

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

July 11, 2011

The South Florida Regional Planning Council met this date at the Beacon Council - Board Room, 80 S.W. 8th Street, Suite 2400, Miami, FL 33130. Vice-Chair Carruthers called the meeting to order at 10:32 a.m. and lead in the Pledge of Allegiance.

I. Pledge of Allegiance and Roll Call

Councilmember Patricia Asseff
Councilmember Margaret M. Bates (absent)
Councilmember Michael Blynn (absent)
Councilmember Esteban Bovo
Councilmember Heather Carruthers
Chair Suzanne Gunzburger (absent)
Councilmember Ilene Lieberman (absent)
Councilmember Manuel Marono
Councilmember Jean Monestime
Councilmember George Neugent (absent)
Councilmember Jose Riesco
Councilmember Stacy Ritter (absent)
Councilmember Joseph Scuotto (phone)
Councilmember Rebeca Sosa
Councilmember Paul Wallace
Councilmember Sandra Walters
Councilmember Jimmy Weekley (absent)

The following Ex-Officio members were present:

Mr. Norman Taylor, representing the Broward County Office of Economic Development (absent).
Mr. Kevin Claridge, representing the Department of Environmental Protection (absent).

Councilmember Rebeca Sosa welcomed Councilmember Bovo and stated that Miami-Dade County was fully represented.

II. Approval of Council Agenda

Approval of Council Agenda was carried by unanimous consent.

III. Action Items

A. Minutes of Previous Meeting (June)

Councilmember Walters moved to approve the minutes from the June meeting. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

B. Financial Report

Councilmember Wallace questioned if there was adequate cash for the balance of the year. Mr. Osterholt stated that there is.

Councilmember Walters moved to approve the Financial Report. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

Councilmember Sosa introduced Mr. Frank Nero, President and CEO of the Beacon Council, and thanked him for the use of the facility. Mr. Nero welcomed everyone and stated that he believed it has been significant to partner with the SFRPC over the years and advocates regional cooperation. He stated that the three economic development organizations have been working cooperatively, with constant communications, and having joint projects together. Mr. Nero thanked the Council and stated that the Beacon Council was glad to be of assistance.

C. Intergovernmental Coordination and Review Report

Councilmember Marono moved to approve the Intergovernmental Coordination and Review Report. Councilmember Riesco seconded the motion, which carried by a unanimous vote.

D. Developments of Regional Impact/Development Orders - None

E. Proposed Public Education Facilities Element (PEFE)/Capital Improvements Elements (CIE) Amendments – None

F. Proposed Local Government Comprehensive Plans and Amendment Reviews

1. Miami Dade County
2. Islamorada, Village of Islands
3. City of Sweetwater
4. City of Miami
5. City of Doral

Councilmember Walters moved to approve staff recommendation for the Proposed Local Government Comprehensive Plan Amendment Reviews 1 - 5. Councilmember Asseff seconded the motion.

Councilmember Scuotto inquired about the staff recommendation regarding Agenda Item III.F.2, Village of Islamorada Amendments. Richard Ogburn, of Council staff, stated that the proposed amendment, in the Village of Islamorada, was an amendment created for market rate housing units on a parcel which does not currently have the necessary allocation of density. He stated that one of the Florida Keys' largest problems was dealing with the abundance of potentially buildable lots that have not been built yet, and in the long-term will likely have to be acquired. Adding density to a parcel that is not currently able to build without having justification was not advisable. He stated that the Village had not presented a strategy to overcome the available developable lots to address that issue; therefore Council staff recommended that Amendment 1 not be approved. Vice-Chair Carruthers added that the Village staff did not support this amendment, that there are lots that are buildable, and that it would make more sense to direct any type of development to those lots rather than increase density on this lot for this purpose. Councilmember Walters stated that this was not about affordable housing but to provide market rate housing. She stated that the Village and County policies were approached differently than Department of Community Affairs (DCA). She stated that the Village had not addressed the issue and Village staff recognized this and recommended denial. She stated that it would be conceivable that this item would

come back to address these issues and Council may approve the amendment at a later date. Councilmember Sosa stated that each part of this amendment should be voted on separately and was concerned about the change in the land use in Lower Matecumbe Key from Residential-low to Residential-high considering the site is developed with a single-family residence, stating that it is inconsistent as related to the amendment potential and confused about laws stating different things.

Councilmember Walters motioned to approve the Proposed Local Government Comprehensive Plan Amendment Agenda Items for Miami Dade County, City of Sweetwater, City of Miami, and the City of Doral as one item and the Village of Islamorada as a separate item. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

Councilmember Wallace questioned the authority of the Council's decision on agenda items because of the Department of Community Affairs' changes and would our approval/disapproval be sent back to the local governments. Rachel Kalin, of Council staff, explained that because this amendment was in Monroe County, the County and the local governments within the County would receive an Objections, Recommendations and Comments (ORC) Report; therefore Council comments would be sent to DCA, as well. Ms. Kalin stated staff recommendation was to find Amendment 1 inconsistent, and Amendments 2 and 3 consistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Councilmember Carruthers stated the issue should be to direct development to those parcels that are more developable, whereas this parcel is not, and agreed with Council staff's recommendation.

Councilmember Asseff moved to approve the staff recommendations for the Proposed Local Government Comprehensive Plan Amendment Review for Islamorada: Amendment 1 inconsistent, and Amendments 2 and 3 consistent. Councilmember Sosa seconded the motion, which carried by a unanimous vote.

G. Adopted Public Education Facilities Element (PEFE)/Capital Improvements Elements (CIE) Amendments

- Village of Pinecrest
- City of Hialeah Gardens

Councilmember Walters moved to approve the Adopted Public Education Facilities Element (PEFE)/Capital Improvements Elements (CIE) Amendments. Councilmember Sosa seconded the motion, which carried by a unanimous vote.

H. Adopted Local Government Comprehensive Plans and Amendment Reviews – None

I. FY 2011-12 Membership Fees

Mr. Osterholt explained that the next three Agenda Items deal with the current and upcoming budget and to notify the Board of the dues structure for the next year. He explained that staff made the determination by estimating where we were financially and stuck with the basis from last year; leaving the budget dues without growth and those numbers are reflected in the Agenda Item.

Richard Ogburn, of Council staff, explained that the proposed dues structure has been in place since 1994, and is based on a per capita rate of \$0.175 per resident. He explained that the 2010 Census estimate was used for population counts for each of the three counties to calculate the proposed dues for this upcoming fiscal year. Mr. Osterholt stated that there are non-recurring revenues that are anticipated and grant applications in process, and would appreciate an agreement by the Board to send the dues statements out.

Councilmember Asseff moved to approve the FY 2011-12 Membership Fees. Councilmember Walters seconded the motion, which carried by a unanimous vote.

Councilmember Walters suggested we send additional information that explains the services and regional opportunities that the RPC provides and are associated with the dues. Councilmember Asseff reminded the Board about the Clean Cities Coalition and pointed out that the majority of the Revolving Loan Fund is in Miami-Dade County. She suggested that these two programs also be part of the information mailed out with the dues statements.

Councilmember Asseff moved to approve the FY 2011-12 Membership Fees with an explanation of services. Councilmember Walters seconded the motion, which carried by a unanimous vote.

J. FY 2010-11 Budget Amendment

Mr. Osterholt stated that the current fiscal year budget amendment represents an effort to more accurately reflect where we are financially and that the year could end on a positive note. He explained one of the complications of the money coming in was pass-through money. He stated that the RPC was grateful for the Sustainable Communities Grant; it has kept us going and will keep us going for the next three years. Councilmember Asseff mentioned the State has \$400 million in Brownfield Programs and we should become part of that process.

Councilmember Asseff moved to approve the FY 2010-11 Budget Amendment. Councilmember Wallace seconded the motion, which carried by a unanimous vote.

K. FY 2011-12 Draft Budget

Mr. Osterholt stated that staff submitted various grant applications. For example, Karen Hamilton, of Council staff, helped prepare an application to improve access to fresh fruit and vegetables, in Broward and Miami-Dade Counties low-income neighborhoods, called "Food Deserts". He stated that staff was also partnering with Florida Power and Light (FPL) on three quarters of a million dollar grant to coordinate how and where to put electrical charging stations throughout the Region. Mr. Osterholt stated that the Regional Council was steering away from the traditional land use planning toward Sustainable Communities. Councilmember Sosa stated that she cannot support any increases in this draft, asking for more money from the County, and that there was a need to demonstrate the seriousness of necessity of this Board. Mr. Osterholt commented that this budget was predicated on a lot of items that are pass-through; that there were no salary increases for the staff, not for the past 5 years, no benefit changes for staff and staff would now have a 3% cut due to legislative changes to the FRS contribution. He stated that this budget is predicated on what should happen between now and when the final budget is brought back for your review in which there may be some changes. Councilmember Carruthers noted that the increase observed in the Budget was the funding from the Sustainable Communities.

Mr. Ogburn pointed out the unusual situation from the current year budget to the next year budget. He stated that the amendment for this year's budget approved today includes a reduction of \$240,000 in the sum of salary and fringe. One reason for that was that there was an interim period where the Executive Director's costs were paid as nonrecurring professional services, not as salary and fringe. He explained that in the budget for next year, part of that difference would need to be restored. He stated that the proposed budget for next year shows that the sum of the changes in salary and fringe add up to a little over \$100,000. He also explained the draft budget for next year includes no changes in salaries, although staff will pay 3% of their salaries toward their retirement benefits. Councilmember Wallace inquired that

if the counties were to pay the same or more than last year, assuming funding would be coming through grants, should local governments make cuts to pay those dues.

Councilmember Wallace made a motion to reconsider Agenda Item III.I, FY 2011-12 Membership Fees. Councilmember Sosa seconded the motion, which carried by a unanimous vote.

Councilmember Carruthers questioned what year the value per person dues are based on. Mr. Ogburn reiterated that the value was established in 1994 and had not changed, understanding that even as costs have gone up, there has been no adjustment in the per capita amount, and that is the lowest per capita amount charged by any Regional Planning Council in the State of Florida. Councilmember Sosa stated that Miami-Dade County was asked to pay more than any other county and could that number be compromised. It was recommended by the Councilmembers that a report of what the RPC has done for the counties be sent with the dues letter. They stated that they know what has been done, but the other commissioners or residents from the counties do not understand the function of the SFRPC. The Councilmembers stated that they would like included in the report a fair share of services provided to each county, as well as, the functions of the Board. Councilmember Sosa stated a mechanism should be created so that a new Councilmember could have the opportunity to learn everything about the Council, so they understand not only the discussions about helping the community and the creation of jobs, and the necessity for a more regional approach but also comment when there would be an inconsistency of a plan.

Councilmember Bovo expressed that he wanted to be consistent with what he would say at County Commission meetings and the SFRPC. He believes it should be all about regional issues and get out of the streets and parks issues. His hope was that the majority of the issues being dealt with are of significant regional impact, whether it be water, transportation that would affect someone driving from Broward County to Key West was going to deal with the same services from one County to the other; these should be the issues that should be part of the mission statement.

Councilmember Asseff replied that the SFRPC has raised funds and provided services for all of the cities and counties in the three county region. She also brought to the Council's attention that the Hurricane Evacuation Plan created by the staff and other RPCs is now being used by the State of Florida. Councilmember Asseff suggested that some of the Councilmembers should attend some of the meetings that take place on a monthly basis, such as the Revolving Loan Fund (RLF) where we are funding loans through this Council. She stated that many of the Councilmembers don't realize that the RLF has created 1,200 jobs. She also stated that the Clean Cities Program has given out grants for all the various stations to install E-85 and we are part of that opening. She stated that these programs are working all the time and invited the Councilmembers to visit some of these meetings.

Discussion continued regarding the importance and significance of the Council. It was stated that there are some big challenges in terms of economic development and regional planning, and that there would be opportunities to interact with the counties and cities, and the SFRPC would be the place for these discussions to occur. It was stated that it would be an opportunity for the SFRPC to be the lead agency for spurring conversation between elected leadership from two or three counties as to what the future of South Florida should be. It was stated that there would be very little contact with DCA and the only source of explanation would be the SFRPC. Councilmembers discussed the issue of struggling governments and would like staff to go back and take a look at the \$0.175 per capita number. Legal Council Sam Goren stated that for the record there is a motion to reconsider Agenda Item III.I, and roll was taken.

Councilmember Wallace motioned to reconsider the \$0.175 per capita dues in Agenda Item III.I. Councilmember Sosa seconded the motion. Roll was called with 7 yea and 1 nay from Councilmember Patty Asseff.

Councilmember Sosa motioned that Council staff bring to the Board the information that was requested and then this item would be decided at the next meeting. She stated that she would like to defer the item to be brought back to the table. Councilmember Riesco seconded, which carried by a unanimous vote.

Mr. Osterholt stated that that this was a draft for their review and in our interlocal agreement we are responsible to notify the counties by August 1st of the dues proposal so the counties can include this in their budgets in September.

Sam Goren stated the Council shall adopt a program and budget for each fiscal year before September 30 and each Member unit shall approve its budget to provide Council funds sufficient to provide the minimum share of the Council's adopted budget. He stated that the decision should be made by the end of July. Councilmember Carruthers asked if it was possible to create the explanatory cover letter and let the counties know that nothing will be submitted with anything greater than last year's dues or possibly less. Mr. Osterholt stated that this would be possible to accomplish.

Councilmember Wallace motioned to reconsider the \$0.175 per capita dues in Agenda Item III.I. Councilmember Bovo seconded the motion, which carried by a unanimous vote.

L. Professional Services Agreement with Content Creators, LLC

Mr. Osterholt explained that this was a venue in which the Sustainable Communities Program would have a different look and different ways to communicate to the seven counties involved. He stated that Content Creators is an active member of the Partnership and Consortium since it started. He stated that their website has a different point of view and is not the traditional website. He explained that this contract would not exceed \$33,000 and the funds would be paid through the Housing of Urban Development (HUD) Contract, not Council money for one year. The grant name was changed to Southeast Florida Vision & Blueprint for Economic Prosperity.

Councilmember Wallace moved to approve the Professional Services Agreement with Content Creators, LLC, for one year with the understanding that it not be renewed without a bid process. Councilmember Asseff seconded the motion.

Isabel Cosio Carballo, of Council Staff, introduced Tim Collie, the president and CEO of Content Creators to explain more about the company's experience.

Tim Collie stated that the company was made up of a group of journalists that worked at South Florida's major newspapers, as well as, some foreign correspondence through other U.S. newspapers and that the company was formed with web designers and offers a full experience. He stated that one of the first things they would like to do would be to shoot a video for the upcoming Planning Council Sustainability website. Ms. Carballo stated that one of the challenges for this program since January 2010 has been communicating with the partners to provide information, coordinate a large data base, and be able to send out meeting information and the opportunities to participate. She stated that contracting them now would be important and would appreciate the Council's support for this agenda item.

Councilmember Sosa questioned the motion and clarified that after one year this contract would go to bid. Councilmember Riesco stated that this was a lot of money for it not to be put up for bid.

Councilmember Carruthers stated that the difference was that most web designers are given the content and then they design it. I don't believe we have the kind of staff to be able to create the content on this web site to be a fully functional tool for the Sustainability Grant. Councilmember Bovo believed this would be something that should be brought back with a competitive bid.

Roll call proceeded and resulted in a tie in which the item failed.

Councilmember Walters suggested a compromise that we go with a 6 month contract.

Councilmember Sosa stated she would cover this one for 6 months so it can happen so we don't lose the funding from HUD. She stated for the record that she was not going to put any contract without publication. Councilmember Sosa continued saying that she wanted to stop the process because risking the funding from HUD and believes the vote was necessary to make that point. Councilmember Wallace seconded the motion for a 6 month contract.

Ms. Carballo clarified that the term of the contract was for a period not to exceed six months from July 11, 2011 to January 11, 2012 (Article II) and an amount not to exceed \$33,000. She apologized for any confusion arising from how this was stated in the contract. She also stated that should Content Creators become part of a consultant team working on the grant, their direct contract with the Council would be terminated.

Councilmember Walters suggested that this come back next month to the Executive Committee meeting.

Mr. Osterholt decided to withdraw this item, and it was agreed upon unanimously. He stated that the HUD contract states that if an entity is part of the Consortium that they could be the sole for bidding. He stated that an RFQ would be created.

Councilmember Wallace asked that if the Statement of Qualification for selection of master consultant contract for Sustainable Communities would be brought back to the board; it was agreed upon to do so.

Mr. Osterholt stated that the SFRPC was the financial manager for the grant from HUD. The Councilmember names are on the line, so all the financial decisions should be ratified by the Board; the agreement signed with HUD makes the Board financial responsibility.

There is no longer a quorum and it was decided that there would be nothing else would be discussed from the Agenda. The following items were not discussed.

IV. Discussion Items

A. Executive Committee Report

B. Executive Director's Report

1. Council Logo Change

C. Legal Counsel Report

1. SFRPC Branding Inquiry

V. Program Reports and Activities

- A. Economic Development
 - 1. Revolving Loan Funds
 - a. SFRPC Revolving Loan Funds Status Report
 - b. Hurricane Wilma Bridge Loan Status Report
 - c. Eastward Ho! Brownfields Cleanup Revolving Loan Fund Status Report
 - d. Broward County Cultural Division Artist Micro-Credit Revolving Loan Fund Status Report
- B. DRI Status Report
- C. Evaluation and Appraisal Report (EAR) Status Report
- D. Southeast Florida's Regional Vision and Blueprint for Economic Prosperity (Sustainable Communities Initiative)
- E. Lower East Coast Water Supply Plan – Update Process – Presentation by SFWMD
- F. Other
 - 1. Interlocal Agreement with Monroe County

VI. Announcements and Attachments

- A. Correspondence and Attendance Form
- B. Upcoming Meetings
 - 1. August 1st, 10:30 a.m. (Council Offices, Hollywood) – **Executive Committee Only**
 - 2. September 12th, 10:30 a.m. (Council Offices, Hollywood)
 - 3. October 3rd, 10:30 a.m. (Beacon Council, Miami-Dade County)
 - 4. November 7th, 10:30 a.m. (Council Offices, Hollywood)

VII. Councilmember Comments

VIII. Adjournment

The meeting was adjourned at 12:26 p.m.

This signature is to attest that the undersigned is the Secretary of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL, and that the information provided herein is the true and correct minutes for the July 11th, 2011 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 12th day of September 2011.

Rebeca Sosa, Secretary

Date