

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Minutes

April 6, 2015

South Florida Regional Planning Council's Executive Committee met on this date at the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021. Chair Walters called the meeting to order at 10:35 a.m. and asked Councilmember Ritter to lead the Pledge of Allegiance.

I. Pledge of Allegiance and Roll Call

Councilmember Patricia Asseff
Councilmember David Rice (absent)
Councilmember Stacy Ritter
Councilmember Xavier Suarez (via phone)
Chair Sandra Walters

Mr. Sam Goren, Legal Counsel was present.

The following Ex-Officio Member was present:

Ms. Aileen Boucle, representing the Florida Department of Transportation, District VI

II. Approval of Council Agenda

Councilmember Asseff moved to approve the Council Agenda. Councilmember Ritter seconded the motion, which carried by a unanimous vote.

III. Action Items

A. Minutes of Previous Meeting

Chair Walters had a revision to page 7; the "s" was left off of her name.

Councilmember Asseff moved to approve the Minutes of the Previous Meeting. Councilmember Ritter seconded the motion, which carried by a unanimous vote.

B. Financial Report

Councilmember Asseff moved to approve Agenda Item III.B, Financial Report. Councilmember Ritter seconded the motion, which carried by a unanimous vote.

C. Intergovernmental Coordination and Review Report

Councilmember Ritter moved to approve Agenda Item III.C, Intergovernmental Coordination and Review Report. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

D. Consent: Comprehensive Plan Amendment Reviews

- Miami-Dade County 15-1ESR
- Monroe County 15-3ER
- City of Cooper City 15-1ESR
- City of Doral 15-1ESR
- Islamorada, Village of Islands 15-1ACSC

- City of Miami 15-1ESR
- City of North Miami Beach 15-2ESR
- Village of Palmetto Bay 15-1ER
- City of Plantation 15-1ESR
- City of Plantation 15-2ESR
- City of Sunrise 15-1ESR
- City of Weston 15-1ESR

James F. Murley, Executive Director explained his comments regarding the Monroe County 15-3ER amendment on improvements to the Card Sound Road Corridor. He stated his comments are not an objection to the amendment but to highlight the Card Sound Road connection of Monroe and Miami-Dade Counties. He explained there are two ways out of Monroe County: US 1 (a State Highway) and Card Sound Road (CR-905 and CR-905A). He gave details on the logistics of Card Sound Road, the Card Sound Road toll bridge improvement, environmental benefits, Counties' responsibilities, funding and Hurricane Evacuation. It was stated that FDOT is responsible for US 1 and Card Sound Road is located in both Monroe and Miami-Dade Counties and the bridge is owned by Monroe County.

Emily Schemper, Monroe County staff, was available via phone for any questions.

Ex-Officio Boucle, FDOT VI, stated that Card Sound Road is a non-state facility and is not eligible state funding. She stated projects or improvements to this facility could be coordinated with FDOT for federal funding, following the federal process.

Councilmember Asseff inquired if the Metropolitan Planning Organization (MPO) could help with the funding. It was stated that Miami-Dade County has a MPO.

Ex-Officio Boucle stated that Monroe County does not have the population threshold to have a MPO designation. She stated that Monroe County has coordinated with FDOT over the years and FDOT is available for technical assistance and to help identify federal funding that is available.

Mr. Murley stated that the Council's comment is that both Counties should review improvements together.

Chair Walters stated Monroe County has received local area program funding and federal funding from DOT for design and improvements to the bridge and construction funding in the future. She stated that this would be the time to review the corridor in Miami-Dade County to make sure it is up to par.

Chair Walters explained the PD & E Study was initiated on improvements to an intersection on Card Sound Road, including assessing the environmental impacts that might occur. She inquired about this project.

Ex-Officio Boucle stated she would take the Council's request to FDOT to look at this for the future.

Councilmember Ritter moved to approve Agenda Item III.D, Comprehensive Plan Amendment Reviews. Councilmember Asseff seconded the motion, which carried by a unanimous vote.

E. Regional Issues: Comprehensive Plan Amendment Reviews – None

IV. Discussion Items

A. Executive Director's Report

Mr. Murley stated that there are a number of Appointments made to the Council Board. Councilmember Asseff and Cary Goldberg, a developer in Fort Lauderdale, have been appointed as Gubernatorial Appointees for Broward County. The Broward League of Cities has appointed the Mayor of Cooper City, Greg Ross, to the Council. Mr. Murley clarified that Councilmember Bailey, who the Council originally thought was a Broward County Gubernatorial Appointee is actually a Miami-Dade County Gubernatorial Appointee. He stated the Department of Environmental Protection has appointed Jill Creech, Southeast District Director as an Ex-Officio Member. He stated that out of the four Ex-Officio appointments three are filled; missing the appointment from the Department of Equal Opportunity. He stated there is still an appointment to be filled from Miami-Dade County.

Chair Walters stated the Regional Convening portion of the Agenda is to bring issues that are relevant to the Region and bring additional attendance to the Council Meetings. She stated the March meeting at FDOT, Department VI had a quorum. She explained that this meeting contained major regional transportation issues and presentations from various appropriate transportation representatives, as well as being welcomed by District VI Director, Harold Desdunes. She stated the location worked out very well.

1) Development of Regional Impact Updates

Mr. Murley stated a formal notice from the Downtown Development Authority (DDA) in Miami for Increment III DRI has been received. He explained this DRI will be a major undertaking along with the All Aboard Florida Station. He explained that there will be a Sufficiency Review to ensure the information in the upcoming Application for Development Approval (ADA) is correct and he is communicating with the City of Miami and Miami-Dade County.

Mr. Murley mentioned the American Dream Miami Mall.

Councilmember Suarez stated that he spoke with Eskandar Ghermezian, the developer, regarding the Miami Mall.

Councilmember Suarez inquired about the appeal process for the DRI.

Mr. Murley stated that approximately 2 years ago, the Florida Regional Planning Councils had the right to file appeals independently however, today only the State Land Planning Agency, Florida Department of Economic Opportunity can appeal. He and Mr. Goren described in detail the past and current appeal process and requirements that could include a hearing with the Florida Land and Water Adjudicatory Commission (FLWAC) in Tallahassee.

Councilmember Suarez inquired if the amount of square feet is a DRI requirement.

Mr. Murley stated that he would provide that information for him, but in this case, this DRI is in a special category. He stated that most DRIs are individual projects or buildings. A Master/Incremental DRI is covers a DDA or a Community Redevelopment Authority (CRA). He stated that this DRI is an Areawide DRI, meaning that after approval all the development of individual buildings within the Areawide DRI can move forward without being reviewed independently.

Mr. Murley stated that between 2008 – 2011, the DRI Law changed. He explained that the counties with Dense Urban Land Areas (DULA), (approximately 1000 people per square mile) would no longer have to go through the DRI process; new projects would be reviewed through the Comprehensive Plan Amendment Process.

Mr. Murley stated that the world's largest mall is not by law, a DRI. He explained the process is complicated with a four way land deal to make State Land available to be bought by the developer. He stated that if this project goes through the Miami-Dade County it would be reviewed as any other comp plan amendment. He explained in detail the process of this project going before the Governor and Cabinet since they are the Trustees of State Land, the Miami-Dade County Commission, and the results moving forward. He stated this project will have transportation and environmental impacts in the region. He stated that there is no development proposal yet and it could take several years for the local government review process. Mr. Murley stated that this project, when it becomes a proposed and adopted comprehensive plan amendment, will be reviewed by the Councilmembers. He stated that he offered the Council's services in assisting the Miami-Dade County Administration and stated that he would like the neighboring County and municipalities an ample chance to provide comments.

Mr. Murley stated that this developer family has developed a mall in Alberta Canada, the Mall of the Americas in Bloomington, Minnesota and is currently building a similar mall in New Jersey. He stated that he has talked with the City of Bloomington and with the areas' RPC on how they handled their project over the past 25 years.

Councilmember Suarez stated the build out is in the \$4 billion range. He explained the process of buying the State Surplus Land and the complications regarding the County's purchase to the developer's ownership. He stated there was a confusing Growth Management issue regarding water and stated he was able to discuss the water and sewer issue knowledgeably thanks to his experience on the Council and Councilmembers. He stated he would like the developer to consider connecting MetroRail or TriRail to the mega mall from the Palmetto Station. He informed the Council that in speaking with the developer, his company had donated some sort of transportation infrastructure for the Mall of the Americas and would like to see the developer offer the same for this project. Councilmember Suarez stated that he would help on any research regarding this.

Mr. Murley stated an extensive discussion will continue with FDOT as the project moves forward.

Ex-Officio Boucle stated that FDOT will be working closely with the developer.

Mr. Murley informed Council about the new SFRC website and the ability to research this project and other data. He stated that this clearly a regional project. He stated research will be done to keep communication and facts available to the public with a possibility of a public workshop. Mr. Murley stated he would keep the Council informed.

Mr. Murley stated the project could voluntarily go through the DRI process but it cannot be mandated because of the DULA rule. He stated that by using the DRI framework all the comments could be gathered together. He reiterated they will be using the Comp Plan Amendment Process which was not developed to handle a large project like this.

Chair Walters stated that in the past the thresholds were much lower and the Council had an appeal authority. She commented that this project should follow the DRI process since it is near the Counties' and municipalities' borders and this project will have a regional impact. She stated that the DRI process is not a negative review process; it can show significant positive economic benefits. She thanked everyone on the update.

B. Legal Counsel Report

Mr. Goren commented on the 2003 Brownfields Malibu Bay Loan. He stated that the loan was made through the Eastward Ho! Brownfields' Loan Program which because of the structure of the loan, no payment has been made on the loan. The borrower is refinancing the first mortgage and we are negotiating new terms for the Brownfields Loan. He informed the Council that this loan was not a Board approved loan.

Mr. Murley stated that there would be a full report in May. He informed the Council this property is located in Palm Beach County.

Mr. Goren stated that this is a unique situation.

V. Program Reports and Activities

A. Council Mission

B. Revolving Loan Fund Reports

1) SFRPC Revolving Loan Funds Status Report

Mr. Goren stated that there very few loans in default and thanked Cheryl Cook, Council staff, for her hard work. There was discussion on the amount of funding that can be loaned for new applicants.

Ms. Cook stated the available amount to be loaned at this time is \$294,000.

Mr. Goren stated the more money we keep on the street the less opportunity the government wants us to give back this year from the Loan Program. It was stated that there was \$140,000 in interest received so far.

Mr. Goren stated there are no litigations to report.

C. Florida Regional Councils Association

1) FRCA Monthly Accomplishments

2) FRCA Legislative Update

Mr. Murley announced that Sheri Coven will be leaving FRCA on April 16, 2015. He stated the reporting mechanisms she has set up will be maintained. He stated that Executive Director, Ron Book and Rana Brown have been working with Senator Simpson and his Bill. He explained the legislative votes of the Bill in the House and Senate, their content and process. He explained the content of Senator Simpson's Bill regarding the 11 RPCs', the RPCs' responsibilities, the possible elimination of Withlacoochee RPC, and possible changes in the RPC boundaries. Mr. Murley then explained the Regional Council portion of a Bill in the House which is part of a larger House Bill. He stated that it tracts some of the information in the Senate Bill and it includes a provision which allows the Counties to opt out of the Planning Councils. He stated that he will have an updated report in May.

Councilmember Ritter stated that in meeting with Representative Mayfield, Representative Mayfield does not recognize the Councils and does not believe local government should pay the Councils throughout the State to do functions that the local governments may not be able to do. Representative Mayfield is very concerned and believes that the local governments should have the opportunity to opt out.

Mr. Murley stated that the "opt out" suggestion is only in the House Bill and not in the Senate Bill.

Councilmember Ritter stated that Representative Mayfield is happy to accept the Senator's Bill as long as it included the "opt out" provision. There was discussion on the various ways the Bill can travel between the House and Senate.

Chair Walters stated she would like to have legislative updates for the May Meeting in Monroe County, and would like to invite our State Representative and/or Senator and hope they have an opportunity to attend.

Councilmember Ritter stated the outcome of the Bill and what will become effective will not be known until July 1st.

Councilmember Asseff stated that the Florida League of Cities will begin their legislative agenda in June since the legislature starts in January. She stated the Council should prepare for this in advance.

Mr. Murley stated that during Florida Association of Counties summer meeting the FRCA Policy Council will meet. The SFRC will have three representatives.

VI. Announcements and Attachments

Chair Walters expressed her feelings on the allocation of funds regarding Amendment 1 and the impact it will have on the Florida Forever Program. She stated that the Florida Forever Program was a successful program.

Chair Walters stated she gave a presentation to the Treasure Coast Chapter of the Florida Association of Environmental Professionals. She stated she created a table of all the existing Florida Forever projects from St. Lucie County to Monroe County that showed the projects and cost estimates. She stated she is very frustrated with the legislature.

Chair Walters informed the Council about a television series, filmed in Islamorada, called Bloodline and the guesthouse in the series is called the Moorings; it will be on Netflix. She explained that her company did the environmental permitting for the show. She stated that this is a huge economic plus for the Upper Keys and a great way to show how great this community is. She explained in detail what the series is about and explained the complications of permitting in a quick and timely manor. She requested everyone watch the show.

Mr. Murley stated, at their seats was a Washington Post article that highlights Councilmember Asseff 's activities regarding energy, sea level rise, climate change, the Southeast Florida Regional Climate Change Compact and how it is working within our Region.

Mr. Goren stated that Councilmember Bailey, who recused himself at the March 2, 2015, Meeting from Miami-Dade County and Pompano Beach amendment vote, had filed the required paperwork in a timely manner.

Councilmember Ritter stated that she will not be attending the July or August 2015 Meetings; she will be on vacation.

A. Correspondence and Attendance Form

B. Upcoming Meetings

- 1) May 4th, 10:30 a.m. (MENC, Key Largo)
- 2) June 1st, 10:30 a.m. (SFRPC Offices, Hollywood) – Executive Committee
- 3) July 6th, 10:30 a.m. (SFRPC Offices, Hollywood)
- 4) August 3rd, 10:30 a.m. (SFRPC Offices, Hollywood) – Executive Committee

VII. Councilmember Comments

VIII. Adjournment

The meeting was adjourned at 11:50 p.m.

This signature is to attest that the undersigned is the Secretary of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL, and the information provided herein is the true and correct minutes for the April 6, 2015 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 4th day of May, 2015.

Patricia T. Asseff, Secretary

Date