



Southwest Florida Regional Planning

www.swfrpc.org

1926 Victoria Avenue

Fort Myers, FL 33901

Phone: (239) 338-2550

Fax: (239) 338-2560

COUNCIL MEETING AGENDA



MEETING NOTICE

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

June 19, 2014

9:00am – 11:30am

1	INVOCATION	
2	PLEDGE OF ALLEGIANCE	
3	ROLL CALL	
4	PUBLIC COMMENTS	
5	AGENDA	Page 1
6	MINUTES OF THE APRIL 17, 2014 & May 15, 2014 MEETINGS	Pages 16 & 27
7	DIRECTOR'S REPORT	Page 35
8	STAFF SUMMARIES	
	a) Grant Activity Sheet (Information Only)	Page 43
9	CONSENT AGENDA	Page 47
	a) Intergovernmental Coordination and Review	Page 49
	b) Financial Statements for April 30, 2014 & May 31, 2014	Pages 52 & 60
	c) Endorsement of the Transportation Disadvantaged Planning Grant Application Resolution for FY14-15	Page 69
10	REGIONAL IMPACT	
	a) Sarasota County Comprehensive Plan Amendment (DEO 14-7ESR)	Page 99
	b) Palmer Ranch Increment XVI DRI – Development Order Review	Page 115
11	REGIONAL ISSUES	
	a) SWFWMD Conservation Strategies Presentation – Ms. Melissa Dickens	Page 131
	b) "Our Creative Economy" Presentation – Ms. Jennifer Pellechio & Mr. Tim Walker	Page 133
12	COMMITTEE REPORTS	
	a) Budget & Finance Committee – Councilman Kit McKeon	Page 143
	b) Economic Development Committee – Councilman Forrest Banks	Page 145

Two or more members of the Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.



Southwest Florida Regional Planning

Page 2 of 206
www.swfrpc.org
1926 Victoria Avenue
Fort Myers, FL 33901
Phone: (239) 338-2550
Fax: (239) 338-2560

COUNCIL MEETING AGENDA

c) Energy & Climate Committee – Mr. Don McCormick	Page 146
d) Estero Bay Agency on Bay Management Committee – Mr. James Beever	Page 147
e) Executive Committee – Councilwoman Teresa Heitmann	Page 148
f) Legislative Affairs Committee – Vice Mayor Doug Congress	Page 149
g) Quality of Life & Safety Committee – Vice Mayor Willie Shaw	Page 151
h) Regional Transportation Committee – Ms. Margaret Wuerstle	Page 155
13 NEW BUSINESS	
14 STATE AGENCIES COMMENTS/REPORTS	
15 COUNCIL ATTORNEY'S COMMENTS	
16 COUNCIL MEMBERS' COMMENTS	
17 ADJOURN	

(VERY IMPORTANT MEETING – QUORUM NEEDED!! --- PLEASE PLACE ON YOUR CALENDARS)
NEXT SWFRPC MEETING DATE: August 14, 2014

NOTES:

The Council's Legislative Affairs Committee is scheduled to meet prior to the Council meeting at 8:00 AM.

The Council's Quality of Life & Safety Committee is scheduled to meet immediately following the Council meeting.

The Council's Energy & Climate Committee is scheduled to meet immediately following the Council meeting.

Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

CHAIR..... Councilwoman Teresa Heitmann
 VICE CHAIR..... Mr. Robert “Bob” Mulhere
 SECRETARY..... Mr. Don McCormick
 TREASURER..... Councilman Forrest Banks

CHARLOTTE COUNTY

Commissioner Tricia Duffy, Charlotte Co BCC
 Commissioner Chris Constance, Charlotte Co BCC
 Councilwoman Nancy Prafke, City of Punta Gorda
 Ms. Suzanne Graham, Governor Appointee
 Mr. Donald McCormick, Governor Appointee

GLADES COUNTY

Commissioner Donna Storter-Long, Glades Co BCC
 Commissioner Russell Echols, Glades Co BCC
 Councilwoman Pat Lucas, City of Moore Haven
 Mr. Thomas C. Perry, Governor Appointee

LEE COUNTY

Commissioner Frank Mann, Lee Co BCC
 Commissioner Brian Hamman, Lee Co BCC
 Councilman Jim Burch, City of Cape Coral
 Vice Mayor Doug Congress, City of Sanibel
 Councilman Forrest Banks, City of Fort Myers
 Mayor Anita Cereceda, Town of Fort Myers Beach
 (City of Bonita Springs Vacancy)
 Ms. Laura Holquist, Governor Appointee
 (Gubernatorial Appointee Vacancy)

COLLIER COUNTY

Commissioner Tim Nance, Collier Co BCC
 Commissioner Georgia Hiller, Collier Co BCC
 Councilwoman Teresa Heitmann, City of Naples
 (City of Marco Island Vacancy)
 Mr. Robert “Bob” Mulhere, Governor Appointee
 Mr. Alan D. Reynolds, Governor Appointee

HENDRY COUNTY

Commissioner Karson Turner, Hendry Co BCC
 Commissioner Don Davis, Hendry Co BCC
 Mayor Phillip Roland, City of Clewiston
 Commissioner Daniel Akin, City of LaBelle
 Mr. Mel Karau, Governor Appointee

SARASOTA COUNTY

Commissioner Carolyn Mason, Sarasota Co BCC
 Commissioner Charles Hines, Sarasota Co BCC
 Vice-Mayor Rhonda DiFranco, City of North Port
 Councilman Kit McKeon, City of Venice
 Vice-Mayor Willie Shaw, City of Sarasota
 (Gubernatorial Appointee Vacancy)
 Mr. Felipe Colón, Governor Appointee

EX-OFFICIO MEMBERS

Phil Flood, SFWMD
 Jon Iglehart, FDEP
 Melissa Dickens, SWFWMD
 Carmen Monroy, FDOT

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL STAFF

MARGARET WUERSTLE.....EXECUTIVE DIRECTOR
 SEAN McCABE.....LEGAL COUNSEL

James Beever
 Lisa Beever
 David Crawford
 Liz Donley

Nancy Doyle
 John L. Gibbons
 Nichole Gwinnett
 Rebekah Harp

Maran Hilgendorf
 Judy Ott
 Jennifer Pellechio
 Timothy Walker

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEER - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DEO - Department of Economic Opportunity

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAR - Florida Administrative Register (formerly Florida Administrative Weekly)

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NADO – National Association of Development Organizations

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFI – Request for Invitation

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plan

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)



Apalachee • Central Florida
 East Central Florida • North Central Florida
 Northeast Florida • South Florida • Southwest Florida
 Tampa Bay • Treasure Coast • West Florida • Withlacoochee

104 West Jefferson Street, Tallahassee, FL 32301-1713 • 850.224.3427

Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

Agenda

Item

1

Invocation

1

1

<hr/>	Agenda
<hr/>	Item

2

Pledge of Allegiance

2

2

_____Agenda
_____Item

3

Roll Call

3

3

4

Public Comments

4

4

Agenda

Item

5

Agenda

5

5

Agenda

Item

6

Minutes

6

6

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
APRIL 17, 2014 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **April 17, 2014** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Teresa Heitmann** called the meeting to order at **9:06 AM**. Mr. Perry then led an invocation and the Pledge of Allegiance. Administrative Specialist II, Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Chris Constance, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Mr. Don McCormick

Collier County: Councilwoman Teresa Heitmann, Mr. Bob Mulhere, Mr. Alan Reynolds

Glades County: Commissioner Donna Storter-Long, Mr. Thomas Perry

Hendry County: Commissioner Don Davis, Commissioner Daniel Akin, Mr. Melvin Karau

Lee County: Commissioner Frank Mann, Councilman Forrest Banks, Councilman Jim Burch, Vice Mayor Doug Congress, Ms. Laura Holquist

Sarasota County: Commissioner Charles Hines, Vice Mayor Willie Shaw, Councilman Kit McKeon

Ex-Officio Members: Ms. Carmen Monroy - FDOT

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Commissioner Tim Nance, Commissioner Georgia Hiller

Glades County: Councilwoman Pat Lucas, Commissioner Russell Echols

Hendry County: Commissioner Karson Turner, Mayor Phillip Roland

Lee County: Commissioner Brian Hamman, Mayor Anita Cereceda

Sarasota County: Commissioner Carolyn Mason, Commissioner Rhonda DiFranco, Mr. Felipe Colón

Ex-Officio Membership: Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD, Ms. Melissa Dickens - SWFWMD

Ms. Gwinnett announced that there was a quorum.

**AGENDA ITEM #4
PUBLIC COMMENTS**

There were no public comments made at this time.

**AGENDA ITEM #5
AGENDA**

Councilman Burch made a motion to approve the agenda as presented and the motion was seconded by Councilman Banks. The motion carried unanimously.

**AGENDA ITEM #6
Minutes of the March 20, 2014 Meeting**

Commissioner Constance stated that under Agenda Item #7 – Director’s Report, first paragraph should read “Ms. Wuerstle reviewed the item. She explained that the Council was awarded a grant from the SWFL Community Foundation to ~~asset~~ assess all of the public art and cultural venues throughout Lee County.”

Commissioner Constance moved to approve the minutes of the March 20, 2014 as amended and the motion was seconded by Councilman McKeon. The motion carried unanimously.

**AGENDA ITEM #7
DIRECTOR’S REPORT**

Ms. Wuerstle began the director’s report with the FY 2014 budget amendments. She proposed to remove \$15,000 from the \$81,000 as those are funds that the Council will not be receiving from the CHNEP. With the remaining \$66,000 she requested that \$21,000 be put into merit increases for staff. Explaining this is a little high because it would allow all staff to receive a 3% increase, which probably won’t be the case, but there is enough to cover those increases. Also requested is an additional \$10,000 for travel. At the end there would be \$35,828 going into the reserves.

Ms. Wuerstle explained that she was taking the legal fees from a separate contractual line item and moving it into salaries. She said that there are State laws for contracting with a private attorney.

Ms. Wuerstle announced that since the budget for FY13-14 had been approved, staff had brought in an additional \$170,000 through grants. She said that she was asking to reduce the amount under DRIs because we are half way through the year and \$45,000 was in the budget and were not going to hit that mark. \$10,000 will be taken out which would leave \$9,700. The majority of that would go towards salaries and \$1,500 would go towards printing as that category is very low. The end result would be increasing the approved budget by \$164,000.

Commissioner Mann asked Ms. Wuerstle what is the Council’s fiscal year. Ms. Wuerstle explained that it begins on October 1 and ends on September 30. Commissioner Mann noted that

Lee County had not made any decision on raises for their employees as they are waiting to see what a continuation budget is going to cost and what revenues are available. This applies to all of the constitutional officers as well, so he is hoping that the Council doesn't have to make a decision on raises at this time and until all of the individual cities and counties know what their challenges are going to be. He said that he would prefer that the Council take under advisement Ms. Wuerstle's suggestion and give the Council two additional meetings before they adopt such a policy.

Vice Mayor Congress asked why the merit increases weren't included in the original budget. Ms. Wuerstle explained that she wanted to wait until the completion of the audit in order to know how much money there was left. If the audit didn't close at \$165,000 she then would not have the money to put into the merit increases.

Chair Heitmann stated that we weren't sure that merit increases were going to be given at that point. Ms. Wuerstle explained that she would like to give merit increases as staff has not had a true cost of living increase for five or six years.

Mr. Mulhere said that Ms. Wuerstle is sure that there will be merit increases, but she isn't sure of how much each staff member will receive but it would be between 0-3 percent. Also, it will be based upon each employee's evaluation and the cap is 3 percent.

Mr. Karau stated that he thought that Commissioner Mann's concern was if the merit increases were taken out of reserves this year, then where would they come out of next year. You would have the increases from the prior year as part of the base to cover.

Ms. Wuerstle explained that she isn't prepared to present next year's budget at this time; however, she does know that she can close next year's budget.

Commissioner Constance stated that he concurs with Commissioner Mann's statements. The Council should not give any merit increases if there is no additional capital available, but to give bonuses because it is uncertain on where things are going. He agreed that the Council should review it, and if appropriate and the Council can afford it, then give across the board one-time bonuses. Then re-visit it on an annual basis until we see the revenue streams restructure for supporting the Council financially. Currently, we are relatively unsure where the Council's revenue stream is going to be coming from in the future.

Councilman McKeon noted that the employees of the City of Venice haven't had raises for over five years, but did do some bonuses. This year it has been budgeted for the employees to receive raises and is currently in union negotiations. It is his view with the turmoil that had gone on for the last few years and the clarity in which Ms. Wuerstle had brought to the budgeting process, he finds himself in support of her request.

Commissioner Storter-Long asked where the revenue increases came from and can the Council expect the same revenues next year. She said that she supported bonuses; Glades County employees haven't had a raise or bonus since 2009. Ms. Wuerstle explained that \$107,000 was additional grant revenues that were brought in. Staff has been equally aggressive in submitting applications, so she is confident that there will be additional revenue received. Commissioner

Storter-Long asked if the grants are renewable every year. Ms. Wuerstle said some of the grants are, but not all of them. The remaining amount that is being added to the budget was due to being very careful about what was being spent under the local assessments. The Council was able to close at \$81,000 higher than what was anticipated.

Mr. Perry asked if the Executive Committee reviewed the budget amendments and also discussed Ms. Wuerstle's proposals; if so, did they make a recommendation. Chair Heitmann explained that both the Budget & Finance Committee and also the Executive Committee reviewed both the budget and audit and are recommending merit increases.

Mr. Mulhere stated that he didn't hear Commissioner Mann state that he preferred the bonuses versus merit increases, but that he preferred to wait a couple of months before making a determination so that there was some understanding of the budgeting process. Commissioner Mann agreed. Mr. Mulhere said that is a little bit different than going to the bonus option. He suggested that Ms. Wuerstle conduct the employee evaluations and quantify this amount as opposed to currently, as there is no quantification, but just an overall amount. Then come back with a real quantification and have that discussion during that point in time, which will probably be about two months from now. We would not need to amend the budget at this time, but defer it until we have a preliminary budget for next year, once you have conducted the employee evaluations and quantified a dollar amount.

Ms. Wuerstle said that it may be lower, but would like to check with the Council's CPA to see if the budget amendments had to be approved at this time or can they wait for two months. Mr. Cordell explained that it is the discretion of the Council, the budget amendments could wait but he would prefer to have them established at this point in time. He feels that the foundation for the request is solid.

Mr. Karau asked Ms. Wuerstle if the Council approved the merit increases/bonuses, does it include the increases for benefits. Ms. Wuerstle explained that she had broken those down in the proposed budget.

Ms. Wuerstle said that the Council could approve her recommendations with the condition that it is a bonus and not a merit increase that would be carried forward.

Vice Mayor Congress stated that he would be much more supportive of a one-time bonus until we know what the upcoming budget could support. Ms. Wuerstle said that she would then bring that before the Council when she presents both the budget and work plan in the next budget cycle.

Councilman Burch said that he agreed with Vice Mayor Congress. He said what he doesn't want to see is "brain drain" with the employees as he has seen it in Cape Coral.

Ms. Wuerstle stated that staff has worked very hard in the last two years and she wants to provide an incentive for them to keep the pace up. Many of them are doing work of two or three people due to the layoffs that were done and that is a lot to ask of staff. She would be happy with the bonus at this point in time and then will bring before a budget with longer term increases.

Councilman McKeon stated that it is a two-way street and the reason behind the “asking before giving” the 3% merit increase is because staff has stuck with us through some really lean times. He is in support of the proposed amendment.

Councilman Burch made a motion to approve a one-time bonus and have the Executive Director formulate next year’s budget with possible merit increases.

Mr. Perry asked for clarification that the motion was to approve the proposed budget amendment and giving direction to the executive director to review merit bonuses versus merit increases and then look at merit increases with next year’s budget. The Council is not approving a bonus or merit increase, but simply approving a move in the budget so that the executive director has a defined amount to work with.

Chair Heitmann said that was correct.

The motion was seconded by Mr. Perry.

Commissioner Mann asked when the last bonuses were given. Ms. Wuerstle said that they were given on September 30 of last year, which would make it in the FY2013 budget.

Councilman McKeon asked for clarification on if the motion passes then the Council has authorized the executive director to distribute bonuses for the current fiscal year along with all of the other proposed amendments. The proposed funds for a salary increase will now go towards bonuses. Ms. Wuerstle said that is correct, instead of giving merit increases as proposed the money would go towards bonuses.

The motion passed with one opposed.

Ms. Wuerstle said that she would like to cancel the July meeting.

**Commissioner Mann made a motion to cancel the July 17 SWFRPC meeting.
Commissioner Hines seconded that motion and the motion carried unanimously.**

Ms. Wuerstle said that her second request was to move the August meeting from August 21 to August 7 as the Council’s budget and work plan will need to be adopted by August 15.

Commissioner Mann made a motion to move the August SWFRPC meeting from August 21 to August 7. The motion was seconded by Commissioner Davis.

Commissioner Constance noted that the Gulf Consortium is scheduled to meet on August 7 and also the Florida Association of Counties Board Retreat.

Chair Heitmann directed staff to conduct polling in order to see if there will be a quorum on August 7, if not then move it to August 14.

Commissioner Mann said that motion stands subject to the results of the polling for August 7. The motion carried.

Ms. Wuerstle announced that the IMCP Designation application had been submitted along with the USDOT TIGER Planning Grant scheduled to be submitted on April 25.

Chair Heitmann presented an award to Mr. John Gibbons of staff for his 25 years of service to the SWFRPC. Mr. Gibbons stated that the award was a great surprise and honor.

Ms. Wuerstle noted that an email was distributed, along with a press release on the new economic development tools. She asked Ms. Pellechio to give a brief overview of the Florida Scorecard which was developed in conjunction with FRCA and the Florida Chamber. Ms. Pellechio explained to the members that they could access the information on www.floridascore.com or there is a link on the Council's website www.swfrpc.org

Ms. Wuerstle noted that FRCA did extensively discuss the MOU at their last meeting. There were items which they did agree to and some where they didn't. FRCA suggested making recommendations to revise their by-laws in order to incorporate some of the issues and then take it to their Policy Board. The reason for this was not to have one MOU with one of the RPCs, but would like to have all of the RPCs be consistent. Last time it took two years to get the MOU approved.

Councilman Burch asked Ms. Wuerstle if FRCA already had by-laws and if so are they subject to change. Ms. Wuerstle said that FRCA does have a set of by-laws and in order to amend they have to go through their Policy Board. She said if any member has comments or recommendations to send them to her because FRCA is still working on the proposed amendments.

AGENDA ITEM #8(a) Grant Activity Sheet

No discussion; informational item only.

AGENDA ITEM #9 CONSENT AGENDA

Mr. McCormick made a motion to approve the consent agenda; Commissioner Mann seconded the motion. The motion carried unanimously.

AGENDA ITEM #10 REGIONAL IMPACT

Mr. Crawford gave a PowerPoint presentation on the following items.

AGENDA ITEM #10(a) Lee County Comprehensive Plan Amendment (DEO 14-4ESR)

A motion was made by Commissioner Mann to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department

of Economic Opportunity and Lee County. The motion was seconded by Commissioner Davis; the motion carried unanimously.

AGENDA ITEM #10(b)
Sarasota County Comprehensive Plan Amendment (DEO 14-4ESR)

A motion was made by Commissioner Hines to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and the Sarasota County. The motion was seconded by Councilman Banks; the motion carried unanimously.

Mr. Reynolds noted that he would be abstaining from voting on Item #10(c) and 10(d).

AGENDA ITEM #10(c)
Villages of Lakewood Ranch South DRI - NOPC

A motion was made by Commissioner Hines to approve staff recommendations. 1. Notify Sarasota County, the Florida Department of Economic Opportunity (DEO) and the applicant that regional staff recommends approval of the proposed changes and that Council finds that the requests are not a substantial deviation; and 2. Request that Sarasota County provide staff with copies of any development order amendments related to the proposed changes not contained in the NOPC, as well as any additional information requested of the applicant by DEO or the county. The motion was seconded by Councilman McKeon; the motion carried with Mr. Reynolds abstaining.

AGENDA ITEM #10(d)
Collier County - Winding Cypress DRI - Development Order Review

Commissioner Constance stated that he found it very interesting with the way that the development has been laid out. It seemed like the developer got away from having the huge lake in the center of the development and going to some sort of “winding fingers” so there will be a lot more waterfront. He then asked if that sort of development will be what will be seen in future developments. Mr. Crawford explained that it is called the “DiVosta” style of development. They have done at least half-dozen of large scale developments with that style. They maximize the frontage on the lakes for their units and he believed that there will be more as DiVosta does their developments in Southwest Florida, because they like that style of development. One interesting point is that they place sidewalks around the lakes behind the houses, which isn’t done very often.

Mr. Mulhere stated that because of the success that DiVosta has had with their design, they are creating a greater premium and more attraction for that type of development; many other developers are either amending or reviewing other designs to maximize the space. There are two issues to take into consideration, the amount of fill it would take because fill is expensive and secondly, there is a greater premium on a waterfront lot than a non-waterfront lot.

Councilman Burch stated that the design was a smaller version of Cape Coral.

A motion was made by Councilman McKeon to accept the development order as rendered and notify the Florida Department of Economic Opportunity and Collier County. The motion was seconded by Mr. Mulhere; the motion carried with Mr. Reynolds abstaining.

Commissioner Hines commended Mr. Crawford for his presentation and explanation.

AGENDA ITEM #11(a)
Florida Energy Resiliency Presentation

Ms. Jennifer Pellechio gave a presentation on Florida Energy Resiliency.

Mr. Mulhere asked if the report has been distributed to both the counties and cities. Ms. Pellechio explained that it has. The document is available on the SWFRPC website at http://www.swfrpc.org/content/Resources/Publications/Energy_Resiliency.pdf or the www.florida.org she then noted that the other RPCs are also promoting the executive summary.

Chair Heitmann asked Ms. Pellechio if it was possible to send the report to all of the cities and counties throughout the region. Ms. Pellechio explained that staff could burn CDs and make them available. She said that staff would also be available to go give a presentation.

Councilman Burch stated that he will be bringing the report back to his city council. It is our responsibility to pass the information onto our city councils and county commissions.

AGENDA ITEM #12(a)
Budget & Finance Committee Report

Councilman McKeon stated that the issues discussed at the committee meeting had been discussed earlier in the meeting.

Chair Heitmann referred to earlier discussion regarding merit increases for staff and she apologized for having that discussion earlier and not during the committee report. She indicated that the issue was reviewed at the meeting and the committee made recommendations to be forwarded to the full Council.

Chair Heitmann asked for clarification on the motion where the bonuses wouldn't go into effect until September 2014. Mr. Mulhere stated that wasn't correct, Ms. Wuerstle could disburse the bonuses when she conducted the staff evaluations of each staff member. Chair Heitmann stated that the deadline for the evaluations and bonuses would be September 2014. Ms. Wuerstle agreed.

AGENDA ITEM #12(b)
Economic Development Committee

Councilman Banks stated that the committee didn't meet since the last meeting. The next meeting will be held in early May.

Both Chair Heitmann and Councilman Burch thanked Councilman Banks for his leadership as Chair of the committee and his support.

AGENDA ITEM #12(c)
Energy & Climate Committee

Mr. McCormick gave the committee report.

AGENDA ITEM #12(d)
Estero Bay Agency on Bay Management Committee

No report was given at this time.

AGENDA ITEM #12(f)
Legislative Affairs Committee

Vice Mayor Congress gave the committee report.

Vice Mayor Congress stated that the committee needed representatives from Hendry and Sarasota Counties.

Chair Heitmann asked Vice Mayor Congress how the Council could be more pro-active. Vice Mayor Congress explained that he has been watching the session and so has the members of the committee along with staff. Chair Heitmann suggested that if something came up suddenly to send out a “legislative alert” on that issue.

Councilman Burch stated that everyone agrees that water is a regional issue and for Southwest Florida it is our life line. He referred page 166 which covered the governor’s 2014-15 Policy and Budget recommendations.

Councilman McKeon announced that a training session was held for both the Venice City Council and Planning Commission which described the process and procedures of a planning commission. He noted that there was a graphic showing that Florida currently had 19 million people and it also showed the projections for 2060 where Florida is proposed to double in population. The population was primarily from just north of Tampa down to Naples. He said that his concern was if there was going to be enough water to sustain such a population.

Commissioner Hines encouraged Councilman Burch to look into the Donna Bay project (Cow Pen Slough) of Sarasota County. He said that it consists of one canal, Cow Pen Slough, and it was dredged to drain a lot of mid-Sarasota County for agriculture. It is a long canal which dumps water into Donna Bay, goes both north and south which affects both Sarasota Bay and Charlotte Harbor. It is totally untreated water and it has killed an entire bay. The good news is the water can be diverted and placed into a surface water storage area. The better news is the county just found out last week that the water can be treated for drinking water, which decreases the need to pull water from the aquifers. Also, the overflow or excess water can be used for agriculture purposes.

AGENDA ITEM #12(g)
Quality of Life & Safety Committee

Vice Mayor Shaw gave the committee report, including the preliminary results from the recent survey.

Mr. Mulhere asked if the survey was online. It was explained that the survey was sent out by staff by regular mail.

Chair Heitmann asked what jurisdictions needed to have representatives on the committee. Vice Mayor Shaw indicated that there were currently four committee members. He explained that the members did not need to be elected officials, but active community members.

AGENDA ITEM #12(h)
Regional Transportation Committee

Commissioner Hines stated that he had no report at this time.

Councilman Banks volunteered to be a member of the committee.

AGENDA ITEM #12(e)
Executive Committee

Chair Heitmann gave the committee report; she noted that topics of discussion included the executive director's contract and performance evaluation.

Chair Heitmann asked the Council members if they wished to discuss the executive director's contract with or without staff being present. She emphasized that it would be a good time for the Council to discuss her contract, duties, and any recommendations for moving forward. She noted that the Executive Committee did review the contract and if the Council would be comfortable with the Executive Committee's presentation, she would report the committee's recommendations.

Councilman Banks requested that staff other than the executive director leave the room in order for the Council to discuss the executive director's contract.

At this time all staff exited the room. After the Council's discussion staff was brought back into the meeting.

A motion was made by Mr. McCormick to approve the Executive Committee's recommendations regarding the Executive Director's contract. The motion was seconded by Mr. Mulhere and carried unanimously.

**AGENDA ITEM #13
NEW BUSINESS**

No new business was discussed at this time.

**AGENDA ITEM #14
STATE AGENCIES COMMENTS/REPORTS**

No agency reports were given at this time.

**AGENDA ITEM #15
COUNCIL ATTORNEY'S COMMENTS**

Counsel McCabe stated that he had no report at this time.

**AGENDA ITEM #16
COUNCIL MEMBERS' COMMENTS**

Commissioner Storter-Long announced that Glades County was seeking to hire a new Community Development Director.

Chair Heitmann said that Mr. Karau had requested to be appointed to the Energy & Climate Committee. At that time she appointed him.

**AGENDA ITEM #17
ADJOURNMENT**

The meeting was adjourned at 10:53 a.m.

Mr. Don McCormick, Secretary

The meeting was duly advertised in the April 7, 2014 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 40, Number 67.

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MAY 15, 2014 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **May 15, 2014** at the offices of the Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. In the absence of the officers of the Council, the Council appointed Pro-Tem Chair, Commissioner Frank Mann, who called the meeting to order at **9:10 AM**. Vice-Mayor Shaw then led an invocation and the Pledge of Allegiance. Administrative Specialist II, Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Chris Constance, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Ms. Suzanne Graham

Collier County: Commissioner Tim Nance, Mr. Alan Reynolds

Glades County: Commissioner Donna Storter-Long, Mr. Thomas Perry

Hendry County: Mr. Melvin Karau

Lee County: Commissioner Frank Mann, Commissioner Brian Hamman, Councilman Jim Burch, Vice Mayor Doug Congress

Sarasota County: Commissioner Charles Hines, Commissioner Carolyn Mason, Commissioner Cheryl Cook for Commissioner Rhonda DiFranco, Vice Mayor Willie Shaw, Councilman Kit McKeon

Ex-Officio Members: Ms. Carmen Monroy – FDOT, Mr. Jon Iglehart – FDEP, Mr. Phil Flood – SFWMD, Ms. Melissa Dickens – SWFWMD

MEMBERS ABSENT

Charlotte County: Mr. Don McCormick

Collier County: Councilwoman Teresa Heitmann, Mr. Bob Mulhere, Commissioner Georgia Hiller

Glades County: Councilwoman Pat Lucas, Commissioner Russell Echols

Hendry County: Commissioner Karson Turner, Mayor Phillip Roland, Commissioner Don Davis, Commissioner Daniel Akin

Lee County: Commissioner Brian Hamman, Councilman Forrest Banks, Mayor Anita Cereceda, Ms. Laura Holquist

Sarasota County: Mr. Felipe Colón

Ex-Officio Membership: None

Ms. Gwinnett announced that there was a quorum.

**AGENDA ITEM #4
PUBLIC COMMENTS**

There were no public comments made at this time.

**AGENDA ITEM #5
AGENDA**

Commissioner Hamman made a motion to approve the agenda as presented and the motion was seconded by Vice-Mayor Shaw. The motion carried unanimously.

**AGENDA ITEM #6
Minutes of the April 17, 2014 Meeting**

The meeting minutes of the April 17, 2014 meeting were deferred for approval to the June 19, 2014 meeting.

**AGENDA ITEM #7
DIRECTOR'S REPORT**

Ms. Wuerstle presented the item.

**AGENDA ITEM #8(a)
Grant Activity Sheet**

Ms. Wuerstle presented the item.

**AGENDA ITEM #9
CONSENT AGENDA**

Commissioner Nance made a motion to approve the consent agenda; Councilman Burch seconded the motion. The motion carried unanimously.

**AGENDA ITEM #10
REGIONAL IMPACT**

Mr. Crawford gave a PowerPoint presentation on the following items.

**AGENDA ITEM #10(a)
Sarasota County Comprehensive Plan Amendment (DEO 14-5ER)**

Commissioner Cook asked Mr. Crawford if the changes affected Sarasota County's 2050 Plan. Mr. Crawford explained that they did not because none of the land uses would be changed.

A motion was made by Commissioner Hines to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County. The motion was seconded by Commissioner Mason; the motion carried unanimously.

AGENDA ITEM #10(b)
Sarasota County Comprehensive Plan Amendment (DEO 14-6ESR)

Commissioner Cook asked if the residential units are single or multi-family. Mr. Crawford explained that they were multi-family units.

A motion was made by Commissioner Mason to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and the Sarasota County. The motion was seconded by Commissioner Cook; the motion carried unanimously.

AGENDA ITEM #10(c)
LCEC's 2014 Electric Substation Planning Report

A motion was made by Vice-Mayor Congress to approve LCEC's 2014-2019 Electric Substation Planning Report. The motion was seconded by Commissioner Nance; the motion carried unanimously.

AGENDA ITEM #11(a)
Our Creative Economy Presentation

Ms. Jennifer Pellechio gave a presentation on the "Our Creative Economy" project. Staff distributed the logo contest sheets to the members and they were asked to vote for one logo.

Commissioner Mann asked how the members who were participating on the conference call could vote. Ms. Pellechio explained that the survey link was located on the Council's website homepage at www.swfrpc.org.

Councilman Burch asked Ms. Pellechio if he could make modifications to a logo. Ms. Pellechio explained that if someone made a suggestion to modify one of the logos it would be taken into consideration. When the voting is complete it will be narrowed down to the top three logos and staff will then work with those artists and make those recommendations.

AGENDA ITEM #12(a)
Budget & Finance Committee Report

Councilman McKeon gave the committee report.

Commissioner Mann asked Regional Counsel McCabe what would be the ramifications if the Council's budget wasn't approved on August 14. Counsel McCabe said that he would have to look into it.

Commissioner Mann directed staff to notify the Council members prior to the August 14th meeting that there is a requirement to have a quorum at the August meeting in order to approve the Council's FY2015 budget by August 15.

Councilman Burch asked Counsel McCabe if an alternate could attend for a quorum and also vote at the August 14 meeting if the regular member of the Council was not able to attend. Counsel McCabe stated that he did believe that an alternate would be able to vote on behalf of their jurisdiction; however, he would like to confirm it.

AGENDA ITEM #12(b)
Economic Development Committee

In the absence of Councilman Banks, Ms. Wuerstle gave the committee report. She announced that the next committee meeting was scheduled for May 27 at 9:00 AM.

AGENDA ITEM #12(c)
Energy & Climate Committee

No report was given.

AGENDA ITEM #12(d)
Estero Bay Agency on Bay Management Committee

Mr. Beever gave the committee report.

Commissioner Mann asked Mr. Beever when the vote would take place regarding Amendment 1. Mr. Beever explained that it would be on the ballot at the general election. Commissioner Mann asked if the constitutional amendment was placed on the ballot by signatures or by legislation. Mr. Beever explained that it was placed on the ballot by signatures.

Commissioner Mann said that it was his understanding that Amendment 1 designates a portion of doc stamp revenues to be used for acquisition of certain sensitive lands in Florida. Mr. Beever explained that the acquisition can be fee simple, in less than fee simple and for management.

A motion was made by Councilman McKeon to support Amendment 1. The motion was seconded by Commissioner Cook and passed unanimously.

AGENDA ITEM #12(e)
Executive Committee

No report was given.

AGENDA ITEM #12(f)
Legislative Affairs Committee

Vice Mayor Congress gave the committee report.

Councilman McKeon asked if he was overly optimistic regarding the RPC funding. Vice Mayor Congress explained that the governor has vetoed the RPC funding in the past.

Commissioner Nance said that regarding the Southwest Florida Research and Education Center funding there is a major ongoing effort for the funding for the research and education center, where there are only 13 in the State. They would like to have it put back into the IFAS budget rather than have it be a legislative battle for funding on an annual basis. There may be an opportunity for support on that issue in the coming year. The South Florida Ag Council will be meeting at the center later in the month to discuss consistent efforts as it happens.

Discussion ensued.

Vice Mayor Congress asked Commissioner Nance to keep the Council updated on the status of the funding for the Southwest Florida Research and Education Center.

Councilman Burch said that he would like to volunteer to be a member on the Council's Legislative Affairs Committee. Commissioner Mann said that as the Pro-Tem Chair he would appoint Councilman Burch to the Legislative Affairs Committee unless Counsel states to the contrary.

AGENDA ITEM #12(g)
Quality of Life & Safety Committee

Vice Mayor Shaw gave the committee report. He explained that one of the issues of great concern is mental health issues because it is a contributor to homelessness.

.

AGENDA ITEM #12(h)
Regional Transportation Committee

No report was given.

AGENDA ITEM #13
NEW BUSINESS

No new business was discussed at this time.

AGENDA ITEM #14
STATE AGENCIES COMMENTS/REPORTS

FDEP - Mr. Iglehart announced that the first quarter non-compliance results for the region have been released. The good news is that there has been an up-tick in business. There were 91

businesses with non-compliance issues in violating environmental regulations and out of those 91 businesses, after FDEP worked with them, 89 are in compliance without having to do any enforcement. FDEP has been able to reduce their staff by 20% over the last 18 months.

AGENDA ITEM #15 COUNCIL ATTORNEY'S COMMENTS

Counsel McCabe explained that regarding appointment of committee members, the Chair does have the power to appoint committee members; however, the committee members will serve their term for the same period as the appointed Chair.

Commissioner Mann requested that the appointment of Councilman Burch to the Legislative Affairs Committee be addressed at the Council's June meeting.

AGENDA ITEM #16 COUNCIL MEMBERS' COMMENTS

Commissioner Nance stated commented on the Everglades Restoration project with moving water from Lake Okeechobee through to the Everglades. Collier County is happy to report that USACOE staff has been working on the pump stations, but it also seems that they have run into a conflict with the US Fish & Wildlife Service over starting the pump stations because there is a concern that manatees, which have been accustomed to point source water releases in the Ten Thousand Islands, might not have the same temperature of water to which they have become accustomed. Apparently, there have been discussions on creating a "manatee spa" down in the Ten Thousand Islands.

Councilman McKeon expressed his concern over the possibility of water shortages in the future. Mr. Flood explained that water shortages are facing all of us, but it is all about diversification and conservation measures in order to meet the growing demand. He noted that the current week is the SWFWMD's "Water Reuse Week". The Southwest Florida region has really embraced water reuse by using almost 100% of reclaimed water for irrigation purposes, which keeps from drawing more water from the aquifers. He announced that both Collier County and City of Naples have now gone to capturing storm water and storing it in underground water storage facilities and then pumping it back up during the dry season for irrigation. He explained that the WMDs have developed water supply plans to plan for future demand supplies.

Ms. Dickens explained that Sarasota County has been extremely successful in lowering the per capita, which is currently the lowest with the SWFWMD's region. She announced that the SWFWMD is gearing up to update their regional water supply plan and she would be happy to have someone come down from their Water Supply Plan Team and give a presentation on the water conservation measures and also a project that was done to find alternative water supply sources.

Councilman Burch explained that Cape Coral's reuse system has been used as a national model.

Commissioner Mann thanked Councilman McKeon for bringing the water supply issue up for discussion. He said that recently everyone has been focused on water quality issues and taken water quantity for granted.

Commissioner Cook stated that she agreed with Councilman McKeon because North Port is only a quarter built out and will be eventually facing an enormous water quantity issues.

**AGENDA ITEM #17
ADJOURNMENT**

The meeting was adjourned at 10:20 a.m.

Mr. Don McCormick, Secretary

The meeting was duly advertised in the May 5, 2014 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 40, Number 87.

7

Director's Report

7

7



Southwest Florida Regional Planning

www.swfrpc.org

1926 Victoria Avenue

Fort Myers, FL 33901

Phone: (239) 338-2550

Fax: (239) 338-2560

EXECUTIVE DIRECTOR'S REPORT - June 19, 2014

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

1. Internal Issues

a. Budget

i. Budget Update

a) Adoption of the 2014-2015 Budget and Workplan

- The July meeting has been cancelled
- The August 21st meeting has been cancelled and moved to August 14th

ii. Grants:

- ##### **a) Federal Promise Zone application under development.**

2. External Issues

a. FRCA: May Activity Report attached.

b. The Executive Director met with the following to establish partnerships and discuss issues of mutual concerns:

Mary Ann Tipton: Punta Gorda Visual Arts Center; United Way Allocations Committee; Citrus Growers Annual Luncheon.

3. Goals and Priorities for Second Quarter 2013 (January - April)

a. Research the Health Insurance and benefits package (completed for 2013-2014 budget)

b. Employee Evaluations and Expectations (completed)

c. Implementation of Workplan:

- 24 pending grants; 6 grants under development; 5 grants approved totaling \$137,500; 2 contracts totaling \$53,000.
- Grants Submitted: Manufacturing Grant, NEA Arts and Culture Grant, Economic Development Planning Grant, Brownfields Grant, IMCP designation, 2 Farms to School grants, TIGER Transportation Planning Grant.
- DEO Business Plan grant deliverables completed; Hendry Co. Educational Task Force Strategy grant completed.
- Orientation for new RPC members (completed on May 15, 2014)
- Improved Financial Reporting: New software for time keeping and project management to be rolled out in June.



MONTHLY ACTIVITY REPORT: May 2014

OUTREACH

- Along with Mario Taylor (Northeast Florida Regional Council), met with Linda McWhorter (Florida Division of Emergency Management) to discuss several priority projects and funding opportunities.
- Began developing FRCA's first electronic quarterly newsletter, which will be issued in June as the "Summer 2014" issue.
- Met with Sal Nuzzo (Florida Chamber Foundation) to provide input and offer assistance pertaining to a Military and Veterans Summit being hosted by the Florida Chamber Foundation in August.
- Thanked Gray Swoope and Al Latimer for identifying the Florida Regional Councils Association as a Partner Entity on the Enterprise Florida website, which has been a work in progress.
- Provided assistance to the U.S. Census Bureau, which is planning a Local Update of Census Addresses Workshop for the 2020 Census in conjunction with the Florida Association of Counties Annual Conference.

RESOURCE DEVELOPMENT/CAPACITY BUILDING

- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, participated in Enterprise Florida's monthly conference call for its economic development partners, and attended the 2014 State Hurricane Exercise as FRCA's representative to Emergency Support Function 18 – Business, Industry, and Economic Stabilization.
- Served as a panelist at a national Executive Directors Training Workshop, which was hosted by the National Association of Development Organization, Southeast Regional Directors Institute (SERDI), and others, and also served as a panelist at SERDI's Annual Training Conference, which were held in conjunction with one another.
- Distributed funding announcements from the Florida Department of Economic Opportunity pertaining to its Regional Rural Development Grants and from the U.S. Department of Agriculture, U.S. Department of Energy, U.S. Department of Labor, and U.S. Environmental Protection Agency.

LEGISLATIVE SUPPORT

- Contacted Florida's Congressional members asking them to oppose the Pompeo amendment that would have eliminated the U.S. Economic Development Administration's entire budget (the amendment failed).
- Provided support on several fronts to help prevent a veto of regional planning council funding (still awaiting action by the Governor).
- Issued a post-session legislative update that included several variations of FRCA's bill tracking reports.

ADMINISTRATIVE

- Developed a FRCA Membership Benefits and Services document that will be provided to all regional planning council board members.
- Developed an Orientation Packet that will be delivered via email to all new FRCA Policy Board members.
- Continued to prepare for the June FRCA meetings, which will be held in conjunction with the Florida Association of Counties Annual Conference; August FRCA meetings, which will be held in conjunction with the Florida League of Cities Annual Conference; and, October FRCA meetings, which will be held in conjunction with the Florida Chamber Foundation's Future of Florida Annual Conference.

DRAFT EXCERPT FOR FROM APRIL 10, 2014 FRCA MEETING SUMMARY

SWFRPC Draft MOU

Chairman Brian Teeple (NEFRC) suggested that if the members agree with the provisions outlined in the proposed SWFRPC Memorandum of Understanding (MOU), then those provisions should be incorporated into the MOU that currently exists among the 11 councils and not carried out through an MOU between the SWFRPC and FRCA. Chairman Teeple stated that after reviewing the FRCA Bylaws, existing MOU, and the SWFRPC's proposal, he developed a revised draft MOU for consideration. He added that the appropriate process would be for the members to agree to a revised draft MOU that would be recommended to the Policy Board and once approved by the Policy Board, taken by each member to their respective councils for review and final approval.

Prior to reviewing Chairman Teeple's revised MOU, Margaret Wuerstle (SWFRPC) was asked to review the provisions of the proposed SWFRPC MOU and explain the reasoning behind each one. Dialog among the members followed. The specific points discussed are summarized below:

1. SWFRPC's MOU stated: *SWFRPC will provide a MOU to FRCA, updated annually, outlining services to be provided by FRCA in exchange for dues paid by SWFRPC.*

Discussion outcome: A list of FRCA services will be provided to all RPCs, which may be reviewed, discussed, and revised as needed.

2. SWFRPC's MOU stated: *SWFRPC will pay required dues on a quarterly basis, provided it has sufficient funds available; if funds are not available, SWFRPC will pay dues as soon as feasibly possible.*

Discussion outcome: The bylaws currently state, *[T]o assist in defraying the cost of the operation of the Association, the dues of each member RPC shall be as determined by majority vote of the membership on an annual basis.* The Bylaws are silent on the payment schedule to afford each Council as much flexibility as possible. It was agreed that if further direction is needed to provide comfort to the SWFRPC, the members would recommend an amendment to the Bylaws for consideration at the August FRCA Policy Board meeting.

3. SWFRPC's MOU stated: *FRCA will provide SWFRPC with a copy of all grant applications submitted by FRCA or an RPC on behalf of FRCA.*

Discussion outcome: Often, subgrants among the councils are handled through a Scope of Work accompanied by a Purchase Order. When funding is sought and awarded through a grant application on behalf of all RPCs, standard practice is to provide each RPC with a copy of the application. Ms. Wuerstle and Chairman Teeple recognized that there may be a breakdown in communication within a council due to a history of staff to staff relationships between councils. He asked that going forward, all communication on funding issues pertaining to or affecting the SWFRPC go through Ms. Wuerstle and not through her staff.

4. SWFRPC's MOU stated: *Grant funding obtained by FRCA, or by an RPC representing FRCA, will be distributed to member RPCs in an equitable fashion. A copy of the contract and scope of work will be sent to all RPCs, along with the amount of funding to be provided to each RPC as well as the rationale for the amount of funding and the rationale for selecting individual RPCs for the grant project.*

Discussion outcome: Again, the members recognized that there may be an internal communications breakdown as discussed above, that won't necessarily be fixed by provisions three or four since they describe current practice. The same action to agree to run all funding matters directly through Ms. Wuerstle was taken.

5. SWFRPC's MOU stated: *FRCA will not interfere with SWFRPC's right to contact federal or state agencies regarding funding, nor will FRCA knowingly compete with SWFRPC in applying for funding from any source.*

Discussion outcome: The members noted that this was already current practice, but to address the SWFRPC's concerns, it could be incorporated into the Bylaws. However, it was agreed that if FRCA were to pursue a grant through one RPC on behalf of all RPCs, with 100% support of the members, then a single RPC should not knowingly compete for the same grant.

6. SWFRPC's MOU stated: *FRCA will assist the SWFRPC in identifying proposed legislation impacting SWFRPC and in proactively developing legislation that advance the mission of the Regional Planning Councils. FRCA will use its lobbying resources to support legislation that supports regional planning councils and oppose legislation that does not support regional planning councils.*

Discussion outcome: It was agreed that the Bylaws could be amended to address this issue but for FRCA to use its lobbying resources on behalf of all RPCs, there must be 100% agreement on the issues to be addressed (i.e., supported or opposed).

7. SWFRPC's MOU stated: *The Executive Director of SWFRPC will be notified when FRCA employees or FRCA representatives contact SWFRPC Councilmembers.*

Discussion outcome: During the discussion, it was thought that the FRCA Code of Ethics and Best Practices for Executive Directors of Regional Planning Councils in Florida, adopted on March 18, 2013, reflected this practice. However, prior to final adoption, the language that would have addressed this issue was removed. Therefore, the FRCA Code of Ethics will need to be amended to address this particular concern.

8. SWFRPC's MOU stated: *Discussions on boundary revisions will not be pursued at the State or local level without prior notification to the Executive Director and Chair of the SWFRPC. Any proposed changes to the SWFRPC boundaries must be approved by the SWFRPC board prior to any action taken by FRCA to initiate such boundary change at the State.*

Discussion outcome: It was acknowledged that there have been numerous discussions about RPC boundaries and the boundaries of other entities over the years, including during legislative committee meetings, by agency heads, and by the Florida Legislature's Office of Program Policy Analysis and Government Accountability. It was also acknowledged that the issue of boundaries was included during the FRCA Strategic Retreat because the issue was raised in both the on-line surveys and face-to-face interviews conducted by the retreat facilitator. The members agreed that FRCA would not advocate for boundary changes without 100% agreement of the members and that the Bylaws could be revised to address this concern.

9. SWFRPC's MOU stated: *So as to avoid any conflict of interest, an RPC other than SWFRPC will provide written notice to the Executive Director of the SWFRPC of their intention to provide technical assistance to a local government or include a local government in a grant application that is located within the boundaries of the SWFRPC.*

Members' Response: The current MOU that exists among the 11 RPCs states as follows: *If an RPC is asked to provide technical assistance outside of their boundary and within the boundary of another RPC, the requested RPC shall notify the RPC of jurisdiction and jointly discuss the nature of the requested technical assistance. The RPCs shall coordinate in the provision of these services to the satisfaction of the client.* The members agreed that the notification as described, including the requirement that a joint discussion take place between the affected councils, adequately addresses the provision and that notification should be in writing, either by letter or email.

Following this very extensive and thorough discussion, the members agreed that making changes to the existing MOU was not the best approach to address the issues and concerns raised by Ms. Wuerstle. Ms. Wuerstle acknowledged that the issues and concerns she was trying to address through the SWFRPC's MOU could be handled through changes to internal practices and revisions to the FRCA Bylaws, which would be approved by the FRCA Policy Board and apply to all of the Councils. She added that she needs to take these outcomes and recommended approaches to her board for approval.

8

Staff Summaries

8

8

Agenda Item

8a

Grant Activity Sheet (Information Only)

8a

8a

SWFRPC GRANT STATUS AS OF 6-1-14

ID#	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Project Total	RPC Amt	Start Date	End Date	Total Match Amt-RPC
	Yes	EPA	Jim Beever	A Unified Conservation Easement Mapping and Database for the State of Florida	04/15/2013	4/8/2013	6/3/2013	\$294,496.00	\$148,996.00	10/1/2013	9/30/2015	\$145,500.00
	Yes	CTD	Nichole Gwinnett	Glades-Hendry TD Planning Agreement FY2014-15	NA	NA	5/16/14	\$38,573.00	\$38,573.00	7/1/14	6/30/15	\$0.00
	Yes	NARC	Liz Donley	Use of Trees and Woody Shrubs in Green Infrastructure Stormwater Treatment	2/28/14	2/26/14	4/21/14	\$46,072.00	\$3,912.00			\$42,160.00
	Yes	N/A	Jim Beever	Estero Bay ABM				\$12,000.00	\$10,000.00	10/1/2013	9/30/2014	\$2,000.00
	Yes	EPA	Jim Beever	WQFAM				\$160,000.00	\$160,000.00	10/1/2011	9/30/2014	
	Yes	County - Glades	John Gibbons	SQG Glades				\$3,900.00	\$3,900.00	5/17/2011	5/16/2015	
	Yes	DOE (Department of Energy)	Rebekah Harp	Solar Ready II		3/22/2013	7/18/2013	\$140,000.00	\$90,000.00	7/1/2013	1/1/2016	\$50,000.00
	Yes	RPC - NEFRC	Tim Walker	2014 Statewide Hurricane Evacuation Study - Small Area Data			5/13/14	\$2,000.00	\$2,000.00	6/1/14	12/31/14	\$0.00
	Yes	CTD	Nichole Gwinnett	FY2013-14 Planning Grant for Glades-Hendry Service Area			5/21/2013	\$38,637.00	\$38,637.00	7/1/2013	6/30/2014	\$0.00
	Yes	Collier County	Jim Beever	Ecosystem Services Valuation of Conservation Collier Lands	2/11/14	2/11/14	2/20/14	\$3,000.00	\$3,000.00	3/3/14	5/5/14	\$0.00
	Yes	Mosaic	Judy Ott	Coral Creek Restoration: Monitoring Juvenile Fish Habitat	9/30/13	9/30/2013	1/2/14	\$50,000.00	\$50,000.00			
	Yes	Visit Florida	Margaret Wuerstle	Our Creative Economy: Southwest Florida Regional Strategy for Public Art	2/18/14	2/18/14	5/14/14	\$10,000.00	\$5,000.00	7/1/14		
	Yes	City of Bonita Springs	Jim Beever	Spring Creek Watershed and Restoration Study	1-7-14	1-7-14	1-15-14	\$50,000.00	\$50,000.00	Pending	Pending	
	Yes	EDA	Jennifer Pellechio	EDA Planning Grant	01/22/2013	12/18/2013	4/18/14	\$270,000.00	\$189,000.00	1/1/2014	12/31/16	\$81,000.00
	Yes	LeeTran	Jennifer Pellechio	VA Transportation Planning Study		10/1/2012	7/2012	\$1,300,000.00	\$50,000.00	5/31/13	5/31/14	\$0.00
	To Be Submitted	FDEP	Liz Donley	WET PLAN	5/23/14							

SWFRPC GRANT STATUS AS OF 6-1-14

ID#	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Project Total	RPC Amt	Start Date	End Date	Total Match Amt-RPC
	To Be Submitted	Multiple Agencies	Liz Donley	Neighborhood Lakes and Ponds	2/5/14			\$60,000.00	\$5,000.00			
	To Be Submitted	NOAA	Judy Ott	Oyster Habitat Restoration along Charlotte Harbor East Shore: Enhancing Essential Fish Habitat	09/30/2014			\$220,000.00				
	To Be Submitted	Charlotte Community Foundation	Margaret Wuerstle	Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues – Asset Mapping in Charlotte County	7/1/14			\$20,000.00	\$10,000.00			\$10,000.00
	Pending	Presbyterian Committee	Margaret Wuerstle	A Nutritional Oasis for Marginalized Individuals				\$15,000.00	\$15,000.00			
	Pending	USDA	Rebekah Harp	The Smart Process Food Hub	4/30/14	4/30/14		\$139,457.00	\$98,729.00			\$25,728.00
	Pending	USDA	Nichole Gwinnett	Opportunity Buy Program Coordinator	4/30/14	4/30/14		\$195,979.00	\$99,848.00			\$42,510.00
	Pending	PNC Foundation	Margaret Wuerstle	Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues	Open	3/14/14		\$20,000.00	\$10,000.00			\$10,000.00
	Pending	USDOT	Margaret Wuerstle	Public/Private Regional Transportation Connectivity Plan	4/28/14	4/25/14		\$1,378,476.00	\$1,148,476.00			\$70,000.00
	Pending	EPA	Jim Beever	Identifying Future Saltwater Wetland Loss	4/4/14	4/4/14		\$256,759.00	\$129,283.00			\$63,800.00
	Pending	NOAA	Jim Beever	A Climate Change Resiliency and Adaptation Manual for Cities and Counties on the Gulf of Mexico	4/11/14	4/11/14		\$138,255.00	\$93,205.00			\$14,600.00
	Pending	EDA	Jennifer Pellechio	SWFRPC, TBRPC, SFRPC Medical Corridor Initiative	Open	4/14/14		\$0.00	\$0.00			\$0.00
	Pending	USDA	Margaret Wuerstle	Mobile Market: A Nutritional Oasis for Food Markets of SWFL	3/31/14	3/31/14		\$599,549.00	\$298,605.00	10/1/14	9/30/17	
	Pending	DEO	Jennifer Pellechio	The Zoning Mapping Project	6-6-14	5-6-14		\$25,000.00				
	Pending	DEO	Nichole Gwinnett	Agriculture Tours to Promote Assets and Economic Development in the City of LaBelle	6/6/14	5/7/14		\$25,000.00	\$4,000.00			
	Pending	DEO	Margaret Wuerstle	OUR CREATIVE ECONOMY -- Asset Mapping	6/6/14	5/9/14		\$25,000.00	\$25,000.00			\$0.00

SWFRPC GRANT STATUS AS OF 6-1-14

ID#	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Project Total	RPC Amt	Start Date	End Date	Total Match Amt-RPC
	Pending	FDEP	Jim Beever	Resilient and Consistent Coastal Elements for Florida's Gulf Coast (RESTORE)	1/7/13	1/7/2013		\$500,000.00	\$500,000.00			
	Pending	FDEP	Jim Beever	Environmental Services Provided by the Gulf of Mexico	1/7/13	1/7/2013		\$500,000.00	\$500,000.00			
	Pending	FDEP	Margaret Wuerstle	Implement agriculture BMP in the Caloosahatchee Watershed		4/12/2013		\$3,000,000.00	\$3,000,000.00			
	Pending	NOAA	General Partner	"Resilient Coastal Communities" and its National Height Modernization Program (NHMP)	6/21/13	6/21/2013		\$50,000.00	\$50,000.00			
	Pending	FEMA	John Gibbons	Strengthening Resilience Across Whole Communities of Practice: A Regionally-based Virtual Training Approach	8/16/13	8/16/2013		\$64,000.00	\$64,000.00			\$0.00
	Pending	SeaWorld & Bush Gardens Conservation Fund	Liz Donley	Monofilament Cleanup	1/1/14	1/1/14		\$17,091.00	\$1,647.00			
	Pending	Elizabeth Dole Foundation	Margaret Wuerstle	Homeless Veterans Camp	10/15/13	9/9/2013		\$150,000.00	\$150,000.00			\$0.00
	Pending	National Endowment for the Arts	Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues	1/13/14	1/13/14		\$400,000.00	\$200,000.00			\$113,472.00
	Pending	EPA	John Gibbons	Southwest Florida Environmental Justice Empowerment Center	2/18/14	2/18/14			\$120,000.00			
	Pending	EDA	Jennifer Pellechio	Advanced Manufacturing in West Central Florida Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development		12/26/2013		\$210,000.00	\$100,000.00			\$40,000.00
	Pending	DOE (Department of Energy)	Jennifer Pellechio	Solar Market Pathways	5/21/14	5/20/14						\$20,000.00

9

Consent Agenda

9

9

CONSENT AGENDA SUMMARY

Agenda Item #9(a) – Intergovernmental Coordination and Review

There wasn't any clearinghouse items reviewed during the month of May. There are currently four projects under review.

RECOMMENDED ACTION:

- Information Item.

Agenda Item #9(b) – Financial Statements for April 30, 2014 & May 31, 2014

Staff provided the balance sheet, income statement and statement of cash flow for the months of April and May.

RECOMMENDED ACTION:

- Approve the financial statements for the months of April and May.

Agenda Item #9(c) – Endorsement of the Transportation Disadvantaged Planning Grant Application Resolution for FY14-15

As part of the annual process, the TD Planning Grant Application must be filed. The amount requested in this TD Planning Grant Application for FY 2014/2015 is \$38,573. The planning tasks include:

- Conducting the Annual Transportation Disadvantaged Service Plan;
- Community Transportation Coordinator (CTC) Evaluation;
- Staff support at LCB meetings;
- Review of LCB bylaws, grievances procedures, reports; and
- Conducting LCB training.

RECOMMENDED ACTION:

- Endorsement of the TD Planning Grant Application and Resolution.

RECOMMENDED ACTION: Approve consent agenda as presented.

--- Agenda --- Item

9a

Intergovernmental
Coordination & Review

9a

9a

Project Review and Coordination Regional Clearinghouse Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning May 1, 2014 and ending May 31, 2014.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.

Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.

Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the State Clearinghouse (Office of Planning and Budgeting) in Tallahassee.

RECOMMENDED ACTION: Information purposes only.

6/2014

Review in Progress

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2014-05			Charlotte County	EPA - State Revolving Funds - Charlotte County Utilities - The East and West Spring Lake Wastewater Pilot Program."			Review in Progress
2014-17			Lee County	FDEP JCP Application (#0200269-009-JC) for the Captiva and Sanibel Islands Renourishment Project in Lee County.			Review in Progress
2014-18			Sarasota County	FDEP JCP Application #0240984-001-JC - South Siesta Key Beach Restoration Project - Phase 2 in Sarasota County.			Review in Progress
2014-20			Lee County	FDEP - Collier 26-4 Well in Lee County. Permit #1360			Review in Progress

9b

Financial Statements for April 30, 2014 & May 31, 2014

9b

9b

2014 Workplan & Budget Financial Snapshot - April 2014

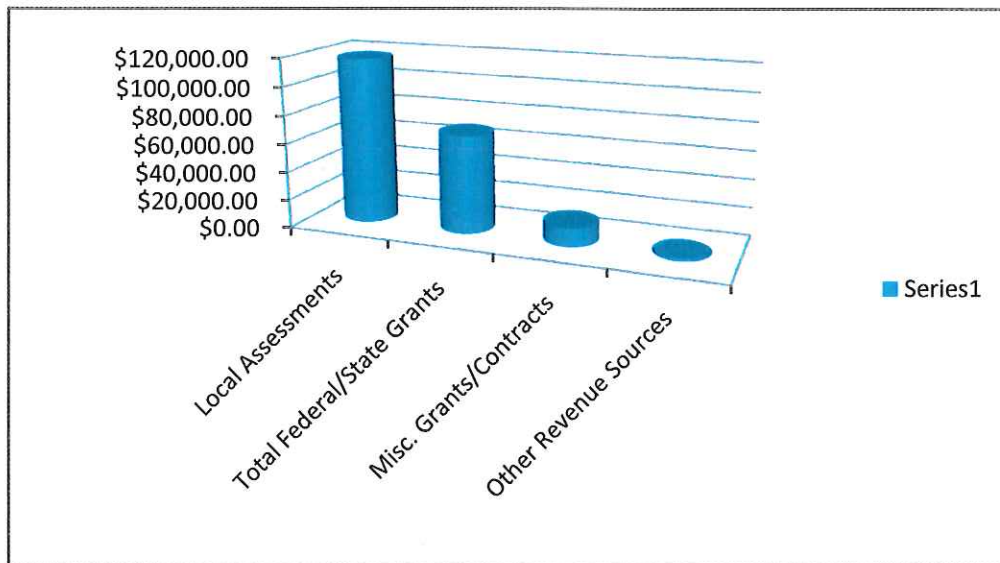
Revenues

Local Assessments

Total Federal/State Grants

Misc. Grants/Contracts

Other Revenue Sources



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July

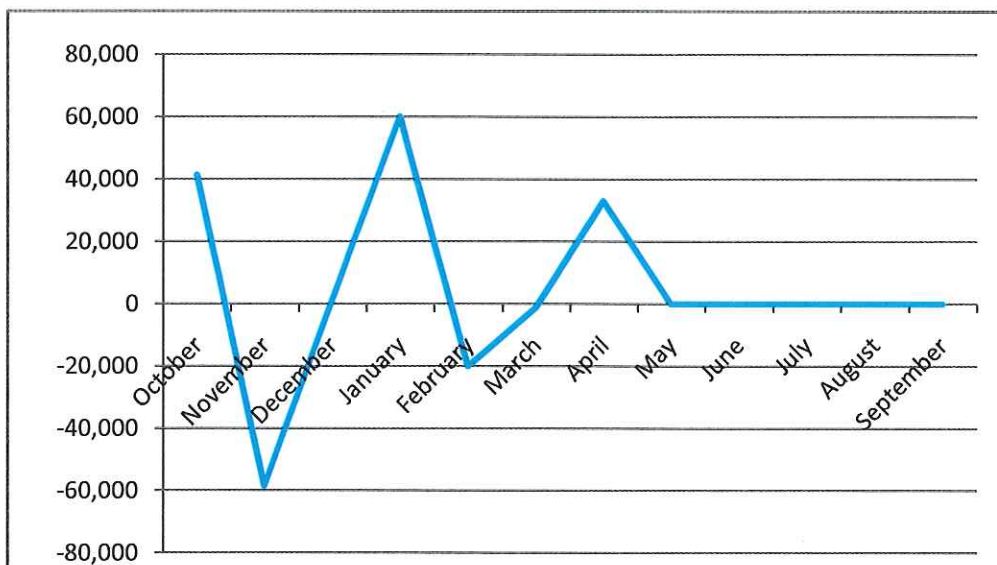
Federal Grants (EPA) billed monthly: EPA: CHNEP; FAMWQ; and CE

State/Federal Grants billed quarterly: LEPC, HMEP, TD, Lee Tran, and ED

Misc. Grants/contracts billed quarterly: Visit Florida

Misc. Grants/Contracts billed by deliverable: SQG, CHNEP Local/Grants

Other(DRI) billed /recorded monthly as cost reimbursement



YTD: Net Income \$ 82,993 (Unaudited)

SWFRPC
BALANCE SHEET
APRIL 30, 2014

ASSETS		
CURRENT ASSETS		
FUND BALANCE	\$	832,881
ACCOUNTS RECEIVABLE		242,951
		<hr/>
TOTAL CURRENT ASSETS		1,075,832
PROPERTY AND EQUIPMENT		
PROPERTY, FURNITURE & EQUIP		2,040,983
ACCUMULATED DEPRECIATION		(561,679)
		<hr/>
TOTAL PROPERTY AND EQUIPMENT		1,479,304
OTHER ASSETS		
AMOUNT T.B.P. FOR L.T.L.-LEAVE		55,640
FSA DEPOSIT		2,494
AMT T.B.P. FOR L.T.DEBT-OPEP		59,864
AMOUNT T.B.P. FOR L.T.DEBT		984,934
		<hr/>
TOTAL OTHER ASSETS		1,102,932
		<hr/>
TOTAL ASSETS	\$	3,658,068
		<hr/>

LIABILITIES AND CAPITAL		
CURRENT LIABILITIES		
ACCOUNTS PAYABLE	\$	3,708
RETAINAGE PAYABLE		2,139
DEFERRED INCOME		280,392
FICA TAXES PAYABLE		(110)
FEDERAL W/H TAX PAYABLE		(157)
UNITED WAY PAYABLE		481
FSA PAYABLE		85
LEPC CONTINGENCY FUND		305
		<hr/>
TOTAL CURRENT LIABILITIES		286,843
LONG-TERM LIABILITIES		
ACCRUED ANNUAL LEAVE		55,640
LONG TERM DEBT - OPEB		59,864
LONG TERM DEBT - BANK OF AM.		984,934
		<hr/>
TOTAL LONG-TERM LIABILITIES		1,100,438
		<hr/>
TOTAL LIABILITIES		1,387,281
CAPITAL		
FUND BALANCE-UNASSIGNED		194,487
FUND BALANCE-ASSIGNED		514,000
FB-NON-SPENDABLE/FIXED ASSETS		1,479,303
NET INCOME		82,997
		<hr/>
TOTAL CAPITAL		2,270,787
		<hr/>
TOTAL LIABILITIES & CAPITAL	\$	3,658,068
		<hr/>

UNAUDITED - FOR MANAGEMENT PURPOSES ONLY

SWFRPC
BALANCE SHEET
APRIL 30, 2014

FUND BALANCE DETAIL		
CASH - BANK OF AMERICA OPER.	\$	331,465
CASH - IBERIA CDS		316,655
CASH - FL LOCAL GOV'T POOL		179,657
CASH - FL GOV'T POOL-FUND B		4,904
PETTY CASH		200
		<hr/>
FUND BALANCE	\$	832,881
		<hr/>
OPERATING CASH	\$	331,465
INVESTMENTS		501,216
PETTY CASH		200
		<hr/>
FUND BALANCE		832,881
DEFERRED -NEP CE954836611-1		(97,025)
DEFERRED INCOME NEP LOCAL		(125,635)
DEFERRED INCOME - FAMWQ		(46,445)
DEFERRED INC. DRI - FOUNTAINS		(8,706)
DEFERRED INC. PALMER RANCH XXI		(1)
DEFERRED INCOME LEE MEMORIAL		(9)
DEFFERED INCOME - SWFCF		(2,571)
		<hr/>
NET AVAILABLE FOR RESERVE	\$	552,489
		<hr/>

Detail of Fund Balance

Total Fund Balance	\$ 708,487
--------------------	------------

Investments:

Iberia Bank CD	316,665
Local government Surplus Trust Fund Investment Pool (Fund A)	179,657
Local government Surplus Trust Fund (Fund B)	4,904

<i>Total Investments</i>	\$501,226.00
---------------------------------	---------------------

Petty Cash		\$ 200.00
Bank of America Operating Funds		\$207,061.00

Total Fund Balance	\$708,487.00
--------------------	--------------

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE SEVEN MONTHS ENDING APRIL 30, 2014

	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
REVENUES					
LOCAL ASSESSMENTS					
CHARLOTTE COUNTY	\$ 12,252	\$ 36,755	\$ 49,007	\$ 49,007	0
COLLIER COUNTY	24,739	74,216	98,955	98,955	0
GLADES COUNTY	950	2,851	3,801	3,801	0
HENDY COUNTY	2,860	8,310	11,440	11,440	0
LEE COUNTY	38,499	115,498	153,997	153,997	0
SARASOTA COUNTY	28,775	86,294	115,099	115,099	0
CITY OF FORT MYERS	5,013	15,038	20,050	20,050	0
TOWN OF FORT MYERS BEACH I	469	1,407	1,876	1,876	0
BONITA SPRINGS	3,385	10,154	13,539	13,539	0
CITY OF SANIBEL	487	1,460	1,947	1,947	0
TOTAL LOCAL ASSESSMENTS	117,429	351,983	469,711	469,711	0
FEDERAL / STATE GRANTS					
ECONOMIC DEV.-GRANT	0	13,938	12,500	12,500	0
CHNEP MANATEE	0	0	5,000	5,000	0
EPA 6014	39,157	340,033	567,309	567,309	0
FDEP- 6014	13,560	44,150	75,000	75,000	0
SWFWMD - 6014	0	33,053	130,000	130,000	0
EPA FAMWQ	11,877	60,418	190,000	190,000	0
EPA-CONSERVATION	4,492	32,004	95,944	95,944	0
DEM TITLE III	0	21,902	40,909	40,909	0
LEE BOCC-VA STUDY	0	32,613	40,000	40,000	0
HMEP-PLANNING & TRAINING	0	40,759	58,370	58,370	0
GLADES HENDRY TD	0	19,705	38,637	38,637	0
MARC - SOLAR READY	0	20,126	0	50,000	50,000
TOTAL FEDERAL / STATE GRAN	69,086	658,701	1,253,669	1,303,669	50,000
MISC. GRANTS / CONTRACTS					
GLADES SQG	0	0	3,900	3,900	0
THE NATURE CONSERVANCY	0	1,327	0	0	0
VISIT FLORIDA - 3174	0	0	5,000	5,000	0

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE SEVEN MONTHS ENDING APRIL 30, 2014

	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
TBRPC ENERGY GRANT	0	7,092	0	0	0
LEE COUNTY DEO	0	6,500	0	15,000	15,000
COLLIER CO PO #4500149533	0	0	0	3,000	3,000
337890 PO # 890	0	7,000	0	7,000	7,000
NEFRC PO # 900	0	5,250	0	5,250	5,250
6014 LOCAL	2,076	79,385	217,308	217,308	0
SWFCF - 3175	2,463	12,429	0	15,000	15,000
HENDRY COUNTY EDC-ED. TAS	8,683	14,933	0	12,500	12,500
TOTAL MISC. GRANTS/CONTRA	13,222	133,916	226,208	283,958	57,750
OTHER REVENUE SOURCES					
DRI MONITORING FEES	250	2,750	10,000	10,000	0
RENTAL SPACE-SENATOR	1,250	8,750	15,000	15,000	0
RENTAL SPACE CHNEP	0	0	15,000	0	(15,000)
DRIS/NOPCS INCOME	0	13,438	35,000	25,000	(10,000)
INTEREST INCOME	0	359	5,000	5,000	0
MISC. INCOME	0	272	0	0	0
BUDGETED CARRY OVER FB	0	0	542,797	708,304	165,507
BUDGETED CARRY OVER OPER	0	0	83,679	33,429	(50,250)
TOTAL OTHER REVENUE SOURC	1,500	25,569	706,476	796,733	90,257
TOTAL REVENUES	201,237	1,170,169	2,656,064	2,854,071	198,007

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE SEVEN MONTHS ENDING APRIL 30, 2014

	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
EXPENSES					
PERSONNEL EXPENSES					
SALARIES EXPENSE	89,419	546,955	663,046	663,046	0
SALARIES EXPENSE - NEP	0	0	292,510	328,510	36,000
FICA EXPENSE	6,600	38,792	73,100	73,100	0
RETIREMENT EXPENSE	6,909	44,483	94,535	94,535	0
HEALTH INSURANCE EXPENSE	10,653	81,133	138,190	138,190	0
WORKERS COMP. EXPENSE	244	1,849	3,696	3,696	0
TOTAL PERSONNEL EXPENSES	113,825	713,212	1,265,077	1,301,077	36,000
OPERATIONAL EXPENSES					
GRANT/CONSULTING EXPENSE	4,945	10,968	51,336	51,336	0
NEP-CONTRACTUAL	20,947	104,194	394,208	394,208	0
LEGAL	0	0	15,000	0	(15,000)
AUDIT SERVICES EXPENSE	0	41,000	40,000	40,000	0
TRAVEL EXPENSE	(7,355)	20,210	21,870	31,870	10,000
CHNEP TRAVEL	10,550	10,550	0	0	0
TELEPHONE EXPENSE	819	3,950	6,540	6,540	0
POSTAGE / SHIPPING EXPENSE	53	274	4,100	4,100	0
EQUIPMENT RENTAL EXPENSE	883	3,803	8,750	8,750	0
INSURANCE EXPENSE	0	18,616	22,500	22,500	0
REPAIR/MAINT. EXPENSE	910	7,162	15,000	15,000	0
PRINTING/REPRODUCTION EXP	643	3,146	1,500	3,000	1,500
UTILITIES (ELEC, WATER, GAR)	1,653	12,832	22,000	22,000	0
ADVERTISING/LEGAL NOTICES	476	1,350	3,600	3,600	0
OTHER MISC. EXPENSE	(46)	1,540	4,500	4,500	0
BANK SERVICE CHARGES	234	1,776	2,280	2,280	0
OFFICE SUPPLIES EXPENSE	343	4,832	8,836	8,836	0
COMPUTER RELATED EXPENSE	6,564	28,664	38,500	38,500	0
DUES AND MEMBERSHIP	500	14,731	28,800	28,800	0
PUBLICATION EXPENSE	200	560	1,250	1,250	0
PROF. DEVELOP.	984	5,439	10,120	10,120	0
MEETINGS/EVENTS EXPENSE	425	546	3,000	3,000	0

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE SEVEN MONTHS ENDING APRIL 30, 2014

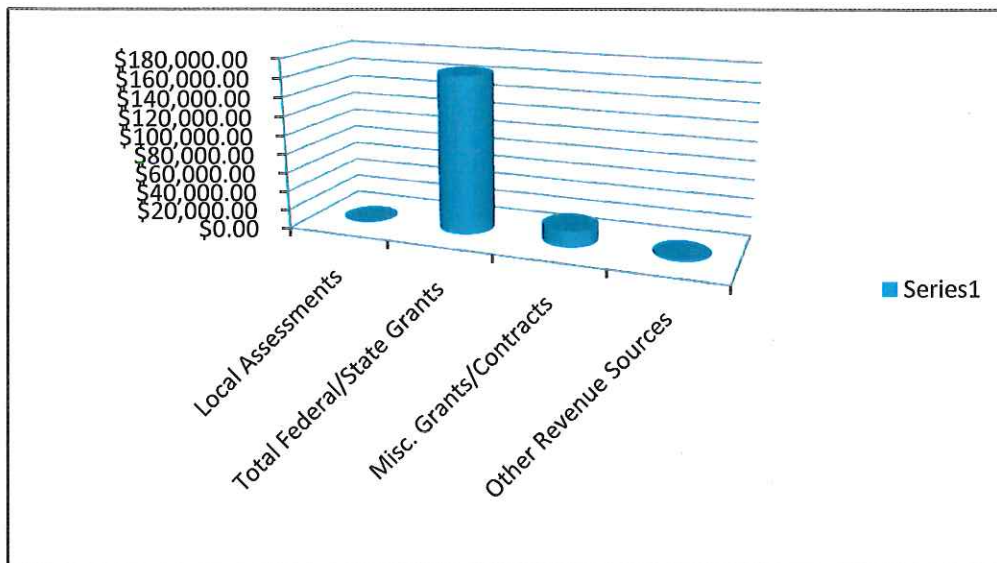
	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
CAPITAL OUTLAY EXPENSE	0	2,218	4,000	4,000	0
CAPITAL OUTLAY - BUILDING	0	1,082	12,500	12,500	0
LONG TERM DEBT	10,646	74,521	128,000	128,000	0
RESERVE FOR OPERATIONS EXP	0	0	542,797	708,304	165,507
TOTAL OPERATIONAL EXP.	54,374	373,964	1,390,987	1,552,994	162,007
TOTAL CASH OUTLAY	168,199	1,087,176	2,656,064	2,854,071	198,007
NET INCOME (LOSS)	\$ 33,038	\$ 82,993	\$ 0	\$ 0	0

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

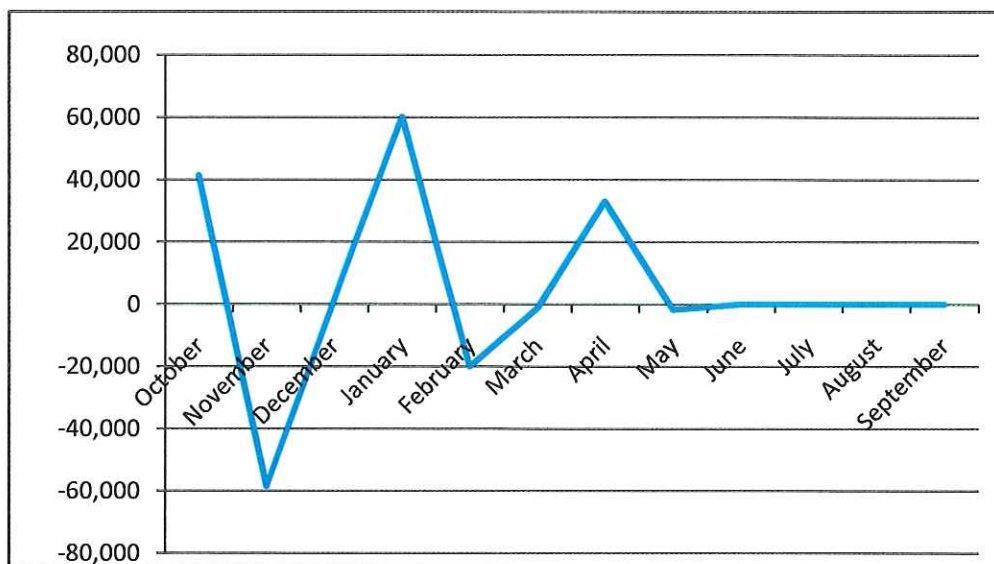
2014 Workplan & Budget Financial Snapshot - May 2014

Revenues

Local Assessments
 Total Federal/State Grants
 Misc. Grants/Contracts
 Other Revenue Sources



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
 Federal Grants (EPA) billed monthly: EPA: CHNEP; FAMWQ; and CE
 State/Federal Grants billed quarterly: LEPC, HMEP, TD, Lee Tran, and ED
 Misc. Grants/contracts billed quarterly: Visit Florida
 Misc. Grants/Contracts billed by deliverable: SQG, CHNEP Local/Grants
 Other(DRI) billed /recorded monthly as cost reimbursement



YTD: Net Income \$ 81,424 (Unaudited)

SWFRPC
BALANCE SHEET
MAY 31, 2014

Page 61 of 206

ASSETS		
CURRENT ASSETS		
FUND BALANCE	\$	693,561
ACCOUNTS RECEIVABLE		308,633
TOTAL CURRENT ASSETS		1,002,194
PROPERTY AND EQUIPMENT		
PROPERTY, FURNITURE & EQUIP		2,040,983
ACCUMULATED DEPRECIATION		(561,679)
TOTAL PROPERTY AND EQUIPMENT		1,479,304
OTHER ASSETS		
AMOUNT T.B.P. FOR L.T.L.-LEAVE		55,640
FSA DEPOSIT		2,494
AMT T.B.P. FOR L.T.DEBT-OPEP		59,864
AMOUNT T.B.P. FOR L.T.DEBT		978,951
TOTAL OTHER ASSETS		1,096,949
TOTAL ASSETS	\$	3,578,447

LIABILITIES AND CAPITAL		
CURRENT LIABILITIES		
ACCOUNTS PAYABLE	\$	0
RETAINAGE PAYABLE		2,139
DEFERRED INCOME		211,615
FICA TAXES PAYABLE		(3)
FEDERAL W/H TAX PAYABLE		(7)
UNITED WAY PAYABLE		629
FSA PAYABLE		96
LEPC CONTINGENCY FUND		305
TOTAL CURRENT LIABILITIES		214,774
LONG-TERM LIABILITIES		
ACCRUED ANNUAL LEAVE		55,640
LONG TERM DEBT - OPEB		59,864
LONG TERM DEBT - BANK OF AM.		978,951
TOTAL LONG-TERM LIABILITIES		1,094,455
TOTAL LIABILITIES		1,309,229
CAPITAL		
FUND BALANCE-UNASSIGNED		194,487
FUND BALANCE-ASSIGNED		514,000
FB-NON-SPENDABLE/FIXED ASSETS		1,479,303
NET INCOME		81,428
TOTAL CAPITAL		2,269,218
TOTAL LIABILITIES & CAPITAL	\$	3,578,447

UNAUDITED - FOR MANAGEMENT PURPOSES ONLY

SWFRPC
BALANCE SHEET
MAY 31, 2014

Page 62 of 206

FUND BALANCE DETAIL

CASH - BANK OF AMERICA OPER.	\$	191,688
CASH - IBERIA CDS		316,655
CASH - FL LOCAL GOV'T POOL		181,168
CASH - FL GOV'T POOL-FUND B		3,850
PETTY CASH		200

FUND BALANCE	\$	693,561
--------------	----	---------

OPERATING CASH	\$	191,688
----------------	----	---------

INVESTMENTS		501,673
PETTY CASH		200

FUND BALANCE		693,561
--------------	--	---------

DEFERRED -NEP CE954836611-1		(40,375)
DEFERRED INCOME NEP LOCAL		(124,644)
DEFERRED INCOME - FAMWQ		(35,380)
DEFERRED INC. DRI - FOUNTAINS		(8,706)
DEFERRED INC. PALMER RANCH XXI		(1)
DEFERRED INCOME LEE MEMORIAL		(9)
DEFERRED AVE MARIA		(2,500)

NET AVAILABLE FOR RESERVE	\$	481,946
---------------------------	----	---------

Detail of Fund Balance

Total Fund Balance	\$ 708,487
--------------------	------------

Investments:

Iberia Bank CD	316,665
Local government Surplus Trust Fund Investment Pool (Fund A)	181,168
Local government Surplus Trust Fund (Fund B)	3,850

<i>Total Investments</i>	\$501,683.00
---------------------------------	---------------------

Petty Cash	\$ 200.00
Bank of America Operating Funds	\$206,604.00

Total Fund Balance	\$708,487.00
--------------------	--------------

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE EIGHT MONTHS ENDING MAY 31, 2014

Page 64 of 206

	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
REVENUES					
LOCAL ASSESSMENTS					
CHARLOTTE COUNTY	\$ 0	\$ 36,755	\$ 49,007	\$ 49,007	0
COLLIER COUNTY	0	74,216	98,955	98,955	0
GLADES COUNTY	0	2,851	3,801	3,801	0
HENDY COUNTY	0	8,310	11,440	11,440	0
LEE COUNTY	0	115,498	153,997	153,997	0
SARASOTA COUNTY	0	86,294	115,099	115,099	0
CITY OF FORT MYERS	0	15,038	20,050	20,050	0
TOWN OF FORT MYERS BEACH I	0	1,407	1,876	1,876	0
BONITA SPRINGS	0	10,154	13,539	13,539	0
CITY OF SANIBEL	0	1,460	1,947	1,947	0
TOTAL LOCAL ASSESSMENTS	0	351,983	469,711	469,711	0
FEDERAL / STATE GRANTS					
ECONOMIC DEV.-GRANT	0	13,938	12,500	12,500	0
CHNEP - SWFWMD	55,080	55,080	0	0	0
CHNEP MANATEE	0	0	5,000	5,000	0
EPA 6014	56,651	396,684	567,309	567,309	0
FDER- 6014	42,255	86,405	75,000	75,000	0
SWFWMD - 6014	0	33,053	130,000	130,000	0
EPA FAMWQ	11,064	71,482	190,000	190,000	0
EPA-CONSERVATION	800	32,803	95,944	95,944	0
DEM TITL III	0	21,902	40,909	40,909	0
LEE BOCC-VA STUDY	0	32,613	40,000	40,000	0
HMEP-PLANNING & TRAINING	0	40,759	58,370	58,370	0
GLADES HENDRY TD	0	19,705	38,637	38,637	0
MARC - SOLAR READY	0	20,126	0	50,000	50,000
TOTAL FEDERAL / STATE GRAN	165,850	824,550	1,253,669	1,303,669	50,000
MISC. GRANTS / CONTRACTS					
GLADES SQG	0	0	3,900	3,900	0
THE NATURE CONSERVANCY	0	1,327	0	0	0

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE EIGHT MONTHS ENDING MAY 31, 2014

Page 65 of 206

	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
VISIT FLORIDA - 3174	5,000	5,000	5,000	5,000	0
TBRPC ENERGY GRANT	0	7,092	0	0	0
LEE COUNTY DEO	8,500	15,000	0	15,000	15,000
COLLIER CO PO #4500149533	0	0	0	3,000	3,000
337890 PO # 890	0	7,000	0	7,000	7,000
NEFRC PO # 900	0	5,250	0	5,250	5,250
6014 LOCAL	992	80,377	217,308	217,308	0
SWFCF - 3175	2,571	15,000	0	15,000	15,000
HENDRY COUNTY EDC-ED. TAS	0	14,933	0	12,500	12,500
TOTAL MISC. GRANTS/CONTRA	17,063	150,979	226,208	283,958	57,750
OTHER REVENUE SOURCES					
DRI MONITORING FEES	250	3,000	10,000	10,000	0
RENTAL SPACE-SENATOR	1,250	10,000	15,000	15,000	0
RENTAL SPACE CHNEP	0	0	15,000	0	(15,000)
DRIS/NOPCS INCOME	0	13,438	35,000	25,000	(10,000)
INTEREST INCOME	0	816	5,000	5,000	0
MISC. INCOME	9	281	0	0	0
BUDGETED CARRY OVER FB	0	0	542,797	708,304	165,507
BUDGETED CARRY OVER OPER	0	0	83,679	33,429	(50,250)
TOTAL OTHER REVENUE SOURC	1,509	27,535	706,476	796,733	90,257
TOTAL REVENUES	184,422	1,355,047	2,656,064	2,854,071	198,007

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

**SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE EIGHT MONTHS ENDING MAY 31, 2014**

EXPENSES	Current Month	Year to Date	FY 2013-2014	FY 2013 - 2014	Budget Change
	Actual	Actual A	Approved Budget B	Amended Budget C	
PERSONNEL EXPENSES					
SALARIES EXPENSE	87,617	634,572	663,046	663,046	0
SALARIES EXPENSE - NEP	0	0	292,510	328,510	36,000
FICA EXPENSE	6,508	45,558	73,100	73,100	0
RETIREMENT EXPENSE	8,941	53,424	94,535	94,535	0
HEALTH INSURANCE EXPENSE	11,426	92,559	138,190	138,190	0
WORKERS COMP. EXPENSE	0	1,849	3,696	3,696	0
TOTAL PERSONNEL EXPENSES	114,492	827,962	1,265,077	1,301,077	36,000
OPERATIONAL EXPENSES					
GRANT/CONSULTING EXPENSE	4,283	15,250	51,336	51,336	0
NEP-CONTRACTUAL	37,500	141,694	394,208	394,208	0
LEGAL	0	0	15,000	0	(15,000)
AUDIT SERVICES EXPENSE	0	41,000	40,000	40,000	0
TRAVEL EXPENSE	4,068	24,278	21,870	31,870	10,000
CHNEP TRAVEL	2,182	12,731	0	0	0
TELEPHONE EXPENSE	615	4,565	6,540	6,540	0
POSTAGE / SHIPPING EXPENSE	698	972	4,100	4,100	0
EQUIPMENT RENTAL EXPENSE	1,186	4,989	8,750	8,750	0
INSURANCE EXPENSE	0	18,616	22,500	22,500	0
REPAIR/MAINT. EXPENSE	1,205	8,367	15,000	15,000	0
PRINTING/REPRODUCTION EXP	0	3,146	1,500	3,000	1,500
UTILITIES (ELEC, WATER, GAR)	1,822	14,654	22,000	22,000	0
ADVERTISING/LEGAL NOTICES	822	2,172	3,600	3,600	0
OTHER MISC. EXPENSE	95	1,635	4,500	4,500	0
BANK SERVICE CHARGES	0	1,776	2,280	2,280	0
OFFICE SUPPLIES EXPENSE	185	5,017	8,836	8,836	0
COMPUTER RELATED EXPENSE	4,013	32,677	38,500	38,500	0
DUES AND MEMBERSHIP	0	14,731	28,800	28,800	0
PUBLICATION EXPENSE	208	768	1,250	1,250	0
PROF. DEVELOP.	0	5,439	10,120	10,120	0
MEETINGS/EVENTS EXPENSE	1,438	1,984	3,000	3,000	0

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE EIGHT MONTHS ENDING MAY 31, 2014

Page 67 of 206

	Current Month Actual	Year to Date Actual A	FY 2013-2014 Approved Budget B	FY 2013 - 2014 Amended Budget C	Budget Change
CAPITAL OUTLAY EXPENSE	0	2,218	4,000	4,000	0
CAPITAL OUTLAY - BUILDING	733	1,815	12,500	12,500	0
LONG TERM DEBT	10,646	85,167	128,000	128,000	0
RESERVE FOR OPERATIONS EXP	0	0	542,797	708,304	165,507
TOTAL OPERATIONAL EXP.	71,699	445,661	1,390,987	1,552,994	162,007
TOTAL CASH OUTLAY	186,191	1,273,623	2,656,064	2,854,071	198,007
NET INCOME (LOSS)	\$ (1,769)	\$ 81,424	\$ 0	\$ 0	0

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

--- Agenda --- Item

9c

Endorsement of the Transportation
Disadvantaged Planning Grant
Application Resolution for FY14-15

9c

9c

ENDORSEMENT OF THE TRANSPORTATION DISADVANTAGED PLANNING GRANT APPLICATION RESOLUTION

The Southwest Florida Regional Planning Council has the authority to file a Transportation Disadvantaged (TD) Planning Grant Application for Glades and Hendry Counties and to undertake a TD service project as authorized by Section 427.0159, *Florida Statutes*, and Rule 41-2, *Florida Administrative Code*. As part of the annual process, the TD Planning Grant Application must be filed. The amount requested in this TD Planning Grant Application for FY 2014/2015 is \$38,573. The planning tasks include:

- Conducting the Annual Transportation Disadvantaged Service Plan;
- Community Transportation Coordinator (CTC) Evaluation;
- Staff support at LCB meetings;
- Review of LCB bylaws, grievances procedures, reports; and
- Conducting LCB training.

RECOMMENDED ACTIONS: Endorsement of the TD Planning Grant Application and Resolution.

AUTHORIZING RESOLUTION #2014-03

A RESOLUTION of the **SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL** (Recipient), hereinafter **COUNCIL**, hereby authorizes the execution of a Transportation Disadvantaged Trust Fund Grant Agreement with the Florida Commission for the Transportation Disadvantaged.

WHEREAS, this COUNCIL is eligible to receive a Transportation Disadvantaged Trust Fund Grant and to undertake a transportation disadvantaged planning service project as authorized by Section 427.0159, Florida Statutes, and Rule 41-2, Florida Administrative Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL THAT:

1. The COUNCIL has the authority to file this grant agreement.
2. The COUNCIL authorizes the Executive Director, Ms. Margaret Wuerstle, to execute the grant agreement on behalf of the Southwest Florida Regional Planning Council with the Florida Commission for the Transportation Disadvantaged.
3. The COUNCIL'S Registered Agent in Florida is: Sean McCabe.
The Registered Agents address is: 1926 Victoria Avenue in Fort Myers, FL 33901.
4. The COUNCIL authorizes Margaret Wuerstle to sign any and all agreements or contracts which are required in connection with the application.
5. The COUNCIL authorizes Margaret Wuerstle to sign any and all assurances, reimbursement invoices, warranties, certifications and any other documents which may be required in connection with the application or subsequent agreements.

DULY PASSED AND ADOPTED THIS 19TH DAY OF JUNE, 2014.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Teresa Heitmann, Chair

ATTEST:

Margaret Wuerstle, Executive Director

SAMAS Approp: 108846	Fund: TDTF	FM/Job No(s) 43202911401
SAMAS Obj.: 7750075	Function: 035	CSFA No. 55.002
Org Code: 55 12 00 00 952	Contract No.:	Vendor No.: 59-1515448-006

FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED PLANNING GRANT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2014 by and between the STATE OF FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED, created pursuant to Chapter 427, Florida Statutes, hereinafter called the Commission and Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Ft. Myers, Florida 33901, hereinafter called the Grantee/Agency.

W I T N E S S E T H:

WHEREAS, the Grantee has the authority to enter into this Agreement and to undertake the Project hereinafter described, and the Commission has been granted the authority to carry out responsibilities of the Commission which includes the function of the Designated Official Planning Agency and other responsibilities identified in Chapter 427, Florida Statutes or rules thereof;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree as follows:

1.00 Purpose of Agreement: The purpose of this Agreement is to:

Provide financial assistance to accomplish the duties and responsibilities of the Official Planning Agency as set forth in Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, Commission policies, and the Program Manual for Transportation Disadvantaged Planning Related Services as revised on April 2, 2014; and as further described in this Agreement and in Exhibit(s) A, B, C, D attached hereto and by this reference made a part hereof, hereinafter called the Project; and, for the Commission to provide financial assistance to the Grantee and state the terms and conditions upon which such assistance will be provided and the understandings as to the manner in which the Project will be undertaken and completed.

2.00 Accomplishment of the Project:

2.10 General Requirements: The Grantee shall commence, and complete the Project as described in Exhibit "A" with all practical dispatch, in a sound, economical, and efficient manner, and in accordance with the provisions herein, and all applicable laws.

2.20 Pursuant to Federal, State, and Local Law: In the event that any election, referendum, approval, permit, notice, or other proceeding or authorization is requisite under applicable law to enable the Grantee to enter into this Agreement or to undertake the Project hereunder, or to observe, assume or carry out any of the provisions of the Agreement, the Grantee will initiate and consummate, as provided by law, all actions necessary with respect to any such matters so requisite.

2.30 Funds of the Agency: The Grantee will use its best efforts to enable the Grantee to provide the necessary funds for the completion of the Project.

2.40 Submission of Proceedings, Contracts and Other Documents and Products:

The Grantee shall submit to the Commission such data, reports, records, contracts, certifications and other financial and operational documents or products relating to the Project as the Commission may require as provided by law, rule or under this agreement including those listed in Exhibit "C". Failure by the Grantee to provide such documents, or provide documents or products required by previous agreements between the Commission and the Grantee, may, at the Commission's discretion, result in refusal to reimburse project funds or other permissible sanctions against the Grantee, including termination.

2.50 Incorporation by Reference: The Grantee and Commission agree that by entering into this Agreement, the parties explicitly incorporate by reference into this Agreement the applicable law and provisions of Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, and the Program Manual for Transportation Disadvantaged Planning Related Services, as revised on April 2, 2014.

3.00 Total Project Cost: The total estimated cost of the Project is \$ 38,573.00. This amount is based upon the budget summarized in Exhibit "B" and by this reference made a part hereof. The Grantee agrees to bear all expenses in excess of the total estimated cost of the Project and any deficits involved, including any deficits revealed by an audit performed in accordance with Article 11.00 hereof after completion of the project.

4.00 Commission Participation: The Commission agrees to maximum participation, including contingencies, in the Project in the amount of \$ 38,573.00 as detailed in Exhibit "B", or in an amount equal to the percentage(s) of total actual project cost shown in Exhibit "B", whichever is less.

4.10 Eligible Costs: Planning Grant Funds, derived exclusively from the Transportation Disadvantaged Trust Fund, may only be used by the Commission and the Grantee to undertake planning activities.

4.20 Eligible Project Expenditures: Project expenditures eligible for State participation will be allowed only from the date of this Agreement. It is understood that State participation in eligible project costs is subject to:

- a) The understanding that disbursement of funds will be made in accordance with the Commission's cash forecast;
- b) Availability of funds as stated in Article 17.00 of this Agreement;
- c) Commission approval of the project scope and budget (Exhibits A & B) at the time appropriation authority becomes available; and
- d) Submission of all certifications, invoices, detailed supporting documents or other obligating documents and all other terms of this agreement.

4.30 Front End Funding: Front end funding is not applicable.

5.00 Retainage: Retainage is not applicable.

6.00 Project Budget and Disbursement Schedule:

6.10 The Project Budget: The Grantee shall maintain the Commission approved Project Budget, as set forth in Exhibit "B", carry out the Project, and shall incur obligations against and make disbursements of Project funds only in conformity with the latest approved budget for the Project. The budget may be revised periodically, but no budget revision shall be effective unless it complies with fund participation requirements established in Article 4.00 of this Agreement and is approved in writing by the Commission. Any budget revision which changes the fund participation requirements established in Article 4.00 of this agreement shall not be effective unless approved in writing by the Commission and the Florida Department of Transportation Comptroller.

6.20 Schedule of Disbursements: The Grantee shall abide by the Commission approved disbursements schedule, contained in Exhibit "B". This schedule shall show disbursement of Commission funds for the entire term of the Project by month or quarter of the fiscal year in accordance with Commission fiscal policy. The schedule may be divided by Project phase where such division is determined to be appropriate by the Commission. Any deviation from the approved schedule in Exhibit "B" requires advance submission of a supplemental schedule by the agency and advance approval by the Commission. Reimbursement for the Commission's share of the project shall not be made for an amount greater than the cumulative total up to any given month as indicated in the disbursement schedule in Exhibit "B".

7.00 Accounting Records, Audits and Insurance:

7.10 Establishment and Maintenance of Accounting Records: The Grantee shall establish for the Project, in conformity with the latest current uniform requirements established by the Commission to facilitate the administration of the financing program, either separate accounts to be maintained within its existing accounting system, or establish independent accounts. Such financing accounts are referred to herein collectively as the "Project Account". The Project Account, and detailed documentation supporting the Project Account, must be made available upon request, without cost, to the Commission any time during the period of the Agreement and for five years after final payment is made or if any audit has been initiated and audit findings have not been resolved at the end of five years, the records shall be retained until resolution of the audit findings.

7.20 Funds Received Or Made Available for The Project: The Grantee shall appropriately record in the Project Account, and deposit in a bank or trust company which is a member of the Federal Deposit Insurance Corporation, all payments received by it from the Commission pursuant to this Agreement and all other funds provided for, accruing to, or otherwise received on account of the Project, which Commission payments and other funds are herein collectively referred to as "Project Funds". The Grantee shall require depositories of Project Funds to secure continuously and fully all Project Funds in excess of the amounts insured under Federal plans, or under State plans which have been approved for the deposit of

Project funds by the Commission, by the deposit or setting aside of collateral of the types and in the manner as prescribed by State law for the security of public funds, or as approved by the Commission.

7.30 Costs Incurred for the Project: The Grantee shall charge to the Project Account all eligible costs of the Project. Costs in excess of the latest approved budget, costs which are not within the statutory criteria for the Transportation Disadvantaged Trust Fund, or attributable to actions which have not met the other requirements of this Agreement, shall not be considered eligible costs.

7.40 Documentation of Project Costs and Claims for Reimbursement: All costs charged to the Project shall be supported by detailed supporting documentation evidencing in proper detail the nature and propriety of the charges.

The Grantee shall provide sufficient detailed documentation for each cost or claim for reimbursement to allow an audit trail to ensure that the tasks accomplished or deliverables completed in acceptable form to the Commission were those which were promised. The documentation must be sufficiently detailed to comply with the laws and policies of the Department of Financial Services.

7.50 Checks, Orders, and Vouchers: Any check or order drawn by the Grantee with respect to any item which is or will be chargeable against the Project Account will be drawn only in accordance with a properly signed voucher then on file in the office of the Grantee stating in proper detail the purpose for which such check or order is drawn. All checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents pertaining in whole or in part to the Project shall be clearly identified, readily accessible, within the Grantees existing accounting system, and, to the extent feasible, kept separate and apart from all other such documents.

7.60 Audits:

Part I: Federally Funded

Recipients of federal funds (i.e. state, local government, or non-profit organizations as defined in OMB Circular A-133, as revised) are to have audits done annually using the following criteria:

1. In the event that the recipient expends \$500,000 or more in Federal awards in its fiscal year, the recipient must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. Exhibit "D" to this agreement indicates Federal resources awarded through the Department by this agreement. In determining the Federal awards expended in its fiscal year, the recipient shall consider all sources of Federal awards, including Federal resources received from the Commission. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by OMB Circular A-133, as revised. An audit of the recipient conducted by the Auditor General in

accordance with the provisions of OMB Circular A-133, as revised, will meet the requirements of this part.

2. In connection with the audit requirements addressed in Part I, paragraph 1., the recipient shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133, as revised.
3. If the recipient expends less than \$500,000 in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, is not required. However, if the recipient elects to have an audit conducted in accordance with the provisions of OMB Circular A-133, as revised the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from recipient resources obtained from other than Federal entities).
4. Federal awards are to be identified using the Catalog of Federal Domestic Assistance (CFDA) title and number, award number and year, and name of the awarding federal agency.

Part II: State Funded

Recipients of state funds (i.e. a nonstate entity as defined by Section 215.97(2), Florida Statutes) are to have audits done annually using the following criteria:

1. In the event that the recipient expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year, the recipient must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services and the CFO; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. Exhibit "D" to this agreement indicates the state financial assistance awarded through the Department by this agreement. In determining the state financial assistance expended in its fiscal year, the recipient shall consider all sources of state financial assistance, including state financial assistance received from the Commission, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.
2. The Recipient shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
3. If the recipient expends less than \$500,000 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. However, if the recipient elects to have an audit conducted

in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the nonstate entity's resources (i.e., the cost of such an audit must be paid from the recipient's resources obtained from other than State entities).

4. State awards are to be identified using the Catalog of State Financial Assistance (CSFA) title and number, award number and year, and name of the state agency awarding it.

Part III: Other Audit Requirements

The Recipient shall follow up and take corrective action on audit findings. Preparation of a summary schedule of prior year audit findings, including corrective action and current status of the audit findings is required. Current year audit findings require corrective action and status of findings.

Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is completed or the dispute is resolved. Access to project records and audit work papers shall be given to the Commission, the Department of Financial Services, and the Auditor General. This section does not limit the authority of the Commission to conduct or arrange for the conduct of additional audits or evaluations of state financial assistance or limit the authority of any other state official.

Part IV: Report Submission

1. Copies of reporting packages for audits conducted in accordance with OMB Circular A-133, as revised, and required by Part I above shall be submitted, when required by Section .320(d), OMB Circular A-133, as revised, by or on behalf of the recipient directly to each of the following:
 - A. Project Manager
Florida Department of Transportation
Office of Comptroller, MS-24
605 Suwannee Street
Tallahassee, Florida 32399-0450
Email: FDOTSingleAudit@dot.state.fl.us
 - B. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320(d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse) at the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

C. Other Federal agencies and pass-through entities in accordance with Sections .320 (e) and (f), OMB Circular A-133, as revised.

1. In the event that a copy of the reporting package for an audit required by Part I above and conducted in accordance with OMB Circular A-133, as revised, is not required to be submitted to the Commission for reasons pursuant to section .320(e)(2), OMB Circular A-133, as revised, the recipient shall submit the required written notification pursuant to Section .320(e)(2) and a copy of the recipient's audited schedule of expenditures of Federal awards directly to each of the following:

Florida Department of Transportation
Office of Comptroller, MS-24
605 Suwannee Street
Tallahassee, Florida 32399-0450
Email: FDOTSingleAudit@dot.state.fl.us

In addition, pursuant to Section .320(f), OMB Circular A-133, as revised, the recipient shall submit a copy of the reporting package described in Section .320(c), OMB Circular A-133, as revised, and any management letters issued by the auditor, to the Commission at each of the following addresses:

Florida Department of Transportation
Office of Comptroller, MS-24
605 Suwannee Street
Tallahassee, Florida 32399-0450
Email: FDOTSingleAudit@dot.state.fl.us

Copies of financial reporting packages shall be submitted by or on behalf of the recipient directly to each of the following:

Florida Department of Transportation
Office of Comptroller, MS-24
605 Suwannee Street
Tallahassee, Florida 32399-0450
Email: FDOTSingleAudit@dot.state.fl.us

And

Auditor General's Office
Room 401, Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

Copies of reports or the management letter required by audit findings shall be submitted by or on behalf of the recipient directly to:

Florida Department of Transportation
Office of Comptroller, MS-24
605 Suwannee Street
Tallahassee, Florida 32399-0450
Email: FDOTSingleAudit@dot.state.fl.us

Part V: Record Retention

The recipient shall retain sufficient records demonstrating its compliance with the terms of the Planning Grant agreement for a period of at least five years from the date the audit report is issued, and shall allow the Commission or its designee, CFO, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Commission, or its designee, CFO, or Auditor General upon request for a period of at least five years from the date the audit report is issued, unless extended in writing by the Commission.

Monitoring: In addition to reviews of audits conducted in accordance with Section 215.97, F.S., as revised (see "Audits" above), monitoring procedures may include, but not be limited to, on-site visits by Commission staff. The grantee agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Commission. In the event the Commission determines that a limited scope audit of the grantee is appropriate, the grantee agrees to comply with any additional instructions provided by the Commission staff regarding such audit. The grantee further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Florida Department of Transportation's Office of Inspector General (OIG) and Florida's Chief Financial Officer (CFO) or Auditor General.

8.00 Requisitions and Payments:

8.10 Preliminary Action by the Grantee: In order to obtain any Commission funds, the Grantee shall:

8.11 File with the Commission for the Transportation Disadvantaged, 605 Suwannee Street, Mail Station 49, Tallahassee, Florida, 32399-0450 its requisition on form or forms prescribed by the Commission, and such other data pertaining to the Project Account and the Project (as listed in Exhibit "C" hereof) as the Commission may require, to justify and support the payment requisitions, invoices, and vouchers, as specified in the Commission's Grant Agreement/Contract Invoicing Procedures.

8.12 Grantee certifies, under penalty of perjury, that the Agency will comply with the provisions of the Agreement and that all invoices and support documentation will be true and correct.

8.20 The Commission's Obligations: Subject to other provisions hereof, the Commission will honor such requisitions in amounts and at times deemed by the Commission to be proper and in accordance with this agreement to ensure the completion of the Project and payment of the eligible costs. However, notwithstanding any other provision of this Agreement, the Commission may give written notice to the Grantee that it will refuse to make a payment to the Grantee on the Project Account if:

8.21 Misrepresentation: The Grantee has made misrepresentation of a material nature in its application, or any supplement thereto or amendment thereof, with respect to any document of data or certification furnished therewith or pursuant hereto;

8.22 Litigation: There is pending litigation with respect to the performance by the Grantee of any of its duties or obligations which may jeopardize or adversely affect the Project, the Agreement, or payments to the Project;

8.23 Required Submittals/Certifications: The Grantee has failed or refused to provide to the Commission detailed documentation of requisitions or certifications of actions taken;

8.24 Conflict of Interests: There has been any violation of the conflict of interest provisions, prohibited interests, or lobbying restrictions, contained herein;

8.25 Default: The Grantee has been determined by the Commission to be in default under any of the provisions of this or any other Agreement which the Grantee has with the Commission; or

8.26 Supplanting of Funds: The Grantee has used Transportation Disadvantaged Trust Funds to replace or supplant available and appropriate funds for the same purposes, in violation of Chapter 427, Florida Statutes.

8.30 Disallowed Costs: In determining the amount of the Grantee's payment, the Commission will exclude all costs incurred by the Grantee prior to the effective date of this Agreement, costs which are not provided for in the latest approved budget for the Project, costs which are not within the statutory criteria for the Transportation Disadvantaged Trust Fund, and costs attributable to goods, equipment or services received under a contract or other arrangements which have not been approved in writing by the Commission or certified by the Grantee, pursuant to Exhibit "C".

8.40 Invoices for Goods or Services: Invoices for goods or services or expenses provided or incurred pursuant to this Agreement shall be submitted in detail sufficient for a proper preaudit and postaudit thereof. Failure to submit to the Commission detailed supporting documentation with the invoice or request for project funds will be cause for the Commission to refuse to pay the amount claimed by the Grantee until the Commission is satisfied that the criteria set out in Chapters 287 and 427, Florida Statutes, Rules 3A-24, 41-2, and 60A-1 Florida Administrative Code, and the Program Manual for Planning Related Services is met. The Commission shall pay the Grantee for the satisfactory performance of each task as outlined in Exhibit "A."

8.60 Commission Claims: If, after project completion, any claim is made by the Commission resulting from an audit or for work or services performed pursuant to this agreement, the Commission may offset such amount from payments due for work or services done under any grant agreement which it has with the Grantee owing such amount if, upon demand, payment of the amount is not made within sixty (60) days to the Commission. Offsetting any amount pursuant to this section shall not be considered a breach of contract by the Commission.

9.00 Termination or Suspension of Project:

9.10 Termination or Suspension Generally: If the Grantee abandons or, before completion, finally discontinues the Project; or if, by reason of any of the events or conditions set forth in Section 8.20 hereof, or for any other reason, the commencement, prosecution, or timely completion of the Project by the Grantee is rendered improbable, infeasible, impossible, or illegal, the Commission may, by written notice to the Grantee, suspend any or all of its obligations under this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected, or the Commission may terminate any or all of its obligations under this Agreement.

9.20 Action Subsequent to Notice of Termination or Suspension. Upon receipt of any final termination or suspension notice under this Section, the Grantee shall proceed promptly to carry out the actions required therein which may include any or all of the following: (1) necessary action to terminate or suspend, as the case may be, Project activities and contracts and such other action as may be required or desirable to keep to the minimum the costs upon the basis of which the financing is to be computed; (2) furnish a statement of the project activities and contracts, and other undertakings the cost of which are otherwise includable as Project costs; and (3) remit to the Commission such portion of the financing and any advance payment previously received as is determined by the Commission to be due under the provisions of the Agreement. The termination or suspension shall be carried out in conformity with the latest schedule, plan, and budget as approved by the Commission or upon the basis of terms and conditions imposed by the Commission upon the failure of the Grantee to furnish the schedule, plan, and budget within a reasonable time. The acceptance of a remittance by the Grantee shall not constitute a waiver of any claim which the Commission may otherwise have arising out of this Agreement.

9.30 Public Access to Records: The Commission reserves the right to unilaterally cancel this agreement for refusal by the agency or its contractors to allow public access to all documents, papers, letters, records, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received in conjunction with this agreement.

10.00 Remission of Project Account Upon Completion of Project: Upon completion and after financial audit of the Project, and after payment, provision for payment, or reimbursement of all Project costs payable from the Project Account is made, the Grantee shall remit to the Commission its share of any unexpended balance in the Project Account.

11.00 Audit and Inspection: The Grantee shall permit, and shall require its contractors to

permit, the Commission's authorized representatives to inspect all work, materials, deliverables, records; and to audit the books, records and accounts pertaining to the financing and development of the Project at all reasonable times including upon completion of the Project, and without notice.

12.00 Contracts of the Grantee:

12.10 Third Party Agreements: The Grantee shall not execute any contract or obligate itself in any manner requiring the disbursement of Transportation Disadvantaged Trust Fund moneys, including contracts or amendments thereto, with any third party with respect to the Project without being able to provide a written certification by the Grantee that the contract or obligation was executed in accordance with the competitive procurement requirements of Chapter 287, Florida Statutes, Chapter 427, Florida Statutes, and the rules promulgated by the Department of Management Services. Failure to provide such certification, upon the Commission's request, shall be sufficient cause for nonpayment by the Commission as provided in Paragraph 8.23. The Grantee agrees, that by entering into this Agreement, it explicitly certifies that all of its third party contacts will be executed in compliance with this section.

12.20 Compliance with Consultants' Competitive Negotiation Act: It is understood and agreed by the parties hereto that participation by the Commission in a project with the Grantee, where said project involves a consultant contract for any services, is contingent on the Agency complying in full with provisions of section 287.055, Florida Statutes, Consultants Competitive Negotiation Act. The Grantee shall certify compliance with this law to the Commission for each consultant contract it enters.

12.30 Competitive Procurement: Procurement of all services or other commodities shall comply with the provisions of section 287.057, Florida Statutes. Upon the Commission's request, the Grantee shall certify compliance with this law.

13.00 Restrictions, Prohibitions, Controls, and Labor Provisions:

13.10 Equal Employment Opportunity: In connection with the carrying out of any Project, the Grantee shall not discriminate against any employee or applicant for employment because of race, age, disability, creed, color, sex or national origin. The Grantee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, age, disability, creed, color, sex, or national origin. Such action shall include, but not be limited to, the following: Employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Grantee shall insert the foregoing provision modified only to show the particular contractual relationship in all its contracts in connection with the development of operation of the Project, except contracts for the standard commercial supplies or raw materials, and shall require all such contractors to insert a similar provision in all subcontracts, except subcontracts for standard commercial supplies or raw materials. The Grantee shall post, in conspicuous places available to employees and applicants for employment for Project work, notices setting forth the provisions of the nondiscrimination clause.

13.20 Title VI - Civil Rights Act of 1964: The Grantee will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (78 Statute 252), the Regulations of the Federal Department of Transportation, the Regulations of the Federal Department of Justice, and the assurance by the Agency pursuant thereto.

13.30 Prohibited Interests:

13.31 Contracts or Purchases: Unless authorized in writing by the Commission, no officer of the Grantee, or employee acting in his or her official capacity as a purchasing agent, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the Grantee from any business entity of which the officer or employee or the officer's or employee's business associate or spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer's or employee's spouse or child, or any combination of them, has a material interest.

13.32 Business Conflicts: Unless authorized in writing by the Commission, it is unlawful for an officer or employee of the Grantee, or for any company, corporation, or firm in which an officer or employee of the Grantee has a financial interest, to bid on, enter into, or be personally interested in the purchase or the furnishing of any materials, services or supplies to be used in the work of this agreement or in the performance of any other work for which the Grantee is responsible.

13.33 Solicitations: No officer or employee of the Grantee shall directly or indirectly solicit or accept funds from any person who has, maintains, or seeks business relations with the Grantee.

13.34 Former Employees - Contractual Services: Unless authorized in writing by the Commission, no employee of the Grantee shall, within 1 year after retirement or termination, have or hold any employment or contractual relationship with any business entity in connection with any contract for contractual services which was within his or her responsibility while an employee.

13.35 Former Employees - Consulting Services: The sum of money paid to a former employee of the Grantee during the first year after the cessation of his or her responsibilities, by the Grantee, for contractual services provided to the Grantee, shall not exceed the annual salary received on the date of cessation of his or her responsibilities. The provisions of this section may be waived by the Grantee for a particular contract if the Grantee determines, and the Commission approves, that such waiver will result in significant time or cost savings for the Grantee and the project.

The Grantee shall insert in all contracts entered into in connection with this Agreement and shall require its contractors to insert in each of their subcontracts, the following provision:

"No member, officer, or employee of the Grantee during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof."

The provisions of this section shall not be applicable to any agreement between the Grantee and its fiscal depositories, or to any agreement for utility services the rates for which are fixed or controlled by a Governmental agency.

13.40 Non-discrimination of Persons With Disabilities: The Grantee and any of its contractors or their sub-contractors shall not discriminate against anyone on the basis of a handicap or disability (physical, mental or emotional impairment). The Grantee agrees that no funds shall be used to rent, lease or barter any real property that is not accessible to persons with disabilities nor shall any meeting be held in any facility unless the facility is accessible to persons with disabilities. The Grantee shall also assure compliance with The Americans with Disabilities Act, as it may be amended from time to time.

13.50 Lobbying Prohibition: No Grantee may use any funds received pursuant to this Agreement for the purpose of lobbying the Legislature, the judicial branch, or a state agency. No Grantee may employ any person or organization with funds received pursuant to this Agreement for the purpose of lobbying the Legislature, the judicial branch, or a state agency. The "purpose of lobbying" includes, but is not limited to, salaries, travel expenses and per diem, the cost for publication and distribution of each publication used in lobbying; other printing; media; advertising, including production costs; postage; entertainment; telephone; and association dues. The provisions of this paragraph supplement the provisions of section 11.062, Florida Statutes, which is incorporated by reference into this Agreement.

13.60 Public Entity Crimes: No Grantee shall accept any bid from, award any contract to, or transact any business with any person or affiliate on the convicted vendor list for a period of 36 months from the date that person or affiliate was placed on the convicted vendor list unless that person or affiliate has been removed from the list pursuant to section 287.133, Florida Statutes. The Grantee may not allow such a person or affiliate to perform work as a contractor, supplier, subcontractor, or consultant under a contract with the Grantee. If the Grantee was transacting business with a person at the time of the commission of a public entity crime which resulted in that person being placed on the convicted vendor list, the Grantee may also not accept any bid from, award any contract to, or transact any business with any other person who is under the same, or substantially the same, control as the person whose name appears on the convicted vendor list so long as that person's name appears on the convicted vendor list.

13.70 Homeland Security: Grantee shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of:

1. all new persons employed by the grantee during the term of the grant agreement to perform employment duties within Florida; and

2. all new persons, including subcontractors, assigned by the grantee to perform work pursuant to the contract with the Commission.

The Commission shall consider the employment by any vendor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the vendor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this agreement.

Refer to the U.S. Department of Homeland Security's website at www.dhs.gov to learn more about E-Verify.

14.00 Miscellaneous Provisions:

14.10 Environmental Pollution:Not applicable.

14.20 Commission Not Obligated to Third Parties: The Commission shall not be obligated or liable hereunder to any party other than the Grantee.

14.30 When Rights and Remedies Not Waived: In no event shall the making by the Commission of any payment to the Grantee constitute or be construed as a waiver by the Commission of any breach of covenant or any default which may then exist, on the part of the Grantee, and the making of such payment by the Commission while any such breach or default shall exist shall in no way impair or prejudice any right or remedy available to the Commission for such breach or default.

14.40 How Contract Affected by Provisions Being Held Invalid: If any provision of this Agreement is held invalid, the provision shall be severable and the remainder of this Agreement shall not be affected. In such an instance the remainder would then continue to conform to the terms and requirements of applicable law.

14.50 Bonus and Commissions: By execution of the Agreement the Grantee represents that it has not paid and, also, agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its financing hereunder.

14.60 State or Territorial Law: Nothing in the Agreement shall require the Grantee to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable State law: Provided, that if any of the provisions of the Agreement violate any applicable State law, the Grantee will at once notify the Commission in writing in order that appropriate changes and modifications may be made by the Commission and the Agency to the end that the Grantee may proceed as soon as possible with the Project.

15.00 Plans and Specifications: Not applicable.

16.00 Contractual Indemnity: To the extent permitted by law, the Grantee shall indemnify, defend, save, and hold harmless the Commission and all their officers, agents or employees from all suits, actions, claims, demands, and liability of any nature whatsoever arising out of, because of, or due to breach of the agreement by the Planning Agency or its subcontractors, agents or employees or due to any negligent act, or occurrence of omission or commission of the Grantee, its subcontractors, agents or employees. Neither the Grantee nor any of its agents will be liable under this article for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the Commission or any of their officers, agents or employees. The parties agree that this clause shall not waive the benefits or provisions of section 768.28 Florida Statutes, or any similar provision of law. Notwithstanding the foregoing, pursuant to section 768.28, Florida Statutes, no agency or subdivision of the state shall be required to indemnify, insure, or assume any liability for the Commission's or any subcontractor's or other entity's negligence.

17.00 Appropriation of Funds:

17.10 The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature. If applicable, Grantee's performance of its obligations under this Agreement is subject to an appropriation by the Grantee's Board of County Commissioners for the purposes set forth hereunder. The Commission acknowledges where the Grantee is a political subdivision of the State of Florida it is authorized to act in accordance with the Grantee's purchasing ordinance(s), laws, rules and regulations.

17.20 Multi-Year Commitment: Whereas the Commission is created in the Florida Department of Transportation (Department) and assigned to the Secretary of the Florida Department of Transportation for administrative and fiscal accountability purposes; in the event this agreement is in excess of \$25,000 and has a term for a period of more than one year, the provisions of section 339.135(7)(a), and section 287.058, Florida Statutes, are hereby incorporated:

"(a) The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection shall be null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of twenty-five thousand dollars and having a term for a period of more than one year."

In the event that this Agreement is for more than one year, this Agreement may be renewed on a yearly basis for a period of up to 2 years after the initial Agreement or for a period no longer than the term of the original Agreement, whichever period is longer, on the condition that renewals shall be contingent upon satisfactory performance evaluations by the Grantee and is subject to the availability of funds. The Commission's performance and obligation to pay under any multi-year Agreement is explicitly contingent upon an annual appropriation by the Legislature.

18.00 Expiration of Agreement: The Grantee agrees to complete the Project on or before June 30, 2015. If the Grantee does not complete the Project within this time period, this agreement will expire unless an extension of the time period is granted to the Grantee in writing by the Chairperson of the Commission for the Transportation Disadvantaged or designee. Expiration of this agreement will be considered termination of the Project and the procedure established in Article 9.00 of this agreement shall be initiated. For the purpose of this Article, completion of project is defined as the latest date by which services may have been provided or equipment funds may have been expended or obligated under a purchase order, as provided in the project description (Exhibit "A"). Unless otherwise extended by the Commission, all reimbursement invoices must be received by the Commission no later than August 15, 2015.

19.00 Agreement Format: All words used herein in the singular form shall extend to and include the plural. All words used in the plural form shall extend to and include the singular. All words used in any gender shall extend to and include all genders.

20.00 Execution of Agreement: This agreement may be simultaneously executed in a minimum of two counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one in the same instrument.

21.00 Vendors and Subcontractors Rights: Vendors (in this document identified as Grantee) providing goods and services to the Commission will receive payments in accordance with section 215.422, Florida Statutes. The parties hereto acknowledge Section 215.422, Florida Statutes, and hereby agree that the time in which the Commission is required to approve and inspect goods and services shall be for a period not to exceed eleven (11) working days upon receipt of a proper invoice. The Florida Department of Transportation has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved.

If a payment is not available within forty (40) days after receipt of the invoice and receipt, inspection and approval of goods and services, a separate interest penalty per day (as defined by Rule) will be due and payable, in addition to the invoice amount to the Grantee. The interest penalty provision applies after a thirty-five (35) day time period to health care providers, as defined by rule. Interest penalties of less than one (1) dollar will not be enforced unless the Grantee requests payment. Invoices which have to be returned to a Grantee because of vendor preparation errors will result in a delay in the payment.

The invoice payment requirements do not start until a properly completed invoice is provided to the Commission.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for vendors who may be experiencing problems in obtaining timely payment(s) from the Commission. The Vendor Ombudsman may be contacted at (850) 413-5516 or toll free (877) 693-5236.

21.20 Payment to Subcontractors: Payment by the Grantee to all subcontractors with approved third party contracts shall be in compliance with Section 287.0585, Florida Statutes. Each third party contract from the Grantee to a subcontractor for goods or services to be performed in whole or in part with Transportation Disadvantaged Trust Fund moneys, must contain the following statement:

When a contractor receives from a state agency any payment for contractual services, commodities, supplies, or construction contracts, except those construction contracts subject to the provisions of chapter 339, the contractor shall pay such moneys received to each subcontractor and supplier in proportion to the percentage of work completed by each subcontractor and supplier at the time of receipt of the payment. If the contractor receives less than full payment, then the contractor shall be required to disburse only the funds received on a pro rata basis with the contractor, subcontractors, and suppliers, each receiving a prorated portion based on the amount due on the payment. If the contractor without reasonable cause fails to make payments required by this section to subcontractors and suppliers within 7 working days after the receipt by the contractor of full or partial payment, the contractor shall pay to the subcontractors and suppliers a penalty in the amount of one-half of 1 percent of the amount due, per day, from the expiration of the period allowed herein for payment. Such penalty shall be in addition to actual payments owed and shall not exceed 15 percent of the outstanding balance due. In addition to other fines or penalties, a person found not in compliance with any provision of this subsection may be ordered by the court to make restitution for attorney's fees and all related costs to the aggrieved party or the Department of Legal Affairs when it provides legal assistance pursuant to this section. The Department of Legal Affairs may provide legal assistance to subcontractors or vendors in proceedings brought against contractors under the provisions of this section.

22.00 Modification: This Agreement may not be changed or modified unless authorized in writing by the Commission.

FM/JOB No(s).	<u>43202911401</u>
CONTRACT NO.	_____
AGREEMENT	_____
DATE	_____

IN WITNESS WHEREOF, the parties hereto have caused these presents be executed, the day and year first above written.

GRANTEE: Southwest Florida Regional Planning Council	COMMISSION FOR THE TRANSPORTATION DISADVANTAGED
---	--

BY: _____

BY: _____

TITLE: _____

TITLE: Executive Director (Commission Designee)

FM/JOB No(s). 43202911401

CONTRACT NO. _____

AGREEMENT _____

DATE _____

EXHIBIT "A"
PROJECT DESCRIPTION AND RESPONSIBILITIES:
PLANNING

This exhibit forms an integral part of that Grant Agreement, between the State of Florida, Commission for the Transportation Disadvantaged and Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Ft. Myers, Florida 33901.

I. PROJECT LOCATION: Glades and Hendry Counties

II. PROJECT DESCRIPTION: This project provides for the accomplishment of the duties and responsibilities of the Metropolitan Planning Organization or Designated Official Planning Agency as set forth in Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, Commission policies and the Program Manual for Transportation Disadvantaged Planning Related Services as revised on April 2, 2014. The project period will begin on the date of this agreement and will end on the date indicated in Article 18.00 hereof. Specific required tasks are as follows:

TASK 1:

Weighted value= 17%

Jointly develop and annually update the Transportation Disadvantaged Service Plan with the community transportation coordinator and the local coordinating board.

Deliverable: Complete Transportation Disadvantaged Service Plan or annual updates. Due prior to the end of grant agreement period (June 30) and pursuant to the Commission's latest instructions for the Memorandum of Agreement and the Transportation Disadvantaged Service Plan.

TASK 2:

Weighted value= 15%

A. When necessary and in cooperation with the local coordinating board, solicit and recommend a community transportation coordinator, in conformity with Chapters 287 and 427, Florida Statutes. Such recommendation shall be presented to the Commission by Planning Agency staff or their designee as needed

OR

B. Provide staff support to the local coordinating board in conducting an annual evaluation of the community transportation coordinator, including local developed standards as delineated in the adopted Transportation Disadvantaged Service Plan. Assist the Commission for the Transportation Disadvantaged in joint reviews of the community transportation coordinator.

Deliverable:

- A. Planning Agency's CTC recommendation letter and signed resolution from the Planning Agency.
- B. LCB and Planning Agency selected CTC evaluation worksheets pursuant to the most recent version of the Commission's CTC Evaluation Workbook (at a minimum, addressing Competition, Cost-Effectiveness and Efficiency, and Level of Coordination).

TASK 3:**Weighted value= 40%**

Organize and provide staff support and related resources for at least four (4) local coordinating board meetings per year, holding one meeting during each quarter.

LCB meetings will be held in accordance with the Commission's most recent Local Coordinating Board and Planning Agency Operating Guidelines and will include at least the following:

1. Agendas for local coordinating board meetings. Operator payments should be addressed as a standard agenda item for each LCB meeting, where operators are utilized by the CTC to provide services.
2. Official minutes of local coordinating board meetings and committee meetings (regardless of a quorum). A copy will be submitted along with the quarterly report to the Commission. Minutes will at least be in the form of a brief summary of basic points, discussions, decisions, and recommendations. Records of all meetings shall be kept for at least five years.
3. A current full and active membership of voting and non-voting members to the local coordinating board. Any time there is a change in the membership, provide the Commission with a current membership roster and mailing list of local coordinating board members.
4. A report of the LCB membership's attendance at the last 4 consecutive LCB meetings (not committee's).

Provide staff support for committees of the local coordinating board.

Provide public notice of local coordinating board meetings in accordance with the most recent Local Coordinating Board and Planning Agency Operating Guidelines.

Provide program orientation and training for newly appointed local coordinating board members.

Deliverable: LCB Meeting agendas; minutes; membership roster; attendance report; public notice of meetings; training announcement and agenda.

TASK 4:**Weighted value=4%**

Provide at least one public hearing annually by each local coordinating board, and assist the Commission, as requested, in co-sponsoring public hearings. This public hearing must be held separately from the local coordinating board meeting. It may, however, be held on the same day as the scheduled local coordinating board meeting (immediately following or prior to the local coordinating board meeting).

Deliverable: Public Hearing agenda and minutes of related hearing only. The agenda and minutes should be separate documents and should not be included in the local coordinating board meeting agenda and minutes, if held on the same day. Minutes may reflect "no comments received" if none were made.

TASK 5: **Weighted value=4%**

Develop and annually update by-laws for local coordinating board approval.

Deliverable: Copy of LCB approved By-Laws with date of update noted on cover page.

TASK 6: **Weighted value=4%**

Develop, annually update, and implement local coordinating board grievance procedures in accordance with the Commission's most recent Local Coordinating Board and Planning Agency Operating Guidelines. Procedures shall include a step within the local complaint and/or grievance procedure that advises a dissatisfied person about the Commission's Ombudsman Program.

Deliverable: Copy of LCB approved Grievance Procedures with date of update noted on cover page.

TASK 7: **Weighted value=4%**

Review and comment on the Annual Operating Report for submittal to the local coordinating board, and forward comments/concerns to the Commission for the Transportation Disadvantaged.

Deliverable: Cover Page of Annual Operating Report, signed by LCB Chair.

TASK 8: **Weighted value=4%**

Research and complete the Actual Expenditures Report for direct federal and local government transportation funds to the Commission for the Transportation Disadvantaged no later than September 15th. Complete the Actual Expenditure Report, using the Commission approved forms.

Deliverable: Completed Actual Expenditure Report in accordance with the most recent Commission's instructions.

TASK 9: **Weighted value=4%**

Develop and provide the local coordinating board with quarterly progress reports of transportation disadvantaged planning accomplishments and planning contract deliverables as outlined in the planning grant agreement and any other activities related to the transportation disadvantaged program, including but not limited to, consultant contracts, special studies, and marketing efforts.

Deliverable: Complete Quarterly Progress Reports submitted with invoices.

TASK 10: **Weighted value=4%**

Planning Agency staff attend at least one Commission sponsored training, including but not limited to, the Commission's regional meetings, the Commission's annual training workshop, or other sponsored training.

Deliverable: Documentation related to attendance at such event(s).

III. Special Considerations by Planning Agency:

Not Applicable

IV. Special Considerations by Commission:

Not Applicable

FM/JOB No(s). 43202911401

CONTRACT NO. _____

AGREEMENT _____

DATE _____

EXHIBIT "B"

PROJECT BUDGET AND CASHFLOW

This exhibit forms an integral part of that certain Grant Agreement between the Florida Commission for the Transportation Disadvantaged and Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Ft. Myers, Florida 33901.

I. PROJECT COST:

Estimated Project Cost shall conform to those eligible Costs as indicated by Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, Commission policies, and the Program Manual for Transportation Disadvantaged Planning Related Services as revised on April 2, 2014. For the required services, compensation shall be the total maximum limiting amount of \$ 38,573.00 for related planning services in Glades and Hendry County(ies)

Task 1	17%	\$ 6,557.41
Task 2	15%	\$ 5,785.95
Task 3	40%	\$ 15,429.20
Task 4	4%	\$ 1,542.92
Task 5	4%	\$ 1,542.92
Task 6	4%	\$ 1,542.92
Task 7	4%	\$ 1,542.92
Task 8	4%	\$ 1,542.92
Task 9	4%	\$ 1,542.92
Task 10	4%	\$ 1,542.92
TOTAL:		\$38,573.00

II. SOURCE OF FUNDS

Commission for the Transportation Disadvantaged
State Funds (100%)

\$38,573.00

Total Project Cost

\$38,573.00

III. CASH FLOW – Not applicable. Grantee will be paid based on satisfactory performance of each task detailed in Exhibit A.

FY 14/15 Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May June

FM/JOB No(s).	43202911401
CONTRACT NO.	
AGREEMENT	
DATE	

EXHIBIT "C" **PLANNING**

This exhibit forms an integral part of that certain Grant Agreement between the Florida Commission for the Transportation Disadvantaged and Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Ft. Myers, Florida 33901.

THE GRANTEE SHALL SUBMIT THE FOLLOWING REQUIRED DOCUMENTS AND CERTIFICATIONS:

DOCUMENTS:

1. Submit progress reports to the Commission quarterly. Finished products such as approved Coordinating Board minutes, by-laws, grievance procedure and actions taken, consolidated estimate of Federal and Local government transportation disadvantaged funds, and the Transportation Disadvantaged Service Plan, shall be submitted to the Commission as they are completed. The progress reports and finished products are required to accompany, or to precede, all reimbursement invoices. Reports shall be submitted to:

Florida Commission for the Transportation Disadvantaged
Attn: Project Manager
605 Suwannee Street, MS 49
Tallahassee, Florida 32399-0450

THIRD PARTY CONTRACTS: The Grantee must certify to all third party contracts pursuant to Section 12.10 except that written approval is hereby granted for:

1. Contracts furnishing contractual services or commodities from a valid State or inter-governmental contract as set forth in section 287.042(2), Florida Statutes.
2. Contracts furnishing contractual services or commodities for an amount less than Category II as set forth in section 287.107(1)(b), Florida Statutes.
3. Contracts for consultant services for an amount less than Category I as set forth in section 187.017(1)(a), Florida Statutes.

FM/JOB No(s). 43202911401

CONTRACT NO. _____

AGREEMENT _____

DATE _____

EXHIBIT "D"

STATE AGENCY: Florida Department of Transportation/Florida Commission for the Transportation Disadvantaged

CSFA #: 55.002

TITLE: Florida Commission for the Transportation Disadvantaged Planning Grant

AMOUNT: \$38,573.00

COMPLIANCE REQUIREMENTS:

ALLOWED ACTIVITIES:

Grant funds allocated from the Transportation Disadvantaged Trust Fund are for the specific purpose of accomplishing the duties and responsibilities of the Official Planning Agency as identified in Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code including, but not limited to, local program management, service development, technical assistance, training and evaluation as needed. (Program Manual, and Grant Agreement Exhibit A)

ALLOWABLE COSTS:

This is a lump sum – percent complete grant. See Program Manual.

CASH MANAGEMENT:

The Grantee shall abide by the disbursement schedule contained in Exhibit B of the Grant Agreement. Any deviation from the approved schedule in Exhibit B requires advance submission of a supplemental schedule and advance approval by the Commission. Reimbursement for the Commission's share of the project shall not be made for an amount greater than the cumulative total up to any given month as indicated in the disbursement schedule in Exhibit B.

REPORTING:

Submit progress reports to the Commission quarterly. Finished products such as approved Coordinating Board minutes, by-laws, grievance procedure and actions taken, consolidated estimate of Federal and Local government transportation disadvantaged funds, and the Transportation Disadvantaged Service Plan, shall be submitted to the Commission as they are completed and approved. The progress reports and finished products are required to accompany, or to precede, all reimbursement invoices. (Grant Agreement, Exhibit C)

Submit copy of financial reporting packages of audits as required in Section 7.60 of this Agreement and the Program Manual,.

MATCHING:

There is no match requirement for this grant.

PERIOD OF AVAILABILITY:

Project expenditures eligible for State participation will be allowed only from the date of this Agreement. (Grant Agreement Provision 4.20)

SUBRECIPIENT MONITORING:

Third party contracts are contracts between a grantee and any subgrantee, or pass through funding recipient, consultants, or others in the private sector for work needed to carry out a project. Unless otherwise authorized in writing by the Commission, the Grantee may not execute any contract or obligate itself in any manner requiring the disbursement of Transportation Disadvantaged Trust Fund money, including transportation operator and consultant contracts or amendments thereto, with any third party with respect to the project without being able to provide a written certification (upon the Commission's request) by the Grantee that the contract or obligation was executed in accordance with the competitive procurement requirements of Chapter 287, Florida Statutes, Chapter 427, Florida Statutes, and the rules promulgated by the Department of Management Services. The procurement, execution, audit and closing of third-party contracts are basic grantee responsibilities and must be carried out using the same guidelines and procedures as described in Chapter 287, Florida Statutes. Inter-agency agreements or contracts passing through grant funds to other public bodies (including public transit operators) or transportation operators as defined in Chapter 427, Florida Statutes, are not third-party contracts. However, the pass-through recipient must comply with Chapter 287, Florida Statutes, if it enters into any subsequent third-party contract using Transportation Disadvantaged Trust Funds. (Grant Agreement Provision 12.10; Program Manual)

In addition to reviews of audits conducted in accordance with Section 215.97, Florida Statutes, as revised, monitoring procedures may include, but not be limited to, on-site visits by Commission staff. The Grantee agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Commission, the Florida Department of Transportation's Office of Inspector General (OIG) and Florida's Chief Financial Officer or Auditor General. (Program Manual)

--- Agenda --- Item

10

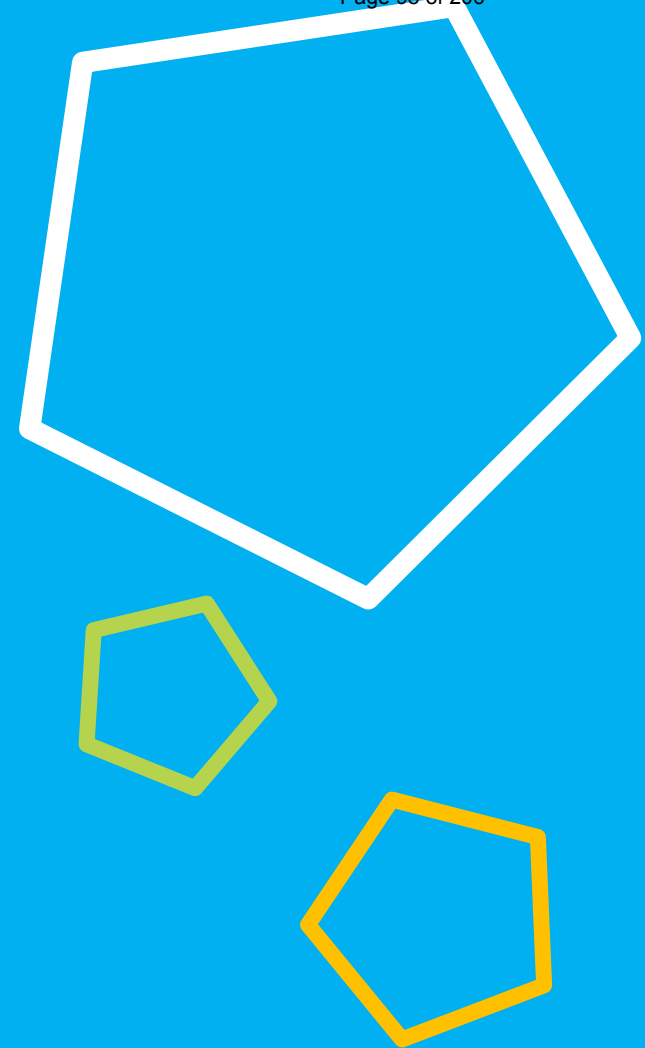
10

Regional Impact

10

10

GROWTH MANAGEMENT PROGRAM



SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

GROWTH MANAGEMENT PLANNING

Comprehensive Plan Amendments and
Development Order Reviews



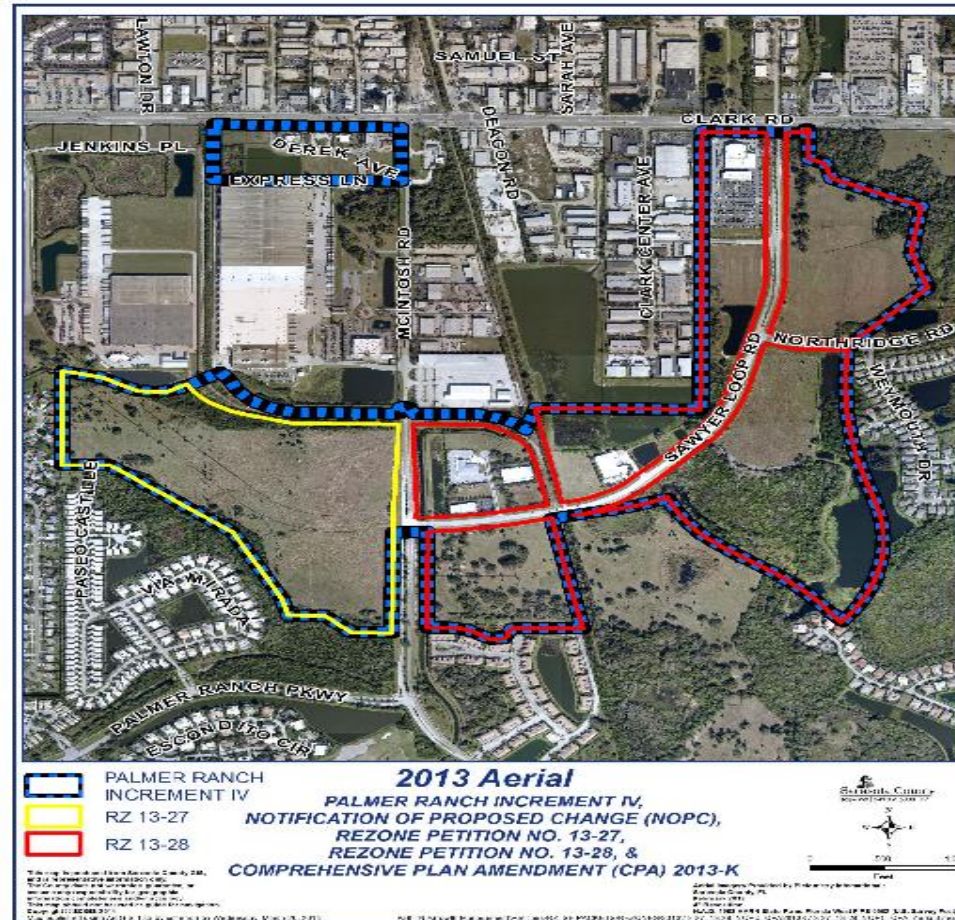


COMP PLAN AMENDMENTS



SARASOTA COUNTY DEO 14-7ESR

Page 101 of 206



REQUESTS

SARASOTA COUNTY DEO14-7ESR

DEO 14-7 ESR (CPA 2013-K)

Palmer Ranch Parcels Increment IV - Parcels A-2 & A-6

- This proposed amendment to the Sarasota County Comprehensive Plan is a privately-initiated amendment that is being submitted in conjunction with land use approvals being sought by the applicant for Parcels' A-2 and A-6 located in Increment IV of the Palmer Ranch Development of Regional Impact (DRI).
- The applicant has requested an amendment to the Sarasota County Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) of the County's Comprehensive Plan to redesignate 68 ± acres located west of McIntosh Road, south of the Meridian Business Center and Publix Warehouse on Clark Road (S.R. 72), from Major Employment Center (MEC) to Moderate Density Residential (MDR); and an amendment to the Year 2025 Future Thoroughfare Plan by deleting Sawyer Loop Road, between Clark Road (west) and McIntosh Road from the "Year 2025 Future Thoroughfare Plan," including: Year 2025 Future Thoroughfare Plan (Functional Classifications) -- delete Sawyer Loop Road, between Clark Road (West) and McIntosh Road as a Minor Collector; "Year 2025 Future Thoroughfare Plan (Functional Classifications); Year 2025 Future Thoroughfare Plan (By Lanes); and Appendix D, Section 4: Year 2025 Future Thoroughfare Plan , Minor Collector Section.

ANALYSES

SARASOTA COUNTY DEO14-7ESR

- An Application for a Notification of Proposed Change (NOPC) to the Palmer Ranch DRI for Increment IV was filed with the Southwest Florida Regional Planning Council (SWFRPC). It was approved on March 20, 2014 with the condition that a Future Comprehensive Plan amendment would be done in the future to change the Comprehensive Plan's existing land use designations on the property and to change the appropriate Comprehensive Plan traffic designations and maps.
- As reviewed and approved by the SWFRPC, the requested changes to the DRI allows the development of 180 single-family dwelling units on Parcels A2 and A6 (68 acres) instead of the approved office and light industrial land uses. No changes were being proposed for the total square footage for the Palmer Park of Commerce, as approved.
- Additionally, the NOPC removed Sawyer Loop Road East as a Collector Road and Sawyer Loop Road West was to be constructed as a private residential roadway through Parcels A2 and A6.

SARASOTA COUNTY DEO14-7ESR

RECOMMENDATIONS

- Council staff has found that the requested changes will not produce any significant adverse effects on the regional resources or regional facilities that are identified in the Strategic Regional Policy Plan.
- Council staff has reviewed the requested changes and due to its location internally to the Palmer Ranch DRI finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Final Development Order Reviews

Background Information

Page 106 of 206

Palmer Ranch Increment XVI Final Development Order Review

- The Palmer Ranch Development of Regional Impact (DRI) is located west of Interstate 75 and south of Clark Road in central Sarasota County. On September 9, 2003, the Sarasota Board of County Commissioners approved the portion of the DRI known as Palmer Ranch Increment XVI. Palmer Ranch Increment XVI is an increment of the Palmer Ranch DRI and was approved pursuant to the provisions of a Master Development Order (MDO) that was originally adopted on December 18, 1984.
- On February 20, 2014, the Council approved staff recommendations that approved the Palmer Ranch DRI Increment XVI NOPC. The Council approval found that the requested changes did not constitute a substantial deviation because they did not create a reasonable likelihood of additional regional impacts, or any type of regional impact not previously reviewed by the Council. In addition, the Council found the requested change to be Consistent with the Local Comprehensive Plan and Strategic Regional Policy Plan.

Recommended Action

Page 107 of 206

Palmer Ranch Increment XVI Final Development Order Review

- Accept the Development Order as rendered. Notify the Florida Department of Economic Opportunity and Collier County.

--- Agenda --- Item

10a

10a

Sarasota County Comprehensive
Plan Amendment (DEO 14-
7ESR)

10a

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 14-7ESR; Parcels A-2 and A-6). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Proposed Amendment	Factors of Regional Significance			
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 14-7ESR (Palmer Ranch Parcels A-2 & A-6)	no	yes	no	(1) regionally significant; and (2) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.

Attachment I

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

Attachment II

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Sarasota County

DATE AMENDMENT RECIEVED:

May 13, 2014

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

June 13, 2014

1. AMENDMENT NAME:

Application Number: DEO 14-7 ESR (CPA 2013-K)
Palmer Ranch Parcels Increment IV - Parcels A-2 & A-6

2. DESCRIPTION OF AMENDMENT(S):

This proposed amendment to the Sarasota County Comprehensive Plan is a privately-initiated amendment that is being submitted in conjunction with land use approvals being sought by the applicant for Parcels' A-2 and A-6 located in Increment IV of the Palmer Ranch Development of Regional Impact (DRI).

The applicant has requested an amendment to the Sarasota County Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) of the County's Comprehensive Plan to redesignate 68 ± acres located west of McIntosh Road, south of the Meridian Business Center and Publix Warehouse on Clark Road (S.R. 72), from Major Employment Center (MEC) to Moderate Density Residential (MDR); and an amendment to the Year 2025 Future Thoroughfare Plan by deleting Sawyer Loop Road, between Clark Road (west) and McIntosh Road from the "Year 2025 Future Thoroughfare Plan," including: Year 2025 Future

Thoroughfare Plan (Functional Classifications) -- delete Sawyer Loop Road, between Clark Road (West) and McIntosh Road as a Minor Collector; "Year 2025 Future Thoroughfare Plan (Functional Classifications); Year 2025 Future Thoroughfare Plan (By Lanes); and Appendix D, Section 4: Year 2025 Future Thoroughfare Plan , Minor Collector Section.

Proposed Development Impacts/Mitigation

The Palmer Ranch DRI Increment IV was originally approved June 20, 1989 and amended March 9, 1993 and again on March 11, 1997 when an additional 22 acres \pm (Parcels A-8 and A-9) were added to the DRI. This amendment did not include any additional square footage to the Increment that was originally approved. This Increment encompasses the Palmer Park of Commerce, a 261 acre mixed use development approved for 1,756,000 square feet of Office, Light Industrial and Warehousing land uses. To date, only 139,724 square feet of development has occurred within the Palmer Park of Commerce.

An Application for a Notification of Proposed Change (NOPC) to the Palmer Ranch DRI for Increment IV was filed with the Southwest Florida Regional Planning Council (SWFRPC). It was approved on March 20, 2014 with the condition that a Future Comprehensive Plan amendment would be done in the future to change the Comprehensive Plan's existing land use designations on the property and to change the appropriate Comprehensive Plan traffic designations and maps.

As reviewed and approved by the SWFRPC, the requested changes to the DRI allows the development of 180 single-family dwelling units on Parcels A2 and A6 (68 acres) instead of the approved office and light industrial land uses. No changes were being proposed for the total square footage for the Palmer Park of Commerce, as approved.

Additionally, the NOPC removed Sawyer Loop Road East as a Collector Road and Sawyer Loop Road West was to be constructed as a private residential roadway through Parcels A2 and A6.

As reviewed and approved by the Council, Parcels A-2 and A-6 also contains approximately 1.73 acres of preserved native habitat. These parcels contain freshwater wetlands and mesic hammock. The remainder of the site contained developed features and some exotic plants (improved pasture and Brazilian pepper). The applicant proposed to preserve 0.93 acres of on-site wetlands. The applicant also proposed to impact 0.1 acres of on-site mesic hammock which was related to site access and preserve the remaining 0.80 acres.

Drainage for Parcels A-2 and A-6 is associated with the Matheny Creek and Catfish Creek Basins. Based on Southwest Florida Water Management District (SWFWMD) topographic aerials, runoff from the northern 26.3 acres \pm from the subject parcels generally flows in a north westerly direction into the upper reaches of Matheny Creek by a ditch along the site's north boundary. Runoff from the balance of the site which is associated with the Catfish Creek basin flows eastward to McIntosh Road. Council approved the drainage plans approved by the County and the SWFWMD for the project.

Utilities to the subject site will be provided by the Sarasota County Environmental Utility. Adequate capacity was shown in the NOPC to exist for potable water, sewer and reuse water. The utility services will be connected from existing lines adjacent to the site. An onsite reuse pond will be provided by the developer.

Council found the proposed changes to be acceptable and approved the NOPC unanimously.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

In addition to redesignating Parcels A-2 and A-6 from MEC to Moderate Density Residential, the proposed Comprehensive Plan Amendment, the requested Comprehensive Plan amendment would remove Sawyer Loop Road west of McIntosh Road to Clark Road (SR 72) from the Year 2025 Future Thoroughfare Plan. Sawyer Loop Road West would then be constructed as a local road by the developer. The development intensities assumed by the Palmer Ranch 2009 Transportation Reanalysis for Parcel A2/A6 are 310,000 square feet of light industrial and 277,784 square feet of office.

The traffic generated by the proposed project was distributed and assigned to the adjacent roadway network using the Florida Standard Urban Transportation Model Structure (FSUTMS) – Sarasota-Manatee-Charlotte County 2035 Financially Feasible network. The net difference in trip generation potential between the proposed development and assumed development is a decrease of 574 AM peak-hour trips and a decrease of 498 PM peak-hour trips. The proposed development's trips are less than the assumed development trips; therefore, adequate capacity exists to support the proposed change.

Council staff has reviewed the requested amendment to the Future Land Use Map of the Future Land Use Chapter by redesignating 68 ± acres from Major Employment Center to Moderate Density Residential and to the "Year 2025 Future Thoroughfare Plan," Year 2025 Future Thoroughfare Plan (Functional Classifications), Year 2025 Future Thoroughfare Plan (By Lanes), and Appendix D Year 2025 Future Thoroughfare Plan. Based on the review, Council staff has found that the requested changes will not produce any significant adverse effects on the regional resources or regional facilities that are identified in the Strategic Regional Policy Plan.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and due to its location internally to the Palmer Ranch DRI finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

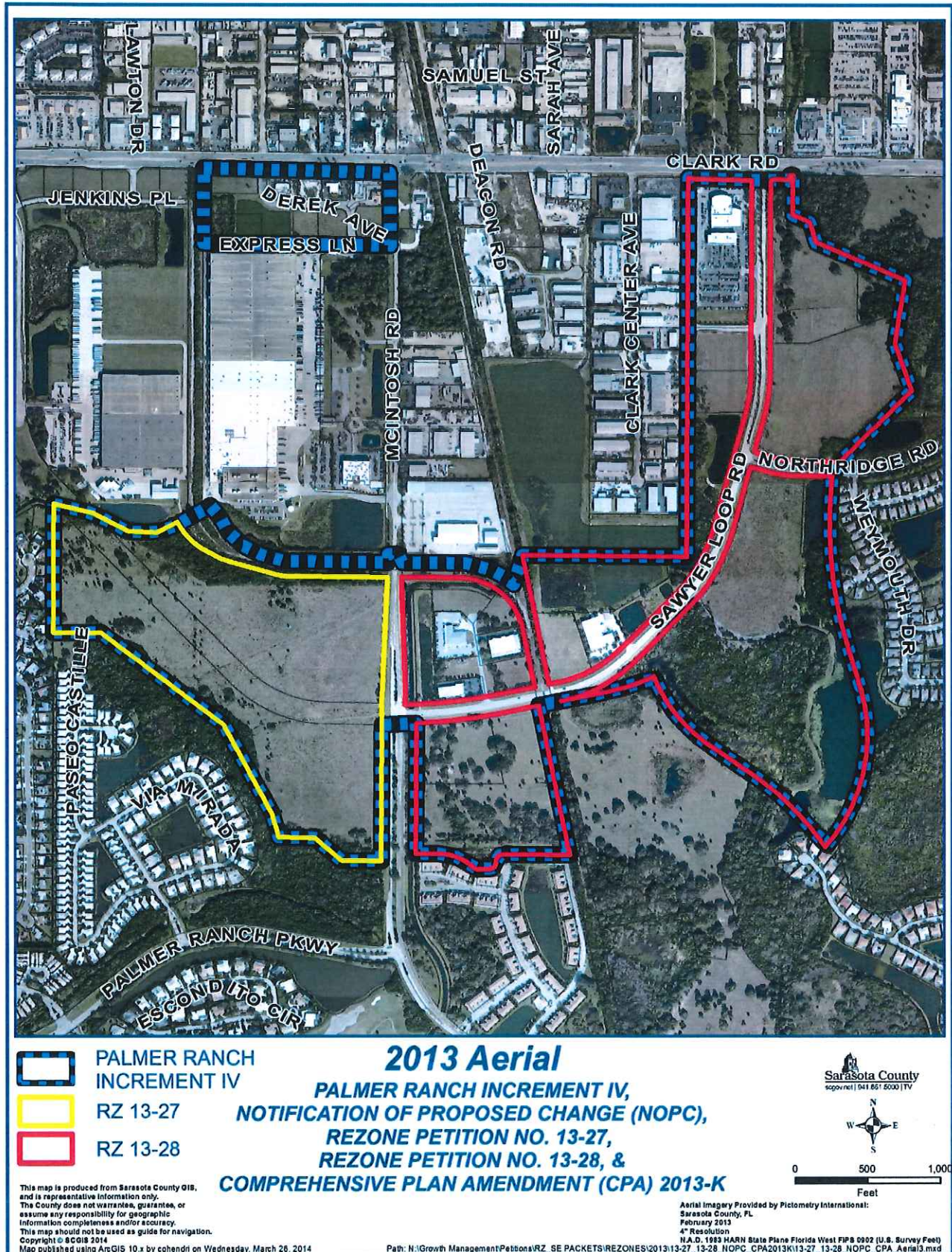
Request a copy of the adopted version of the amendment? ☒ Yes ☐ No

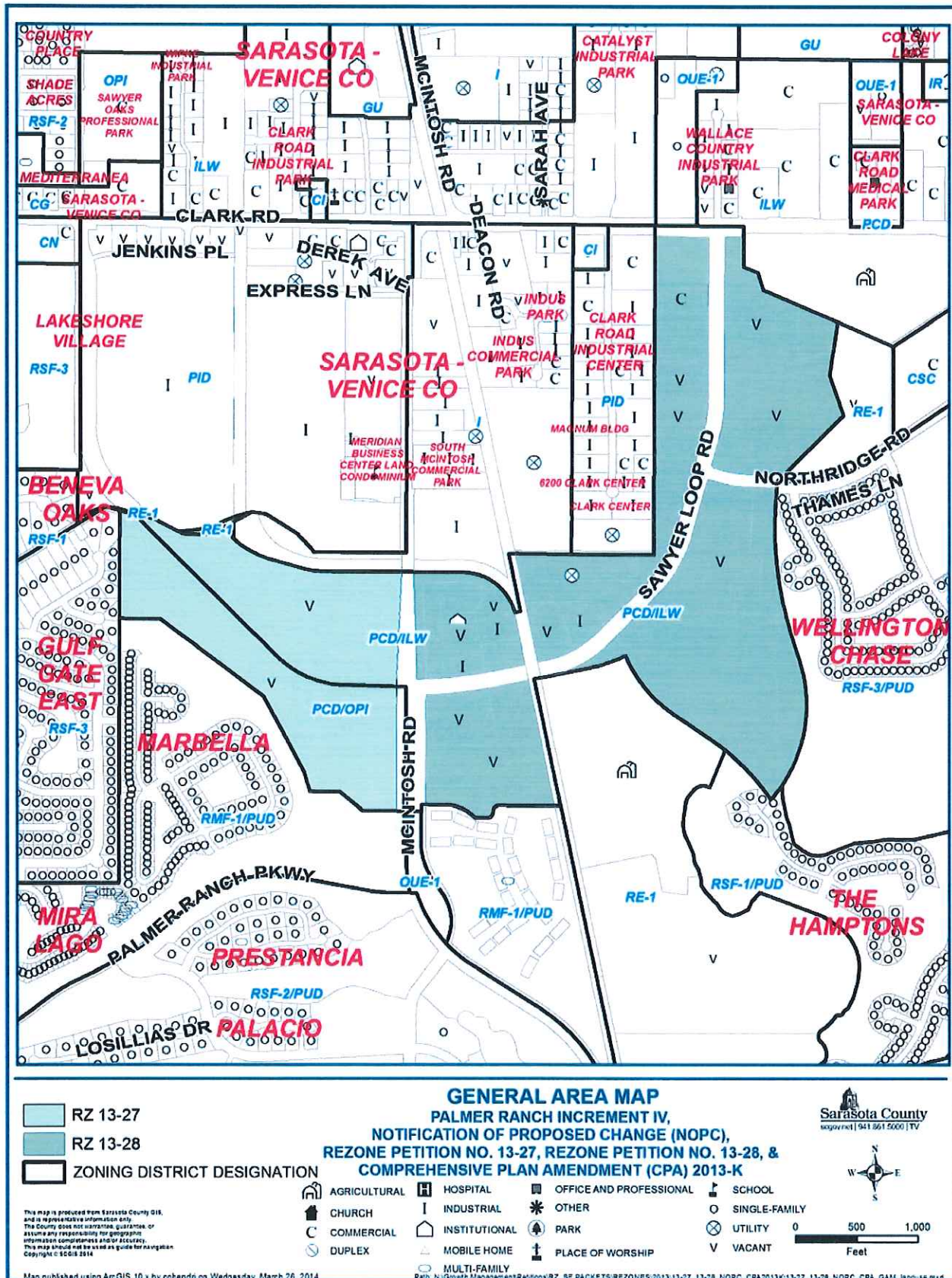
Attachment III

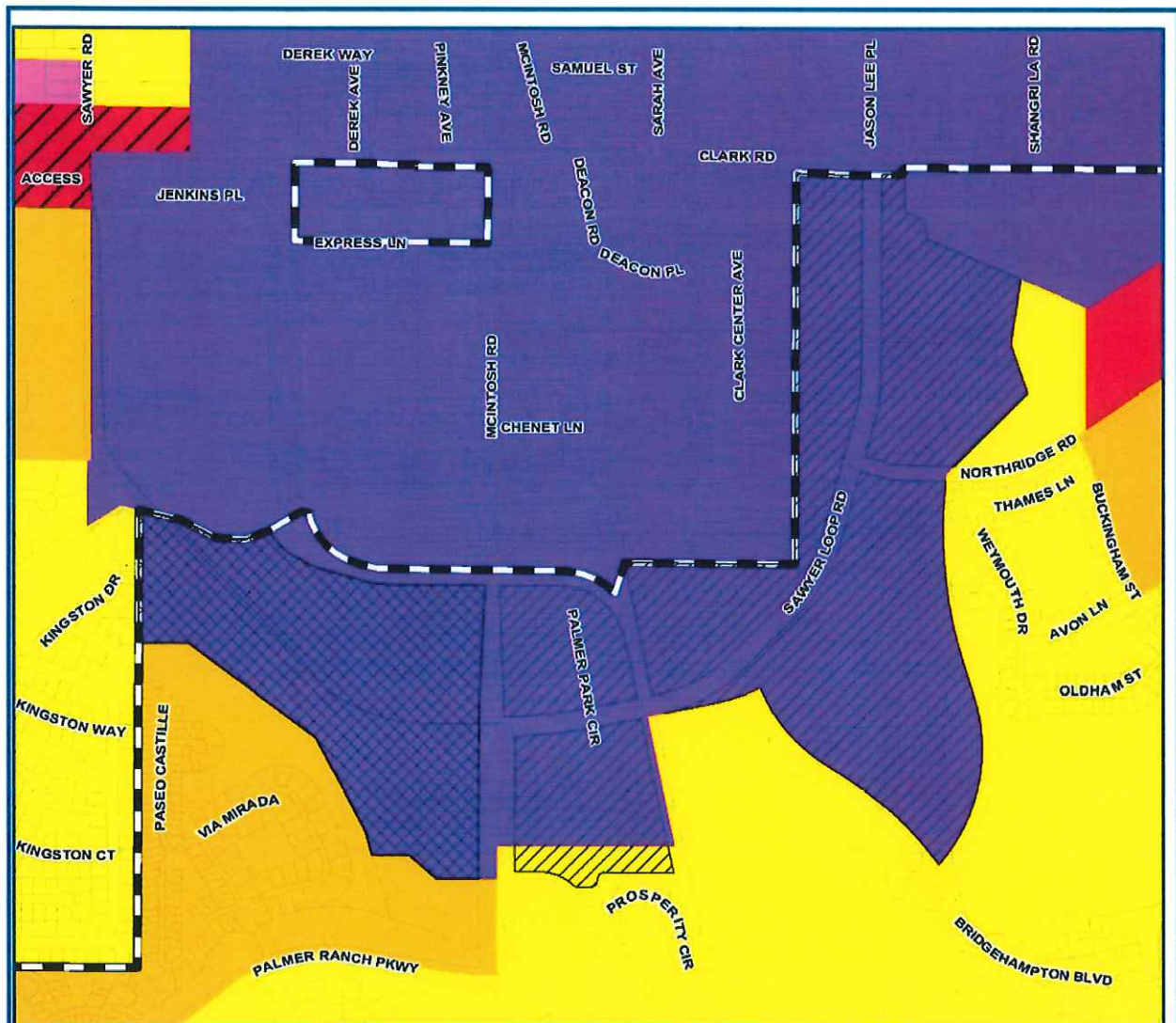
Maps

**Sarasota County
DEO 14-7ESR**

**Growth Management Plan
Comprehensive Plan Amendments**







FUTURE LAND USE DESIGNATION

This map is produced from Sarasota County GIS and is representative information only. The County does not warrant, guarantee, or assume any responsibility for geographic information completeness and/or accuracy. This map should not be used as a guide for navigation. Copyright © SCGIS 2014

PALMER RANCH INCREMENT IV, NOTIFICATION OF PROPOSED CHANGE (NOPC) REZONE PETITION NO. 13-27, REZONE PETITION NO. 13-28, & COMPREHENSIVE PLAN AMENDMENT (CPA) 2013-K

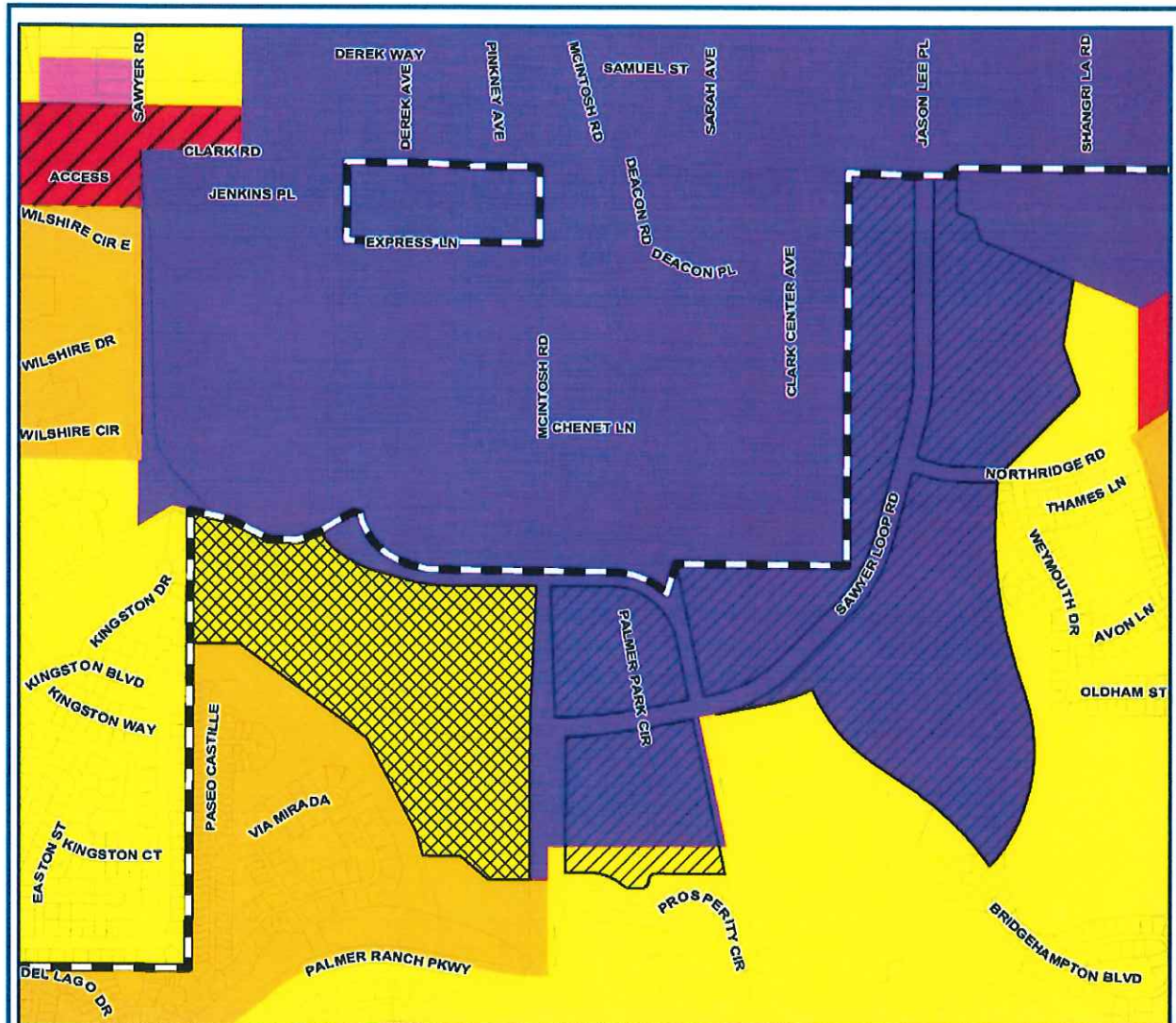
Sarasota County
scgov.net | 941.661.5000 | TV

NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENT OF THE SARASOTA COUNTY COMPREHENSIVE PLAN AS ADOPTED BY SARASOTA COUNTY ORDINANCE NO.89-18, AS THE SAME MAY BE AMENDED FROM TIME TO TIME. THE BOUNDARIES OF LAND USE DESIGNATIONS, WHERE THEY HAVE BEEN ESTABLISHED, MAY BE REVIEWED AT SARASOTA COUNTY PLANNING SERVICES, 1660 RINGLING BOULEVARD, SARASOTA, FLORIDA.

LOW DENSITY RESIDENTIAL (< 2 DUs/ACRES)	LIGHT OFFICE	PUBLIC AIRPORT FACILITY
MODERATE DENSITY RESIDENTIAL (≥ 2 AND < 5 DUs/ACRE)	OFFICE/MULTI-FAMILY RESIDENTIAL	PRIVATE AIRPORT FACILITY
MEDIUM DENSITY RESIDENTIAL (≥ 5 AND ≤ 9 DUs/ACRE)	COMMERCIAL HIGHWAY INTERCHANGE	FUTURE THOROUGHFARES
HIGH DENSITY RESIDENTIAL (> 9 AND ≤ 13 DUs/ACRE)	MAJOR EMPLOYMENT CENTER - MEC	RZ 13-27
SEMI-RURAL	MAJOR GOVERNMENT USES	RZ 13-28
RURAL	PUBLIC CONSERVATION/PRESERVATION	PALMER RANCH DRI
BARRIER ISLAND	INCORPORATED AREA	
COMMERCIAL CENTER	WATER	
COMMERCIAL CORRIDOR	URBAN SERVICE AREA BOUNDARY	
COMMERCIAL CENTER (UNDEFINED BOUNDARIES)	FUTURE URBAN SERVICE AREA BOUNDARY	

0 500 1,000
Feet

Map published using ArcGIS 10 x by cohendri on Wednesday, March 26, 2014



PROPOSED FUTURE LAND USE DESIGNATION

This map is produced from Sarasota County GIS, and is representative information only. The County does not warrant, guarantee, or assume any responsibility for geographic information completeness and/or accuracy. This map should not be used as guide for navigation. Copyright © SCGIS 2014

**PALMER RANCH INCREMENT IV, NOTIFICATION OF PROPOSED CHANGE (NOPC)
REZONE PETITION NO. 13-27, REZONE PETITION NO. 13-28, &
COMPREHENSIVE PLAN AMENDMENT (CPA) 2013-K**

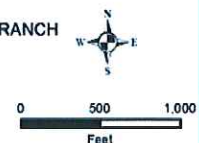
Sarasota County
sco.gov.net | 941.661.5000 | TV

NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENT OF THE SARASOTA COUNTY COMPREHENSIVE PLAN AS ADOPTED BY SARASOTA COUNTY ORDINANCE NO.89-18, AS THE SAME MAY BE AMENDED FROM TIME TO TIME. THE BOUNDARIES OF LAND USE DESIGNATIONS, WHERE THEY HAVE BEEN ESTABLISHED, MAY BE REVIEWED AT SARASOTA COUNTY PLANNING SERVICES, 1660 RINGLING BOULEVARD, SARASOTA, FLORIDA.

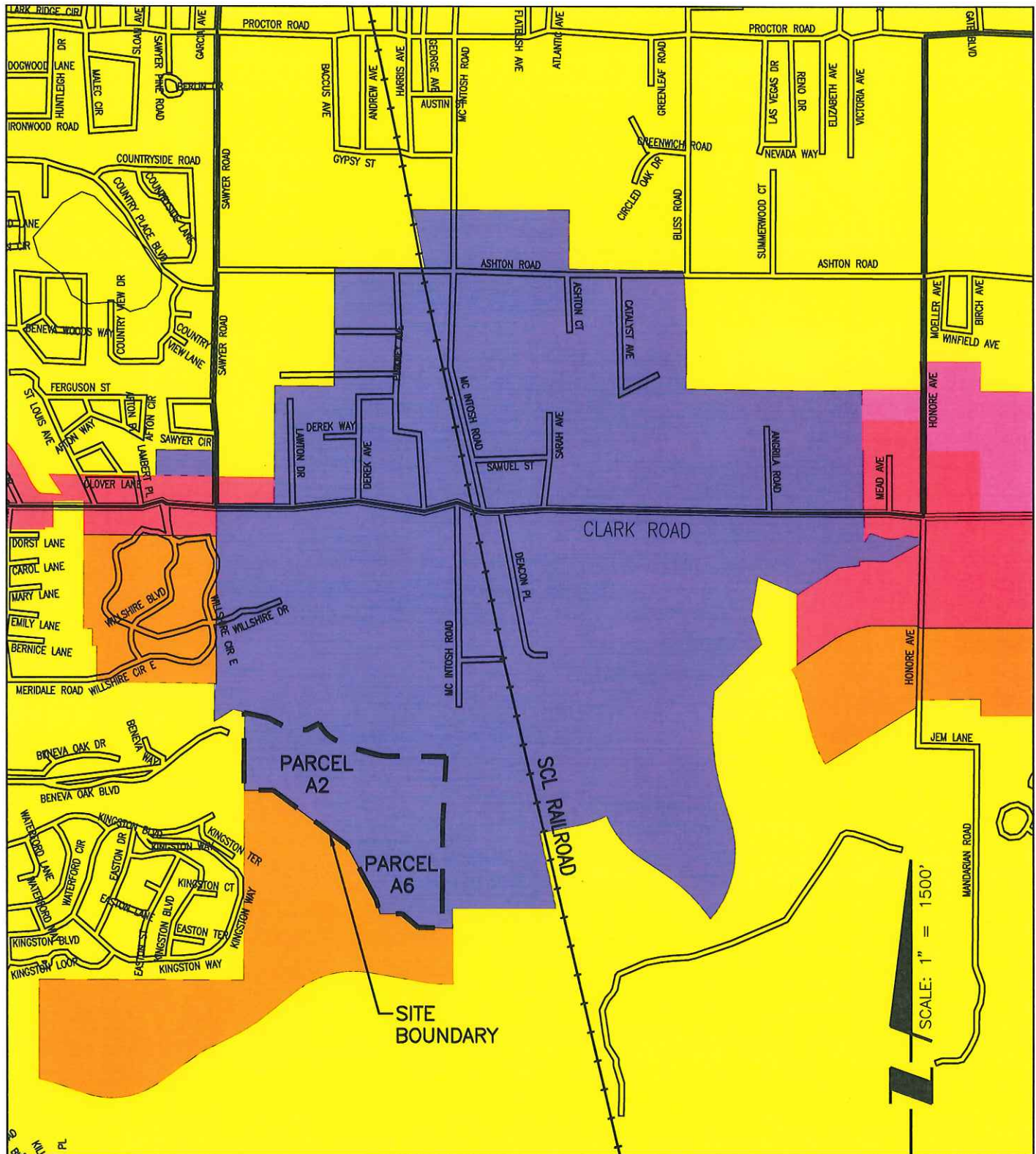
- LOW DENSITY RESIDENTIAL (< 2 DUs/ACRES)
- MODERATE DENSITY RESIDENTIAL (≥ 2 AND < 5 DUs/ACRE)
- MEDIUM DENSITY RESIDENTIAL (≥ 5 AND ≤ 9 DUs/ACRE)
- HIGH DENSITY RESIDENTIAL (> 9 AND ≤ 13 DUs/ACRE)
- SEMI-RURAL
- RURAL
- BARRIER ISLAND
- COMMERCIAL CENTER
- COMMERCIAL CORRIDOR
- COMMERCIAL CENTER (UNDEFINED BOUNDARIES)

- LIGHT OFFICE
- OFFICE/MULTI-FAMILY RESIDENTIAL
- COMMERCIAL HIGHWAY INTERCHANGE
- MAJOR EMPLOYMENT CENTER - MEC
- MAJOR GOVERNMENT USES
- PUBLIC CONSERVATION/PRESERVATION
- INCORPORATED AREA
- WATER
- URBAN SERVICE AREA BOUNDARY
- FUTURE URBAN SERVICE AREA BOUNDARY

- PUBLIC AIRPORT FACILITY
- PRIVATE AIRPORT FACILITY
- FUTURE THOROUGHFARES
- RZ 13-27 & CPA-2013-K
- RZ 13-28
- PALMER RANCH DRI



Map published using ArcGIS 10.x by cohenrd on Wednesday, March 26, 2014



PROJECT: PALMER RANCH – COMPREHENSIVE PLAN AMENDMENT (PARCELS A-2 & A-6)

CLIENT: PALMER RANCH HOLDINGS



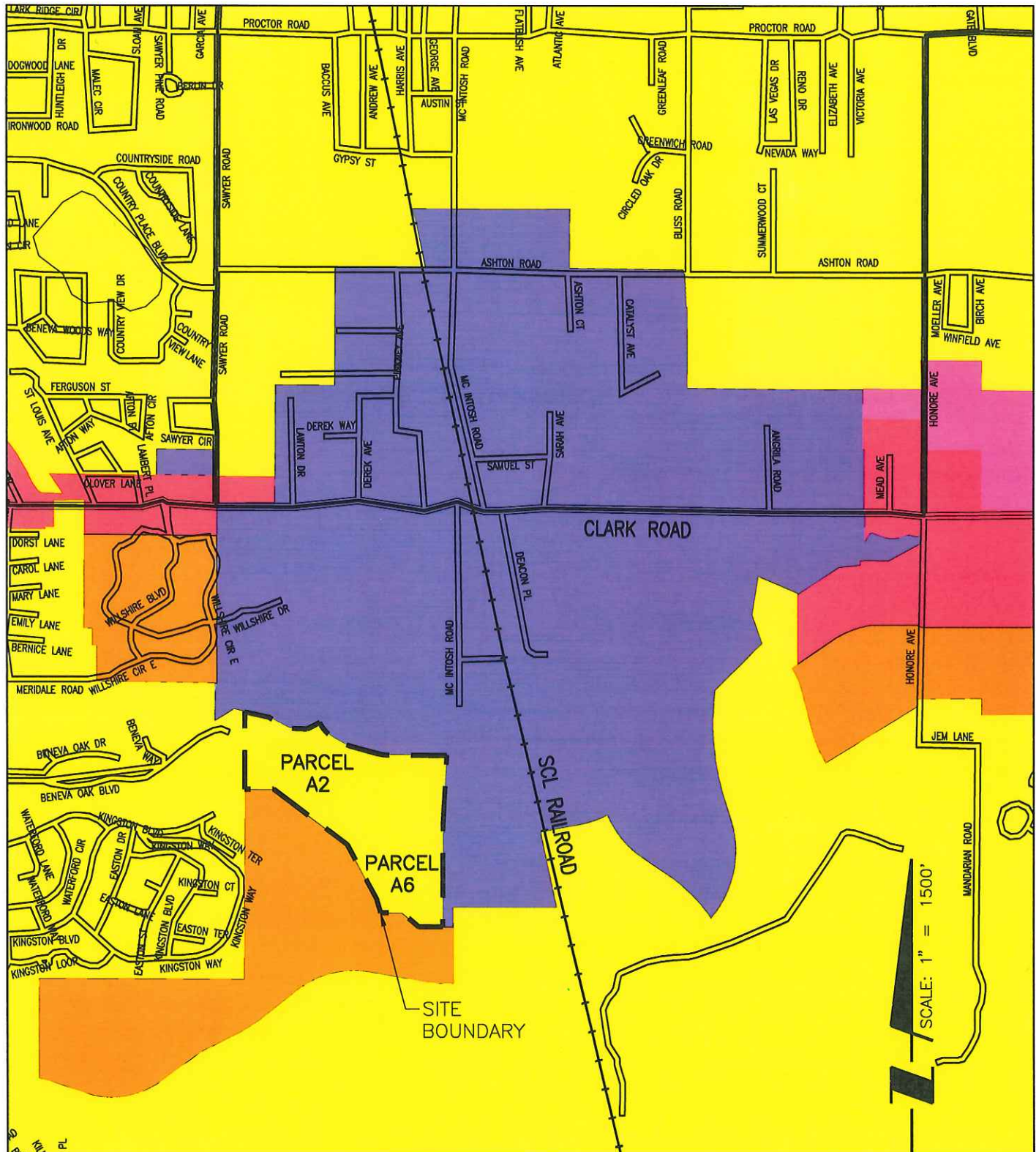
Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

ADOPTED FUTURE LAND USE

SCALE:	AS NOTED	DATE:	NOVEMBER 2013
SEC:	TWP: 14&15 37S RGE: 18E	REV NO:	
PROJECT NO:	215611562	INDEX NO:	
DRWN BY/EMP NO:	CLL/96591	SHEET NO:	4



PROJECT: PALMER RANCH – COMPREHENSIVE PLAN AMENDMENT (PARCELS A-2 & A-6)

CLIENT: PALMER RANCH HOLDINGS



Stantec

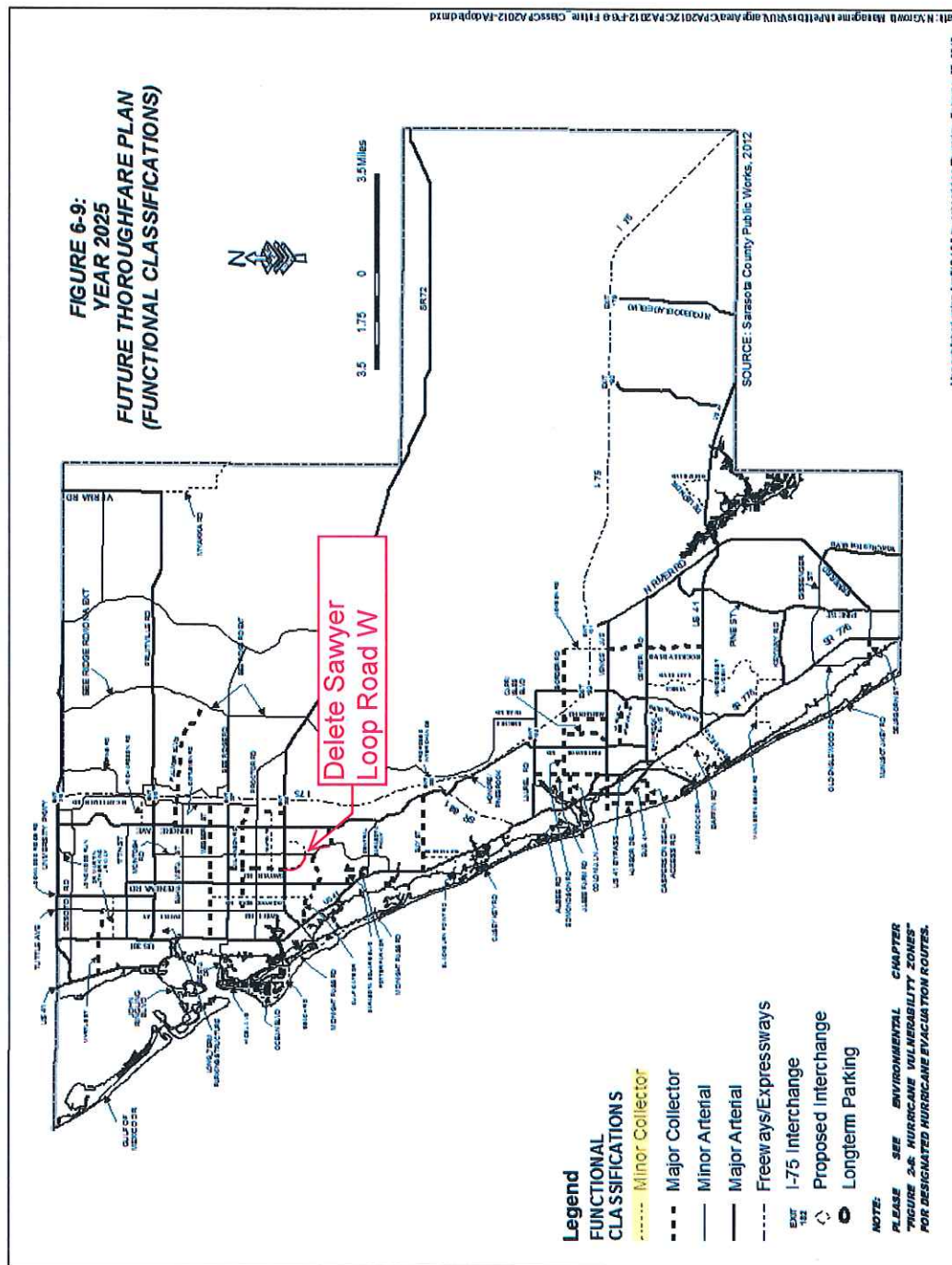
6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

PROPOSED FUTURE LAND USE

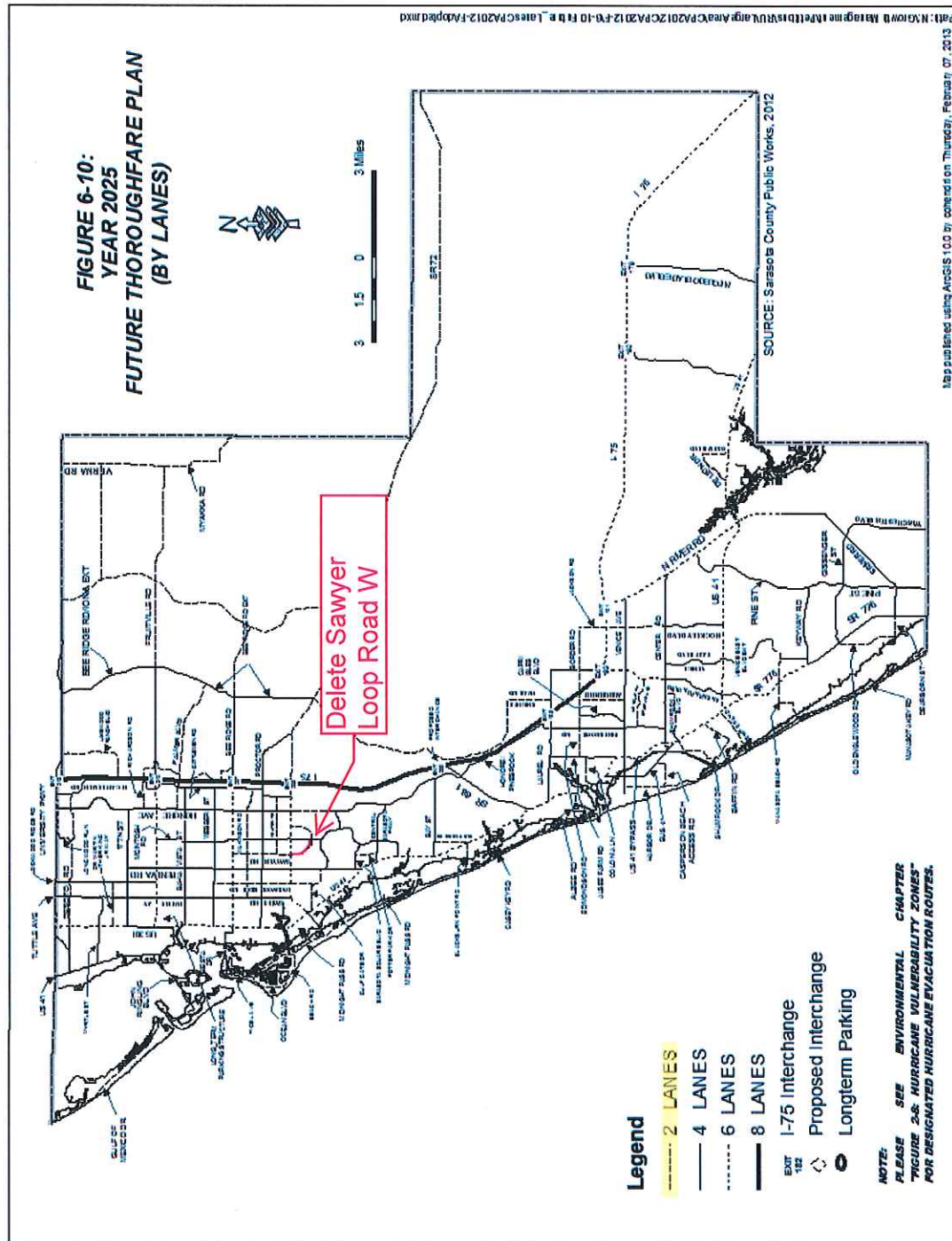
SCALE:	AS NOTED	DATE:	NOVEMBER 2013
SEC:	TWP: 14&15 37S RGE: 18E	REV NO:	
PROJECT NO:	215611562	INDEX NO:	
DRWN BY/EMP NO:	CLL/96591	SHEET NO:	5

Figure 6-9: Year 2025 Future Thoroughfare Plan (Functional Classifications)



(2012-E, Ord. No. 2012-025, Nov. 7, 2012) (2011-01-B, Ord. No. 2012-042, Dec. 12, 2012) (2012-F, Ord. No. 2012-041, Dec. 12, 2012)

Figure 6-10: Year 2025 Future Thoroughfare Plan (By Lanes)



(2012-E, Ord. No. 2012-025, Nov. 7, 2012) (2011-01-B, Ord. No. 2012-042, Dec. 12, 2012) (2012-F, Ord. No. 2012-041, Dec. 12, 2012)

Agenda Item

10b

10b

Palmer Ranch Increment XVI
DRI – Development Order
Review

10b

**PALMER RANCH DRI
INCREMENT XVI
REVIEW OF SARASOTA COUNTY
DEVELOPMENT ORDER**

Council Recommendations

The Palmer Ranch Development of Regional Impact (DRI) is located west of Interstate 75 and south of Clark Road in central Sarasota County. On September 9, 2003, the Sarasota Board of County Commissioners approved the portion of the DRI known as Palmer Ranch Increment XVI. Palmer Ranch Increment XVI is an increment of the Palmer Ranch DRI and was approved pursuant to the provisions of a Master Development Order (MDO) that was originally adopted on December 18, 1984.

On October 22, 2013 the SWFRPC staff received an Application for a Notice of Proposed Change (NOPC) to the Development Order for the Palmer Ranch Increment XVI. The proposed change requested a reduction in the amount of approved commercial in Increment XVI from 200,000 square feet to 100,000 square feet, added 78 residential units on Parcel P3 and incorporated the adjacent 14.06 ± acres (Restoration Area D) into Increment XVI. This additional acreage was located directly east of the 29.37± acre Parcel P3 contained in Increment XVI. As requested, the added property would be incorporated into Increment XVI and would remain as open space.

On February 20, 2014, the Council approved staff recommendations that approved the Palmer Ranch DRI Increment XVI NOPC. The Council approval found that the requested changes did not constitute a substantial deviation because they did not create a reasonable likelihood of additional regional impacts, or any type of regional impact not previously reviewed by the Council. In addition, the Council found the requested change to be Consistent with the Local Comprehensive Plan and Strategic Regional Policy Plan.

Sarasota County Development Order

On April 23, 2014, the Sarasota County Board of Commissioners approved the Palmer Ranch Increment XVI Development Order. A copy of the development order (see Attachment) was rendered to the SWFRPC on April 30, 2014. The 45-day appeal period for the development order expires on June 17, 2014. Staff review of the attached Development Order finds that it is consistent with all regional issues and recommendations identified within the Council's Official Recommendations.

RECOMMENDED ACTION: Accept the Development Order as rendered. Notify the Florida Department of Economic Opportunity and Collier County.

06/14

ORDINANCE NO. 2014-027

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING AND RESTATING THE DEVELOPMENT ORDER FOR INCREMENT XVI OF THE PALMER RANCH DEVELOPMENT OF REGIONAL IMPACT (DRI), ORIGINALLY ADOPTED BY SARASOTA COUNTY ORDINANCE NO. 2003-029; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR INCORPORATION OF THE APPLICATION FOR DEVELOPMENT APPROVAL (ADA), THE NOTICE OF PROPOSED CHANGE, AND ASSOCIATED DOCUMENTS INTO THE DEVELOPMENT ORDER; PROVIDING FOR APPROVAL OF THE AMENDMENT, RESTATEMENT, AND RATIFICATION OF PREVIOUSLY APPROVED INCREMENT XVI OF THE PALMER RANCH DRI AMENDED CONDITIONS; PROVIDING FOR ORDINANCE TO BE DEEMED THE DEVELOPMENT ORDER; PROVIDING FOR BUILDOUT AND DEVELOPMENT ORDER TERMINATION DATES FOR INCREMENT XVI OF THE PALMER RANCH DRI; PROVIDING FOR NON-EXEMPTION FROM COUNTY REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SERVICE AND RECORDING; PROVIDING AN EFFECTIVE DATE.

FILED FOR
2014 APR 24 AM 11:57
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

SECTION 1. Findings of Fact and Conclusions of Law. The Board of County Commissioners of Sarasota County, Florida, hereinafter referred to as the "Board", hereby makes the following findings of fact and conclusions of law:

1.1 On September 9, 2003, the Board adopted Ordinance No. 2003-029 approving a Development of Regional Impact (DRI) to be known as "Palmer Ranch Increment XVI." Palmer Ranch Increment XVI is an increment of the Palmer Ranch DRI approved pursuant to the provisions of a Master Development Order, Sarasota County Resolution No. 84-418, adopted December 18, 1984, and amended and restated by Resolution No. 91-170, as amended.

1.2 The Palmer Ranch Increment XVI development consists of approximately 54.43 acres located on the east side of the Palmer Ranch DRI properties, more particularly described in Exhibit A, attached hereto and made a part hereof by reference.

1.3 The Palmer Ranch Increment XVI consists of two developable parcels, Parcel P-3 and B-8. Parcel P-3 is located in the northeast quadrant of the intersection of Central Sarasota Parkway and Honore Avenue and contains 200,000 square feet of commercial/retail uses. Parcel B-8 is located in the northwest quadrant of the intersection of Palmer Ranch Parkway and Honore Avenue and contains 85,000 square feet of commercial/retail uses. Additionally, the

increment includes Restoration Area "D", an environment area identified in the Eastside Environmental System Analysis, adjacent to Parcel P-3.

1.4 On October 21, 2013, Palmer Ranch Holdings, Ltd., through their authorized agent, James Paulmann (hereinafter referred to as the "Applicant"), submitted to Sarasota County a Notification of a Proposed Change (NOPC) to Increment XVI of the Palmer Ranch Development of Regional Impact, in accordance with Chapter 380.06, Florida Statutes.

1.5 The proposed changes to Palmer Ranch Increment XVI pursuant to Chapter 380.06, Florida Statutes, include 1) the modification of the adopted Master Development Plans (Exhibit C and Exhibit D of Ordinance No. 2003-029); 2) the revision of Conditions of Approval (Exhibit B of Ordinance No. 2003-029); and which includes the reduction of commercial uses on Parcel P-3 by 100,000 square feet and the addition of residential uses on Parcel P-3, extension of buildout date, and general clean-up to reflect changes.

1.6 Copies of the NOPC have been submitted to the Southwest Florida Regional Planning Council (SWFRPC), and to the Florida Department of Economic Opportunity (DEO), pursuant to Subsection 380.06(19)(f)2, Florida Statutes.

1.7 The Report and Recommendation of the SWFRPC has been received and addressed.

1.8 The Sarasota County Planning Commission held a duly noticed public hearing on the NOPC on, February 20, 2014, and received all pertinent evidence and testimony, and recommended approval of the NOPC.

1.9 Pursuant to Section 380.06 (11)(f)3, Florida Statutes, public notice for a hearing on said NOPC before the Board was duly published in the "Sarasota Herald-Tribune" on April 9, 2014, and was duly provided to the Florida DEO, the SWFRPC, and other persons designated by DEO rules.

1.10 The Board held a duly noticed public hearing on the NOPC on April 23, 2014.

1.11 The Board considered the Report and Recommendation of the SWFRPC and the proposed changes to the development are consistent with the Report and Recommendation.

1.12 The Board considered all matters relevant to the NOPC, including the Recommendations of the Sarasota County Planning Commission, and all pertinent evidence and testimony presented at the public hearing.

1.13 The proceedings herein relating to the Palmer Ranch Increment XVI DRI NOPC have been conducted in compliance with the provisions of Chapter 380.06, Florida Statutes, and all conditions precedent to the granting of development approval required by Chapter 380.06, Florida Statutes, have occurred.

1.14 The proposed changes do not constitute a substantial deviation as they do not create a reasonable likelihood of additional regional impacts, or any type of regional impact not previously reviewed by the regional planning agency.

1.15 The proposed changes to the Palmer Ranch Increment XVI DRI are consistent with the State Comprehensive Plan and will not interfere with the achievement of the objectives of any adopted State Land Development Plan applicable to this area.

1.16 The proposed changes to the Palmer Ranch Increment XVI DRI are consistent with the Sarasota County Comprehensive Plan, and are not in conflict with other local land development regulations.

1.17 The Palmer Ranch Increment XVI DRI is a mixed development with commercial/retail and residential uses on two parcels, P-3 and B-8. Parcel P-3 consists of approximately 43.58 acres which will contain 100,000 square feet of commercial/retail uses and 78 residential dwelling units. Parcel B-8 consists of approximately 10.85 acres which will contain 85,000 square feet of commercial/retail uses. Also included in Increment XVI is Restoration Area "D", an approximately 14.06 acre parcel adjacent to P-3.

SECTION 2. Incorporation of the Application for Incremental Development Approval (AIDA), the Notice of Proposed Change, and Associated Documents into the Development Order.

2.1 The following documents are hereby incorporated in this Development Order by reference:

- I. The SWFRPC's Official Recommendations - Development of Regional Impact Assessment for Palmer Ranch Increment XVI DRI.

2.2 The following information, commitments and impact mitigating provisions submitted by the Applicant are hereby incorporated in this Development Order by reference. Development permits are subject to the provisions contained in these documents:

- I. Palmer Ranch Increment XVI Application for Incremental Development Approval and Associated Documents - September 13, 2002;
- II. The Notification of Proposed Change (NOPC) Application and Associated Documents for the Palmer Ranch Increment XVI DRI - October 21, 2013;
- III. Master Development Plan (Map H) - February 3, 2014;

2.3 In construing and enforcing the provisions of the documents incorporated in this Development Order by Subsections 2.1 and 2.2 above, the following shall apply:

- a) The most recent response of the Applicant in the above referenced documents shall control over any previous response, wherever there is a conflict, otherwise the responses shall be considered cumulative.
- b) Any information, commitments or impact mitigating provisions in the above referenced documents which are inconsistent with the specific conditions set forth in this Ordinance and the exhibits hereto, shall be deemed superseded and inapplicable.

SECTION 3. Approval of the Amendment, Restatement, and Ratification of Previously Approved Palmer Ranch Increment XVI DRI with Amended Conditions.

3.1 The Board hereby approves the modifications to the AIDA for the Palmer Ranch Increment XVI DRI subject to the conditions contained in Exhibit B through Exhibit D, which are attached hereto and incorporated herein by reference, subject to the other provisions of this Development Order. The provisions of this Ordinance are intended to constitute an amendment

and restatement of all conditions contained in the previous Palmer Ranch Increment XVI Development Order.

3.2 The Sarasota County Planning Department is hereby designated as the local government department responsible for monitoring the development, enforcing and monitoring the terms of the Incremental Development Order and for receiving the biennial report required by Chapter 380.06, Florida Statutes.

3.3 Biennial Report Requirements:

The Applicant shall submit the Biennial report pursuant to the Development Order and the requirements of Chapter 380.06 (18), Florida Statutes, Chapter 9J-2.025 (7), Florida Administrative Code (F.A.C.), and the conditions of this Ordinance. This report shall be submitted with the consolidated Biennial Monitoring Report for the DRI until such time as all terms and conditions of this Development Order are satisfied, unless otherwise specified herein. The Applicant shall submit this monitoring report to the Sarasota County Planning Department, the SWFRPC, the DEO, and all affected permitting agencies required by law on form RPM-BSP-Biennial Report-1, as the same may be amended from time to time. The biennial monitoring report shall contain all information required by Rule 9J-2.025 (7) (a) through (k), F.A.C., as the same may be amended from time to time.

Upon notification that the biennial report has not been received by the SWFRPC, or the DEO, or upon non-receipt of the biennial report by Sarasota County, Sarasota County shall request in writing that the Applicant submit the report within thirty (30) days. Failure to submit the report after thirty (30) days of such written notice shall result in Sarasota County temporarily suspending this Development Order, and no new development permit applications shall be granted within the development until the requirements of this subsection are met.

3.4 Monitoring Reports Requirement:

The Applicant shall submit the following monitoring reports to the Sarasota County Planning Department at the same time that the biennial report is submitted, unless a different submission time is authorized by the Planning Department in writing. Failure to submit the report after 30 days shall result in Sarasota County temporarily suspending this Development Order, and no new development permit applications shall be granted within the development until the requirements of this section are met.

a) A status report on the Stormwater Management program. This shall include measures instituted regarding "Best Management Practices" for soil erosion and sedimentation controls, lawn maintenance procedures and stormwater management systems maintenance, pursuant to the requirements of appropriate Sarasota County departments.

b) A status report of the cumulative amount of development approved for the project pursuant to Conditions in the Development Order contained in Exhibit B.

3.5 The definitions presently contained in Chapter 380.06, Florida Statutes, shall control in the construction of this Development Order.

SECTION 4. Ordinance to be Deemed the Development Order.

4.1 This Ordinance shall be deemed the Incremental Development Order for Increment XVI of the Palmer Ranch DRI required pursuant to Chapter 380.06, Florida Statutes.

SECTION 5. Buildout and Development Order Termination Dates for Palmer Ranch Increment XVI.

5.1 The buildout date of Palmer Ranch Increment XVI is December 31, 2016. This buildout date may be extended with Board of County Commissioners approval pursuant to Subsection 380.06(19), Florida Statutes, based upon the results of the 2014 Transportation Reanalysis, or subsequent reanalysis.

5.2 The termination date for the Palmer Ranch Increment XVI Development Order shall be December 31, 2016.

SECTION 6. Non-Exemption from County Regulations.

6.1 This Ordinance shall not be construed as an agreement on the part of Sarasota County to exempt the Applicant, its successors and assigns, from the operation of any Ordinance or regulation hereinafter adopted by Sarasota County for the purpose of the protection of the public health, welfare, and safety, which said Ordinance or regulation shall be generally and equally applicable throughout Sarasota County, and which said Ordinance or regulation protects or promotes a vital public interest, and which said Ordinance or regulation does not substantially impair or prevent development as approved herein.

SECTION 7. Enforcement.

7.1 All conditions, restrictions, requirements, commitments and impact mitigating provisions contained or incorporated by reference in this Development Order may be enforced by Sarasota County by action at law or in equity, after notice to the Applicant and a reasonable opportunity to cure, and, in the event Sarasota County prevails in such action at law or in equity, it shall be awarded all its reasonable costs of investigation and enforcement, including County staff time and reasonable attorneys' fees incurred by or on behalf of Sarasota County.

7.2 In the event it is determined by the Board, after notice to the Applicant and a full hearing, that the Applicant has failed to comply with any conditions, restrictions, requirements or impact mitigating provisions contained or incorporated by reference in this Development Order, the Board may temporarily suspend this Development Order during which no development permit applications shall be granted within the development until compliance is achieved. Where such a failure has been finally determined, the Applicant shall be liable for all costs of investigating and enforcement, including County staff time and reasonable attorney's fees incurred by or on behalf of Sarasota County.

7.3 The rights and obligations of this Development Order shall run with the land. The Applicant is bound by the terms of this Development Order so long as it owns such property. This Development Order shall be binding upon and inure to the benefit of the

Applicant and its assignees or successors in interest and Sarasota County and its successors. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designed as successor in interest thereto, or which otherwise possess any of the powers and duties of any referenced governmental agency in existence on the effective date of this Development Order.

7.4 In the event of a Development Order appeal or other legal challenge of this Development Order by DEO, the Applicant shall pay all reasonable costs and fees of County staff and attorneys relating to said appeal or legal challenge. Said costs and fees shall be based upon the Sarasota County Billable Fee System under Ordinance No. 85-91, as amended from time to time. Payment of all billings by the Applicant related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

SECTION 8. Severability.

8.1 If any section, sentence, clause, phrase or word of this Development Order is for any reason held or declared to be invalid, inoperative, or void, such holding of invalidity shall not affect the remaining portions of this Development Order. It shall be construed to have been the intent to pass this Development Order, without such invalid or inoperative part herein, and the remainder, exclusive of such part or parts, shall be deemed and held to be valid as if such parts had not been included herein, unless to do so would frustrate the intent of this Development Order.

8.2 Nothing in Section 7.1 shall override the effect of an appeal pursuant to Section 380.07(2), Florida Statutes.

SECTION 9. Service and Recording.

9.1 The Planning and Development Services Department is hereby directed to record this Ordinance in the Official Records of the Clerk of the Circuit Court. All costs associated with the recording of this Ordinance shall be borne by the Applicant. This Ordinance shall be binding upon the Applicant, its successors and assigns and upon Sarasota County.

9.2 The Clerk to the Board of County Commissioners shall certify the date upon which a copy of this Ordinance are deposited in the U.S. Mail to DEO and electronic copies to the SWFRPC, and the Applicant.

VIA US MAIL

Ray Eubanks
Department of Economic Opportunity
Division of Community Development
MSC 160
107 East Madison Street
Tallahassee, Florida 32399

VIA E-MAIL

David Crawford
Southwest Florida Regional Planning Council

Email: dcrawford@swfrpc.org

Justin Powell
Palmer Ranch Holdings
Email: justin@pranch.com

SECTION 10. Effective Date.

10.1 This Development Order shall take effect upon adoption of this Ordinance and transmittal of the copies of said Development Order to the parties specified in Chapter 380.07 (2), Florida Statutes, the expiration of any applicable appeal period, or the resolution of any appeal, whichever is later.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida, this 23rd of APRIL, 2014.

**BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA**

By: _____

Chairman

ATTEST:

KAREN E. RUSHING, Clerk of Circuit Court
and ex officio Clerk of the
Board of County Commissioners of

Sarasota County, Florida

By: _____

Deputy Clerk

EXHIBIT LIST

Exhibit "A" – Legal Description for Palmer Ranch Increment XVI

Exhibit "B" – Development Order Conditions for Palmer Ranch Increment XVI

Exhibit "C" – Master Development Plan for Parcel P-3

Exhibit "D" – Master Development Plan for Parcel B-8

EXHIBIT A – LEGAL DESCRIPTION

PARCEL P-3 A: (COMMERCIAL)

A parcel of land lying in Section 36, Township 37 South, Range 18 East, Sarasota County, Florida and described as follows:

BEGIN at the most northeasterly corner of Central Sarasota Parkway (120 foot wide public right-of-way) as recorded in Road Plat Book 4, Page 40, Public Records of Sarasota County, Florida, said point being the point of curvature of a curve to the right, of which the radius point lies N.01°15'15"E., a radial distance of 50.00 feet; thence along the northerly right-of-way line of said Central Sarasota Parkway and the easterly right-of-way of Honore Avenue (150 foot wide public right-of-way) as recorded in said Road Plat Book 4, Page 40 for the following two calls; (1) thence northwesterly along the arc of said curve, through a central angle of 90°00'00", a distance of 78.54 feet, said curve having a chord bearing and distance of N.43°44'45"W., 70.71 feet; (2) thence N.01°15'15"E., a distance of 1,209.85 feet; thence S.88°44'45"E., a distance of 50.00 feet; thence S.65°46'13"E., a distance of 73.16 feet; thence N.67°05'50"E., a distance of 86.29 feet; thence S.65°46'13"E., a distance of 323.21 feet; thence S.07°00'52"E., a distance of 725.57 feet to the point of curvature of a curve to the right having a radius of 239.00 feet and a central angle of 37°51'08"; thence southerly along the arc of said curve, a distance of 157.89 feet to the point of tangency of said curve; thence S.30°50'16"W., a distance of 133.30 feet to the point of curvature of a curve to the left having a radius of 361.00 feet and a central angle of 18°25'00"; thence southerly along the arc of said curve, a distance of 116.04 feet to the point of tangency of said curve; thence S.12°25'16"W., a distance of 20.44 feet to the point of curvature of a non tangent curve to the right, having a radius of 1,450.00 feet and a central angle of 10°48'58"; thence westerly along the arc of said curve, a distance of 273.73 feet, said curve having a chord bearing and distance of S.85°50'46"W., 273.32 feet, to the point of tangency of said curve; thence N.88°44'45"W., a distance of 137.22 feet to the POINT OF BEGINNING.

Said parcel contains 654,966 square feet or 15.0360 acres, more or less.

PARCEL P-3 B (RESIDENTIAL):

A parcel of land lying in Sections 25 and 36, Township 37 South, Range 18 East, Sarasota County, Florida and described as follows:

Commence at the most northeasterly corner of Central Sarasota Parkway (120 foot wide public right-of-way) as recorded in Road Plat Book 4, Page 40, Public Records of Sarasota County, Florida, said point being the point of curvature of a curve to the right, of which the radius point lies N.01°15'15"E., a radial distance of 50.00 feet; thence along the northerly right-of-way line of said Central Sarasota Parkway and the easterly right-of-way of Honore Avenue (150 foot wide public right-of-way) as recorded in said Road Plat Book 4, Page 40 for the following two calls; (1) thence northwesterly along the arc of said curve, through a central angle of 90°00'00", a distance of 78.54 feet, said curve having a chord bearing and distance of N.43°44'45"W., 70.71 feet; (2) thence N.01°15'15"E., a distance of 1,209.85 feet to the POINT OF BEGINNING; thence continue N.01°15'15"E., along said easterly right-of-way line of Honore Avenue, a distance of 439.63 feet to a point on the south line of a 150' wide drainage easement as recorded in Official Records Instrument Number 2001075551, said Public Records; thence along said south and easterly easement line for the following three calls; (1) thence S.65°45'57"E., a distance of 731.90 feet to the point of curvature of a curve to the right having a radius of 225.00 feet and a central angle of 58°45'20"; (2) thence southeasterly along the arc of said curve, a distance of 230.73 feet to the point of tangency of said curve; (3) thence S.07°00'37"E., a distance of 1,049.31 feet; thence S.68°43'34"W., a distance of 234.60 feet to the point of curvature of a curve to the right having a radius of 1,450.00 feet and a central angle of 11°42'43"; thence westerly along the arc of said curve, a distance of 296.40 feet to the end of said curve; thence N.12°25'16"E., a distance of 20.44 feet to the point of curvature of a curve to the right, having a radius of 361.00 feet and a central angle of 18°25'00"; thence northerly along the arc of said curve, a distance of 116.04 feet to the point of tangency of said curve; thence N.30°50'16"E., a distance of 133.30 feet to the point of curvature of a curve to the left having a radius of 239.00 feet and a central angle of 37°51'08"; thence northerly along the arc of said curve, a distance of 157.89 feet to the point of tangency of said curve; thence N.07°00'52"W., a distance of 725.57 feet; thence N.65°46'13"W.,

a distance of 323.21 feet; thence S.67°05'50"W., a distance of 86.29 feet; thence N.65°46'13"W., a distance of 73.16 feet; thence N.88°44'45"W., a distance of 50.00 feet to the POINT OF BEGINNING.

Said parcel contains 631,188 square feet or 14.4901 acres, more or less.

RESTORATION AREA "D":

A tract of land lying in Sections 25 and 36, Township 37 South, Range 18 East, Sarasota County, Florida and described as follows:

Commence at the most northeasterly corner of Central Sarasota Parkway (120 foot wide public right-of-way) as recorded in Road Plat Book 4, Page 40, Public Records of Sarasota County, Florida; thence S.88°44'29"E., a distance of 137.61 feet to the point of curvature of a curve to the left having a radius of 1,450.00 feet and a central angle of 22°31'37"; thence easterly along the arc of said curve, a distance of 570.09 feet to the point of tangency of said curve; thence N.68°43'54"E., a distance of 233.88 feet to the POINT OF BEGINNING; thence N.07°00'37"W., a distance of 1,049.98 feet to the point of curvature of a curve to the left having a radius of 225.00 feet and a central angle of 58°45'20"; thence northwesterly along the arc of said curve, a distance of 230.73 feet to the point of tangency of said curve; thence N.65°45'57"W., a distance of 731.48 feet to a point on the east right-of-way line of Honore Avenue (150 foot wide public right-of-way) as recorded in said Road Plat Book 4, Page 40; thence N.01°15'31"E., along said east right-of-way line, a distance of 135.27 feet; thence S.65°45'57"E., a distance of 214.55 feet; thence N.14°31'28"W., a distance of 31.44 feet to the point of curvature of a curve to the right having a radius of 100.00 feet and a central angle of 18°45'48"; thence northerly along the arc of said curve, a distance of 32.75 feet to the point of reverse curvature of a curve to the left having a radius of 100.00 feet and a central angle of 18°33'44"; thence northerly along the arc of said curve, a distance of 32.40 feet to the point of tangency of said curve; thence N.14°40'36"W., non tangent to the last stated curve, a distance of 123.34 feet to the point of curvature of a non tangent curve to the right, having a radius of 10.00 feet and a central angle of 63°17'00"; thence northerly along the arc of said curve, a distance of 11.05 feet, said curve having a chord bearing and distance of N.16°49'06"E., 10.49 feet, to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 89°28'50"; thence easterly along the arc of said curve, a distance of 78.09 feet, to the point of compound curvature of a curve to the right having a radius of 100.00 feet and a central angle of 30°54'28"; thence southeasterly along the arc of said curve, a distance of 53.94 feet to the point of reverse curvature of a curve to the left having a radius of 335.00 feet and a central angle of 14°14'45"; thence southerly along the arc of said curve, a distance of 83.29 feet to a point on the southwesterly boundary of Villagewalk, Unit 1A, as recorded in Plat Book 42, Page 19, said Public Records, also being the point of curvature of a non tangent curve to the left, having a radius of 335.00 feet and a central angle of 20°15'46"; thence along said southwesterly boundary of Villagewalk, Unit 1A for the following eight (8) calls: (1) thence southeasterly along the arc of said curve, a distance of 118.47 feet, said curve having a chord bearing and distance of S.35°38'20"E., 117.86 feet, to the point of compound curvature of a curve to the left having a radius of 385.00 feet and a central angle of 05°07'07"; (2) thence southeasterly along the arc of said curve, a distance of 34.40 feet to the point of tangency of said curve; (3) thence S.50°53'20"E., a distance of 51.13 feet to the point of curvature of a curve to the left having a radius of 100.00 feet and a central angle of 52°50'19"; (4) thence easterly along the arc of said curve, a distance of 92.22 feet to the point of compound curvature of a curve to the left having a radius of 250.00 feet and a central angle of 27°22'29"; (5) thence northeasterly along the arc of said curve, a distance of 119.44 feet to the point of reverse curvature of a curve to the right having a radius of 230.00 feet and a central angle of 15°39'00"; (6) thence northeasterly along the arc of said curve, a distance of 62.82 feet to the point of compound curvature of a curve to the right having a radius of 45.00 feet and a central angle of 56°25'08"; (7) thence easterly along the arc of said curve, a distance of 44.31 feet to the point of compound curvature of a curve to the right having a radius of 25.00 feet and a central angle of 77°03'27"; (8) thence southerly along the arc of said curve, a distance of 33.62 feet to the point of curvature of a non tangent curve to the right, having a radius of 115.00 feet and a central angle of 36°44'05"; thence southwesterly along the arc of said curve, a distance of 73.73 feet, said curve having a chord bearing and distance of S.34°24'39"W., 72.47 feet, to the point of curvature of a non tangent curve to the right, having a radius of 500.00 feet and a central angle of 30°51'36"; thence easterly along the arc of said curve, a distance of 269.30 feet, said curve having a chord bearing and distance of N.70°33'56"E., 266.06 feet, to the point of tangency of said curve; thence N.85°59'43"E., a distance of 201.64 feet to the point of curvature of a curve to the right having a radius of 210.00 feet and a central angle of 98°28'47"; thence southeasterly along the arc of said

curve, a distance of 360.95 feet to the point of compound curvature of a curve to the right having a radius of 350.00 feet and a central angle of $52^{\circ}29'42''$; thence southwesterly along the arc of said curve, a distance of 320.67 feet to the point of reverse curvature of a curve to the left having a radius of 475.00 feet and a central angle of $63^{\circ}58'49''$; thence southwesterly along the arc of said curve, a distance of 530.42 feet to the point of tangency of said curve; thence $S.07^{\circ}00'37''E.$, a distance of 600.68 feet; thence $S.68^{\circ}43'54''W.$, a distance of 128.97 feet to the POINT OF BEGINNING.

Said tract contains 612,393 square feet or 14.0586 acres, more or less.

PARCEL B-8:

A parcel of land lying in Section 23, Township 37 South, Range 18 East, Sarasota County, Florida and described as follows:

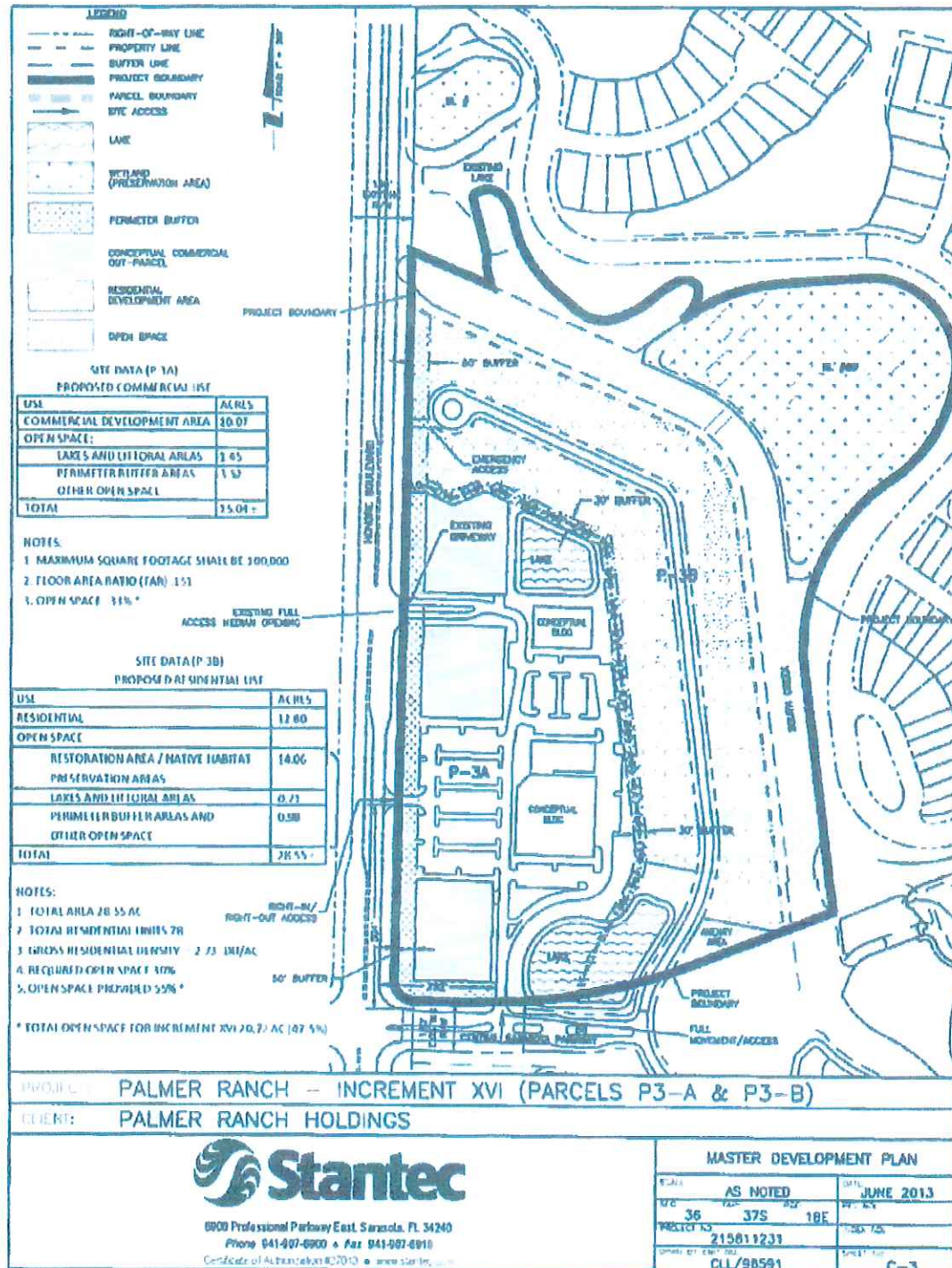
BEGIN at the southeast corner of Parcel "A", Stonebridge, Unit 1 as recorded in Plat Book 38, Pages 18 through 18D, Public Records of Sarasota County, Florida; thence $N.00^{\circ}24'03''W.$, along the east line of said Parcel "A", a distance of 432.38 feet to a point on the easterly line of Tract 703 of said plat of Stonebridge, Unit 1; thence along said easterly line of Tract 703 for the following five (5) calls; (1) thence $N.41^{\circ}04'40''E.$, a distance of 29.10 feet; (2) thence $N.54^{\circ}29'10''E.$, a distance of 93.88 feet to the point of curvature of a curve to the left having a radius of 100.00 feet and a central angle of $78^{\circ}15'12''$; (3) thence northerly along the arc of said curve, an arc length of 136.58 feet to the point of reverse curvature of a curve to the right having a radius of 175.00 feet and a central angle of $15^{\circ}44'46''$; (4) thence northerly along the arc of said curve, a distance of 48.09 feet to the point of compound curvature of a curve to the right having a radius of 565.00 feet and a central angle of $13^{\circ}06'00''$; (5) thence northerly along the arc of said curve, an arc length of 129.18 feet to the point of tangency of said curve, said point also being the southwest corner of Increment "X", as recorded in Official Record Book 3052, Page 1282 of said Public Records; thence along the south line of said Increment "X" for the following four (4) calls; (1) thence $S.84^{\circ}55'18''E.$, a distance of 44.38 feet to the point of curvature of a curve to the left having a radius of 170.83 feet and a central angle of $32^{\circ}32'23''$; (2) thence easterly along the arc of said curve, an arc length of 97.02 feet to the point of reverse curvature of a curve to the right having a radius of 85.00 feet and a central angle of $29^{\circ}02'44''$; (3) thence easterly along the arc of said curve, a distance of 43.09 feet to the point of tangency of said curve; (4) thence $S.88^{\circ}24'57''E.$, a distance of 370.16 feet to a point on the east right-of-way line of Honore Avenue (variable width public right-of-way) as recorded in Official Record Book 3053, Page 2675 of said Public Records; thence along said east right-of-way line for the following six (6) calls; (1) thence $S.04^{\circ}57'37''E.$, a distance of 0.81 feet to the point of curvature of a curve to the right having a radius of 2,819.25 feet and a central angle of $04^{\circ}33'35''$; (2) thence southerly along the arc of said curve, an arc length of 224.36 feet to the point of tangency of said curve; (3) thence $S.00^{\circ}24'02''E.$, a distance of 159.99 feet; (4) thence $S.13^{\circ}05'42''W.$, a distance of 51.42 feet; (5) thence $S.00^{\circ}24'02''E.$, a distance of 265.95 feet; (6) thence $S.44^{\circ}35'58''W.$, a distance of 84.85 feet to a point on the north right-of-way line of Palmer Ranch Parkway (100-foot wide public right-of-way) as recorded in Official Record Book 3053, Page 2675 of said Public Records; thence along said north right-of-way line for the following two (2) calls; (1) thence $S.89^{\circ}35'58''W.$, a distance of 276.97 feet to the point of curvature of a curve to the left having a radius of 1,005.00 feet and a central angle of $18^{\circ}51'43''$; (2) thence westerly along the arc of said curve, an arc length of 330.85 feet to the POINT OF BEGINNING.

Said Parcel contains 472,609 square feet or 10.8496 acres, more or less.

EXHIBIT B – DEVELOPMENT ORDER CONDITIONS

1. All development shall occur in substantial accordance with the Development Concept Plans for Parcel P-3, date stamped March 21, 2014, and attached hereto as Exhibit C, and for Parcel B-8, date stamped January 22, 2014, and attached hereto as Exhibit D.

EXHIBIT C – MASTER DEVELOPMENT PLAN FOR PARCEL P-3



Rec'd by Planning Services 3.21.14



Agenda

Item

11

11

Regional Issues

11

11

<hr/>	Agenda
<hr/>	Item

11a

11a

SWFWMD Conservation
Strategies Presentation

11a

Water Conservation and District Activities

June 19, 2014

**Melissa Dickens
Staff Planner**

Southwest Florida
Water Management District



WATERMATTERS.ORG • 1-800-423-1476



Today's Presentation

- Regional Water Supply Planning
- Indoor and Outdoor Water Conservation
- Florida Water Star
- Regulatory Component
- Regional Progress

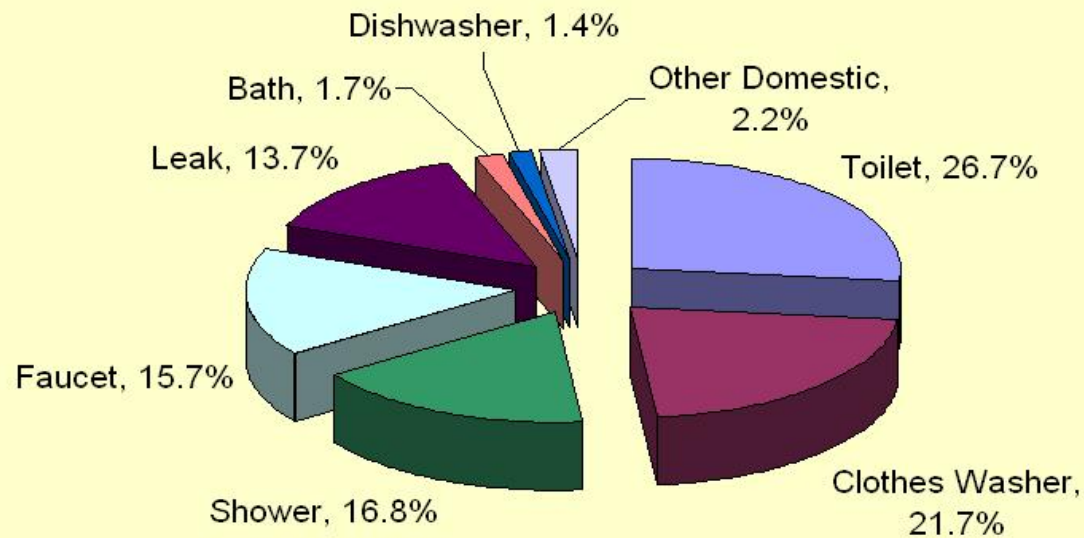
Regional Water Supply Planning

- **Goal:** Ensure Adequate Supply for All Users
- How to Address a Growing Demand with Limited Supply
- Conservation as Source of Water
- Projecting Water Conservation Potential



Conserving Indoors

Indoor Per Capita Water Use



Source: AWE, 2010

Conserving Indoors

Historical Flow Ratings for Fixtures

Fixture	WaterSense	EPA Act 1994	1980-1994	Pre-1980
Toilets	1.28 gpf	1.6 gpf	3.5-4.5 gpf	5.0 gpf
Showerheads	2.0 gpm	2.5 gpm	2.75-4.0 gpm	5.0-8.0 gpm
Faucets	2.0 gpm	2.5 gpm	2.75-3.0 gpm	3.0-7.0 gpm

Source: AWWA, 2012

Conserving Indoors



- Plumbing Rebate/Retrofits
 - Faucet Aerators
 - Showerheads
 - Toilets / Urinals
- Appliance Rebate/Retrofits
 - Dishwashers
 - Clothes Washers

Conserving Outdoors

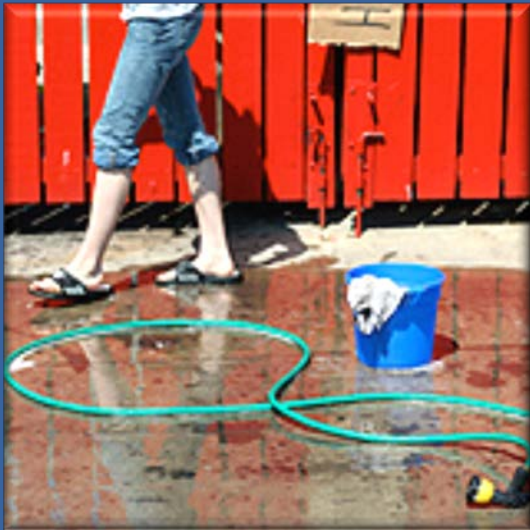


Outdoor water use can account for greater than 50% of water consumed by single-family homes

Conserving Outdoors

Automatic Shut-off Devices

- Weather-based
- Evapotranspiration
- Soil Moisture Sensor
- Rain Sensor



Conserving Outdoors



Education & Outreach

- Florida-Friendly Landscaping™

Landscape & Irrigation System Design

- Placement of Heads and Rotors
- Leak Detection



Florida Water Star

- Voluntary certification program for new and existing residential and commercial developments that encourages indoor/outdoor water efficiency through:
 - Indoor appliances and fixtures
 - Outdoor landscape plant selection
 - Irrigation system design
- Statewide:
 - 854 residential homes
 - 14 commercial/institutional properties
 - 7 communities



Rate Structures

Water-Conserving Rate Structures

- Use more, pay more
- Consumers are sensitive to price
- Higher prices encourage conservation
- Targets non-essential uses

Watering Restrictions

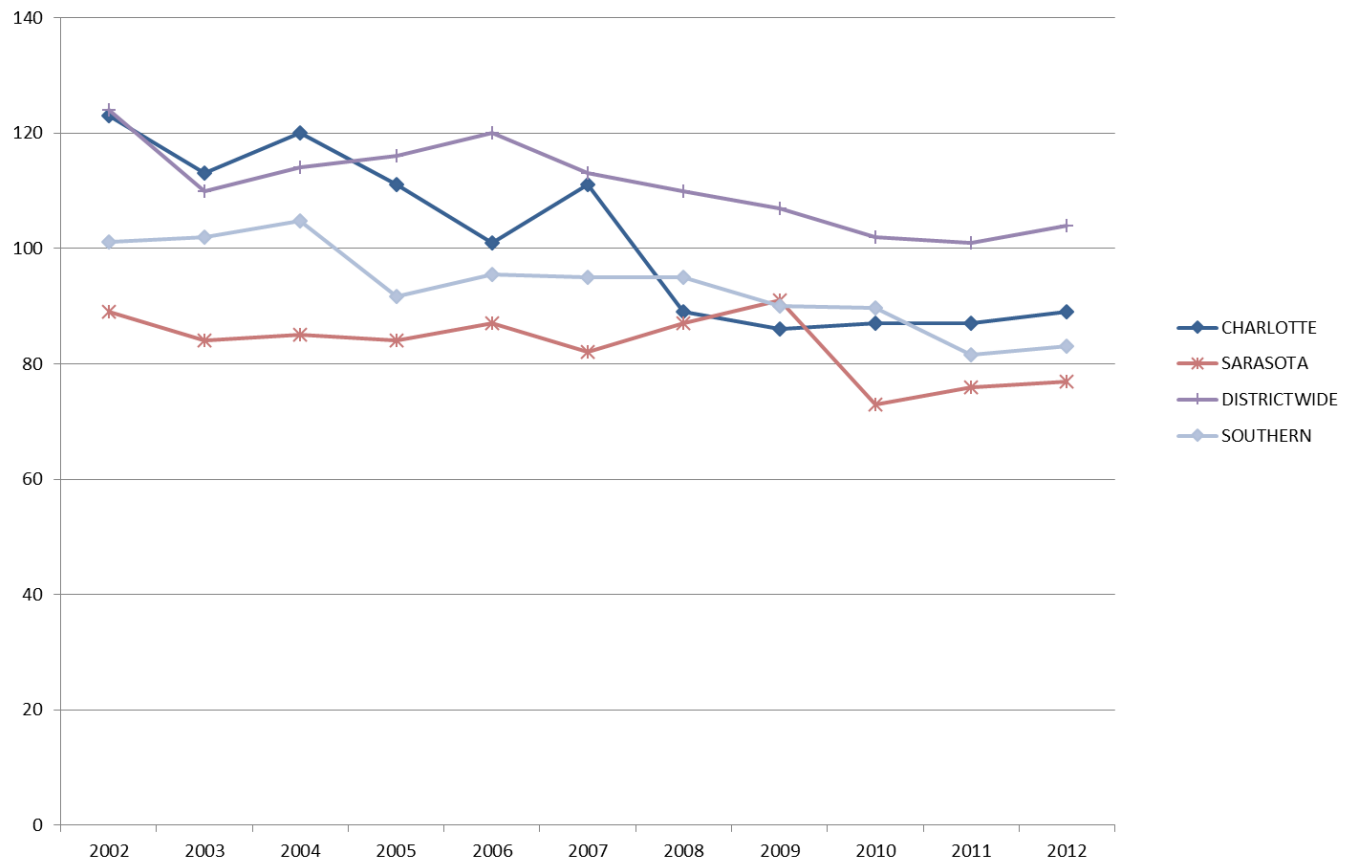
- SWFWMD – 2 days a week
- Sarasota County – 1 day a week
- City of Venice – 1 day a week



Regional Progress



Southern Planning Region
2002-2012 Unadjusted Gross Per Capita



Additional Information

- WaterMatters.org/conservation
- Contact Melissa
 - Melissa.Dickens@WaterMatters.org
 - 1-800-423-1476, ext. 4422

Questions?



--- Agenda --- Item

11b

11b

“Our Creative Economy”
Presentation

11b



OUR CREATIVE ECONOMY

Southwest Florida Regional Planning Council





FIELD & TOUR GUIDE

FOR PUBLIC ART & CULTURAL VENUES IN

LEE COUNTY



LOGO COMPETITION

Page 160 of 206



C 3rd Place



NOTE: "Discover" theme with abstract telescope, palm leaf, ocean blue, artist palette shape at bottom

D "Discover" theme with abstract telescope, palm leaf, ocean blue, artist palette shape at bottom



NOTE: "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape

E "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape



NOTE: "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape

F "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape



NOTE: "SWFL" theme with palm tree, sun, ocean with the "L" as a paint brush painting the beach

G "SWFL" theme with palm tree, sun, ocean with the "L" as a paint brush painting the beach
1st Place



H OUR CREATIVE ECONOMY

2nd Place



PARTNERS

Lee County Alliance for
the Arts

The Greater LaBelle
Chamber of Commerce

Sarasota County – Office of Business
and Economic Development

Hendry County Economic Development
Council/Tourism Development Council

United Arts Council
of Collier County

City of Fort Myers
Public Art Program

Sarasota County Tourism
Development Council

Arts & Humanities Council
of Charlotte County

Seminole Tribe
of Florida

Lee County Visitors
Convention Bureau

Arts & Cultural Alliance
of Sarasota County

Charlotte County Tourism
Development Council

Collier County Tourism
Development Council

Glades County Economic Development
Council

Arts of the Inland

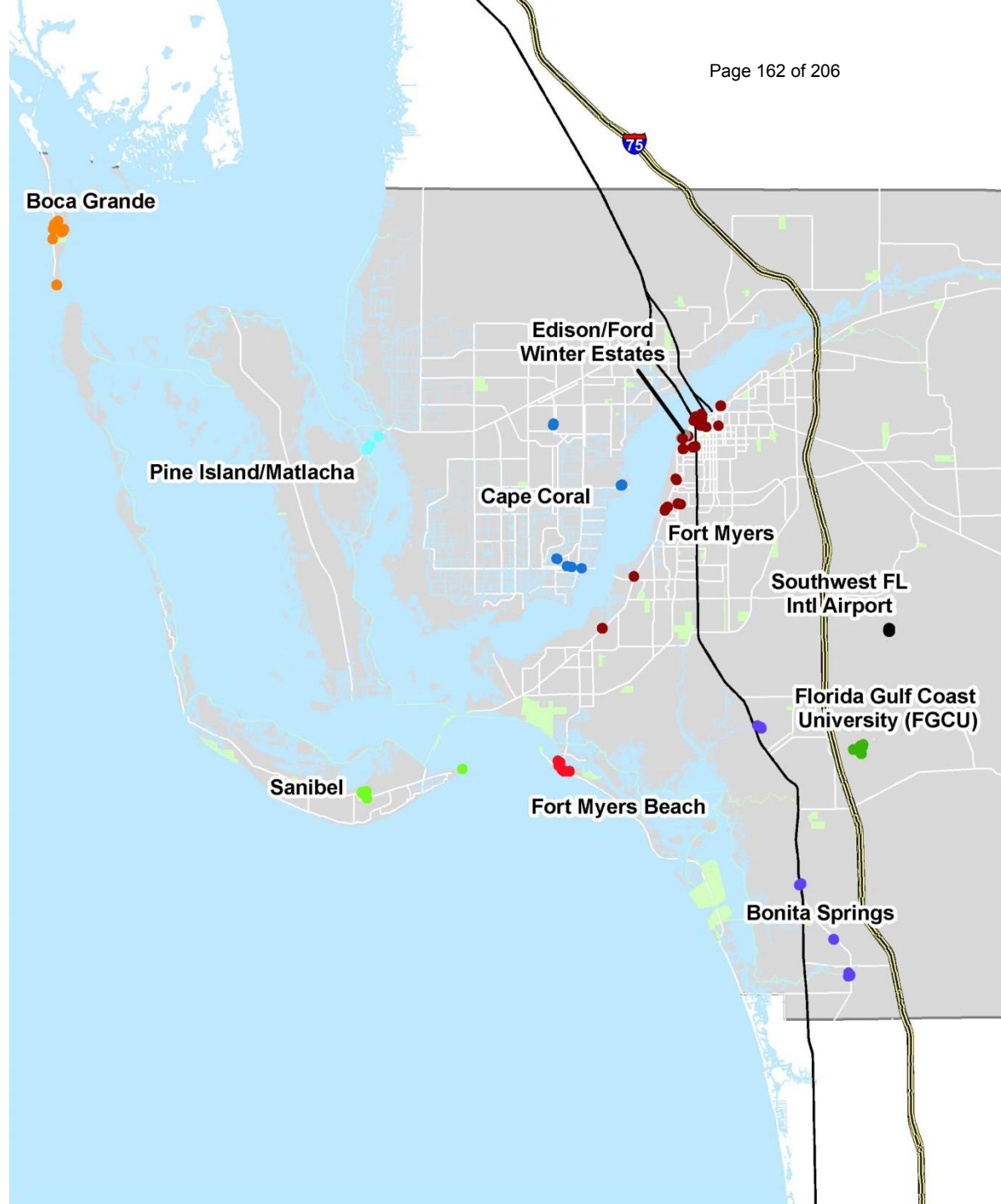
The Boca Grande Art
Alliance

The Punta Gorda Visual
Arts Center

The Naples Arts Alliance

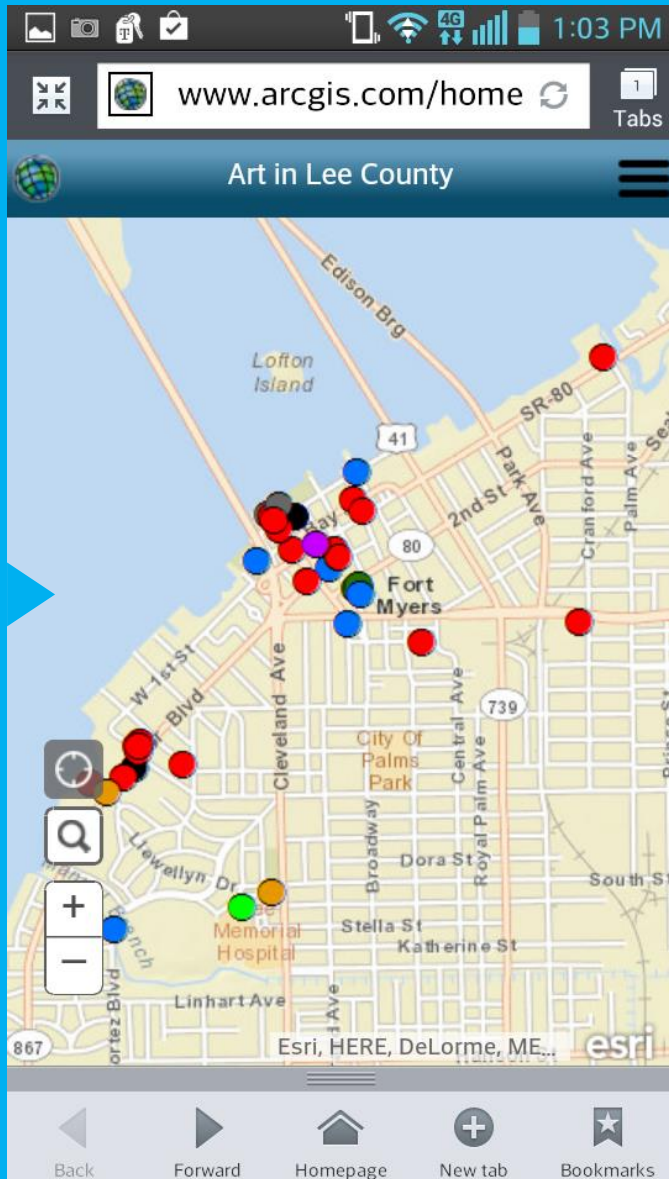


Lee County Art & Cultural Venues

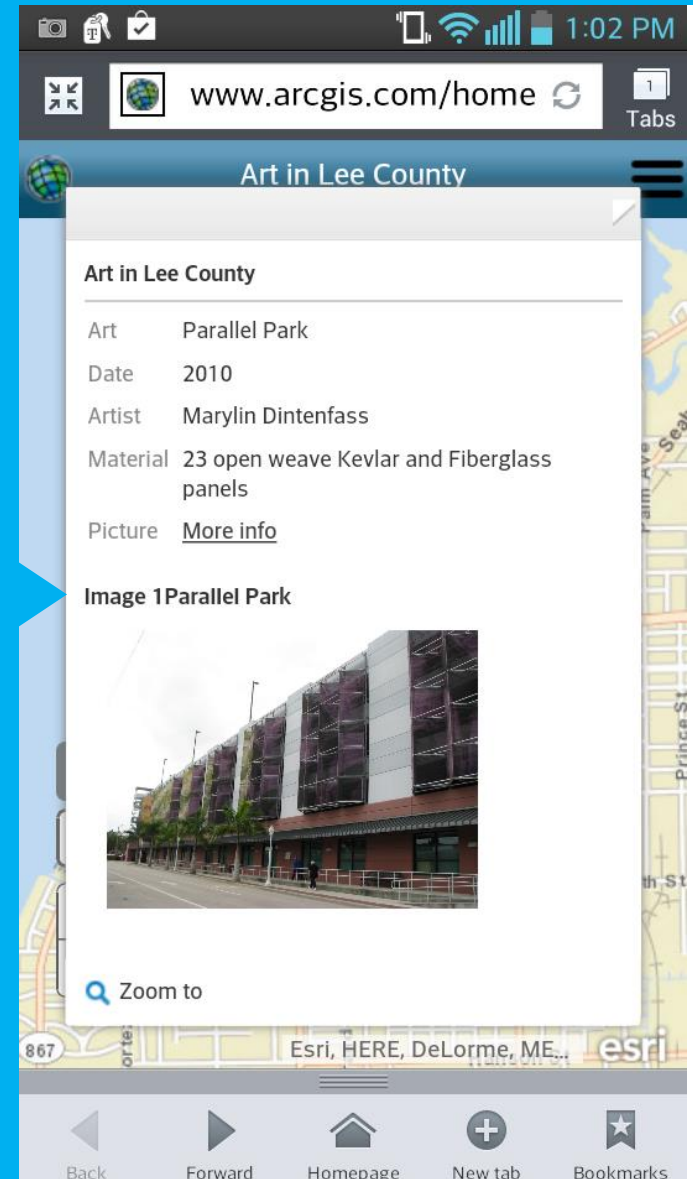


MAP VIEWER GUIDE: LEE COUNTY

Map View



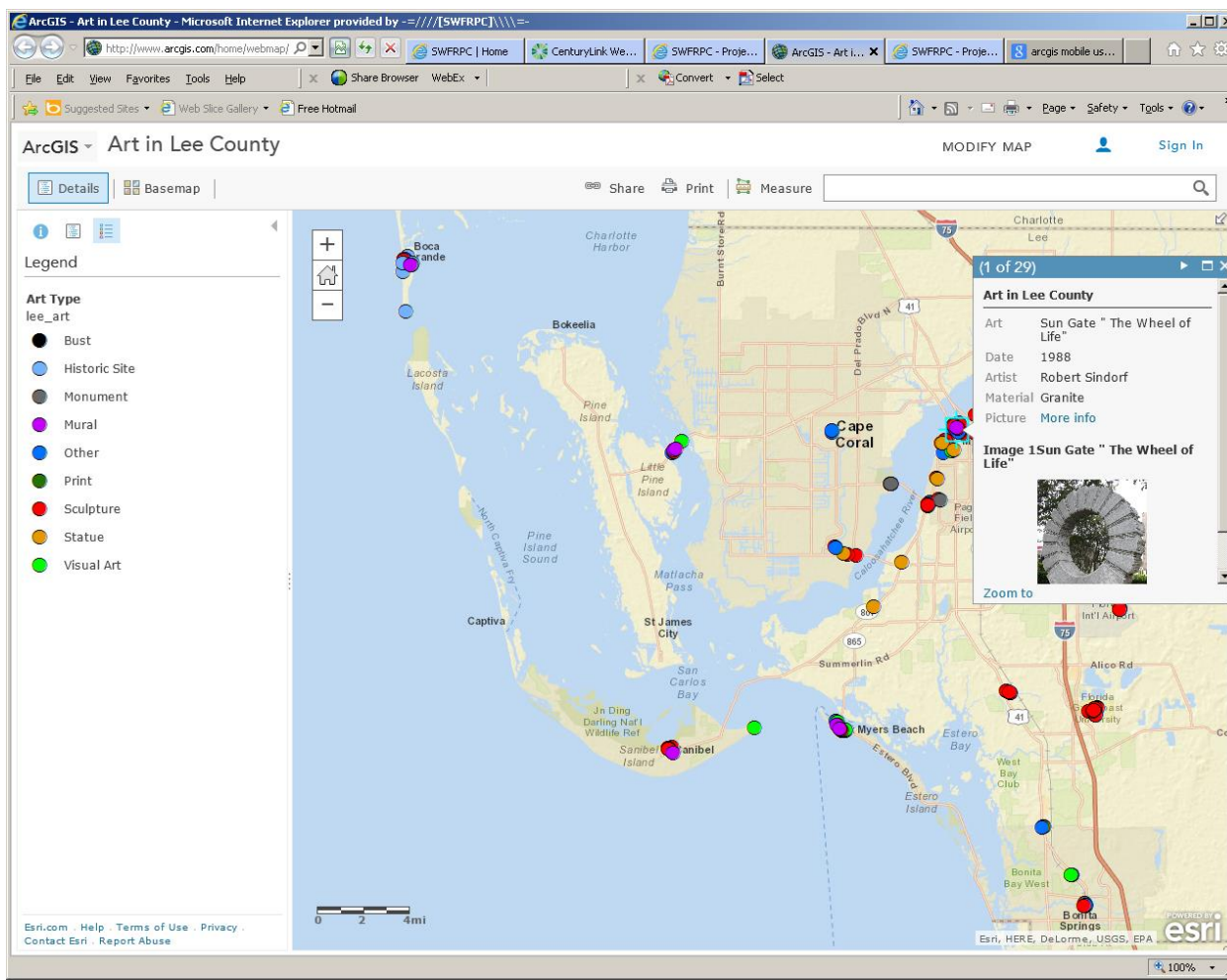
Art View



MAP VIEWER ONLINE

For both desktop and mobile devices:

- From a browser, navigate to: <http://www.swflregionalvision.com/CreativeEconomy.html>
- Click on the link entitled: [Lee County Art Map Viewer for Mobile and PC](#)



CLOSING COMMENTS

Page 165 of 206

Margaret Wuerstle

Executive Director

239.338.2550 ext. 222

mwuerstle@swfrpc.org

Jennifer Pellechio

Tim Walker

Rebekah Harp

Jim Beever

Nichole Gwinnett

Courtney Lallo

For more information please contact us at:
socialmedia@swfrpc.org



[Youtube.com
/SWFRPC](https://www.youtube.com/SWFRPC)



[twitter.com/
SWFRPC](https://twitter.com/SWFRPC)



[facebook.com
/SWFRPC](https://facebook.com/SWFRPC)



[linkedin.com
/in/SWFRPC](https://www.linkedin.com/in/SWFRPC)



www.swfrpc.org

12

12

12

Agenda Item

12a

12a

Budget & Finance Committee

12a

12a

SWFRPC BUDGET & FINANCE COMMITTEE MEETING MAY 15, 2014

The SWFRPC's Budget & Finance Committee held a meeting on April 17, 2014, at the offices of the Southwest Florida Regional Planning Council. The following members and staff were in attendance:

Committee Members

Councilman Kit McKeon, City of Venice (Chair)

Staff

Ms. Margaret Wuerstle, Executive Director

Ms. Nichole Gwinnett, Administrative Specialist II

Item #1 - Call to Order – Councilman Kit McKeon (Chair)

Chair McKeon called the meeting to order at 8:35 AM.

Item #2 – FY2015 Budget

Ms. Wuerstle noted that Councilwoman Heitmann had asked her to revise her contract for the Council's May meeting, which she has done and it is ready for her signature. She said that Councilwoman Heitmann also wanted to know what the impact would be to the budget. Ms. Wuerstle explained that the Council approved a 2% bonus at her rate of pay along with 240 hours of vacation carry-over. The 240 hours of vacation carry-over equals \$12,900.

Item #3 – Other Business

Ms. Wuerstle explained the reasons that the April financials were not included in the Council's agenda packet.

Ms. Wuerstle noted that the July Council meeting had been cancelled and staff attempted to move the August 21 meeting up to August 7, but staff was unable to obtain a quorum. Currently, the August Council meeting has been set for August 14.

Ms. Wuerstle announced that the Council was awarded approximately \$2.5 million in grants for its current fiscal year. The amount which the Council would be receiving was approximately \$844,000.

Chair McKeon asked if some of those grants were previously announced. Ms. Gwinnett explained that some of the grants are carry-over grants, the timeframe for the grants ranges from 6 months to 3 years.

Chair McKeon requested a meeting with both Ms. Doyle and Ms. Wuerstle to discuss the components of the budget. Ms. Wuerstle agreed and then said that at this point in time she was confident that she would be able to close the FY2015 budget.

Ms. Wuerstle gave a general overview of the recent federal grants staff had submitted.

Item #4 - Set Next Meeting Date and Time

The next meeting date will be determined at a later date.

Item #6- Adjournment

The meeting concluded at 8:55 AM.

Minutes taken and drafted by Administrative Specialist II, Nichole Gwinnett
Reviewed by Margaret Wuerstle on June 2, 2014

DRAFT

--- Agenda --- Item

12b

12b

Economic Development
Committee

12b

Agenda Item

12c

12c

Energy & Climate Committee

12c

12c

12d

12d

Estero Bay Agency on Bay Management

The regular meeting of the Estero Bay Agency on Bay Management was held on May 12, 2014 in the SWFRPC 1st Floor Conference Room in Fort Myers, Florida.

The approved minutes of the March 10, 2014 and April 14, 2014 meetings are attached.

Mr. Don Schrotenenboer, Charles Basinait, Carl Barraco, Ken Passerella, and Kirk Martin presented on the WildBlue project located east of FGCU between Alico Road and Corkscrew Road on the old Ginn Property (presenter's handout attached). The project was discussed in relation to hydrology, water quality, habitats, wildlife underpasses, transportation, and aspects for design improvements.

Field trip planning post presentation on restoration at a future meeting was discussed.

The cancellation of the July ABM meeting was approved in coordination with the SWFRPC.

Next Meeting Time and Place, for EBABM is Monday, August 11, 2014 – 9:30 A.M, at the SWFRPC and for the IAS is Monday, June 30, 2014 – 1:30 P.M at FGCU.

Recommended Action: Information Only

Minutes

ESTERO BAY AGENCY ON BAY MANAGEMENT

Monday, March 10, 2014 – 9:30 a.m.

SWFRPC Offices
1926 Victoria Avenue
Fort Myers, Florida

1. Call to Order – Dr. Demers called the meeting to order at 9:33 AM.
2. Attendance- As usual attendance was taken from the sign in sheet:

NAME	ORGANIZATION
Tom Babcock	Fort Myers Beach Civic Association
Karen Bickford	Lee Co Div of Natural Resources
Brenda Brooks	CREW
Cheryl Clark	Estero Bay Aquatic Preserve
Brad Cornell	Audubon of Florida
John Curtis	Johnson Engineering
Wayne Daltry	Audubon of SWF
Nora Demers	Responsible Growth Management Coalition
Liz Donley	CHNEP
Win Everham	FGCU
Jeremy Frantz	Conservancy of South West Florida
Brian Hamman	Lee County Commission
Renee Kwiat	Lee County Port Authority
Keith Laallanen	Town of Fort Myers Beach
Christopher Lienhardt	FGCU Student
Laura Miller	League of Women Voters
Pete Quasius	Snook Foundation
Martha Simons	City of Bonita Springs
Roger Strelow	ECCL
Patty Whitehead	Bonita Lion's Club Green Team

Staff in Attendance: Jim Beever

Guests: Charles Basinait, Henderson, Franklin, Starnes & Holt, P.A; Don Schrotenboer, PEG; Howard Baum, PEG, Carl A. Barraco, Barraco & Assoc., Ken Passerella, Passerella & Assoc.; Tina Matte, Gravina, Smith, Matte & Arnols; Kirk Martin, WSA Consultants; Ross Wherry

3. Approval of February 10, 2014 minutes. Motion to approve February 10, 2014 minutes as written was made by Mr. Daltry and seconded by Ms. Brooks. The motion carried with no discussion and no objections.
4. Agenda – No Additions, Deletions or Corrections. Motion to approve the agenda as written was made by Ms. Simons and seconded by Dr. Demers.

5. CenterPlace Development Presentation (AKA Alico West) Presentation

The project was presented by a team including Mr. Don Schrotenboer, PEG; Mr. Howard Baum, PEG, Mr. Charles Basinait, Henderson, Franklin, Starnes & Holt, P.A; Mr. Carl A. Barraco, Barraco & Assoc., Mr. Ken Passerella, Passerella & Assoc.; Ms. Tina Matte, Gravina, Smith, Matte & Arnold; and Mr. Kirk Martin, WSA Consultants.

Mr. Don Schrotenboer, Charles Basinait, Carl Barraco, Ken Passerella, and Kirk Martin presented on The Centerplace Development AKA Alico West located northeast of FGCU with a new entrance road to the university (presenter's handout attached). The project was discussed in relation to water quality, habitats, coordinated transportation with FGCU, and aspects for design improvements.

The CenterPlace Development AKA Alico West is located northeast of FGCU with a new entrance road to the university was discussed, and plans to request a presentation for a future meeting were made.

Private Equity Group has applied to Lee County for zoning approval for CenterPlace, the first significant mixed-use development to be proposed utilizing the county's progressive Compact Communities Code. Planned on 886 acres south of Alico Road and east of Ben Hill Griffin Parkway, CenterPlace is the continuation of the Comprehensive Plan Amendment for a project then known as Alico West that was approved by Lee County and the State of Florida in 2010. The development is located on the last piece of developable land contiguous to Florida Gulf Coast University and includes a 40-acre parcel donated to the university for campus expansion. CenterPlace is ideally located for a regional hub of vibrant activity, only one mile east of I-75 and two miles south of Southwest Florida International Airport. CenterPlace is about connections. FGCU faculty and students will have direct access from the main campus to the community's parks, shopping, restaurants and entertainment destinations via multi-modal paths, a potential water shuttle, and a new road on the south end of the development connecting CenterPlace to the east end of FGCU's campus. Residents from throughout Southwest Florida and regional tourists will visit the town center district and community parks for unique programs, activities and concerts. Paths within the development will connect residential neighborhoods with the waterfront promenade, town square and community beach.

CenterPlace will be the first mixed-used development of its kind in Southwest Florida. The community includes the following proposed uses:

- Primary and secondary homes for residents of all ages
- Graduate and student housing incorporating the latest design, technology and amenities
- 250-bed hotel and 30,000-square-foot conference center

- Marina and observation pier
- 6S-acre central park for outdoor recreational programming and activities
- Retail, restaurant and entertainment outlets
- Lively town center with activities and attractions for residents and visitors throughout the region
- Office space
- Research & development park
- Extended classroom and event locations for FGCU faculty and students

CENTERPLACE By THE NUMBERS

Total acreage 886

Parks and open spaces 170 acres

Lake 352 acres

Residential units 1,950

Hotel rooms 250

Conference center 30,000 sq. ft.

Retail and entertainment 246,400 sq. ft.

Office 100,000 sq. ft.

R&D Park 300,000 sq. ft.

Land donation to FGCU 40 acres

Pending permits and approvals, land development to begin in mid-2015

The 866 acres comp plan change was approved in 2010 when Alco owned the property. The purpose is to serve as a University village intended to be for direct benefit for FGCU, Lee County staff thinks they are doing just that. On the site 300 acres is the mining pit and 40 acres are excluded (to be donated to FGCU) and any right-of-ways for water utilities are given to county easements.

There is a 4 way access road to the north lake area for eastern connection and the FGCU 40 acres. Prior to this project the site has had 40 years of mining and agriculture before that. The processing plant is a heavily distressed site, and has created some unique challenges. A lot of it was excavated and back filled with "fines". Restabilizing that land is expensive. So plan to use it for open space and parks. So about 388 acres of developable. All mining operations ceased in 2009.

There are 2 garages on town center- requirement that 50% be within structures. The compact community codes are challenging. The county staff worked with them as they worked. They met with county at 30, 60 & 90% completion of the plans. Area where fines were redeposited will be natural open space including a 68 acre- central park as amenity for community- not gated. Open to anyone who wants to use it. They foresee programmed and unprogrammed areas in central park. To the South it is an unprogrammed. 'great lawn' with no lighting or other structures.

Mr. Passerella on Environmental aspects- Mining started in 70's. There is remnant native vegetation along Alco Road and in the south "Tail Area". Cogon grass is all over site. There are some wetlands along the north edge of lake that are mostly non-native. There is evidence of panther and black bears using site in the past. USACOE requires wetland impacts be mitigated offsite. This will be done at a

mitigation bank. They are discussing with FWC and USFWS what mitigation is needed and what management. will all be done off-site.

Mr. Barraco - Drainage on the site is from engineering and part of the existing management. Lakes are to provide water quality pretreatment. Lakes will to do attenuation.

Mr. Martin - On water resources- Goal 18 in comp plan sets standards for the University Community. 18.1.9 quantity of groundwater be improved. Etc High density urban core surrounded by urban core goes through treatment lakes first- lake is hydraulically connect to groundwater recharge. Should be coming out as base flow as nice clean water downstream. Water use lots being added to system- low irrigation need 300K a day less than 2 inches impact on water level.

Questions

QUESTIONS:

Mr. Cornell- are you calculating evaporation? They say yes- any sources for recharge other than stormwater from site? Typically evapo is a loss- but that is not changing- taking run off from other areas- water going offsite is being captured. Response: He is not sure how much is redirected from N. Wayne- (Carl) control elevation not changing in main lake slightly higher from new lakes

Mr. Daltry- Would you object if FGCU directed state \$\$ to this site? Response: He says he is anxious to learn what FGCU has in mind.

What about road to N (Alico) they did donate land- do you have a problem with impact fees being reinstated? Response: If the road is improved in advance they benefit much.

Dr. Everham-: representing FGCU but does not know what they are doing with them. Will the 40 acres be restricted by them at all? Response: Settlement agreement with Miromar and Alico set some restrictions to development

Where is the control structure for large lake? Win thinks our wetlands (FGCU) are starved for water and would value seeing some going to us.

Any evidence of indigo? Response: No, no gophers either. (They appear to look at gopher tortoise burrows as indication of indigos.)

Frogwatch monitoring site 12 year data just east of BHG. Will give data to Ken.

Ms. Brooks- estimated time frame for proposed phases? Response: It is a challenge. Interest to create Z shape to eastern. Would like to see horizontal construction mid 2015

Ms. Simons: at WMD site- urban stormwater mgmt. program- some things won't pass Lee County regarding fertilizer- some of nutrient level defined under chapter 526 but Lee's are stricter- 5 feet compared to 10 feet – first addressing district criteria then will drill down to county level.

Ms. Donley- long-term stewardship for large lake? Will it be HOA? Response: Not sure if an HOA fits- at a minimum will be owner provided or HOA?

Mr. Curtis- roosting habitat for bats? Acreage of forested impact? (Response: Ken says not a lot of forested habitat on site. May do a survey for

Ms. Whitehead- of FGCU at corkscrew-transport corridor but does not see any place where large mammals could go. Response: He says her corridor is proposed to be 951.

Dr. Everham- appreciates Liz questions about lake mgmt.- has a lake advisory committee with neighbors- some neighbors will want to kill stuff regularly. Maybe students can be involved with restoring fines- they did not have any plan to restoring fines.

Mr. Daltrey- 2010 land use change was DR/GR proposal was to use unused volumes to move to that location. Will this proposal extinguish remaining density- no there are some still there.

Ms. Simons- 'environmental' University' great opportunity to address pond mgmt. also better lighting
Response: Compact community code does not allow bike lanes! They envision water taxi- Trying to capture traffic on site with live/work Compact code is residentially focused not commercially- bike on roads needed deviation. (so why and how is it a compact community code if it does not include commercial or place for folks to work? County code may need some work- is this something that we still have time

Ms. Bickford- any bike path access from town center to FGCU Response: he says yes- at every intersection.

6. Why Centerplace Development Is Not a DRI - Mr. Dave Crawford, SWFRPC

Mr. Dave Crawford with the SWFRPC presented on the sequence of events that led to why the Centerplace development is not a DRI. This includes changes to DRI rules by the Florida legislature, adoption of Comprehensive Plan changes by Lee County that removed the requirement that all projects in the University Overly be reviewed as though they were a DRI.

7. Cela Tega 2015 Theme Selection

The EBABM will be polled for selection of 2015 Cela Tega themes. Mr. Quasius stated we should coordinate with AWRA- suggest partnering- water quality and policy issues too. The target audience for AWRA is different for the two organizations- maybe keep the meetings back to back. Maybe bring in the CWI.

8. Developing the List of Invitations for New Members

Discussions followed on contacting under-represented entities for EBABM participation. EBABM did have WCI, Bonita Bay and others before the economic downturn. Those employees were lost, and withdrew since they did not have resources to do so. We tried a few years ago, EBABM has a list of old, but what about new? Hyatt was suggested. Win says we should reach out as individuals once the list has been generated. Chamber of Commerce's- too.

9. Emerging Issues

Ms. Whitehead- Oil drilling (south Florida "fracking" is not same as hydraulic fracturing- but what is proposed here is not the same as natural gas type) in Collier County. They are proposing 'acidizing' and other chemicals. This is new technology the other place being used in California.

Mr. Strelow spent a fair amount of time with EPA on this. Collier proposal is for oil not gas. Objections down there slides over into general objection to fracking. But with wetlands it is very problematic. Gas side has potential advantages- significantly displacing coal is all to the good. Reducing methane is last glitch to be worked out- he cautions- claiming that gas is leaking into water has not been at all proven and is probably unlikely. No demonstrated case of fracking leading to that kind of problem since fracking is way below the aquifer. Best approach for us is to review permit applications from Hughes if they were for Lee County tracts area. Lee County has never heard from them yet. He asked Le County to please let him know

Dr. Everham- shifting among fossil fuels is all emitting CO2. If in our watershed it is emerging issue- if not an announcement- so tomorrow 6:30 for public comment

Jim- SWFRPC has opportunity to comment on all drilling. They did and raised concern about exit plan for hydrogen sulfide (H2S) problems. Hughes has been getting permits from DEP well into Big Cypress Swamp, in Hendry and Collier Counties in panther land. The Colliers still own mineral rights and are

leasing to Hughes. Some sites are being reactivated going horizontal now. Management plan review is handled by Federal government.

10. Announcements

CHNEP watershed summit March 25-27

11. Public Comments on Items Not on the Agenda

None

12. Next Meeting, Time, Place, The next full EBABM meeting will be Monday, April 14, 2014, at 9:30 a.m. at the SWFRPC Office. The date of the next IAS will be April 28, 2014.

13. Adjournment: Dr. Demers called the meeting to adjournment at 11:50 AM.

Minutes

ESTERO BAY AGENCY ON BAY MANAGEMENT

Monday, April 14, 2014 – 9:30 a.m.

SWFRPC Offices
1926 Victoria Avenue
Fort Myers, Florida

1. Call to Order – Dr. Demers called the meeting to order at 9:33 AM.
2. Attendance- As usual attendance was taken from the sign in sheet:

NAME	ORGANIZATION
Karen Bickford	Lee Co Div of Natural Resources
Brad Cornell	Audubon of Florida
John Curtis	Johnson Engineering
Wayne Daltry	Audubon of SWF
Nora Demers	Responsible Growth Management Coalition
Liz Donley	CHNEP
Win Everham	FGCU
Jennifer Hecker	The Conservancy of Southwest Florida
Renee Kwiat	Lee County Port Authority
Jackie Langston	Estero Bay Aquatic Preserve
Laura Miller	League of Women Voters
Patty Piroq	For Commissioner Brian Hamman
Pete Quasius	Snook Foundation
Patty Whitehead	Bonita Lion's Club Green Team

Staff in Attendance: Jim Beever
Guests: Ross Wherry, Jeremy Frantz

3. The minutes of the March 10, 2014 were not yet prepared for review and action and will be on the May agenda
4. Agenda – No Additions, Deletions or Corrections. Motion to approve the agenda as written was made by Ms. Simons and seconded by Dr. Demers.
5. Amendment 1: Florida “Water and Land Conservation Amendment”.

Ms. Jennifer Hecker with the Conservancy of South Florida presented information on Amendment 1 Florida “Water and Land Conservation Amendment”. This amendment could provide us with \$600M

for preserving Florida Water and Land. A resolution draft was provided. They now have over 400 endorsing organizations throughout the state.

Mr. Quasius stated nothing happens under amendment until there is implementing legislation. It will not self-execute. There is considerable opposition to the amendment (for example room DACS Commissioner Putnam). There is no assurance that a particular budget will come from the legislature for it. Several "environmental groups" are fundamentally concerned that a significant portion of funds may go to conservation easement acquisition rather than purchasing lands with public access. They have concerns about details of implementation on what pieces will get what part of the funding. The Snook Foundation is abstaining for now.

Mr. Daltry stated that fee simple was key. He has seen too much game playing (especially in Collier County) on how they will be implementing. Concern can be hammered through with implementation. The 1992 state Comp plan amendment passed and in 1998 there was legislation but the state is still not following through. Wayne does support Amendment 1 but "The tree of liberty gets refreshed with the sweat of patriots."

Mr. Beever stated that EBABM should support Amendment 1. A Florida Constitutional Amendment cannot have too much complex language or the State Supreme Court won't allow it on the ballot. Those details have to be settled later. He told a story about conservation easements in Hillsborough County. A collaborative by many parties to established the Hillsborough River Greenway was lost because of a dispute over easements for on ranch. They almost got everything bought and they had the money. But the Sierra club claimed opposition to it without the right to public access for all the properties. Sierra Club stated they wanted to 'walk on all the land' and stare into their bedroom windows if they so chose! They could have had a greenway for the entire river- but that confrontation ended it.

Dr. Everham agrees with everything Mr. Beever said, and questioned about process needing numbers and also if it was 8% of all people who voted but not all coming from one part of state so you also need to qualify in a number of districts. No more tweaking of language is needed. Original wording was collaborative. Following legislation will show how/if it is implemented.

Mr. Quasius stated- they are in favor of additional acquisitions but may not allow us put back Florida Forever.

Dr. Everham asked what are doc stamps currently being used for? It funded CARL, Florida Forever. Etc. how could it be worse? It is important to lock this in as some form of conservation funding rather than going to general fund.

Ms. Hecker stated that is why they are supportive. Tallassee thinks that this amendment will pass and they will not have to fund other conservation things- but The Conservancy think this is a better option, especially the way things have been going lately. There was some concern about the easement language but they needed the amendment go on the ballot. We need to have this fight for conservation funding now. The legislature opposed the amendment since it takes money out of their control. The Conservancy is also trying to organize a speakers bureau and huge outreach so the people know what is real compared to what the opposition will be stating.

Mr. Beever stated that not all in legislature are opposed to it. Secretary. of DACS is favor of conservation easements but not of this amendment.

Ms. Hecker stated it depends on plurality of vote. If the amendment fails the legislature will think voters are not in favor of conservation lands.

Mr. Beever stated he was concerned not so much with easements, but money put into management. Legislature may be pulling management money out of the programs (like they did with aquatic preserves).

Ms Hecker concerned about opposition propaganda (like in the hometown democracy campaign) so she wants grass roots effort early.

Dr. Everham was interested in the Putnam concern expressed as a point about removing budget authority from legislature by a process of amendment instead of maintaining the status quo. If the environmental community shoots at each other it will be devastating .

Motion to endorse the Amendment 1 legacy resolution by Dr. Everham, seconded by Ms. Kwiat.

Ms. Donley discussed changing text regarding 'citizens of Estero Bay' move to 'whereas it is in the best interest of the watershed and delete citizens.

Dr. Everham Accepted the Revised Motion for the Amendment 1 and Ms. Kwiat seconded motion with changes (but keep "future generations").

The EBABM voted unanimously to endorse and support the Amendment 1 (Resolution Attached).

Ms. Miller asked if others should adopt the same resolution? Mr. Frantz hopes that others will create something similar. Provide the resolutions to Mr. Frantz and he will pass to the campaign organizers. Mr. Frantz will help crafting specifics for different organizations.

Mr. Everham asked what will happen next? The resolution will go to the SWFRPC, but do we want to go the legislature directly?

Ms. Hecker said no, procedurally we'd need to go to the IAS and draft a cover letter. SWFRPC will receive report in month later.

Mr. Quasius stated that if this Amendment fails it'll be a huge loss for Conservation Collier, and Lee Conservation 20/20 futures.

6. Dr. Win Everham presented on the Ecological State of the Florida Gulf Coast University Campus 1994 - 2014

This will be part of the presentation he gave to the CHNEP watershed summit. 19 years ago last Thursday the settlement agreement allowing the permitting of FGCU was signed.

The old maps are nice. The mappers knew the connection of Steward Slough to Estero River. One possible future for the site could have been more mine pit. Purpose of what Dr. Everham thought was a mosquito control ditch is a agriculture drainage ditch..

The first master plan was by Erwin and Associates. There has been concern that the master plan was not adopted in its entirety at first, but he argues that opportunity to revise every 5 years make sense. Lee County now no longer even waits for 2 year, but rather amends by petition. A big change was road from the south to the south student housing and added recreational fields. Where rec fields are proposed now, it is gopher tort land. FWC allowed FGCU to get a take permit.

Ms. Hecker has just met with the Alico-West group about a panther crossing for Steward Slough (right now only proposing a small mammal crossing they have been non-committal about it being large enough or even with proven design (fence etc).

The major problem with location is the rock rip rap. Southwest Florida animals tend not to walk across the rock, and the lighting is also a problem. Not uncommon for water to not be flowing. So everyone upstream is saying someone else to the north is responsible for the lower level of slough.

Most recent plan shows significant footprint change to recreation fields and 'lakes' FGCU have acquired 42 acres from GCTC which may keep them over 51% preserved.

Housing areas considered separate entities by some FGCU managers. Dr. Everham is trying to fix it. FGCU actually had LAKE DOCTORS poisoning those lakes. He thinks he got them to stop that. This may be due to different funding sources to build housing.

Mark Lucius did subsurface flow work on lake by the solar field (with Serge). Now proposing to do the same thing at Lake Trafford. When solar was built traps tried to direct critters to open area. Also trapped and moved 150 critters in drift nets- caught scarlet snakes he had not seen on campus before. Now bio control was killing 70% of critters.

Fighting for curb removal director of facility safety says they are needed to stop cars from going off road. Dr. Everham says he would really like help with documentation on curbs/non/curbs. Bike/Walk committee may be able to help given that it is also of danger to bikers etc (keeps cars in bike lane instead of having them go off)

Drains are pitfalls traps- North end of the Road- 6500 mortalities- lots of southern toads, more on Mon-Thur rather than Fri-Sun. It is a car campus that rewards driving car to campus. Master plan now says parking should be 'sufficient and convenient'.

Dr. Everham has recently heard 'reconciliation ecology'. John Hermann has seen 58% invasives (herps) including cane toads.

Bill York showed flying invertebrates were not different between preserve and embedded landscapes. Crawling bugs were. (maybe a below access for critters, or put in a grassy swale to allow critters to cross (ADA))

They are trying to do more with campus as a research station.

Matters of concern and future research include:

- 1) Road design, speed limits and transportation,
- 2) Concern about too much student impact.
- 3) No controlled burn since 1998. Last fire 2004?
- 4) Need for grant money.

Mr. Daltry asked where does I-hub appear in master plan? About to engage in another master plan.

Dr. Everham stated he is trying to get them to address all FGCU lands, but answer appears to be no.

Dr. Demers suggested IAS should brainstorm on proactive ways to help FGCU do the right thing.

7. Cela Tega 2015 Theme Selection

Motion by Wayne second by Pete on Sea Level rise (adaption- resiliency planning) in the Estero Bay watershed. on Sea level rise that will happen in the watershed. Jen met with DOE meeting with Broward county- looking to fund coastal community to develop resiliency plan, They had ID'd Bonita Springs as a priority. Perhaps bring in Broward County for making it more pertinent for something we can shape. Wayne says we can also build on work done here that Broward used to here.

New DEO did webcast- year 2 of 5 year plan for resilience work – resources can be accessed for local .

Mr. Beever nominated the City of Bonita Springs for climate adaptation plans. Now Bonita Springs just needs to say they want to do. Broward County is extremely urban and they are thinking mostly in terms of 'armoring'.

Ms. Bickford discussed food for Cela Tega. AWRA was about climate impacts so this would be a good complement. Suggests group looks at AWRA website so it is complement to work.

FYI Attorney General Bondi got a filing against Sea Level resiliency was unconstitutional. Maybe a good idea to incorporate all views. (4 county agreement- legal filing against them was they were supposed to plan together- the argument was based on procedures 4 counties took to form their compact. (they have good vulnerability assessment and adaptation plan).

On our coast climate change is already doing all through the RPC. Punta Gorda doing great to meet their plan. We are a leader in the area of climate change planning. .

Motion passed for Sea Level rise planning for resiliency

The official theme for the Cela Tega 2015 was selected as "Resiliency and Sea Level Rise Adaptation in the Estero Bay Basin".

8. Emerging Issues

EMERGING SSUES-

Ms. Hecker- DEP hosting workshops around state hosting TMDL and BMAP development. Repeated explanation from DEP is that they do not have resources so they cannot be impaired since not assessed. 1800 parameters are coming up "insufficient data". So may get delisted next cycle

At current rate of 40/year will take 68 years to get TMDL's. Then issue of BMAP's – not point sources reduction expected until BMAP's. DEP is asking for The Conservancy and others to pick what to do. The Conservancy is saying no, you made it this bad, so now since it is too expensive that they will not be listed. Hundreds of things are being peeled off the list. She says EBABM should say they need to get their it together- make aspirational statement needed.

Ms. Bickford – as person who has to do the monitoring & planning . DEP does not have the resources (She worked for them for 6 years). Not a priority since people of Florida do not make it priority to do WQ evaluation- we don't pay a fee for WQ .Nobody is treating it priority- residents are not willing to pay fee for service.

Resources to go to implementation- (why planning is separated from budget).

Do we have data locally for our last State of the Bay to see where it is going. Always need more data. Is there opportunity to engage so we are not looking for more data?

Ms. Hecker has been challenging impaired water rules for 10 years because they saw it would be infeasible to do assessment. Resource and political will are interconnected. Vinyard says his staff are not complaining about lack of resources he says we are setting TMDL's at record paces.

We have a list of currently verified and they expect more will be coming off.

Ms. Hecker will draft comment as need to do more funding to bring to the IAS.

Ms. Whitehouse asked Are TMDL's set for water body or discharge? Presumptive criteria is erroneous that there is not an impact. (ERP for SFWMD is supposed to ensure new developments are doing their share-m but only to provide a net improvement, not a level of reduction.

EMERGING ISSUES

Mr. Daltrey - The ad hoc citizen group of City portion of DR/GR says current plan is adequate.

Our letter said look at hydrology first, so next 6 weeks will be vicious infighting between ad hoc and development group. To the point Edison Farms does not have reason to go to higher development until they are surrounded for more units per acre. Also forecasted roads seem adequate. Extending 951 N will allow more density to be expected to ask.

Ms. Donley- announcement CHNEP has published an invite to negotiate seeking a new host agency- on front page of site. If you know of a group that can host please contact. Please guide anyone to info. Questions and responses until May 9th and will be posted to website.

Ms. Hecker asked- What happened?

Answer - NEP does not exist as an entity until itself. Policy committee is seeking an alternate host in order to reduce overhead cost. Decision must be made in time for RPC my Oct 1 or will have to commit to an entire year. Staying here is expensive- some of the most expensive overhead for an NEP of anywhere in country. NEP is a zero sum entity in RPC currently. (over last 2 years have been paying for selves). If they leave the RPC would have a smaller operating budget- building was a fixed cost. Lost MPO lost funds also. Host entity can be any type of organization. Would like office to be in study area. Hosters would not have a financial burden, but they do collaborate with host agency for grants. Much of RPC budget is from overhead grants. NEP asked for a lower overhead rate and RPC said no.

9. Announcements

CHNEP watershed summit March 25-27

10. Public Comments on Items Not on the Agenda

Mr. Ross Whirry (from Cape Coral). Items regarding 'curb' cape coral council considering curbs and gutters all along burnt store road. It's expensive, trying to say NO. (similar to University case)

Amendment 1 Lottery promised school budget was cut by amount from lottery. Need to make sure local groups do not change their strategy. Cape Coral getting rid of more septic.

10. Public Comment.

None

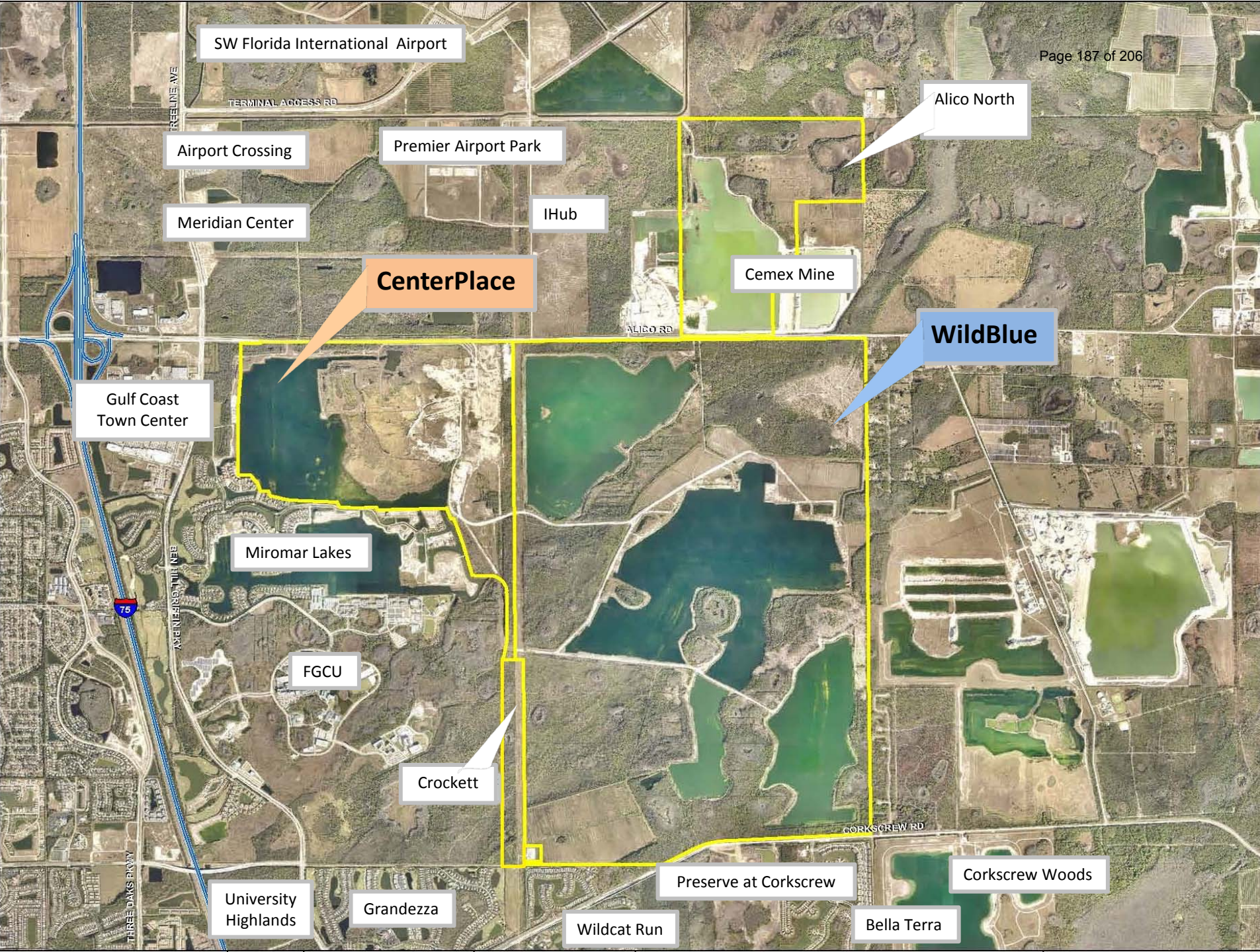
11. Next Meeting Time and Place, for EBABM is Monday, May 12, 2014 – 9:30 A.M, at the SWFRPC and for the IAS was Monday, April 28, 2014 – 1:30 P.M at FGCU.

12. Adjournment: Dr. Demers called the meeting to adjournment at 11:50 AM.

WildBlue

The logo features the word "WildBlue" in a bold, blue, sans-serif font. Below the text are three stylized, horizontal blue waves of varying lengths, creating a sense of movement and water.

Calling you home.



SW Florida International Airport

Airport Crossing

Premier Airport Park

IHub

Meridian Center

CenterPlace

Cemex Mine

Alico North

Gulf Coast
Town Center

WildBlue

Miromar Lakes

FGCU

Crockett

University
Highlands

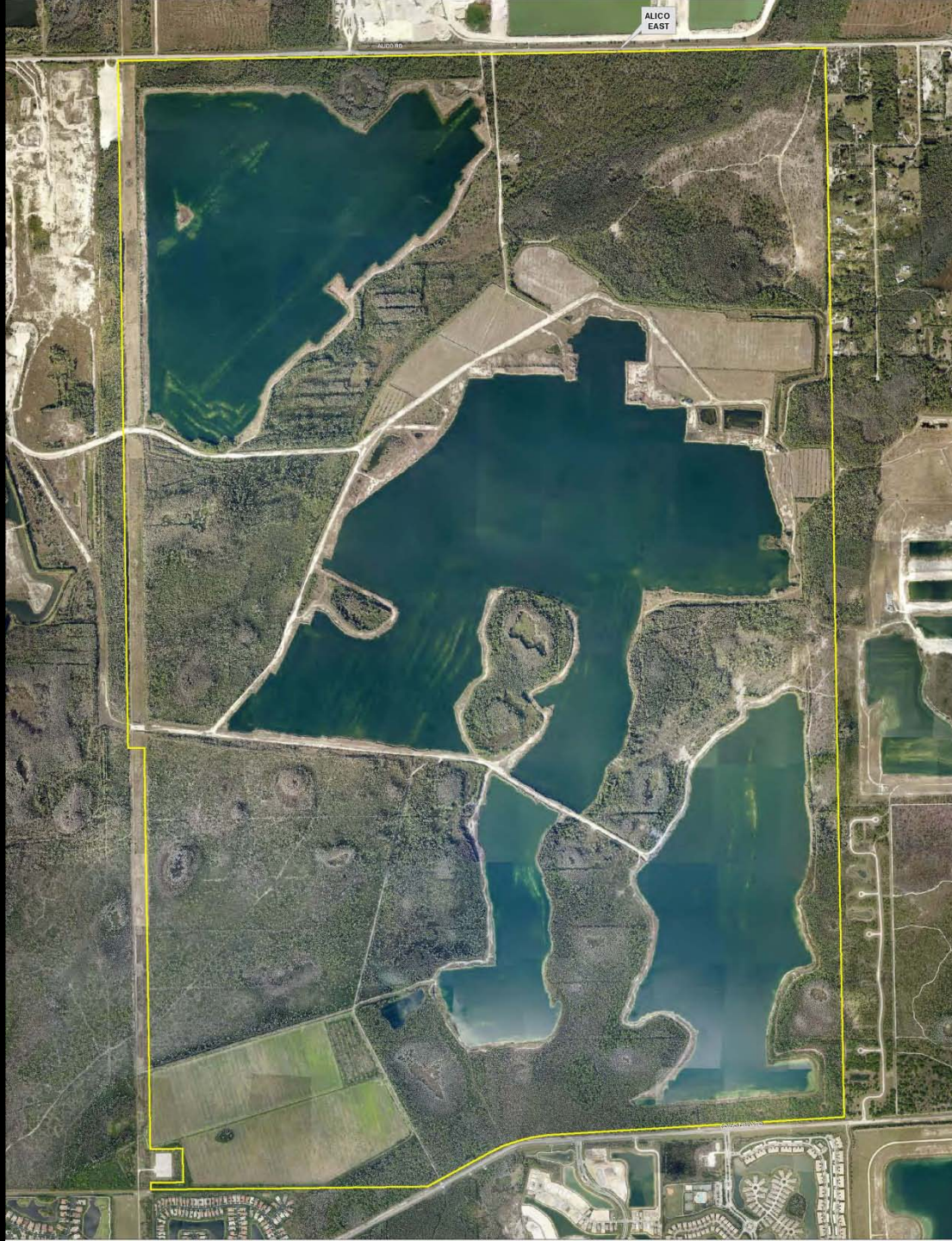
Grandeza

Wildcat Run

Preserve at Corkscrew

Bella Terra

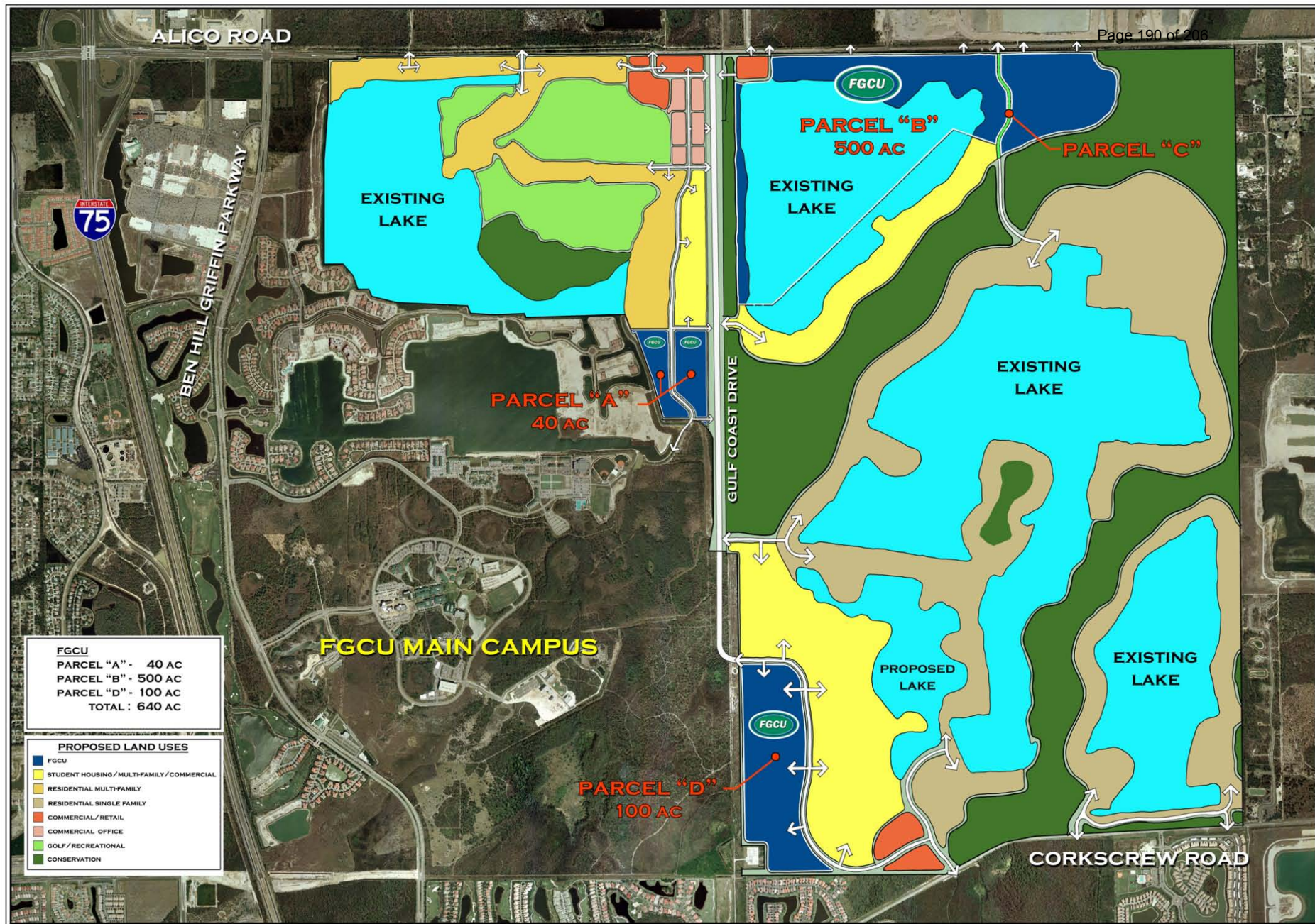
Corkscrew Woods





ALICO ROAD

Page 190 of 206



CONCEPTUAL MASTER PLAN : ALICO WEST & EAST

PRIVATE EQUITY GROUP - EXHIBIT "A", APRIL 11, 2013



BANKS
ENGINEERING

Professional Engineers, Planners & Land Surveyors

12653 SW County Road 780, Suite B
 Lake City, Florida 34269
 PH (407) 625-1160
 FX (407) 625-1149
 www.bankseng.com

Ginn Plan



WILDBLUE

FIELD STUDIES COMPLETED ON PROPERTY

Protected Species Survey

*Indigo Snake, Red-Cockaded Woodpecker, Everglade Snail Kite,
Wood Stork, Crested Caracara, Florida Bonneted Bat, Florida Panther*

Cultural Resource Assessment

Jurisdictional Wetland Survey

Boundary Survey

Hydrographic Bathymetric Survey

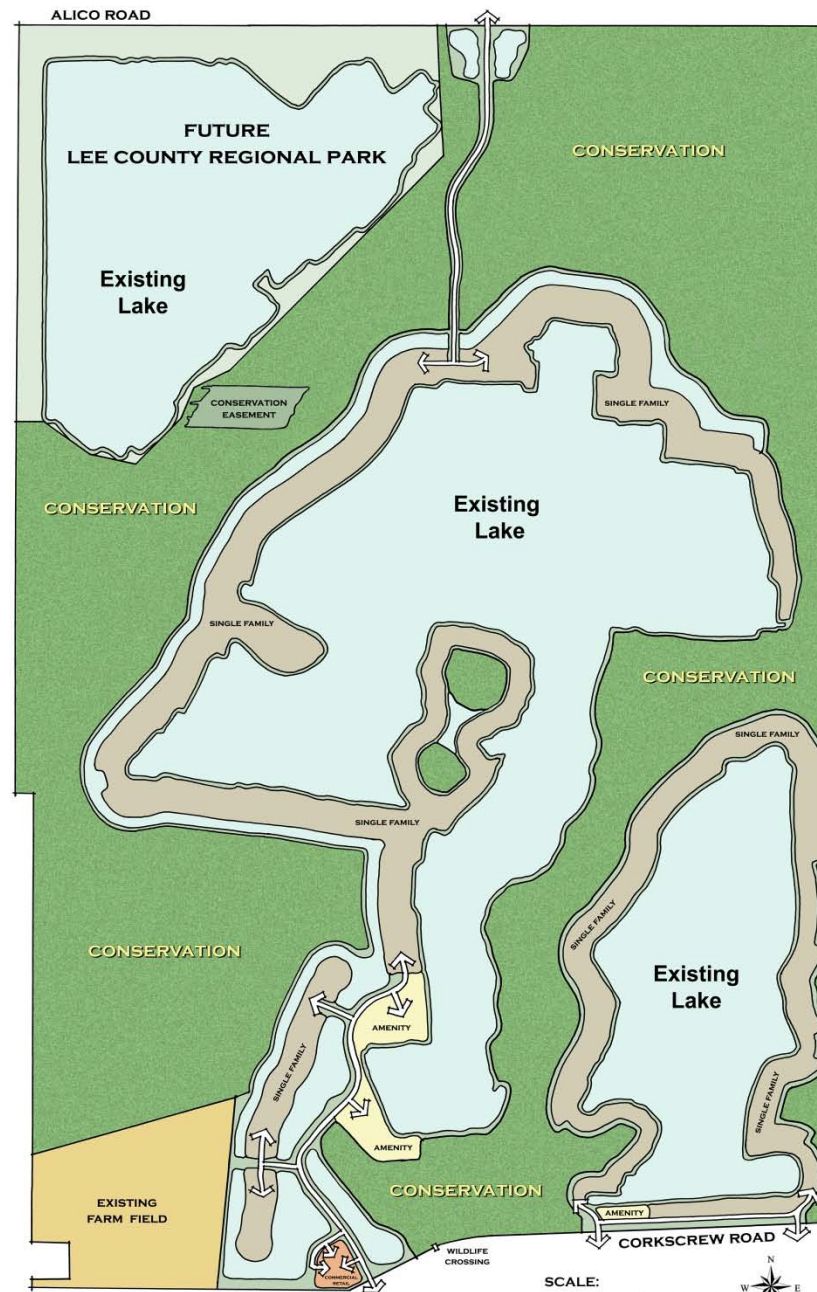
Phase I Environmental Site Assessment

Limited Phase II Environmental Site Assessment

Resource Extraction Reclamation Plan

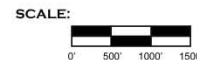
Traffic Sensitivity Test

Hydrogeologic Setting Assessment



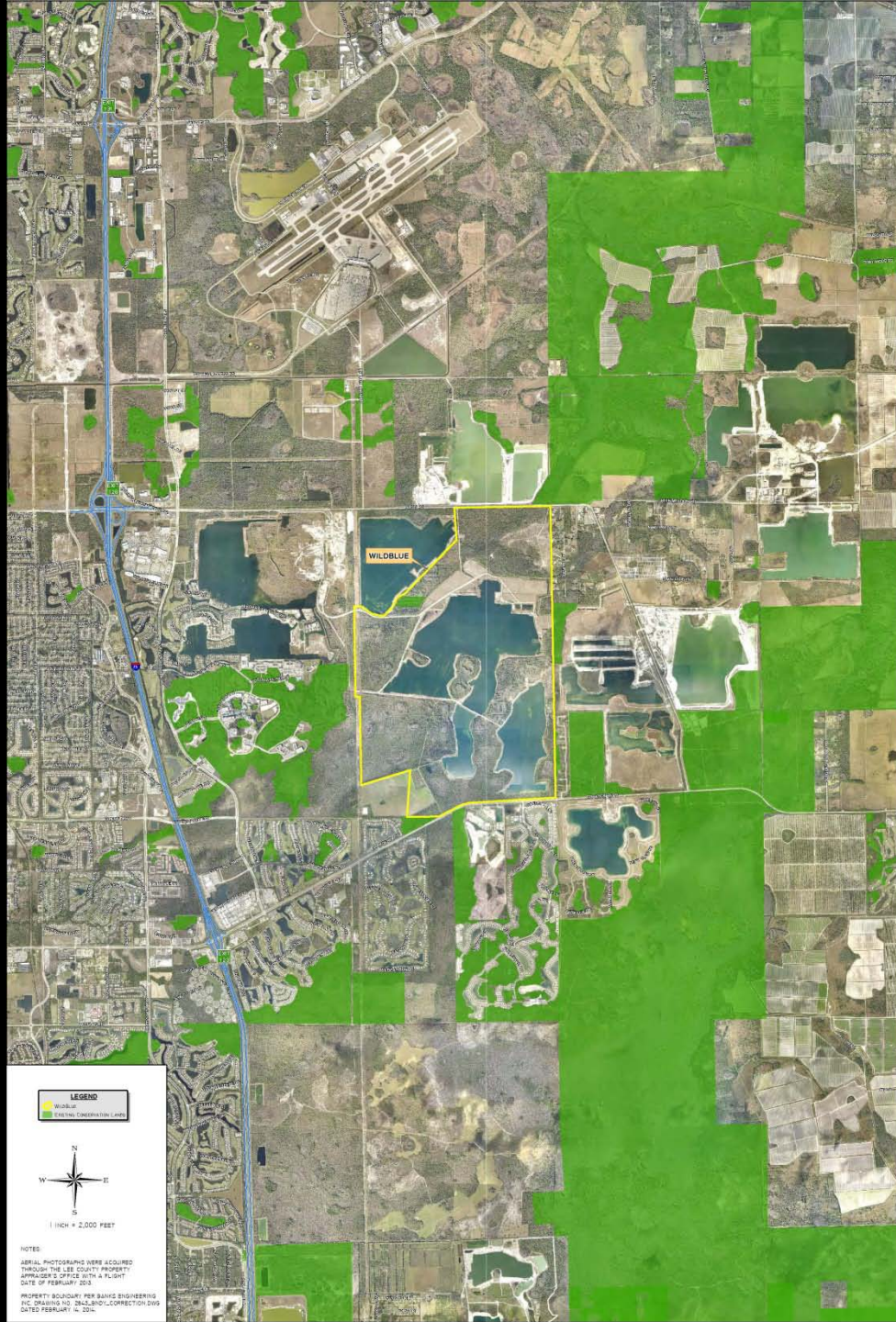
PREPARED FOR:
PRIVATE EQUITY GROUP

WildBlue
CONCEPTUAL MASTER PLAN
JANUARY 27, 2014



Existing Approvals (Ginn)Proposed (WildBlue)

Total Project Acreage	3,552	2,960
Wetland Impact Acreage	380	219
Protected On-Site Wetlands connected to Flow-ways	480	586
Total Preserve Acreage	968	1,318
Preserved Panther Habitat	953	1,245
Slough Crossings	Five	One
Development Footprint	1,403	754
Density	332 single-family	1,000 single-family
Utilities	Well & Septic	Municipal
On-Site Amenities	27-hole Golf Course	Clubhouse/Tennis Beach Club/Marina Neighbor Commercial Community Farming
Community Benefit	None	488 acre County Park



LEGEND
WILDBLUE
WETLAND CONSERVATION LAND



NOTES:
AERIAL PHOTOGRAPHS WERE ACQUIRED
THROUGH THE LEE COUNTY PROPERTY
APPRAISER'S OFFICE WITH A FLIGHT
DATE OF FEBRUARY 2013.
PROPERTY BOUNDARY PER BAILEY ENGINEERING
INC. DRAWING NO. 2014-001-CONNECTION.DWG
DATED FEBRUARY 14, 2014.

WILDBLUE

Regional & Community Benefits

- ❖ **Reestablish connectivity of Stewart Cypress Slough to Estero Bay Watershed**
 - 1,318 acres of restoration and preservation, completed with private funding
- ❖ **Creation of three-mile long WildLife Corridor**
 - 1,245 acres of protected primary panther habitat, completed with private funding
- ❖ **Improvements to Ground Water Resources**
 - 14% reduction in permitted water use
 - Elimination of wells and septic fields
 - Municipal utilities
- ❖ **488 acre Regional Park donated to Lee County**

WildBlue

Calling you home.

12e

12e

12e

12f

12f

Legislative Affairs Committee

12f

12f

Agenda Item

12g

12g

Quality of Life & Safety
Committee

12g

SWFRPC Quality of Life & Safety Meeting March 10, 2014

The Quality of Life & Safety Committee of the Southwest Florida Regional Planning Council held a meeting on March 10, 2014 in the 2nd floor meeting room at the offices of the Southwest Florida Regional Planning Council located at 1926 Victoria Avenue in Fort Myers, Florida. The following Committee Members and staff were in attendance:

Committee Members

Vice Mayor Willie Shaw, City of Sarasota (Chair)
Commissioner Cheryl Cook, City of North Port

Staff

Ms. Margaret Wuerstle, Executive Director
Ms. Nichole Gwinnett, Administrative Specialist II

Item #1 - Call To Order

The meeting was called to order at 10:05 a.m.

Item#2 – Federal Prosecutor Tactics

Chair Shaw presented the item.

Item#3 – High Point Strategy DMI

Chair Shaw presented the item. He noted that the High Point Strategy has proven to work, but it has met a lot of resistance from individuals who are used to doing everything the same way. Those individuals keep coming up with the same results and those results do not provide us with what we really want to do within our communities. In order for some changes to be made, the High Point Strategy is being used. He noted that the City of Sarasota is currently within their second year of seeing the strategy's implementation.

Chair Shaw gave a background overview stating that the strategy had been moved into various communities throughout the country and one of them was High Point in North Carolina. He has visited High Point and has seen the results. The crime rate had decreased 57% with the strategy being implemented over a five year period. He then explained how the concept worked. The most challenging portion of the concept is to obtain community buy-in; this was due to three issues.

1. Community's perception of law enforcement and the area of distrust;
2. Law enforcement's perception of the community; and
3. Criminals needed to understand that their activities won't be tolerated.

Chair Shaw noted that within the City of Sarasota, their first call-in, identified 33 people and of the 33 there were 8 set aside. The others were sent to jail. He explained that there is "head butting" in his

community due to the law enforcement agencies saying that they did what they were supposed to do and that is it; but that is not it because it is an ongoing process and you make each round better.

Chair Shaw explained that there are approximately 6,000 people living within the quadrant known as “New Town”, which also has the highest rate of crime within the City of Sarasota. There are 20 officers dedicated to the New Town area (one square mile) which equals approximately one-fifth of the total police force. Law enforcement presently makes up approximately one-half of the city’s total budget -- \$28 million out of a \$57 million budget.

Commissioner Cook noted that one of the problems within the City of North Port is the number of grow houses. She said that she suspected that it was due to the large number of uninhabited properties. She was wondering if the number of houses that need rehabilitation is driving the drug trafficking within the city.

Chair Shaw said it did because drug trafficking goes to areas with the least resistance and that area is where we find the least notability. The “high enders” are coming in buying up the foreclosed homes/abandoned homes and starting grow houses. One question is whether the neighbors know what to look for with a grow house. One thing to look for is the lack of traffic going in and out of the house, but the lights are on inside the house. Law enforcement may or may not have a profile, but it would also help the neighborhood associations if they were aware of the profile of a grow house.

Commissioner Cook explained that she was in her Neighborhood Watch for several years and there was a presentation from a detective on the profile of a grow house. He handed out literature on what to look for and how the residents could protect themselves.

Chair Shaw said if we were to look into the intervention process, you would start creating a collaborative effort between the neighborhoods, associations, etc. You strengthen your association when you get your community to buy into the conversation and then they start coming in more and more. He noted that his community held a block party within one block and on either side of that block there were several incidents with homicides, confrontations, etc. The Chief of Police came out and set up a bounce house for the kids and gave out bicycle helmets. On the block there was a DJ set up playing music and with the law enforcement it was very evident which ones were in support and those who were opposed to the process. Having the block party changed the perception overnight and it brought the neighborhood into the process.

Chair Shaw explained that the media gets their report from a police report, which in turn is basically second hand information. He said that we needed to work on getting the media to become community friendly at the same time.

Ms. Wuerstle asked Chair Shaw for his thoughts on what the committee should try to accomplish this year. Chair Shaw said that he felt the following issues needed to be addressed:

1. Establish who we are as a committee.
2. As a committee, what goals do we want to set?
3. The committee will deal with the issue of law enforcement and its involvement with the overall community.
4. Is the committee willing to work towards some of our common goals in setting communications between law enforcement and the committee?

5. The committee needs to hear law enforcement issues.

Chair Shaw said that he would like to see the committee do the following:

- Establish the ability to communicate, so that it isn't encroaching upon the various resources in which they depend upon and their responsibilities.
- Establish some dialog between the issues.
- Identify the priority issues of the region.

Commissioner Cook said what she is hearing is that most of the grow houses are being established by people from Miami. This means that they have to travel through the entire region in order to reach North Port, and that in turn affects everyone throughout the region.

Chair Shaw agreed with Commissioner Cook and when he stated that he didn't want to infringe upon the law enforcement agencies. It isn't the intent of the committee to infringe upon the law enforcement agencies. The intent of the committee is to establish an understanding of the issues throughout the region. Lee County had one of the highest homicides ratings last year throughout the region. He noted that the High Point Strategy was able to put a price tag on a life in how much it costs to investigate the incident, man hours, etc. By changing the dynamics of what is perceived and what we would like to be perceived, we can brand the region for its economic development. All of us are looking towards the same thing and that is how much we can get in return.

Ms. Wuerstle suggested sending out a survey from the committee to all of the elected officials, city and county administrators/managers and the council members within the region asking for their top three safety issues that are a burden to their local law enforcement efforts. Chair Shaw agreed. He said that with the law enforcement efforts we would use the Drug Market Intervention (DMI).

Ms. Wuerstle asked if the survey should be sent to the region's law enforcement agencies. Chair Shaw said not at this time because we want to first get feedback from the elected and appointed officials. When we get to the law enforcement agencies they will have their top three priorities already chosen.

Ms. Wuerstle asked Chair Shaw if the committee should reach out to the Chambers of Commerce and the various business associations (Kiwanis, Rotary Clubs, etc.) Chair Shaw said that once you involve the Chambers, Kiwanis and Rotary Clubs you are then able to see numbers and what is driving their markets down due to the crime element. At that point, we would want to ask the law enforcement agencies for their input.

Commissioner Cook stated that she agreed and it should be done on a "tier" basis. Chair Shaw said if the elected officials aren't concerned and we don't get their input towards this, then why are we asking those who's livelihood who depends upon dollars coming in on what they think; if those who are in charge have no concerns.

Commissioner Cook said that the chambers, EDCs and police already know that there are issues, but it is up to the elected officials on how to address those issues.

Chair Shaw stated that there is federal and state funding available and there are other organizations and groups which will fund studies to be performed.

Discussion ensued on grow houses and the issues they cause.

Item #4 – New Business

Ms. Wuerstle asked Chair Shaw who he would like to see as a member of the committee. Chair Shaw said that he would like to see a representative from Lee County who is familiar with the issues of the community.

Discussion ensued on the membership of the committee.

Chair Shaw stated that at this point in time the members don't have to be members of the Council or elected officials. He would like to have representatives from the individual communities, who have knowledge of what those communities are facing.

Commissioner Cook said that we need people that have "their boots on the ground" within those communities because they have the knowledge of what's happening within the community. Chair Shaw said that it doesn't always have to come from law enforcement.

Ms. Wuerstle suggested that she contact Councilman Jim Burch to ask if he would be interested in serving on the committee. She said that she would contact Fort Myers Councilman Johnny Streets and she also will be meeting with Commissioner Nance and will ask him if he knows someone from Immokalee that would be a good representative on the committee. She said that she would also contact Hendry County Commissioner Don Davis. She then suggested asking Mr. John Gibbons of staff who resides in Lehigh Acres if he would be interested in serving on the committee.

Ms. Wuerstle stated that at the March 20th Council meeting it should be emphasized that the survey is being prepared and it will be sent to the elected officials, city and county administrators/managers and council members and that the committee really needs their participation.

Ms. Wuerstle said that staff will look for grants which deal with law enforcement, criminal activity, etc. that would address some of the issues.

Chair Shaw stated that he would like to have a representative from the Hispanic community on the committee.

Commissioner Cook asked Chair Shaw if he was trying to find people to reach out to in areas that aren't represented on the committee or because he felt it would help that particular area. Chair Shaw explained that he felt that with himself and her on the committee that Sarasota County would be properly represented.

Item #5 – Adjournment

The meeting was adjourned at 11:14 a.m.

--- Agenda --- Item

12h

12h

Regional Transportation
Committee

12h