

After meeting with a roundtable of experienced and knowledgeable Town planners, whose backgrounds include both legal and growth management disciplines, I came to some conclusions.

First and foremost, each of their thoughts on our future growth was pure and not driven by either greed or corruption. I firmly believe this.

Their collective advice was that if we, as a community, decide to engage in a legal battle over what we perceive as an encroachment on our community quality of life, such as building heights and population control, we may very well be in for a long and very expensive battle.

We all understand, "long". It is a matter of how long, and what would the ramifications of "long" be?

Long could be years. That would be years fighting a battle which we may or may not win. Even if we were to win the battle, we may lose the war.

Why? While engaged in this long battle, we would have no effective growth management plan in place, as all disputes would have to be settled prior to any acceptance of our plan. This would leave the door open to any developer who wants to come into our Town and operate under the existing Miami Dade County growth plan. I believe we all understand the serious consequences of that situation. After all, we incorporated so we "would" have control.

That's long. Now for the expensive part: At a later meeting, as I quizzed planners and lawyers about the process of litigation, as it relates to this issue, I came away with only one conclusion.

**That is, if this community, by its majority, is ready to fight, I shall fight alongside you. Make no mistake about that! This serious decision should be done through a Town resolution "Ballot Initiative" to be voted on by each of our citizens. I firmly believe, that if it is the will of our informed citizens, this weight alone, could carry us through.**

I am no newcomer to litigation and its expense. I have been first witness to administrative law disputes and civil lawsuits as well. This process will engage each. I will be the first to admit, this experience does not include something of the potential magnitude of what we are discussing tonight.

We "could" spend a great deal of our treasury in this fight. We should assume the worst, in that we could deplete our reserves and may have to raise taxes to continue this fight. I support a referendum on this issue. A loss could expose us to the possibility of large punitive damages. Let us not forget property owner rights in our home State of Florida.

That's the grim news.

Now the good news!

We have before us, the opportunity to win on much more than just the issue of growth. We have the opportunity to control growth and save our treasury by making this Town a model for all others to follow.

Global warming! Whether it is manmade or just mother earth exercising her dominion over us, I believe is scientifically undeniable, and it is upon us.

Our growth management plan, under "conservation" addresses the issue of water quality, but misses on so many other points. Who could deny us if we were to insist that our Towns master plan, makes all who build here follow the most strictest of environmental rules when building in our Town. Our Town needs to address the issue of the State Building Code, by requesting that their standards, which we must follow, be amended to include the "U.S. Green Building Council for new construction (LEED-NC), of buildings over 6 stories obtain Gold certification, and buildings over 10 stories get Platinum certification".

We need to engage the talents of the most progressive environmental scientist and environmental urban planners available. The State of Florida would most certainly endorse a plan which makes our Town, the Town of "excellence" in environmental management.

It is no secret that I have publically taken our Town Manager to task over governmental issues. But I have great faith that there would be no better choice than to have him lead us in the area of environmental issues.

Not only is Mr. Alexander formally educated in the environmental sciences, I know him to be passionate on the subject. Let us remember, he was very actively engaged in saving our coastal wetlands. There will be no growth there!

IN CLOSING!

It would be my fervent hope that we as a community would say to all who come here to build, "build it correctly, build it according to our environmental standards, and if it is too costly for you to do this, build it elsewhere"!

Ed MacDougall,

Vice Mayor,

Town of Cutler Bay