

## SOUTH FLORIDA REGIONAL PLANNING COUNCIL

### Minutes

April 1, 2013

The South Florida Regional Planning Council met on this date at the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021. Chair Wallace called the meeting to order at 10:30 a.m. and Councilmember Kiar led in the Pledge of Allegiance.

#### **I. Pledge of Allegiance and Roll Call**

Councilmember Patricia Asseff  
Councilmember Margaret Bates (absent)  
Councilmember Michael Blynn  
Councilmember Heather Carruthers (absent)  
Councilmember Martin Kiar  
Councilmember Jean Monestime (via phone)  
Councilmember George Neugent  
Councilmember Jose A. Riesco  
Councilmember Stacy Ritter  
Councilmember Tim Ryan (absent)  
Councilmember Joseph Scuotto (via phone)  
Councilmember Xavier Suarez  
Chair Paul Wallace  
Councilmember Sandra Walters  
Councilmember Jimmy Weekley (via phone)  
Councilmember Juan A. Zapata

#### The following Ex-Officio member was present:

Ms. Aileen Boucle, representing the Florida Department of Transportation, District VI

#### The following Ex-Officio member was not present:

Mr. Rod Braun representing the South Florida Water Management District

Chair Wallace introduced two, new Councilmembers from the Miami-Dade County Commission, Commissioners Suarez and Zapata. They were both pleased to be received positively by all present and to become a member of the Council.

Mr. James F. Murley, Executive Director, announced that there would be modifications to the Agenda.

Chair Wallace and Mr. Murley presented Broward Commissioner Suzanne Gunzburger with a memento of appreciation for her time on the Council and commended her years of service. Commissioner Gunzburger presented a donation to Broward Meals on Wheels, and she thanked everyone and stated that she enjoyed her years on the Council. She stated that the Council is an important group that makes a difference for the Region. She commended everyone for the hard work and noted she will continue to work on behalf of the Council with Seven50. She gave details on the Meals on Wheels Program, her personal involvement and its significance. She stated that it is important that in this country that no one, especially in Broward County, should go to bed hungry any night. She thanked the Council for its gift and presented it to Mark Adler, Executive Director of Broward County Meals on Wheels.

Mr. Murley introduced Dr. Kim Delaney, from the Treasure Coast Regional Planning Council (TCRPC), and explained that her tasks for the TCRPC and the Seven50 Region are the issues of, regional transportation, in particular transit and rail. Dr. Delaney began her Powerpoint presentation on the Project Update on the Southeast Florida Passenger Rail Study by explaining the Memorandum of Understanding (MOU) among the three Metropolitan Planning Organizations (MPOs), Miami-Dade, Broward, and Palm Beach; South Florida Regional Transportation Authority (SFRTA), which runs Tri-Rail; Florida Department of Transportation, (FDOT) Districts IV, and VI; Florida Rail Enterprise (based in Tallahassee); Southeast Florida Transportation Council (SEFTC); and Treasure Coast and South Florida Regional Planning Councils. She stated that the subject of the MOU pertains to the South Florida East Coast Corridor Study (SFECC). Dr. Delaney discussed the Powerpoint map that depicts the combination of premium transit service that would exist with Tri-Rail and the extension of the Tri-Rail Service onto the Florida East Coast Rail (FEC) Corridor. She stated that the map illustrates the three All Aboard Florida Stations and explained that All Aboard Florida is Florida East Coast Industry's (FECI) private passenger rail service that is in the environmental planning stages and would introduce a new type of service, Express Intercity Passenger Service. Dr. Delaney explained the support history for passenger rail on the FEC, the evaluation on the two approaches represented by FDOT and SFRTA. She stated that communication should be improved with regularly scheduled meetings, along with specific input from the MPOs, which will be making the funding decisions for this project as it moves forward, and SEFTC. She stated that there is a strong need to develop a "Unified Voice" in the Region, especially among FDOT and SFRTA. She stated that there is a need for regional transportation investments to maintain the regions mobility. She clarified that the MOU describes the roles and responsibilities of the various parties so there is no duplication, their responsibilities become more efficient, and the agencies are able to move forward with their skill sets and strengths as different agencies with regional collaboration.

She stated that with the leadership of the SFRPC and SFRTA, representatives from the TCRPC, MPOs, FECI, SFRTA and FDOT were able to attend the Sustainable Communities Leadership Academy in Minneapolis, Minnesota where attendees studied models from other regions across the country that achieved this goal. She stated that this was a good opportunity for members to work together as a regional collaborative to find a way to distinguish the roles and responsibilities that complement one another and do not conflict or compete with one another. She explained that this helped give a distinction of agency roles and responsibilities with respect to the SFECC Study, National Environmental Policy Act (NEPA) process, federal funding applications, FECI negotiations, project financing and public outreach. She stated that all the parties asked the RPCs to take the lead on public outreach. She stated that a committee structure had been established that identifies which agency will be the lead for which phase of the project through the operations phase and addresses negotiations with FECI. She elaborated on the Steering Committee history and the future Committee structure and the Sub-Committees. She explained key points from the March 4, 2013 Steering Committee Meeting and that the service/project will be renamed the "Tri-Rail Coastal Link". She stated that Tri-Rail (SFRTA) will be taking on all the responsibilities in applying for federal funding and managing the project and SFRTA was identified as the project sponsor and operator. FECI indicated that it is not interested in operating commuter service and is moving quickly to operate its intercity passenger rail, "All Aboard Florida". The FECI wants to begin negotiations by June 2013, which means that there is an accelerated schedule for the MOU to be finalized by the signatories before it can be approved. Dr. Delaney then presented the draft MOU adoption schedule that brings the MOU to the SFRPC at the May Council Meeting in Key Largo.

She explained the process and timeline for the "Tri-Rail Coastal Link" which included the MPOs endorsing the project. She reiterated that the project will be led by FDOT through the preliminary plan and the SFRTA will take the leadership role for financing, engineering and operating the trains. She stated that the Federal Railroad Administration and Federal Transit Administration (FTA) want to deal with one point of contact in the Region and the SFRTA will be that contact. The SFRTA will take on the responsibility for submitting the application and carrying the project through a full-funding grant

agreement and operations. She stated that the SFRTA has a 20-year relationship with the federal government. She concluded that the final distribution should be in early April with a completion in late May and FEI negotiations will begin in June.

There were questions regarding county and city funding and the approach to the development rights along the line regarding the stations. It was mentioned that a toolbox be initiated for financial programs to be available at the city level. Dr. Delaney stated that the SFRTA is having funding conversations with the cities where the stations are located, over the last 18 months or more. She stated that Transit Oriented Development (TOD), properties around the stations and other sources of funding are being considered and that every city/county will have different needs. Dr. Delaney stated that the MOU describes how the financial model will be developed. She explained that the MOU does not mention the actual dollar amount and that it would be incumbent on the SFRTA along with FDOT to figure out the appropriate share per party. She stated that it will probably be a split for capital costs 50% federal, 25% state, and 25% local. Dr. Delaney reiterated that the MOU is setting up the relationship not the financial commitment. Mr. Murley stated that both RPCs will be involving the private sector to create a corridor coalition as well.

Councilmember Suarez inquired if this commuter service will be simultaneous with All Aboard Florida. Dr. Delaney stated she did not think so since different entities are involved. She stated that from an efficiency position it would be nice to have the construction done at the same time.

Dr. Delaney concluded that part of the task for the corridor coalition is about the various types of tools that will work for a region and how to communicate this to the elected officials and business leaders as to relativity. Councilmembers thanked Dr. Delaney for her presentation.

Mr. Murley stated that it is important that communities along the corridor, including unincorporated areas are included in the outreach effort. He stated that the community redevelopment agencies (CRA), and city managers in each location, that may have a potential rail station, will be included in the outreach. He explained that economic development data will be available to communities so they can evaluate with the private sector how to create financial resources to support the operational costs of the Coastal Link.

Councilmember Asseff suggested Dr. Delaney give a presentation on working together as a region to the Florida Regional Council Association (FRCA) meeting in June.

## **II. Approval of Council Agenda**

Councilmember Asseff moved to approve the Council Agenda. Councilmember Blynn seconded the motion, which carried by a unanimous vote.

## **III. Action Items**

### **A. Minutes of Previous Meeting**

Councilmember Walters moved to approve the Minutes of the Previous Meeting with modification to page 3. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

### **B. Financial Report**

Councilmember Walters moved to approve Agenda Item III.B, Financial Report. Councilmember Neugent seconded the motion, which carried by a unanimous vote.

C. Intergovernmental Coordination and Review Report

Councilmember Riesco moved to approve Agenda Item III.C, Intergovernmental Coordination and Review Report. Councilmember Walters seconded the motion, which carried by a unanimous vote.

D. Consent: Comprehensive Plan Amendment Reviews -  
Proposed

- City of Sunrise

Adopted:

- Broward County
- City of Hialeah
- City of Key West
- City of Marathon (#13-1ACSC & #13-2ACSC)
- Miami-Dade County
- Monroe County

Councilmember Suarez inquired about the reasoning for comments regarding the regional jurisdictional impact of an amendment review. Mr. Murley stated that Council staff reviews the amendment and contacts the other review agencies (FDOT, SFWMD, etc.) if there is an issue. If unresolved the amendment is brought in front of Council with comment or objection. Chair Wallace stated that there are times when there is conversation regarding the comprehensive plan amendments. Councilmember Walters stated that the review is valuable in maintaining and understanding the changes that are happening within our Region and believes it is valuable for our regional planning role.

Councilmember Walters moved to approve Agenda Item III.D: Comprehensive Plan Amendment Reviews, Adopted. Councilmember Neugent seconded the motion, which carried by a unanimous vote.

E. Regional Issues: Comprehensive Plan Amendment Reviews - None  
Information only

F. FY 2011-12 Audit Report

Chair Wallace stated that the Executive Committee had reviewed the Audit Report and is referring it to the entire Council for consideration.

Mr. Edward McGann, SFRPC Director of Budget and Finance, introduced Kevin Adderley, C.P.A., from Sharpton, Brunson & Company, P.A. Mr. Adderley summarized the overall results of the Fiscal Year September 2012 Audit, and presented a Powerpoint. He stated that there were no matters of material non-compliance noted during his testing. He stated that the transition of three finance leaders during the year resulted in the three areas noted for improvement of timely completion for 1) grant reimbursements, 2) timely completion of bank reconciliations and 3) improved controls over general ledger posting.

Chair Wallace stated that the overall view is that the Audit is without irregularities and with a few shortcomings. Mr. Murley reiterated that those shortcomings were a result of the changes in the finance position and with Mr. McGann as Director the outstanding issues are being addressed.

Mr. McGann explained the funding regarding the Revolving Loan Fund Program and the Council's responsibilities.

Councilmember Kiar inquired about the operating budget and Mr. Murley explained that the large increase reflects the pass through funding of the U.S. Department of Housing and Urban Development Sustainable Communities Grant.

Chair Wallace explained that the Grant will be final in 2014 and funding will then be a major concern for the Council. He stated that the Council should become the center-point for regional discussion that would bring the elected heads of the counties together in transportation and economic development projects. He stated that the Council should turn more to a leadership role rather than an approval role.

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

Councilmember Blynn inquired about grant research. Mr. Murley stated that the SFRPC staff is always engaged in researching grant funding for the various activities within the Council. He also explained that since the SFRPC is a public agency other public agencies approach the Council to assist with certain activities. He stated that Council staff has a long history of successfully acquiring and finalizing grants as well as work for other public agencies, such as the South Florida Regional Transportation Authority which staff assists with land use planning.

Mr. Murley stated that there would be an update on the Budget at the Key Largo meeting in May.

#### **IV. Discussion Items**

A. Executive Committee Report  
Information only

B. Executive Director's Report

1) Legislative Update

C. Legal Counsel Report

Mr. Sam Goren, Legal Counsel, explained the back-up on the Revolving Loan Program Report and the loan process. He explained the Hurricane Wilma Bridge Loan Status Report and the reason for its formation. Mr. Goren explained the collection process, the low fee costs and fund information. He stated that most of the loans are in very good standing.

Mr. Sam Goren stated that included in the Council packet is a Memorandum related to the Florida Power & Light (FPL) siting of transmission lines and plant facilities. He stated that the reason for the memo was to inform the Council of the progress on this Application. He stated that there will be a hearing July 8 - August 9, 2013, for all the parties involved including the SFRPC. He stated that the Council, as a reviewing agency, has weighed in over the recent years and is part of the process. Mr. Goren informed the Council that the comments are being provided before the hearing to avoid having to speak or appear at the hearing. He advised that he would, at the Executive Director's direction, engage in discussions with FPL on a proposed stipulation could be considered by the SFRPC at its May 6, 2013 meeting. Mr. Goren stated that the Council will be kept up to date.

Councilmember Zapata inquired if the Council had taken a position in regards to the FPL transmission lines and the alternate corridors.

Mr. Richard Ogburn, of Council staff, stated that staff reviewed the alternate corridors. He explained the alternate corridors were submitted by the National Parks Conservation Association (NPCA) and a private company, the Miami-Dade Limestone Products Association. He stated that staff sent a letter supporting consideration of the alternative corridors to the Florida Department of Environmental Protection, but Council staff did not provide comments on the alternative corridors or modify the Council's agency report on transmission lines.

He explained that there are two corridors that make up the overall project for FPL; the one that is affected by those two alternate corridors is the "Western Corridor". The "Eastern Corridor" is along U.S. 1 which has been the primary focus of prior action by the Council, and is unaffected by the proposed alternate corridors. He informed the Council that Miami-Dade County has found the alternate corridor submitted by the NPCA to be consistent with Miami-Dade County Comprehensive Plan, subject to conditions in their Report.

Councilmember Zapata stated that the issue with the western corridor is that it runs through his District and that County staff had not informed him of this; he read it in the paper. He explained that he was not aware of the March 22<sup>nd</sup> Supplemental Report from Miami-Dade County and is concerned with the way the County is handling this information and the lack of transparency in regards to the information provided. He explained how the proposed transmission lines are within a half-mile of a development that is in progress. Mr. Goren stated that this is the reason for the Memorandum and that the Council and his office have been working on this for several years.

Chair Wallace stated that it is interesting that when the membership on the Council changes; the views on the issues change too. He stated that previously the center piece of the transmission line discussion was the U.S. 1 Route, and that has changed. He stated that this is a regional issue and affects the Region, economic development, quality of life, etc.

Mr. Murley suggested that they move to the Strategic Planning Update.

Councilmember Suarez agrees that the high voltage lines, the transit corridors in Miami-Dade County and the FEC in Broward and Palm Beach are important functions for this Council to become involved in, more so than reviewing the comprehensive master plans at the county or city level.

Councilmember Suarez stated that he presented a proposal to the Mayors of cities in South Miami, Dadeland to Cutler Bay area, regarding burying the power lines and would like to share it with the Council. He stated that this would involve regional planning.

He stated that the Council should concentrate on improving public transportation, since this is a subject we are interested in as governmental officials and the Council should become involved in the issues regarding Commissioner Zapata's District.

D. Ex-Officio Reports

**V. Program Reports and Activities**

A. Council Strategic Planning

Mr. Murley introduced Mr. Rafael Montalvo with the Consensus Resource Center with the Florida State University. Mr. Montalvo summarized the Strategic Planning Update with a Powerpoint. He explained the process and what the Council's role might be in the current environment. He stated that the process will be an ongoing discussion over the next few months or longer to see how things are changing and the

relationship to the change. He explained that the purpose is to take stock of opportunities and challenges facing the Council in the current economic and political environment. He stated that the process is not a one-time discussion or a set of decisions, that it is a series of discussions to build on.

He stated that in the discussions with Councilmembers, staff and key outside agencies, including the survey, there were two core questions: what are the opportunities and challenges and what would success look like five years from now?

He stated that the Council's role in reviewing large scale development projects has changed dramatically over the past couple of years and so has the economic and political climate. Mr. Montalvo described the interview and survey results, the SFRPC roles and opportunities. He stated that the Councilmembers and staff agreed that the Council should be a forum or convener for regional discussions, a vehicle for counties and local governments because of the Council's resources for understanding the Region. He stated that the opportunity issues were transportation, facilitating economic development in balance with quality of life, environment and other roles.

Mr. Murley stated that the Council works closely with the Beacon Council in Miami, the Greater Fort Lauderdale Alliance as well as the economic development offices within the three county administrations in order to develop our regional comprehensive economic development strategy.

Mr. Murley stated that the Council's involvement with the Seven50 process pulls these two issues together.

Mr. Murley stated that there is another issue that pulls these two issues together, which is working with the port and airport directors. He stated that this would be issues that the Council could also be involved with.

There was discussion regarding the environmental, transportation and economic development views of Monroe County and how those views differ from the other Counties.

B. Revolving Loan Fund Reports

1) SFRPC Revolving Loan Funds Status Report  
Information only

2) Hurricane Wilma Bridge Loan Status Report  
Information only

3) Smart Watts Home Energy Retrofit Loan Fund Status Report  
Information only

C. DRI Status Report  
Information only

D. Evaluation and Appraisal Report (EAR) Status Report  
Information only

E. Seven50: Southeast Florida Prosperity Plan

F. FRCA Monthly Accomplishments  
Information only

**VI. Announcements and Attachments**

A. Correspondence and Attendance Form  
Information only

B. Upcoming Meetings

- 1) May 6<sup>th</sup>, 10:30 a.m. (Murray E. Nelson Government Center, Key Largo)
- 2) June 3<sup>rd</sup>, 10:30 a.m. (Council Office, Hollywood)
- 3) July 1<sup>st</sup>, 10:30 a.m. (Beacon Council, Miami-Dade County)
- 4) August 5<sup>th</sup>, 10:30 a.m. (Council Office, Hollywood) Executive Committee

**VII. Councilmember Comments**

**VIII. Adjournment**

The meeting was adjourned at 12:15 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 April 1, 2013 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 6<sup>th</sup> day of May, 2013.

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George Neugent, Secretary

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Date