. Philip Waller: You talked about property tax but that is one small part of the overall budget & taxation. Are you looking at the entire system, delving into some of the other taxation issues?

Mr. Lacasa: We have been looking at the state taxing and budgeting processes for the last 3 months. The last meeting on Thursday, those members present in the subcommittee felt that the state budgeting process was working well. Some changes were made in the last TBRC in the 1990s that included the 72 hour waiting period on when you publish the budget before you can vote on it and certain improvements that increased public input into the budget. Having been Chair of Appropriations myself from 2000-2002 I felt that the budget process worked perfectly well. We were able to hit our targets and keep our circles. As far as the local level is concerned, I haven't seen anybody come forward from local governments and ask the TBRC to look at their processes. That may have happened with one of the other subcommittees, but I haven't seen it with mine.

Councilman Williams: Are you looking for a cap on a commercial establishment? An example would be a 7% cap so the rate won't continue to spiral down. The issues you talked about, certainly the legislature could have dealt with all of them but initially they didn't do anything. My concern is this: You are asking the cities to cut back and roll back their tax rate and many of the amenities provide for the public and tourism. Somehow the legislature has not made that connection. You are not going to Bradford County for tourism. You go to larger cities that have something to offer. So you are telling the cities, the things that you have been doing before, forget about it because you won't have money. To me, you are kind of killing the golden goose. Tourism is what brings the economy and income here. Yet you are telling the cities to rollback and forget that. For whatever reason, the legislature has not made that connection and it needs to be made.

Mr. Lacasa: Well, you know the legislature is comprised of representatives from 120 House Districts.

Councilman Williams: I understand that. They don't have to do the day to day operations. That's a whole different scenario.

Mr. Lacasa: But they have to hear from their local officials.

Councilman Williams: But they don't have to walk out that door and have someone grab them and ask about their road, etc.

Mr. Lacasa: I agree with you. The legislature is that much farther removed. However, given the fact that they had a hard time during regular session coming up with a consensus legislation, and then going special and having to cook it the way they did - it could not have been easy for them to do what they did. And a rollback to 2006-07 seems infinitely reasonable. You aren't rolling back to 2005 or 04 levels, even though the 2001 level was the original proposal. At the same time services are demanded your constituents were also demanding some relief.

Councilman Williams: We never had that rate of an increase before. That was an anomaly.

Mr. Lacasa: My take from your comments is this. There is no way that I, as a resident of Miami-Dade County with fundamentally different problems and budget dynamics than another community further north can have, can pretend to know the conditions that you are describing in your community. I can only know mine. I guess at what the conditions are in the rest of the state. I value what you are telling me.

Secretary/Treasurer Golden: You said that there are 4 subcommittees of the TBRC. How do you get your word out, or get input with respect to your charge? That's a rhetorical question because what I'm really asking is, can we get you to go to the other Regional Planning Councils around the state and make presentations and can we get your counterparts from each of the committees to do the same? This is probably the largest gathering of people who are going to be most impacted and who are representative of the people who are going to be impacted by your work. How do you do this? I know you are here because we asked you to come. Do we ask the other three subcommittee chairs to come? What is the process, so that by May the state of Florida will understand exactly what you've done and why you've done it?

Mr. Lacasa: I appreciate the question because it allows me to do something that I didn't do at the beginning of my presentation, which is to introduce my colleague Steve Anderson, from Ruden McClosky and to thank my firm for allowing me to spend time on this and give back this kind of a time commitment. Ruden McClosky has been very good to me and indirectly to the rest of the state by allowing me to do this. I'm doing this precisely to get input from the community in order to vet my ideas regarding property taxes. I can't possibly put something on before the commission without having fully vetted it because it will go down in flames. The commission doesn't have a formal process for having the committee chairs go out and do public outreach, it is a voluntary thing within the commission. The commission will now begin public hearings around the state. They are being advertised well, and we have a web site and people will be able to come to those venues and grab a microphone for 5 minutes and talk about it.

Secretary/Treasurer Golden: That's not quite right, and even if it is 5 minutes is not something that you want to try to get input for something that is going to affect the life of this state for generations to come. Let me be specific. I would like to ask that the commission build into its outreach, since your company has been so very kind to allow, that you all do this with the Regional Planning Councils. Those are the people who represent the cities and counties and are going to have to live with what you propose. I would really appreciate it if somebody would formally make that request. Do you have an executive director or somebody?

Mr. Lacasa: Yes we do.

Secretary/Treasurer Golden: Maybe he or she can come and do this. This is very very important, what we are

trying to do here.

Mr. Lacasa: I completely agree with you and that's why I'm here.

Secretary/Treasurer Golden: In a public hearing with 5 minutes to speak at a microphone, if you represent an organization, 3 minutes if you are speaking as an individual, is not going to give you the breath and depth of input that you need to make recommendations relative to the taxing and revenue problems of the state of Florida.

Mr. Lacasa: I have, whenever I hear an expression of interest from any official I have scheduled a meeting of my subcommittee and invited them to appear. The superintendent of Broward Schools will be appearing in October. Remarkably I haven't had more folks asking to come before my subcommittee. Your executive director invited me today.

Secretary/Treasurer Golden: I'm not interested in coming before you as the superintendent of Broward County schools when there are 66 other counties. What I'm interested in is getting you and your committee or any representatives to appear before this Regional Planning Council that represents several counties and has gubernatorial appointees, city council persons and commissions and maybe a school board person. If you are serious about receiving input as to what needs to be done, you can't sit in your meeting and invite me to come. This is the best forum for this. Your work is statewide and your first line of contact should be with RPCs. How can you facilitate that?

Mr. Lacasa: Your executive director saw to it that I come today, made the invitation. It made perfect sense and here I am. I think that if you do that kind of outreach you will get the same response from many of our members. These are all volunteers and they are all busy people, yet they are devoting a lot of time to this. I'm sure they would welcome the opportunity to come before you.

Secretary/Treasurer Golden: Everybody in this room is a volunteer. I have one more matter I want to address. How was the 9% figure arrived at as a determining amount for a reduction that was going to be asked. That's a rhetorical question. What I really want to ask is for your commission to consider a constitutional amendment, statute, whatever that we don't politicize our fiscal problems to the extent that we even have to deal with. Do we go back 2004? Or 2003? And finally end up settling on 2006. I would like for our constitution to say that you can't rollback a rate no more than a certain percentage that is directly tied to the consumer price index and/or that is directly tied to the 3% increases that you are now only allowed with respect to property tax increases. Is that within the purview of your...?

Mr. Lacasa: Yes it is.

Secretary/Treasurer Golden: I would like for us to never consider going back more than 2 years.

Mr. Lacasa: That would be a proposal that could easily come before the commission.

Secretary/Treasurer Golden: We could generate that, because I think it is egregious and nobody has ever determined why we even arrived at 9% except that the Republican led – this happened because of our elected officials. I'm not asking you to change that but I am asking you to limit the harm that they can do.

Commissioner Mariano: Hotel/motel owners - all of a sudden the revenues that they have don't even pay for the taxes and they are just trying to struggle and survive. That needs to be addressed, right off the bat. As far as portability, the only issue I heard about that is whether it is going to be constitutional.

Mr. Lacasa: When Save Our Homes was implemented it was known that it would create horizontal inequities between people who have been in their homes for a long time and new entrants into the market. If you calculate the rate of growth at 3% for this

person and then this person comes in at market, they are starting at a higher base. Portability is two things to me. It is a natural extension of Save Our Homes because what good is it to be locked into a house that you no longer need because it is either too large or too small, and at the same time be compelled to lose the benefit of the concept of saving your house from future taxation so you don't get taxed out of it by having to leave that benefit behind. So portability is a natural extension of Save Our Homes to the individual. It is also a great vehicle, in my mind, to resolve the horizontal inequity. By getting people back into the market and giving them 75% of the Save Our Homes differential, the difference between what they were paying and what they are paying now, and getting the market to flow more smoothly eventually over a period of time that inequity would be reduced. I think portability, for those two reasons, is an essential part of the homestead tax structure in Florida. On the constitutionality issue the complaint is this - if I live in Alabama and I want to own property in Florida, not only am I going to get taxed higher because of Save Our Homes but now portability is impacting me even more. I think residency with respect to homestead status is irrelevant. I don't see why residency should be an important aspect of homestead. If I want to own property in Florida and declare one particular residential unit my homestead unit because maybe I choose to move there one day and retire, I should be able to do that. I want to test the residency requirement for homestead status. Even if that doesn't go anywhere, if we cap the rate of growth of taxable value on non-homestead property I think that may resolve the constitutional issue as well. My county alone is looking at a \$1.6 million additional charge in Medicare. The unfunded mandates that get pushed down on us need to have funding, especially in these times when we are having to do budget cuts and overcome these unfunded mandates. That is a big, big burden that we need to have eliminated. If you could put that in your repertoire that would be fantastic.

Commissioner Mariano:

Mr. Lacasa:

Commissioner Mariano:

Mr. Lacasa:

Commissioner Mariano:

Mr. Lacasa:

Council Member Petersen:

Mr. Lacasa:

Council Member Petersen:

I think that is a very legitimate issue for local governments to bring to the TBRC to see if there are some constitutional remedies. I would look to entertain something like that.

Did many of your people go to the tax forums that were held around the state?

We are starting now.

When the state legislature held them I went to the one held in Tampa. The newcomers that have come in are paying, let's say \$8,000 in taxes and their neighbor is paying \$1,000. That disparity still hasn't been fully addressed, and if it does get addressed with the budget coming up, that's a huge decrease as far as revenues go and it will be disastrous.

I agree with you. I'm not a big fan of the January ballot initiative. I don't think it addresses the core issues.

Do you envision portability county to county, crossing county lines? How do you envision something like a house for sale in Pinellas and transfer that over to Pasco? How many studies were done on the impacts to the municipalities?

I'm not aware of any and that's the problem. That doesn't mean there aren't any, I'm just not aware of any studies that have addressed that issue. Fortunately we still have a few months to go. It's kind of hard to go into something as bold as this without the benefit of that data. As far as portability from county to county, I think it should be indexed.

I'm glad you brought up highest and best use because I know when our legislative delegation came and talked to us that was one of the things that they promised to

address. It's a pretty easy fix and it is a huge problem in this state. I think that we have to face the fact that our system is broken. Our tax system is inequitable. It doesn't work. The city of Clearwater just had their first reading for the milage rate which we rolled back. The people who come before us consistently are the non-homesteaded and the problem is we are helping the people who don't need help. We are making things a lot easier for the homesteaded. The point is that we have to help the non-homesteaded. But we also have to do it in a fair way. What concerns me is that I don't think people are thinking about the impact this is having on the cities. Councilman Williams made a good point – you are killing the goose that lays the padded egg in Florida. When people come before us what they want to see in the city is the priority of safety. What my concern is, I live in a community with a great beach as an attractor. And we are very proud of our beach. What is going to be cut in the long run are the quality of life issues. What am I going to say, Come to Clearwater - we have a great fire department? That may be all that we will be able to fund. I really want everyone to start thinking about the impacts that are being thrown at the municipalities when you start these ideas about portability, about keeping Save Our Homes, and about Super Exemptions. At some point someone has to pay the electric bill.

Mr. Lacasa:

I agree with you but I have to tell you that for me, the budget of any entity in Florida starts with the individual tax payer. If they cannot afford to live here, if they cannot afford to settle here and have a family here, aspire to their children living better than they did then Florida is not a good market for them. I'm not a believer, for example, in revenue caps. I'm not a believer in spending caps. I think that if you cap the tax base, the base for which government can derive taxes and let the elected officials make those year to year budget decisions that's a healthy system. That's what I'm trying to focus on. My planning horizon is a 20 year planning horizon, not a year to year. I want Florida to be the most attractive real estate market for anyone in the country, and anyone outside the country. The demographic trends in this state require us to think that way. Otherwise we will have literally have 2 tax payers for every retiree in Florida by the year 2030. Those are the projections. Right now it is 4 to 1 nationally. 3-1 in the state.

Commissioner Ferlita:

Reverend Golden, I feel compelled to say a little about your comments a while ago. I know that Mr. Lacasa is a big guy and he can defend himself, but in fairness to him this is the second time I have heard him, basically on the same issues. He appeared before us at the Hillsborough County Commission and he did not deviate or move from that podium until we finished listening to him and until we finished our questions. I agree with you, if you have a very limited dialogue back and forth that's not going to be enough for you to take back to consider what you want to lead the charge for. I will tell you that I have found so far that Mr. Lacasa is very receptive and depending on what the amount of time is, he is willing to take it all. As a matter of fact I happened to be standing next to him and Mr. Pumariega and he asked how long would we like him to speak. I think if Manny had said 45 minutes he would do it. I think that is something that we, on this side, in terms of local legislators need to request and try to reach out to them and say that maybe in this venue we don't have enough time to tell you what we think and what our concerns are at a local level, but so far I felt compelled to say that because he seems to be very receptive given the time constraints that we all have. I wanted to clear that up.

I agree with you in terms of homestead for people who are out of state. We take away incentives for them to have a second home here. They don't get any kind of reduced exemptions, yet at the same time they are here paying full taxes and don't benefit at all from our municipal services, etc. That's something we ought to think about as well. There was one quick question I wanted to ask. I know that Speaker Rubio is the one that appointed you to this commission. I had the good fortune to listen to conversations from some of our city leaders in Tampa not long ago with Speaker Rubio. It appeared that his focus was going to be on sales tax. I think maybe that got lost in the shuffle, or maybe he thought that would be the sole solution. What is your sense about having had more focus on that? You can control what you spend and what goes to sales tax, you can't control what you are going to have to pay for your home. Do you think that is something that might be revisited at some point? In combination with the above?

Mr. Lacasa:

I don't know, but I will tell you this. I think that Mark Rubio was brilliant in putting on the table a bold idea. Getting rid of property taxes on homestead property and replacing it with a 2 ½ cent sales tax. It takes major, major guts and putting a lot of your political clout on the table to come up with a proposal like that. He should be congratulated for that. It was not a politically safe position to take. You can tell that it caused quite a stir because it had popular support outside of Tallahassee, but within the halls of the legislature it really got bogged down. His philosophy was one that I share - you don't tax wealth, you tax consumption. One of the problems that I think would happen if you replace property tax for sales tax, especially in a state with our demographics and where we expect the demographics to go, is that a sales tax is a less reliable source of revenue, particularly for schools. As people get older and as they retire they consume a lot less. So relying on sales tax to fund education could have a destabilizing effect on school budgets. School budgets are a big deal for me and also for Mark Rubio, who used to be a school teacher.

Commissioner Ferlita:

I think at the end of the session they were really scrambling to find something. Of course it is hindsight, but at least a part component of sales tax would have been better than just real estate, also I think the issue of internet tax or non-internet tax has come up and that's a big bucket of revenue. I think at some point they need to go back and look at some diversification of what they recommended.

Mayor Bustle:

I hope you will take my comments as constructive rather than destructive. I want to question your statement that you evaluated the budget process and you found it OK. I submit to you that a budget process where two people, Speaker and the President, can meet in private and try to decide amongst the two of them how to cut \$1 ½ billion in the state's budget. I don't think that system is right. I think that system is broken. I really believe that we saw that in the lead up to the legislation that was passed that cut my city's budget and cut most people's revenue in this state. I saw budget committee and taxation committee meetings in the legislature where each of the members stated, *I'm going to go for this bill however. . .*, and then they proceeded to lay out a number of reasons why they were concerned. Any one of which, in my opinion, was sufficient for them to vote against it. But the system says that if you vote against it, then guess what? You will never ever get anything passed in that legislature during the rest of your term. I don't know how you concluded that the system is OK, but I submit to you that I think it is broken. Those things need to be addressed. I believe that the legislature needs to be as transparent as my city is in terms of Sunshine. I don't believe that it is right for two people to

hold the power that says nobody will ever get legislation through unless you vote the way I say.

Mr. Lacasa:

That's the way it has been going on since the way of Plato I think. Democracy is messy. Fascism is less preferable. At some point decisions have to be made - I'm not saying anyone is fascist, I'm just saying that if you . . . The process is not as controlled as that. When the President of the Senate and the Speaker of the House meet they are meeting to consider proposals that are coming up through an unofficial process such as staffers from the House and Senate, the staff of the Governor's Office. They are all heavily involved in this. Those proactive members of the House and Senate that are willing to take the time to fly up to Tallahassee or in to the hometowns of the presiding officers and let them know their priorities get heard. It isn't as monolithic as two people meeting behind closed doors deciding, without any information whatsoever, how to cut the budget. At the end of the day you can have to many cooks in the kitchen and a decision has to be made. The budget is a year to year budget. The Session is 60 days long, the regular session. Special session tend to be a week or two. You have to make a decision at some point. There has to be a chain of command. When I came into office in 1994 I was a freshman from Miami Dade County and the democrats were in power, and I'm a republican. Yet I was able to influence the process only because I was a squeaky wheel.

Council Member Mulhern:

I feel bad for you because you are no longer in the legislature but you are up here, taking all the heat for the guys that are still in the House. The timing of this is odd to me. They had a special session in the middle of 2007 and passed this and now you are meeting, after the fact but before the referendum, and before we've been able to see the affects of these major tax changes that they are making. I think that is really odd because we had an opportunity for your group to meet, make the recommendations, and maybe have some input before we had these drastic decisions made. I know that wasn't you, it was the legislature. A lot of people have said they will not vote for the super exemption, they aren't going to vote for the referendum that we are presenting to the public. The people who created it aren't even, at this point, happy with it. This process is really disappointing and I would like you to convey that.

Mr. Lacasa:

I agree with you but on the other hand it's the second bite of the apple for the public - the fact that we exist. The political process to make these kinds of tough policy choices is very difficult and a commission like ours, which is unelected, appointed every 20 years as opposed to every year is for a reason. The reason is to make those tough political choices that would result in electoral defeat for someone.

Councilman Williams:

The sales tax exemptions - you did indicate that you were looking at that in terms of a revenue generator. I think that's where your dollars are right now and I certainly hope that you will not consider using the regular sales tax because we would be, as a state, the highest taxing in the country and it would impact our tourism. So when you start talking about that, that is a negative affect. The other issue is that the legislature indicated that the local officials have the ability to tax up to 10 mil. Look at what they've done. There is a conflict right there from the legislation that was created to give the local officials the ability to generate the kind of revenue needed to operate their cities. From my judgement they are the best individuals to make that determination. I would like to see that somehow come back.

Mr. Lacasa:

I have heard this theme not only from you all but also around the state, everywhere

else I've spoken. Local officials are in conflict with the state legislature on funded mandate issues and rollback issues. I think rather than relying on the TBRC members themselves, who are not experts in this, that with the infrastructure and the associations with which you all are members to come up with proposals and present them. You will certainly have a forum in my subcommittee and we will vet those issues. I think you need to have that proposal cooked for us to look at. It's not going to self generate in the commission.

Vice Chair Kynes:

I would like to end this with something for you to take back. We had one of our constituents come before us at our budget hearing last week (in Dunedin) and what he said was that while you are looking at all these cuts, you have to be the body which is Health, Safety, Welfare - but he said don't forget the essence. Don't forget to feed the essence of our communities which we all worked so hard to develop, which is the soul, which is quality of life. So with these cuts that's what it is coming down to. Somehow we are trying to keep that balance. When you talk about why people come to Florida and you say, it's because they aren't coming or migrating now because of the real estate market. I think people also come to Florida because of the natural environment and thus bring economic development because of the amenities created as quality of life. I think that is a very strong philosophical argument. Be careful. It's like the monkey's call. Be careful what you wish for.

Mr. Lacasa:

I'm mindful of that everyday.

5. **Item(s) Removed from Consent Agenda and Addendum Item(s)**

*Council members shall notify Chairman of any items they wish to be pulled from the Consent Agenda. These items will be discussed and voted on separately after the remainder of the Consent Agenda is approved.*

6. **Review Item(s) or Any Other Item(s) for Discussion**

7. **Council Members' Comments** - Chairman Black

Secretary/Treasurer Golden:

I believe when someone compliments you publicly you ought to respond publicly in kind. I want to thank Vice Mayor Philips for the encouraging words that you gave me in terms of how you have perceived my work here and I do intend to continue to try to live up to the high esteem in which you hold me and the high regard with which you expressed to this body about my work, and I do thank you very much.

8. **Program Reports**

**A. Agency on Bay Management (ABM)** - Chair, Mr. Robert Kersteen

The full Agency will meet this Thursday, September 13<sup>th</sup>. On the agenda are:

Program Cutbacks and Changes at the Environmental Protection Commission of Hillsborough County - which could adversely affect monitoring of river and bay water quality, and regional measurement's of bay health.

The Tampa Harbor General Reevaluation Study - from the US Army Corps of Engineers. The economic analyses have resulted in a final (short) list of alternative channel improvements which will now be subject to environmental analysis. The results of the analyses and the short-list of

alternatives will be presented. Comments and feedback are requested.

Reclassification of the Tampa Bypass Canal and Alafia River (Class III to Class I) - Staff or consultants from Tampa Bay Water will present the results of water quality modeling related to nutrient and pollutant travel times. The Mosaic Company, a major presence in the Alafia River watershed, will present the company's current and anticipated mining, reclamation, water use and disposal activities.

**B. Clearinghouse Review Committee (CRC) - Chair, Vice Mayor Deborah Kynes**  
No Report.

**C. Local Emergency Planning Committee (LEPC)**  
No Report

**D. Emergency Management**  
No Report.

**E. Legislative Committee - Commissioner Jane von Hahmann, Chair**  
In Commissioner von Hahmann's absence due to the county's budget hearing, the report was provided by Chairman Black.

A response was received from the Governor regarding the PIP letter that was discussed at the meeting last month. A copy of the letter is in your folder.

At the request of the Legislative Committee Chairman, Commissioner von Hahmann and our attorney met with staff to address the Legislative Committee quorum requirements. Because this committee's workload varies according to the legislative session, and because there are times when the committee is required to meet quickly to address certain legislation we are now defining a quorum as 33% of its membership or 6 members present, whichever is less.

You will notice in your Council folder the Request for Committee Assignments for 2008. Please consider which committee(s) you would like to consider for the upcoming year. Please indicate which 3 committees, in order of priority, and turn your selections in to Lori Denman.

The Special Session has been postponed due to a lack of an agreement in terms of the reductions for the state budget. However, we did hear from DCA and their proposed funding reductions for all 11 RPCs in the amount of \$400,000. This was also the amount of our increase funding appropriation. We will be working closely with the Florida Regional Councils Association Executive Director Ron Book to formulate the best legislative course in terms of these reductions.

The Legislative Committee will be meeting next on October 8<sup>th</sup> at 9AM.

We will be hosting the 2<sup>nd</sup> Tampa Bay Area Regional Transit Authority (TBARTA) meeting on September 21<sup>st</sup> at 9AM, here in our conference room.

**F. Regional Planning Advisory Committee (RPAC)**

No Report.

**G. Telework Tampa Bay**

No Report.

**H. Economic Development**

The Comprehensive Economic Development Strategy (CEDS) Strategy Committee is on schedule to be submitted by the September 30, 2007 deadline. We have received state approval, and we are now recommending approval of the CEDS for transmittal to the EDA.

Motion to approve the CEDS for transmittal to the Economic Development Administration (EDA) (Matthews/Duncan)

**I. Regional Domestic Security Task Force (RDSTF)**

No Report.

**9. Other Council Reports - None**

**10. Executive/Budget Committee Report - Chairman Black**

The Committee met this morning and discussed the Executive Director's yearly evaluation. He received a very good review and we are very pleased with the good job that he continues to do as the executive director and Chairman Black thanked him.

Mr. Pumariaga thanked staff and stated his review is a reflection of the staff work that has been done over the past year. During his 27 years at the Council he has never seen so much work come out of staff. They were involved with a lot of deliverables that were expected through some of the contract arrangements at the state level, federal level and our local partners. Mr. Pumariaga also thanked the Council members for their continued support.

This morning the committee discussed the possibility of providing interim legal counsel for the new Tampa Bay Area Regional Transportation Authority (TBARTA). They met recently and had an organizational meeting and realized that they did not have legal staff. We have offered a solution to them. We have offered to share with them Mr. Donald Conn, TBRPC Legal Counsel, while they are in this formative stage and we feel we can shoulder that expense in order to allow them to get off the ground and hire their own counsel eventually. There are other options that they will be considering but this is an offer on behalf of the Council. The Executive Committee voted to move ahead and allow this to happen and we are now bringing it to the full Council for your ratification.

Motion for TBRPC to extend in-kind professional legal services during the initial phase of the Tampa Bay Area Regional Transportation Authority (TBARTA). (Golden/Ferlita)

(Commissioner Duncan abstained due to the fact that he is presiding officer of the first meeting of TBARTA)

11. **Chairman's Report** - Chairman Black

None.

12. **Executive Director's Report** - Manny Pumariega

Based on the discussion that I heard this morning with Mr. Lacasa, the staff will notify the Council members of the meetings scheduled throughout the state. Hopefully they will have several meetings in our region so we can have some participation.

Reverend Golden announced that he is pleased to say he has been asked to provide an invocation to the U. S. Congress on September 27th.

**Adjournment** 11:25 p.m.

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Lori Denman, Recording Secretary

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Commissioner Scott Black, Chairman