

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

January 4, 2010

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 10:33 a.m.

Chair Walters welcomed new Council member, Broward County Commissioner, Stacy Ritter.

AGENDA ITEM ONE: Pledge of Allegiance

AGENDA ITEM TWO: Roll Call

Councilmember Patricia B. Asseff
Councilmember M. Margaret Bates
Councilmember Michael Blynn
Councilmember Scott J. Brook (via phone)
Councilmember Heather Carruthers
Councilmember Suzanne Gunzburger
Councilmember Joseph Kelley
Councilmember Ilene Lieberman
Councilmember George Neugent
Councilmember Marta Perez
Councilmember Jose Riesco
Councilmember Stacy Ritter
Councilmember Joseph Scuotto
Councilmember Katy Sorenson
Councilmember Paul Wallace
Councilmember Sandra Walters

The following Ex-Officio members were present:

- Ms. Joan Goodrich, representing the Broward Alliance
- Mr. Tim Gray, representing the Department of Environmental Protection
- Mr. Elbert Waters, representing the South Florida Water Management District

AGENDA ITEM THREE: Minutes of previous Meetings

Councilmember Sorenson moved to approve the Minutes from the previous meeting with scrivener's errors which she provided to staff. Councilmember Scuotto seconded the motion, which carried by a unanimous vote.

AGENDA ITEM FOUR: Project Reviews

a) Intergovernmental Coordination and Review Report

Councilmember Asseff moved to approve the Intergovernmental Coordination and Review Report. Councilmember Bates 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-None

b) City of Miramar

c) City of Miami

Councilmember Neugent moved to approve the staff recommendation on agenda items 6b and 6c. Councilmember Bates 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 West Park
- City of Sunrise
- City of Coral Springs
- City of Weston
- Town of Surfside
- Town of Medley

b) City of West Park

c) Broward County

d) Miami-Dade County

e) Town of Southwest Ranches

f) City of Deerfield Beach

Councilmember Gunzburger moved to approve the staff recommendation on agenda items 7a, 7b, 7c, 7d, 7e, and 7f. Councilmember Blynn seconded the motion, which carried by a unanimous vote.

AGENDA ITEM EIGHT: Reports

a) Executive Committee Report

Chair Walters informed the Council that there was nothing to report.

b) Financial Report

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

c) Executive Director's Report

1) Legislative Update – Mobility Study

Mr. Cambric gave a brief update regarding the Mobility Study.

Councilmember Sorenson asked what the political likelihood was that anything would get passed on this session.

Isabel Cosio Carballo, Council staff, stated that it is hard to tell at this point how willing the Legislature may be to amend the state's growth management laws. Typically, perceived "weakening" of the growth management laws generates substantial and negative news coverage. In an election year, legislators may be less willing to take on controversial changes to growth management. With "Hometown Democracy" on the 2010 November ballot, interest groups that typically promote changes to the growth management laws may hold back to avoid inadvertently spurring on the passage of Amendment 4. Even so, Senator Mike Bennett (R-Bradenton), chair of the Senate Committee on Community Affairs and sponsor of last session's SB 360, has indicated that he intends to pursue continued changes to the state's growth management laws. Staff will have a better sense of what the mood of the Legislature as the coming weeks of committee meetings unfold.

Ms. Dekle stated that the Council members were just given a brochure, which Ms. Goodrich will discuss.

Ms. Goodrich explained that the brochure is used when the Broward Alliance travels around the world and when the world comes to Florida. It has been printed in five languages: English, Italian, German, Spanish and French. She welcomed the Council members to provide these as they travel as well.

Councilmember Gunzburger asked why Portuguese was not included.

Ms. Goodrich responded that it was one of the next languages on the list.

Councilmember Lieberman stated that this was a step in the right direction. Miami-Dade and Broward Counties have entered into a couple of different business arrangements with regard to China, but it is not included in this. The brochure seems to focus more on South America. It would be good to look at where Memorandums of Understanding (MOU) are signed. Also, she stated, when looking for demographic information, the 2000 Census is not up to date enough, there are other surveys, such as the American Communities Survey, that would prove to be more current.

Ms. Goodrich stated that she would take that feedback to the group responsible for the brochure.

Councilmember Asseff stated that she feels that the inclusion creative industries is great; for too long we have sat back and watched those industries go by. She stated that she would love to see those industries strive again in South Florida. This was a very well done brochure.

d) Legal Counsel Report

Mr. Samuel S. Goren, Legal Counsel, stated that Agenda Item #15a is the vote for the election of the Executive Committee for 2010. Mr. Goren then provided an update on the pending Supreme Court case Stop the Beach, stating that a synopsis is provided in the backup. This is a serious case, he stated. Also in the backup, is any pending litigation. Mr. Goren then went on to explain that it is growing very difficult to find qualified applicants for the Revolving Loan Fund (RLF).

Councilmember Lieberman asked if the Council had to charge interest.

Ms. Dekle responded, yes.

Councilmember Lieberman then asked if the amount of interest charged could be reduced. She said, when I look at the amounts that some of these companies are paying, it may have been okay when they were doing well, but now that they are not doing well, these payments are difficult to make. There are mortgage companies that are restructuring loans to move the interest to the end of the loan in order to avoid having a default. She requested that staff and the RLF Board look into ways of reducing the RLF's default rate. Councilmember Lieberman also requested that Mr. Goren include the Council's loan numbers in his future reports.

Councilmember Asseff stated that she thinks that these loans are much more important now than they have ever been. She stated that she would like to see something to the effect of if the borrower can't make a payment, they could pay something and add the balance of that payment to the back end of the loan. This way the companies could stay in business.

Councilmember Neugent stated that Ms. Cheryl Cook and the RLF Board have done a great job over the years; however, as someone who has worked in that arena for over 25 years as a small business owner, I do not want to see the Council shed its responsibilities in a light equivalent to the sub-prime loans and things that have taken place over the years. If these are not viable companies that we feel are truly going to survive this situation, then I don't feel that the Council should carry a business knowing that they are going default on the loan.

Councilmember Gunzburger stated that she believes that there are legal parameters when handing out loans, because she dealt with something similar in a family matter. Not charging interest is illegal. If these companies are not able to make even the minimum payment as low as \$500, then we are probably going to lose the whole thing anyhow and all we have done is lengthen the time period until default.

Councilmember Scuotto asked if the applicants that were coming forth now were startups or existing businesses.

Ms. Cheryl Cook, Council staff, stated that some of the applicants have been in business for 15-20 years, but cannot get funding from the bank. Some of them need capital to maintain the existing business. The RLF does not have a lot of money to loan right now, she stated.

Councilmember Scuotto stated that he agreed with Councilmember Neugent; he understands that these are tough times, but he doesn't want to see the Council get caught up in too many defaults. He then asked if the Council monitors the use of the money by the borrowers.

Ms. Cook responded, yes, we do draws.

Mr. Goren added that the Council is audited every year to ensure that we are conforming to the rules.

Councilmember Kelley asked what the threshold was for assessing risk.

Ms. Cook stated during the application process it is underwritten by a consultant; staff and the underwriter then review the report and determine a recommendation. Once staff determines a recommendation, the loan is then presented to the Loan Administration Board (LAB) for final determination. Staff then monitors and services the loans that are approved. If a loan goes into default, staff attempts to work with the borrower to develop a payment plan; sometimes it works and sometimes it does not.

Councilmember Lieberman requested a presentation regarding the details of the RLF program for the benefit of the new Council members. She added, in response to Councilmember Gunzburger's earlier comment, she is unaware of a law requiring a minimum amount of interest to charge, although there is a maximum. The key here is there are some viable businesses that we have loaned money to, but 80% of Broward's businesses are small businesses. She suggested that staff talk to Norm Taylor and get some information on some of the incubator programs that are available. If the economy begins to turn around, these businesses may just help to continue the upturn. And yes, she added, the first question should be, is this business viable, long term, if we infuse them.

Councilmember Asseff stated that the way to really see how the RLF works is to attend an LAB meeting, and she invited all of the Council members to attend the next meeting. These loans are processed just as they would be at a bank; the process is incredible. Unfortunately, we don't have any money right now to loan. The RLF LAB has been trying to work with local banks to partner with the RLF Program for funding, but banks are very tight fisted right now. Ms. Cook does an incredible job on this program. She goes to see the applicants and learns all there is to know about these businesses and brings back a full report to the LAB; a bank couldn't do better than Cheryl. The City of Hollywood is considering doing a revolving loan fund and is going to use this program as an example.

Councilmember Wallace stated that the Council should look for ways to expand, beyond banks, such as economic development corporations. The Council may qualify for something like this. Maybe there are other private sector options like grants.

Councilmember Asseff stated if you happen to know of one, please send us the information.

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

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

a) Election of Officers - 2010

Mr. Goren stated that the Council, at the December meeting, voted on the slate for the Executive Committee for 2010 to be as follows:

| | |
|------------------|--------------------------|
| Imm. Past Chair: | Councilmember Walters |
| Chair: | Councilmember Scuotto |
| Vice Chair: | Councilmember Gunzburger |
| Treasurer: | Councilmember Sorenson |
| Secretary: | Councilmember Carruthers |

Councilmember Lieberman moved to approve the Executive Committee appointments listed above. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

Chair Walters passed the gavel to incoming Chair Joseph Scuotto.

Councilmember Walters stated that it has been a great honor to serve as Chair, and she thanked the Council for supporting her over the past year.

Chair Scuotto presented Councilmember Walters with a thank you gift.

Chair Scuotto thanked the Nominating Committee and Council staff. He said, over the past couple of years we have seen the Council grow, we have seen the expansion of the Council offices, and we have seen the toll that the economy has taken on the Council. He stated that he is a City Commissioner, and asked for the support and guidance of the County representatives if he should need it during the upcoming year. He requested that the Council be notified, in advance, on large projects. He stated that he would like to establish some kind of Brownfields survey to help some of the communities around some of these properties. The Super Bowl is coming to South Florida this year, which is very exciting, especially considering our participation with the NFL. Let's promote our businesses and our economy and let's all work together.

AGENDA ITEM SIXTEEN: Correspondence and Attendance Form

Information only

AGENDA ITEM SEVENTEEN: Councilmember Comments/Public Comments

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Councilmember Walters stated that she has been grateful for Chair Scuotto's participation on the Executive Committee as a fellow small business owner. She then requested an update on the upcoming Census at the February meeting.

Chair Scuotto stated that the Council is still interested in hearing from Commissioner Kristin Jacobs on the Climate Change issue and will continue to work on arranging that.

Councilmember Walters stated that she would be happy to continue to follow up on that.

AGENDA ITEM EIGHTEEN: Upcoming Meetings

- a) February 1st, 10:30 a.m. (Council Offices, Hollywood)
- b) March 1st, 10:30 a.m. (Council Offices, Hollywood)
- c) April 5th, 10:30 a.m. (Council Offices, Hollywood)
- d) May 3rd, 10:30 a.m. (Council Offices, Hollywood)

AGENDA ITEM NINETEEN: Adjournment

The meeting was adjourned at 11:14 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 January 4, 2010 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 1st day of February 2010.

Heather Carruthers, Secretary

Date