

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

December 6, 2010

The South Florida Regional Planning Council met this date at the Council Offices, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida. The Vice-Chair, Councilmember Gunzburger, called the meeting to order at 10:36 a.m.

Vice-Chair Gunzburger stated that the meeting would be conducted as an Executive Committee meeting due to lack of a quorum of the full Council and Councilmember Wallace would be an interim member appointed by the Executive Committee for the purpose of having a full quorum of the Executive Committee. She then informed the Council that Chair Scuotto could not attend because of a family illness.

AGENDA ITEM ONE: Pledge of Allegiance

After the Pledge, the Council had a moment of silence in memory of Carolyn A. Dekle, Executive Director, who passed away November 21, 2010. Vice-Chair Gunzburger stated all of us who have known her know how hard she worked even under extremely difficult circumstances as we saw last month when she came to the meeting. Her heart was here, but it wasn't strong enough to get her through a terrible illness and we will miss her, every one of us. Our hearts go out to her family and her family here. The staff has been unbelievably wonderful in keeping this place afloat during these difficult circumstances and have been very protective of Ms. Dekle in her trying time and we all appreciate the extra effort that each and every one of you have made.

AGENDA ITEM TWO: Roll Call

Councilmember Patricia Asseff
Councilmember Scott Brook
Councilmember Heather Carruthers (via phone)
Councilmember Suzanne Gunzburger
Councilmember Sandra Walters
Councilmember Paul Wallace

The following Ex-Officio member was present:

Mr. Tim Gray on behalf of Kevin Claridge, representing the Department of Environmental Protection
Mr. Norman Taylor, representing the Broward County Office of Economic Development
Mr. Elbert Waters, representing the South Florida Water Management District

The following Council Members arrived after roll call:

Councilmember Margaret Bates
Councilmember Bruno Barreiro

AGENDA ITEM THREE: Minutes of previous Meetings (November)

Councilmember Walters moved to approve the Minutes from the November meeting. Councilmember Wallace seconded the motion, which carried by a unanimous vote.

AGENDA ITEM FOUR: Project Reviews

a) Intergovernmental Coordination and Review Report

Councilmember Walters moved to approve the Intergovernmental Coordination and Review Report. Councilmember Wallace 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

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 Gardens
- Village of Pinecrest

b) City of Pompano Beach

c) Village of Pinecrest

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

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

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

- Miami Shores Village
- City of Sunrise
- Town of Medley
- City of Hallandale Beach
- Town of Davie
- Town of Surfside

b) Monroe County

c) City of Miami Beach

d) Village of Biscayne Park

Councilmember Walters moved to approve the staff recommendation for items 7a, 7b, 7c, and 7d. Councilmember Wallace seconded the motion, which carried by a unanimous vote.

AGENDA ITEM EIGHT: Reports

a) Executive Committee Report

Nominating Committee Report:

Councilmember Walters reported that the Nominating Committee had the following recommendation:

Chair:	Councilmember Gunzburger
Vice-Chair:	Councilmember Carruthers
Treasurer:	Councilmember Wallace
Secretary:	Councilmember Sosa
Immediate Past Chair:	Councilmember Scuotto

Vice-Chair Gunzburger informed the Council that the Executive Committee had met on December 1, 2010 to discuss hiring Mr. Jack Osterholt as Interim Executive Director. Everyone received a copy of the minutes taken at that meeting as well as a proposal from Mr. Osterholt. Vice-Chair Gunzburger stated that there was one clarification that the Executive Committee needed on Mr. Osterholt's proposal. The Executive Committee felt that the following should be removed from the Boiler Plate – Other Activities section of the proposal: "...this Agreement shall not, in the absence of a conflict of interest, preclude B. Jack Osterholt from pursuing other business interests or activities."

Mr. Osterholt stated that he has agreed not to pursue any additional clients while he is Interim Executive Director. That language is standard language that he uses in all of his contracts, but it will be corrected to reflect his willingness not to pursue other clients.

Vice-Chair Gunzburger stated that there were no other objections to the proposal. The Council appreciates his being hired sort of quasi. She stated Mr. Goren would explain.

Mr. Samuel S. Goren, Legal Counsel, stated that the Executive Committee was legally able to take action today on behalf of the full Council. The Executive Committee has the legal ability to make the decision to hire Mr. Osterholt and his firm as the Council's Interim Executive Director, subject to an actual contract coming back to the full Council next month which will include a Scope of Services, but as of this morning this will allow Mr. Osterholt to begin working.

Councilmember Brook stated that he was sad for Ms. Dekle's family and for the Council and wanted to extend his appreciation to everyone. These are very challenging times but I have no doubt that by supporting each other and moving forward with as much strength and love as possible we can continue to make a very positive impact for and with South Florida. He added that he was very proud to be a part of this organization, and looks forward to Mr. Osterholt's leadership.

Vice-Chair Gunzburger stated that she feels that Mr. Osterholt is the best person for this position and looks forward to working with him.

Councilmember Wallace moved to accept Mr. Osterholt's proposal including the modification suggested by Vice-Chair Gunzburger. Councilmember Walters seconded the motion which carried by a unanimous vote.

Mr. Osterholt stated that one of the first things that he will do is a Current Conditions Report to illustrate where the Council is, what needs to be done and the order in which he intends to do them.

Councilmember Wallace stated that he assumes that will include a financial report on the Council as well.

Mr. Osterholt stated that he will work on that so that it will be available by the January meeting.

Councilmember Walters stated that she particularly welcomed the report at this time because it would be a working document that would be helpful as we are proceeding into a state-level review of how planning is going to work. It would be a great thing to see from all of the Regional Planning Councils (RPC) or from the Florida Regional Councils Association (FRCA), because they are all different from area to area.

Mr. Osterholt stated that the SFRPC has had a history of national prominence.

Councilmember Walters asked if Mr. Osterholt would be attending the FRCA meeting since it has been moved down here.

Mr. Osterholt stated that he had not yet seen his calendar.

Councilmember Walters stated that a good topic of conversation would be putting together a coherent picture of what all of the RPCs are doing.

Mr. Waters stated that the Governor's Transition Teams are going to be meeting with various agencies and asked if the Council had been contacted for such a meeting.

Councilmember Bates arrived at the meeting.

Mr. Osterholt stated that he would be surprised if the Council had been contacted.

Councilmember Wallace stated that around this time of year we would hear that Ms. Dekle was spending a lot of time in Tallahassee, he asked if Mr. Osterholt would be doing the same.

Mr. Osterholt stated that there are 2-3 top-priority issues. Having a new Governor who has not had a lot of experience in state government the Councils are kind of in the situation they were in during Sunset. It will take the hard work of everyone in this room to put together a tight-cohesive discussion that we can make about RPCs. I intend to spend as much time as Mr. Ron Book will allow, being up there doing what we need to do, because we have substantive issues to settle as well as significant financial issues.

AGENDA ITEM FIFTEEN: Other Matters for Consideration

d) Planning in Florida Talking Points

Vice-Chair Gunzburger stated that this was handed out just before the meeting and was discussed at the last meeting. This is a reference for discussions with Legislators. She stated that she was planning a regional meeting for Broward, Miami-Dade and Palm Beach Counties in February so that we will all be on the same page when it comes to this.

Councilmember Asseff thanked staff for the talking points, they did a great job. She stated that she was going to forward them to the Florida League of Cities.

Mr. Osterholt stated speaking with one voice is very important.

Vice-Chair Gunzburger stated that she would have them added to the Broward County legislative agenda and would ask President Lieberman to do the same.

AGENDA ITEM EIGHT: Reports (cont.)

b) Financial Report (October)

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

d) Legal Counsel Report

Mr. Goren informed the Council that the backup includes a memo that was provided to the Council regarding the Miami-Dade County membership dues, which have since been paid. The memo was helpful in the context of supporting the legal necessity for full payment of dues. There is no longer a voting issue regarding any member from Miami-Dade County. All actions taken at the November and the December meetings will need to be ratified at the next full Council Meeting. It was determined, at the December 1, 2010 Special Meeting, that two Executive Committee Members will need to sign all checks, Mr. Osterholt will not be signing any checks. He then informed the Council that Councilmember Asseff would be speaking on behalf of the Council at the memorial service for Ms. Dekle.

Councilmember Asseff asked that if anyone had anything that they would like her to include in the speech they call her.

Mr. Goren stated that there were memos in the backup regarding the Hurricane Wilma loans as well as the Revolving Loan Fund loans.

Councilmember Asseff asked if Mr. Osterholt would be reviewing the checks before they go to the Executive Committee members for signature.

Mr. Osterholt stated that he would review every single check that gets cut before they are sent to the Executive Committee Members for signature.

Mr. Goren thanked Council staff and thanked Mr. Ron Book, Executive Director for FRCA, for their help getting through this difficult time.

Vice-Chair Gunzburger then thanked Mr. Goren for his help through all of this.

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) Southeast Florida Regional partnership

Councilmember Walters asked for an explanation regarding the initial Executive Committee for the Southeast Florida Regional Partnership.

Mr. Richard Ogburn, Council staff, stated that Ms. Isabel Cosio Carballo has been the lead on this, but is in Jury Duty and has asked him to fill in. He stated that the Executive Committee that is listed in the staff report was the list that was written into the grant proposal. At this time there is an effort to get the Executive Oversight Board in place, because some decisions need to be made in order to complete the next phase of the grant, which are negotiations with HUD on the final characteristics of the grant.

Councilmember Walters asked how frequent the meetings would be.

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Mr. Ogburn stated that he was not sure, but suspected they would occur more frequently in the beginning. He explained that this was just the initial Oversight Board which would then extend membership to additional members in the near future.

Councilmember Walters asked if members would be able to participate remotely. She stated that she was concerned about Councilmember Carruthers being able to travel up from Key West for all of the meetings.

Mr. Ogburn stated that the meetings have always had provisions for members to participate via conference call.

Mr. Osterholt stated that it was important to realize that this grant was put together by staff under great duress, but they did a fabulous job. We have been awarded this grant, but I will believe it when we get a check. There is nothing in this grant that we are legally obligated to pursue at this point and in fact the last phone conversation that I sat through at the DOT offices about this there was a lot of discussion about sitting back and looking at the grant to give them our thoughts about the best way to be organized and what the budget will look like. I'm not saying we are going to start from scratch, he stated, but I'm saying that I appreciate dense comments to us about the need to proceed. It would be heartbreak to us if it turns out at the end of the day that HUD didn't like our approach. The way these things operate is that we are now on the short list and still need to prove to them that we can produce this. The grant application has inconsistencies within. Ms. Cosio Carballo and I have been working together for the last month trying to finalize a work program and a budget. I can't do a budget without a work program, he stated.

Councilmember Barreiro arrived at the meeting

Councilmember Asseff stated that she didn't realize that the Council hadn't gotten the money already. She asked how much HUD would be taking back from that money.

Mr. Osterholt responded none; this will be money that will be spent in South Florida.

Councilmember Asseff stated that they charge administration fees, and she wants to know where we really stand on this.

Mr. Osterholt stated that is the stuff that has not yet been disclosed. This is a very important product to HUD and will be the gateway to the next three to four years, which means that when we are hopefully selected to do this work, all of the new work that comes into South Florida that is not aimed at specific locations will be funneled through this agency. We are going to be working very hard to make sure we are that gateway.

Mr. Waters stated that he was interested in serving as a member on this board, to be the representative with expertise in "equitable and affordable housing", because he previously worked for U.S. HUD here in Florida.

Vice-Chair Gunzburger asked if there would be a problem deferring this item until January when the full Council would be present for the discussion.

Mr. Ogburn stated that it was his understanding that Ms. Cosio Carballo was anxious to have these nominations, because Treasure Coast Regional Planning Council met earlier and has nominated two additional members from its Council. I am sure that the Executive Board as defined in the report can be

without the additional nominations from the SFRPC if that is the will of the Council at this time. The negotiations with HUD are on a schedule and the meeting of this Executive Committee to complete some of the decision making about how to approach HUD will occur over the next month.

Vice-Chair Gunzburger suggested that the Council appoint interim representatives so that the Council would have the flexibility to change the appointments if it so desires. I would invite Mr. Waters to represent the Council as well as Mr. Taylor, she stated.

Councilmember Wallace moved to appoint Mr. Waters and Mr. Taylor to be representatives on the Southeast Florida Regional Partnership Executive Committee. Councilmember Walters seconded the motion, which carried by a unanimous vote.

Mr. Osterholt stated that this would be number one on his agenda, and he would keep the Council updated.

AGENDA ITEM SIXTEEN: Correspondence and Attendance Form

Information only

AGENDA ITEM SEVENTEEN: Councilmember Comments/Public Comments

Vice-Chair Gunzburger reminded the Council that there would be a memorial service for Ms. Dekle on Saturday, December 11, 2010 at 2:00 p.m. and would be held at the Hollywood United Methodist Church.

AGENDA ITEM EIGHTEEN: Upcoming Meetings

- a) January 3rd, 10:30 a.m. (Council Offices, Hollywood)
- b) February 7th, 10:30 a.m. (Council Offices, Hollywood)
- c) March 7th, 10:30 a.m. (Council Offices, Hollywood)
- d) April 4th, 10:30 a.m. (Council Offices, Hollywood)

AGENDA ITEM NINETEEN: Adjournment

The meeting of the Executive Committee was adjourned at 11:17 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 December 6, 2010 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 3rd day of January 2011.

Heather Carruthers, Secretary

Date