

## SOUTH FLORIDA REGIONAL PLANNING COUNCIL

### Minutes

August 11, 2014

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 Ritter called the meeting to order at 10:33 a.m. and Councilmember Daubert led the Pledge of Allegiance

#### **I. Pledge of Allegiance and Roll Call**

Councilmember Jean Monestime (absent)  
Councilmember David Rice (via phone)  
Chair Stacy Ritter  
Councilmember Paul Wallace  
Councilmember Sandra Walters

Councilmember Daubert was present.

Mr. Sam Goren, Legal Counsel was present.

Ex-Officio Member Ms. Aileen Boucle representing the Florida Department of Transportation, District VI, was present.

#### **II. Approval of Council Agenda**

Executive Director, James Murley proposed to modify the Agenda by moving Agenda Item V.D.1, FRCA Monthly Accomplishments to the Executive Directors Report.

Councilmember Wallace moved to approve the amended Council Agenda. Councilmember Daubert seconded the motion, which carried by a unanimous vote.

#### **III. Action Items**

##### **A. Minutes of Previous Meeting**

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

Sam Goren, Legal Counsel stated that Councilmember Daubert is able, under all rules, to participate in the conversation.

##### **B. Financial Report**

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

Councilmember Daubert questioned the Miscellaneous Expense items.

Ed McGann, Council staff, explained the Miscellaneous Expenses, in this Report, are related to the Seven50 Project, and the subsequent Summit and seminars. He stated that the Project is over and the Miscellaneous Expenses should be less than \$8,000 on an annual basis.

Councilmember Wallace questioned if the Council was operating consistently with the current budget. Mr. Murley said yes and he stated the new budget would be presented at the September Meeting.

C. Intergovernmental Coordination and Review Report

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

Councilmember Daubert inquired about ICRP #14-0605, the Pompano Park Airport and the runway that is being proposed. Mr. Murley explained Council staff usually spends more time on the larger airport reviews compared to the executive airports but staff will forward the backup information to Councilmember Daubert. Councilmember Daubert stated that he would visit the South Florida Water Management District website for further information.

Councilmember Wallace inquired if this was an approval of ICRP items.

Mr. Murley stated that under Federal and State guidelines these permits require comments from the RPCs and other agencies if needed. He explained that this was one of the activities supported by the Senate appropriations. Mr. Murley explained that the SFRPC selectively dropped some of those required activities and kept others. He explained that the ICRP Program was maintained so the Council would be informed on regional issues and be able to respond if needed.

D. Consent: Comprehensive Plan Amendment Reviews

- City of Doral 13-1ESR and 14-1ESR
- City of Aventura 14-1ESR
- Islamorada, Village of Islands 14-4ACSC
- Monroe County 14-1ACSC and 14-2ACSC
- Village of Palmetto Bay 14-1ER
- City of Plantation 14-CIE1

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

E. Regional Issues: Comprehensive Plan Amendment Reviews

- City of Doral 14-3ESR

Mr. Murley stated that Council staff received information on proposed amendment 14-3ESR after Council mailing; he made an assessment and cited those concerns in the Agenda Memorandum. Mr. Murley stated that Mr. Goldstein will address those issues for the Council. Mr. Murley stated that it is not about the local compatibility issue and the City and Applicant are in process of resolving the compatibility issues. He stated his concern is that the Project is adjacent to a major viaduct being constructed by the Florida Department of Transportation, District VI (FDOT VI) to improve access to the Miami International Airport and adjacent to the freight handling areas. Mr. Murley explained that he did not have any input from other agencies at the time and therefore considered this amendment a Regional Issue.

Mr. Joseph Goldstein, Attorney at Law, Holland & Knight, 701 Brickell Avenue, Miami, Florida stated that he is here on behalf of the Applicant RAM Development. He introduced Tracy Slavens and others who are present from his team. He thanked Mr. Murley for meeting with them on Friday before Council Meeting. He reiterated that Mr. Murley did not receive the packet in a timely manor in which to review and comment on the amendment. Mr. Goldstein requested that the Council express Council staff's concern about the viaduct and not focus on the compatibility issue. He explained the compatibility concern is not a regional issue and his office is working with the City of Doral's staff and government agencies. He informed the Council that the City Council voted in favor of the initial reading 3-2. Mr. Goldstein began a PowerPoint presentation and described the location and description of the parcel, the surrounding area, the land use change, the viaduct and the City staffs concerns. He described in detail the land use change of mixing industrial and residential uses and the probable effect. He stated that in the City of Doral there are three things happening that relate to the urbanization: to create a downtown mixed use (25-35 units per acre), community mixed use (19-25 units per acre), and a core district (20 units per acre). He stated that this application was responding to an overall comprehensive plan goal to make this area a more mixed use location and less industrial and freight. Mr. Goldstein referred to Policy 2.1.9 which states "work toward correcting the current over-abundance of industrial use in the City by considering and proposing land use changes in the future that will create a balanced land use mix, more typical of healthy, thriving cities". Mr. Goldstein explained the City made some staff changes and this had an effect on the application. He stated that the City Council had recommended approval of transmittal of the application because the amendment is consistent with the new vision for the City.

Mr. Goldstein explained the project access and its correlation to the viaduct. He talked about transportation access of the Project, City, the freight traffic effecting residential traffic and the Trip Generation Summary.

Councilmember Wallace commented that there is not enough detailed information in the Council staff's recommendation. He would like a more detailed report from Council staff regarding the reason for inconsistency, such as the related Goals and Policies and further research. He did not realize that this was a major project until today. He wondered where the Council staff was to explain this amendment.

Mr. Goldstein reiterated that Council staff did not hear from other agencies for confirmation of the applicant's amendment and agreed that Council staff's concerns were appropriate. Mr. Goldstein stated they are working with staff to address their concerns. He is asking the Council, with regard to Council staff's report, to not include the compatibility issues, since they are still in discussion and is not a regional issue. He stated that 25<sup>th</sup> Street is a County Roadway and the viaduct is state-funded. They will work with the State agencies to ensure that there will be no conflict or problems impacting the 25<sup>th</sup> Street Roadway. His request is to direct Council staff to focus on the 25<sup>th</sup> Street viaduct and not the compatibility issue.

Chair Ritter inquired about the access to the Project and the City's plans to move from Industrial to a more Community Mixed-Use area. She did not understand why there are compatibility issues and understands that Mr. Goldstein's Project is moving toward the City's goals.

Councilmember Wallace inquired on the City of Doral's, Council, previous staff and present staff's outlook on this amendment.

Councilmember Daubert inquired if the present Planning Director recommended denial because it is residential going into commercial. Mr. Goldstein answered yes and reiterated that they are in discussion with the City.

Councilmember Daubert inquired about other developments in the area, the number units for this Project, school concurrency, DERM, and the traffic the area will incur.

Mr. Goldstein stated that they met concurrency and had approval from other agencies and the City.

Councilmember Daubert concern was the traffic with the inclusion of the other apartment complexes and housing being built within a quarter mile of the Project. Transportation Engineer Mr. Adrian Dabkowski from Kimley-Horn and Associates Inc. explained the TRIP Generation Summary (Existing Land Use Industrial and the Proposed Land Use High-Density Residential) which showed a significant net reduction because of the land use amendment. Mr. Dabkowski informed the Council that the units in this Project are less than the maximum build-out which also reduces the traffic.

Chair Ritter stated that a motion is needed and that the Applicant has requested that the Council remove the compatibility issue and focus on the 25<sup>th</sup> Street viaduct.

Mr. Murley explained the recommendation is generally consistent on the proposed amendment. He stated that given the changes in the planning law and our resources, Council staff focuses on the regional issues that are stimulated by economic development. He restated that the viaduct is funded with Transportation Regional Improvement Project funding in which FDOT, VI is making a special effort to improve the transit of freight vehicles near the airport. He stated that the viaduct is under construction in front of the Project and he did not have sufficient information to satisfy his concerns at the time of review. He stated that he did include compatibility issues because a report was required in a timely manner and did not have reports from other agencies. He agrees with the modification and understands the Applicant is working with Agencies, (MPO and FDOT) to ensure the objective of this transportation improvement. Mr. Murley explained the City of Doral was invited for representation and they chose not to attend. He stated if the amendment was voted for approval, the amendment will be seen a second time.

Chair Ritter inquired if this amendment will come before the Board next month. Mr. Murley stated once the City receives all the comments from the Council and from the Department of Economic Opportunity, where our comments are sent, the City will make whatever revisions on this draft amendment and decide whether or not to adopt; then it will come back to the Board.

Mr. Goren explained the actions taken by the Executive Committee today will be ratified by the Board next month; the second aspect of this process is the timing of the comments, which is valuable because if the Council does not choose to comment today or provide those comments, the Council would not be able to comment until the amendment comes back to final approval.

Mr. Murley apologized for not conveying his concerns regarding this amendment with specific policy numbers and a more detailed report. He stated he will do so in the future on items regarding strong regional issues. He reminded the Council that it was decided to reduce cost and staff to focus on regional issues that are a priority, not the local issues.

Chair Ritter commended Mr. Murley for pulling the amendment from consent when he reviewed it and had concerns about it being a regional issue; the items on the consent agenda were not a regional issue. She stated that she appreciated the fact that Mr. Murley did prioritize his concerns by meeting with the City and Mr. Goldstein separately.

Chair Ritter asked Councilmembers Wallace and Daubert what they expect from Council staff so Mr. Murley can understand when there is an amendment that is not consistent Mr. Murley can satisfy their requests as it relates to staff interaction with the Council.

Councilmember Wallace stated that with respect to the process and his expectations his recollection and perception that on issues regarding comprehensive plan amendments, given the fact that the Council is operating on a limited budget, there should be a presentation by our staff, with specific comments on the goal and policy issues, information regarding the discussion with the applicant, and our conclusion. He stated that he did not see that.

Chair Ritter requested roll call regarding a change to staff's recommendation on Agenda Item III.E, Regional Issues; the change would be that the compatibility issue be removed and focus on the coordination with FDOT and the Project. The vote was 3-1 with Chair Ritter and Councilmembers Walters and Daubert voting yes and Councilmember Wallace voting no.

#### **IV. Discussion Items**

##### **A. Executive Director's Report**

###### **1) Community Based Grant Issues - Letter from Erin Healy**

Mr. Murley explained that he and Chair Ritter had been contacted by Ms. Healy, Youth L.E.A.D., regarding her involvement with community-based grants. Mr. Murley explained the contents of the letter. He informed the Council that Ms. Healy is now located in California and had the option to call in but decided not to participate via phone. He explained the funding and the contract deliverables.

Chair Ritter stated that this item became an Agenda Item because Ms. Healy emailed and called her to file a complaint; Chair Ritter asked Ms. Healy to compile a letter. Chair Ritter explained to the Council that there is no process for a complaint and received advice from Mr. Goren regarding procedure. She wanted the Council to be informed in this matter.

Mr. Goren stated that the Memorandum was crafted by Mr. Murley, Karen Hamilton of Council staff and himself. He stated that they studied the complaint letter and the request of the person appears not to change anything that happened in the past but look to the future in the context of potential modifications in which to do business. He stated that the letter is formalized as a document on the record as simply stating the complaint was read.

Councilmember Walters stated that the only valid complaint was that Ms. Healy tried to communicate with Council staff and did not get a reply in a timely manner. Councilmember Walters stated that it sounded like a small local organization running into the bureaucracy of federal funding, and the complex reporting requirements while trying to help the community. She stated an entity does not get paid until all the required documentation is provided. Mr. Goren agreed with Councilmember Walters regarding the obligations that were not fulfilled to release funds.

Chair Ritter suggested that Mr. Goren draft a response letter stating that the Council discussed her letter. Councilmember Walters advised the contents of the letter apologize if communication was not in a timely manor and to thank Ms. Healy for bringing her concerns to the Councils attention. It was decided that Chair Ritter sign the response letter.

###### **2) Institute for Community Collaboration (Rebranding Names)**

Mr. Murley stated in March 2014, Chair Ritter asked the Council, in which the Council agreed, to change the name of the South Florida Regional Planning Council to the South Florida Regional Council; it was adopted and Mr. Goren's office is preparing the necessary amendments to the Memorandum of Understanding, a prerequisite before being presented to the three County Commissions. Mr. Murley stated that there is full funding for the Council from the county budgets which will be adopted in September. He explained that step two in this name change is regarding the existing non-for-profit, the

Institute for Community Collaboration, (ICC). He stated that the ICC and SFRPC Board are the same. He explained since the Council has moved from planning to economic development and other implementation activities; staff felt that repurposing the ICC would be in order. He recommended the Council adopt the Southeast Florida Regional Prosperity Institute as the new name for the existing 501(c)(3). He stated that this name allows the Council to have a segway from doing the immense amount of work on the Regional Prosperity Plan. He stated that the Palm Beach County Commission is in the process of trying to decide which RPC they would like to join and will be on their September Agenda. He would like this non-for-profit to be an instrument that conveys to the northern Counties a willingness to work together on transportation and economic development issues that are part of the Regional Prosperity Plan. He stated the Regional Prosperity Plan is the document that was produced under Seven50. He informed the Council that the Board will stay the same. He stated that the ICC recently received \$100K from the CitiBank foundation to continue work on data analysis. Mr. Murley stated that he discussed this with the economic development organizations, and they have come together to do more joint marketing. He explained the Regional Business Alliance received funds from a Federal Grant, created a new business plan and is now called the Southeast Florida Business Alliance that includes Broward, Miami-Dade and Palm Beach Counties. He stated that this is consistent with past successes.

He stated that when the change to the Council's organizing structure comes before the three Commissions he wants there to be a strong positive message attached to the name change.

Councilmember Walters moved to approve Agenda Item IV.A.2, Institute for Community Collaboration (Rebranding Names) name change to the Southeast Florida Regional Prosperity Institute and the motion includes the preparation of articles of incorporation to be ratified by the full Council at the next meeting. Councilmember Daubert seconded the motion, which carried by a unanimous vote.

### 3) Opportunities for Expanding Economic Development and Job Creation

Mr. Murley announced that Councilmember Asseff is present via phone. He stated this Agenda Item is not an action Item. He informed the Council the current Revolving Loan Fund Program (RLF) has limitations on receiving additional capital because it is a public loan program. He is proposing a structural change, so the SFRPC will be in a position to have discussions with various organizations regarding lending to small businesses. He would like to create a Community Development Financial Institution (CDFI) which would be a second non-for-profit corporation associated with the Council. He explained that organizations such as banking institutions, county/city representatives, and not-for-profits are in discussion with Ms. Cook to become a CDFI and would be staffed and administered with the Council's existing RLF structure. He stated that the RLF Program has the capacity and track record that demonstrates Council staff can handle this type of program. He stated that there will be additional discussions with legal counsel.

Ms. Cook stated that creating a CDFI 501(c)(3) will open the doors of opportunity. She stated the National Development Council (NDC) has a national program called "Grow American Fund". She stated CitiBank would like to partner with Miami-Dade County and other organizations to create a similar program called "Grow Miami Fund". She stated that they would like the SFRPC to be the host organization and house this Fund at the Council.

She explained that this Fund has to partner with a non-profit organization. She stated the CDFI is national designation and could be funded through the U.S. Department of Treasury and other financial sources. She explained that the Council must meet certain requirements listed in the Agenda Item in order to pursue this. She stated the Council meets most of the requirements except that the Fund has to be a non-government entity and not be controlled by any government entity. She stated that the CDFI Board has to be independent from the Council but the Council can make appointments to the CDFI Board. She stated that this is similar to the Loan Administration Board (LAB) of the RLF Program in which the

Council gave all the decisional authority to LAB. She stated that the LAB reports to the Council, gives the Council a monthly report and keeps the Council up to date on the RLF activities. She stated that the same process would be in place for the CDFI.

Councilmember Walters stated she was glad staff has found a way to move this process forward. She stated that this is a need that is currently not met for our Region and this would be a universal support for both private and public sector.

Mr. Murley stated that this represents a change and would like to hear any comments before the September Meeting when this Item will come back with more information and action will be needed to generate this institution.

Councilmember Asseff stated that this is a great opportunity for the SFRPC to grow and acknowledged Jim Carras' participation in this discussion. She stated that there will be many requirements from the new clients that will be involved. She commended everyone involved and stated that this will be beneficial to the Council. She stated that this could take a 6-9 month agenda to become a CDFI certified.

Mr. Murley stated that it relates to our name change, repurposing the existing 501(c)(3) and moving on to the next level. Chair Ritter and Mr. Murley, and Councilmember Asseff accredited Ms. Cook for her efforts.

V.D. Florida Regional Councils Association

1) FRCA Monthly Accomplishments

Mr. Murley stated that the Florida Regional Council Association Policy Board, of which Councilmember Asseff is the State-wide Chair, meets on Friday and she will be finishing her term as Chair. He stated that in the last year Councilmember Asseff went from a Gubernatorial Appointee to a Municipal Appointee for the Broward League of Cities. He stated that there were no changes made to the delegation because she was Chair. He stated that County Commissioner Rice, City Commissioner Kaplan and proposes Gubernatorial Appointee Bailey to fill that spot. Mr. Murley stated that he did speak to Councilmember Bailey and he accepted.

Councilmember Daubert moved to have Councilmember, Gubernatorial Appointee Bailey to represent the SFRPC in the FRCA delegation. Councilmember Wallace seconded the motion, which carried by a unanimous vote.

B. Legal Counsel Report

1) Florida Power & Light Company Turkey Point Stipulation Result

Mr. Goren explained the update on the Florida Power & Light Company Turkey Point process and that the Councils involvement has ended. He stated that the result of the Stipulation is part of the Agenda Item for the Council's review.

He stated that there was nothing to report regarding the RLF Program and staff did a great job collecting money. Councilmember Walters commented on a typographical error on the purple sheet on Loan #4014. She stated that the payments were probably made on were made in 2014 not 2017. Ms. Cook said she would make that correction.

**V. Program Reports and Activities**

A. Council Mission

- B. Revolving Loan Fund Reports
  - 1) SFRPC Revolving Loan Funds Status Report
  - 2) Smart Watts Home Energy Retrofit Loan Fund Status Report
- C. DRI Status Report - None
- D. Florida Regional Councils Association
  - 1) FRCA Monthly AccomplishmentsDone previously at Executive Director's Report.

**VI. Announcements and Attachments**

- A. Correspondence and Attendance Form
- B. Upcoming Meetings
  - 1) September 8th, 10:30 a.m. (City of Miami Commission Chambers, Miami-Dade County)
  - 2) October 6th, 10:30 a.m. (SFRPC Offices, Hollywood) - **Executive Committee**
  - 3) November 3rd, 10:30 a.m. (Murray E. Nelson Government Center, Key Largo)
  - 4) December 1st, 10:30 a.m. (SFRPC Offices, Hollywood) - **Executive Committee**

**VII. Councilmember Comments**

Councilmember Walters stated that a ribbon cutting for the North Roosevelt Boulevard Renovation Project on August 12, 2014. She stated that this has been in progress for two and a half years in Key West. She stated that all five lanes are open and is 2.9 miles. She stated that this is the major commercial center in Key West, and that all the water lines, sewer, proper storm water treatment, etc. have been updated. She stated that her company, Sandra Walters Consultants, Inc. is hosting the ribbon cutting.

Chair Ritter announced the next Council Meeting will be held at the City of Miami Commission Chambers on September 8<sup>th</sup> at 10:30 a.m.

**VIII. Adjournment**

The meeting was adjourned at 12:13 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 August 11, 2014 meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 8<sup>th</sup> day of September, 2014.

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David Rice, Secretary

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Date