

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

September 8, 2008

The South Florida Regional Planning Council met this date at the Council Offices, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida. The Chair, Councilmember Perez, called the meeting to order at 10:35 a.m.

AGENDA ITEM ONE: Pledge of Allegiance

AGENDA ITEM TWO: Roll Call

Councilmember Patricia Asseff
Councilmember Jay R. Chernoff
Councilmember Susanne Gunzburger
Councilmember Ilene Lieberman
Councilmember Marta Perez
Councilmember Jose Riesco
Councilmember Joseph Scuotto
Councilmember Paul Wallace
Councilmember Sandra Walters

The following Ex-Officio members were present:

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

The following members arrived after roll call:

Councilmember Scott J. Brook
Councilmember Sally Heyman
Councilmember Lois Wexler

Councilmember Perez informed the Council that she would be leaving the meeting early and Councilmember Walters would chair the meeting after her departure. She stated that the order of the agenda was going to change, agenda items under section eight would be heard first and then the comprehensive plans under sections six and seven.

AGENDA ITEM THREE: Minutes of Previous Meetings (July & August)

Councilmember Lois Wexler arrived at the Council meeting.

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

AGENDA ITEM EIGHT: Reports

a) Executive Committee Report

1) Executive Director’s Annual Evaluation

Ms. Carolyn A. Dekle, Executive Director, stated that she enjoyed the privilege of working for the Council and she stated that she was asking that her compensation stay at the current rate, with no bonus or deferred compensation.

Councilmember Chernoff moved to approve Ms. Dekle’s request to maintain her current compensation with no bonus or deferred compensation. Councilmember Riesco seconded the motion, which carried by a unanimous vote.

2) Legal Counsel Evaluation and Proposed Contract Extension

Mr. Samuel S. Goren, Legal Counsel, stated that legal counsel is proposing to maintain its current retainer with no increase or modification. He stated that Councilmember Asseff has raised a concern regarding the cost of filing for interventions over the past number of months. Any time spent working on those items is covered through the retainer fees. There has been change in legislation which precipitates this discussion.

Councilmember Scuotto moved to approve the proposed contract and retainer fees for legal counsel. Councilmember Chernoff seconded the motion, which carried by a unanimous vote.

Councilmember Perez announced that Councilmember Lieberman has been chosen as the Chair of the Florida Regional Councils Association.

Councilmember Walters took over as chair of the meeting.

b) Financial Report (June & July)

Councilmember Gunzburger moved to approve the Financial Reports for June and July. Councilmember Riesco seconded the motion, which carried by a unanimous vote.

c) Executive Director’s Report

Ms. Dekle stated that Ex-Officio member Chad Kennedy, representing the Department of Environmental Protection, has been replaced by Tim Gray. She added Council members Moore and Spehar would no longer be on the Council as of November. Ms. Dekle then informed the Council that the items requested by the Council on video-conferencing and analysis of staff comments to external parties would both be on the October agenda. Ms. Dekle stated that Ms. Julia Trevarthen would be leaving the Council to work for the City of Boca Raton, and Mr. David Dahlstrom would also be leaving the Council to work in Maryland.

d) Legal Counsel Report

Mr. Goren stated that the Council was dismissed by the Administrative law judge in both interventions that were filed. Miami-Dade County and Monroe County did not object to the Council participating in these interventions. There was outside counsel involved from Miami-Dade and Monroe County that sought to dismiss the Council’s roll in these discussions. In the absence of some form of statutory change

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the Council is hard-pressed to get involved in these cases in the future. All the information regarding the Revolving Loan Funds (RLF) is provided in the backup.

Councilmember Brook arrived at the meeting.

e) Evaluation and Appraisal Report

Councilmember Lieberman asked if staff was working with those municipalities that are more than a year out, on their fourth attempt and are still not consistent.

Ms. Dekle responded, yes.

f) FY 2007-2008 Letter of Engagement for Audit by S. Davis & Associates

Councilmember Wallace asked if the fee to be paid to the auditor was negotiated in advance or negotiated this year.

Ms. Dekle stated that it was agreed to at the beginning of the contract and is a fixed amount.

Councilmember Wallace asked if there was any discussion of the fees this year as to whether they will increase or decrease.

Ms. Dekle stated that the auditor has not approached the Council about an increase or decrease in fees. The auditor is operating within the financial constraints that the Council originally approved; they competitively bid for this in the beginning and were selected by the Council. At this time there is no reason to renegotiate the financial component of the contract.

Councilmember Wallace stated that his next question was regarding the dispute resolution procedures on the last two pages of the letter. He asked if that was part of the original letter of intent. He stated that it seems very restrictive in terms of how disputes get resolved, particularly some of the things about the fact that the Council can't comment on anything that takes place, there is no equitable or monetary relief if it should ever have any of those complaints, it is totally confidential, and things like that. It seems as though some of those are not good for the Council as a public body. He stated that he would like to see the Council have a little more open ended protection as a government agency. He asked if there was any way that could be changed.

Mr. Goren stated that at no time can a contractual obligation override statutory obligations. He stated that he did not like the provision either.

Councilmember Wallace asked why don't we do something about it. He stated that he would like to move to reconsider the arbitration language in the letter of engagement for audit by S. Davis and Associates, because it needs to be in the open.

Councilmember Walters pointed out that this was the third year of the contract.

Councilmember Wallace moved to remove the arbitration portion from the dispute resolution procedures page of the letter of engagement. Councilmember Brook seconded the motion.

Councilmember Walters stated that the motion was now up for discussion. She asked if the motion would invalidate the contract.

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Mr. Goren stated that the objective was to approve the contract to maintain the relationship, but to seek a severance of the arbitration aspect of the contract.

Councilmember Lieberman made a substitute motion; to approve the contract with an addendum to the dispute resolution procedures. There are two ways to resolve disputes, mediation and arbitration, she explained. In mediation there is no requirement at the end that either side come to an agreement; whereas arbitration is more final. What this is trying to do is to put finality. She then asked if the Council had ever been involved in arbitration with an auditor.

Ms. Dekle responded, no.

Councilmember Lieberman stated what this gets to is the issue of confidentiality, but under F.S. 119 none of these documents could be confidential, because it would be in conflict with State law. If the Council added something to the effect, this is in conflict with State law, and State law shall prevail, then all of the concerns with respect to confidentiality would go away. She asked legal counsel if the language was in conflict with State law.

Mr. Goren responded no contract can ever negate State Statute.

Councilmember Lieberman stated, so even without the proposed new language it wouldn't apply, but if you put the language in, it makes it clearer.

Councilmember Walters stated that it appears that Councilmember Wallace is uncomfortable with the provisions being in a public entity's contract. She directed staff to take note of this discussion for future contracts.

Councilmember Lieberman pointed out that a lot of government contracts have arbitration provisions in them. When there is a dispute with an outside contractor, there needs to be finality in the process; that cannot happen without arbitration. The only issue raised by Councilmember Wallace was the confidentiality.

Councilmember Wallace stated that was not correct.

Councilmember Lieberman then asked what other parts of arbitration he was concerned about.

Councilmember Wallace stated that it was not the right thing to do; things should be open for everyone's inspection. This is a secret court proceeding that keeps it out of the public eye; he would like to see responsible, very accountable government.

Councilmember Walters interjected to point out that the point being made by Councilmember Lieberman is that under State law it is public information regardless.

Councilmember Wallace responded there should be no argument against his motion.

Councilmember Walters suggested that Councilmember Wallace amend his motion to re-approach the auditor with language that is consistent with State law, which would be that all of the confidentiality language that is in the letter be removed.

Councilmember Wallace stated that he would not change his motion.

Councilmember Lieberman stated that she would amend her substitute motion to include the recommendation of Councilmember Walters.

Councilmember Gunzburger seconded the substitute motion made by Councilmember Lieberman.

Councilmember Walters stated that the Council would vote on the substitute motion made by Councilmember Lieberman and seconded by Councilmember Gunzburger.

Councilmember Lieberman restated her motion, which was to amend the language in the contract to remove any provision inconsistent with F.S. 119.286 or any other provision of State law according to Mr. Goren's notification.

Councilmember Lieberman moved to approve the substitute motion. Councilmember Gunzburger seconded the motion which carried, with a nay vote from Councilmember Wallace.

Councilmember Lieberman moved to approve the amended letter of engagement with S. Davis and Associates. Councilmember Chernoff seconded the motion, which carried, with a nay vote from Councilmember Wallace.

g) Amendment to FY 2007-2008 Operating Budget and Work Program

Ms. Dekle stated that the amendment to the 2007-2008 operating budget was provided for the Council's approval.

Councilmember Lieberman voiced a concern, because there is going to be another session of the Legislature in November. She stated that she did not see any kind of reserve that the Council could use in the likely instance that the Legislature reduces the budget again.

Ms. Dekle stated that the financial report shows that the Council has a modest reserve fund, and will continue to attempt to operate within its revenues each year. There is about \$750,000-\$800,000 in the reserve fund at this point. The Council usually operates on a cash flow basis in terms of what it collects from dues from member units of local government, contracts and grants. If something happens with the Legislature, then staff will have to come back to the Council with a modification of expenditures. Right now the budget has been reduced considerably and will be done in the future as necessary. Staff also feels that there are new opportunities for programs and projects that will come forward. What is in front of the Council now is an amended budget that will keep the Council within its available resources for this year.

Councilmember Gunzburger moved to approve the Amendment to the FY 2007-2008 Operating Budget and Work Program. Councilmember Chernoff seconded the motion, which carried by a unanimous vote.

h) FY 2008-2009 Operating Budget and Work Program

Councilmember Heyman moved to approve the FY 2008-2009 Operating Budget and Work Program. Councilmember Wexler seconded the motion, which carried by a unanimous vote.

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

b) Minutes of Joint SFRPC/TCRPC Meeting – April, 2008

Councilmember Gunzburger moved to approve the Minutes of Joint SFRPC/TCRPC Meeting – April, 2008. Councilmember Asseff 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 Asseff seconded the motion, which carried by a unanimous vote.

AGENDA ITEM SIX: Proposed Local Government Comprehensive Plans and Amendment Reviews

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

- Village of Key Biscayne
- City of West Park

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

b) City of Pompano Beach

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

c) City of Dania Beach

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

d) City of Key Colony Beach

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

e) City of West Park

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

f) Town of Southwest Ranches

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

i) Town of Surfside

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

j) City of Lauderhill

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

k) Town of Medley

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

AGENDA ITEM: Adopted Local Government Comprehensive Plans and Amendment Reviews

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

- City of Wilton manors
- Town of Pembroke Park

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

b) Miami-Dade County (#08D-2)

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

c) Miami-Dade County (#08D-1)

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

d) City of Coconut Creek

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

e) Town of Surfside

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

f) Town of Davie

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

Mr. Goren stated that items 5a (1), 6g, and 6h would be heard concurrently, but there must be separate motions made for each of the items. Additionally, items 6g and 6h must be voted on first.

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

a) DRI Assessment Reports

1) Substantial Deviation to Approved Development Order for Harrison Park (Westerra) Development of Regional Impact, City of Sunrise

Ms. Dekle informed the Council that the staff recommendation on the DRI was a recommendation to the member unit of local government of conditions for their development order.

Ms. Mary Jean Matthews, Council staff, gave a presentation on the Substantial Deviation to Approved Development Order for Harrison Park (Westerra) Development of Regional Impact (DRI) in the City of Sunrise. Topics discussed included the following:

- Definition of a Substantial Deviation to a DRI,
- General DRI location,
- Adjacent developments,
- Existing Harrison Park DRI,
- Proposed project,
- Comprehensive Plan Amendments,
- Approved and Proposed Development,
- Benefits,
- Impacts,
- Mitigation,
- Staff Recommendation, and
- Process.

Councilmember Brook asked what the significance was, if any, of the resolution from the City of Plantation. The City indicated that the height requirement allowance was not compatible, given the other homes in the area.

Ms. Julia Trevarthen, Council staff, responded that the DRI process here today is specifically designed to deal with regional impacts, and the concerns raised by the City of Plantation-the ones that were most regional in nature-were the transportation impacts. The transportation analysis and the substantial deviation are designed to cover a regional area and include those areas that the City was concerned about. Issues like height are really a very local issue and so in that perspective, height of buildings is not something that is typically covered at the regional perspective. This project, when it leaves the Council's hands today, goes to the City of Sunrise for its regular local project review process, at which time many of those kinds of details are considered.

Mr. Goren stated, for the record, Councilmember Scuotto is a Commissioner in the City of Sunrise, there is nothing in F.S. Chapter 112 or Chapter 380 which precludes him from commenting on the topic currently being discussed.

Councilmember Scuotto stated that he has been a Commissioner in the City of Sunrise for twelve years, before that there was only one development that attached to this, and it was built in a sprawl type manner. It was supposed to be industrial park, but through the years the course was changed and it was made into a major corporate park, and is now the third or fourth largest corporate park in the State of

Florida. This is the future of our community; it is a project that has been taken to a new height. In response to the question raised about the Plantation resolution, that was a city issue; years ago Sunrise approved up to 250 feet in height to change the western area of Sunrise. One particular site was the Town complex, which is a 26-story building and was close to Plantation Acres who raised an issue with the height. The Harrison Park DRI is not near any residential. This project is total mixed use, and has the components for transportation; this is a move in the right direction. They have put forward many good components in this project including affordable housing. This is the right move.

Councilmember Wexler stated that she represents Plantation Acres and the surrounding community, and is speaking as a County representative. This is a wonderful project, but there are a number of hurdles that the developer has been very willing to address. There were a few that were not identified in the staff presentation, however. Plantation Acres is petrified of the overflow of traffic on local streets, but she is relatively comfortable that the issue has been mitigated to the best of the developer's ability. Councilmember Wexler stated that she was concerned about the cumulative effect of the multiple projects. It is important that traffic leaving this development is directed toward the Sawgrass Expressway and the developer has made every attempt to do that, to prevent traffic on local streets. The other issue to address is the affordable housing piece. She stated that she was very concerned with the old affordable housing data, the information that she had was a housing study that goes back to the 2000 Census. It didn't take into consideration the condo conversions; she asked that staff address that between now and adoption. Councilmember Wexler stated that the single family home information was current, and she was not questioning that at all, only the condo conversion piece. There absolutely needs to be an affordable housing component in this project. The developer has worked very hard to try to accommodate future bus routes. The City of Sunrise is in the process of approving an affordable housing plan; she asked where they were with that.

Ms. Jo Sesodia, Assistant Planning Director for the City of Sunrise, stated that the City was in the process of hiring a consultant to do a study for affordable housing. The intension is that the City will be in a position to implement something in the very near future.

Councilmember Wexler stated that this has to be watched very closely. This study has to be done and a program has to be put in place. Getting \$500 per residence is just not enough, because the first thing that is going to be built is the commercial, industrial, food service, hotel, and the last probably housing. She stated that she loved the idea, she loved the project; she just wants to make sure that affordable housing is a piece of the puzzle.

Councilmember Gunzburger stated that she asked the developer to put 10% affordable housing in the residential portion so that it could be a Leadership in Energy and Environmental Design (LEED) green village. She stated that she would be delighted if the developer would set aside 10% of the 1,750 residential units for affordable housing onsite.

Councilmember Lieberman stated that this was a project that is in isolation of a master plan. The City of Sunrise actually has a master plan. What this Council needs to know when this comes back is where the affordable housing is planned for in that area, especially considering all of the projects that are in the pipeline. She asked that staff work with the City of Sunrise to try to get a handle on all of these projects and where within that master plan and within that area affordable housing is scheduled to go. The Chart on page 17 of the staff report shows that there is a need for very low income rental units.

Councilmember Asseff stated that rental units are something that should really be looked at for affordable housing. Pretty soon people are not going to be able to afford to purchase a home. This is the wave of the future; it is no longer going to be building sprawl and single family homes all over.

Councilmember Brook moved to approve the staff recommendation and, in consideration of the comments raised by Council members Wexler and Lieberman, require the City to impose linkage fees and is subject to updating the information in regards to the affordable housing. He then asked for clarification on the payment timeline for the linkage fees and enforcement of payment.

Ms. Dekle stated that the enforcement of the development order falls to the City, but it does need to be made clear in the condition that the City would then adopt.

Councilmember Wexler stated that she would second Councilmember Brook's motion. She stated that the linkage fee was a very important component.

Mr. Goren pointed out that the comprehensive plans needed to be adopted before the DRI.

AGENDA ITEM SIX: Proposed Local Government Comprehensive Plans and Amendment Reviews (cont.)

g) Broward County

Councilmember Brook moved to approve the staff recommendation and include a recommendation to the City of Sunrise to require linkage fees, update the affordable housing study, specify a linkage between when affordable housing units come online in relation to the payments toward affordable housing, and direct Council staff to discuss with the City of Sunrise a master plan for this area where affordable housing is actually going to be constructed in this area. Councilmember Wexler seconded the motion, which carried by a unanimous vote.

h) City of Sunrise

Councilmember Lieberman moved item 6h with the same comments as 6g. Councilmember Brook seconded the motion, which carried by a unanimous vote.

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

a) DRI Assessment Reports

- 1) Substantial Deviation to Approved Development Order for Harrison Park (Westerra) Development of Regional Impact, City of Sunrise

Councilmember Lieberman moved item 5a (1) with the same comments as 6g and 6h. Councilmember Brook seconded the motion, which carried by a unanimous vote.

AGENDA ITEM NINE: Revolving Loan Funds

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

Information only

AGENDA ITEM THIRTEEN: Strategic Regional Policy Plan (SRPP)

None

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

a) Southeast Florida 2060 Update

Information only

AGENDA ITEM FIFTEEN: Other Matters for Consideration

None

AGENDA ITEM SIXTEEN: Correspondence and Attendance Form

Information only

AGENDA ITEM SEVENTEEN: Councilmember Comments/Public Comments

Councilmember Heyman requested that the Council revisit agenda item #7c. She stated that she had opposed this project at the proposed stage, because it was on the outside of the Urban Development Boundary (UDB) and was brought inside with the restriction that it would never be used for anything but restricted industrial and office use. Once it got inside the UDB, it now comes back with the application to be turned into business and office including a hotel. The reason that she supported it at one time was because it was a toxic dump that was promised to be cleaned up. Mr. Codina got the zoning and everything changed on this and now has said that there are new buyers and there is new interest and therefore the restricted industrial and office to business and office including a hotel is now in play.

Councilmember Heyman made a motion to reconsider this item. Councilmember Wallace seconded the motion, which carried by a unanimous vote.

Councilmember Heyman requested that information or concerns raised at the proposed stage are included in future staff reports. She stated that she would like to find the item inconsistent with the *SRPP*, because it is a change of what was proffered to move the UDB.

Councilmember Walters stated that there would need to be more grounds provided.

Councilmember Heyman stated that she would just vote no. The biggest concern is that it was proffered to allow the property to be cleaned up. Now they want to go from restricted industrial and office to business office and a hotel. Now the new restriction is for business and office land category and hotel development they want to offer another restriction, but no residential use has been proposed. That is unacceptable, because there is no infrastructure out there. She stated that it needs to be better noted when we accept conditions and restrictions and hold it to them.

Councilmember Walters stated the Council needed to make a new motion on this.

Councilmember Lieberman asked if staff reviewed the original staff report and Council comments when reviewing this item. She also asked if there were any policies in the *SRPP* to assist with Councilmember Heyman's concerns.

Ms. Dekle stated that staff had recommended that the Council find it inconsistent at the proposed stage due to a set of issues related to environmental concerns.

Ms. Rachael Kalin, Council staff, stated that the reviewer did in fact go back and read the original staff report and the Council did approve the amendment.

Councilmember Walters stated that the Council approved the staff recommendation of inconsistent after a good deal of discussion. Everything that Councilmember Heyman pointed out was correct. It was the Council's understanding that it was not looking at an issue that would be residential in nature and affect the transportation network. She stated that she was looking for a revised motion.

Ms. Dekle stated the original environmental concerns that were raised about this amendment could be attached to the Council's comments. Staff can then work with the Department of Community Affairs (DCA) as they go forward to try to work toward a resolution of those issues with Miami-Dade County. The County has the sole leverage in this, but the Council can weigh in and try to influence those decisions with DCA.

Councilmember Heyman stated that she voted for this at the proposed stage because it was the only way with low impact to the area that we could get private enterprise to clean up the unregulated dump area that the property had become. For that, we tailored it to something that could be used to justify moving the UDB and that was as it related to industrial and warehouses tied to our international airport. Now they are shifting to business and office, open air stores and restaurants and the potential for a hotel. It negates what was already done; there is no reference to the original condition. There was a restriction on it and now we are just switching categories, because it's not under the sharp eye of what it would have been if it were inside the UDB.

Councilmember Wallace stated that he supported Councilmember Heyman. In looking for something to base this on, it is a little troubling. There is a concept in good business dealings called the "Duty of good faith and fair dealing," that seems to be what Councilmember Heyman is ballooning to. You may comply with the present rules of the game, but the duty of good faith and fair dealing may have been violated here. It is not what the Council wanted to approve that it now has. He stated that he feels that the Council has grounds for saying this is not where the Council wanted to go.

Councilmember Walters stated that she invited a motion to find the item inconsistent with the same policy guidelines that were in the original staff recommendation at the proposed stage.

Councilmember Lieberman requested that staff provide the Council with those policy numbers.

Ms. Dekle stated that staff may reference those that were brought forward at the proposed stage, and will restrict the objections to those that are environmental in concern and then say that the Council has found this inconsistent with the *SRPP* based on environmental concerns and will continue to work with the City.

Councilmember Lieberman asked if there were any policies in the *SRPP* that made reference to compatible uses by an airport.

Ms. Dekle responded yes there is.

Councilmember Heyman stated that she was troubled by the fact that by reclassifying it now they totally dismiss what they had gotten, now business office that permits residential and hotel development, but no residential uses have been proposed. We are opening it up to everything; that is absolutely inconsistent, not only do we need to reference the environmental concerns, but also the very restriction on what was compatible. The UDB has been moved, even in Miami-Dade we weren't doing residential expansion, and this opens it up for that.

Councilmember Lieberman moved to find the item inconsistent citing the environmental concerns expressed in the transmittal, additionally that language is included to deal with the compatibility of residential and similar type uses in an airport zone. Councilmember Chernoff seconded the motion, which carried by a unanimous vote.

Councilmember Brook requested that a note be included in future reports to state that there is a possibility that the Council may reconsider items at the end of the meeting, so that representatives are aware and remain to the end to be available to answer questions if necessary.

AGENDA ITEM EIGHTEEN: Upcoming Meetings

Councilmember Walters stated that staff will be polling the members to find out if they would like the November meeting date to change due to the election.

- a) October 6th, 10:30 a.m. (Council Offices, Hollywood)
- b) November 3rd, 10:30 a.m. (Council Offices, Hollywood)
- c) December 1st, 10:30 a.m. (Council Offices, Hollywood)

AGENDA ITEM NINETEEN: Adjournment

The meeting was adjourned at 11:55 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 September 8, 2008 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 6th day of October, 2008.

Jay Chernoff, Secretary

Date