

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

July 12, 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 10:30 a.m.

AGENDA ITEM ONE: Pledge of Allegiance

Vice-Chair Gunzburger congratulated Councilmember Lieberman who is now the President of the Florida Association of Counties. She then welcomed back Commissioner Jimmy Weekley, from the City of Key West.

Councilmember Lieberman then announced that Mr. Samuel Goren's son got married over the weekend.

Councilmember Brook announced that the City of Coral Springs was just ranked the 44th best city to live in, in the country.

Councilmember Blynn announced that the City of North Miami became an All-American City this month.

AGENDA ITEM TWO: Roll Call

Councilmember Patricia Asseff
Councilmember M. Margaret Bates
Councilmember Michael Blynn
Councilmember Scott Brook
Councilmember Heather Carruthers
Councilmember Suzanne Gunzburger
Councilmember Joseph Kelley
Councilmember Ilene Lieberman
Councilmember George Neugent
Councilmember Joseph Scuotto (via phone)
Councilmember Katy Sorenson
Councilmember Paul Wallace
Councilmember Sandra Walters
Councilmember Jimmy Weekley

The following Ex-Officio members were present:

Mr. Tim Gray, representing the Florida 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

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The following Council Members arrived after roll call:

Councilmember Stacy Ritter
Councilmember Rebeca Sosa

AGENDA ITEM THREE: Minutes of previous Meetings

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

AGENDA ITEM FOUR: Project Reviews

a) Intergovernmental Coordination and Review Report

Councilmember Lieberman moved to approve the Intergovernmental Coordination and Review Report. Councilmember Sorenson 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

- c) Miami-Dade County
- g) City of Deerfield Beach
- h) City of Hollywood
- i) City of Tamarac
- j) City of Wilton Manors

Councilmember Walters moved to approve the staff recommendation for items 6c, 6g, 6h, 6i, and 6j. Councilmember Neugent seconded the motion, which carried by a unanimous vote.

b) City of Parkland

Councilmember Walters moved to approve the staff recommendation on item 6b. Councilmember Sorenson seconded the motion, which carried by a unanimous vote.

d) Broward County

Mr. Bob Cambric, Council staff, suggested that the Council vote on the Broward County item after reviewing the remaining items, which are being considered concurrently with the Broward County amendment package.

e) City of Dania Beach

Councilmember Lieberman moved to approve the staff recommendation on item 6e. Councilmember Sorenson seconded the motion, which carried by a unanimous vote.

f) Town of Davie

Mr. Cambric stated that the main concern was the second Objection where the Town is proposing to eliminate the level of service (LOS) standards for a road segment within their Regional Activity Center (RAC). The Objection was based on the fact that there were not any standards within the Plan or within the amendment that would say how the local government would apply having a LOS standard that is less than what is proposed for other road segments. Staff proposes that this be an Objection that staff would work with the Town and its representatives to come up with a way of addressing prior to the amendment being adopted by the community.

Mayor Judy Paul, Town of Davie, stated that she was in attendance to speak in favor of this Town-driven, land use amendment. This is something that the Town is working for; it is a long-range plan. We do have a long-range plan road evaluation that was done, and we feel that since this is a plan that will occur over a 30-50 year period of time the mitigation will certainly be in place when this occurs. We would appreciate it very much if the Council would approve this, and move it along.

Vice-Chair Gunzburger stated that she is very leery to opening the door to anyone to say sometime in the future I'm going to do something, without being more specific. To me, she stated, it makes me very nervous when you have a very constrained road that we are talking about. I would be more comfortable to pass it to Tallahassee as it is now and have the Town work with staff to come up with parameters for the road.

Mr. David Quigley, Planning and Zoning Manager for the Town of Davie, stated that the Town will continue to work with Council staff to prepare something to mediate it. This seems like it would be something that is a Comment more than an Objection. When you look at the RAC, mixed-use, and transit orientation it seems to do all of those things.

Councilmember Lieberman stated that this is transmittal, not adoption. If we transmit with this Objection, the Town will put in the information to show how it will address this issue, and then the Council can review it at adoption. She stated that she did not have a problem moving the staff recommendation with the understanding that Mayor Paul's staff is going to put information into this record to handle what has been raised as objections.

Mr. Quigley stated that the Town has a local road master plan. There is no proposed capacity increase for 30th Street. Obviously, we wish we had a mobility fee in place now, but we thought the lesser of two evils would be to strategically reduce the LOS on that one road.

Vice-Chair Gunzburger stated that this was not a denial, because this is transmittal. There is still time for the Town to address this before it comes back for adoption.

Councilmember Lieberman moved to approve the staff recommendation on item 6f. Councilmember Aseff seconded the motion, which carried by a unanimous vote.

d) Broward County

Councilmember Lieberman moved to approve the staff recommendation on item 6d Councilmember Neugent 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

- City of Coral Gables
- City of Hialeah Gardens
- City of Sunny Isles Beach
- City of North Lauderdale

b) City of Fort Lauderdale

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

AGENDA ITEM EIGHT: Reports

a) Executive Committee Report

The Committee had nothing to report.

b) Financial Report

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

Councilmember Walters pointed out that if items 8b and 8g are compared the Council will notice that staff has been consistently coming below budget so far this year and the budget for next year has been reduced.

c) Executive Director's Report

Ms. Carolyn A. Dekle, Executive Director, informed the Council that they were provided copies of an article that was published in the *Palm Beach Post* regarding the Sustainable Communities Initiative. The deadline for the grant application is about 50 days away. We believe it will bring value to all of our counties and municipalities if we are successful. Even if we don't get the grant, the Initiative puts us in a good position in terms of federal funding and other initiatives going forward. Ms. Dekle thanked staff for doing 1 ½ jobs to get everything done these days and doing it well within the budgetary parameters so they need to be recognized for the hard work they are doing.

Councilmember Lieberman stated in reviewing the Interlocal Agreement, I think staff has done an amazing job at getting so much by with so many different partners. I am a bit concerned with the Council's application, she stated. What would set us apart from other areas in the United States is the

work that has been done on Climate Change Adaptation. I notice that it is not really explained enough in our Memorandum of Understanding (MOU) or in the application. If we are looking to get this funding, no body has more coastline than the State of Florida; we have a huge amount between the four Counties that are members of the Climate Change Strategy. It just seems like one place where we could increase our opportunity is if we raise that issue early on and talk about the planning efforts for climate change adaptation strategies.

Ms. Dekle stated that staff agrees; in fact, that has been added in the conversations as we have been going forward. I will work with staff to make sure that it is highlighted.

Councilmember Lieberman stated that it needs to be highlighted, displayed prominently and explained better; it is sort of like an afterthought, placed as one of six categories.

Vice-Chair Gunzburger stated that her addition, as mentioned at the Executive Meeting, was the looming crisis with fresh water.

Ms. Dekle stated that the Council's suggestions were very helpful.

d) Legal Counsel Report

1) Statement of Organization Revision

Mr. Samuel S. Goren, Legal Counsel, informed the Council that they were provided with a revised change to the rules governing emergency situations that were better defined by the Council at the last meeting.

Councilmember Ritter stated Mr. Goren did a good job. I just want to make sure that it is the intent of the Council not to preclude telephone conference, if necessary.

Mr. Goren stated that was a good point. Part of what was discussed was if there was a situation where the Council Members could not physically get to the office due to a physical emergency requiring some level of action by the Executive Committee. Although the law does not provide a direct answer to the question, but certainly to the extent that there would need to be a meeting held by conference call, the open ratification by the full Council when the next full Council meeting were to take place would hopefully cleanse the potentially challenging moment where not everyone could be present. It is legally possible and defensible. The end result of all of these items is the ratification of the vote by the full Council at its next meeting.

Councilmember Wallace stated that he agreed that Mr. Goren did a great job consolidating the opinions of the Council into the proposed change. Councilmember Wallace stated that he had a question on sub-paragraph b.

Mr. Goren stated that was the original, existing language.

Councilmember Wallace quoted the second sentence: "It is the intention of the Council that other members present at a Council meeting where a quorum is not present and where the Executive Committee shall act for and on behalf of the Council, shall be permitted to fully participate in the proceedings and matters then pending before the Council or the Executive Committee." That seems to say, when I thought that was not the case, that if I show up for an Executive Committee meeting I could vote.

Mr. Goren stated that there is actually a constant practice, which has been modified in the rule which actually embraces that concept. The Executive Committee is the group that has the primary obligation.

Councilmember Lieberman stated, regarding section 3a, there was a time when the Council did not rotate the Chair and the officers annually; we do that now. She stated that she was wondering why, as opposed to Executive Committee selecting someone to serve on it why we just couldn't go back to the last immediate chair in office. She stated that she would like to see that change in the rule.

Vice-Chair Gunzburger asked if there was any objection from the Council.

Mr. Goren stated that amendment would be made and brought back for approval.

Councilmember Lieberman moved to approve the amendment to the Statement of Organization as presented. Councilmember Blynn seconded the motion, which carried by a unanimous vote.

e) Evaluation and Appraisal Report (EAR) Status Report

Information only

f) FY 2010-11 Membership Fees

Ms. Dekle informed the Council that the dues are under discussion at the budget level at Miami-Dade County, and we realize if there is a modification there then there would be a modification in Broward also. We are working with Miami-Dade County. Mr. Goren and I will be providing information to the County about what the legal requirements are in terms of the dues that are in the agreement. We have received no written communication; we are just having a dialog at this point.

Councilmember Lieberman stated in preparing the budget, you should prepare for a cutback. No matter what happens in Miami-Dade County, the problem is going to be the session. Secretary Pelham has a problem. The Speaker of the House has long told us he doesn't believe in the Department of Community Affairs (DCA). They didn't re-authorize DCA in the last session. I am really concerned about any state funding that South Florida gets from the State given what the budget conferences have been showing this year. If I were in a planning mode, I would prepare for a 10% cutback.

Ms. Dekle stated that Council staff is preparing itself for any range of eventualities; that is why you have heard us talk about the significant federal grants that we are pursuing. I will tell you that our appropriation this year was recurring and was above what the State's Department of Community Affairs recommended. We have been successful with our representatives, the money happens to run through DCA, but they don't set the dollar amount. I hear what you are saying, and we will be ready.

Councilmember Lieberman stated that every piece of paper that I have in my possession at this moment tells me that this session is not going to be pleasant.

Ms. Dekle stated that was what she understood as well.

Councilmember Wallace asked about the origin of the 17.5 cents per capita.

Ms. Dekle stated that it is in the Interlocal Agreement with each of the counties, which has been in existence for over 20 years; we also have an Attorney General's opinion that there is a requirement for the

counties to participate financially in support of the Regional Councils. I will tell you, we are the lowest per capita assessment in the State of Florida for urban areas. There is a rural area in Apalachee that is at a more constrained financial responsibility. Treasure Coast Regional Planning Council is 35 cents per capita, and they just increased theirs. We have not increased ours in quite a bit of time. What ends up happening, she stated, because of our large population, the dollar amount per county ends up being higher. We are more than willing to work with our counties to deal with the situation. There is an Interlocal Agreement that has been entered into by all three counties at 17.5 cents per capita.

Councilmember Asseff asked if there was any index that went with the 17.5 cents per capita.

Ms. Dekle stated that the number changed, in 1994, after she had become Director, and that was the last time that there was any modification made to the assessment.

Councilmember Asseff asked about what would happen if Amendment 4 were to pass.

Ms. Dekle stated that there has been a lot of debate; there is some thought that there would be more demand on planning councils, because of the need for evaluations of referendum that would go before the public. The other potential outcome is that everything goes straight to referendum and there is no Council participation. My suspicion, she stated, is that our workload will not change dramatically, and I suspect that there would be more demand on staff based on trying to get information out to the public about what the effect would be of any potential land use plan amendment that would be on the ballot.

Councilmember Asseff stated if it does work out that way, then they are going to give you money to advertise.

Ms. Dekle stated that the Council would be precluded from using any public dollars to advocate for or against anything on the ballot. We could be asked to give a professional assessment of what the effect of an amendment would be.

Mr. Goren stated that it would be an objective analysis.

Councilmember Kelley asked if the MOU mentioned earlier included any wording about fee structure.

Ms. Dekle stated that the 17.5 cent fee was set by the Council and agreed upon; there may be some flexibility there. We are in the process of researching all of that now so that we are able to work with the counties and let them know what our abilities are.

Mr. Goren stated that it was more than just an MOU, it is a Chapter 163 Interlocal Agreement. It is an actual signed and committed obligation among the three counties and was contemplated some number of years ago when the Legislature was about to change the mechanism for how the State did business. The committed obligation among the counties here was to maintain a regional level of analysis, evaluation and commitment. That document is a recorded, public-record document of all three counties and actually makes that contractual obligation of record. If any County were to choose to take a different view of how to pay and what not to pay, it would require a change in the contractual relationship which currently exists.

Councilmember Kelley stated that he is hearing that there is some recognition that there may be some financial challenges of the county so you have an open hear that the possibility might come.

Ms. Dekle stated that Council staff was in the process of discovery right now; we are having discussions and will bring back to the Council the results of those conversations. About three-four years ago we went through a significant decrease in staff and our existing staff has not had raises in three-four years time. We also did furloughs, where we went to a four-day work week and staff took a 20% cut. We have been in advance of this in a pretty aggressive way and our desire this year is going to be to hold everybody harmless and be able to stay and believe we can. Coming up on the agenda, is the Budget Amendment where we believe we can reduce some of our categories based on reductions in expenses in nearly every issue area. I feel very comfortable that we are operating efficiently and effectively within the resources available to the Council.

Councilmember Lieberman stated that this afternoon Senator Don Gates is hosting a symposium in Pensacola to talk about freezing property taxes for cities and counties. To me, she stated, if that happens, all bets are off.

Councilmember Blynn moved to approve the FY 2010-11 Membership Fees. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

g) FY 2009-10 Budget Amendment

Councilmember Lieberman moved to approve the FY 2009-10 Budget Amendment. Councilmember Bates seconded the motion, which carried by a unanimous vote.

Councilmember Sosa asked why there was such a difference in the proposal for the FTA-Miami-Dade County MPO; it went from \$62,500 to \$25,000.

Ms. Dekle stated that this was a result of a funding year issue. We negotiate with the MPO what work they would like us to do for them, and sometimes if it doesn't get completed by the end of the prior fiscal year then the money has to flow over into the next fiscal year so it gets paid in that year. I believe this was a result of getting the work done for our prior fiscal year as well as reflecting the revenue for this current fiscal year. Those are negotiated at the MPO's request.

h) FY 2010-11 Draft Operating Budget

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

Vice-Chair Gunzburger stated that the Statewide Regional Evacuation Study has been completed, we would like to thank staff.

Councilmember Walters asked if the information was in a format that would be helpful to local government emergency response this season.

Ms. Dekle stated that what has ended up happening is that the products needed to be completed in order to receive the dollars from the State by the end of its fiscal year. There are still tasks to be completed, and we will work hard to make sure that the information is available in the most consumable way possible for our member units of local government. Unfortunately, part of this project was dependent on external information that was not within our abilities to generate, but we had to have it in order to be able to complete the project. It is a bit of a shell game in the sense that we had to close out the accounts, but we are still going to be working on this.

AGENDA ITEM THIRTEEN: Strategic Regional Policy Plan (SRPP)

None

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

Ms. Dekle stated that the main thing is the contract with the TCRPC for the Sustainable Communities Initiative.

AGENDA ITEM FIFTEEN: Other Matters for Consideration

a) FPL Draft Agency Report

Councilmember Wallace asked what is going on with the report between now and September. It leads me to believe that there is more work to be done and none of the positions have been established, he stated.

Ms. Dekle stated that this was the draft at this point in time; a final report is due on September 27. The final report will come to the Council for review in September. We have been working with our partners at FPL; they have been very helpful at providing information feedback as well as the local governments.

Staff is working to include all of the relevant information in the report and the Council will have the opportunity to review and discuss the report at the September Council meeting.

Councilmember Wallace stated that the report in its present state does not take a position on anything; it basically presents a lot of issues. Is that helpful to anyone, or do we need to take some positions, he asked.

Ms. Dekle stated that the Council could certainly provide direction. We discussed this quite a bit at the staff level; we know that there could be stronger positions taken in some areas, and if the Council would like to give staff direction on that it would be helpful. We are trying to provide information that we think will be helpful in the certification process. We, as staff, think that the information is good, but some staff members have said that there is not enough bite. Staff will continue to work with FPL and try to understand the direction to go forward and be helpful.

Councilmember Wallace stated that he realizes that the staff is in a delicate position and I think it is important that some positions be stated, if there are any. That could open a discussion as to what the outcome is going to be. I go back to my original comment; there are no conclusions in here at all. We have raised several questions. Right now all this report says take a look at our concerns and let us know what you think. I am not saying this as a criticism, because maybe it is the beginning of a discussion. In that case then the second step which has to happen in order for us to have any legitimacy here is to say what we think about these issues. I am not trying to hide anything here, I have had calls from FPL attorneys and operatives and they have all been very cordial. Last time we had this discussion, I asked about alternative plans or compromise and I didn't really get any answer from FPL. I sent an email to the project manager and asked about a possible compromise on some of these issues and to my surprise he wrote back and said yeah. There is no one here so far that has been able to talk about those things.

Vice-Chair Gunzburger stated that there were representatives from FPL that had signed up to speak.

Councilmember Wallace stated that the real issue was whether or not the lines should be undergrounded. I asked for any kind of legal issues regarding that topic and was provided a legal memo from FPL. The legal memo stated that the basis for FPL's business and economic decisions about not undergrounding the lines is because there is a legal opinion from the Public Service Commission (PSC) that it is not legally possible for FPL to pass on the cost of undergrounding to its customer base. I have never heard that before, this is a big problem for FPL. Theoretically if the price is high enough it could eat them out of house and home. Councilmember Wallace raised the question why can't we recommend that legal position be changed. The response from FPL was we could go along with that. This is the beginning of what I was trying to talk about, he stated. We need to have some dialog, not just talk at each other about this.

Ms. Florette Braun, representing FPL, stated that she is hearing Councilmember Wallace saying that he would like more dialog on some of these subjects. We would certainly be open to doing that. There is some discussion about a push back for the date of the Agency Report. FPL has met with the City of Pinecrest and South Miami regarding alternate corridors. The question of undergrounding is more challenging, because the PSC does regulate us and we are limited as to what we can do on that. We would be willing to come back to present more information to the Council or meet with the Council Members in their offices.

Councilmember Wallace stated that he is trying to say that this is a job for the Council as a whole.

Councilmember Sorenson stated that she appreciated that Councilmember Wallace raised these issues. I have been meeting with the municipalities looking at the possibility of an alternate corridor and I have never heard that FPL is legally precluded from undergrounding. In fact, she stated, the existing corridor has some sections that are underground. We have to get the answers to whether or not the undergrounding cost could be borne by a far bigger group than just the municipalities that are affected, since the power would be available to so many more people. This would have a lot of impact on economic development potential and the potential for higher density living along a transit corridor. Those are the issues that Pinecrest and Palmetto Bay are concerned about.

Councilmember Sosa requested information about how much of the net revenues of FPL are dedicated, on a yearly basis, to undergrounding and direct improvements for customers.

Mr. Michael Tammaro, Attorney for FPL, stated in regard to the undergrounding issue, this is not the first time it has been an issue. FPL is a regulated utility, regulated by the PSC, and it recovers costs if the PSC grants recovery. The contact that Councilmember Wallace was referring to was contact with Mr. Scroggs. The policy has been and continues to be that overhead transmission and distribution is compatible with urban and rural development so that when individuals or local governments request that lines be undergrounded that is the obligation of those requesting it to pay for it. Principally the objection to overhead is aesthetic. When there is a technical reason for undergrounding the lines, we can recover the costs. For example, lines crossing the Miami River need to be underground. In 1989, the Legislature directed the PSC to re-examine the policy. At that time, the PCS undertook a study and determined that it was not cost effective to require undergrounding on a widespread basis. We cannot treat one group of customers differently than another. Whether the residents in one particular geographic region should pay for undergrounding in another for aesthetic reasons is something that the PSC has said is not going to be allowed. Undergrounding is extremely expensive and it is just a matter of fairness to other customers. We cannot comment on any legislation until it is passed, but we are willing to work with the Council to draft legislation to propose.

Councilmember Sorenson stated that she would like to object to the word “aesthetic” being used when these power lines are going to have many more impacts that esthetic. We are talking about economic impacts. If we can’t do mixed-use, higher density development on a transit corridor that is not an aesthetic issue. That is an issue of creating communities that are more compact that are more transit oriented; it affects climate change issues, our economy and there are health impact issues. For all of these reasons, she stated, I would like to object to the word aesthetic.

Councilmember Lieberman stated that she wanted to make sure that she understood what was being said. We are talking about a benefit not a prohibition. In other words, if everyone along an underground line benefited from it being underground, then you could recover the cost. You mentioned if it could benefit everyone.

Mr. Tammaro stated that what he said was that the money could only be recovered if the lines were required to be underground for technical reasons. The typical objection to overhead lines is for aesthetic purposes; there was no offense intended by the comment. There may be perfectly legitimate policy reasons for requiring undergrounding in urban areas as Councilmember Sorenson articulated. Unfortunately, that is not the policy that we are dealing with. If the information were put in the proper format, the PCS may consider that change.

Councilmember Lieberman asked if FPL had ever done a study to show the differences in terms of damage to FPLs lines from a hurricane. During the recovery from Wilma, the Town of Weston, which

has underground lines, never lost electricity. Parkland was without electricity for 13 days, because they have overhead lines.

Mr. Daniel Hronel, representing FPL, stated that he was not sure if a specific study of that detail was done.

Councilmember Lieberman requested that he look into it and provide the information to the Council.

Mr. Hronel stated that those who suffered extensive power outages were probably out of service because of distribution interruption, not transmission line interruption. We will bring together the requested information and make it available to the Council.

Vice-Chair Gunzburger stated that because of disruption of service might be a reason to underground the entire system along the coast, a storm-prone area; it might be much more cost effective. It would be helpful to do a cost-benefit analysis of undergrounding the lines in such an area.

Councilmember Asseff stated that the Town of Golden Beach just undergrounded its lines; she asked where its transmission comes from.

Mr. Hronel replied substations along the A1A Corridor.

Councilmember Asseff asked for more information on that, because that would be a good example for other cities to look at.

Councilmember Carruthers stated that she had one addition to the equation for the cost-benefit analysis, the loss of revenue because you can't charge customers for electricity that you are not providing.

Councilmember Walters stated that she can relate to what is being presented by FPL. There is a big difference between transmission lines and distribution lines, especially in terms of groundwater which is anywhere from a few inches to a few feet below the surface. To harden the system against the water is difficult and expensive, but not impossible; and is very different from just burying distribution systems. The amount of electricity carried by distribution lines is so much less than that carried by transmission lines, and we need to keep that distinction clear in our minds as we look at the information.

Councilmember Wallace stated that he would like to make a motion, because it is important to do something that is doable. One thing that we can do is engage the parties in a discussion of changing the current legal position and policy of the PSC. The Council should take the opportunity, based on all the items raised here, to try to engage the parties.

Councilmember Wallace made a motion that the Council express the sense of the Council, and that these lines need to be undergrounded and in order to support that we should put together a team to try to get the parties to agree to change that position so that the lines could be undergrounded and the costs could be paid by the customer base of FPL, not just the municipalities. Councilmember Sorenson seconded the motion.

Councilmember Sosa stated that she totally supports undergrounding the lines, but she is not ready to support something that is going to change the legal way that the PSC can control what FPL can charge the customer. I cannot support something that does not have enough wording and description that will create a control on FPL, because they will do the undergrounding, they will charge whatever to the

customers and at the end of the day those customers are the ones we represent. This cannot be a free-for-all and respectfully, I cannot support the proposal.

Councilmember Kelley asked, since the report is due in September, would it be possible to work these concerns into the report?

Vice-Chair Gunzburger asked if Councilmember Kelley was proposing deferring this until the next regular meeting of the Council.

Councilmember Kelley stated that there has been a lot of dialog about putting more information into in, and the Council Members have requested additional information, I would hate to vote on something without having all of the information, especially since it is not time sensitive.

Councilmember Kelley moved to defer the item until the September meeting. Councilmember Asseff seconded the motion, which carried with a no vote from Councilmember Wallace.

Mr. Tammaro stated that during Mr. Scroggs' conversation with Councilmember Wallace it was stated that the company would not be opposed to the Council suggesting legislation, of course FPL would not take a side on the issue.

AGENDA ITEM SIXTEEN: Correspondence and Attendance Form

Information only

AGENDA ITEM SEVENTEEN: Councilmember Comments/Public Comments

None

AGENDA ITEM EIGHTEEN: Upcoming Meetings

- a) August 2nd, 10:30 a.m. (Council Offices, Hollywood) - Executive Committee
- b) September 13th, 10:30 a.m. (Council Offices, Hollywood)
- c) October 4th, 10:30 a.m. (Council Offices, Hollywood)
- d) November 1st, 10:30 a.m. (Council Offices, Hollywood)

AGENDA ITEM NINETEEN: Adjournment

The meeting was adjourned at 11:45 a.m.

This signature is to attest that the undersigned is the Secretary of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL, and that the information provided herein is the true and correct minutes for the July 12, 2010 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 13th day of September 2010.

Heather Carruthers, Secretary

Date