

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

March 2, 2009

The South Florida Regional Planning Council met this date at the Council Offices, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida. The Chair, Councilmember Walters, called the meeting to order at 10:38 a.m.

AGENDA ITEM ONE: Pledge of Allegiance

Ms. Dekle explained that Council staff participated at the Sistrunk Historic Festival this last weekend. Over the years the Revolving Loan Fund Program has approved many loans to help out the Sistrunk area, one of the historical areas in Broward County. The Council was recognized for the work being done in that area.

Councilmember Walters stated that Councilmember Lieberman had a flat tire and would try to participate via conference call.

AGENDA ITEM TWO: Roll Call

Councilmember Patricia Asseff
Councilmember Margaret Bates
Councilmember Michael Blynn
Councilmember Scott Brook
Councilmember Jay R. Chernoff
Councilmember Suzanne Gunzburger
Councilmember Sally Heyman
Councilmember Barbara Jordan
Councilmember George Neugent
Councilmember Marta Perez
Councilmember Jose Riesco
Councilmember Katy Sorenson
Councilmember Paul Wallace
Councilmember Sandra Walters

The following Ex-Officio members were present:

- Mr. Tim Gray, representing the Florida Department of Environmental Protection
- Mr. Elbert Waters, representing the South Florida Water Management District

AGENDA ITEM THREE: Minutes of previous Meeting

Councilmember Heyman moved to approve the Minutes from the previous meeting. Councilmember Chernoff seconded the motion, which carried by a unanimous vote.

Councilmember Walters stated good job to staff, that was a challenging meeting to do minutes for and they were very comprehensive.

AGENDA ITEM FOUR: Project Reviews

a) Intergovernmental Coordination and Review Report

Councilmember Gunzburger moved to approve the Intergovernmental Coordination and Review Report. Councilmember Heyman 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)

Mr. Steve Lindsley, resident of Sawgrass Preserve, stated that his development was located directly across from the Metropica project location. He stated that the homeowners association met with the Metropica attorney and Commissioners regarding the impacts to traffic in the community. They have also learned that the Florida Panthers plan on building out their parking lots to the left of Sawgrass Preserve and build condos there as well. It looks like they are planning on building about 11,000 condos within about a half-a-mile away from our entrance. He stated that he wanted to make the Council aware that they are just making sure that the Council is considering all of the impacts to the community and single-family homes. The community wants to be considered when or if the traffic adjustments are made, because the community entrance and exit is right at the midpoint of these developments and is concerned that traffic is going to be five-fold from what it is right now. There is also concern about the aesthetics and noise that will be created by these projects.

Councilmember Walters stated it is true that some of the issues raised by Mr. Lindsley are to do with projects that have not even been applied for yet; the traffic impacts of those projects would be considered in conjunction with these others when those applications come in.

Mr. Lindsley stated that he did see that there was a pre-application meeting held the Florida Panthers last Thursday. It was a pre-application, but it may come to a point where there will be concurrent developments going on all at the same time.

Councilmember Walters stated that she would like to hear a response from staff.

Ms. MJ Matthews, Council staff, stated as part of the staff recommendation to approve both project Development Orders (DO), we have noted that in the adopted DO they have included the Council's recommendations and conditions and have incorporated them into the adopted DOs. The applicant addresses affordable housing issues as well as some of the traffic issues. Staff is looking at some of the impacts that are anticipated to be mitigated by the different conditions. The build-out is through 2018. The Florida Department of Transportation (FDOT) is developing a scope of services with Council staff to do a cumulative traffic impact analysis of the entire area and that will include any recommendations and proposals for additional mitigation. The pre-application conference for the Florida Panthers Entertainment District was held on Thursday, February 26, 2009. Staff will be going forward to work on this project as well. The Development of Regional Impact (DRI) process has mechanisms in place to coordinate intergovernmental reviews to develop methods for the different impacts that may arise.

1) Westerra – City of Sunrise

Councilmember Gunzburger moved to approve the staff recommendation. Councilmember Heyman seconded the motion, which carried by a unanimous vote.

2) Metropica – City of Sunrise

Councilmember Gunzburger moved to approve the staff recommendation. Councilmember Heyman seconded the motion, which carried by a unanimous vote.

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 - None
- b) City of Lighthouse Point
- d) Monroe County
- e) City of Aventura
- f) City of Doral
- g) City of North Miami
- h) Village of Biscayne Park
- i) City of Fort Lauderdale

Councilmember Gunzburger moved to approve the staff recommendation on items 6b, 6d, 6e, 6f, 6g, 6h and 6i. Councilmember Heyman seconded the motion, which carried by a unanimous vote.

Councilmember Brook stated that he wanted to make sure that the recommendations go forward with Council comments for item 6f.

Councilmember Walters stated that all recommendations go forward with staff comments.

Councilmember Sorenson stated there was a scrivener's error on 6g; it should be Joan Lehman Museum of Contemporary Art, not John Lehman.

c) City of Sweetwater

Councilmember Chernoff asked, for clarification, if the staff recommendation was because it has not been able to meet with the City of Sweetwater yet.

Ms. Rachel Kalin, Council staff, stated staff has been in contact with the City and has informed the City of what it needs to do, which is a simple Public Education Facilities Element; this should not be a problem.

Councilmember Heyman moved to approve the staff recommendation. Councilmember Asseff 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) Updates Amendments
- City of Cooper City
 - City of Aventura
 - Town of Southwest Ranches
 - City of Hollywood
 - City of Miami
 - City of Plantation
 - Town of Medley
 - Town of Pembroke Park
- b) Indian Creek Village
- c) City of Weston
- d) City of Fort Lauderdale
- e) City of Lauderhill
- f) Broward County (09D-1AR)
- g) Broward County (09D-2AR)
- h) City of Sunrise (09D-1AR)
- i) City of Sunrise (09D-2AR)

Councilmember Heyman moved to approve the staff recommendation on agenda items 7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 7i. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

AGENDA ITEM EIGHT: Reports

- a) Executive Committee Report

Nothing to report

- b) Financial Report

Councilmember Heyman moved to approve the Financial Report for the month of January 2009. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

Councilmember Blynn asked what the situation was with the Council's financial accounts, considering the situation in the United States. Has it affected the Council, he asked.

Ms. Dekle stated that staff knows that the Council will be in the same situation as all of its member units of local governments are in as well. Staff is trying to be as conservative as possible when it comes to spending. At this point in time, staff is staying within the budgeted allowances and is accomplishing goals in terms of revenue, but that is something that is subject to change. A part of the Council's State appropriation has been held back due to the fund that it is tied to at the State level, which is something that is called a Construction Trust Fund. The Construction Trust Fund is generating about 80 percent of what was projected, and may fall even more. The Council will get less money than the State had even appropriated. Staff is working very diligently to ensure that the Council is providing services for member units of local government and adding value where it can. Staff is looking at the budget very carefully and being very conservative. The amount of staff travel has been reduced and staff did not get a cost of living increase this past year. The Financial Report shows where the Council is at today. Ms.

Dekle added staff is staying on-point and using professional service agreements for the staffing that is needed on additional projects. In order to draw down revenue from current contracts, staff is working hard every week to ensure that products are completed and submitted.

Councilmember Blynn requested a mid-year status update.

Ms. Dekle stated that the Council's fiscal year runs from October 1 to September 30. The Council is provided with a monthly report that shows the Council's financial status on a monthly basis.

Councilmember Blynn stated that the mid-year point would be April.

Ms. Dekle stated that there would be a Financial Report for the month of April, and she would be happy to give any observations at that time. She added that the most important time is going to be after the Legislative Session concludes in May. At that point we are going to know where we stand. She requested that the Council allow her to wait until May to give that report; she would be able to provide a more complete picture.

c) Executive Director's Report

Councilmember Lieberman joined the meeting via conference call.

Councilmember Walters stated that the Council would move forward with the discussion of Senate Bill 360 so that Councilmember Lieberman could participate. She asked Ms. Dekle to provide an overview.

Ms. Dekle stated that the Council members had all received information from staff regarding Senate Bill (SB) 360, which is under consideration by the Legislature right now. SB 1306 is also under consideration, this Bill deals with similar subject matter. SB 360 is currently in-flux in the sense that there are changes being considered and being presented. We think that the Bill will be heard again on Wednesday, she stated. Mr. Bob Cambric and Ms. Isabel Cosio Carballo, of Council staff, have been working together to keep the Council current on this along with the Council staff in Tallahassee. Both of these Bills would significantly change the roll of the Regional Councils in the review of large scale developments and would also change the issues considered by County and City Commissioners as they review development. Staff has brought forth information on this in hopes that Council members would begin talking to colleagues at the municipal and county-level to gauge what local government interests are. The Governor's Appointees also need to be concerned, because they may be able to influence the Governor after whatever legislative actions are ultimately taken. In April, staff will provide a more detailed analysis of the Bill as it exists and compare and contrast what is achieved under today's processes and what would be achieved under the proposed processes that the Legislature, at that point, will be moving through. One of the reasons that this is being discussed today is to recognize the fact that this morning there was a significant article talking about the changes this legislation would cause to occur. Ms. Dekle stated that she has been interviewed twice on this, and many of the Council members may be contacted individually for comment. The changes are being presented in the context of creating more economic vitality and creating more revenue and perhaps encouraging more job development in the state. Any direction that the Council can provide to staff would be helpful. Councilmember Lieberman is the President of the Florida Regional Councils Association (FRCA) and also is highly placed with the County Commission Association. Staff brings this forward for the Council's understanding and information. We ask that the Council look at both SB 360 and SB 1306 because there are important components related to review processes and the ability for the Council members to be able to generate revenue that is needed to deal with infrastructure improvements that may be required related to development within their communities.

Councilmember Walters informed the Council that she has asked staff to prepare a comparison of the existing structure versus what the Bill at that point would do to it and draft a resolution. She stated that her first awareness of this process was an article in the local paper in the Keys entitled “Bill Aims to Discourage Urban Sprawl”. As you read the details of this Bill, she stated, you realize that it includes all counties with populations of one million. The intension of this Bill is expressed to focus population growth in infill areas that would encourage mass transit, except if it includes an entire county there are plenty of areas in Miami-Dade and Broward Counties with rural and semi-rural areas that would be included, which could have the exact reverse effect than that which is intended.

Councilmember Lieberman stated that the Florida Association of Counties had an Executive Committee phone conference last week and it is very concerned about this Bill. We are concerned that under the guise of economic development it will be eroding gains that the State has made toward having a planned out community. We are also concerned that the Bill fails to deal with any gaps in backlog infrastructure, which will be created by this Bill. The good news is this Bill has to go through session and hopefully we can affect it with some amendments. Broward County staff is not as concerned as the Florida Association of Counties, because for the most part Broward’s concurrency is through mass transit in nine out of 11 areas. There is major concern statewide with the impact of this Bill and how it will erode any progress we have made toward having growth management in the state. It was asked where FRCA stood on the Bill. She stated that it was her intent to poll the members of FRCA and see where they are. We have people from all of the Regional Planning Councils, but I suspect that since we haven’t seen the final version yet, there is going to be a lot of attempts to amend that Bill.

Councilmember Heyman stated that she had two concerns. The first, waiting until April to take a position on this will be too late. The Council can express concerns now on specific details and also take a policy position on what it thinks is important in regards to regional planning and regionalizing things and a couple of other things that it feels would be detrimental based on the details that are now presented. Yes it has to go through the mandatory process, but this cannot wait until later. The second concern, she stated, she would like to see the Council look at SB 630, with the same sponsor, Senator Bennet; this gets rid of impact fees and includes a moratorium imposition for collection; it is a three year moratorium for cities and counties not to impose and not to collect impact fees. In Miami-Dade County that adds up to tens of millions of dollars just for roads. That would be devastating for every city.

Councilmember Walters requested that staff get copies of House Bill 1019, SB 1306 and SB 630.

Councilmember Heyman stated that Miami-Dade County has already gone on record opposing SB 630.

Councilmember Perez requested an explanation of the changes to the school concurrency.

Mr. Bob Cambric, Council staff, stated that the Bill would eliminate the requirement for school concurrency.

Mr. Cambric stated that it would eliminate the penalty if a community has not adopted school concurrency standards. Currently a municipality is restricted from adopting any amendments if concurrency requirements are not met; this Bill would remove that penalty.

Councilmember Sorenson stated this is really the “home builder and developer relief act”, and “shaft the citizens act”, because it would enhance suburban sprawl, add to vehicle miles traveled and climate change, and contribute to counties’ backlog of infrastructure. Miami-Dade County’s backlog is already between \$6-7 billion. Miami-Dade County can’t get funds for transit in the interior part of Miami-Dade County; if it had to expand transit into the Redlands outside the Urban Development Boundary, the

County would really be in trouble. This Bill would just contribute to the decline of Florida; it is exactly opposite of the direction that we should be going in. If they want to have an economic stimulus, help us advocate for funds and fund all of the concurrency requirements that we already have so that we can have transit and roads where they should be and schools that need to be built. That would also be an economic stimulus, but in the public interest, not just the private interest.

Councilmember Walters stated that Councilmember Sorenson is by no means alone in her feelings about this Bill. She added that she is frustrated by this because she believes in a balance between private property rights and the public interest. This Bill seems to be a disinterest to both, because it is not ultimately in the best interest of private property owners to have a lack of governmental coordination, a lack of public services; that is part of what has led to a lot of the projects that we have built today that are sitting vacant, with the system that is in place now. To remove the constraints without vision to correct the problems seems terribly counterproductive, she stated. Councilmember Walters added that she was hoping that this year would be the opportunity for the Council to focus on the budget and develop a dialog at the state level to develop the plan towards significant growth management changes next year, where there would be some time to think about unintended consequences and how to balance these things. It is a great disservice to have this Bill railroading its way through the Legislature. This Council must be very proactive, both as a Board and individually, in order to be heard.

Councilmember Jordan stated that she agreed with Councilmember Heyman; if the Council waits until April it will be too late. The session is not that long to begin with; by April they will be midway through the session, and the Council will not have an opportunity to make a significant impact. She asked Legal Counsel if the Council could make a motion to direct staff to go forward with a resolution by consensus through email approve it.

Mr. Goren stated that the Council has a history of reviewing legislation on an annual basis and has actually made comments publically by adopting resolutions. He stated it would be common and would be appropriate for the Council to adopt a motion to draft a resolution. Realize, he stated, that the Council is looking at a specific Bill on a specific day, but conceptually the Council can provide for substantive positions that are affected by the Bill. The answer is yes.

Councilmember Walters informed the Council that the letter, written by Ms. Dekle, that was part of the email sent to the members, has already been sent. This meeting would be the opportune time to develop some specific points to address.

Ms. Dekle stated that staff was making copies of the letter for the Council to look through. If the Council feels that the language is not strong enough, it can provide staff with direction for modifications.

Councilmember Gunzburger stated that she agreed with both Councilmember Heyman and Councilmember Sorenson. She also called it the “developer’s relief act” and it is also unfunded mandates being sent down to the counties and the cities. If we are going to maintain our infrastructure, we sure don’t want to raise taxes, just like Tallahassee doesn’t, she stated. If this goes through, it will make our cities and counties unsafe. The Council, she stated, needs to send a message at the beginning of session and if the Bill becomes something that we can support we can say thanks for listening to us, we appreciate your addressing the problems that we saw in the Bill, and as it now stands we would like to support it. She stated that she agreed with the points raised by Councilmembers Heyman and Sorenson, and would be happy to second a motion if they made one. The Council needs to send a strong message to Tallahassee now.

Councilmember Lieberman stated we are just dealing with one Bill right now, but there are a host of other Bills coming. We also met with Senator Geatz, and he has convinced local governments that the problem is economic development; he is having these meetings all around the state and is going to be bringing back plans to get rid of other portions of growth management that he feels impedes progress. The first part of this is, I think, we can take a stand today and a resolution should be passed today, she stated. There are some general guiding principles that the Council looks for in its role as a Regional Planning Council. Though we might specifically mention this Bill, she stated, I would be concerned about limiting it to this Bill. The Bill can change as it goes through and there is a lot of discussion in the Senate about Senator Geatz's committee and the testimony at the hearings and what they are going to be bringing forward, which may be similar to some of the provisions that are in SB 360.

Councilmember Walters stated that the Council was just provided copies of a letter that was drafted by staff. She read through the letter for the benefit of Councilmember Lieberman who did not have a copy of the letter. Councilmember Walters stated that the Council could use this letter as a basis, but the feeling that she is getting from the Council is that it is going to want to get more specific than this and will probably want to address more issues.

Councilmember Lieberman stated that the Council was discussing SB 360, but she suggested that the resolution needs to say SB 360 or any other Bill that would attempt to cause the same effects, because whenever the State is short for money, local governments need to look out.

Councilmember Perez requested that school concurrency also be mentioned in the resolution.

Councilmember Chernoff stated that it seems that the Council members are all on the same page, and it needs to bring the lobbyists full speed ahead and let them know exactly what the Council's concerns are.

Councilmember Wallace stated that a letter needs to have all the right input and say the right things. Secondly, don't wait until the fourth paragraph to say what you really think. The way that the letter is written looks like the Council is supporting this Bill.

Councilmember Brook stated that there should be a sunset provision included as well.

Councilmember Jordan stated that she was concerned in the very first paragraph where it says, "...redundant or non-regulatory activities which make government cost more and inhibit economic growth", what does that mean she asked. It is the elimination of regulatory statutes that got us into some of the trouble we are in now. She stated that her concern was she didn't know what they are talking about eliminating. She added that she would be opposed to eliminating something that will help us to move things forward.

Ms. Isabel Cosio Carballo, Council staff, stated that the language that Councilmember Jordan referenced comes from the comment made by President Atwater to his Committee, made with very broad aspirations. The Committee Chair has taken those broad aspirational goals to use as a justification to pass legislation that they have been trying to pass for many years. In trying to strike a balance between being overly negative in the letter, Ms. Cosio Carballo stated that she tried to incorporate the positive comments that the President made and then that way the Council's comments are not seen as overly negative.

Councilmember Jordan stated that it was not the language in the letter that she was opposed to so much as really wanting to understand what the intent is in terms of that legislation.

Councilmember Neugent stated that the Council may not want to send the letter as it is written, at least based upon the tenor of what he is hearing. As an elected official, you read what you want to out of these letters and you use what you can out of them and take things out of context. He added this is not something that I can support at all.

Councilmember Heyman stated the legislators are not going to read this much stuff. First of all it needs to start with the item that is being referenced, the Bill number. She suggested that the Council drop the first two paragraphs and get right into it. The second sentence should say, "However, we are concerned that language in this Bill will have adverse effects; we support the position, but this Bill and that language are going to adversely affect this Council." One of the first concerns we should quote here is their specific definition of "dense urban areas"; you find in on page two, line 53, sub-section such-and-such and then you say specific to blah, blah and you tell them what you want. It is one thing to identify a problem, and then they work with us. Atwater is Palm Beach; some of these co-sponsors are our people, and they are players. What this Council needs to do is specifically give them a solution that goes back to economic development and stimulus, but isn't adverse to us. Time is an issue. The three that are cited, reference them back to the Bill, and thank them for their immediate attention and tell them you are available if needed. The next step, she stated, is to get the lobbyists involved; inform them of the Council's position, and we can use the Miami-Dade resources as well as Broward County and Monroe.

Councilmember Sorenson stated that the Council should mention specifics, and that it will not support anything that will enhance suburban sprawl, will add to vehicle miles traveled, and climate change, that will contribute to the counties' and cities' backlog of infrastructure and transit and impact fee waivers mean that impacts will not be paid for and impacts certainly exist. We have to make that all clear to them. Concurrency is something that we fought for, for a long time in this state and it is something that has been a benefit, and unfortunately it hasn't gone far enough. We have to make it very clear; these guys do not play nice.

Councilmember Lieberman stated the Bill doesn't address anything regarding how municipalities will handle jurisdictional impacts.

Councilmember Asseff requested that the Council members get a copy of the draft resolution or letter so that all members could take it back to their respective municipalities so that they can in turn write to their legislature; it will have a greater effect.

Councilmember Walters stated that there has been ample discussion by this Council about the need for mass transit and how in dense urban areas concurrency is actually counter productive. While we should list all of the items that the members have all addressed right up front, we may be able to add at the end of the letter something about here are some suggestions for changes that could bring us back to the originally stated goal of this legislation, which is to address the improvements for mass transit. I think there were some ideas in the original letter that focused on that where we can talk about the items that bring us back to improving and focusing on the ultimate goals.

Ms. Dekle requested some clarification. She asked if the Council was working toward a resolution that staff would be directed to draft based on the letter and then email to the members for approval.

Mr. Goren stated that a resolution speaks better to a political body. The Council has a snapshot of a Bill that will most likely change as will many.

Ms. Dekle stated that the resolution would be sent to all Legislators, because they will all ultimately take part in the decision making.

Councilmember Walters asked if the members would all like to look at this resolution before it goes out.

Councilmember Brook suggested that the Council designate four or five people to review the draft resolution.

Mr. Goren stated that the Council could designate four or five members to review the draft, but if it were handled through a conference call the public would be allowed to call in, which could create complications.

Councilmember Brook suggested that the four or five people review and provide individual comments to the Executive Director; otherwise there will have to be a special meeting.

Mr. Goren stated that the Council was dancing close to the flame.

Ms. Dekle stated that both she and the Chair, Councilmember Walters, will work with the designated group to address all of the issues raised by the Council and incorporate them into a resolution. If the Council should want to modify it in any way that could be done at the April Council meeting.

Councilmember Gunzburger stated that she wanted to see the resolution go out as soon as possible, and a committee of two would be adequate; she recommended Council members Heyman and Sorenson.

Councilmember Heyman stated that she would work with Councilmember Sorenson to draft up a resolution real fast, and staff and legal counsel could put into final format.

Councilmember Walters stated that she would be hesitant to limit it to what they could come up with right now, because she thinks that staff could have at least a day to put some additional thought and comments into it. She then suggested that this could be an emergency resolution that all members could individually expand on through their own positions, and that the Council has a chance to give additional input at the next meeting.

Councilmember Gunzburger stated that she did not want to wait until the next meeting.

Councilmember Riesco added this needs to go out this week.

Councilmember Chernoff asked if the Council could pass a resolution that the language would be coming forward and will be approved by all Council members through email.

Mr. Goren stated that the members are all very carefully considerate of the Sunshine law. The Council members are not voting, they are simply providing comments to the Executive Director to assist in finalizing the resolution, which needs to go out fairly soon. The Council should allow the Executive Director and others to work towards a collective best end given the motion made by the Council.

Councilmember Perez suggested review and approval by the Executive Committee.

Mr. Goren stated that the committee would have to meet in public to make the decision; that is the problem. This Council has many challenges; as a state agency it is required to advertise its public meetings.

Councilmember Jordan made a motion that Council members Heyman and Sorenson draft the item now and basically we move to have the items sent by Wednesday by the latest.

Councilmember Neugent asked if there was a companion Bill on the House side.

Mr. Cambric stated that there was not a House Bill, but there was SB 1306, which attempts to do similar things, but also does some different things. He stated that SB 1306 defines backlog trips and has a requirement that projects can only be reviewed based on its trips not on cumulative basis, which may create a problem. The term dense urban area, used in SB 360 is referred to geographically in SB 1306.

Councilmember Heyman informed the Council that SB 360 was a committee substitute, and under the House and Senate rules you do not need a companion for the other chamber to hear the Bill.

Councilmember Chernoff requested an addition to Councilmember Jordan's motion, to allow staff time to put in important things that they don't have in front of them right now.

Councilmember Jordan accepted the amendment to her motion.

Councilmember Riesco asked for clarification on the way that the Council was going to approve the resolution.

Mr. Goren stated that the members would get the resolution before the meeting adjourns, because they cannot receive it after they leave.

Councilmember Chernoff stated that he thought that the Council could vote on it now, on the intent of what they want on the record. Then see the actual content via email.

Mr. Goren stated that the Council could not do that.

Councilmember Lieberman stated that she had to hang-up, because the tow truck was there.

Councilmember Asseff stated that Mr. Bob Cambric has not been formally introduced as a new member of Council staff.

Ms. Dekle introduced Mr. Cambric stating that his Master's Degree was from Florida State University, he was Assistant Director at the Apalachee Regional Planning Council for some time, worked for the Florida Department of Community Affairs, and has, up until being hired by this Council, been working as a private consultant. The Council is fortunate to have him on staff now. Mr. Cambric is knowledgeable across a range of issue areas, and has used that knowledge to help the Council quite a bit in managing through some of these issues. Ms. Dekle stated that she wanted to add a comment to the discussion regarding SB 360. The Council has a lobbying team working in Tallahassee; Ms. Cosio Carballo and Mr. Cambric have been working tremendously hard with that team to try to pull issues forward and move them forward. Some of the more moderate language that the Council sees comes out of discussions about how we carry for the whole state. What is nice today is that staff has heard clearly what the Council's interests are and it is the job of staff to bring that to the lobbying team, led by Mr. Ron Book.

Councilmember Wallace asked if it were appropriate to ask about Mr. Book's other lobbying engagements.

Ms. Dekle stated that she would not even begin to know that list.

Councilmember Wallace again asked if it would be appropriate to ask.

Ms. Dekle stated she did not have that full list at this time, but it could be obtained, if desired.

Councilmember Walters stated that it is terribly appropriate for this Council, of all Councils, to come out very strongly, because two of its three counties and 99% of its population are directly affected by these actions. She stated that she is very proud of the way that the Council members worked together to take such a strong position. She then stated that the Council would move on and cover the rest of the agenda to give Council members Heyman and Sorenson time to finish drafting the resolution.

Ms. Dekle stated that, as discussed, the Strategic Planning Session has been rescheduled until after the end of the Legislative Session so that we have a better understanding of where we stand financially. She then pointed out a letter that Ms. Rachel Kalin, Council staff, received from the Governor thanking her for the work she did on the Solar Panel Initiative at Florida Atlantic University, while she was in graduate school.

Councilmember Heyman stated that the draft resolution was ready. She then read the draft to the Council.

Councilmember Perez requested that they also include the issue about school concurrency.

Councilmember Heyman asked how she wanted it to be phrased for the resolution.

Councilmember Perez responded it should say something about opposition to anything detrimental to School Board concurrency.

Councilmember Heyman stated it should say anything that would remove or alter School Board concurrency.

Councilmember Lieberman rejoined the meeting via conference call.

Councilmember Walters explained that Council members Heyman and Sorenson were reading the resolution that they drafted. She stated that the difference between some of the comments that Councilmember Lieberman made and what is in the resolution is that it is specifically addressing SB 360. Councilmember Walters then asked Councilmember Heyman her opinion on how to address the other Bills that may come up and have the same affect.

Councilmember Heyman stated that the other one was impact fees.

Councilmember Walters stated that SB 630 was impact fees, but 1306 is actually the stealth bomber version of 360.

Councilmember Chernoff stated that the Council could pass a resolution and allow staff to put in the appropriate information.

Mr. Goren stated that the Council's motion will include the latitude to allow staff to make those messages.

Councilmember Heyman stated that the resolution will start, “a Bill to be entitled an Act relating to growth management”. If this Council is going to speak specific to this, but we also cite all of these issues that would be adversely or detrimentally affected by this. She stated that she would like this to go to everybody. I have a sense of what I may be a sponsor for, she stated, so may anyone else here. If the resolution is drafted and not mention specifics, it would be thrown to the side and not even looked at; we have to be specific.

Councilmember Gunzburger stated that there are three Bills that we know will affect us adversely.

Councilmember Heyman asked specific to growth management?

Councilmember Gunzburger replied yes, SB 1306 and 630.

Councilmember Sorenson stated the resolution can be modified to say, at the end, therefore the South Florida Regional Planning Council (SFRPC) wishes the Florida Legislature to consider any detrimental consequences of any legislation that would exacerbate urban sprawl, etc.

Councilmember Lieberman and Councilmember Heyman agreed.

Councilmember Heyman asked if they missed any of the issues raised by the Council.

Councilmember Brook stated that they should include a sunset provision.

Councilmember Blynn stated they are not going to like this, because they are trying to lower the barriers for developments.

Councilmember Heyman stated that the resolution would request a sunset provision that would allow for future review and evaluation.

Councilmember Walters requested another whereas clause in the beginning to state that the SFRPC membership is made up of representatives from Broward, Miami-Dade, and Monroe Counties as well as private sector representatives appointed by Governor Crist. All three counties will be profoundly affected by this proposed legislation.

Councilmember Asseff asked if the Governor had rendered an opinion on the Bill.

Ms. Cosio Carballo stated that she met with Tom Yeatman when she was up in Tallahassee. Mr. Yeatman is the Staff Director of the Senate Community Affairs Committee and what he told her was that this Bill had been shared with Secretary Pelham, who did not raise any objections. For that reason, they felt that they were able to move ahead with these proposals.

Councilmember Neugent pointed out that there was a movement afoot, once again, to do away with DCA, and Secretary Pelham may very well be keeping his head down over some of these issues. Knowing Secretary Pelham, he stated, “I can’t see him supporting this”.

Mr. Goren stated that the motion should be to approve the drafted resolution, which embraces the language and concepts described by Council members Heyman and Sorenson as modified by conversations on the dais and as may be refined by staff so as to deliver the document by Wednesday, the fourth of March, 2009.

Ms. Cosio Carballo stated that staff prepared an attachment which contained possible approaches to addressing the proposed exemption of “dense urban areas” from the DRI review process. She stated that she would like to review it with the Council and receive their input.

After reviewing the initial statement, Councilmember Gunzburger stated that she was afraid that would give them too much latitude to do away with it.

Ms. Dekle stated that what the Council has done is very clear and there will be a lot of discussion going forward and we will be involved in those discussions. The Council should not be uncomfortable if it wants to say that the DRI process is useful and should be maintained.

Councilmember Riesco stated add that to the resolution.

Councilmember Brook stated that he would be happy to present Governor Crist with the document when he meets with him next week.

Councilmember Jordan moved to approve the resolution as drafted by Council members Heyman and Sorenson and modified by discussion on the dais. Councilmember Chernoff seconded the motion, which carried by a unanimous vote.

Mr. Goren informed the Council, based on the motion made, there may be some refinements that are being delegated to the Executive Director and staff to make sure that the product is finalized and deliverable by Wednesday.

d) Legal Counsel Report

Mr. Goren stated that he would give his report next month.

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

1) Eastward Ho! Brownfields Cleanup Revolving Loan Fund Resolution

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

Information only.

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

Nothing to report.

AGENDA ITEM SIXTEEN: Correspondence and Attendance Form

Information only.

AGENDA ITEM SEVENTEEN: Councilmember Comments/Public Comments

None

AGENDA ITEM EIGHTEEN: Upcoming Meetings

- a) April 6th, 10:30 a.m. (Council Offices, Hollywood)
- b) May 4th, 10:30 a.m. (Council Offices, Hollywood)
- c) June 1st, 10:30 a.m. (Council Offices, Hollywood)
- d) July 6th, 10:30 a.m. (Council Offices, Hollywood)

AGENDA ITEM NINETEEN: Adjournment

The meeting was adjourned at 12:00 p.m.

South Florida Regional Planning Council

Minutes - March 2, 2009

Page 16

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 March 2, 2009 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 6th day of April 2009.

Suzanne Gunzburger, Secretary

Date