

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SEPTEMBER 20, 2012 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **September 20, 2012** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Karson Turner** called the meeting to order at **9:01 a.m.** and then led an invocation and the Pledge of Allegiance. Administrative Specialist II Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Councilwoman Rachel Keesling

Collier County: Commissioner Jim Coletta, Commissioner Donna Fiala, Councilwoman Teresa Heitmann, Mr. Alan Reynolds

Glades County: Commissioner Kenneth “Butch” Jones, Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Mr. Melvin Karau

Lee County: Commissioner Frank Mann, Councilman Joe Kosinski, Councilwoman Martha Simons, Councilman Forrest Banks, Councilman Chris Chulakes-Leez, Vice Mayor Mick Denham, Ms. Laura Holquist

Sarasota County: Commissioner Carolyn Mason, Commissioner Christine Robinson, Commissioner Tom Jones, Commissioner Willie Shaw

Ex-Officio Members: Mr. Johnny Limbaugh - FDOT, Mr. Jon Iglehart - FDEP

MEMBERS ABSENT

Charlotte County: Commissioner Chris Constance, Commissioner Tricia Duffy

Collier County: Mr. Bob Mulhere

Glades County: Commissioner Robert Giesler, Councilwoman Pat Lucas

Hendry County: Commissioner Al Perry, Commissioner Daniel Akin, Commissioner Joseph Miller

Lee County: Commissioner Ray Judah, Mr. Paul Pass

Sarasota County: Councilman Kit McKeon, Mr. Felipe Colón

Ex-Officio Membership: Ms. Maya Burke - SWFWMD, Mr. Phil Flood - SFWMD

AWARDS

Chair Turner presented Commissioner Butch Jones an award for his 23 years of service on the SWFRPC. Commissioner Jones was the longest serving member on the Council.

Commissioner Butch Jones thanked the staff for their years of assistance.

AGENDA ITEM #4 PUBLIC COMMENTS

Chair Turner noted that he would be limiting public comments to three minutes. No public comments were made at this time.

AGENDA ITEM #5 AGENDA

Commissioner Tom Jones made a motion to approve the amended agenda and Ms. Holquist seconded the motion. The motion carried unanimously.

AGENDA ITEM #6 Minutes of the July 19, 2012 Meeting

Commissioner Tom Jones made a motion to approve the minutes of the July 19, 2012 Meeting and Mr. Reynolds seconded the motion. The motion carried unanimously.

AGENDA ITEM #7 DIRECTOR'S COMMENTS

Ms. Wuerstle presented the item.

Vice Mayor Denham asked if in creating the 501(c)3, it would be different from the other RPCs. Ms. Donley stated that she believed that some of the other RPCs did have 501(c)3s associated with them. She explained that it would be an associated organization, not replacing the RPC.

Commissioner Mann asked what has changed to make a 501(c)3 necessary now and not in the past. Ms. Wuerstle stated that the RPC did discuss the possibility of creating a 501(c)3 in the past, but decided not to pursue it. Ms. Donley explained that one of the reasons for pursuing it now is because the RPC is pursuing more grant opportunities and many of the grant entities are putting restrictions on who is eligible to apply.

Commissioner Mann suggested that a meeting be scheduled with the Executive Committee to discuss the issue of the 501(c)3 and have the Executive Committee make a recommendation to the full Council.

Ms. Wuerstle gave an overview of the FY2012 End of Year Budget. She noted that the RPC's health insurance costs had increased over 20%, which is approximately a \$17,500 increase to the FY2013 budget. She explained that Ms. Doyle has been working with insurance brokers on how to cut the costs and to date has identified a new insurance broker who can reduce the costs by \$5,100. The Council would be keeping its current medical provider, but would be changing its carrier to MetLife for dental, vision, life, long and short term disability. It would lock us in for a two year rate for the short and long term disability and a one year rate for dental, vision and life insurance. Since the RPC is a small agency its options are limited. She noted that this wasn't her final recommendation; however, she would be back with her final recommendation in October.

Ms. Wuerstle thanked Mr. John Gwinnett, Ms. Nichole Gwinnett's husband, for pressure washing the sidewalks and front area of the building at no cost.

Ms. Wuerstle noted that Senator Richter and Representative Pilon had RSVP and would be attending the November SWFRPC Board Meeting.

Commissioner Mason requested that the Director's Report be emailed to those members who participate by conference phone. Ms. Wuerstle stated that she will have the Director's Report emailed to the members and also posted on the website prior to the meeting.

AGENDA ITEM #8(a)
July 19, 2012 SWFRPC Meeting Executive Summary

The meeting executive summary is presented in the packet as an information item.

AGENDA ITEM #8(b)
Grant Activity Sheets

The grant activity sheets are presented in the packet as an information item.

AGENDA ITEM #9
CONSENT AGENDA

Mr. Reynolds noted that he had a conflict of interest and would be abstaining from voting on Consent Agenda Item #9(f) Town of Ave Maria DRI - NOPC.

Commissioner Jones moved and Mr. Perry seconded to recommend approval of the consent agenda: Agenda Item #9(a) Intergovernmental Coordination and Review; Agenda Item #9(b) Financial Statements for July 31, 2012 and August 31, 2012; Agenda Item #9(c) Glades & Hendry LCB Transportation Disadvantaged Membership Certification; Agenda

Item #9(d) Lee County Comprehensive Plan Amendments (DEO 12-1ESR); Agenda Item #9(e) City of Bonita Springs Comprehensive Plan Amendments (DEO 12-1ESR); Agenda Item #9(f) Town of Ave Maria DRI - NOPC; and Agenda Item #9(g) Magnolia Landing DRI - NOPC. The motion carried with Mr. Reynolds abstaining from voting on Agenda Item #9(f).

**AGENDA ITEM #10(a)1
Budget & Finance Committee**

Ms. Wuerstle presented the item.

Commissioner Tom Jones asked Ms. Wuerstle what the Council's current percentage of the budget is in its reserves and what the target is. Ms. Wuerstle stated that the auditors would like to see six months of operating funds in reserves (\$700,000). The auditors have agreed to allow four months of operating reserves (\$515,000). The Council took \$102,000 out of one CD and \$105,000 out of another fund. The cash is there just not in the reserve account. She wanted to take that money and put back into the reserves.

Commissioner Tom Jones asked if the Council was originally targeting a 50% operating reserve and now we are targeting a 30% operating reserve. Mr. Cordell explained that the Council was targeting three months of operating reserve, but we don't know what that figure will be as a total percentage because it is based on what the budget is for the year. At the end of last year we had that target percentage per the request of the auditors; however, there was a shortfall, so there was money transferred out of that operating reserve. We have since replenished the supply of cash and want to return it back to the reserves to the state that it was at the end of last year.

Vice Mayor Denham stated that over the past year the Council had faced major hits in its revenue. He then proceeded to commend the executive director for her efforts in managing the limited funds and balancing the Council's budget.

Chair Turner stated that he felt that the Budget and Finance Committee has stayed true to their calling. He also commended the executive director and the Chair of the Committee for their efforts.

**AGENDA ITEM #10(a)1a
City of Cape Coral's Seat on the SWFRPC Discussion**

Ms. Wuerstle presented the item.

Councilman Leetz announced that the City of Cape Coral unanimously voted to continue its participation on the RPC, but took a very firm stand that it was inappropriate for Lee County to charge municipalities twice by charging a membership fee based on population when all of the other counties use their ad valorem revenue to pay for their county participation. Therefore, the City felt it was inappropriate behavior over a decade. He said that he would like to thank the City

of Sanibel for stepping up and paying for their membership, although he would take the position that City of Sanibel, Town of Fort Myers Beach and City of Fort Myers should consider adopting the City of Cape Coral's position which is that it is a double taxation that the Lee County BOCC has been allowed to continue over a decade. The Cape Coral City Council asked Councilman Leetz to state that they wanted to maintain their membership. He has shared with his Council that he does see value in their membership, but to pay twice for what all of the other municipalities and counties are receiving is unacceptable and unreasonable. The city's membership hinges on support of receiving the "free seat". With the RPC's support the city would like to maintain its membership.

Commissioner Mann stated that he was pleased to hear that the Cape Coral City Council had voted unanimously to remain active with the RPC. He explained that Cape Coral is the second largest city in size in the State of Florida and after the recession this area will again be one of the fastest growing areas in the nation for planning purposes. He noted that Lee County has two major funding sources. One is the county-wide tax source and the other is the MSTU which taxes only the unincorporated areas and for as long as Lee County has been paying its assessment, it has been paid out of the MSTU, which does not tax any of the incorporated cities. He stated that he wasn't prepared to give Councilman Leetz a definitive answer on behalf of the Lee County BCC, but he needed to take the issue back to Lee County and perhaps won't have an answer until after the general election since there will be two new commissioners coming in.

Councilman Leetz thanked Commissioner Mann for his comments. He then stated that the city's participation will continue providing that they do not pay twice for the seat. If the city should be required to pay for the seat, then the full city council has clearly stated that they will withdraw their membership.

Councilman Leetz announced that the ad hoc committee which was formed regarding the fertilizer education program which Vice Mayor Denham is working with Lee County on, Cape Coral City Council did support contributing \$5,000 to the education campaign with a potential \$5,000 in the 2013 budget year.

Councilwoman Simons asked if there was a rotation schedule for the "free seat" on the RPC. Councilman Leetz explained that for 10 years the City of Sanibel received the "free seat". It was not until it was shared with the RPC in 2011, that the seat could've been rotated during the past decade.

Councilwoman Simons suggested creating a policy to rotate the "free seat" every 1-2 years. She said we want to be fair to all of the municipalities within Lee County, either by having the county pay for all of the municipalities like the other counties do or by rotating the seat.

Councilman Leetz stated that he agreed with Councilwoman Simons, but when you look at the dollar figures over the past decade, Cape Coral paid an excess of \$500,000, where the City of Sanibel received the gratis seat. The other municipalities were paying substantially less, not even 10% of what Cape Coral paid annually over the past decade. He said that he doesn't want to go backwards, but would like to find a true rotational means and he supported Lee County joins the other counties and provide for the payment for all of the municipalities.

Councilwoman Simons stated that it is understandable why the fee would be based on population, because if there is more growth and more reviews, then RPC would be providing more technical assistance to their local governments. However, we need to come to some sort of fairness.

Vice Mayor Denham stated that he felt that the situation needed to be ratified. He then asked Commissioner Mann to explain the MSTU fund. Commissioner Mann explained that it was called the Multiple Service Taxing Unit (MSTU) which covers the entire county except the incorporated cities. It was from that MSTU fund which the county had been paying its assessment. Vice Mayor Denham asked who pays into the MSTU. Commissioner Mann explained the unincorporated areas of Lee County.

Commissioner Mann said that was just to address the double taxation issue. He stated that he didn't know what the history was or if Lee County was handling it differently in the past. He announced that Lee County BCC just passed a budget with a \$30 million shortfall and the county isn't looking for any additional expenditures. This is why he was asking for a little more time so both he and the new commissioners can understand the situation better and come to a consensus that will serve everyone fairly for the future.

Councilman Banks stated that he felt the issue was a Lee County issue and not an RPC issue.

Commissioner Robinson explained that Sarasota County went through a similar issue last year and resolved it without having to bring it before the Council. While she appreciates being notified that there is an issue, she felt that it is an internal issue with Lee County. She suggested that the budget staff of all parties involved have a workshop to work out the details.

Councilwoman Simons asked if during that research, staff could find out how the other counties are paying for their assessments (MSTU or MSBU).

AGENDA ITEM #10(a)2
Regional Strategy Committee

Ms. Holquist moved onto Agenda Item 10(a)2a and introduced Ms. Jennifer Pellechio.

AGENDA ITEM #10(a)2a
5 Year Update of the Comprehensive Economic Development Strategy (2012 CEDS Plan)

Ms. Jennifer Pellechio gave a PowerPoint presentation.

Vice Mayor Denham asked which actual projects are currently being worked on. Ms. Pellechio referred to page 28, under Talent Supply and Education, and stated that staff is working with Glades and Hendry Counties to develop the Material Handling Industry of America Training Center for Logistics and Manufacturing. Another project is the Mote Marine project in Punta Gorda which is noted under Pillar 2, Innovation and Economic Development and is the Program

Industry Cluster Development. Another project is the Charlotte County Incubator and staff is helping with technical assistance which is related to EDA.

Ms. Pellechio then referred to page 29, under Pillar 5 - Civic and Governance Systems- Regional Guidance and Collaboration, and explained that staff is in the beginning phase of an ad hoc committee that will work to evaluate and recommend legal and regulatory reform to address government efficiency. She then stated that the Brownfields program was not actually identified as a vital project, but it was covered under the program. It was listed under Infrastructure and Growth Leadership and staff is working with the region to develop a Brownfields program.

Councilwoman Keesling asked if any of the projects received funding from EDA. Ms. Pellechio explained that one project did just receive funding. The CEDS Working Committee wanted to include the project, the Research and Enterprise Diamond in Lee County. However, there are many things going on in conjunction with the Southwest Florida International Airport improvements, the Research and Enterprise Diamond and Florida Gulf Coast University, so they felt that there may be additional funding opportunities within the coming year.

Councilwoman Keesling asked if the Council will be kept up-to-date on what projects have received funding throughout the year(s). Ms. Pellechio responded that the Council will be kept up-to-date quarterly.

Commissioner Mann asked who funded the Research and Enterprise Diamond project and what corporate entity received the funding. Ms. Pellechio explained that the funding went to Lee County in the amount of \$550,000 from EDA.

Vice Mayor Denham stated that various agencies have economic development plans and asked how we get those efforts to communicate with one another in order to achieve the same objective. Ms. Pellechio referred to page 7, which discussed community and private sector participation and lists each of the economic development agencies within the Southwest Florida Region that have been involved in the process. Further in the document, on page 13, there is the list of the CEDS Working Committee Members.

Ms. Holquist encouraged the members to take the time to read the document.

Councilwoman Simons stated that one of her concerns was how we are neutralizing each other.

Commissioner Tom Jones explained that the vital projects are not an endorsement for funding, but recognition by the CEDS Working Committee that they are important projects which need collaboration within the region. They are projects that can be worked on collaboratively together to improve the economy throughout the whole region.

Ms. Holquist explained that one of the vital projects was creating a regional economic development entity and in the past eight months there has been a very intense effort in trying to bring this regional organization together. There is going to be press release around October 1 where the Horizon Council of Lee County and the Greater Naples Chamber of Commerce signed a MOU to start moving forward on a regional organization for economic development.

A motion was made by Councilman Banks to approve the Five Year Update of the Comprehensive Economic Development Strategy (2012 CEDS Plan). The motion was seconded by Commissioner Tom Jones.

Ms. Debrah Forester with the Charlotte County Economic Development Office and a member of the CEDS Working Committee, asked the Council for their support to endorse the 2012 CEDS Plan. She felt that the process was inclusive and it showed a regional collaboration to develop a vision for the region.

Chair Turner asked Ms. Forester to carry the same message which she just delivered to the Council back to her EDO and let them know that she sees the Council working together and that the CEDS is a good document moving forward.

Ms. Forester announced that at the Charlotte County BCC is meeting next Tuesday will be considering approval of a letter in support of the 2012 CEDS Plan.

Mr. Marvin Collins, City of Fort Myers Assistant City Manager and Economic Development Liaison for Fort Myers stated that Fort Myers staff supports the 2012 CEDS Plan. We worked diligently with Lee County staff and with representatives from many of the municipalities, counties, non-profits, regional organizations, etc. Professional staff understands that this is just one tool in our tool box and we tried to pull projects from our adopted local plans that have a regional impact and discussed them as a working group and they get ranked and included in as vital, important and future projects. We made sure that the language of the goals was broad enough to allow new projects and flexibility moving forward for the region, at the same time on key with the comments made at the public workshops and the adopted plans.

Commissioner Fiala stated that under the hospital section, all of the counties were mentioned except for Collier County.

Ms. Pellechio explained that EDA doesn't like to see a lot of vital projects listed within the document so that is why program areas are very important. The medical and sports projects can be captured under several pillars. Part of what the CEDS Working Committee is going to be responsible for is as they meet quarterly, there is a list of important projects and a list of future projects and it might be that some of those projects move forward.

Ms. Pellechio noted to address Commissioner Fiala's concern, Ms. Forester indicated that on page 17, there was a list of all of the hospitals and Collier County was listed in the wrong place.

The motion passed unanimously.

AGENDA ITEM #11 NEW BUSINESS

Ms. Wuerstle introduced Mr. Chris Smith from FDOT to address any questions regarding the redistricting of FDOT.

Mr. Smith explained that he had contacted Deputy Executive Director Mark Weinberg with the Florida Transportation Commission due to the concerns raised with the redistricting of FDOT. Mr. Weinberg explained that the Commission is reviewing so many options that it is not their intent to pick up redistricting discussions at this time. They are very involved in the MPO redistribution discussions as it relates to new urbanized areas that are coming online. He did indicate that if the Chair did elect to take up conversations on redistricting, it probably would be sometime before it would happen.

Mr. Smith indicated that his concern was to make sure that FDOT's local partners would be involved in those discussions and he was assured that coordination would occur with all of the local partners.

Councilman Banks stated that there was some concern among the public and local officials of what was going to happen to the urban area office. He asked Mr. Smith to give his input on the issue.

Mr. Smith explained that there was a state-wide effort to do some reorganization within FDOT and those efforts are really structural as they relate to reporting. The effort was to be consistent state-wide. He said that Secretary Hattaway's intent is to look for ways to strengthen FDOT's presence in the Southwest Florida area. FDOT is committed to the urban area office and the SWAO staff is very important to us and to you and we understand that. We don't anticipate any major changes with the SWAO.

AGENDA ITEM #12 STATE AGENCIES COMMENTS/REPORTS

FDEP - Mr. Iglehart announced the Green Cleaning Expo will be held at the Holiday Inn at the Gulf Coast Town Center on Thursday and Friday next week.

AGENDA ITEM #13 COUNCIL ATTORNEY'S COMMENTS

No comments were made at this time.

AGENDA ITEM #14 COUNCIL MEMBERS' COMMENTS

Commissioner Coletta announced that the October meeting will be his last meeting.

Commissioner Mann introduced Cecil Pendergrass who was one of the winners of the recent primaries.

Councilwoman Keesling announced that she was helping to plan the City of Punta Gorda's 125 Anniversary Party Celebration beginning in November and culminating December 7 at 8 pm, which was the actual incorporation date in 1887.

Vice Mayor Denham stated that he attended a Florida League of Cities meeting and it was clear that the legislature is going to once again attempt to pre-empt fertilizer ordinances around the State. Also, he announced that the City of Sanibel was attempting to put together an increased citizen's education program throughout Lee County.

Commissioner Butch Jones thanked staff for their assistance over the years and asked that staff go out to Glades County and meet with the new commissioners.

Commissioner Robinson requested that handouts and PowerPoint presentations be emailed to the members prior to the meeting.

**AGENDA ITEM #15
ADJOURN**

The meeting adjourned at 10:26 a.m.

Commissioner Tom Jones, Secretary

The meeting was duly advertised in the September 7, 2012 issue of the **FLORIDA ADMINISTRATIVE WEEKLY**, Volume 38, Number 36.