

SOUTH FLORIDA REGIONAL COUNCIL

Minutes

May 2, 2016

The South Florida Regional Council met on this date at its corporate office at 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021. Chair Asseff called the meeting to order at 10:45 a.m. and Councilmember Wallace led the Pledge of Allegiance before the Southeast Florida Regional Prosperity Institute Meeting.

I. Pledge of Allegiance and Roll Call

Chair Patricia Asseff
Councilmember Mario J. Bailey
Councilmember Margaret Bates
Councilmember Mark Bogen (absent)
Councilmember Frank Caplan
Councilmember Daniella Levine Cava
Councilmember Tim Daubert (absent)
Councilmember Beam Furr
Councilmember Cary Goldberg
Councilmember Nelson Hernandez (absent)
Councilmember Martin Kiar (via phone)
Councilmember George Neugent (absent)
Councilmember David Rice (absent)
Councilmember Greg Ross
Councilmember Xavier Suarez (via phone)
Councilmember Paul Wallace
Councilmember Sandra Walters
Councilmember Jimmy Weekley

Mr. Sam Goren, Legal Counsel was present.

The following Ex-Officio Members were present:

Ms. Laura Corry, representing the South Florida Water Management District
Mr. Dat Huynh, representing the Florida Department of Transportation, District VI
The Honorable Roberto Martell, representing the Florida Department of Economic Opportunity /
Mayor of the Town of Medley
Ms. Jennifer Smith, representing the Florida Department of Environmental Protection

Legal Counsel, Sam Goren stated that since there is a physical quorum in the room, Councilmembers Suarez and Kiar, who are on the phone, are able to vote and for recording purposes their vote will part of the decision making.

II. Approval of Council Agenda

Councilmember Ross moved to approve the minutes of the previous meeting. Councilmember Weekley seconded the motion, which carried by a unanimous vote.

III. Action Items

A. Minutes of Previous Meeting

Councilmembers Walters and Suarez had corrections to the April 4, 2016 minutes and the minutes will be updated.

Councilmember Ross moved to approve the corrected minutes of the previous meeting. Councilmember Weekley seconded the motion, which carried by a unanimous vote.

B. Financial Report

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

C. Intergovernmental Coordination and Review Report

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

D. Consent: Comprehensive Plan Amendment Reviews

- Broward County 16-5ESR
- City of Hollywood 16-1ESR
- Islamorada, Village of Islands 16-3ACSC
- Islamorada, Village of Islands 15-1ACSC
- City of Parkland 16-1ER
- City of Parkland 16-2ESR
- City of Pembroke Pines 16-1ESR

Councilmember Bailey recused himself from voting on the City of Hollywood, 16-1ESR amendment due to a conflict of interest.

Councilmember Ross moved to approve Agenda Item III.D, Consent: Comprehensive Plan Amendment Reviews including the City of Hollywood. Councilmember Bates seconded the motion, which carried by a unanimous vote.

Councilmember Ross moved to approve Agenda Item III.D, Consent: Comprehensive Plan Amendment Reviews, City of Hollywood 16-1ESR. Councilmember Caplan seconded the motion, which carried by a unanimous vote.

IV. Program Reports and Activities

A. Presentation

1) Zika Virus Update

Guest Speaker: Patrick Jenkins, M.P.H., Director of Communicable Diseases
Florida Department of Health in Broward County

Chair Asseff introduced Mr. Jenkins and gave details on his present and past positions, as well as his education.

Mr. Jenkins presented a PowerPoint and explained that the Zika virus is a flavivirus, similar but milder to other viruses like Chikungunya and Dengue. The Zika virus was originally identified in Uganda's Zika Forest in Africa in 1947 and in Southeast Asia. There have been outbreaks since 2007. Most recently there have been outbreaks in Brazil in 2014 with cases recorded in Puerto Rico and Florida. The virus is primarily transmitted through an infected mosquito although it can be transmitted through physical contact. The presentation contained maps indicating countries and territories with the active Zika Transmission and a map of the 426 reported cases in the United States, with details on the 94 Florida cases from 2015-2016. He stated the numbers will change tomorrow. Mr. Jenkins provided details on the incubation time, common signs and symptoms, and the side effects of contracting the virus. Eighty percent of infected individuals are asymptomatic. There is no vaccine for this virus. Detailed information on laboratory testing, travel alerts, public health emergency declarations, the reporting of the Zika infections, and the required health status monitoring of those infected (monitoring continues until the virus is not present in the patient) and response activities was provided. Governor Scott signed Executive Order Number 16-29 which directs the State Health Officer and the Surgeon General to declare a Public Health Emergency. The Commissioner of Agriculture has issued a mosquito declaration. Emergency response activities are coordinated among various state agencies and local governments, the Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission. The Florida Fish and Wildlife Conservation Commission has been directed to support the Department of Agriculture and Consumer Services in developing extensive mosquito control plans. Information in preventing mosquito bites was presented. Mr. Jenkins explained the healthcare provider outreach (hospitals, urgent care centers, EMS providers, clinics, etc.) that is being undertaken.

Throughout the presentation Councilmembers had questions regarding the Zika virus:

- the side effects such as birth defects, microcephaly, and Guillain-Barré Syndrome (GBS);
- if monkeys were affected by the Zika virus, in which monkeys are not – only humans are affected;
- consumption of an infected animal – no cases have been found;
- what types of water in which the mosquitoes thrive – they thrive in standing fresh water in smaller containers rather than larger bodies of water like lakes; and
- the effect on tourism in Florida.

There was discussion regarding Puerto Rico and help that could be administered there.

Ms. Cosio Carballo stated this information will be on the Council's website and will send the Councilmembers the link.

Chair Asseff inquired if the Council could help by creating a resolution. Ms. Cosio Carballo informed the Council about an article regarding the Zika virus that is in their supplemental package. The article provides an update on the funding in Washington in which an agreement has not been reached.

Councilmembers Wallace and Weekley were in support of the resolution.

Councilmember Cava stated the County has a resolution in supportive efforts. There was discussion regarding the ability to access private property of those not taking precautionary measures. Mr. Jenkins stated that the Councilmembers should contact the legal office at the Department of Health (DOH). Generally owners permit entry into their properties by DOH employees. Code enforcement is an additional vehicle for access to properties.

Councilmember Walters stated it is her understanding that in Monroe County, Code Enforcement has access to private property when there is a threat to public health and safety. Code Enforcement is allowed access to a property for a very specific purpose and they are not able to use any information discovered if it is not part of the reason for access. One approach in Monroe County is to open holes in the bottom of garbage cans so that water does not collect in them and become breeding grounds.

Ms. Cosio Carballo suggested distributing public health information through the U.S. Postal Service (USPS). Mr. Jenkins stated that with every outbreak the USPS is approached but the discussion does not go any further than that. Ms. Cosio Carballo stated this type of information could be added to the letter to our Congressional Representatives.

Mr. Jenkins informed the Council that if they would like more information they should contact Candy Sims, Public Information Officer, at cell: 954-895-5745 or home: 954-651-2950 or Bob LaMendola.

Chair Asseff thanked Mr. Jenkins for his time and informative presentation. This information is important to prevent an epidemic.

Chair Asseff moved to approve a Resolution to be sent to Florida's Congressional Representatives in the House and Senate. Councilmember Bailey seconded the motion, which carried by a unanimous vote.

2) Sunshine Law (CH. 286, F.S.) and Public Records (Ch. 119, F.S.)

Sam Goren, Legal Counsel, presented in great detail the Sunshine Law and Public Records Law: procedures regarding meetings (notice of meetings, minutes, recordings and what is defined as a meeting); the purpose of the Sunshine Law; who is and is not subject to the Sunshine Law; written and email correspondence, discussions between two or more individuals; exceptions to the Sunshine Law (Shade Session, Executive Sessions and Procurement Selection/Evaluation Committees); and penalties associated with violations. He presented the Government-in-the-Sunshine Law Manual which is published annually and contains information on the Sunshine Law and Public Record requirements. The Sunshine Law is derived from the Florida Constitution Article I, Section 24. The issue of social situations was discussed. Mr. Goren stated that in social situations conversations should be limited to family, baseball and the weather. Councilmembers are public officials 24/7. The issue of Political Action Committees was discussed. Mr. Goren stated that these committees are not prescribed by these statutes. He suggested that members reach out to a local government attorney with questions. Mr. Goren stated that he will present the Public Records portion at another Council Meeting. He advised the Councilmembers to be thoughtful, mindful,

conscientious, and aware of the fact that these laws are serious items. The Councilmembers thanked Mr. Goren.

Councilmember Suarez commended Mr. Goren on the Memorandum regarding the SFRC/FPL, Turkey Point Units 6 & 7, Power Point Siting Application.

B. Revolving Loan Fund Reports

- 1) SFRPC Revolving Loan Funds Status Report
Discussed after Councilmember Comments

C. Development of Regional Impact Status Report

- D. Southeast Florida Clean Cities Program Update
Presented after Executive Director Report

- E. Comprehensive Economic Development Strategy Plan Update
Discussed after Legal Counsel Report

V. Discussion Items

A. Council Member Reports

Councilmember Furr updated the Council about the proposed Transportation Surtax and Infrastructure Tax. Broward County will have a discussion about the Transportation Surtax tomorrow. With rapid transit and rail transit Councilmember Furr thinks the Council could be the venue to have discussions with the counties on making those connections. Unfortunately without the transportation tax it may be difficult to make those connections.

Chair Asseff suggested that the SFRC would be a great venue for the Transportation Surtax discussion and management.

Chair Asseff announced that Councilmember Ross will be the new President of the Broward League of Cities.

Councilmember Walters is concerned about the Downtown Miami DRI discussion in Monroe County. She was hoping the Council Meeting in Monroe County would be relevant to the Keys.

B. Executive Director's Report

Ms. Cosio Carballo explained the statutory requirements needed for the Development of Regional Impact (DRI) process. Council staff has been working with external partners to create the Development Order (DO) Conditions to mitigate the impacts of this economic development project. There are ongoing negotiations with partners of the DO which necessitated bringing this item to the June Council Meeting instead of the May meeting as originally scheduled. She stated that she hopes that it will be a fairly quick presentation.

With regards to the June Council Meeting in Monroe County, Ms. Cosio Carballo stated that she has reached out to various individuals including Shannon Estenoz, U.S. Department of Interior's

Director of Everglades Restoration Initiatives. Ms. Estenoz is not able to attend due to a previous commitment but recommended high-level individuals from the U.S. Army Corps of Engineers, and National Park Service. State Representative Holly Raschein may be available to discuss the Florida Keys Stewardship Act. Ex-Officio Laura Corry, SFWMD, is working with the District to arrange a possible presentation.

Ms. Cosio Carballo stated she attended the farewell party for the Florida Department of Transportation (FDOT) District VI past Secretary Gus Pego. While there she met the FDOT Secretary Jim Boxold. Ms. Cosio Carballo announced that Jim Wolfe, former Secretary for FDOT District IV, will be the next Secretary of FDOT, District VI.

Ms. Cosio Carballo informed the Councilmembers that she attended, along with Councilmembers Bailey and Cava, the Joint Senate Committee meeting in Homestead regarding FP&L Turkey Point, salt water plume, and contamination. Representative Raschein was in attendance. Ms. Cosio Carballo sent a link to the Councilmembers on the testimony posted on the Florida Channel.

Councilmember Bailey stated it was a great discussion and thanked Councilmember Suarez for the Memo and keeping the Council involved in the process. Many of the Miami-Dade Legislative Delegation members attended the Homestead meeting.

IV. Program Reports and Activities

D. Southeast Florida Clean Cities Program Update

Chair Asseff introduced Christine Heshmati, Program Manager of the Southeast Florida Clean Cities Coalition operated by the Council. She commented that the April Clean Cities meeting was great.

Ms. Heshmati, Council staff, stated there was a Southeast Florida Clean Cities Coalition meeting on April 8, 2016 that focused on electric vehicles and the supportive infrastructure. There were approximately 50 people in attendance. There were car dealerships with plug-in vehicles, students from Embry Riddle University who received federal funding to redesign vehicles like their hybrid EcoCAR3 Chevrolet Camaro, an electric plug-in and E85 vehicle. There were booths set up by local representatives that sell electric car charging infrastructure. FP&L was present to provide the utility perspective. Anne-Louise Seabury was thanked for her many contributions in support of the Coalition and Southeast Florida, her years of educating the public about electric vehicle ownership, and was recognized as the Coalition's Drive Electric Champion for which she was awarded a trophy. There will be a response from the federal government to determine whether grant funding was received for Florida's National Parks. The National Parks Service is celebrating its 100th Year Anniversary.

Councilmember Furr stated that the cities and the counties have been awarded Qualified Energy Conservation Bonds (QECB). A Qualified Energy Conservation Bond (QECB) is a bond that enables qualified state, tribal and local government issuers to borrow money at attractive rates to fund energy conservation projects. The funding would be available for extensive infrastructure and energy related building projects throughout the County. Councilmember Furr

stated this could be a first by putting together an entire infrastructure to support energy conservation. In the Southeast Florida Climate Change Compact there has been discussion regarding charging station locations. For more information Samantha Danchuk of Broward County staff should be contacted. Ms. Cosio Carballo suggested the Southeast Florida Clean Cities Coalition make presentations to the Counties.

V. Discussion Items

C. Legal Counsel Report

Mr. Goren stated, in the Council backup, there is a copy of the Legal Memorandum his office prepared regarding the Third District Court of Appeals' FP&L Turkey Point Siting Issue. The Memo highlights the Court decision to reverse the Final Order of the Siting Board and described in detail the decisions made and the stipulation the Council had signed.

Ms. Cosio Carballo mentioned that the Councilmembers are required to fill out Financial Disclosures. They are due July 1 at the local Department of Elections Office. If not received in a timely manner there could be a fine. Most of the Councilmembers have experience with this form since they are required to submit it by virtue of being an elected official. Council staff cannot submit this form for you.

D. Ex Officio Reports: none

IV. Program Reports and Activities

E. Comprehensive Economic Development Strategy Plan Update

Ms. Cosio Carballo stated the Council is an Economic Development District, a Federal designation through the U.S. Economic Development Administration (EDA). Part of the Council's responsibilities is to update the Regions' Comprehensive Economic Development Strategy Plan (CEDS) every five years. Council staff is thinking of ways of updating the Plan continually with the use of technology. The CEDS update will be discussed at the June 6th Council Meeting in Monroe County. This will be an opportunity for all of the Councilmembers to become part of the economic development conversation.

VI. Announcements and Attachments

A. Correspondence and Attendance Form

B. Upcoming Meetings

- 1) June 6th, 10:30 a.m. (MENC, Key Largo)
- 2) July 11th, 10:30 a.m. (SFRC Offices, Hollywood)
- 3) August 1st, 10:30 a.m. (SFRC Offices, Hollywood) –Executive Committee

VII. Councilmember Comments

Councilmember Wallace stated that in the updated packet are articles related to housing costs that he had requested to be shared. One article stated that Miami is the most expensive city in America.

Councilmember Walters stated Miami is the most expensive large city. Councilmember Wallace stated that Miami is the economic engine of the area. This is a bad piece of publicity and it does not involve just Miami. Economic development will be seriously impeded if there is no place for young college graduates to live. In terms of economic development this should be something to keep in mind.

Ms. Cosio Carballo stated this is one of the top tier issues the Council needs to be involved in. The issue of housing affordability has always been, will continue to be, elevated and advocated for by the SFRC. Council staff has worked to ensure that the Development Order Condition for the Downtown Miami DRI contains language that will further the development and availability of a range of housing choices. Ms. Cosio Carballo continues to elevate affordable housing with economic development partners such as the Greater Fort Lauderdale Alliance, Broward Workshop, Miami Chamber of Commerce, and the Business Development Board of Palm Beach County.

At the recent Broward Workshop Annual Retreat affordable housing was a topic of conversation. The Broward Workshop is a CEO group of Broward Executives. Earlier this year Ms. Cosio Carballo along with Michael Busha, Executive Director of the Treasure Coast Regional Planning Council, met with Verdenia Baker, the Administrator of Palm Beach County. The Administrator indicated that affordable housing is their number one priority. The directors discussed with the Administrator a possible opportunity for a regional discussion on this topic. Ms. Cosio Carballo would like to come up with a regional action agenda that will move this conversation forward.

Councilmember Weekley informed the Councilmembers about the voting history on the City of Key West's referendum for the City to purchase 157 units of affordable housing, the many discussions on the future of these units, and the desire to preserve this housing for the workers. Discussion continued on the affordability of living in Monroe County and the major impact this would have on the day-to-day life and the tourism industry in the upcoming years. As an example, people are commuting to work from the mainland to Marathon by bus because they cannot afford to live in Marathon. It was noted that there are other challenges of living in Monroe County like hurricane evacuations and the number of homes allowed to be built.

Councilmember Goldberg stated he is a developer. While not a residential developer, he has some involvement with projects with residential components. He spoke about the proposed Broward County Commercial Linkage Fee and its potential impact and ramifications. Councilmember Goldberg mentioned the areas where the rent is so high no one can afford it. There needs to be a real meeting of the minds looking to the future because this issue is going to continue to negatively affect us. More jobs are needed and this needs to be a joint effort which includes the region's economic development partners.

Chair Asseff stated all the cities have blighted areas and the cities need to work with public and private partnerships to clean up these areas and in turn help with their next development. We need to work with the group and come up with substantial ideas to accomplish this.

Councilmember Goldberg suggested the words "affordable housing" no longer be used. There was general agreement that another term describing this issue could be helpful in moving this important discussion forward.

IV. Program Reports and Activities

B. Revolving Loan Fund Reports

1) SFRPC Revolving Loan Funds Status Report

Councilmember Bailey inquired if the Council has all the tools available to help with the loans that are not up to date. He stated 65% are current, 8% are in default, and 17.5 - 18% are past due. He inquired if this was standard.

Edward T. McGann, Director of Finance & Loans, stated the loan delinquency was more of a function of the type of investment made by the fund and not because of the lack of tools. The Council had been investing in riskier businesses and the focus now is on improving the credit and investment type that will reduce delinquency rates and revolving loan fund losses. Mr. McGann indicated the 5-Year U.S. Department of Commerce; Economic Development Association (EDA) Plan for the RLF will be presented for review and adoption at the June Council Meeting.

Chair Asseff informed the Council that Councilmember Kaplan had lost his father and offered condolences. Councilmember Kaplan expressed his deep appreciation and stated that the members of the Board are wonderful people. The outreach he received helped get him and his family through this difficult time. He and his family are very grateful.

Ms. Cosio Carballo thanked the Councilmembers for attending today's meeting. It really makes a positive difference. She thanked the Council team members for their great work.

VIII. Adjournment

The meeting was adjourned at 12:40 p.m.

This signature is to attest that the undersigned is the Secretary of the SOUTH FLORIDA REGIONAL COUNCIL, and that the information provided herein is the true and correct minutes for the May 2, 2016 meeting of the SOUTH FLORIDA REGIONAL COUNCIL adopted the 6th day of June, 2016.

Greg Ross, Secretary

Date