

## SOUTH FLORIDA REGIONAL PLANNING COUNCIL

September 23, 2019

The South Florida Regional Planning Council met on this date at the Council's office, located at 1 Oakwood Boulevard, Suite 250, Hollywood, FL 33020. Chair Ross called the meeting to order at 10:30 a.m. and lead the Pledge of Allegiance.

Councilmember Patricia Asseff (via phone)  
Councilmember Mario J. Bailey (via phone)  
Councilmember Margaret Bates  
Councilmember Daniella Levine Cava  
Councilmember Michelle Coldiron (absent)  
Councilmember Joseph Corradino (absent)  
Councilmember José (Pepe) Diaz (absent)  
Councilmember Beam Furr  
Councilmember Steve Geller  
Councilmember Cary Goldberg  
Councilmember Samuel Kaufman (via phone)  
Councilmember Jordan Leonard  
Councilmember Jean Monestime  
Councilmember David Rice (absent)  
Chair Greg Ross  
Councilmember Michael Udine  
Councilmember Sandra Walters

Isabel Cosio Carballo, SFRPC Executive Director, and Sam Goren, Legal Counsel, were present.

The following Ex-Officio Member was present:

Dat Huynh, representing the Florida Department of Transportation, District VI

The following Ex-Officio Member was not present:

Laura Corry, representing the South Florida Water Management District

Chair Ross welcomed everyone to the Council Meeting and requested the audience introduce themselves. There were members of various municipalities, agencies, and Council staff. He stated that the Council is and will continue to be a family and offered the Council's condolences to Jeff Tart on the passing of his brother, along with a moment of silence.

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

*Councilmember Udine moved to approve the Council Agenda. Councilmember Geller seconded the motion, which carried by a unanimous vote.*

Chair Ross thanked Councilmember Walters for the suggestion of the following presentation and asked her to introduce the Presenters.

Councilmember Walters introduced Luna Phillips and Thomas MacVicar, whom she has known for many years, and provided a timeline of their careers. They will provide the Council with a stakeholder's perspective on the management of Lake Okeechobee.

**III. Presentation** - Luna E. Phillips, Shareholder, Gunster with Thomas K. MacVicar, P.E., President, MacVicar Consulting, Inc.

- Update on the Army Corps of Engineers Lake Okeechobee Systems Operating Manual (LOSOM), *a Stakeholder's perspective*

Mr. MacVicar gave a summary of his professional career in water management with the water district and as a consultant. He presented a Power Point depicting the canals (highways for water) built by the Federal Government surrounding Lake Okeechobee (Lake). He explained the importance of the canals, the water flow direction, recharging of the aquifer, the location of the Miami-Dade and Broward counties' well fields (both located out west), the water needs from Lake Okeechobee, etc. The agriculture area (AG), (sugar, citrus, rice, sod) and history was described. Mr. MacVicar explained the difference between the AG area and cities need for water. The AG needs water every year, the cities only when necessary. The history of the lake and canals, dredging, Herbert Hoover Dike, lake flow, and the management of the lake's water was summarized. Every inflow point into Lake Okeechobee has been monitored since 1974. In which water and phosphorus quantity are measured at each inflow. A slide was provided comparing the cumulative Lake Okeechobee inflow of phosphorus from the Everglades Agricultural Area (EAA) and all other inflow areas. Water from the EAA is not usually pumped into the Lake unless necessary, such as when a hurricane impacts the area. The State has been doing everything it can do for the last 25 years – they haven't found the "magic bullet". The invasion of a new algae species was described. There were satellite photos of the Lake depicting the algae growth (May 2019-July 2019). At one point, the water was so high that the Corps had to direct water to the ocean and gulf which caused incredible problems in those areas. There were also slides showing the algae in various Florida locations. Due to the intense pressure, the Corps released extra water from the Lake during the winter and spring to get the Lake level down by June to possibly help in the algae invasion. Lowering the Lake's water could also create a disaster of a possible water shortage, especially for agriculture around the Lake who depend on the water. The lowering of the water was not in the Plan, it was in response to the algae growth. He explained that our bad droughts happen when Florida does not get rain in the summer, Florida will then go into the next dry season with the water level too low. At 10.5 feet the farmers are cut back 45% of their irrigation allotment. This is not like the water restrictions on Broward or Miami-Dade counties (lawn watering, car washing) – the District rations the water to each acre in the AG. The farmers then work together to share the water being dispersed. Lowering the water level has a severe impact to agriculture. He explained the effects of lowering the Lake level to 10 feet or below. There was discussion on lowering the Lake's water and seagrass growth.

Ms. Luna Phillips provided her professional and personal background. She explained that the Corps is lowering the Lake while developing LOSOM. This is on two parallel tracts, the plan to lower the Lake now, which is called the Planned Deviation, and the development of the LOSOM. The Corps would like to lower the Lake every year to control the algae. The concerns are that if they lower the Lake every year and the rainy season is not as rainy as anticipated, then you are driving South Florida into a water shortage. The comment period for the LOSOM ended and they are now being reviewed. There were a lot of stakeholders who commented such as public utilities, South Florida Utilities Council, Lake Worth Drainage District, etc. which are available on-line. The Corps is still unsure of the processing at this point. They may release a supplemental document. The email address for inquiries or mailing list is: [Melissa.a.nasuti@usace.army.mil](mailto:Melissa.a.nasuti@usace.army.mil). A slide was provided with the effects of lowering the water, such as water shortages, salt water intrusion, lack of aquifer recharge, lack of irrigation water for farms and urban areas, and economic harm to South Florida. Seagrasses and listed species that nest and breed will also be affected if the Lake is at 10 feet or below. The Planned Deviation is intended to be in place until LOSOM is completed in 2022, possibly for the next 10 years. The reason the Planned Deviation is of interest is

because some of it may become part of the LOSOM. In regard to the LOSOM, there are many ongoing meetings on various topics. Between now and December 2019, the Corps is working to develop these performance measures, which is the foundational aspect of the long-term schedule will look like. If the Council or constituents are interested in getting involved, the time is now. Stakeholder input is being reviewed now, along with the submitted comment letters. The email address for the Corps Project Manager for LOSOM is [Earl.t.gysan@usace.army.mil](mailto:Earl.t.gysan@usace.army.mil) if you are interested in attending meetings or add to the mailing list. Mr. MacVicar and Ms. Phillips have submitted comment letters to the Corps on the Planned Deviation and the LOSOM, as well as many stakeholders.

Broward County sent a letter opposing lowering Lake Okeechobee to levels not supported by sound science and other issues such as salt-water intrusion, recreational and commercial restrictions, etc. Palm Beach, Hendry, Okeechobee and other counties have written very similar resolutions/letters when the Corps wanted to take the Lake level to 10.5 feet. Ms. Phillips summarized the letter they had sent for the September 20<sup>th</sup> comment period. Mr. MacVicar created a modeling report on the Planned Deviation. Ms. Phillips letter was broader incorporating Mr. MacVicar's comments. The letter included the comment that managing the Lake for algae may not result in a benefit to the algae problem, but it can result in negative effects to agriculture's water supply, navigation, recreation and other users of the Lake. Ms. Phillips stated she would share the letters.

Councilmember Furr questioned if phosphorous breaks down. The response was it doesn't break down. It has accumulated as a muck layer at the bottom of the lake, 200 square miles – it is organic, black material that gets stirred up when the wind blows. Explanation of chemical reactions with phosphorous and the instability of organic sediments were stated. Chair Ross thanked Mr. MacVicar and Ms. Phillips for their presentations.

Councilmember Walters requested this information be posted to the website.

#### **IV. Action Items**

A. Minutes of Previous Meeting

*Councilmember Bates moved to approve IV.A. Minutes of Previous Meeting. Councilmember Goldberg seconded the motion, which carried by a unanimous vote.*

B. Financial Report

*Councilmember Udine moved to approve Agenda Item IV.B, Financial Report. Councilmember Geller seconded the motion, which carried by a unanimous vote.*

C. Consent: Comprehensive Plan Amendment Reviews  
Proposed

- Broward County 19-4ESR
- Broward County 19-5ESR
- Miami-Dade County 19-3ESR
- Miami-Dade County 19-4ESR
- Monroe County 19-3ACSC
- Monroe County 19-4ACSC
- Monroe County 19-5ACSC
- City of Key West 19-3ACSC
- City of Key West 19-4ACSC

- City of Miami 19-3ESR
- City of Miami Beach 19-3ER
- City of Miramar 19-1ESR
- City of North Miami 19-2ESR
- City of Parkland 19-1ESR
- City of Pembroke Pines 19-1ESR
- City of Plantation 19-1ESR

Adopted

- Broward County 19-3ESR
- Miami-Dade County 19-1ESR
- Monroe County 19-1ACSC
- Monroe County 19-2ACSC
- City of Marathon 19-2ACSC
- City of Miami 19-1ESR
- City of Miami 19-2ESR
- City of Miami Beach 19-1ESR
- City of Oakland Park 19-1ESR
- Village of Palmetto Bay 19-1ESR

*Councilmember Udine moved to approve Agenda Item IV.C, Consent: Comprehensive Plan Amendment Reviews Proposed and Adopted. Councilmember Bates seconded the motion, which carried by a unanimous vote.*

Public Comments – None

Chair Ross asked the Councilmembers to read the article regarding the Village of Palmetto Bay's proposed 71-acre, 200 bed waterfront hospital that is included in the Agenda Packet.

D. Regional Issues: Comprehensive Plan Amendment Review – None

E. Legal Counsel Annual Review

Chair Ross noted that the Mr. Goren's hourly rate as Legal Counsel has not increased for many years. Mr. Goren's work with the Council and the Council Programs is superb. Discussion to reevaluate the hourly rate was initiated. Mr. Goren explained the various programs his firm reviews and the means by which the expenses are compensated. Chair Ross stated that discussion on Mr. Goren's rates will be evaluated with the Legal Committee and then brought to the Councilmembers. Mr. Goren said that he and his Law Firm are very grateful and that it is a pleasure and honor to work with everyone and Council staff. He thanked the Council.

*Councilmember Udine moved to approve Agenda Item IV.E, Legal Counsel Annual Review. Councilmember Levine Cava seconded the motion, which carried by a unanimous vote.*

F. Executive Director Annual Review

Chair Ross announced that Agenda Item III.F. Executive Director Annual Review was deferred to a later date and was voted unanimously by the Executive Committee Meeting.

G. FY2019-2020 Operating Budget

Chair Ross gave a summary of the FY2019-2020 Operating Budget.

*Councilmember Bates moved to approve Agenda Item IV.G, FY2019-2020 Operating Budget. Councilmember Furr seconded the motion, which carried by a unanimous vote.*

Councilmember Goldberg inquired about increases for the Executive Director. Rene Gonzalez stated that there is 3% cost of living increase for all SFRPC employees.

H. 2019 Meeting Calendar – Proposed Revision

Executive Director Cosio Carballo explained that the updated Calendar reflects the November Council Meeting will be held in Miami-Dade County. The Joint TCRPC / SFRPC Meeting will be October 25, 2019, which will be discussed later in the Agenda. Mrs. Cosio Carballo announced that she is working on the 2020 Calendar Meeting Schedule and inquired if the fourth Monday of the month is convenient for the Councilmembers, if there are enough meetings, and when to have the first of two Joint Meetings in 2020. May was suggested for the first Joint Meeting. She thanked the Councilmembers for their input and will draw up a preliminary schedule.

*Councilmember Geller moved to approve Agenda Item IV.H, 2019 Meeting Calendar – Proposed Revision. Councilmember Udine seconded the motion, which carried by a unanimous vote.*

I. Personnel Policy Update

Mrs. Cosio Carballo explained in detail the two areas of the Personnel Policy that needed to be addressed: Section 2. Description of a full-time employee and Section 6.1 Resignation changing the amount of calendar days for a resignation notification, and accrued benefits payment upon termination.

*Councilmember Walters moved to approve Agenda Item IV.I, Personnel Policy Update: Section 2. Councilmember Bates seconded the motion, which carried by a unanimous vote.*

It was noted that the current employees are full-time. There are temporary employees who are contracted, and part-time employees have benefits at a reduced rate.

*Councilmember Furr moved to approve Agenda Item IV.I, Personnel Policy Update: 6.1. Councilmember Udine seconded the motion, which carried by a unanimous vote.*

Public Comments – None

**V. Discussion Items**

A. Executive Director's Report

Executive Director, Isabel Cosio Carballo updated the Councilmembers on the reimbursement process for the air conditioning handler. She announced the resignation of Corey Aitken who took a position in Monroe County. Arlene Davis-Walcott was introduced, and a brief description of her professional history was described. Mrs. Davis-Walcott is the new Director of Regional Planning and Economic Development for the SFRPC. Mrs. Davis-Walcott stated that she was happy to be here and serve the Council along with Council management. She went into detail regarding her previous employment. Mrs. Cosio Carballo announced that the South Dade Economic Development Strategy has been finalized and meetings are being scheduled. Lambert Advisories is being subcontracted for this Project. The Monroe County Post Disaster Recovery Plan is on track

and almost complete. Conversation is underway with the City of Hallandale Beach for coordination with the Post Disaster Redevelopment Strategy. Mrs. Cosio Carballo shared the various opportunities that she and Council staff have become involved with. Discussion then ensued on the Florida Reef Tract, the funding, and research. More information on the Florida Reef Tract will be available at the Joint Meeting.

Councilmember Geller mentioned the Broward County Revolving Loan Program. Councilmember Levine Cava stated the Housing Trust Fund in Miami-Dade County is looking for an administrator. Councilmember Levine Cava and Mrs. Cosio Carballo plan to contact the Affordable Housing Trust Fund Board.

Mrs. Cosio Carballo announced the Florida Housing Authority Board plans to deposit one million dollars into the Southeast Florida Community Development Finance, Inc. (SFCDFI).

Councilmember Bailey thanked Mrs. Cosio Carballo for the Joint Meeting information.

Public Comments - None

B. Legal Counsel Report

Sam Goren, Legal Counsel thanked the Councilmembers for their review and their commitment, which is mutual, and stated he feels privileged to be part of the Council.

C. Ex Officio Reports

Dat Huynh, FDOT VI, announced the appointment of Huiwei Shen to the position of Chief Planner in the Central Office and summarized her 25 years in transportation. The Florida Transportation Plan is being developed with two meetings scheduled in Monroe County, in October. FDOT will be presenting at the October 25, 2019 Joint Meeting. South Florida has been awarded the Transportation Plan Capacity Building (TPCB) Peer Exchange for the I-95 Corridor. Discussion ensued on the I-95 Express Lanes breaking down and finding solutions. There is coordination between FDOT, Federal Highway Administration, Federal Transit Administration and other entities/agencies to work on solutions for the congestion on the I-95 Corridor since widening the Corridor is no longer an option.

D. Councilmember Comments

Inquiries were made on the Council's concerns to bring for the Legislative Agenda. Mrs. Cosio Carballo stated that the Joint Meeting will be an action-oriented Agenda with Resolutions and legislative priorities at the State and Federal level with respect to the National Flood Insurance Program, water management and infrastructure, affordable housing, etc. If there are specific issues the Councilmembers would like to cover, that input is welcomed.

Councilmember Asseff's concern was the building codes for the coastal areas, in which Mrs. Cosio Carballo stated she would contact her for further conversation.

Councilmember Levine Cava announced various meetings being held in Miami-Dade County and the Florida Association of Counties regarding the Sadowski Fund, Miami-Dade County is having an Affordable Housing Workshop, multi-year funding for the septic to sewer conversion, biosolids, etc. Mrs. Cosio Carballo stated that she will be in contact with the counties for relevant information for the Legislative Agenda.

Councilmember Walters stated that she is on the EPA Steering Committee, representing the Florida Keys, is familiar with the water and wastewater projects, and 20 years ago served on Acquisition Restoration Council that manages the Florida Forever Projects. The Keys were hit by a hurricane two years ago and had no water quality issues. Did we have debris – yes. Are we going to build back the way we were before – no. Are we paying attention to sustainability and resilience – absolutely. There have been substantial results regarding the change to advance water and wastewater in the Keys. The dollar value for the more populous counties, Miami-Dade and Broward counties, is to not just transfer from septic tanks but to look toward a high-quality water treatment without discharging offshore. It is now being realized that the draw-down areas of the fresh water springs system up-state need to be protected.

Councilmember Geller's concerns are 1) Sadowski Act – appealing the Sadowski Act and its funding issues; 2) SFRPC – working regionally on economic development, water quality and transportation as a convening authority, and report back to the Councilmembers; 3) October 8<sup>th</sup> Councilmember Geller will present to the Broward County Commission information on affordable housing and market rate, transit-oriented development, etc.

Councilmember Furr stated there is an opportunity for the SFRPC to work on the Mobility Studies. Mrs. Cosio Carballo replied that she will be participating in a meeting with the Broward MPO to specifically talk about Mobility Hubs. Councilmember Walters explained the Advanced Wastewater Treatment in the Keys.

Councilmember Asseff is concerned about the vacation rentals. Councilmember Leonard explained the Florida League of Cities' policy on vacation or short-term rentals. He stated that the Council should work with the Legislature toward a sound policy. Grandfathered-in rentals may be repealed.

## **VI. Program Reports and Activities**

### **A. SFRPC Revolving Loan Funds Status Report**

Jeff Tart, Senior Loan Officer and Manager of the Revolving Loan Fund and the Southeast Florida Community Development Fund, Inc. (SFCDFI) gave a brief narrative on these two Programs. He explained the funding, asset information, committed funding and loan fund requests in the RFL Program. The 5-Year RLF Plan for the Economic Development Administration was completed. The completion of the Plan will help seek additional funding from the EDA to expand the RLF Program. The additional funding will require a 50% match and be reflected on the books. The SFCDFI has an affordable housing focus which has been successful. There are six affordable homes being built for first time minority home buyers. They are underwritten by the Housing Finance Authority of Broward County, Housing Finance and Community Development Division in which Ralph Stone is the Executive Director. He explained the financing aspect of this coordination.

### **B. Development of Regional Impact Status Report - None**

### **C. DRAFT SFRPC / TCRPC Joint Meeting Agenda**

Mrs. Cosio Carballo reviewed the location, Draft Agenda, Agenda items, Resolutions, and invitees for the SFRPC / TCRPC Joint Meeting. She hopes all the Councilmembers will be able to attend. Councilmember Geller explained the legislatures discussion on the Sadowski Act.

D. Update on Regional Transit and Transit-Oriented Development (TOD) Initiatives

Christina Miskis of Council staff updated the Councilmembers on the Councilmembers' focus points from the previous meeting. This update included two future transportation summits, a summary of the transit and TOD planning in the Region, such as State, Regional, SFRTA, Southeast Florida Transportation Council, Virgin Trains, USA/Brightline, Tri-Rail, Counties, private sectors and local updates.

Councilmember Levine Cava suggested Ms. Miskis reach out to the Miami-Dade Chamber of Commerce. Ms. Miskis replied that the Chambers have all been notified. Ms. Miskis stated that the Executive Directors of the Miami-Dade TPO, Broward MPO, Palm Beach County TPA have all been working very closely on the Regional Transportation Summit.

E. Florida Regional Councils Association

Chair Ross congratulated Councilmember Walters, she was elected President of the Florida Regional Councils Association's Policy Board. Councilmember Walters stated that she is excited to work with the ten RPCs.

Mrs. Cosio Carballo gave an update on the Conference Room technology.

Councilmember Leonard announced the 9<sup>th</sup> Annual Best Practices Conference that will be held October 3, 2019 in Miami. Economic development, affordable housing, census and other pressing issues will be discussed. Elected officials, county/municipal staff, and other various stakeholders have attended, so all are welcome. Chair Ross stated that he has attended in the past and it is well worth attending.

**VII. Announcements and Attachments**

A. Attendance Form

B. Correspondence and Articles

C. Upcoming Meetings

- 1) October 25, 2019 Joint Meeting (Palm Beach County)
- 2) November 25, 2019 – (Miami-Dade County)
- 3) December 2019 – No Meeting Scheduled

The meeting was adjourned at 12:21 p.m.

This signature is to attest that the undersigned is the Secretary of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL, and that the information provided herein is the true and correct minutes for the September 23, 2019 Meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 25<sup>th</sup> day of November 2019.

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Samuel Kaufman, Secretary

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Date