

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

DRAFT MEETING MINUTES

October 25, 2021

The South Florida Regional Planning Council met virtually and in-person on this date at the Council's Office at 1 Oakwood Boulevard, Suite 250, Hollywood, FL 33020. Chair Bailey (virtually present) called the meeting to order at 10:34 a.m. and reminded everyone of the meeting's procedures. Chair Bailey explained the addition of Agenda III.C. Regional Issues, regarding Miami-Dade County proposed amendment DEO #21-02ESR. There are 2 amendments in #21-02ESR, one relates to CDMP 20210003, the development of a proposed South Dade Logistics & Technology District east of the Turnpike and outside of the Urban Development Boundary (UDB). The second amendment, CDMP20210008, is about the Private Property Rights Element pursuant to section 163.3177(6)(i) of the Florida Statutes. He proceeded to explain how to provide public comments and its requirements. Chair Bailey stated that comments were limited to the Council's area of review: (1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan* (SRPP) and (2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. He explained the lineup of speakers. Councilmember Coldiron led in the Pledge of Allegiance.

Chair Mario J. Bailey *
Councilmember Michelle Coldiron *
Councilmember Joseph Corradino **
Councilmember Beam Furr (present)
Councilmember René García *
Councilmember Steve Geller **
Councilmember Oliver Gilbert, III **
Councilmember Cary Goldberg (present)
Councilmember Samuel Kaufman *
Councilmember Jordan Leonard (present)
Councilmember Eddie Martínez **
Councilmember Jean Monestime **
Councilmember Greg Ross **
Councilmember Michael Udine (present)
Councilmember Ana M. Ziade (present)

* Virtually Present

** Absent

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

The following Ex-Officio Members were virtually present:

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

Jon Moore representing Jason Andreotta, from the Florida Department of Environmental Protection

The following Ex-Officio Member was absent:

Lorraine Mayers, representing the South Florida Water Management District

Sam Goren, Legal Counsel, stated that this meeting will be held as an extended Executive Committee.

II. Approval of Council Agenda

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

III. Action Items

- A. Financial Report - Not reviewed

Mr. Goren read the Comprehensive Plan Amendment Reviews, Proposed and Adopted.

- B. Consent: Comprehensive Plan Amendment Reviews

Proposed

- City of Miramar 21-02ESR
- North Bay Village 21-01ESR
- City of Parkland 21-01ESR
- City of Pompano Beach 21-01ESR
- City of South Miami 21-01ESR
- Town of Southwest Ranches 21-03ESR
- City of Tamarac 21-01ESR

Councilmember Goldberg moved to approve the Council Agenda Item III.B. Comprehensive Plan Amendment Reviews, Proposed. Councilmember Udine seconded the motion, which carried by a unanimous vote.

Public Comments - none

Adopted

- Broward County 21-04ESR
- Miami-Dade County 21-01ESR
- City of Hialeah 21-02ESR
- City of Hollywood 21-01ESR
- City of Homestead 21-02ESR
- City of Lauderhill 21-01ESR
- Town of Southwest Ranches 21-01ESR
- City of Sunny Isles Beach 21-01ESR
- City of Weston 21-01ESR

Councilmember Furr moved to approve the Council Agenda Item III.B. Comprehensive Plan Amendment Reviews, Adopted. Councilmember Udine seconded the motion, which carried by a unanimous vote.

Public Comments - none

- C. Regional Issues: Comprehensive Plan Amendment Review
 - Miami-Dade County 21-02ESR, Proposed

Chair Bailey explained the presentation process and asked for those in the Conference Room to identify themselves. Physically present were members associated with the applicant, Miami-Dade County staff, Council staff; virtually present were members from various municipalities in Broward, Miami-Dade, and Monroe counties, attorneys, various agencies (public and private), and members of the public.

Christina Miskis, Council staff, summarized the staff report for CDMP20210003 in detail. She explained that the task at the SFRPC was to identify any potential adverse effects to regional resources and facilities identified in the *Strategic Regional Policy Plan (SRPP)* that may have extra-jurisdictional impacts that are inconsistent with the comprehensive plan of affected local governments in the region. Staff noted that potentially affected regional resources and facilities include transportation, regional water supply, Biscayne Aquatic Preserve, Biscayne National Park, emergency evacuation, critical wildlife habitat, etc. These issues were detailed in the staff report. Also included in the staff report were comments from state and local agencies. The Council requests that the County address these comments and those of other state agencies, and further coordinate and assess on these issues. She referred to those communities that have raised concerns and correspondence: Monroe County, City of South Miami, Village of Islamorada - Village of Isles, and the Town of Cutler Bay.

Jeffrey Bercow, attorney at the Law Firm of Bercow, Radell, Fernandez, & Larkin, PLLC, 200 S. Biscayne Boulevard in Miami, Florida, was presenting on behalf of Miami Dade County South Dade Logistics and Technology District Application (District). He asked the Council to transmit without any comment regarding either potential adversity impacts on regional resources or extra jurisdictional impacts that on effected local governments. Ed Swakon, Environmental Consultant and John Kim, Transportation Engineer were present for additional presentations and questions. Mr. Bercow detailed the project, currently proposed for south Dade in the Urban Expansion Area and adjacent to the Urban Development Boundary (UDB). He reviewed current demographics, land use, and transportation conditions, and future conditions if this project went through for Miami-Dade County and local communities. The developers would be providing all the transportation infrastructure for this project. Mr. Bercow identified the different proposed uses such as ecommerce, distribution and technology, along with supportive commercial uses. Ed Swakon, from EAS Engineering Inc. explained the environmental issues that have

been questioned, such as water quality, agriculture lands / ditch discharges, wildlife habitat, coastal high hazard, and the proposed changes that would take place if the project was approved. He also talked about Comprehensive Everglades Restoration Plan (CERP) and the Biscayne Bay and Southeastern Everglades Ecosystem Restoration Project (BBSEER). John Kim, Transportation Engineer, from Langan Engineering and Environmental Services stated that a traffic impact analysis for the CDMP amendment in accordance with the state and county guidelines was prepared. He detailed the analysis on the roadways that are impacted/not impacted by the project including the turnpike interchange. Mr. Bercow thanked the Council for their time and reiterated that Council comments should be limited to any impacts on regional resources and facilities identified in the *SRPP* and any extra jurisdictional impacts that would be consistent/inconsistent with the comprehensive plan of the affected local governments. He also pointed out that the other agencies' comments are not relevant to the Council's review unless they relate specifically to the regional facilities in the *SRPP*. He thanked the Council for their time.

Chair Bailey explained the process of questions and answers, starting with elected officials. He noted Council and agencies' comments, and the information provided in the agenda packet. Mr. Goren, Legal Counsel, explained that the role of the Councilmembers is to decide what your obligations and responsibilities are regarding the *SRPP* which controls the rules and relationships between the SFRPC and comprehensive land use plans. The *SRPP* is a legal document that binds the Councilmembers and those effected by development in the region. He further detailed State Statute Chapter 163.31 that governs the Councilmembers participation, timeline obligation, and stated that if a motion is not made today, there will not be an opportunity to comment later. Executive Director, Isabel Cosio Carballo explained the Goals and Policies of the *SRPP* in detail and noted the areas that the Council is allowed to comment. She stated that staff does extensive research while reviewing amendments. This includes reviewing the regional resources and extra jurisdictional impacts consistent/inconsistent with the local government comprehensive plans. The staff would then update the Board with their recommendation, which would be consistent or inconstant with the *SRPP*. Most of the amendments are consistent with the *SRPP*, as depicted in most Council agendas. Sometimes the policymakers do not agree with staff recommendations. The Council does not find an inconsistency casually, it is a very important decision. Mrs. Cosio Carballo explained that Council staff has some concerns on this project. Discussion ensued between the Councilmembers and Mr. Bercow and colleagues, on water quality, storm water, flooding, appropriate water quality treatment / advanced water treatment, the water quality of Miami-Dade County affecting Monroe County, storm water master plan, transportation, traffic, job creation (various

levels of education desired), tenants, agricultural land, protection of farmland, CERP, BBSEER, the need for more information and timeframe in making a decision (statutory timeframe explained), etc. Mr. Jerry Bell, Assistant Director for Planning, Miami-Dade Department of Regulatory and Economic Resources, Planning Division, stated that there have been discussions with the applicant regarding the storm water drainage master plan and just recently received information which had been requested. Mrs. Cosio Carballo informed the Councilmembers of the Miami-Dade County Commission transmittal meeting conversation in which several Commissioners expressed its desire to transmit the proposed comprehensive plan in order to receive agencies' comments. The Council has received other agencies' comments (included in the Agenda packet). Staff recommendation is to transmit this Agenda Item with the Council's comments to Miami-Dade County and the Florida Department of Economic Opportunity (DEO), with a note that additional information is needed to fully assess the impacts to state and/or regional resources and facilities. Ms. Miskis, Senior Planner, explained the process and reviews from the other agencies for any adverse effects. Councilmember Leonard stated, for the record, to announce the Miami-Dade County Commission vote 9-3-1; Yes votes: Commissioners Diaz, Gilbert, Garcia, Heyman, McGhee, Souto, Martinez, Monestime, Sosa, Nay votes: Commissioners Eileen Higgins, Regalado, Diane Cohen Higgins, and one absent: Commissioner Hardeman. Mr. Goren explained the motions that are available to the Councilmembers: 1) doing nothing is not an option; 2) find the amendment consistent with the SRPP; 3) find the amendment inconsistent with the SRPP with reasons; 4) transmit the Council's analysis prepared by staff without a specific comment of consistency or inconsistency. He explained that Council staff has included all the agencies' comments to the Agenda Item for the Councilmembers' review.

Councilmember Garcia motioned to transmit with the SFRPC comments. He feels the regional impacts have been addressed. Seconded by Councilmember Leonard.

Mr. Goren restated that the motion would be for the SFRPC to transmit with the staff's analysis of the pending application to Miami-Dade County and any other reviewing agencies and rest upon the comments and impacts assessed by staff consistent with the SRPP.

Comments by elected officials and public (3 minutes to speak):

Mark Gregg, Islamorada, Village of Isles Councilmember: The Councilmember hopes the Council will deny the application because of water quality, surface water runoff, floodplain concerns, and subsurface

water use and impacts in which he gave details. He raised concerns related to building something this size so close to the water and sea level rise, transportation issues with hurricane evacuation that affects Monroe County, Monroe County workforce will decline, environmental impacts related to CERP, Biscayne Bay water quality, quality of life for neighboring communities, and the pending application of a new steel mill, and the expansion of the Homestead Airforce Base to commercial cargo traffic. He hopes the Council will require further information to study this.

David Webb, Islamorada, Village of Isles Councilmember: The developer has two selling points: 1) the creation of jobs and 2) the offer of a better environmental impact than the farmland that is currently there. The jobs created will aggregate the people from other jobs – the reality is leeching jobs from existing employers with the possibility of those employers having to close. Second, the proposition of building an industrial complex is not the answer to the restoration of the Everglades. There is no proposal from the federal, state, or local government that says the solution to continuing pollution and water needs is building industrial complexes. The argument that it may be better than the agricultural land may be true, but the focus of the BBSEER project is not to continue the farming but to take that land and convert it as part of the restoration project. He strongly urges the Council to not send this forward with approval, the petitioner can come back at a later date after the SFWMD has done more research and had more time to review the total impact of this application.

Mrs. Cosio Carballo explained that there is nothing in the staff recommendation that states consistency or inconsistency. It is at the pleasure of the Board to change staff recommendation. She read the staff recommendation: to transmit this Agenda Item with staff comments to Miami-Dade County and the Florida Department of Economic Opportunity (DEO). Additional information is needed to fully assess potential impacts to state and/or regional resources or facilities. We are not approving or disapproving – the Council comments are to Miami-Dade County at their request when they transmitted the amendment to the commenting agencies.

Henry Rosenthal, Islamorada, Village of Isles Councilmember: This is mammoth development without a definite development plan. There is a reason that the UDB exists. Here is concern that this major complex will replace 800 acres of agricultural land with warehouses, commercial space, and hotels, and would adversely affect the Biscayne Bay Aquatic Preserve National Park and critical wildlife. These plans currently do not meet environmental standards and potentially compromise the drinking water for the Keys. At

some point, enough is enough. He is also concerned that Keys' business owners, already strapped for help, would lose more employees. He strongly opposes this project and again enough is enough.

Laura Reynolds, Friends of the Everglades: She echoed the previous comments. She is a member of the project delivery team for the Everglades Project that is being planned in this area. This area has been chosen as an alternative, not only to deliver water from west to east but also because it is at the bottleneck of the 102 drainage basin. She went into detail. She is concerned about the sea grass die off in Biscayne Bay, especially looking at the southern end of the system and the need to improve that area. This area has the ability to bring new water to Biscayne and deal with the soiling issue and the runoff of nutrients from all of the farming in the basin. If this became an industrial site it would only solve about 5% of the runoff by taking the land out of agricultural production. It would be good to have a balance of farmland and allowing us to do restorations. We need to find balance in the coastal areas in this region. Here we have the opportunity to make the right land use decision, so we don't have to spend billions of dollars to protect the built environment. Because this area is so low lying, she urged the Councilmembers to write comments of concern for all the municipalities in this area that need to be protected from storm surge and sea level rise, while planning for the future.

Cheryl Meads, lives in Islamorada, and is a SFWMD Governing Board Member: She is not calling today as a representative of the SFWMD Governing Board. She calling as a citizen and friend of the farmers. She supplied information from the Department of Agriculture's website on how much produce Florida farms produce (tomatoes, oranges, grapefruits, bell peppers, etc.). This is one of the most important agricultural areas in our country. Black top is the last crop. October 23rd, Governor DeSantis announced that Florida job growth rates is three times the national average and does not think jobs are what is needed. We need workers. Monroe County is dependent on Miami-Dade County for survival, for workers, tourists, etc. We are an area of critical state concern, we have 74,000 residents in 2018 and had 5 million visitors.

Rick Miller, Executive Director, South Florida Defense Alliance: SFDA works to unite and champion South Florida's defense and national security related communities in South Florida and support our local military installations and commands to balance with the needs and requirements of our local communities. We express caution that this application, without further amendment to limit its precedence setting nature, creates a situation for future zoning applications that are not fully aligned, may not follow standard review and analysis processes, and potentially creates compliance challenges with Florida Statutes requiring prior

transmittal to the installation commander of all relevant information relating to proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations, which if approved would effect the intensity, density or use of the land adjacent or in close proximity to the military installation. Homestead Air Reserve provides a strong existing economic engine for south Miami-Dade County. In this case, any changes that can adversely affect our ability to carry out its current or future missions should be cause for pause and reflection before moving forward. SFDA is in strong support of continued economic development throughout the region particularly in south Miami-Dade but urges that this not only be done in a matter compatible and mutually beneficial with the military missions and its required military protection zone, but also do not set precedent for these issues to arise in the future.

Mr. Goren read the public comments via email:

Eddie Wightman, Islamorada: comment was vote no! Please remember that you were elected to represent the people, not make the developers rich and destroy what's left of South Dade and by extension the Upper Keys. Do not allow ANY encroachment beyond the UBD Line. Once developers get a foothold beyond the UBD line, the Everglades and Florida Bay are doomed. 50 years in the future it will be solid concrete from Miami to Naples.

Deborah Willits, Islamorada: She is very concerned about the potential damage to the environment and worried that our limited water supply will run short. She is concerned about Everglades restoration, negative impacts to our current quality of life and too much traffic to handle Hurricane evacuations safely. There are numerous extra-jurisdictional impacts too. Please deny this project and this zoning change.

Terry Sutton, Tavernier: This development will have a negative impact on the environment, quality of life and reduction in real estate values. As well as long term commercial development. We may not see clearly the long-term impact of this but, our children and their children will suffer. There is plenty of older buildings that are of date and have very poor function use, out dated building code requirements and could be raised. Save your environment, vote against this development. There are many other areas that can be made available and will not have a negative impact on our society and quality of life.

Tatiana Madden, Monroe County: The dollars are tempting, I'm sure, but dollars can't fix a broken environment and dirty water supply. Dollars don't bring back birds and other natural wildlife that should have never left. Chasing dollars only affords for great mistakes; it can't undo the harm. Our ecosystem is

suffering due to choices made decades ago. You have a chance here to put your foot down (collectively) and make a difference, for generations to come. Please take this chance to stand up for the remainder of our precious environment. Please say NO to this development.

Suzanne Miller, Islamorada: She is concerned about the project. It has impact on the evacuation, water supply and water quality. We need to realize the critical need for agriculture and food supply as well as all the issues that will impact Monroe County. Let's try to keep this property the way it is.

Mr. Goren reiterated that the motion would be to transmit the staff's comments to Miami-Dade County and reviewing agencies in accordance with State laws, Chapter 163. Chair Bailey called on the Councilmembers for their votes.

Councilmember Coldiron disagreed with this motion. She does not believe the Council knows all the regional impacts regarding the drainage and environment. This project would have negative impacts on the regional resources. She was going to make a motion opposing amendment as she does not see it as consistent with the *SRPP*. It is not in the best interest of the BBSEER, drainage with Biscayne Bay, Everglades Restoration, hurricane evacuation models, etc.

Councilmember Udine reiterated what Legal Counsel said earlier. He does not think anyone will vote to do nothing. We will do something. He was not voting that it is consistent because there is not enough information. When we transfer this with all the comments are saying nothing or inconsistent. He respected all the public comments. We are not accepting or denying anything, it is how we are transmitting these comments to the County.

Councilmember Ziade agreed with Councilmember Udine in that Council does not have enough information. She would like to move it forward stating that it is inconsistent and do not have enough information.

Councilmember Furr agreed that there is not enough information. His main concern was the preservation of the farmland. Farmland, food source, is one of the most valuable resources in Florida. He supported inconsistent.

Councilmember Goldberg had no comment at this time.

Councilmember Garcia appreciated all the comments. The motion before us is to transmit with the comments from staff and Councilmembers' comments. Looking at the issue of farmlands, an issue that all communities have, and the commissions should find a way on how to work together to subsidize these farmlands. He motioned to transmit with comments.

Councilmember Leonard referenced the various professional positions he has had in the past and commented on the job creation. He thought it was interesting that the three County Commissioners that represent that region voted against this amendment. He agreed there needs to be more information. He stated that this is a home rule issue. We are limited on how the Council should vote. He was supportive of transmitting without recommendations.

Mr. Goren stated that the motion from Councilmember Garcia, seconded by Councilmember Leonard and Ms. Lerch called roll.

Councilmember Coldiron	No
Councilmember Furr	No
Councilmember Garcia	Aye
Councilmember Goldberg	Yes
Councilmember Kaufman	No
Councilmember Leonard	Yes
Councilmember Udine	No
Councilmember Ziade	No
Chair Bailey	Yes

Mr. Goren stated the motion fails based on the count.

Councilmember Coldiron motioned to transmit with the findings of inconsistency. Seconded by Councilmember Ziade. No public comments. Roll was called.

Councilmember Coldiron	Yes
Councilmember Furr	Yes
Councilmember Garcia	No
Councilmember Goldberg	No
Councilmember Kaufman	Yes
Councilmember Leonard	No
Councilmember Udine	No
Councilmember Ziade	Yes
Chair Bailey	No

Mr. Goren stated that the motion fails.

Councilmember Udine motioned to transmit with all appropriate staff and agency comments with the provision in the transmittal that the Council has not been given enough time to make a recommendation of consistency or inconsistency. Seconded by Councilmember Leonard. Councilmember Garcia agreed that this was a fair motion to move forward. Roll was called.

Councilmember Coldiron	Yes
Councilmember Furr	Yes
Councilmember Garcia	Yes
Councilmember Goldberg	Yes
Councilmember Kaufman	Yes
Councilmember Leonard	Yes
Councilmember Udine	Yes
Councilmember Ziade	Yes
Chair Bailey	Yes

Mr. Goren announced that the motion passed.

Chair Bailey thanked everyone for their participation.

Recording of this meeting can be found here: <https://www.youtube.com/watch?v=S3QSTHgBMuY>

Councilmember Furr motioned to adjourn, seconded by Councilmember Goldberg. No objections.

VII. Adjournment

The meeting was adjourned at 1:09 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 October 25, 2021, Meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 24th day of January 2022.

Rene García, Secretary

Date