

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

November 8, 2010

The South Florida Regional Planning Council met this date at the Council Offices, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida. The Chair, Councilmember Scuotto, called the meeting to order at 10:32 a.m.

AGENDA ITEM ONE: Pledge of Allegiance

AGENDA ITEM TWO: Roll Call

Councilmember Patricia Asseff
Councilmember Scott Brook
Councilmember Heather Carruthers
Councilmember Suzanne Gunzburger
Councilmember George Neugent
Councilmember Stacy Ritter
Councilmember Joseph Scuotto
Councilmember Katy Sorenson
Councilmember Rebeca Sosa
Councilmember Sandra Walters (via phone)
Councilmember Jimmy Weekley

The following Ex-Officio member was present:

Mr. Elbert Waters, representing the South Florida Water Management District

The following Council Member arrived after roll call:

Councilmember Paul Wallace

AGENDA ITEM THREE: Minutes of previous Meetings (October)

Councilmember Gunzburger moved to approve the Minutes from the October meeting. Councilmember Sosa seconded the motion, which carried by a unanimous vote.

AGENDA ITEM FOUR: Project Reviews

a) Intergovernmental Coordination and Review Report

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

AGENDA ITEM FIVE: Development of Regional Impact (DRI) Program

a) DRI Assessment Reports

None

b) Development Orders (DO)

None

c) DRI Status Report

Information only

Chair Scuotto asked why the Westerra Project was not listed in the DRI report this month.

Mr. Bob Cambric, Council staff, stated that the Development Order for Westerra has already been approved and the project is going through the development phase now. The status report is just showing the status of projects in the hopper for Council action.

AGENDA ITEM SIX: Proposed Local Government Comprehensive Plan/Amendment Reviews

a) Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments

- City of Hialeah

b) City of Miami Beach

c) City of North Miami Beach

Councilmember Gunzburger moved to approve the staff recommendation for items 6a, 6b, and 6c. Councilmember Sorenson seconded the motion, which carried by a unanimous vote.

Councilmember Wallace arrived at the meeting.

AGENDA ITEM SEVEN: Adopted Local Government Comprehensive Plan/Amendment Reviews

a) Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments

- City of Weston

b) Town of Davie

c) Broward County

d) City of Hallandale Beach

e) City of Miramar

f) City of Pembroke Pines

g) City of Parkland

h) City of Hollywood

i) City of Deerfield Beach

j) City of Wilton Manors

k) City of Dania Beach (10-1AR)

l) City of Dania Beach (10-R1)

Councilmember Gunzburger moved to approve the staff recommendation for items 7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h, 7i, 7j, 7k, and 7l. Councilmember Walters seconded the motion, which carried by a unanimous vote.

AGENDA ITEM EIGHT: Reports

a) Executive Committee Report

Councilmember Gunzburger stated that Councilmember Carruthers had an item that she wanted the Council to have an opportunity to discuss.

Councilmember Carruthers stated that she wanted the Council to have a brief discussion of the recent change in administration, and the intention of the in-coming Governor to abolish the Department of Community Affairs (DCA). She asked if the Council wanted to take any action, maybe speak with House Speaker-Elect Dean Cannon or Senate President-Elect Mike Haridopolos to see if it has a position on the continuance of DCA.

Councilmember Brook stated that he felt that the Council should at least discuss what it would like to do about that knowing the Governor's intentions. It would be appropriate for the Council to weigh-in and have a place at the table.

Councilmember Asseff stated that she felt that it was too soon to jump the gun.

Councilmember Walters stated that it is appropriate to convey the Council's concerns particularly since it works so closely with DCA and there may be implications to the existence of the Regional Planning Councils if DCA goes away. Another aspect, which would be virtually as important, is that the leadership needs to be someone who is good at working on cooperative solutions. This has been part of the problem for the DCA in the last four years. The DCA needs a leader who is good at working cooperatively with communities and with issues that can bring DCA into a supportive role in the state, and further effective planning and community consensus-building. A name that comes to mind, she stated, is Steve Seibert.

Councilmember Sorenson stated that the most important issue is that planning for the state is a priority. We have to have a goal for Florida, planning has to be included and needs to work together with transportation, smart growth, the issues of sea level rise and climate change. The state of Florida cannot lose sight of the fact that these are critical issues for our state and we have to be looking at them at a regional level as well as a state-wide level. Somehow we have to get that message to the Governor and the leadership so that this doesn't become something that is just thrown out willy-nilly.

Councilmember Ritter stated that she agreed that the Council should convey its concerns, but at this point doesn't know to whom they should be conveyed. She added that she would like to wait and see who the Governor's got on his transition team. There will be a big transition team and smaller sub-committees that focus on different and specific issues. She suggested that the Council wait to see who is in Intergovernmental Affairs and arrange to go talk to that person during the transition process so it's not too late, but also not too early.

Councilmember Asseff stated that she agreed with Councilmember Sorenson. There was a campaign against Amendment Four this year and people don't want urban sprawl. She stated that the Council should take up these concerns so there is not willy-nilly development everywhere. The Council can send

up a letter addressing all those concerns. We do need a strong department; they have been threatening to get rid of the DCA for three years, but it is still around. It is not the right timing for it right now.

Councilmember Carruthers stated that she agrees that it is not the right time to send a letter, but it is not too early to start crafting the Council's position so that it is ready when the Governor does take office.

Councilmember Sosa stated that she was going to be meeting with the Transition Team, maybe something could be arranged to include a small group from this Council to attend. I am going to make sure that the message is correctly delivered to the Governor, she stated. Everyone needs guidance, and I hope that he can listen to the necessity basis to continue having the proper planning for the state.

Councilmember Gunzburger thanked Councilmember Sosa, stating that she really appreciated the offer. She stated that Session does not start until March; there will be a lot of opportunities to have one-on-ones. We represent three counties, and we need to get our State Legislators on the same page, and we need to speak with them.

Chair Scuotto stated that staff could draft up an outline for discussion at the next Council meeting.

Councilmember Asseff stated that she would be meeting with the Florida League of Cities on what it is going to try to bring up in the Legislature and this should be included. She requested that staff provide her with some information to take to the meeting.

Councilmember Brook moved to ask staff to begin working on a draft of a letter in regards to support for planning in the future whether or not that involves the DCA or a different form and to let the Council know who is going to be or is currently serving on the transition team so it can have further discussion at the next meeting. Councilmember Neugent seconded the motion.

Councilmember Wallace stated to take positions early on could cast individuals or this group as an enemy before the game even starts. We want to be offering help, support and advice; it is a delicate balance right now.

Chair Scuotto stated that is why he suggested an outline for the purpose of discussion at the next meeting.

Councilmember Sosa stated that she just made a call to request information about whom on the Transition Team was going to be working on this specific issue. She added that she agrees that the timing needs to be right, but the Council needs to start getting prepared now.

Councilmember Carruthers stated that she thought what the Council was discussing was its position on the importance of planning oversight regardless of what it's called. That is a prudent thing to do.

Councilmember Neugent stated that he did not disagree with anything that had been said, but wanted to inform the Council that the Monroe County Commission will probably take a strong position in support of the DCA. Monroe County has had a long-time relationship with the DCA and is an Area of Critical State Concern. The County will not take an adversarial position; it will just let the Governor and his staff know where it stands on the DCA.

Chair Scuotto stated that staff has informed him that Session really starts now, following the organizational session in November with committee meetings in December, January and February.

Councilmember Ritter stated that the incoming Senate President and incoming Speaker of the House already have a track record on this issue, so the unknown factor is the Governor-Elect. I'm not sure that lobbying President-Elect Haridopolos or Speaker-Elect Cannon is going to do much good, but I think we do have an opportunity with the new Governor, especially considering that neither President-Elect Haridopolos nor Speaker-Elect Cannon supported him in the Primary. She stated that she thinks that there is an opportunity to talk to him and thinks that phone calls should be made. It is much more beneficial to find out who we can sit down with than sending in a letter. They can see who our leadership is and we can see who their leadership is; it is much easier to do it face to face.

Councilmember Sorenson stated that she thinks Councilmember Sosa is the key; she has good connections. She stated that she did not think that the Council should be silent with President-Elect Haridopolos and Speaker-Elect Cannon, because a lot of times silence is interpreted as they don't care anyway. The Council still needs to register what its views are. They need to know that the Council will not go away without at least saying what it thinks.

Mr. Samuel S. Goren, Legal Counsel, informed the Council that it has a new rule that allows for the Executive Committee to meet on very short notice, given specific circumstances, that also includes traveling to a location where Members need to be two or more.

Councilmember Sosa stated that she was researching who will be on the Transition Team. She has requested a meeting with members of the Transition Team and representatives of the Council but will serve as the mediator to make sure that the meeting occurs.

Ms. Carolyn A. Dekle, Executive Director, reminded the Council that Ron Book, the Executive Director for Florida Regional Councils Association (FRCA), is on the Governor's advisory team and could assist with this matter.

Councilmember Sosa stated that her former Legislative Assistant is part of the Governor's cabinet now.

Mr. Goren stated if Councilmember Sosa is able to arrange a time for a meeting the Chair could call an emergency meeting of the Executive Committee in order to attend.

Councilmember Wallace asked for clarification of the motion on the floor.

Chair Scuotto stated that he mentioned an outline.

Mr. Goren stated that there was discussion of preparing a draft letter as well as preparing a outline which would incorporate the interest of the Council in supporting the continuing status of the DCA in the interest of planning on a state-wide basis.

Councilmember Brook stated it should reflect support of the objectives of DCA including state-wide planning. I am not asking staff to take a position, but there needs to be a plan for planning, he added.

Councilmember Wallace voiced his concern with putting the Council's feelings down on paper, stating that a conversation might be best, because it can sometimes lead to a better understanding.

Chair Scuotto stated that the outline was strictly for the purpose of Council discussion.

Councilmember Weekly stated that the Council was just asking for an outline for talking points. All Members need to be on the same page; let's use the talking points when we talk to our Representatives or Senators so we are all saying the same thing.

The Council unanimously approved the motion made by Councilmember Brook and seconded by Councilmember Neugent.

Chair Scuotto, in response to the discussion at the last meeting about hosting a Council Meeting in Monroe County, stated that he wanted to make sure that when that did occur there were items pertinent to Monroe County on the agenda for discussion at the meeting. He stated that he did support hosting a meeting in Monroe County if there were items that pertained to Monroe County, but not if all the items were relating to Broward and Miami-Dade Counties.

Councilmember Sosa stated, as a follow-up to the earlier discussion, that the Legislature had been discussing the dissolution of the DCA, but the Governor-Elect was erroneously quoted on that.

Councilmember Gunzburger stated that another discussion that took place at the Executive Committee meeting was regarding having a pot-luck after the December meeting like was done last year.

Chair Scuotto asked if it was the will of the Council to have a pot-luck.

Councilmember Gunzburger stated that it would be helpful if Rhonda could coordinate the list so that there aren't any duplicates.

Councilmember Asseff suggested maybe using a local restaurant instead of doing a pot-luck, in order to support the local economy.

Councilmember Wallace suggested taking up a collection and donating that money to a charity.

Councilmember Asseff then suggested doing just a dessert pot-luck.

Councilmember Brook stated part of the reason to have something afterward is to celebrate the holidays a little bit and if we could do both, we would be in the right spirit.

Councilmember Ritter stated that staff is made up of public sector employees who don't get Christmas bonuses or other things that the private sector provides to its staff; when we all bring something it at least provides some holiday cheer. She stated that she likes the idea of a holiday party pot-luck.

Chair Scuotto stated that anyone wishing to bring a pot-luck item was more than welcome, and anyone wishing to make a donation may do that as well; staff will coordinate.

b) Financial Report (September)

Councilmember Neugent moved to approve the Financial Report for September. Councilmember Gunzburger seconded the motion, which carried by a unanimous vote.

c) Executive Director's Report

Ms. Carolyn A. Dekle, Executive Director, stated that Rhonda had done the work to find out the cost of hosting a meeting in Monroe County and we will hold onto that until the time we know that a meeting

will take place. Today is World Town Planning Day, she stated. Ms. Dekle informed the Council that staff is still in conversations with Miami-Dade County regarding payment of its Membership Dues. The Council's Statement of Organization states, "Each principal member government that does not remit the assessed amount by November 1 shall lose all voting privileges, both for representatives from the principal member and other appointees from the county, until payment is made". We have made the County aware of that, but the issue has not been resolved.

Councilmember Gunzburger asked if that meant that all Miami-Dade representatives were no longer voting members of this Board.

Mr. Goren stated that the Council has rules that govern the organization and there is a rule under Article 9 and relates to finances. If the County does not pay the dues it is essentially not able to vote. The Council is the interpreter of its own rules. You have heard from the Director that there have been discussions regarding some coordinated effort for payment. If the Council sees fit, it can temporarily suspend the rule in an effort to preserve the action already taken up to this point.

Councilmember Sosa stated that she did not agree with doing that. She would like to know why Miami-Dade County is late in paying its dues. If we are going to create an exemption for violation of the rule then we are going to fall into this same situation over and over; that is not the right way to conduct business. I don't know the details, she stated, but as one of the representatives, I will inquire into this matter. She asked who Council staff has been in contact with and will try to get the matter resolved.

Ms. Dekle stated that she has been working with George Burgess and Mayor Carlos Alvarez. She stated that they have agreed to pay 2/3 of the dues because of budget restrictions. She stated that the County has been informed that there are ramifications for lack of full payment.

Councilmember Sosa stated that she will inquire about this matter.

Councilmember Sorenson stated that the Miami-Dade County Commission passed a budget and the full amount was not in the budget so it remains to be seen if it can make up that money. Every meeting we pass money for this that and the other so there may be some discretionary or flexible dollars that can be accessed, but that would have to be a decision of the full Commission.

Councilmember Carruthers asked if the votes of the Miami-Dade County representatives counted, she requested clarification.

Mr. Goren stated that the Council could adjourn and reconvene as the Executive Committee and ratify all the motions made up to this point, this would protect the actions taken by the full board.

Councilmember Gunzburger stated that this is a real problem for the operations of this agency. One of the things that Broward County has said is, under the constraint rule, if Miami-Dade County was only going to pay 2/3 then Broward would follow suit and I'm sure Monroe would as well.

Councilmember Carruthers responded maybe not, because then Monroe would be the only ones voting on everything.

Councilmember Gunzburger stated it was a bad precedent.

Councilmember Sorenson stated that it sounds as though these issues are still being worked through and it may take some Commission action to resolve the budget, but for today's purposes it makes sense to follow the suggestion of Legal Counsel and hopefully it will be resolved by the next meeting.

Councilmember Neugent asked for clarification of what needed to be done.

Mr. Goren stated that the Council should adjourn and let the Executive Committee reconvene and motion to ratify all prior acts taken by the Board today.

The Council meeting was adjourned at 11:25 a.m. due to lack of a quorum.

The Executive Committee Convened at 11:25.

Councilmember Gunzburger moved to ratify the motions made on item nos. 3, 4a, 6a-c, 7a-l, and 8b. Councilmember Walters seconded the motion, which carried by a unanimous vote.

d) Legal Counsel Report

There was nothing to report.

e) Evaluation and Appraisal Report (EAR) Status Report

Information only

AGENDA ITEM NINE: Revolving Loan Funds

a) SFRPC Revolving Loan Funds Status Report

Information only

b) Hurricane Wilma Bridge Loan Status Report

Information only

c) Eastward Ho! Brownfields Cleanup Revolving Loan Fund Status Report

Information only

d) Broward County Cultural Division Artist Micro-Credit Revolving Loan Fund Status Report

Information only

AGENDA ITEM TEN: Contracts

None

AGENDA ITEM ELEVEN: Highlights of Council Activities

Information only

AGENDA ITEM TWELVE: Special Projects

a) Statewide Regional Evacuation Study Program - Update

None

AGENDA ITEM THIRTEEN: Strategic Regional Policy Plan (SRPP)

None

AGENDA ITEM FOURTEEN: Regional Initiatives with Treasure Coast Regional Planning Council

None

AGENDA ITEM FIFTEEN: Other Matters for Consideration

a) Resolution in Support of the South Florida East Coast Corridor Transit Project

Councilmember Gunzburger moved to approve the Resolution in Support of the South Florida East Coast Corridor Transit Project. Councilmember Carruthers seconded the motion, which carried by a unanimous vote.

AGENDA ITEM SIXTEEN: Correspondence and Attendance Form

Information only

AGENDA ITEM SEVENTEEN: Councilmember Comments/Public Comments

Chair Scuotto presented Councilmember Sorenson with a gift of appreciation for her time and hard work on the Council.

Councilmember Sorenson thanked the Council. This is such an important organization: the professionalism, the seriousness of what we do here, the sense of purpose; everyone feels that. We have very important, high level discussions here and I am going to miss that, she stated. I have been very proud to be associated with South Florida Regional Planning Council and I will continue to rely on you in my next life at the University of Miami, because regionalism is going to be a party of that. She thanked the Council.

Ms. Dekle informed the Council that there would be a rollout of the South Florida Regional Planning Evacuation Study on Wednesday, December 15, at the Council offices starting at 2:00 p.m.

Councilmember Walters requested information on that.

Chair Scuotto stated, getting back to the issue of unpaid dues, we don't want to get into a situation where if Miami-Dade doesn't pay its dues, then Broward, having already gone on record to say it won't pay if Miami-Dade does not pay. He asked who from the Council would be the point person on this. Is this something that Mr. Goren needs to be part of or do we need to go straight to the Miami-Dade Commission to make them aware that its lack of payment is going to have a ripple effect on Broward, Monroe, and eventually back to the Council?

Mr. Goren stated that Ms. Dekle has been working with the appropriate staff at the County Commission level.

Chair Scuotto asked Councilmember Sosa for her assistance with this matter.

Councilmember Sosa stated that she called to inquire why this issue has come about. She was told that they are in conversations and requested information as to the ramifications of paying only a partial payment. She stated that she was going to County Hall and would express the concerns of this Council.

Ms. Dekle stated that staff would provide any additional information that is needed.

Chair Scuotto stated that the point person on the issue could be a designee or Mr. Goren.

Mr. Goren stated that the Chair needed to select a Nominating Committee for the elections which occur in January. There will be shifts on the Executive Committee, and with the departure of Councilmember Sorenson, who is currently Treasurer, there will be two positions to be filled. The rules require that the Immediate Past Chair serve as a member of the Nominating Committee plus two members appointed by the Chair. The Nominating Committee must be made up of a representative from each county.

Councilmember Walters stated, with the question of whether Miami-Dade County is a member at this point, how do we handle that.

Councilmember Wallace asked if the Chair could make the appointments with the assumption that the dues will be paid by the December meeting.

Chair Scuotto stated that Councilmember Walters would represent Monroe County, as Immediate Past Chair. He asked for volunteers.

Council members Wallace and Asseff volunteered.

Chair Scuotto stated that the Nominating Committee was as follows:

- Councilmember Walters, Monroe County and Immediate Past Chair;
- Councilmember Wallace, Miami-Dade County; and
- Councilmember Asseff, Broward County.

Mr. Goren stated that he would have to look at the rules to determine what could be done in the event that Miami-Dade County does not pay its membership dues by the December meeting.

Councilmember Walters requested that the Nominating Committee meet at 9:30 a.m. on December 6, 2010.

Ms. Isabel Cosio Carballo, Council staff, gave a brief update on the status of the U.S. Department of Housing and Urban Development (HUD) Grant.

AGENDA ITEM EIGHTEEN: Upcoming Meetings

- a) December 6th, 10:30 a.m. (Council Offices, Hollywood)
- b) January 3rd, 10:30 a.m. (Council Offices, Hollywood)
- c) February 7th, 10:30 a.m. (Council Offices, Hollywood)
- d) March 7th, 10:30 a.m. (Council Offices, Hollywood)

AGENDA ITEM NINETEEN: Adjournment

The meeting of the Executive Committee was adjourned at 11:45 a.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 November 8, 2010 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 6th day of December 2010.

Heather Carruthers, Secretary

Date