

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

September 10, 2012

The South Florida Regional Planning Council met this date at the Murray E. Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, Florida, 33037. Chair Carruthers called the meeting to order at 10:35 a.m. and Councilmember Ritter led the Pledge of Allegiance.

I. Pledge of Allegiance and Roll Call

Councilmember Patricia Asseff
Councilmember Margaret Bates
Councilmember Michael Blynn
Councilmember Esteban Bovo, Jr.
Chair Heather Carruthers
Councilmember Suzanne Gunzburger (via phone)
Councilmember Ilene Lieberman
Councilmember Manuel Marono
Councilmember Jean Monestime (via phone)
Councilmember David Rice
Councilmember Jose A. Riesco (absent)
Councilmember Stacy Ritter
Councilmember Joseph Scuotto
Councilmember Paul Wallace
Councilmember Sandra Walters
Councilmember Jimmy Weekley

The following Ex-Officio members were present:

Ms. Aileen Boucle, representing the Florida Department of Transportation, District VI (via phone)
Ms. Carole Morris, representing the South Florida Water Management District

II. Approval of Council Agenda

Executive Director, James F. Murley, requested that Action Items III.I and III.J be acted upon during the Executive Committee Report, Items IV A, 1 and 2.

Councilmember Ritter motioned to approve the amended Council Agenda. Councilmember Weekley seconded the motion, which carried by a unanimous vote.

III. Action Items

A. Minutes of Previous Meetings (July & August)

Councilmember Ritter moved to approve the Minutes of the July and August Meetings. Councilmember Walters seconded the motion, which carried by a unanimous vote.

B. Financial Report

Ms. Mary Lou Johnston, Financial Director, stated that there is a negative cash balance due to the fact that we are at the end of the year, and our payments are prepared anticipating that funding will become available in the near term. She stated that we also have to prepare checks in advance of payments due to the timing required for dual signatures. She proposes a dollar and/or vendor threshold on the two signature requirement, so vendors could be paid in a timelier manner and the Council would no longer have the financial burden of couriering the checks for signatures. Ms. Johnston stated that she would contact other Regional Planning Councils regarding their procedures and bring this information back at the October meeting.

Motion was carried by a unanimous consent.

C. Intergovernmental Coordination and Review Report

Councilmember Ritter moved to approve III.C, Intergovernmental Coordination and Review Report. Councilmember Lieberman seconded the motion, which carried by a unanimous vote.

D. Consent: Comprehensive Plan Amendment Reviews

Proposed: None

Adopted:

- Town of Southwest Ranches
- City of Pembroke Pines
- City of Tamarac

Councilmember Bates moved to approve III.D. Councilmember Walters seconded the motion, which carried by a unanimous vote.

E. Regional Issues: Comprehensive Plan Amendment Reviews

1. City of Opa-locka

Mr. Bob Cambric, of Council staff, stated that the City of Opa-locka's proposed amendment is the creation of a Transit-Oriented Development (TOD) Overlay Land Use Classification that highlights the area of the Tri-Rail Station, which is located in the City. He stated that staff is working with the City on some items of concern and that there was commitment from all parties involved so the City can move forward.

Councilmember Monestime stated he is concerned that the data supporting the density and maximum residential thresholds may be insufficient right now but it will change in the future; he feels uncomfortable with staff recommendation of inconsistent. Mr. Cambric explained that the recommendation is that the information is inadequate but all parties involved will help provide the City with the guidance to ensure that the fiduciary and planning responsibilities are complete to achieve the goals for the TOD and the adoption of the amendment. Councilmember Monestime stated that he supports this amendment.

Councilmember Asseff moved to approve III.E.1. Councilmember Bates seconded the motion, which carried by a unanimous vote.

F. FY 2011-12 Operating Budget Amendment

Councilmember Lieberman moved to approve III.F. Councilmember Walters seconded the motion, which carried by a unanimous vote.

G. FY 2012-13 Operating Budget and Work Program

Mr. Richard Ogburn of Council staff stated that the Operating Budget for Fiscal Year 2012-13 has a decrease when compared to the amended budget for the current year. He stated that this is partially because of the pass-through funding of the U.S. Department of Housing and Urban Development (HUD) Sustainable Communities Initiative Grant (Seven50).

He stated that the salary and fringe package for current staff (19) includes no increases again for the sixth year and is reduced due to the departure of one full-time position, of the previous Executive Director, that was not filled.

Councilmember Ritter questioned the lease option of the office space. There was discussion of the feasibility of finding new office space or to revise the current leased space and/or cost. It was mentioned that, the revision of the existing lease had been discussed with the landlord, and the costs of moving as well, but after comparing costs it was decided that remaining at this location was in the Council's best interest at this time; Council has been at this location for over 20 years. Mr. Murley stated that if the Council did relocate he was concerned with the responsibility of maintaining and completing the HUD Grant and thinks a major move in 2013 would disrupt those pass-through numbers. He recommended that Council maintain its position and continue to evaluate the lease situation. Chair Carruthers stated that this discussion will be illuminated when the discussion ensues on the future role of the Council, particularly at the expiration of the HUD Grant in 2014.

Councilmember Lieberman inquired about the repayment of the Hurricane Wilma Loan, specifically if the Council paid interest on the money from the State. Mr. Murley and Mr. Sam Goren of Legal Counsel stated that they would pursue a follow-up response. Mr. Goren stated that there is a reimbursement from those who are pursued for collection, in the Revolving Loan Fund, but the Council is the State's agent and is a pass-through, therefore there should not be a charge for that obligation.

Councilmember Ritter moved to approve III.G. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

H. Comprehensive Economic Development Strategy (CEDS) for South Florida (2012-2017)

Mr. Murley explained that there is a copy of the PowerPoint at their seats, and it is being presented via webinar for those attending. He explained that attached is a list of the Advisory Committee, which has been assisting in the CEDS Plan, two matrixes, and that also available is a 100-page full report that can be requested or is available online. He explained that Jeanne Tan, of Council staff, is the lead on this project; she will be giving details from the office, because of maternity restrictions. He stated that the Department of Economic Opportunity (DEO) has asked to use our matrix plan to share with the other state agencies. He stated that this is a compliment to staff and thanked Jeanne for the wonderful job she did as lead on this project.

Mr. Murley presented the PowerPoint, the various initiatives and the approach to economic development planning and implementation. He detailed the Six Pillars Process, Florida's Five-Year Statewide Strategic Plan and the CEDS Plan. He summarized the background information, process, goals, and the

alignments regarding the CEDS presentation. Ms. Tan presented the matrix of the document: Developing the Florida Five-Year Statewide Strategic Plan Core Components, Statements and Strategies, the Strategy Committee List, and the Vision, Goals and Objectives Draft. She stated that this document has a 30-day review period by the CEDS Committee and the general public, and will be finalized by September 30, 2012. She stated that Council staff will provide an update on the final document of the 2012-2017 CEDS at the November or December, 2012 Council meeting and there will be quarterly updates on the implementation of the CEDS. Council staff recommends that the Council approve transmittal of the CEDS to the U.S. Economic Development Administration for review after the 30-day public hearing notice. Chair Carruthers thanked Ms. Tan for marshaling this effort. She stated that the overall strategy for the South Florida Region is comprehensive, and with the combined entities to create one voice, the strategy will be incorporated into a longer term of the Seven50 Plan.

Discussion ensued regarding the choices of the representatives for the various CEDS Strategy Committee List and those chosen to represent the category that they were appointed to represent. It was decided that, in the future, communication to various organizations, government, private and public sectors, request a representative to be chosen by the entity. It was stated that there needs to be a regional approach to everything being done in terms of economic development across all the counties. Mr. Murley stated that there would not be another five-year update but an update done on an annual basis, with the Council's guidance to contact other parties that would be valuable to this process. Chair Carruthers suggested that a story be associated with the communication on the revitalization of our economy in South Florida.

Councilmember Scuotto stated that 10 years ago it was County and City against each other to bring in new business and families and recently the Counties are supporting each other to bring businesses in from other regions, such as gaming. He stated that some counties are showing interest in the gaming industry and that could have a big influx on our residents and economy. He stated that the Council should have contact with the movers and shakers to bring businesses into the region, not paper pushers. He stated that there are top people on this list for economic development who can bring the development back to South Florida. Chair Carruthers stated that there are ongoing discussions, with emphasis on new kinds of industries, such as biotech, that could thrive here and bring high level jobs. Councilmember Scuotto stated that there should be some sort of A, B, C strategy, if A does not work then the business resorts to B and then to C; a business should have other options and/or diversity.

Mr. Murley stated that this document would be modified accordingly with the input from Councilmembers, including reaching out to different groups. He stated that the recruitment and retention are the business of the Beacon Council and the Greater Fort Lauderdale Alliance. He stated that they requested Council help to coordinate multi-county issues such as transportation and he is working closely with the Florida East Coast Industries on the inter-regional passenger service. He stated that there are places where our staff and resources could try to make a difference based on these planning documents.

Councilmember Walters stated that in talking about the region and stimulated growth, there are vacant office and residential space and that there should be research regarding this underutilized space and focus on how to utilize it as opposed to new growth, especially with all of the environmental constraints.

Councilmember Asseff agreed that the private sector needs to come forward with its voice; they make business work. She stated that the import/export and foreign trade should be included because they can bring the professionals to southeast Florida and would like to hear more on this venue. She suggested that Council strategize on how to build Southeast Florida.

Councilmember Wallace moved to approve III.H in moving forward with the public comment period. Councilmember Walters seconded the motion, which carried by a unanimous vote.

I. Legal Counsel Annual Review and Proposed Contract Extension

Moved to IV. Discussion Items

J. Executive Director Annual Review

Moved to IV. Discussion Items

K. Executive Committee Vacancy (Office of Secretary)

Mr. Goren stated that the position of Secretary on the Council Board is vacant and that Councilmember Ritter has been functioning as both Treasurer and Acting Secretary. There was a recommendation that Councilmember Bovo, of Miami-Dade County, fill the Secretary position. Councilmember Bovo agreed.

Councilmember Wallace moved to approve Councilmember Bovo for the position of Secretary. Councilmember Ritter seconded the motion, which carried by a unanimous vote.

L. Repurposing the Institute for Community Collaboration

Mr. Murley stated that one of the recommendations is repurposing the existing not-for-profit corporation called the Institute for Community Collaboration (ICC). He stated that this was discussed with the Executive Committee of the Council, which is the Board of Directors for the ICC. He explained that with the assistance of Legal Counsel, the fundamentals have been reviewed and there are some items that need Councilmembers' approval on how to repurpose the ICC toward economic development.

Mr. Goren stated the recommendation is based upon the analysis that has been discussed and that there are a few legal assignments that have to occur if the Board decides to move forward. He stated that the current Articles of Incorporation would require modification to include additional duties and responsibilities that would be compatible with economic development and the additional opportunities that are not currently in the Articles. He explained that there would be modifications to various legal documents: the Memorandum of Agreement between the ICC and the SFRPC; filing with the Federal Government, IRS if the purposes of the organization should change for compatibility with the Rules and Regulation; and changing the Articles to reflect full membership of the Board and to have more frequent meetings to reflect the actions taken as described in moving forward regarding the concept of economic development.

Mr. Murley stated that Mr. Goren's research supports the discussion from the Executive Committee Meeting along with the seven recommendations that includes the moving forward with the legal actions. He stated that he is focused on making the ICC viable, accountable, and transparent for its future activities. He stated that the ICC is about supportive research and other issues that will be helpful to the Council and other economic development activities in the Region. Chair Carruthers added that the ICC could be the continued establishment of the 501(c)(3) that allows the Council to accept grant monies that otherwise may not be accessed.

Councilmember Wallace stated that he is concerned if the recommendations included insurance and the transparency regarding the Board of the ICC becoming the full SFRPC Board and wanted to move these forward.

Mr. Murley stated that there was confirmation that the Council was insured and there were some questions sent to the League of Cities to clarify the relationship between the ICC and the Council and if separate coverage for the ICC is needed that it will be secured. Mr. Goren stated the ICC Board is a public entity and it is fully transparent by adding membership of the full SFRPC Board, but Council was never less public because of the separate entity.

Chair Carruthers clarified to add an eighth recommendation to the list on the Agenda Item indicating that the entire SFRPC Board becomes the ICC Board.

Councilmember Wallace moved to accept the recommendations as amended in Agenda Item III.L. Councilmember Scuotto seconded the motion, which carried by a unanimous vote.

Mr. Goren stated that by the direction of the SFRPC Board membership, directing the ICC to perform these functions at the next meeting, Council would ratify the actions that have occurred today. He reiterated that the motion made included accepting the eight items as amended which means work will begin on the amended Articles, his legal obligations, etc., and at the next meeting Council will be able to ratify what occurred today.

M. Agency Rule Review

Councilmember Walters moved to approve III.M. Councilmember Ritter seconded the motion, which carried by a unanimous vote.

IV. Discussion Items

A. Executive Committee Report

III.I. Legal Counsel Annual Review and Proposed Contract Extension

Chair Carruthers stated that at the Executive Committee meeting discussed the proposed contract extension for Legal Counsel. The Committee felt that the Attorney, Sam Goren, has been serving the Council more than admirably and is asking for an extension of his contract with no increase. The Committee proposed acceptance.

Councilmember Rice moved to approve III.I. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

III.J Executive Director Annual Review

Councilmember Lieberman moved to approve III.J. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

Councilmember Walters commented that she is thrilled with Mr. Murley's performance through the various transitions that have occurred and likes the intra-monthly reports. She stated that he has been responsive to the Board's requests for more documentation regarding the importance of the Council and the management of the various projects; other Councilmembers agreed.

B. Executive Director's Report

Mr. Murley stated that the Florida Regional Council Association (FRCA) meeting, at the Diplomat in Hollywood, Florida, was very successful. He stated that included in the Agenda Item is a Memo that describes the work that is being done on the Council's behalf in Tallahassee. He announced that Councilmembers Asseff and Carruthers were present and that Councilmember Asseff was elected the first Vice-President of the FRCA Policy Board.

Councilmember Asseff announced that Councilmember Marono was elected President of the Florida League of Cities. Councilmembers congratulated them.

C. Legal Counsel Report

Mr. Goren stated that the repurposing of the ICC has been discussed this past month and has been presented for Council recommendation. He stated that he will comply with the Council's requests and will have documentation available for the next meeting for approval or ratification, to move forward in that direction. He stated that there are no litigations or claims pending to report to the Board regarding the Revolving Loan Fund.

Mr. Goren stated that Councilmembers Wallace and Walters government appointments expire as of October 31, 2012. He stated that this was unusual since they were recently appointed. He explained that there have been some ongoing challenges, from the Governors Office (EOG), in regards to the different views of how the statute applies vs. how it doesn't apply. He stated that Sheri Coven and others are involved in reviewing that matter to help those who choose to be reappointed and for those seats that are vacant. He stated that there are vacancies on the Board that need to be filled by a Broward and Miami-Dade constituent, in which this has caused some quorum challenges. Mr. Goren believes that the Councilmembers can continually sit for the Council and hopefully the EOG will not think otherwise. Mr. Goren clarified that each Governor has had a different view of Chapter 214, and explained further. Councilmember Marono stated that he would try to obtain information regarding this issue. Mr. Goren thanked Councilmembers for their confidence in his offices legal assistance.

V. **Program Reports and Activities**

A. Council Mission - None

B. Revolving Loan Fund Reports

- 1) SFRPC Revolving Loan Funds Status Report
- 2) Hurricane Wilma Bridge Loan Status Report
- 3) Smart Watts Home Energy Retrofit Loan Fund Status Report

C. DRI Status Report (see Agenda Item III.F above)

D. Evaluation and Appraisal Report (EAR) Status Report

E. Budget Performance Report - None

F. Seven50: Southeast Florida Prosperity Plan

Mr. Murley stated that included in Agenda Item V.F there should be a summary memo in which the Seven50 County meetings are being highlighted. He explained that there will be Seven50 meetings in each County so the residents from each county can become updated on the process and interact with the working groups. Chair Carruthers encouraged the Council to invite people that would be interested in

this process. She stated that the first meeting will be October 11th in Monroe County. Mr. Murley stated that the dates for the county Meetings in October and November will be forwarded to the Council.

Mr. Murley announced that the next Summit will be in Downtown Miami on January 24, 2013, followed by Summits in West Palm Beach and Fort Lauderdale. He stated that there is more information on the website Seven50.org.

VI. Announcements and Attachments

A. Correspondence and Attendance Form

B. Upcoming Meetings

- 1) October 1st, 10:30 a.m. (Council Offices, Hollywood)
- 2) November 8th, 10:30 a.m. (Council Offices, Hollywood)
- 3) December 3rd, 10:30 a.m. (Miami-Dade County Government Center, Miami)
- 4) January 7th, 10:30 a.m. (Murray E. Nelson Government Center, Key Largo)

VII. Councilmember Comments

Councilmember Lieberman stated that Ms. Cheryl Cook of Council Staff made a presentation to the Lauderhill Regional Chamber and was outstanding.

Councilmember Asseff suggested that the meeting for November 5, 2012 be changed due to the election. There was a quorum and it was decided that the November Council Meeting will be on Thursday, November 8, 2012, at Council Offices in Hollywood.

VIII. Adjournment

The meeting was adjourned at 12:05 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 September 10, 2012 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 1st day of October, 2012.

Esteban Bovo, Jr., Secretary

Date