





COUNCIL MEETING AGENDA

September 18, 2014

9:00am – 11:30am

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.

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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.



COUNCIL MEETING AGENDA

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NEXT SWFRPC MEETING DATE: October 16, 2014

REMINDER: Day Two of the SolarReadyFlorida Training & Implementation will be held immediately following the SWFRPC meeting.

The SWFRPC Legislative Affairs Committee will be meeting prior to the SWFRPC meeting at 8:15 a.m.

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.

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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
 Jay McLeod

Judy Ott
 Jennifer Pellechio
 Jerilyn Walker
 Timothy Walker



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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.

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)

Agenda Item

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Invocation

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--- Agenda --- Item

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Pledge of Allegiance

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Agenda Item

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Roll Call

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Public Comments

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Agenda Item

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Minutes

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
AUGUST 14, 2014 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **August 14, 2014** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chairwoman Teresa Heitmann called the meeting to order at **9:00 AM** and **Mayor Willie Shaw** then led an invocation and the Pledge of Allegiance. Planner 1/Grants Coordinator, 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 Karson Turner, 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, Commissioner Carolyn Mason, Commissioner Rhonda DiFranco, Mayor Willie Shaw, Councilman Kit McKeon

Ex-Officio: Mr. Phil Flood - SFWMD

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Commissioner Georgia Hiller, Commissioner Tim Nance

Glades County: Councilwoman Pat Lucas, Commissioner Russell Echols

Hendry County: Commissioner Don Davis, Mayor Phillip Roland

Lee County: Commissioner Brian Hamman, Mayor Anita Cereceda

Sarasota County: Mr. Felipe Colón

Ex-Officio: Ms. Carmen Monroy - FDOT, Mr. Jon Iglehart - FDEP, 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

Commissioner Mann made a motion to approve the agenda as presented and the motion was seconded by Commissioner Turner. The motion carried unanimously.

AGENDA ITEM #6 Minutes of the June 19, 2014 Meeting

This item was deferred to the September meeting.

AGENDA ITEM #7(a) SWFRPC FY 2014/15 Workplan & Budget

The Budget & Finance Committee Chair, Councilman McKeon, gave a verbal presentation on the SWFRPC's FY 2014/15 Workplan and Budget. He noted that the committee recommended endorsement of the workplan and budget.

Commissioner Mann asked Ms. Wuerstle to highlight any significant category changes from the current budget to the proposed budget. Ms. Wuerstle explained that the major change is that the CHNEP is not part of the proposed budget, as of October 1, 2014 the CHNEP will be hosted by the City of Punta Gorda.

Commissioner Mann asked by how much did it affect the SWFRPC's budget and Ms. Wuerstle explained that the SWFRPC's budget decreased over \$1 million. Commissioner Mann then asked where the CHNEP's funding came from. Ms. Wuerstle explained that the CHNEP's funding came from various funding agencies through grants and those grants went through the SWFRPC in order to fund the CHNEP's various programs/projects. The CHNEP will be closing out many of their grants prior to September 30 and what is not closed out at that time will be transferred to the City of Punta Gorda.

Councilman McKeon explained that it was discovered that the SWFRPC had been subsidizing the CHNEP between \$20-50,000 annually for administrative costs. So while it may be a wash at the programmatic level, the transfer will actually benefit the SWFRPC in the future. He also stated that the CHNEP had reimbursed the SWFRPC for those funds.

Ms. Wuerstle gave a PowerPoint presentation on the SWFRPC's FY 2014/15 Workplan and Budget.

Vice Mayor Congress asked Ms. Wuerstle if some of the \$500,000 in reserves were earmarked or restricted to go to some of the building maintenance projects. Ms. Wuerstle stated that the \$500,000 is the “true” reserve. Vice Mayor Congress asked if the Council should contemplate on earmarking some of the reserves for the needed repairs to the building. He also asked what would be the Council’s goal to reach for their reserves. Ms. Wuerstle said that she would like to keep the current amount in the reserves, in case of an emergency the Council would have those funds to fall back on to run operations and any major building repairs. She explained that she did put what she believed would be an efficient amount in the proposed budget to cover such issues as re-surfacing the parking lot and also, if needed, the replacement of the air conditioner. She also noted that there will be costs to renovate the building after the CHNEP leaves in order to consolidate and be able to rent out more space, but she doesn’t believe that any funds needed to be allocated at this time.

Mr. Perry asked Ms. Wuerstle to explain both the fringe and indirect rate allocations. Ms. Wuerstle explained that the indirect allocation consists of the Council’s overhead costs (note on the building, electricity, IT support, utilities, finance staff, etc.). Every grant project that staff works on gets charged a little bit of the indirect costs. Ms. Doyle explained that the Council’s current indirect rate is 65% and the current fringe rate is 44%. Ms. Wuerstle explained that the fringe covers all of the benefits. Mr. Perry asked if those rates were applied to the grants. Both Ms. Doyle and Ms. Wuerstle said yes and that a portion is returned to the Council, as long time is being charged to a funding source, i.e., grants, and not the local assessments.

Vice Mayor Congress asked if both the indirect and fringe rates would increase after the CHNEP moves to the City of Punta Gorda. Ms. Wuerstle explained the difference will be that the Council will not see the income from the CHNEP grants.

Mr. Reynolds referred to Ms. Wuerstle’s comments on the possible costs for the maintenance of the building and its parking lot and also potential rental space. He asked if the budget only included the current rental income. Ms. Wuerstle said it did. He then asked Ms. Wuerstle if she had an idea of what the income would be for a rental after the CHNEP moves. Ms. Wuerstle explained that she wasn’t sure if the remaining staff upstairs can be consolidated to the downstairs space, but if it was to happen there needed to be some work done to make it work and it would be very tight. Another option is to renovate the downstairs area and move all staff upstairs. One of the major issues is that there isn’t an elevator in the building. Staff has been discussing the options.

Commissioner Duffy said to Ms. Wuerstle that going through the Council’s budget process and how she presented it was so phenomenal, because she remembers how it was before Ms. Wuerstle was executive director and she couldn’t help but make a comparison on what a great job she has done.

Mr. Mulhere said that he also agreed with Commissioner Duffy’s comments. He liked how the workplan was presented and its accountability standards. He said that the last few years have been a challenge and he felt that staff has exceeded the expectations of many.

A motion was made by Vice Mayor Congress to approve the SWFRPC’s FY14/15 Workplan and Budget. The motion was seconded by Mr. Reynolds and carried unanimously.

AGENDA ITEM #8(a)
Grant Activity Sheet

This item was for information purposes only.

AGENDA ITEM #9
CONSENT AGENDA

A motion was made by Commissioner Turner to approve the consent agenda; Councilman McKeon seconded the motion and the motion carried unanimously.

AGENDA ITEM #10
REGIONAL IMPACT

Mr. Crawford gave a PowerPoint presentation on the following items. He also introduced Mr. McLeod to present the following comprehensive plan amendment items.

AGENDA ITEM #10(a)
City of Cape Coral Comprehensive Plan Amendment - DEO 14-1ESR (LU11-0003)

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 the City of Cape Coral. The motion was seconded by Mayor Shaw. The motion carried unanimously.

AGENDA ITEM #10(b)
Lee County Comprehensive Plan Amendment - DEO 14-5ESR (CPA 2014-03)

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 Turner.

Vice Mayor Congress noted that under the recommendations it stated "Consistent with the SRPP" and the previous item stated "Not Inconsistent with the SRPP", he asked if it basically meant the same thing. Mr. McLeod said Vice Mayor Congress was correct that it meant the same thing. He explained neither of the two items are regionally significant, don't impact regional resources and both are not inconsistent with the SRPP.

The motion carried unanimously.

AGENDA ITEM #10(c)

Sarasota County Comprehensive Plan Amendment – DEO 14-8ESR (CPA 2013-F)

A motion was made by Councilman McKeon 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 Mayor Shaw. The motion carried unanimously.

AGENDA ITEM #10(d)

City of Sarasota Comprehensive Plan Amendment – DEO 14-1ESR

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

AGENDA ITEM #10(e)

Tollgate DRI – Notice of Proposed Change

Mr. Crawford presented the following DRI items.

A motion was made by Mr. Reynolds to approve staff's recommended actions. 1. Notify Collier County, the Florida Department of Economic Opportunity (DEO) and the applicant that SWFRPC staff recommends approval of the change and that Council staff finds that the request is not a substantial deviation and does not create any additional regional impacts not previously reviewed by the SWFRPC. 2. Request that Collier County provide SWFRPC 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 Commissioner Mann. The motion carried unanimously.

AGENDA ITEM #10(f)

Shell Point Village DRI – Development Order Review

A motion was made by Vice Mayor Congress to accept the development order as rendered and forward the review to Lee County and the Florida Department of Economic Opportunity. The motion was seconded by Commissioner Mann. The motion carried unanimously.

AGENDA ITEM #10(g)
Coconut Point DRI – Development Order Review

A motion was made by Mr. Reynolds to accept the development order as rendered and forward the review to Lee County and the Florida Department of Economic Opportunity. The motion was seconded by Commissioner Mann. The motion carried unanimously.

AGENDA ITEM #10(h)
Villages of Lakewood Ranch DRI – Development Order Review

Mr. Reynolds announced that he will be abstaining from voting on Agenda Items 10(h) and 10(i).

A motion was made by Councilman McKeon to accept the development order as rendered. Notify the Florida Department of Economic Opportunity and Sarasota County. The motion was seconded by Commissioner Mason. The motion carried with Mr. Reynolds abstaining.

AGENDA ITEM #10(i)
Palmer Ranch Master Development Order Review

A motion was made by Commissioner Hines to accept the development order as rendered and forward the review to Sarasota County and the Florida Department of Economic Opportunity. The motion was seconded by Commissioner Mason. The motion carried with Mr. Reynolds abstaining.

AGENDA ITEM #11(a)
CREW Land & Water Trust acquisition of the Gargiulo Land Trust Parcels Resolution

Regional Counsel, Sean McCabe, presented the item.

A motion was made by Commissioner Turner to approve SWFRPC Resolution 2014-04 and then seconded by Mr. Reynolds.

Commissioner Storter-Long asked what happens to the development rights that were originally applied to the property. Counsel McCabe said that if the State proceeds with the purchases of the tracts then he assumes that the development rights would transfer to the State. The purpose of the acquisition is to prevent development of the land.

Mr. Mulhere explained that some of the land is designated as a “sending” land, so there would be transferable development rights on them; but he didn’t know if the owner had severed those development rights. If the owner had or does severe those development rights, prior to the State acquiring the land, those are a commodity and he can do what he wants with them. If he hasn’t severed the development rights, then if it becomes public land, there is no ability to severe those rights under public ownership.

Commissioner Starter-Long clarified that the severing of the lands would have to be done before the acquisition by the State. Mr. Mulhere said that was correct.

Commissioner Mann asked who nominates the lands for acquisition, is it the governor and cabinet? Mr. Beever explained that the nominations are typically done by individual agencies, then DEP who gathers all of the information and determines if they are willing sellers, puts together a package for consideration by a committee, which is made up of multiple agencies, State and input from local governments. They also ask for input from different entities, such as the regional planning council on whether or not they support such acquisitions. The parcels are then ranked for acquisition.

Commissioner Mann asked if the final approval was done by the governor and cabinet. Mr. Beever explained that the final approval would be done by action of the DEP. The DEP was delegated to do the acquisitions under the Florida Forever Act.

The motion carried unanimously.

AGENDA ITEM #11(b) **Southwest Florida Regional Chemical Simulated Disaster – Functional Exercise Update**

Mr. John Gibbons presented the item.

Mr. Mulhere thanked Mr. Gibbons for his presentation; it made him appreciate more of what is being done by staff and the programs that they work on, how it can save lives and the reduction in damage to property.

Mr. Perry said that he agreed with Mr. Mulhere's comments, especially since he lives close to a fertilizer plant.

Commissioner Turner explained that Wedgeworth has their own fire crew and emergency responders and a number of their employees are certified. Mr. Gibbons explained that Wedgeworth has their own fire brigade and they receive training from both counties. They also have their own truck to address their own fire scenarios. During the exercise they activated their plan and they have the capability to loan support to the county if the county needs it.

Commissioner Turner explained that Wedgeworth did respond to the event in Texas and he felt that was a very proactive step taken. He then stated that he has heard from his constituents that one of their largest fears is mulch fires at facilities. He said that he felt that those facilities needed to be looked at closely.

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

No report was given.

AGENDA ITEM #12(b)
Economic Development Committee

No report was given.

AGENDA ITEM #12(c)
Energy & Climate Committee

Mr. McCormick gave the committee report. He announced that at the Council's September 18th meeting there will be a presentation given on the SolarReadyFlorida project by the consultant, Meister Consultants. The object is to streamline solar installations in all of the communities and make it more economically viable for the citizens to participate.

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

No report was given; the information was included in the packet.

AGENDA ITEM #12(e)
Executive Committee

No report was given.

AGENDA ITEM #12(f)
Legislative Affairs Committee

No report was given.

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

No report was given.

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**

No state agency reports were given at this time.

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

No report was given at this time.

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

Commissioner Constance stated that the Florida Association of Counties (FAC) has scheduled their Policy Committee meeting at the same time as the Council's September 18th meeting and also their Legislative Committee meeting is scheduled at the same time as the Council's November 20th meeting, so he didn't know if the Council wanted to adjust their meeting schedule.

Mr. McCormick reminded the members that September 18th is the second day of a two-day workshop in which the SolarReadyFlorida presentation is scheduled to be given to the Council and the consultants are coming in from out-of-state.

After a brief discussion, the Council directed staff to conduct a quorum poll for both the September 18 and November 20 meetings.

Mr. McCormick stated that the balloon payment on the note for the building will be coming up in 2016 and that both staff and members should be aware of the rising interest rates. He said with the Council's reserve that there may be more flexibility. Ms. Wuerstle explained that there is a penalty clause within the current note and staff has been in contact with both Finemark National Bank & Trust and Bank of America to see if anything can be done at this time.

Commissioner Mann asked the members, especially for those members who travel long distance to attend the Council meeting, if it would make it easier for those members to move the Council meeting time to 9:30 a.m. After a brief discussion the Council recommended keeping the start time at 9:00 a.m.

Chair Heitmann thanked Mr. Mulhere for running the meeting so efficiently.

**AGENDA ITEM #17
ADJOURNMENT**

The meeting adjourned at 10:16 a.m.

Mr. Don McCormick, Secretary

The meeting was duly advertised in the August 4, 2014 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 40, Number 150.

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
JUNE 19, 2014 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **June 19, 2014** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chairwoman Teresa Heitmann called the meeting to order at **9:01 AM** and then led an invocation and the Pledge of Allegiance. Administrative Specialist II, Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Councilwoman Nancy Prafke, Mr. Don McCormick

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

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Don Davis, 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, Commissioner Carolyn Mason, Commissioner Cheryl Cook for Commissioner Rhonda DiFranco, Mayor Willie Shaw, Councilman Kit McKeon

Ex-Officio Members: Ms. Melissa Dickens - SWFWMD

MEMBERS ABSENT

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

Collier County: Commissioner Tim Nance

Glades County: Commissioner Donna Storter-Long, Councilwoman Pat Lucas, Commissioner Russell Echols

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

Lee County: Commissioner Brian Hamman, Mayor Anita Cereceda

Sarasota County: Mr. Felipe Colón

Ex-Officio Membership: Ms. Carmen Monroy – FDOT, Mr. Jon Iglehart – FDEP,
Mr. Phil Flood – SFWMD,

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

Ms. Wuerstle suggested moving up the items which required an action to the beginning of the agenda for quorum purposes.

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

AGENDA ITEM #6 Minutes of the April 17, 2014 & May 15, 2014 Meetings

A motion was made by Vice Mayor Congress to approve the minutes of the April 17, 2014 and May 15, 2014 meetings. The motion was seconded by Mayor Shaw and carried unanimously.

Chair Heitmann thanked Commissioner Mann for being the Pro-Temp Chair for the May SWFRPC meeting. She then announced that Agenda Items 9 and 10 will be moved up on the agenda for their action.

AGENDA ITEM #9 CONSENT AGENDA

Mr. McCormick made a motion to approve the consent agenda; Mayor Shaw seconded the motion.

Ms. Wuerstle noted that Ms. Doyle had brought an issue to her attention on the financial statements. Compared to last year at this time, the Council was in the negative by \$35,000 and this year the Council is in the black by \$82,000.

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 14-7ER)

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.

Mr. Reynolds noted that he will be abstaining from voting on both Items #10(a) and 10(b).

The motion carried with Mr. Reynolds abstaining.

AGENDA ITEM #10(b)
Palmer Ranch Increment XVI DRI - Development Order Review

A motion was made by Commissioner Davis to accept the development order as rendered. Notify the Florida Department of Economic Opportunity and Sarasota County. The motion was seconded by Commissioner Hines.

Councilman Burch stated that these two items are good examples of why the RPCs should be funded by the State and not have the Governor line item veto their funding. He said that he felt that Governor needs to be educated on what the RPCs do.

The motion carried with Mr. Reynolds abstaining.

AGENDA ITEM #7
DIRECTOR'S REPORT

Ms. Wuerstle presented the item. She announced that the August Council meeting had been moved from its original date of August 21 to August 14 in order to have the Council take action on its FY 2014/15 Workplan and Budget. She explained that it was essential that there be a quorum present to approve the budget.

Ms. Wuerstle stated that Commissioner Mann had requested information on the ramifications of not adopting the Council's budget by August 15th. Counsel McCabe researched the issue.

Counsel McCabe explained that the Council was required to adopt its annual budget by August 15th as stated within the Council's Interlocal Agreement, as well as Rule 29I-1.007(1). He said that it would be a good thing for the Council to follow its interlocal agreement regulations and rules; however, if the Council wasn't able to approve its budget by August 15th, it wouldn't have any effect on the Council's operations since its fiscal year is from October 1 through September 30.

Ms. Wuerstle announced that Mr. David Crawford of staff will be retiring in February and stated that she has hired Mr. Jay McLeod to train with Mr. Crawford in order to have a smooth transition.

Ms. Wuerstle also announced that she recently promoted Ms. Jennifer Pellechio to Deputy Director.

Ms. Wuerstle then gave an update on FRCA's MOU.

Commissioner Mann explained that all elected officials are required to take an annual ethics exam and stated that any ethics issues within the RPCs are totally duplicative of what all members have to do annually in accordance to the law. Ms. Wuerstle stated that she believed it was discussed within the initial conversation regarding the code of ethics and that was why all of the "shall" were changed to "should". She said that she would prefer that it remain as a guiding document and not a directive on how the RPCs operate.

AGENDA ITEM #8(a) Grant Activity Sheet

Ms. Wuerstle presented the item. She announced that the Council did not receive the EDA designation for a manufacturing community.

Vice-Mayor Congress asked Ms. Wuerstle if she could give an update on the business plan for the regional economic development entity (Alliance). Ms. Wuerstle explained that the business plan has been completed and submitted to Lee County, who in turn accepted the document and submitted it to DEO.

AGENDA ITEM #11(a) SWFWMD Conservation Strategies Presentation

Ms. Melissa Dickens gave a presentation on SWFWMD's conservation strategies.

Commissioner Cook explained that Taylor Ranch had been recently sold and she had met with the attorneys representing the new owners. Their intention is to build over 11,000 residences over a few decades. She recently attended a meeting on Sarasota County's 2050 Plan and her extreme concern is if there is going to be enough water to sustain such growth. Ms. Dickens explained that the SWFWMD's regional water supply planning efforts project 20 years into the future and there are actually projections that go out further. The District tries to meet some of the increased demand not only through groundwater, but also through the development of alternative water supplies and then conservation.

Commissioner Mann referred to the rebate program for water-saving toilets and asked how the program worked. Ms. Dickens explained that the District partners with local governments within the district through their cooperative funding program. If a local government approaches the District with a cost effective program that will show a specific savings, and it meets the District's cooperative funding criteria, the District will provide a portion of funding towards the project.

Commissioner Mann asked if the rebate funding for the program comes directly from the District's ad valorem budget. Ms. Dickens stated that she wasn't aware of the funding source for the program.

Commissioner Mann asked if any of the other WMD's throughout the State have a similar program because it is a nice incentive. Ms. Dickens said that she didn't have the answer to that question. Commissioner Mann asked how the program is funded. Ms. Dickens explained that the District funds a portion of the program and either the local government or utility would fund the remaining portion. It is her understanding that the District doesn't usually give the full rebate on the price of a toilet.

Vice-Mayor Congress clarified that the local government has to be approved prior to any individual taking advantage of the program. Ms. Dickens said that was correct.

Commissioner Mann asked Ms. Dickens if she had any information on the commercial toilet program. Ms. Dickens explained that there are options for commercial.

Councilman Burch noted that Cape Coral has a highly acclaimed reuse system. There is a debate in Cape Coral with people not changing the times for watering their lawns.

Councilwoman Prafke explained that on IFAS's website there is a lot of information regarding lawns and water irrigation.

Chair Heitmann asked Ms. Dickens who was the point of contact for the program. Ms. Dickens explained that for the southern portion of the District it is Tara Polton, who is the Government Affairs Program Manager. The Conservation Project Manager is Jay Hoecker.

Mr. Perry asked Ms. Wuerstle when Ms. Dickens sends the contact information that she also contacts Mr. Phil Flood of the SFWMD and obtains the same information and then forwards it to all of the members at the same time.

Discussion ensued regarding to the process of the program.

AGENDA ITEM #11(b) **"Our Creative Economy" Presentation**

Both Ms. Jennifer Pellechio and Mr. Tim Walker gave a presentation on the SWFRPC's project called "Our Creative Economy".

Ms. Wuerstle emphasized that this project was a pilot project.

Ms. Pellechio encouraged everyone to go to the SWFRPC's website and try out the new mobile application.

Chair Heitmann stated that there may be some procedures that the Council would like to follow-up on when the executive director meets with the cities and counties. She then suggested staff give presentations to the individual cities and counties by asking to be placed on their agenda in order to broaden the knowledge. She then asked if there is an "app" or working towards having an "app" for the region.

Ms. Pellechio explained to Chair Heitmann that the portion of the project she was referring to was the portion that staff is currently having issues with; however, they are working towards an implementation. The issue is that the funding runs out and staff is trying figure out how to take the next step in order to have both the public and constituents made aware of the project.

Ms. Wuerstle explained that staff has an idea for a program on how to get the word out by working with the various art alliances and agencies. Staff was considering a passport program which would encourage people to go out with the passport and get it stamped at the various locations and once the passport has been filled there would be a prize given out.

Ms. Pellechio explained to Chair Heitmann that from a technology standpoint “apps” are very costly. We use the word “app” because people are accustomed to it. As staff was working with the various partners on the project, it was determined that the website, as long it was interactive, was better and more cost effective than an “app” itself.

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

Chair Heitmann gave the committee report. She announced that the Council closed last year’s budget with \$160,000 in reserves and this year the budget will close with approximately \$50,000 in reserves. The committee will continue to work on the challenges before the Council, such as the increases in the retirement costs that the legislature passed. The Council will be putting in 7% instead of 3% and the Council’s healthcare insurance will be increasing as expected, so the Council will be looking towards reductions in order to have another successful year.

Chair Heitmann thanked Ms. Wuerstle for efforts in keeping the budget balanced. Ms. Wuerstle stated that she really needs to give the credit to Nancy Doyle who did a fantastic job in pulling the budget together.

Ms. Wuerstle then introduced Sarah Cordell, who has taken over the CPA practice from her father, Wally Cordell, who recently passed away. Chair Heitmann welcomed Sarah and also gave her condolences on behalf of the Council for the passing of her father.

Chair Heitmann thanked Ms. Doyle for her efforts and welcomed her back.

Mr. McCormick asked Chair Heitmann if it would be appropriate at this time to announce that it is official that the Charlotte Harbor National Estuary Program (CHNEP) will be moving to the City of Punta Gorda. He then asked what kind of impact it will have on the Council’s finances. Ms. Wuerstle explained that staff has been watching the budget and pulling the financials together for the upcoming budget year and the CHNEP has not been included in those documents. We are confident that the budget can be balanced and still be stable throughout the coming year. She would encourage the CHNEP to meet with her and Ms. Doyle to develop an exit strategy in order to make a smooth transition.

Councilwoman Prafke announced that the Punta Gorda City Council made the final approval to have the CHNEP located within the city’s offices at their most recent meeting. The city is excited to welcome the CHNEP to Punta Gorda. She stated that it wasn’t an anti-RPC issue at all, but

strictly a “right fit” for the CHNEP. The city is looking forward to being the CHNEP’s host agency and hope to see the CHNEP continue to flourish. She announced that October 1, 2014 is the when the CHNEP will be officially operating under the City of Punta Gorda.

Councilman McKeon thanked Chair Heitmann for presenting the committee’s report.

AGENDA ITEM #12(b)
Economic Development Committee

Ms. Pellechio gave the committee report. She explained that the committee reviewed and agreed to move both the business plan and policies and procedures manual forward.

Chair Heitmann thanked everyone for their efforts and supports.

AGENDA ITEM #12(c)
Energy & Climate Committee

Mr. McCormick gave the committee report. He explained that the committee was currently in the process of working on the Solar Ready II project where one of the goals was bringing the solar initiatives to everyone. Local governments are required to start integrating solar practices into the zoning codes. He emphasized the importance for everyone to participate in the survey which is located online because there are gaps which need to be filled in order to meet the requirements of the grant.

Chair Heitmann asked Mr. McCormick to read off which local governments did not submit their report. Mr. McCormick announced the following:

- City of Punta Gorda
- City of Everglades City
- City of Marco Island
- Collier County
- City of Moore Haven
- Glades County
- City of Clewiston
- Hendry County
- City of Sanibel
- Town of Longboat Key
- City of Sarasota
- City of Venice

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

No report was given; the information was included in the packet.

AGENDA ITEM #12(e)
Executive Committee

No report was given.

AGENDA ITEM #12(f)
Legislative Affairs Committee

Vice Mayor Congress gave the committee report. He announced that the governor line-item vetoed the RPC funding within the State's budget, so the RPCs will not be receiving any funding from the State. The committee met just prior to today's Council meeting and part of the discussion was to find out why the governor keeps line-item vetoing the RPCs funding. The committee decided to draft a letter to the governor from all of the RPCs and actually invite him to attend an RPC meeting so he can understand the value the RPCs provide.

Vice-Mayor Congress continued with his report and noted that the committee decided to send a letter to the SFWMD, executed by the five mayors in Lee County (City of Fort Myers, Town of Fort Myers Beach, City of Sanibel, City of Cape Coral and the City of Bonita Springs) to take a look at adaptive protocols that allows the natural systems to receive enough water.

Commissioner Cook indicated that she met with a House member from Bradenton and he indicated that the governor was looking to "disassemble" the water management districts and bring everything into Tallahassee. She asked if anyone else had heard anything about it. Both Vice-Mayor Congress and Ms. Dickens stated that they did not hear anything with respect to that issue.

Councilman Burch said that he didn't know anything about it, but it appeared to be the rumor within the first year when they were asked to draw down their reserves, but he thought that it went away.

Ms. Dickens explained that the governor's office has worked very closely with the District in streamlining many of the processes. There has been a collaborative effort in trying to get consistency throughout the WMDs. She noted that she had heard the rumor in the past but not recently.

Discussion ensued regarding the algae bill.

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

Mayor Shaw said that he didn't have a report to give; however, the committee is scheduled to meet immediately following today's Council meeting.

Chair Heitmann asked Mayor Shaw if he knew who didn't submit a survey. Mayor Shaw gave a brief report of who did submit a survey.

Chair Heitmann stated that she was going to recommend that the committee make a big effort in finding members within the communities to serve on the committee. It is going to take a regional effort to address the regional issues when it comes to crime and safety and how it affects the quality of life within those communities.

Discussion ensued.

**AGENDA ITEM #12(h)
Regional Transportation Committee**

Ms. Wuerstle gave the committee report. She noted that the committee reviewed the Veterans Transportation Strategy and the recently submitted TIGER Planning Grant.

Chair Heitmann announced that you don't have to be a member of the RPC in order to be a member on the one of the Council's committees.

**AGENDA ITEM #13
NEW BUSINESS**

No new business was discussed at this time.

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

SWFWMD - Ms. Dickens said that she will send the information on the Cooperative Funding schedule to staff so they can distribute to the members.

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

No report was given at this time.

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

Councilwoman Prafke noted that she had distributed a copy of the new Punta Gorda brochure. It was a volunteer effort and the printing was paid for by a 501(c) 3.

**AGENDA ITEM #17
ADJOURNMENT**

The meeting was adjourned.

Mr. Don McCormick, Secretary

The meeting was duly advertised in the June 9, 2014 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 40, Number 111.

Agenda Item

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Director's Report

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EXECUTIVE DIRECTOR'S REPORT: September 18, 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 Update

- Approximately \$114,000 in additional grant revenues have been approved since the 2015 budget was adopted.

b. Grants:

- Hendry County Zoning update project approved by DEO for \$25,000
- City of LaBelle Agricultural Tours approved by DEO for \$25,000
- EDA Advanced Manufacturing Analysis approved for \$58,257
- Southwest Florida Security Showcase & Expo (Broadband Implementation) approved for \$5,000
- Sarasota County Solar Assessment approved for \$1,500

1. External Issues

- FRCA: Policy Board adopted new policies that addressed many of the concerns raised in the SWFRPC MOU.
- The Executive Director met with the following to establish partnerships and discuss issues of mutual concern: Commissioner Charles Hines, Commissioner Mason, Zombicon organizers, Brad Muckel Immokalee CRA, Vice Mayor Congress, FRCA Policy Board meeting.

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

a. Implementation of Workplan:

- Grants Submitted: National Endowment for the Humanities \$75,000; Immokalee Economic Development Plan \$25,000;
- Grants Under Development: NEA Arts and Culture project \$200,000; Brownfield Identification and Assessment grant \$600,000, I-75 Medical Manufacturing Corridor designation; Bank of America Arts and Culture grant for Sarasota \$45,000.

1926 Victoria Avenue | Fort Myers, FL



P: 239.338.2550 | F: 239.338.2560 |

- Pending Grants: approximately \$2,300,000 in various grants
- A Resiliency Plan for the State of Florida is being pursued with DEO through a HUD grant.
- Improved Financial Reporting: New software for time keeping and project management has been rolled and is being refined
- Grants team hired under 6 month contract.
- Front Desk Receptionist hired.
- Southwest Florida Security Showcase & Expo (Broadband Implementation) is under development with technology partners throughout the region.
- The Invest in Manufacturing Communities Partnership Summit will be held in Washington DC on October 30 & 31st. We will be attending to meet with fellow applicants and exchange best practices in order to prepare for the second round of the program.
- Jennifer Pellechio was a panelist at the State APA Conference on our Broadband Plan.
- 6 presentations were made regarding the programs of the SWFRPC through our Speakers Bureau
- A new logo and tag line have been created for the SWFRPC.

Agenda Item

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Staff Summaries

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Agenda Item

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Grant Activity Sheet (Information Only)

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SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|----------|-------------|--------------------------------------|-----------------------|--|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|--------------|------------|------------|--|------------------------|
| 1 | SWFRPC | PO | Yes | County - Sarasota | Jay McLeod | Sarasota County Solar Assessment | | | 8/20/2014 | 8/20/2014 | 8/25/2014 | 8/22/14 | \$1,500.00 | \$1,500.00 | 9/2/2014 | 9/30/2014 | Solar Assessment Report | \$0.00 |
| 2 | SWFRPC | Contract | Yes | N/A | Jim Beever | Estero Bay ABM | | | | | | | \$12,000.00 | \$10,000.00 | 10/1/2013 | 9/30/2014 | City of Bonita Springs approved to provide \$4,000 to the SWFRPC for the ABM (FY2013/14) of which \$1,000 would go to the ABM general fund and \$3,000 toward funding the ABM State of the Bay report. Also, the SWFRPC would contribute \$2,000 of the local assessment. FGCU contributed \$2,500 for FY13. | \$2,000.00 |
| 3 | SWFRPC | Grant | Yes | EPA | Jim Beever | WQFAM | | | | | | | \$160,000.00 | \$160,000.00 | 10/1/2011 | 9/30/2015 | Extention 2014-2015 | |
| 4 | SWFRPC | Contract | Yes | County - | John | SQG Glades | | | | | | | \$3,900.00 | \$3,900.00 | 5/17/2011 | 5/16/2015 | | |
| 5 | SWFRPC | Contract | Yes | DOE (Departme nt of Energy) | Rebekah Harp | Solar Ready II | 1/24/2013 | 1/24/2013 | | 3/22/2013 | 7/18/2013 | | \$140,000.00 | \$90,000.00 | 7/1/2013 | 1/1/2016 | Recruit local governments to review and adopt BMPs. Host stakeholder meetings and/or training programs, providing technical assistance to local governments as needed, and tracking any policy adoptions and local government feedback. | \$50,000.00 |
| 6 | SWFRPC | Grant | Yes | EPA | Jim Beever | A Unified Conservation Easement Mapping and Database for the State of Florida | | | 4/15/2013 | 4/8/2013 | 6/3/2013 | | \$294,496.00 | \$148,996.00 | 10/1/2013 | 9/30/2015 | GIS database with Conservation Easements | \$145,500.00 |
| 7 | SWFRPC | Grant | Yes | EDA | Jennifer Pellechio | EDA Planning Grant | | | 1/22/2013 | 12/18/2013 | 4/18/2014 | 4/21/14 | \$270,000.00 | \$189,000.00 | 1/1/2014 | 12/31/2016 | CEDS Plan, Annual Reports, CEDS Working Committee | \$81,000.00 |
| 8 | SWFRPC | Grant | Yes | EDA | Jennifer Pellechio | Advanced Manufacturing in West Central Florida Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development | | | | 12/26/2013 | 9/3/2014 | | \$116,514.00 | \$58,257.00 | | | Regional website, branding strategy, brochures, analysis | \$40,000.00 |
| 9 | SWFRPC | Grant | Yes | Visit Florida | Margaret Wuerstle | Our Creative Economy: Video - Southwest Florida Regional Strategy for Public Art | | | 2/18/2014 | 2/18/2014 | 5/14/2014 | 7/17/14 | \$10,000.00 | \$5,000.00 | 7/1/2014 | 5/31/2015 | | \$5,000.00 |
| 10 | SWFRPC | Grant | Yes | EPA/CHNEP | Jim Beever | Identifying Future Saltwater Wetland Loss | | | 4/4/2014 | 4/4/2014 | | | \$243,324.00 | \$60,000.00 | | | Report, transect information, presentations, articles | \$63,800.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|----------|-------------|-------------------|-----------------------|--|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|-------------|------------|-----------|--|------------------------|
| 11 | SWFRPC | Grant | Yes | DEO | Jennifer Pellechio | The Zoning Mapping Project - Hendry County | | | 6/6/2014 | 5/6/2014 | 8/29/2014 | | \$25,000.00 | \$25,000.00 | | | <p>This project will update the framework for zoning in Hendry County. The concept is to enhance the existing database and update all parcels with 2015 data, incorporating over 35K parcels depicting specific development as it relates to zoning classification in Hendry County.</p> <p>The County is regulated by the Zoning Ordinance, which controls the overall scale and use of buildings throughout the county. Hendry's zoning is a reflection of ongoing planning work, which helps to guide future growth in the county.</p> <p>The result will be a tangible geodatabase that Hendry County can utilize to create economies of scale in order provide seamless customer service. Immediately, they will share the data sets amongst the county departments and other agencies to the goal to host all maps electronically in the future.</p> | \$0.00 |
| 12 | SWFRPC | Grant | Yes | DEO | Nichole Gwinnett | Agriculture Tours to Promote Assets and Economic Development in the City of LaBelle | | | 6/6/2014 | 5/7/2014 | 8/26/2014 | | \$25,000.00 | \$4,000.00 | | | City of LaBelle Agriculture Tour Plan | |
| 13 | SWFRPC | Grant | Yes | CTD | Nichole Gwinnett | Glades-Hendry TD Planning Agreement FY2014-15 | | | | | 5/16/2014 | | \$38,573.00 | \$38,573.00 | 7/1/2014 | 6/30/2015 | Update of TDSP, CTC Evaluation, Staff Support, LCB Quarterly Meetings, Committee Meetings, Update By-Laws and Grievance Procedures. | \$0.00 |
| 14 | SWFRPC | Contract | Yes | DEM | John Gibbons | Title III (LEPC) | | | 7/1/2014 | | 7/1/2014 | | \$42,000.00 | \$42,000.00 | 7/1/2014 | 6/30/2015 | LEPC Program Coordination; attendance during four (4) local quarterly meetings; attendance during four (4) state quarterly meetings; quarterly reports; quarterly news articles/updates; annual LEPC plan update; industry compliance support; housing of chemical data, meeting minutes; exercise coordination; publishing of public availability notice; etc . | \$0.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|----------|-----------------|---------------------------------------|--------------------|---|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|----------------|----------------|------------|------------|--|------------------------|
| 15 | SWFRPC | Contract | Yes | DEM | John Gibbons | HMEP Planning Grant (Hazardous Materials Emergency Preparedness) | | | 7/1/2014 | | | | \$20,000.00 | \$20,000.00 | 7/1/2014 | 9/30/2014 | Major Planning Project; travel coordination for LEPC Chairman; LEPC program coordination and quarterly reports. | |
| 16 | SWFRPC | PO | Yes | RPC - NEFRC | Tim Walker | Small Area Data for the 2014 Statewide Hurricane Evacuation Study | | | | | | | \$11,000.00 | \$11,000.00 | 7/1/2014 | 12/12/2014 | Data | |
| 17 | SWFRPC | Grant | Yes | City of Bonita Springs | Jim Beever | Spring Creek Restoration Plan | | | | | 8/27/2014 | 8/26/14 | \$50,000.00 | \$50,000.00 | 9/1/2014 | 9/30/2015 | The Spring Creek Vulnerability Assessment and The Spring Creek Restoration Plan | \$0.00 |
| 18 | RC&DC | Grant | To Be Submitted | CSX | Nichole Gwinnett | The Roots Heritage Urban Food Hub - Mobile Market | | | 10/1/2014 | | | | | \$10,000.00 | | | The purchase and launch of the RHUFH Mobile Market. | |
| 19 | RC&DC | Grant | To Be Submitted | Atilus, LLC | Rebekah Harp | RC&DC Website | | | | | | | \$20,000.00 | \$20,000.00 | | | New website, 2-year hosting, Adwords setup, and BoardMa tool (50 licenses). | |
| 20 | SWFRPC | Grant | To Be Submitted | National Endowment for the Arts | Margaret Wuerstle | Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues | | | 1/13/2015 | | | | \$400,000.00 | \$200,000.00 | | | • Asset Mapping • A Regional Strategy for Enhancing Public Art: A SWOT • Southwest Florida's Public Art and Cultural Venues Field and Tour Guide | \$113,472.00 |
| 21 | SWFRPC | Grant | To Be Submitted | EPA | Jennifer Pellechio | FY15 Brownfields Assessment Grant | | | 1/22/2015 | 1/22/2015 | | | \$600,000.00 | \$600,000.00 | | | | \$0.00 |
| 22 | RC&DC | Grant | To Be Submitted | Bank of America | Margaret Wuerstle | OUR CREATIVE ECONOMY - A Regional Strategy for SW Florida Public Art and Cultural Venues | | | 9/15/2014 | | | | \$45,000.00 | \$45,000.00 | | | | \$0.00 |
| 23 | SWFRPC | Grant | Pending | National Endowment for the Humanities | Jay McLeod | ZombiCon: Dying for the Arts | | | 8/13/2014 | 8/13/2014 | | | \$75,000.00 | \$75,000.00 | | | Film Script/Storyline developed, in collaboration with humanities scholars. | \$0.00 |
| 24 | SWFRPC | Grant | Pending | DEO | Jennifer Pellechio | Economic Development Plan for Immokalee | | | | 9/5/2014 | | | \$25,000.00 | \$25,000.00 | | | TBD | \$0.00 |
| 25 | SWFRPC | | Pending | FDEP | Jim Beever | Resilient and Consistent Coastal Elements for Florida's Gulf Coast (RESTORE) | | | 1/7/2013 | 1/7/2013 | | | \$500,000.00 | \$500,000.00 | | | | |
| 26 | SWFRPC | | Pending | FDEP | Jim Beever | Environmental Services Provided by the Gulf of Mexico | | | 1/7/2013 | 1/7/2013 | | | \$500,000.00 | \$500,000.00 | | | | |
| 27 | SWFRPC | Grant | Pending | FDEP | Margaret Wuerstle | Implement agriculture BMP in the Caloosahatchee Watershed | | | | 4/12/2013 | | | \$3,000,000.00 | \$3,000,000.00 | | | Grants to growers to implement BMP. Anticipated to assist 20 growers /year for six years or 120 growers | |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|-------|-------------|-------------------|-----------------------|---|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|----------------|----------------|------------|-----------|---|------------------------|
| 28 | RC&DC | Grant | Pending | PNC Foundation | Margaret Wuerstle | Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues | | | | 3/14/2014 | | | \$20,000.00 | \$10,000.00 | | | A field guide to the public art of Charlotte County. | \$10,000.00 |
| 29 | RC&DC | Grant | Pending | USDA | Margaret Wuerstle | Mobile Market: A Nutritional Oasis for Food Markets of SWFL | | | 3/31/2014 | 3/31/2014 | | | \$599,549.00 | \$298,605.00 | 10/1/2014 | 9/30/2017 | Education Plan | |
| 30 | SWFRPC | Grant | Pending | USDA | Nichole Gwinnett | Opportunity Buy Program Coordinator | | | 4/30/2014 | 4/30/2014 | | | \$195,979.00 | \$99,848.00 | | | A part-time employee will be assigned to develop and coordinate this program over a two year period. After the program is implemented and stable, it will be turned over to the school districts for their continued usage. | \$42,510.00 |
| 31 | RC&DC | Grant | Pending | USDA | Rebekah Harp | The Smart Process Food Hub | | | 4/30/2014 | 4/30/2014 | | | \$139,457.00 | \$98,729.00 | | | Host regional stakeholder meeting; hire and train two food service processors; secure warehouse rental space; distributing food from HUB to school districts; and completion of project - self sustaining. | \$25,728.00 |
| 32 | SWFRPC | Grant | Pending | USDOT | Margaret Wuerstle | Public/Private Regional Transportation Connectivity Plan | | | 4/28/2014 | 4/25/2014 | | | \$1,378,476.00 | \$1,148,476.00 | | | Public/Private Regional Transportation Connectivity Plan | \$70,000.00 |
| 33 | SWFRPC | Grant | Pending | DEO | Margaret Wuerstle | OUR CREATIVE ECONOMY -- Asset Mapping | | | 6/6/2014 | 5/9/2014 | | | \$25,000.00 | \$25,000.00 | | | A field guide to the Public Art in both electronic and print media. | \$0.00 |
| 34 | SWFRPC | Grant | Pending | DEO | Jennifer Pellechio | SWFL - Comprehensive Economic Development Strategy (CEDS) Incorporates Economic Resiliency | | | 6/6/2014 | 6/5/2014 | | | \$25,000.00 | \$25,000.00 | | 5/31/2015 | This project will create an in-depth study analysis based on the federal change requirements to the document incorporating economic vulnerabilities as it related to jobs and employers. The outcome of the integrated technical assistance would be a general framework for considering economic resilience in the CEDS for Southwest Florida. The project would build upon the national model by creating "Resiliency Specific Action Plans" to address the top economic vulnerabilities and strengthen economic resilience. These would include specific economic diversification strategies and projects. | \$0.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|-------|-------------|---|-----------------------|---|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|----------------|--------------|------------|----------|--|------------------------|
| 35 | RC&DC | Grant | Pending | USDA | Nichole Gwinnett | Fort Myers Food Desert Farmer's Market | | | 6/20/2014 | 6/19/2014 | | | \$97,792.00 | \$97,792.00 | | | 1. Establish a year-round daily farm stand and weekend Farmer's Market offering affordable, fresh, local produce. 2. Support farmers, food producers and value added vendors with training and workshops and provide opportunities for independent entrepreneurs. 3. Expand the access of the residents of the surrounding food desert to locally grown and produced food and encourage consumption of nutritious, fresh foods. | \$0.00 |
| 36 | SWFRPC | Grant | No | Wells Fargo | Rebekah Harp | Mote Marine Programming | | | 8/31/2012 | 8/31/2012 | 8/31/2012 | | | \$21,058.00 | | | Master Plan and Design documents allog with market analysis and feasibility study | |
| 37 | SWFRPC | | No | WalMart | Rebekah Harp | Mote Marine - Teens influencing community through technology | | | 8/10/2012 | 8/10/2012 | 8/10/2012 | | | \$9,500.00 | 12/3/2012 | | | |
| 38 | SWFRPC | | No | WalMart | Jennifer Pellechio | Integrated Training Center-- Partnered with United Way | | | 8/10/2012 | 8/9/2012 | 8/10/2012 | | \$275,000.00 | \$55,000.00 | | | | |
| 39 | SWFRPC | Grant | No | NOAA | Jim Beever | Curriculum development to educated decision makers and planners on preparing and responding to the impacts of changing climate conditions | | | 8/29/2012 | 8/29/2012 | 11/6/2012 | | | \$203,000.00 | 12/3/2012 | | curriculum development, train the trainer workshops, electronic workbook, videos recorded | |
| 40 | SWFRPC | Grant | No | Robert Wood Johnson | Margaret Wuerstle | PASS = Plan for Achieving Student Success | | | 10/14/2012 | 10/14/2012 | 12/1/2012 | | | \$70,000.00 | 12/3/2012 | | Documentation of the number middle school students serviced, track their academic performance and their attendance as a result of intervention at an younger age based on truancy | |
| 41 | SWFRPC | Grant | No | Southwest Florida Community Foundation | Jennifer Pellechio | Capacity Building - Communication Guide | | | 10/15/2012 | 10/15/2012 | 12/1/2012 | | | \$800.00 | 12/3/2012 | | Development of a marketing and communication plan for the RPC | |
| 42 | SWFRPC | Grant | No | FEMA | Jennifer Pellechio | Promoting Community Resilience through interactive mapping & toolkits for HOA | | | 10/26/2012 | 10/26/2012 | 5/7/2013 | | \$35,000.00 | \$35,000.00 | | | Interactive mapping and toolkit for City of Ft. Myers | \$17,100.00 |
| 43 | SWFRPC | Grant | No | US Fish & Wildlife | Jim Beever | Master's Landing Phase 1 | | | 10/25/2012 | 10/25/2012 | 12/1/2012 | | \$2,042,517.50 | \$75,000.00 | | | Management Plan/ enhancement of wetlands and assoc. upland habitats for migratory birds on lands owned by the Calusa Land trust | \$1,967,517.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|----------|-------------|-----------------------------|--------------------|--|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|--------------|------------|------------|--|------------------------|
| 44 | SWFRPC | Grant | No | NOAA | Jennifer Pellechio | Creating a Better Climate for Businesses through Climate Change Adaptation Planning Education in Southwest Florida | 11/19/2012 | 11/19/2012 | 1/11/2013 | | 6/5/2013 | | \$81,086.00 | | 12/3/2012 | | | |
| 45 | SWFRPC | Grant | No | Gannet Foundation | Nichole Gwinnett | Mapping of Food Deserts & Farmers Markets | | | 2/10/2013 | 2/10/2013 | 5/20/2013 | | \$10,000.00 | \$10,000.00 | | | Develop spatial analyses graphics of food deserts, produce production areas, existing Farmers Markets and the potential location for new Farmers Markets. | \$0.00 |
| 46 | SWFRPC | Grant | No | Kresge Foundation | Jim Beever | Climate Change Education | | | | 3/22/2013 | 6/3/2013 | | \$100,000.00 | \$100,000.00 | | | The Southwest Florida Regional Planning Council proposes to develop a Florida Business Climate Change Education Program and Curriculum (FBCCEPC) for business leaders, decision-makers and entrepreneurs in southwest Florida. A Business Solutions for Climate Change Adaptation web page. | \$0.00 |
| 47 | SWFRPC | Contract | No | National Science Foundation | Jim Beever | Adaptation of Coastal Environments (ACE) Coastal SEES- UF | | | | 1/14/2013 | 8/1/2013 | | \$100,000.00 | \$100,000.00 | 10/1/2013 | | | |
| 48 | SWFRPC | | No | Mosaic | Margaret Wuerstle | Mobile Service Vehicle | | | | 9/30/2012 | 12/31/2012 | | \$300,000.00 | \$35,000.00 | | | NonTraditional outreach to homeless camps and doumentation of needs, number of clients& services required | |
| 49 | SWFRPC | Grant | No | USDA | Rebekah Harp | Farm to School - HUB | | | 4/24/2013 | 4/24/2013 | 11/20/2013 | | \$140,725.00 | \$13,360.00 | 1/1/2014 | 9/30/2015 | <ul style="list-style-type: none"> •Host regional stakeholder meeting. •Hire and Train two food service processors. •Secure warehouse rental space •Distributing food from hub to school districts •Completion of project – self sustaining | \$40,728.00 |
| 50 | SWFRPC | Grant | No | USDA | Nichole Gwinnett | Opportunity Buy Program Coordinator | | | 4/23/2013 | 4/23/2013 | 11/20/2013 | | \$99,667.00 | \$15,000.00 | 11/1/2013 | 10/31/2015 | A part time employee will be assigned to develop and coordinate this program over a two year period. After the program is implemented and stable, it will be turned over to the school districts for their continued usage. | \$53,621.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|-------|-------------|---|--------------------|--|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|--------------|------------|----------|--|------------------------|
| 51 | SWFRPC | Grant | No | EPA | John Gibbons | Southwest Florida Job Training Project | | | 4/9/2013 | 4/9/2013 | 6/13/2013 | | \$200,000.00 | \$200,000.00 | | | Grant is to be administered over a two year period. The following courses are to be conducted. Two (2) OSHA 40-hours HAZWOPER courses; Three (3) First Aid/CPR courses; Two (2) OSHA Basic Safety courses; Two (2) EPA Renovate, Repair, and Paint courses; One (1) Solid Waste Management Awareness course; Two (2) Lead Abatement Certification courses; Two (2) Mold Abatement courses; One (1) Asbestos Abatement course; One (1) Green Environment course | \$0.00 |
| 52 | SWFRPC | Grant | No | FDACS - Florida Department of Agriculture and Consumer Services | Margaret Wuerstle | Mobile Market: Creating a Nutritional Oasis in the Food Deserts of SWFL | | | 4/10/2013 | 4/10/2013 | 7/11/2013 | | \$335,954.00 | \$25,000.00 | | | | |
| 53 | RC&DC | Grant | No | Cape Coral Community Foundation | Margaret Wuerstle | Guide & Regional Asset mapping of Public Arts | | | 7/10/2013 | 7/9/2013 | 10/1/2013 | | \$15,000.00 | \$15,000.00 | | | | \$0.00 |
| 54 | SWFRPC | Grant | No | Gulf Coast Community Foundation | Nichole Gwinnett | Guide & Regional Asset mapping of Public Arts | 8/19/2013 | 8/14/2013 | 8/30/2013 | | 8/15/2013 | | \$80,000.00 | \$75,000.00 | | | Track hits to the website; collect arts-industry related economic and labor data demonstrating the arts economic impact similar to the database used by New England Foundation for the Arts to inform public policy decision making; and track the number of jurisdictions adopting the recommendations in their comprehensive plans. | \$5,000.00 |
| 55 | SWFRPC | Grant | No | EPA | Jennifer Pellechio | Rt 41 Corridor, Rt 29 Moore Haven and Rt 80 Labelle | | | | 11/20/2012 | 5/9/2013 | | \$600,000.00 | \$100,000.00 | | | Sites identified and evaluated along Rt. 41 and Rt 27 and scattered sites. | |
| 56 | SWFRPC | Grant | No | DEO | Jennifer Pellechio | Our Creative Economy - A Regional Strategy for SW Florida's Public Art & Cultural Venues | 06/01/2013 | | | | 7/12/2013 | | \$150,000.00 | \$150,000.00 | | | 1. Asset Mapping; 2. A Multi-Jurisdictional Strategy for Enhancing Public Art; and 3. A Southwest Florida's Public Art and Cultural Venues Field and Tour Guide | \$0.00 |
| 57 | SWFRPC | Grant | No | EDA | Jennifer Pellechio | Develop a Regional Strategy for Manufacturing | | | 6/13/2013 | 6/13/2013 | 7/22/2013 | | \$200,000.00 | \$80,000.00 | | | Assessment/Inventory, Mapping, Website & Strategy Plan | \$200,000.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|-------|-------------|----------------------------------|-----------------------|--|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|--------------|------------|----------|--|------------------------|
| 58 | SWFRPC | Grant | No | DEO | Margaret Wuerstle | Regional Strategy for Agricultural Sustainability in Hendry & Glades Counties | | 5/10/2013 | | | 7/12/2013 | | \$150,000.00 | \$150,000.00 | | | The final result will be an Agricultural Vision that the local governments can use as a reference or incorporate when considering changes to their comprehensive plans and land development codes. This project will create a Regional Strategy for Agricultural Sustainability that will include: 1. Creation of a working committee consisting of stakeholders from the six county regiona including the water management districts, IFAS, the Farm Bureau, Natural Resources Conservation Service, local government representatives and agriculturists. 2. Identification of issues including development pressures, farming constraints, diversification, adaptation to climate changes, trade and export opportunities, shifts in markets, transportation infrastructure, commodity pipes and financing. 3. A Strengths, Weakness, Opportunities and Threats (SWOT) analysis. 4. Mapping of existing agricultural lands. 5. Mapping of conservation easements and constraints. 6. Research best land use practices for agricultural sustainability. 7. Development of recommendations for enhancing | |
| 59 | SWFRPC | Grant | No | Florida Humanities Council | Jennifer Pellechio | Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues | 8/19/2013 | 8/16/2013 | | | 9/3/2013 | | \$15,000.00 | \$15,000.00 | | | The Southwest Florida Regional Planning Council, in partnership with the Hendry County Tourism Development Council, and the Native American Tribes of Florida , proposes to identify, map and document existing public art and public art venues in Hendry County. A Field Guide to the Public Art of Hendry County will assist residents, visitors and tourists to find public art geographically and in temporal space (for regularly scheduled events) in electronic and print media. The deliverables from this project will be incorporated into the overall regional strategy. | |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|-------|-------------|---|-------------------|---|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|--------------|------------|----------|--|------------------------|
| 60 | SWFRPC | Grant | No | USDA | Sean McCabe | Sustainable Southwest Florida Farmlands Initiative | | | 6/24/2013 | 6/21/2013 | 8/13/2013 | | \$100,000.00 | \$100,000.00 | | | | \$0.00 |
| 61 | RC&DC | Grant | No | Lowe's Charitable and Educational Foundation (LCEF) | Tim Walker | Low-Impact Sustainable Parking Demonstration Project | | | 7/31/2013 | 7/30/2013 | 9/16/2013 | | \$35,000.00 | \$25,000.00 | | | Pictures, data collection and reporting, publicity (Hold opening ceremony attended by elected officials from at least 15 local governments and at least 5 state agency representatives; list site with Florida Native Plant Society; publish article in "Harbor Happenings") | \$10,000.00 |
| 62 | RC&DC | Grant | No | WalMart | Sean McCabe | Sustainable Southwest Florida Farmlands Initiative | | | 8/9/2013 | 8/9/2013 | 11/26/2013 | | \$150,000.00 | \$150,000.00 | | | Working committee; ID issues, SWOT, research, recommendations, sustainability & climate change analysis, map agricultural lands & conservation easements, final report | \$0.00 |
| 63 | SWFRPC | Grant | No | FEMA | John Gibbons | Strengthening Resilience Across Whole Communities of Practice: A Regionally-based Virtual Training Approach | | | 8/16/2013 | 8/16/2013 | | | \$64,000.00 | \$64,000.00 | | | National LEPC Training and Exercise Program | \$0.00 |
| 64 | RC&DC | Grant | No | Wells Fargo | Margaret Wuerstle | Mobile Market: Creating a Nutritional Oasis in the Food Deserts of Lee County | | | 8/31/2013 | 8/29/2013 | 9/4/2013 | | \$132,434.00 | \$13,784.00 | | | Coordination w/Roots Heritage Urban Food Hub in the deployment of "Mobile Market" | \$0.00 |
| 65 | RC&DC | Grant | No | Chichester duPont Foundation | Margaret Wuerstle | Sustainable Southwest Florida Farmlands Initiative | | | 9/1/2013 | 8/30/2013 | 12/12/2013 | | \$85,000.00 | \$85,000.00 | | | Create a working committee, meetings, SWOT analysis, develop recommendations for enhancing and preserving agricultural lands, sustainability and climate change analysis, map conservation easements and final report. | |
| 66 | RC&DC | Grant | No | Patagonia Foundation | Jim Beever | Walking the Watersheds: Identifying Nutrient and Other Pollution Sources in the Estero Bay Watershed | | | 8/31/2013 | 8/30/2013 | 12/30/2013 | | \$17,237.00 | \$9,237.24 | | | Identification of the sources of nutrient and other pollution and in the impaired watersheds Involvement citizens in stewardship of those watersheds and increase local involvement in water quality protection Assistance to the water quality agencies to direct restoration and remediation efforts to the sources of water quality impairment. | \$7,999.76 |
| 67 | SWFRPC | Grant | No | Elizabeth Dole Foundation | Margaret Wuerstle | Homeless Veterans Camp | | | 10/15/2013 | 9/9/2013 | 1/1/2014 | | \$150,000.00 | \$150,000.00 | | | Maps of camp locations and documentation of number of homeless veterans | \$0.00 |

SWFRPC's GRANT SUMMARY AS OF 9-8-14

| # | Agency | Type | Awarde d | Funding Agency | Project Mgr. | Project Name | LOI Due Date | LOI Date Submitted | App Due Date | Date Submitted | Date Awarded/D enied | Date Contract Signed | Project Total | RPC Amt | Start Date | End Date | Deliverables | Total Match Amt-RPC |
|----|--------|----------|-------------|---|--------------------|---|-----------------|-----------------------|-----------------|----------------|----------------------------|-------------------------|---------------|--------------|------------|----------|--|------------------------|
| 68 | SWFRPC | Grant | No | NOAA | Jim Beever | The effects of sea level rise on Total Ecosystem Services Value (TEV) in Southwest Florida | 9/10/13 | 9/10/13 | 11/14/2013 | 11/13/2013 | 5/8/2014 | | \$208,245.74 | \$200,245.74 | | | TEV valuation of southwest Florida in existing and future climate change scenarios | |
| 69 | SWFRPC | Grant | No | The KEEN Effect | Margaret Wuerstle | Hendry County Big "O" Birding Extravaganza | | | 12/6/2013 | 12/6/2013 | 1/14/2014 | | \$20,000.00 | \$10,000.00 | | | | \$4,000.00 |
| 70 | SWFRPC | Grant | No | EPA | Jennifer Pellechio | FY14 Brownfields Assessment Grant | | | 1/22/2014 | 1/22/2014 | 5/28/2014 | | \$600,000.00 | \$600,000.00 | | | | \$0.00 |
| 71 | SWFRPC | Grant | No | National Endowment t for the Arts | Margaret Wuerstle | Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues | | | 1/13/2014 | 1/13/2014 | | | \$400,000.00 | \$200,000.00 | | | <ul style="list-style-type: none"> Asset Mapping Regional Strategy for Enhancing Public Art: A SWOT Southwest Florida's Public Art and Cultural Venues Field and Tour Guide | \$113,472.00 |
| 72 | SWFRPC | Grant | No | EPA | John Gibbons | Environmental Job Training for dislocated workers and veterans with employable job skills | | | 2/13/2014 | 2/13/2014 | 5/12/2014 | | | \$200,000.00 | | | <ul style="list-style-type: none"> Cooperative Agreement Application required Finalized Budget and Work Plan Progress Reports Data Registration electronically Final Report require | |
| 73 | RC&DC | Grant | No | Presbyteria n Committee | Margaret Wuerstle | A Nutritional Oasis for Marginalized Individuals | Open | 2/11/14 | | | 8/15/2014 | | \$15,000.00 | \$15,000.00 | | | | |
| 74 | SWFRPC | Grant | No | EDA | Jennifer Pellechio | SWFRPC, TBRPC, SFRPC Medical Corridor Initiative | | | | 4/14/2014 | 6/1/2014 | | \$0.00 | \$0.00 | | | Designation | \$0.00 |
| 75 | RC&DC | Grant | No | Seeds of Change | Margaret Wuerstle | Fort Myers Nutritional Oasis in the Food Deserts | 3/31/14 | 3/18/14 | | | 4/23/2014 | | | | | | Training of fifteen individuals to grow produce in the existing community garden. | |
| 76 | SWFRPC | Grant | No | DOE (Departme nt of Energy) | Jennifer Pellechio | Solar Market Pathways | | | 5/21/2014 | 5/20/2014 | 6/18/2014 | | | | | | | \$20,000.00 |
| 77 | SWFRPC | Contract | No | Alliance | Rebekah Harp | Consulting Services for Website Development and Maintenance | | | 6/11/2014 | 6/11/2014 | | | \$90,000.00 | \$90,000.00 | | | To maintain the stability of your site, the Alliance would receive dedicated technical support during development, testing, and launch; ongoing assistance with site maintenance; and solution monitoring and customer support. | \$0.00 |
| 78 | SWFRPC | Grant | No | Florida Humanities Council | Jennifer Pellechio | Develop and refine the Art Field Guide and online Map Viewer for Lee County | 7/1/14 | 7/1/14 | 8/6/2014 | | 7/2/2014 | | \$15,000.00 | | | | | |

Agenda Item

9

Consent Agenda

9

9

CONSENT AGENDA SUMMARY

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

There were two clearinghouse items reviewed during the month of August. There are currently five projects under review.

RECOMMENDED ACTION:

- Approve the administrative action on the Clearinghouse Review items.

Agenda Item #9(b) – Financial Statement for August 31, 2014

Staff provided the balance sheet, income statement and statement of cash flow for the month of August.

RECOMMENDED ACTION:

- Approve the financial statements for the month of August.

Agenda Item #9(c) – SWFRPC Fixed Assets Removal

Staff provided the list of surplus equipment for disposal.

RECOMMENDED ACTION:

- Obtain approval from the Council to dispose of the surplus items in accordance to the Council's Disposal Policy.

Agenda Item #9(d) – Member Appointments and Certification for the Glades and Hendry County Joint Local Coordinating Board for the Transportation Disadvantaged

Council staff is pursuing nominees to fill existing vacancies on the Local Coordinating Board (LCB). Staff has received assurances from the respective county commissioners representing the Local Coordinating Board that the appointment process is satisfactory.

RECOMMENDED ACTION:

- Appoint the following individuals to the LCB:
 1. Vanessa Fischel as the representative for children at risk.
 2. Theresa Davis as the representative for the Florida Department of Elder Affairs.

- Authorize the Chairperson to endorse the LCB certification from for the Glades-Hendry LCB.

Agenda Item #9(e) – IC&R – Public Transportation Coordination Joint Participation Agreement (ICAR) between the Collier MPO and the SWFRPC

In 2006, the Southwest Florida Regional Planning Council (Council) was a party to the above captioned Joint Participation Agreement (JPA). The JPA was effective August 6, 2006, upon execution by all parties, with duration of five (5) years and automatic renewal for a five (5) year term and every five years thereafter.

RECOMMENDED ACTION:

- The Council agrees to reaffirm the JPA.

Agenda Item #9(f) – Southwest Florida Public Sector Hazardous Materials Training

The Southwest Florida Regional Planning Council (SWFRPC) and the Southwest Florida Local Emergency Planning Committee (LEPC) for Hazardous Materials continues to provide outstanding hazardous materials training and assistance to emergency responders and government officials of the region. As in previous years, the Southwest Florida LEPC/SWFRPC is providing free training to government employees of the region. Continuing education and training are essential part of our mission to provide comprehensive emergency preparedness systems throughout Southwest Florida. Training opportunities can take many forms from required certification initiatives to informal “in-house” sessions to major full-scale exercises. Additionally, the Southwest Florida Regional Planning Council will be joining Collier County in conducting an 8-hour HAZWOPER Course.

RECOMMENDED ACTION:

- Information Item Only.

RECOMMENDED ACTION: Approve consent agenda as presented.

9/2014

--- 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 August 1, 2014 and ending August 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 FDEP-State Clearinghouse in Tallahassee.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items.

9/2014

ICR Council - 2014

| SWFRPC # | Name1 | Name2 | Location | Project Description | Funding Agent | Funding Amount | Council Comments |
|----------|---------------------|------------------------------------|-----------------|---|---------------|----------------|--------------------|
| 2014-24 | Ms. Lauren Milligan | FDEP - Florida State Clearinghouse | Sarasota County | Department of the Army, Jacksonville District Corps of Engineers – Scoping Notice – Lido Key Hurricane and Storm Damage Reduction Project, Big Sarasota Pass Ebb Shoal Sand Source – Sarasota, Sarasota County, Florida. SAI # FL201406246927 (Reference Prior SAI # FL200407167941C) | | | Comments Submitted |
| 2014-25 | Ms. Chiu Cheng | FDEP - Beaches, Inlets and Ports | | FDEP - New Pass Maintenance Dredging and Disposal of Material on Lido Key and Longboat Key | | | Comments Submitted |

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 |
| 2014-26 | | | Sarasota County | EDA - Investments for Public Works and Economic Development Facilities - City of Sarasota Downtown Infrastructure Stabilization Project, Coconut Avenue Water Line Replacement, Traffic and Streetscaping Improvements and Pedestrian Bridge Walkway - Sarasota, Sarasota County, Florida. | | | Review in Progress |

Agenda Item

9b

Financial Statement for
August 31, 2014

9b

9b

2014 Workplan & Budget Financial Snapshot - August 2014

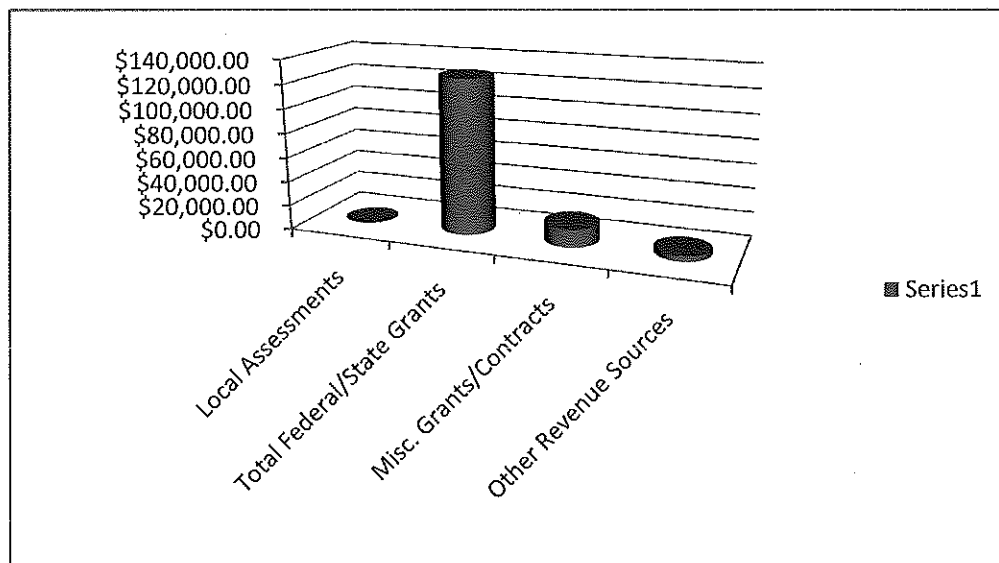
Revenues

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

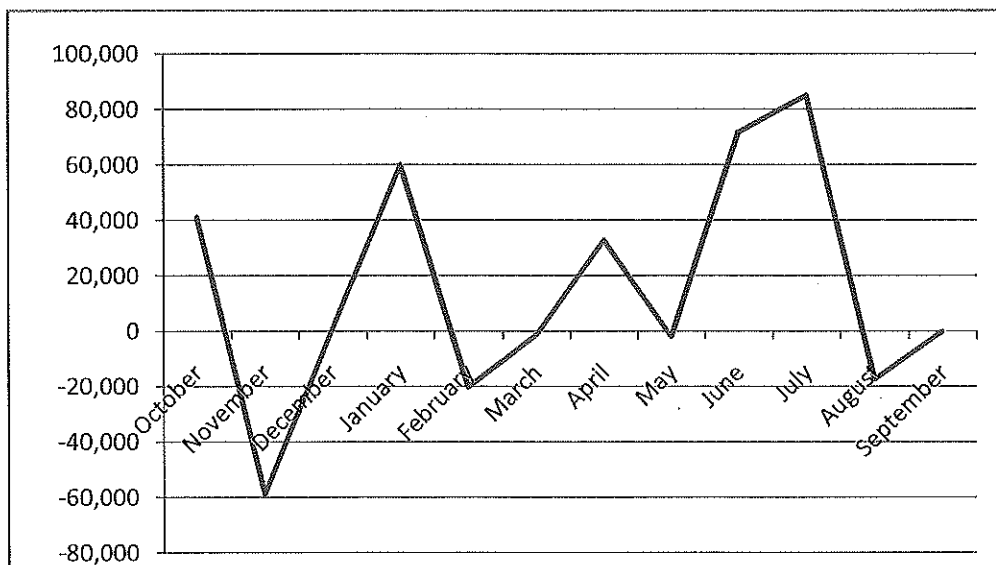
Federal Grants (EPA) billed monthly: EPA: CHNEP, FAMWQ, and CE

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

Misc. Grants/Contracts billed quarterly: MARC Solar Ready

Misc. Grants/Contracts billed by deliverable: SQG, CHNEP Local/Grants, Interagency PO'S

Other(DRI) billed /recorded monthly as cost reimbursement



YTD: Net Income \$ 100,323 (Unaudited)

SWFRPC
BALANCE SHEET
AUGUST 31, 2014

ASSETS

| | | |
|--------------------------------|----|-----------|
| CURRENT ASSETS | | |
| FUND BALANCE | \$ | 808,567 |
| ACCOUNTS RECEIVABLE | | 89,002 |
| | | <hr/> |
| TOTAL CURRENT ASSETS | | 897,569 |
| 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 | | 960,828 |
| | | <hr/> |
| TOTAL OTHER ASSETS | | 1,078,826 |
| | | <hr/> |
| TOTAL ASSETS | \$ | 3,455,699 |
| | | <hr/> |

LIABILITIES AND CAPITAL

| | | |
|-------------------------------|----|-----------|
| CURRENT LIABILITIES | | |
| ACCOUNTS PAYABLE | \$ | 0 |
| RETAINAGE PAYABLE | | 2,139 |
| DEFERRED INCOME | | 88,791 |
| FICA TAXES PAYABLE | | 2 |
| FEDERAL W/H TAX PAYABLE | | 6 |
| UNITED WAY PAYABLE | | 481 |
| FSA PAYABLE | | (467) |
| LEPC CONTINGENCY FUND | | 305 |
| | | <hr/> |
| TOTAL CURRENT LIABILITIES | | 91,257 |
| LONG-TERM LIABILITIES | | |
| ACCRUED ANNUAL LEAVE | | 55,640 |
| LONG TERM DEBT - OPEB | | 59,864 |
| LONG TERM DEBT - BANK OF AM. | | 960,828 |
| | | <hr/> |
| TOTAL LONG-TERM LIABILITIES | | 1,076,332 |
| | | <hr/> |
| TOTAL LIABILITIES | | 1,167,589 |
| CAPITAL | | |
| FUND BALANCE-UNASSIGNED | | 194,487 |
| FUND BALANCE-ASSIGNED | | 514,000 |
| FB-NON-SPENDABLE/FIXED ASSETS | | 1,479,303 |
| NET INCOME | | 100,320 |
| | | <hr/> |
| TOTAL CAPITAL | | 2,288,110 |
| | | <hr/> |
| TOTAL LIABILITIES & CAPITAL | \$ | 3,455,699 |
| | | <hr/> |

Detail of Fund Balance

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

Investments:

| | |
|--|---------|
| Iberia Bank CD | 317,366 |
| Local government Surplus Trust Fund Investment Pool (Fund A) | 183,323 |
| Local government Surplus Trust Fund (Fund B) | 1,917 |

| | |
|--------------------------|---------------------|
| Total Investments | \$502,606.00 |
|--------------------------|---------------------|

| | | |
|---------------------------------|----|--------------|
| Petty Cash | \$ | 200.00 |
| Bank of America Operating Funds | | \$205,681.00 |

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

SWFRPC
BALANCE SHEET
AUGUST 31, 2014

FUND BALANCE DETAIL

| | | |
|------------------------------|----|---------|
| CASH - BANK OF AMERICA OPER. | \$ | 305,761 |
| CASH - IBERIA CDS | | 317,366 |
| CASH - FL LOCAL GOV'T POOL | | 183,323 |
| CASH - FL GOV'T POOL-FUND B | | 1,917 |
| PETTY CASH | | 200 |

| | | |
|--------------|----|---------|
| FUND BALANCE | \$ | 808,567 |
|--------------|----|---------|

| | | |
|----------------|----|---------|
| OPERATING CASH | \$ | 305,761 |
|----------------|----|---------|

| | | |
|-------------|--|---------|
| INVESTMENTS | | 502,606 |
| PETTY CASH | | 200 |

| | | |
|--------------|--|---------|
| FUND BALANCE | | 808,567 |
|--------------|--|---------|

| | |
|--------------------------------|----------|
| DEFERRED -NEP CE954836611-1 | 3,056 |
| DEFERRED INCOME NEP LOCAL | (26,333) |
| DEFERRED INCOME - FAMWQ | (25,111) |
| DEFERRED INC. DRI - FOUNTAINS | (8,706) |
| DEFERRED INC. PALMER RANCH XXI | (1) |
| DEFERRED-PALMER RANCH XXII | (15,000) |
| DEFERRED PALMER XXIII-B | (15,000) |
| DEFERRED INCOME LEE MEMORIAL | (9) |
| DEFERRED AVE MARIA | (185) |
| DEFERRED TOLLGATE | (22) |
| DEFERRED SANDILL NOPC | (1,480) |

| | | |
|---------------------------|----|---------|
| NET AVAILABLE FOR RESERVE | \$ | 719,776 |
|---------------------------|----|---------|

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ELEVEN MONTHS ENDING AUGUST 31, 2014

| | Current Month | | Year to Date | | FY 2013-2014 | | FY 2013 - 2014 | | Budget Change |
|----------------------------|---------------|---------|--------------|-----------|-----------------|-----------|----------------|-----------|---------------|
| | Actual | | Actual | A | Approved Budget | B | Amended Budget | C | |
| REVENUES | | | | | | | | | |
| LOCAL ASSESSMENTS | | | | | | | | | |
| CHARLOTTE COUNTY | \$ | 0 | \$ | 49,007 | \$ | 49,007 | \$ | 49,007 | 0 |
| COLLIER COUNTY | | 0 | | 98,955 | | 98,955 | | 98,955 | 0 |
| GLADES COUNTY | | 0 | | 3,801 | | 3,801 | | 3,801 | 0 |
| HENDY COUNTY | | 0 | | 11,170 | | 11,440 | | 11,440 | 0 |
| LEE COUNTY | | 0 | | 153,997 | | 153,997 | | 153,997 | 0 |
| SARASOTA COUNTY | | 0 | | 115,069 | | 115,099 | | 115,099 | 0 |
| CITY OF FORT MYERS | | 0 | | 20,051 | | 20,050 | | 20,050 | 0 |
| TOWN OF FORT MYERS BEACH 1 | | 0 | | 1,876 | | 1,876 | | 1,876 | 0 |
| BONITA SPRINGS | | 0 | | 13,539 | | 13,539 | | 13,539 | 0 |
| CITY OF SANIBEL | | 0 | | 1,947 | | 1,947 | | 1,947 | 0 |
| TOTAL LOCAL ASSESSMENTS | | 0 | | 469,412 | | 469,711 | | 469,711 | 0 |
| FEDERAL / STATE GRANTS | | | | | | | | | |
| ECONOMIC DEV.-GRANT | | 0 | | 13,938 | | 12,500 | | 12,500 | 0 |
| CHNEP - SWFWMD | | 0 | | 55,080 | | 0 | | 0 | 0 |
| CHNEP MANATEE | | 0 | | 0 | | 5,000 | | 5,000 | 0 |
| EPA 6014 | | 103,220 | | 568,051 | | 567,309 | | 567,309 | 0 |
| FDEP-6014 | | 0 | | 74,994 | | 75,000 | | 75,000 | 0 |
| SWFWMD - 6014 | | 0 | | 34,920 | | 130,000 | | 130,000 | 0 |
| EPA FAMWQ | | 9,493 | | 99,002 | | 190,000 | | 190,000 | 0 |
| EPA-CONSERVATION | | 6,817 | | 50,616 | | 95,944 | | 95,944 | 0 |
| DEM TITLE III | | (511) | | (511) | | 40,909 | | 40,909 | 0 |
| DEM-LEPC | | 0 | | 21,902 | | 0 | | 0 | 0 |
| LEE BOCC-VA STUDY | | 8,601 | | 41,214 | | 40,000 | | 40,000 | 0 |
| HMEP-PLANNING & TRAINING | | 0 | | 34,757 | | 58,370 | | 58,370 | 0 |
| GLADES HENDRY TD | | 0 | | 31,296 | | 38,637 | | 38,637 | 0 |
| MARC - SOLAR READY | | 0 | | 36,402 | | 0 | | 50,000 | 50,000 |
| TOTAL FEDERAL / STATE GRAN | | 127,620 | | 1,061,661 | | 1,253,669 | | 1,303,669 | 50,000 |
| MISC. GRANTS / CONTRACTS | | | | | | | | | |
| GLADES SQG | | 0 | | 3,900 | | 3,900 | | 3,900 | 0 |

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ELEVEN MONTHS ENDING AUGUST 31, 2014

| | Current Month Actual | Year to Date Actual A | FY 2013-2014 Approved Budget B | FY 2013 - 2014 Amended Budget C | Budget Change |
|---------------------------|-------------------------|-----------------------------|--------------------------------------|---------------------------------------|---------------|
| THE NATURE CONSERVANCY | 0 | 1,327 | 0 | 0 | 0 |
| HMEP TRAINING | (270) | (270) | 0 | 0 | 0 |
| VISIT FLORIDA - 3174 | 0 | 5,000 | 5,000 | 5,000 | 0 |
| BROADBAND PLANNING PROJE | (379) | (379) | 0 | 0 | 0 |
| TBRPC ENERGY GRANT | 0 | 7,092 | 0 | 0 | 0 |
| LEE COUNTY DEO | 0 | 15,000 | 0 | 15,000 | 15,000 |
| EDA 2014 | 15,750 | 31,500 | 0 | 0 | 0 |
| COLLIER CO PO #4500149533 | 0 | 3,000 | 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 |
| NFRC PO # 7926 | 0 | 2,000 | 0 | 0 | 0 |
| 6014 LOCAL | 378 | 119,647 | 217,308 | 217,308 | 0 |
| SWECF - 3175 | 0 | 15,000 | 0 | 15,000 | 15,000 |
| HENDRY COUNTY EDC-ED. TAS | 0 | 14,933 | 0 | 12,500 | 12,500 |
| TOTAL MISC. GRANTS/CONTRA | 15,479 | 230,000 | 226,208 | 283,958 | 57,750 |
| OTHER REVENUE SOURCES | | | | | |
| DRI MONITORING FEES | 250 | 3,750 | 10,000 | 10,000 | 0 |
| RENTAL SPACE-SENATOR | 1,250 | 13,750 | 15,000 | 15,000 | 0 |
| RENTAL SPACE CHNEP | 0 | 0 | 15,000 | 0 | (15,000) |
| DRIS/NOPCS INCOME | 3,499 | 19,252 | 35,000 | 25,000 | (10,000) |
| INTEREST INCOME | 0 | 1,749 | 5,000 | 5,000 | 0 |
| MISC. INCOME | 0 | 38,085 | 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 | 4,999 | 76,586 | 706,476 | 796,733 | 90,257 |
| TOTAL REVENUES | 148,098 | 1,837,659 | 2,656,064 | 2,854,071 | 198,007 |

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ELEVEN MONTHS ENDING AUGUST 31, 2014

| EXPENSES | Current Month | Year to Date | | FY 2013-2014 | FY 2013 - 2014 | Budget Change |
|------------------------------|---------------|--------------|---|-----------------|----------------|---------------|
| | Actual | Actual | A | Approved Budget | Amended Budget | |
| PERSONNEL EXPENSES | | | | | | |
| SALARIES EXPENSE | 71,943 | 867,731 | | 663,046 | 663,046 | 0 |
| SALARIES EXPENSE - NEP | 0 | 0 | | 292,510 | 328,510 | 36,000 |
| FICA EXPENSE | 5,323 | 62,788 | | 73,100 | 73,100 | 0 |
| RETIREMENT EXPENSE | 10,703 | 80,328 | | 94,535 | 94,535 | 0 |
| HEALTH INSURANCE EXPENSE | 11,787 | 119,322 | | 138,190 | 138,190 | 0 |
| UNEMPLOYMENT COMP. EXPEN | 0 | 2,241 | | 0 | 0 | 0 |
| WORKERS COMP. EXPENSE | 0 | 2,595 | | 3,696 | 3,696 | 0 |
| TOTAL PERSONNEL EXPENSES | 99,756 | 1,135,005 | | 1,265,077 | 1,301,077 | 36,000 |
| OPERATIONAL EXPENSES | | | | | | |
| GRANT/CONSULTING EXPENSE | 6,650 | 24,130 | | 51,336 | 51,336 | 0 |
| NEP-CONTRACTUAL | 36,385 | 200,633 | | 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 | 1,280 | 32,717 | | 21,870 | 31,870 | 10,000 |
| CHNEP TRAVEL | 0 | 12,731 | | 0 | 0 | 0 |
| TELEPHONE EXPENSE | 496 | 5,687 | | 6,540 | 6,540 | 0 |
| POSTAGE / SHIPPING EXPENSE | 43 | 2,160 | | 4,100 | 4,100 | 0 |
| EQUIPMENT RENTAL EXPENSE | 244 | 5,636 | | 8,750 | 8,750 | 0 |
| INSURANCE EXPENSE | 371 | 19,914 | | 22,500 | 22,500 | 0 |
| REPAIR/MAINT. EXPENSE | 1,240 | 10,972 | | 15,000 | 15,000 | 0 |
| PRINTING/REPRODUCTION EXP | 781 | 5,160 | | 1,500 | 3,000 | 1,500 |
| UTILITIES (ELEC, WATER, GAR) | 562 | 19,461 | | 22,000 | 22,000 | 0 |
| ADVERTISING/LEGAL NOTICES | 137 | 2,433 | | 3,600 | 3,600 | 0 |
| OTHER MISC. EXPENSE | 95 | 1,796 | | 4,500 | 4,500 | 0 |
| BANK SERVICE CHARGES | 0 | 2,537 | | 2,280 | 2,280 | 0 |
| OFFICE SUPPLIES EXPENSE | 1,788 | 9,763 | | 8,836 | 8,836 | 0 |
| COMPUTER RELATED EXPENSE | 1,600 | 40,572 | | 38,500 | 38,500 | 0 |
| DUES AND MEMBERSHIP | 0 | 20,878 | | 28,800 | 28,800 | 0 |
| PUBLICATION EXPENSE | 0 | 1,138 | | 1,250 | 1,250 | 0 |
| PROF. DEVELOP. | 695 | 7,299 | | 10,120 | 10,120 | 0 |

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ELEVEN MONTHS ENDING AUGUST 31, 2014

| | Current Month Actual | Year to Date Actual A | FY 2013-2014 Approved Budget B | FY 2013 - 2014 Amended Budget C | Budget Change |
|----------------------------|-------------------------|-----------------------------|--------------------------------------|---------------------------------------|---------------|
| MEETINGS/EVENTS EXPENSE | 162 | 2,501 | 3,000 | 3,000 | 0 |
| CAPITAL OUTLAY EXPENSE | 2,500 | 14,293 | 4,000 | 4,000 | 0 |
| CAPITAL OUTLAY - BUILDING | 0 | 1,815 | 12,500 | 12,500 | 0 |
| LONG TERM DEBT | 10,646 | 117,105 | 128,000 | 128,000 | 0 |
| RESERVE FOR OPERATIONS EXP | 0 | 0 | 542,797 | 708,304 | 165,507 |
| TOTAL OPERATIONAL EXP. | 65,675 | 602,331 | 1,390,987 | 1,552,994 | 162,007 |
| TOTAL CASH OUTLAY | 165,431 | 1,737,336 | 2,656,064 | 2,854,071 | 198,007 |
| NET INCOME (LOSS) | \$ (17,353) | \$ 100,323 | \$ 0 | \$ 0 | 0 |

UNAUDITED FOR MANAGEMENT PURPOSES ONLY

--- Agenda --- Item

9c

SWFRPC Fixed Assets Removal

9c

9c

SWFRPC FIXED ASSETS REMOVAL

The attached list has been approved by both the Network Administrator and Executive Director for disposal of surplus equipment. Staff is seeking approval of the Council to dispose of these items and follow the procedures listed in our Computer Disposal Policy.

RECOMMENDATION ACTION:

Review the attached list of surplus items to be disposed of and obtain final approval by Council in order to follow procedures in Computer Disposal Policy.

09/2014

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

COMPUTER DISPOSAL POLICY

Effective Date: December 14, 2007

Policy Statement:

All Council-owned electronic equipment, including but not limited to, computers, monitors, faxes, copy machines, cell phones, and personal digital appliances (PDAs) with a printed circuit board that the Network Administrator has deemed to be surplus or non-usable shall be disposed of in a manner that is consistent with Federal, state and local statutes and regulations, with recycling being the preferred method. All equipment identified as surplus shall be recycled by the Council's selected and approved vendor list. In addition, all surplus computers or servers that contain hard drives shall be wiped clean or shall be destroyed by magnetic degaussing.

If equipment is recycle/disposed through the Lee County Government Solid Waste Division there is a fee which is subject to change.

Responsibility:

The administration of the recycling program shall be under the Network Administrator and the Executive Director. The Network Administrator identifies equipment as surplus to the needs for the Council, the Executive Director, reviews, and approves these declarations and brings the matter before the Council for final approval.

Action:

The initial action is the Network Administrator presents the Executive Director a list of surplus equipment. This list depicts: purchase date, current capital value, and reason for designation as surplus and recommended method of disposal. Once a list is approved by the Executive Director, it is placed on the Council's Agenda in the Administrative Items section for final approval.

Possible methods of disposal include: in-house auction of equipment, donation to other agencies, recycling, disposal or any other method deemed to be consistent with the purpose and mission of the Council.

Surplus Equipment - August 2014

| Computer Towers* | | | | |
|------------------|------|-----------------|---------------|---------------|
| Inventory # | Make | Model | Purchase Date | Purchase Cost |
| 602 | Dell | Optiplex | 11/6/2008 | \$650.00 |
| 607 | Dell | Optiplx | 2/10/2009 | \$617.09 |
| 604 | Dell | Optilx | 2/5/2009 | \$617.09 |
| 557 | Dell | Precision | 5/10/2006 | \$2,644.44 |
| 613 | Dell | Precision T7500 | 6/25/2009 | \$2,090.89 |
| 614 | Dell | Precision T7500 | 6/23/2009 | \$2,096.39 |
| 545 | Dell | PowerEdge 2800 | 6/10/2005 | \$8,890.20 |
| | | | | |

| Monitors* | | | | |
|-------------|-----------|----------------|---------------|---------------|
| Inventory # | Make | Model | Purchase Date | Purchase Cost |
| 214 | Viewsonic | 17" | 4/18/2006 | \$197.00 |
| 200 | Viewsonic | Opti-quest 17" | 3/30/2006 | n/a |
| 209 | Viewsonic | Opti-quest 17" | 4/17/2006 | \$197.00 |
| | | | | |

| Miscellaneous* | | | | |
|----------------|------|------------------|---------------|---------------|
| Inventory # | Make | Model | Purchase Date | Purchase Cost |
| 416 | HP | Laserjet 4m plus | n/a | n/a |
| | | | | |

*All equipment listed on this sheet is "End of Life" no longer operational.
All computers are phased out of the network at 5 years old.

--- Agenda --- Item

9d

Member Appointments and
Certification for the Glades and
Hendry County Joint LCB for the
Transportation Disadvantaged

9d

9d

MEMBER APPOINTMENTS AND CERTIFICATION FOR THE GLADES AND HENDRY COUNTY JOINT LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED

Pursuant to Chapter 427, Florida Statutes, Rule 41-2, *Florida Administrative Code*, and at the request of the respective counties, the Southwest Florida Regional Planning Council is the Designated Official Planning Agency for the Transportation Disadvantaged (TD) Program in Glades County and in Hendry County, which is now a joint service area. As the Planning Agency, the Council is responsible for the appointment of members to serve on the Local Coordinating Board.

The individuals listed below have been recommended to serve on the Local Coordinating Board. The Certification Form provided in **Attachment A** lists the full membership of the Joint Local Coordinating Board and highlights the new nominees' name or other changes in bold. The Planning Agency must certify the Local Coordinating Board membership each fiscal year and any time the Local Coordinating Board membership changes.

Nominations and applications

Council staff is pursuing nominees to fill existing vacancies on the Local Coordinating Board. Staff may provide additional nominations at the Board meeting. Staff has received assurances from the respective County Commissioners representing the Local Coordinating Board that the appointment process is satisfactory.

About the Local Coordinating Board

The Glades-Hendry Joint Local Coordinating Board typically meets quarterly to guide the functioning of the CTC, Good Wheels, Inc. The next LCB meeting will be held on **December 3, 2014 at 10:30 a.m.** in the Glades County Public Library in Moore Haven.

The Local Coordinating Board is established to oversee the appointed Community Transportation Coordinator (CTC) in its role of coordinating the provision of transportation service. Some of the basic duties of the Board include:

- 1) Develop, review and approve the annual Transportation Disadvantaged Service Plan (TDSP), including the Memorandum of Agreement, prior to its submittal to the Commission for the Transportation Disadvantaged (CTD);
- 2) In cooperation with the CTC, the Board shall review and provide recommendations to the Commission for the Transportation Disadvantaged on funding applications affecting the transportation disadvantaged;
- 3) Review the coordinating strategies of service provision to the transportation disadvantaged in the designated service area;
- 4) Conduct the required annual evaluation of the CTC.

RECOMMENDED ACTIONS:

1. Appoint to the LCB:
 - A. **Vanessa Fischel** as the representative for children at risk.
 - B. **Theresa Davis** as the representative for the Florida Department of Elder Affairs.
2. Authorize the Chairperson to endorse the LCB certification form for the Glades-Hendry LCB provided in Attachment A.

GLADES-HENDRY COUNTY JOINT LOCAL COORDINATING BOARD MEMBERSHIP CERTIFICATION

Planning Agency Name: Southwest Florida Regional Planning Council; 1926 Victoria Ave.; Ft. Myers, FL 33901

Southwest Florida Regional Planning Council named above hereby certifies to the following:

1. The membership of the Glades-Hendry County Joint Local Coordinating Board, established pursuant to Rule 41-2.012(3), *FAC*, does in fact represent the appropriate parties as identified in the following list; and
2. The membership represents, to the maximum extent feasible, a cross section of the local community.

Signature: _____ Date: September 18, 2014

SWFRPC Chairperson

| | The Glades-Hendry LCB has a Representative of: | Voting Member | Term Expires | Alternate Member | Term Expires |
|---|--|----------------------------|---------------|--|---------------------------------|
| 1 | The MPO or DOPA shall appoint one elected official to serve as the official Chairperson for all Coordinating Board meetings. | Donna Storter-Long (Chair) | December 2014 | Janet Taylor (Vice -Chair) Darrell Harris (Alternate to Vice-Chair) | December 2014 March 2013 |
| 2 | A. A local representative of the Florida Department of Transportation (DOT) | Debi Stephens | Agency | Richard Shine | Agency |

| | The Glades-Hendry LCB has a Representative of: | Voting Member | Term Expires | Alternate Member | Term Expires |
|----|---|------------------------|---------------------|----------------------------------|---------------------|
| 3 | B. A local representative of the Florida Department of Children and Families (DCF) | Aaron Stitt | Agency | (Vacant) | Agency |
| 4 | C. A local representative of the Public Education Community which could include, but not be limited to, a representative of the District School Board, School Board Transportation Office, or Headstart Program in areas where the School District is responsible | (Vacant) | Agency | Garry Ensor | Agency |
| 5 | D. In areas where they exist, a local representative of the Division of Vocational Rehabilitation Services or the Division of Blind Services, representing the Department of Education | Victoria Aguilar | Agency | (Vacant) | Agency |
| 6 | E. A person recommended by the local Veterans Service Office, representing Veterans of the county | Gordon E. Bryant | Agency | (Vacant) | Agency |
| 7 | F. A person recognized by the Florida Association for Community Action representing the economically disadvantaged | (Vacant) | Agency | (Vacant) | Agency |
| 8 | G. A person over age 60 representing the Elderly in the county | Kristina Rodriquez | Agency | Bill Iffland | Agency |
| 9 | H. A person with a disability representing the disabled in the county | (Vacant) | | Tony Howard | September 2013 |
| 10 | I--1.[One of Two] Citizen Advocates in the County | Ron Stephens | September 2015 | Debbie Howell Patricia Webber | Agency |
| 11 | I--2. [One of two] Citizen Advocates this one must be a person who uses the transportation service(s) of the system as their primary means of transportation. | (Vacant) | | (Vacant) | |
| 12 | J. A local representative for children at risk | Vanessa Fischel | Agency | Sherry Shupp | Agency |

| | The Glades-Hendry LCB has a Representative of: | Voting Member | Term Expires | Alternate Member | Term Expires |
|----|---|----------------------|---------------------|-------------------------|---------------------|
| 13 | K. In areas where they exist, the Chairperson or designee of the local Mass Transit or Public Transit System's Board, except in cases where they are also the Community Transportation Coordinator. | N/A | | N/A | |
| 14 | L. A local representative of the Florida Department of Elder Affairs | Theresa Davis | Agency | Angela Wood | Agency |
| 15 | M. An experienced representative of the local private for profit transportation industry. In areas where such representative is not available, a local private non-profit representative will be appointed, except where said representative is also the Community Transportation Coordinator | (Vacant) | | (Vacant) | |
| 16 | N. A local representative of the Florida Agency for Health Care Administration | Joe Martinez | Agency | Karen Brooks | Agency |
| 17 | O. A representative of the Regional Workforce Development Board established in Chapter 445, <i>Florida Statutes</i> | April White | Agency | Thais Kuoman | Agency |
| 18 | P. A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, hospitals, local health department or other home and community based services, etc. | Mary Bartoshuk | March 2014 | Nancy Acevedo | December 2016 |

--- Agenda --- Item

9e

IC&R – Public Transportation
Coordination JPA (ICAR) between
the Collier MPO and the SWFRPC

9e

9e

**INTERGOVERNMENTAL COORDINATION AND REVIEW AND PUBLIC
TRANSPORTATION COORDINATION JOINT PARTICIPATION AGREEMENT (JPA)
COLLIER COUNTY MPO**

In 2006, the Southwest Florida Regional Planning Council (Council) was a party to the above captioned Joint Participation Agreement (JPA) [See attachment]. The JPA was effective August 6, 2006, upon execution by all parties, with duration of five (5) years and automatic renewal for a five (5) year term and every five years thereafter.

Article 4, Intergovernmental Coordination and Review of the JPA specifically addresses coordination with the Council. The Council has agreed to perform the following reviews within 30 days of receipt: proposed Transportation Improvement Program (TIP), the Long-Range Transportation Plan (LRTP), Corridor and Subarea Studies or amendments as requested by the Collier County MPO. The review is to include identification of inconsistencies between the plans and program and applicable local government comprehensive plans and the Council Strategic Regional Policy Plan. The Council is to notify the Collier County MPO of any concerns and identify those portions of the submittals which need to be reevaluated or modified.

Recommendation: *The Council agrees to reaffirm the JPA.*



2885 South Horseshoe Drive, Naples, FL 34104 • (239) 252-8192 • Fax (239) 252-5815

July 11, 2014

Margaret Wuerstle, Executive Director
Southwest Florida Regional Planning Council
1926 Victoria Ave.
Fort Myers, FL 33901

RE: Intergovernmental Coordination and Review - Public Transportation Coordination Joint Participation Agreement (ICAR)

Dear Ms. Wuerstle:

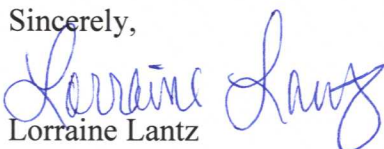
The current ICAR established coordination between the Collier Metropolitan Planning Organization (MPO), the Southwest Florida Regional Planning Council (RPC), the City of Naples Airport Authority, and the Collier County Airport Authority and Collier Area Transit (both operated under the Collier County Board of County Commissioners). The ICAR was entered into in 2006 and is now being updated. The ICAR establishes that the parties will cooperatively coordinate their efforts related to the transportation planning process and assure that highway facilities, mass transit, rail systems, air transportation and other facilities will be properly located and developed in relation to the overall plan of community development. As a method to achieve this, the parties are provided membership on the MPO's Technical Advisory Committee (TAC).

The ICAR was drafted based on FDOT format document and legal counsel for the Collier MPO has reviewed the agreement and authorized its adoption. At its June 13th meeting, the MPO Board reviewed the attached agreement and authorized staff to proceed with getting the necessary signatures from the participating agencies.

For your attention, I have included the ICAR and the RPC signature pages. Please have your legal department review the document and obtain the necessary action from the RPC. We will need the ICAR and six signature pages executed. Once the signature pages are executed, please return them to the MPO offices and staff will process them and send to the FDOT District One Secretary for the final signature. We will need the ICAR and all six signature pages returned so that all parties to the agreement will receive an original copy of the fully executed agreement. The MPO will also submit one original copy to the Collier County Clerk of Courts for recordation.

Thank you for your attention to this matter and if you have any questions or need additional information, please contact me at (239) 252-5779.

Sincerely,


Lorraine Lantz
MPO Principal Planner

Enclosure: As stated

**INTERGOVERNMENTAL COORDINATION AND REVIEW
AND
PUBLIC TRANSPORTATION COORDINATION
JOINT PARTICIPATION AGREEMENT**

THIS JOINT PARTICIPATION AGREEMENT is made and entered into this ____ day of _____, 2014 by and between the FLORIDA DEPARTMENT OF TRANSPORTATION; the COLLIER METROPOLITAN PLANNING ORGANIZATION (hereinafter "Collier MPO"); the SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL; the COLLIER COUNTY AIRPORT AUTHORITY, a political subdivision of Collier County, Florida, whose governing body is the Collier County Board of County Commissioners); COLLIER AREA TRANSIT (hereinafter, "CAT," operated by the Collier County Board of County Commissioners); and the CITY OF NAPLES AIRPORT AUTHORITY (hereinafter collectively, the "Parties").

RECITALS

WHEREAS, on August 3, 2006, the Parties entered into an agreement entitled "State of Florida Department of Transportation Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement" and recorded on August 3, 2006 in Official Records Book 4083, Page 1100 and filed with the Clerk of the Circuit Court of Collier County, Florida; and

WHEREAS, the Parties hereto wish to restate that agreement by utilizing the current standard form MPO document from the State of Florida Department of Transportation; and

WHEREAS, it is the intent of the Parties that this Agreement supercede and supplant the August 3, 2006 State of Florida Department of Transportation Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement, and that this Agreement be the sole and controlling agreement between the Parties with respect to the subject matter herein; and

WHEREAS, the Federal Government, under the authority of Title 23 of the United States Code (U.S.C.) and any subsequent applicable amendments thereto, requires each metropolitan area, as a condition to the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process in designated metropolitan areas to develop and implement plans and programs consistent with the comprehensively planned development of the metropolitan area; and

WHEREAS, 23 U.S.C. § 134, and Section 339.175, Florida Statutes, provide for the creation of metropolitan planning organizations to develop transportation plans and programs for metropolitan areas;

WHEREAS, Title 23 of the Code of Federal Regulations (C.F.R.) § 450.314 requires that the State, the Metropolitan Planning Organization, and the operators of publicly owned transportation systems shall enter into an agreement clearly identifying the responsibilities for cooperatively carrying out such transportation planning (including corridor and subarea studies pursuant to 23 C.F.R. § 450.212 and § 450.318) and programming; and

WHEREAS, pursuant to Section 20.23, Florida Statutes, the Department has been created by the State of Florida, and the Department has the powers and duties relating to transportation, all as outlined in Section 334.044, Florida Statutes; and

WHEREAS, pursuant to 23 U.S.C. § 134, 49 U.S.C. § 5303, 23 C.F.R. § 450.310, and Section 339.175(2), Florida Statutes, the Collier MPO has been designated and its membership apportioned by the Governor of the State of Florida, with the agreement of the affected units of general purpose local government, to organize and establish the Metropolitan Planning Organization; and

WHEREAS, pursuant to an Amended and Restated Interlocal Agreement for Creation of the Collier Metropolitan Planning Organization executed on May 10, 2005, and recorded on May 11, 2005 in

Official Records Book 3796, Page 0729-0744 and filed with the Clerk of the Circuit Court of Collier County, Florida, the Collier MPO was established; and

WHEREAS, pursuant to Chapter 69-1326, Laws of Florida, the City of Naples Airport Authority was created and established with the purpose of operating, developing and improving the Naples Municipal Airport; and

WHEREAS, pursuant to Collier County Ordinance Number 2010-10, as amended, the Collier County Airport Authority was created and established with the purpose of overseeing the development and management of Collier County's three publically-owned general aviation airports and is governed by the Collier County Board of County Commissioners; and

WHEREAS, the Collier County Board of County Commissioners authorized the establishment of Collier Area Transit (CAT), which began providing transit services in February 2001 is currently managed through the County's Alternative Transportation Modes Department; and

WHEREAS, pursuant to Section 339.175(10)(a)2., Florida Statutes, the Collier MPO shall execute and maintain an agreement with the metropolitan and regional intergovernmental coordination and review agencies serving the Metropolitan Area; and

WHEREAS, that aforesaid agreement must describe the means by which activities will be coordinated and specify how transportation planning and programming will be part of the comprehensively planned development of the Metropolitan Area; and

WHEREAS, pursuant to Section 186.504, Florida Statutes, and Chapter 29 Rules 29I-1.001 and 29I-5, Florida Administrative Code (F.A.C.), the Southwest Florida Regional Planning Council was established and operates with a primary purpose of intergovernmental coordination and review; and

WHEREAS, pursuant to Section 186.505(24), FS, the Southwest Florida Regional Planning Council is to review plans of metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government comprehensive plans adopted pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the Southwest Florida Regional Planning Council, pursuant to Section 186.507, FS, is required to prepare a Strategic Regional Policy Plan, which will contain regional goals and policies that address regional transportation issues; and

WHEREAS, based on the Southwest Florida Regional Planning Council's statutory mandate to identify inconsistencies between plans of metropolitan planning organizations and applicable local government comprehensive plans, and to prepare and adopt a Strategic Regional Policy Plan, the Southwest Florida Regional Planning Council is appropriately situated to assist in the intergovernmental coordination of the intermodal transportation planning process; and

WHEREAS, pursuant to Section 186.509, FS, and Chapter 29 Rule 29I-7, FAC, the Southwest Florida Regional Planning Council has adopted a conflict and dispute resolution process; and

WHEREAS, the purpose of the dispute resolution process is to reconcile differences in planning and growth management issues between local governments, regional agencies, and private interests; and

WHEREAS, the Parties hereto have determined that the voluntary dispute resolution process is useful in the process of resolving conflicts and disputes arising in the transportation planning process; and

WHEREAS, pursuant to 23 C.F.R. § 450.314 and Section 339.175(10)(a)3, Florida Statutes, the Collier MPO must execute and maintain an agreement with the operators of public transportation

systems, including transit systems, commuter rail systems, airports, and seaports, describing the means by which activities will be coordinated and specifying how public transit, commuter rail, aviation, and seaport planning (including corridor and subarea studies pursuant to 23 C.F.R. §§ 450.212 and 450.318) and programming will be part of the comprehensively planned development of the Metropolitan Area; and

WHEREAS, it is in the public interest that the Collier MPO, operators of public transportation systems, including transit systems, commuter rail systems, port and aviation authorities, jointly pledge their intention to cooperatively participate in the planning and programming of transportation improvements within this Metropolitan Area; and

WHEREAS, the undersigned Parties have determined that this Agreement satisfies the requirements of and is consistent with 23 C.F.R. § 450.314 and Section 339.175(10), Florida Statutes; and

WHEREAS, the Parties to this Agreement desire to participate cooperatively in the performance, on a continuing basis, of a coordinated, comprehensive transportation planning process to assure that highway facilities, mass transit, rail systems, air transportation and other facilities will be properly located and developed in relation to the overall plan of community development.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the Parties desiring to be legally bound, do agree as follows:

ARTICLE 1 RECITALS; DEFINITIONS

Section 1.01. Recitals. Each and all of the foregoing recitals are hereby incorporated herein and acknowledged to be true and correct. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this Agreement.

Section 1.02. Definitions. The following words when used in this Agreement (unless the context shall clearly indicate the contrary) shall have the following meanings:

Agreement means and refers to this instrument, as amended from time to time.

Corridor or Subarea Study shall mean and refer to studies involving major investment decisions or as other identified in 23 C.F.R. § 450.318.

Department shall mean and refer to the Florida Department of Transportation, an agency of the State of Florida, created pursuant to Section 20.23, Florida Statutes.

FHWA means and refers to the Federal Highway Administration.

Long Range Transportation Plan is at a minimum a 20-year plan which: identifies transportation facilities; includes a financial plan that demonstrates how the plan can be implemented and assesses capital improvements necessary to preserve the existing metropolitan transportation system and make efficient use of existing transportation facilities; indicates proposed transportation enhancement activities; and, in ozone/carbon monoxide nonattainment areas, is coordinated with the State Implementation Plan, all as required by 23 U.S.C. § 134(i), 23 C.F.R. § 450.322, Section 339.175(7), Florida Statutes.

Metropolitan Area means and refers to the planning area as determined by agreement between the Collier MPO and the Governor in the urbanized areas designated by the United States Bureau of the Census as described in 23 U.S.C. § 134(b)(1) and Section 339.175, FS, which shall be subject to the Collier MPO's planning authority.

MPO means and refers to the metropolitan planning organization formed pursuant to Interlocal Agreement dated May 10, 2005 as amended or superseded from time to time.

Regional Planning Council means and refers to the Southwest Florida Regional Planning Council created pursuant to Section 186.504, Florida Statutes, and identified in Chapter 29 Rule 29I-1.001, F.A.C.

Transportation Improvement Program (TIP) is the staged multi-year program of transportation improvement projects developed by a metropolitan planning organization consistent with the Long-Range Transportation Plan and developed pursuant to title 23 U.S.C. § 134(j), 49 U.S.C. § 5304, 23 C.F.R. § 450.324 and Section 339.175(8), Florida Statutes.

Unified Planning Work Program is a biennial program developed in cooperation with the Department and public transportation providers, that lists all planning tasks to be undertaken during a two year time frame, with a complete description thereof and an estimated budget, all as required by 23 C.F.R. § 450.308, and Section 339.175(9), Florida Statutes.

ARTICLE 2

PURPOSE

Section 2.01. Coordination with public transit operators. As set forth in Article 3 of this Agreement, the purpose of this Agreement is to provide for cooperation with the Department, CAT, the City of Naples Airport Authority and the Collier County Airport Authority in the development and preparation of the Unified Planning Work Program, the Transportation Improvement Program, the Long-Range Transportation Plan, and any applicable Corridor or Subarea Studies.

Section 2.02. Intergovernmental coordination; Regional Planning Council. As set forth in Article 4 of this Agreement, the purpose of this Agreement is to provide a process through the Southwest Florida Regional Planning Council for intergovernmental coordination and review and identification of inconsistencies between proposed Collier MPO transportation plans and local government comprehensive plans adopted pursuant to Chapter 163, Florida Statutes, and approved by the Florida Department of Economic Opportunity.

Section 2.03. Dispute resolution. As set forth in Article 5 of this Agreement, the purpose of this Agreement is to provide a process for conflict and dispute resolution through the Southwest Florida Regional Planning Council.

ARTICLE 3

COOPERATIVE PROCEDURES FOR PLANNING AND PROGRAMMING WITH OPERATORS OF PUBLIC TRANSPORTATION SYSTEMS

Section 3.01. Cooperation with operators of public transportation systems; coordination with local government approved comprehensive plans.

(a) The Collier MPO shall cooperate with CAT, the City of Naples Airport Authority, and the Collier County Airport Authority to optimize the planning and programming of an integrated and balanced intermodal transportation system for the Metropolitan Area.

(b) The Collier MPO shall implement a continuing, cooperative and comprehensive transportation planning process that is consistent, to the maximum extent feasible, with port and aviation master plans, and public transit development plans of the units of local governments whose boundaries are within the Metropolitan Area.

(c) As a means towards achievement of the goals in paragraphs (a) and (b), and in an effort to coordinate intermodal transportation planning and programming, the Collier MPO may include as part of its membership, officials of agencies that administer or operate major modes or systems of transportation, including but not limited to transit operators, sponsors of major local airports, maritime ports and rail operators. The representative of the major modes or systems of transportation may be accorded voting or non-voting advisor status. In the Metropolitan Area, if authorities or agencies have been or may be created by law to perform transportation functions and that are not under the jurisdiction of a general purpose local government represented on the Collier MPO, the Metropolitan Planning Organization shall request the Governor to designate said authority or agency as a voting member of the MPO in accordance with the requirements of Section 339.175, Florida Statutes. If the new member would alter local government representation in the Collier MPO, the Collier MPO shall propose a revised apportionment plan to the Governor to ensure voting membership on the Metropolitan Planning Organization to an elected official representing public transit authorities which have been, or may be, created by law.

(d) The Collier MPO shall ensure that representatives of transit and airports within the Metropolitan Area are provided membership on the Collier MPO's Technical Advisory Committee.

Section 3.02. Preparation of transportation related plans.

(a) Although the adoption or approval of the Unified Planning Work Program, the Transportation Improvement Program, and the Long-Range Transportation Plan is the responsibility of the Collier MPO, development of such plans or programs shall be viewed as a cooperative effort involving the Department, CAT, the City of Naples Airport Authority, and Collier County Airport Authority. In developing its plans and programs, the Collier MPO shall solicit the comments and recommendations of the Parties to this Agreement in the preparation of such plans and programs.

(b) At the commencement of the process of preparing the Unified Planning Work Program, the Transportation Improvement Program, or the Long-Range Transportation Plan, or preparing other than a minor amendment thereto (as determined by the Collier MPO), the Collier MPO shall extend notice to the Department, CAT, the City of Naples Airport Authority, and Collier County Airport Authority advising the scope of the work to be undertaken and inviting comment and participation in the development process. The Collier MPO shall ensure that the chief operating officials of the Department, CAT, the City of Naples Airport Authority, and Collier County Airport Authority shall receive approximate 15 days written formal notice of all public workshops and hearings relating to the development of such plans and programs. It is stipulated by the Parties to this Agreement that the failure by the Collier MPO to properly extend written or other notice shall not invalidate, or be lodged as a claim to invalidate, the adoption of the aforementioned plans and programs.

(c) Local government comprehensive plans.

(1) In developing the Transportation Improvement Program, Long-Range Transportation Plan, or a Corridor or Subarea Studies, or preparing other than a minor amendment thereto (as determined by the Collier MPO), the Collier MPO, CAT, the City of Naples Airport Authority, and the Collier County Airport Authority shall analyze for each local government in the Metro Area: (i) the comprehensive plan future land use elements; (ii) the goals, objectives, and policies of the comprehensive plans; and (iii) the zoning, of each local governments in the Metropolitan Area. Based upon the foregoing review and a consideration of other growth management factors, the Collier MPO, CAT, the City of Naples Airport Authority, and the Collier County Airport Authority, shall provide written recommendations to local governments in the Metropolitan Area in the development, amendment, and implementation of their comprehensive plans. A copy of the recommendations shall be sent to the Southwest Florida Regional Planning Council.

(2) The Collier MPO agrees that, to the maximum extent feasible, the Long-Range Transportation Plan and the project and project phases within the Transportation Improvement Program shall be consistent with the future land use element and goals, objectives and policies of the comprehensive plans of local government in the Metropolitan Area. If the Collier MPO's Transportation Improvement Program is inconsistent with a local government comprehensive plan, the Collier MPO shall so indicate, and the Collier MPO shall present, as part of the Transportation Improvement Program, justification for including the project in the program.

(d) Multi-modal transportation agency plans.

(1) In developing the Transportation Improvement Program, Long-Range Transportation Plan, or a Corridor or Subarea Studies, or preparing other than a minor amendment thereto (as determined by the Metropolitan Planning Organization, the Collier MPO shall analyze the affected: master plans of CAT, the City of Naples Airport Authority and the Collier County Airport Authority. Based upon the foregoing review and a consideration of other transportation-related factors, the Collier MPO shall from time to time and as appropriate, provide recommendations to the Parties to this Agreement as well as local governments within the Metropolitan Area, for the development, amendment, and implementation of their master, development or comprehensive plans.

(2) In developing or revising their respective master or development plans, the Parties to this Agreement shall analyze the draft or approved Unified Planning Work Program, Transportation Improvement Program, Long-Range Transportation Plan, or Corridor and Subarea Studies or amendments thereto. Based upon the foregoing review and a consideration of other transportation-related factors, the Parties to this Agreement shall from time to time and as appropriate, provide written recommendations to the Collier MPO with regard to development, amendment, and implementation of the plans, programs and studies.

(3) The Collier MPO agrees that, to the maximum extent feasible, the Transportation Improvement Program shall be consistent with the affected master plans and development plans of the Parties to this Agreement.

(e) By letter agreement to be executed by the Collier MPO and the affected transit and Airport providers represented by Collier MPO members, the Collier MPO and the affected agency or authority shall mutually develop a process for planning coordination, forwarding recommendations and project programming consistency to be referred to as the "letter agreement." The Parties to this Agreement agree that the Collier MPO need only include in the Transportation Improvement Program those state-funded airport and seaport projects that directly relate to surface transportation activities. The process agreed to in the letter agreement shall provide flexible deadlines for inter-agency comment on affected plans referenced in this section. Upon approval, the letter agreement shall be appended to this Agreement and shall be an exhibit hereto. The signatories to the letter agreement may revise or terminate the Agreement upon 30 days written notice to all other Parties to this Agreement but without approval of other Parties hereto.

ARTICLE 4

INTERGOVERNMENTAL COORDINATION AND REVIEW

Section 4.01. Coordination with Southwest Florida Regional Planning Council. The Southwest Florida Regional Planning Council shall perform the following tasks:

(a) Within 30 days of receipt, review the draft of the proposed Transportation Improvement Program, Long-Range Transportation Plan, Corridor and Subarea Studies, or amendments thereto, as requested by the Collier MPO, to identify inconsistencies between the foregoing plans and programs and applicable local government comprehensive plans adopted pursuant to Chapter 163 *et seq.*, Florida

CAO

Statutes, for counties and cities within the Metropolitan Area and the adopted Strategic Regional Policy Plan.

(1) The Parties hereto recognize that pursuant to Florida law, the Long-Range Transportation Plan and the Transportation Improvement Program of the Collier MPO must be considered by cities and counties within the Metropolitan Area in the preparation, amendment and update/revision of their comprehensive plans. Further, the Long-Range Transportation Plan and the projects and project phases within the Transportation Improvement Program are to be consistent with the future land use element and goals, objectives and policies of the comprehensive plans of local governments in the Metropolitan Area to the maximum extent feasible. Therefore, promptly upon completion of its review of the draft proposal, the Southwest Florida Regional Planning Council shall advise the Collier MPO and each affected county or city of its findings.

(2) If, after completing its review of the draft proposal, the Southwest Florida Regional Planning Council deems that the plans and programs submitted are not acceptable, the Southwest Florida Regional Planning Council shall promptly advise the Collier MPO in writing of its concerns and identify those portions of the submittals which need to be reevaluated and potentially modified.

(3) Upon final adoption of the proposed Transportation Improvement Program, Long-Range Transportation Plan, Corridor and Subarea Studies, or amendments thereto, the Collier MPO may request that the Southwest Florida Regional Planning Council consider adoption of regional transportation goals, objectives, and policies in the Strategic Regional Policy Plan implementing the adopted Transportation Improvement Program, Long-Range Transportation Plan, Corridor and Subarea Studies or amendments thereto. If the proposed plan, program, or study, or amendments thereto, was the subject of previous adverse comment by the Southwest Florida Regional Planning Council, the Collier MPO will identify the change in the final adopted plan intended to resolve the adverse comment, or alternatively, the Collier MPO shall identify the reason for not amending the plan as suggested by the Southwest Florida Regional Planning Council.

(b) Provide the availability of the conflict and dispute resolution process as set forth in Article 5 below.

ARTICLE 5 CONFLICT AND DISPUTE RESOLUTION PROCESS

Section 5.01. Disputes and conflicts under this Agreement. This process shall apply to conflicts and disputes relating to matters subject to this Agreement, or conflicts arising from the performance of this Agreement. Except as otherwise provided in this Article 5, only representatives of the agencies with conflicts or disputes shall engage in conflict resolution.

Section 5.02. Initial resolution. The affected Parties to this Agreement shall, at a minimum, ensure the attempted early resolution of conflicts relating to such matters. Early resolution shall be handled by direct discussion between the following officials:

For the Department: by the District Director for Southwest Area Office

For the Collier MPO: by the MPO Executive Director

For the Southwest Florida Regional Planning Council: by the Executive Director

For CAT: by the Alternative Transportation Modes Department Director

For the City of Naples Airport Authority: by the Executive Director

For the Collier County Airport Authority: by the County Manager



Section 5.03. Resolution by senior agency official. If the conflict remains unresolved, the conflict shall be resolved by the following officials:

For the Department: by the District Secretary

For the Collier MPO: by the MPO Chair

For the Southwest Florida Regional Planning Council: by the Council Chair

For CAT: by the Chair of the Board of County Commissioners

For the City of Naples Airport Authority: by the Board Chair

For the Collier County Airport Authority: by the Chair of the Board of County Commissioners

Section 5.04. Alternative Regional Planning Council dispute resolution. If a resolution is not possible, the Parties may undertake dispute resolution pursuant to the Regional Planning Council procedure set forth in Chapter 29I-7, FAC. All Parties to the dispute must agree to undertake this procedure before it may be invoked.

Section 5.05. Resolution by the Office of the Governor. If the conflict is not resolved through conflict resolution pursuant to Sections 5.02, 5.03, and 5.04 of this Agreement, the Parties shall petition the Executive Office of the Governor for resolution of the conflict pursuant to its procedures. Resolution of the conflict by the Executive Office of the Governor shall be binding on all Parties.

ARTICLE 6 MISCELLANEOUS PROVISION

Section 6.01. Constitutional or statutory duties and responsibilities of Parties. This Agreement shall not be construed to authorize the delegation of the constitutional or statutory duties of any of the Parties. In addition, this Agreement does not relieve any of the Parties of an obligation or responsibility imposed upon them by law, except to the extent of actual and timely performance thereof by one or more of the Parties to this Agreement or any legal or administrative entity created or authorized by this Agreement, in which case this performance may be offered in satisfaction of the obligation or responsibility.

Section 6.02. Amendment of Agreement. Amendments or modifications of this Agreement may only be made by written agreement signed by all Parties here to with the same formalities as the original Agreement.

Section 6.03. Duration; withdrawal procedure.

(a) Duration. This Agreement shall have a term of (5) years from the date it is signed by the last of the Parties below and shall automatically renew at the end of said (5) years for another (5) term and every (5) years thereafter. At the end of the (5) year term and at least every (5) years thereafter, the Parties hereto shall examine the terms hereof and agree to amend the provisions or reaffirm the same. However, the failure to amend or to reaffirm the terms of this Agreement shall not invalidate or otherwise terminate this Agreement.

(b) Withdrawal procedure. Any party may withdrawal from this Agreement after presenting in written form a notice of intent to withdrawal to the other Parties to this Agreement and the Collier MPO, at least (90) days prior to the intended date of withdrawal; provided, that financial commitments made prior to withdrawal are effective and binding for their full term and amount regardless of withdrawal.

Section 6.04. Notices. All notices, demands and correspondence required or provided for under this Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice is required to be given and shall be addressed as follows:

MPO Executive Director
Collier MPO
2885 South Horseshoe Dr.
Naples, FL 34104

Southwest Area Office Director
Florida Department of Transportation
District One - SWIFT SunGuide Center
10041 Daniels Parkway
Fort Myers, FL 33913

Executive Director
Southwest Florida Regional Planning
Council
1926 Victoria Ave.
Fort Myers, FL 33901

Collier County Airport Authority
Growth Management Division –
Construction and Maintenance
2885 South Horseshoe Dr.
Naples, FL 34104

Executive Director
City of Naples Airport Authority
160 Aviation Dr., North
Naples, FL 34104

Alternative Transportation Modes
Department Director
3299 East Tamiami Trail, #103
Naples, FL 34112

A Party may unilaterally change its address or addressee by giving notice in writing to the other Parties as provided in this section. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address.

Section 6.05. Interpretation.

(a) Drafters of Agreement. All Parties hereto were each represented by, or afforded the opportunity for representation by legal counsel, and participated in the drafting of this Agreement and in the choice of wording. Consequently, no provision hereof should be more strongly construed against any Party as drafter of this Agreement.

(b) Severability. Invalidity of any one of the provisions of this Agreement or any part, clause or word hereof, or the application thereof in specific circumstances, by judgment, court order, or administrative hearing or order shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect; provided, that such remainder would then continue to conform to the terms and requirements of applicable law.

(c) Rules of construction. In interpreting this Agreement, the following rules of construction shall apply unless the context indicates otherwise:

- (1) The singular of any word or term includes the plural;
- (2) The masculine gender includes the feminine gender; and
- (3) The word "shall" is mandatory, and "may" is permissive.



Section 6.06. Attorney's Fees. In the event of any judicial or administrative action to enforce or interpret this Agreement by any Party hereto, each Party shall bear its own attorney's fees in connection with such proceeding.

Section 6.07. Agreement execution; use of counterpart signature pages. This Agreement, and any amendments hereto, may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

Section 6.08. Effective date. This Agreement shall become effective upon its execution by all Parties hereto.

Section 6.09. Other authority. In the event that any election, referendum, approval, permit, notice, or other proceeding or authorization is required under applicable law to enable the Parties to enter into this Agreement or to undertake the provisions set forth hereunder, or to observe, assume or carry out any of the provisions of the Agreement, said Parties will initiate and consummate, as provided by law, all actions necessary with respect to any such matters for required.

Section 6.10. Parties not obligated to third parties. No Party hereto shall be obligated or liable hereunder to any party not a signatory to this Agreement. There are no express or intended third party beneficiaries to this Agreement.

Section 6.11. Rights and remedies not waived. In no event shall the making by the Department of any payment to the Metropolitan Planning Organization constitute or be construed as a waiver by the Department of any breach of covenant or any default that may then exist on the part of the Collier MPO, and the making of any such payment by the Department while any such breach or default exists shall in no way impair or prejudice any right or remedy available to the Department in respect of such breach or default.

Section 6.12. Previous agreement superceded. Upon execution of this Agreement by all Parties as specified in Section 6.08, this Agreement shall supercede and replace the August 3, 2006 Agreement identified in the Recitals.

IN WITNESS WHEREOF, the undersigned Parties have executed this Joint Participation Agreement on behalf of the referenced legal entities.

Signed, Sealed, and Delivered in the presence of:

[Every participant identified in this Agreement shall sign and date this Agreement with the appropriate witnesses]

COLLIER METROPOLITAN
PLANNING ORGANIZATION

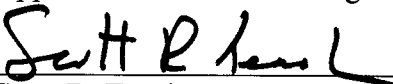
ATTEST: _____
Lucilla Ayer, AICP
MPO Executive Director

Date: _____

By: _____
Councilman Sam J. Saad, III
MPO CHAIRPERSON

Date: _____

Approved as to form and legality:



Scott R. Teach
DEPUTY COUNTY ATTORNEY

IN WITNESS WHEREOF, the undersigned Parties have executed this Joint Participation Agreement on behalf of the referenced legal entities.

Signed, Sealed, and Delivered in the presence of:

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ATTEST: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: Billy Hattaway

Title: District Secretary

Date: _____

Reviewed:

District Counsel

Date:

IN WITNESS WHEREOF, the undersigned Parties have executed this Joint Participation Agreement on behalf of the referenced legal entities.

Signed, Sealed, and Delivered in the presence of:

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

ATTEST: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

Reviewed:

Regional Counsel

Date:



IN WITNESS WHEREOF, the undersigned Parties have executed this Joint Participation Agreement on behalf of the referenced legal entities.

Signed, Sealed, and Delivered in the presence of:

COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS, As the Governing Body of the Collier County Airport Authority and as the Operator of Collier Area Transit.

ATTEST:
DWIGHT E. BROCK

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

Deputy Clerk

BY: _____
TOM HENNING, Chairman

Approved as to form
and legality:

Scott R. Teach,
Deputy County Attorney

IN WITNESS WHEREOF, the undersigned Parties have executed this Joint Participation Agreement on behalf of the referenced legal entities.

Signed, Sealed, and Delivered in the presence of:

CITY OF NAPLES AIRPORT AUTHORITY

ATTEST: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

Reviewed:

City of Naples Airport Authority Counsel
Date:



--- Agenda --- Item

9f

Southwest Florida Public Sector
Hazardous Materials Training

9f

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SWFRPC/SWF LEPC Sponsored Hazardous Materials Awareness Training

Introduction

The Southwest Florida Regional Planning Council (SWFRPC) and the Southwest Florida Local Emergency Planning Committee (LEPC) for Hazardous Materials continues to provide outstanding hazardous materials training and assistance to emergency responders and government officials of the region. As in previous years, the Southwest Florida LEPC/SWFRPC is providing free training to government employees of the region. Continuing education and training are essential part of our mission to provide comprehensive emergency preparedness systems throughout Southwest Florida. Training opportunities can take many forms from required certification initiatives to informal “in-house” sessions to major full-scale exercises. Additionally, the Southwest Florida Regional Planning Council will be joining Collier County in conducting an 8-hour HAZWOPER Course. Listed below are highlights of the current course for delivery:

| COURSE NAME | DATE | TIME | LOCATION | COURSE CAPACITY |
|-------------------------------|-----------|---------------------|---|-----------------|
| 8-Hour HAZWOPER Course | 9/12/2014 | 8:30 am – 5:30 p.m. | South County Regional Water Treatment Plant | 60 |
| | | | | |

Course Overview

8 Hours Hazardous Waste Operation Emergency Response Course

Course Description: This initial HAZWOPER course meets OSHA 1910.120 compliance regulations. This course will discuss waste management regulations, safety, hazards recognition, toxicology, personal protective equipment and respiratory protection, air monitoring, radiation exposure and monitoring, site entry and reconnaissance, decontamination, and the Incident Command System. This is a free 8-hour course geared to public sector employees and training funds are provided by the Florida Division of Emergency Management under the Federal Hazardous Materials Emergency Preparedness Program.

Course Location: South County Regional Water Treatment Plant
3851 City Gate Drive
Naples, Florida, 34117

RECOMMENDATION: **None (Information Item)** **9/2014**



“FREE” 8-Hour HAZARDOUS WASTE/MATERIALS ANNUAL REFRESHER

HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

September 12, 2014
(8:30 a.m. - 5:30 p.m.)

MEETING
OSHA 1910.120 Compliance Regulations

PRESENTED BY:
Kenton Brown, CHMM

SPONSORED BY:
Southwest Florida Local Emergency Planning Committee
Southwest Florida Regional Planning Council
Collier County Pollution Control

LOCATION
South County Regional Water Treatment Plant
3851 City Gate Drive
Naples, Florida 34117

AGENDA & TOPICS

Hazards Identification, Air Monitoring, Hazardous Materials Incidents, Personal Protective Clothing, Decontamination Techniques, Levels of Protection, Confinement, Toxicology and Exposure Guidelines. Please Note: This program is free to government employees. Non- government industry personnel will incur a charge of \$35.00 for course attendance.

**Direct telephone inquiries to:
John Gibbons, Planner/Program Manager
Southwest Florida Regional Planning Council
1926 Victoria Avenue, Fort Myers, FL 33901
(239) 338-2550, Ext. 229**

Who should attend: Waste Operators, Facility Managers, Government Inspectors, Health Officials, Safety Officers, Compliance Managers, Government Planners and Firefighters

[COURSE REGISTRATION:](#)

Please note that course registration must be made online under the Florida Division of Emergency Management at: <http://trac.floridadisaster.org/TRAC/loginform.aspx> the link will take you to courses listed on FDEM's new SERT TRAC website for training and events. If you are new to SERT TRAC, you will have to create an account before you can register. Your one-time account set-up will be complete only after you click on the link in the verification email that you receive after signing up.

Agenda Item

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Regional Impact

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Agenda Item

10a

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Collier County Comprehensive Plan Amendment (DEO 14- 4ESR)

10a

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS COLLIER COUNTY

The Council staff has reviewed proposed changes to the Collier County Growth Management Plan (DEO 14-4ESR). These changes were developed as a result of the 2012 Cycle Growth Management Plan amendments. 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:

| <u>Proposed Amendment</u> | <u>Factors of Regional Significance</u> | | | |
|---|---|------------------|------------------|---|
| | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u> |
| DEO 14-4ESR (Resolution 2014-153) (PL20130001109/ CPSP-2013-6) | | | | (1) procedural (2) not regionally significant; and (3) consistent with SRPP |

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

09/14

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:

Collier County

DATE AMENDMENT RECIEVED:

July 22, 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.

1. Amendment Name

Collier County Proposed Batch Growth Management Plan Amendments

2. DESCRIPTION OF AMENDMENT(S):

This petition was submitted by Collier County staff at the Board of County Commissioners direction to amend the County's Growth Management Plan (GMP). These amendments would change the Conservation and Coastal Management Element, Capital Improvement Element, Future Land Use Element, Future Land Use Map Series, Recreation and Open Space Element, Stormwater Management Sub-Element of the Public Facilities Element, and the Transportation Element. Though not necessarily recommended by specific reference in the Evaluation and Appraisal Report (EAR), these changes generally update and provide "housecleaning" to the GMP to add clarity, correct text errors, and provide internal consistency to the overall GMP.

Specifically the following changes to the Collier County GMP are follows:

Conservation & Coastal Management Element (CCME)

- Revises statutory cites in the INTRODUCTION, as amended earlier by the EAR amendments elsewhere in the document;

- The subject of the adopted 2011 EAR direction – Objective 2.1 placeholder, “or its successor,” appears in the 2013 Ordinance adopting EAR-based GMP, then awaiting adoption of the specific document;
- Deletes possessive modifier in Goal 6, for proper language of the GMP Goal;
- Changes year from “2012” to “2013” in Policy 6.1.1;
- Removes the term “District” in this context in Policy 6.2.3;
- The subject of adopted 2011 EAR direction – updating the reference to a State of Florida document to replace the Policy 6.5.2 placeholder text that was then awaiting adoption of the specific document;
- The subject of adopted 2011 EAR direction – revises Goal 8 and Objective 8.1 for proper language of a GMP Goal and Objective. These changes were overlooked and did not specifically appear in the 2013 Ordinance adopting the EAR-based GMPAs;
- The subject of adopted 2011 EAR direction – revises Objective 9.3 and Policy 9.3.1 for proper language of a GMP Goal and Objective. These changes were overlooked and did not specifically appear in the 2013 Ordinance adopting the EAR-based GMPAs;
- The subject of adopted 2011 EAR direction – revises Goal 11 and Objective 11.1 for proper language of a GMP Goal and Objective. These changes were overlooked and did not specifically appear in the 2013 Ordinance adopting the EAR-based GMPAs;
- Revises department names in Policy 12.1.6;
- Renumbers policy with the number “12.1.16” to “12.1.15”;
- Revises department name in Policy 12.2.5;
- Revises department / director name in Policy 12.3.3;
- The subject of adopted 2011 EAR direction – revises Objective 12.4 and Policy 12.4.1; and
- The subject of adopted 2011 EAR direction – revises Goal 13 and Objective 13.1 for proper language of a GMP Goal and Objective. These changes were overlooked and did not specifically appear in the 2013 Ordinance adopting the EAR-based GMPAs.

Capital Improvement Element (CIE)

- Revises the Statutory cite in INTRODUCTION, as amended earlier by the EAR-based GMPAs;
- Revises to make singular the “Goals” in Heading II;
- Revises to include introductory statement in Policy 1.5.H, which did not get moved with other EAR-based amendments;
- Updated references to School District documents in “Public Schools Facilities Projects” section of the Schedule of Capital Improvements;
- Deletes entry no. 4, under Section V, referring to a Semi-annual Report that is no longer required. Re-numbers subsequent entries 5-7 to account for this deletion;
- Updates language in the present entry 7 under Section V, referring EARs, deletes 7.B to correlated with earlier deletions pertaining to a Semi-annual Report that is

no longer required, re-letters present 7.C, and adds a new 7.C to reflect statutory changes in 2011; and

- Revises throughout to correctly use the “U.S. 41” highway designation that officially, has no periods and no hyphenation, as with “US-41”. Changes all US 41 entries – and other US highways to be consistent.

Future Land Use Element (FLUE)

- Updates reference to Florida Planning law in the UNDERLYING CONCRPTS, “Coordination of Land Use and Public Facilities” section;
- De-capitalizes a common noun in Policy 2.2;
- Replaces the informal “#” with the formal “No.” for internal consistency in Policy 4.6 and throughout the GMP. Note: the strike through on the number Symbol - # - may not be apparent;
- Revises the second paragraph under the “Urban Mixed Use District” section to delete a portion of one sentence for clarity – many years ago an amendment was adopted in which words were missing resulting in a nonsensical sentence; and to revise another sentence for proper sentence structure;
- Revises to remove the seldom found “:” (colon) for internal consistency from “Urban Residential Subdistrict:” and other applicable sub district heading where found;
- Removes a repeated phrase “Sending Lands” subsection 9d;
- Revises to remove the seldom found “*” (asterisk) for internal consistency from North Belle Meade Overlay, in General Planning Considerations’ subsections and other applicable provisions where found. Note: the strike through of a asterisk -*- may actually appear to be an underline;
- Revises the acronym-only heading for internal consistency from the “NRPA” subsection; and
- Revises statutory cite in the RLSA Policies 1.2, 4.2, and 4.7, as amended earlier in RLSA Policies, as with “U.S. 41” and not hyphenation, as with “US-41.” Changes all US 41 entries – and other US highways – to be consistent.

Future Land Use Map Series (FLUM)

- Adds a new Gordon River Greenway Conservation designation inset map and adds inset map title to the FUTURE LAND USE MAP SERIES listing.

Recreation and Open Space Element (ROSE)

- Revises number headings and deletes element name subheading;
- Amends Policy 1.1.1 to replace “1.5, subsection G” with Policy “1.5.G” for internal consistency;
- Deletes paragraph “C” under Policy 1.1.1. Paragraphs “A” and “B” in Policy 1.1.1 were correctly deleted from the ROSE by Ordinance 13-11 (EAR-based amendment) and the content of Paragraph A and B were correctly added to the CIE by Ordinance 13-03 (EAR-based amendment). The content of Paragraph “C” was deleted from the CIE prior to 2008, but the glitch occurred when the duplicative Paragraph C in the ROSE was not deleted; and

- Revises Goal 2 to be consistent with the EAR-based re-formatting of goals, objectives, and policies, throughout.

Stormwater Management Sub-Element

- Revises to match earlier Sub-Element renaming as amended elsewhere in the INTRODUCTION for internal consistency, and to use upper case more similar to prevailing style found where a specific “Element” or “Sub-element” is being referenced – making these proper nouns – and other applicable provisions where found;
- Revises to number headings and makes singular “Goals” in heading II;
- Amends Policy 2.1 to replace Policy “1.5; sub-section C” with Policy “1.5.C” for internal consistency;
- The subject of adopted 2011 EAR direction – updating the reference to a State of Florida document to replace the Policy 6.2 place holder text that was then awaiting adoption of a specific document and repeated in policy 6.3, item 2; and
- The subject of adopted 2011 EAR direction – completing the incomplete list of basins and their respective discharge rates in Policy 6.3.

Transportation Element (TE)

- Revises to de-pluralize the word “resembles” in the FUTURE SYSTEM NEEDS, “Traffic Circulation Constraints” section;
- Amends Policy 1.3 to replace Policy “1.5; subsection A” with Policy “1.5.A” for internal consistency;
- Amends Policy 1.4 to replace Policy “1.5; subsection B” with Policy “1.5.B” for internal consistency;
- Re-inserts the word “and” between “Statutes” and “the” in Policy 5.4 which was unintentionally deleted by Ord. 13-4 (EAR-based GMPAs);
- Inserts parenthetical number entries where only written numbers appear, so as to add clarity in Policies 5.5 and 5.6;
- Revises Policy 5.6 to correct the reference to “Department” affected by past renaming as part of an organizational change;
- Inserts thoroughfare designation entries to add clarity in Policy 6.5 – and other instances where found;
- Revises Policy 6.5 to add complete road names; and
- Revises to correctly use the “US 41” highway designation that officially, has no periods, as with “U.S. 41” and no hyphenation, such as with “US-41”. Changes all US 41 entries – and other US highways – to be consistent in Policies 5.4, 5.5, 6.5 and in the List of Tables/Maps/Figures (un-adopted).

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

Council staff has reviewed the proposed amendments to the Collier County GMP and finds that the proposed changes will facilitate the internal consistency and correctness of the GMP. Council staff has reviewed the request and determined that the proposed changes will maintain the County’s GMP in a manner consistent with the County’s overall planning effort.

Because the proposed changes will not produce a regional development, the proposed changes are not considered to be regionally significant. The requested changes GMP is determined by the Council staff to be consistent with the Goals of the SRPP. Finally, Council staff finds that the proposed amendment does not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan.

4. EXTRA-JURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the proposed amendments with respect to extra-jurisdictional impacts on surrounding local government Comprehensive Plans and finds that the proposed amendments do not negatively impact and are not inconsistent with adjacent local governmental Comprehensive Plans.

Request a copy of the adopted version of the amendment? X Yes No

Attachment III

Maps

**Collier County
DEO 14-4ESR**

**Growth Management Plan
Comprehensive Plan Amendments**

Attachment III

Maps

Because the proposed changes to the Collier County GMP are textual corrections, there are no maps associated with the requested Comprehensive Plan amendments.

Agenda Item

10b

10b

City of Bonita Springs Comprehensive Plan Amendment – DEO 14-2ESR

10b

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS CITY OF BONITA SPRINGS

The Council staff has reviewed proposed changes to the City of Bonita Springs Growth Management Plan (DEO 14-2ESR). 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:

| <u>Proposed Amendment</u> | <u>Location</u> | <u>Factors of Regional Significance</u> | | |
|-------------------------------|-----------------|---|------------------|---|
| | | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u> |
| DEO 14-2ESR | yes | no | yes | (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 City of Bonita Springs.

09/2014

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

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.

LOCAL GOVERNMENT:

City of Bonita Springs

DATE AMENDMENT RECIEVED:

August 13, 2014

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

September 4, 2014

1. AMENDMENT NAME:

Coconut Village FLU Category (CPA14-13759-BOS) and Estero Bay Marina FLU Map (CPA14-13761-BOS)

2. DESCRIPTION OF AMENDMENT(S):

The proposed amendment concerns the area that is/is near the old Weeks Fish Camp Marina on the west end of Coconut Road. The proposed amendment encompasses 21 separate parcels (17.34 acres) that were annexed into the City of Bonita Springs on June 5, 2014. The applicants' (Estero Bay Marine, LLC, Sugar Mountain Development, LLC, and Donavan, LLC) redevelopment plans are unique and require the creation of the Coconut Village Future Land Use (FLU) category, and amending the City's FLU Map to accommodate the proposed project. The proposed redevelopment will expand the marina, including residential and non-residential uses. Currently, non-residential uses are focused on the marina and some associated commercial, including a restaurant. The new FLU category will be similar in density and intensity to the Bonita Springs Moderate Density Mixed Use/Planned Development FLU, which is the classification of the Pelican Landing DRI adjacent to the project.

3. NO ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed amendments to the City of Bonita Springs Comprehensive Plan and finds that the proposed changes are regionally significant and are consistent with the Strategic Regional Policy Plan.

No expansion of currently permitted and/or existing marina slips in the area will occur. One hundred and fifty dry slips will be added in a boat barn, but these slips will be coming from those allotted to Pelican Landing DRI and have previously been mitigated for by the DRI. Some minor mangrove trimming (about 0.1 acres) will occur in an area that has been colonized recently – this trimming will be mitigated through the purchase of mitigation credits on Little Pine Island.

The proposed redevelopment will allow continued private and public access to Estero Bay, which represents the only major access point to the Bay from the eastern edge. The marina redevelopment respects current maximum depths of the present channel and maintains water quality and environmental standards. The current marina plan also involves updating the existing docks to reduce environmental impacts, in part through an enhanced flushing of water in the basin through tidal pump technology.

4. RECOMMENDATION:

Council staff has reviewed the proposed amendment and finds that the proposed amendment does not negatively impact regional resources or other jurisdictions. Council staff recommends the Council find that while the proposed changes are regionally significant (because they impact Estero Bay, which is the first State-designated Aquatic Preserve) and that they are consistent with the Strategic Regional Policy Plan, and do not produce extra-jurisdictional impacts that are inconsistent with the Comprehensive Plans of other local governments.

Request a copy of the adopted version of the amendment? X Yes No

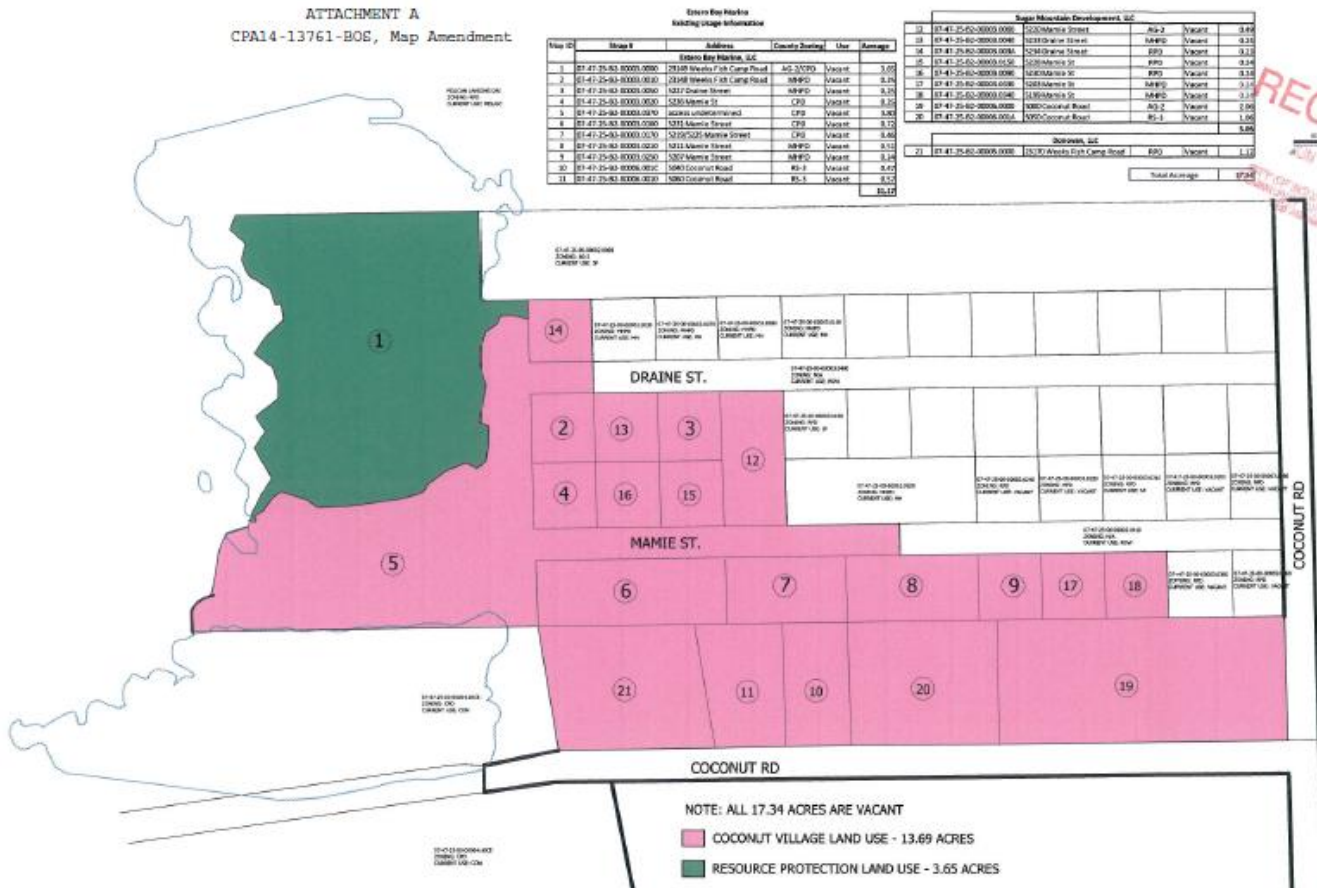
Attachment III

Maps

**City of Bonita Springs
DEO 14-2ESR**

**Growth Management Plan
Comprehensive Plan Amendments**

ATTACHMENT A
CPA14-13761-BOS, Map Amendment



Agenda Item

10c

10c

Palmer Ranch AIDA Increment
XXII-9A – Questionnaire
Checklist

10c

**PALMER RANCH NOPC
QUESTIONNAIRE CHECKLIST
FOR INCREMENT XXII
(PARCEL 9-A)**

Background

On August 7, 2014, a pre-application meeting was held by Sarasota County for the proposed Notice of Proposed Change (NOPC) to the Palmer Ranch Master Development Order (MDO) and proposed Incremental Development Order (IDO) for Increment XII. The participants of the meeting reviewed the submittal requirements for a 103-acre project site that is located directly south and adjacent to the Palmer Ranch community which is located in central Sarasota County. The subject parcel is located west of Honore Avenue and south of the Palmer Ranch Silver Oak neighborhood (Increment XI) (see attached map). Presently, the subject parcel is located outside of the adopted boundaries of the Palmer Ranch Master Development of Regional Impact. Attending this meeting were the contract purchaser of the site and the applicant Taylor Morrison of Florida, Inc., the landowner's representatives from Stantec Consulting Services, Inc., Florida Department of Transportation, Sarasota County Development Review representatives, and the SWFRPC staff.

Project Description

The applicant intends to construct a 170-unit single-family residential community as part of the Palmer Ranch development.

Project Applications

The applicant will provide the associated applications that include:

- 1) an application for a Notice of Proposed Change (NOPC) to the Palmer Ranch Master Development Order; and
- 2) an Application for Incremental Development Approval (AIDA) for Increment XXII.

Questionnaire Checklist

Based on a review of the submitted pre-application information, all parties agreed to require the applicant to answer all applicable regional and local information requirements (see attached questionnaire checklist).

RECOMMENDED ACTION: Approve the Questionnaire Checklist.

September 2014

**PALMER RANCH MASTER DEVELOPMENT ORDER QUESTIONNAIRE
CHECKLIST FOR DRI-AIDA SUBMISSION**

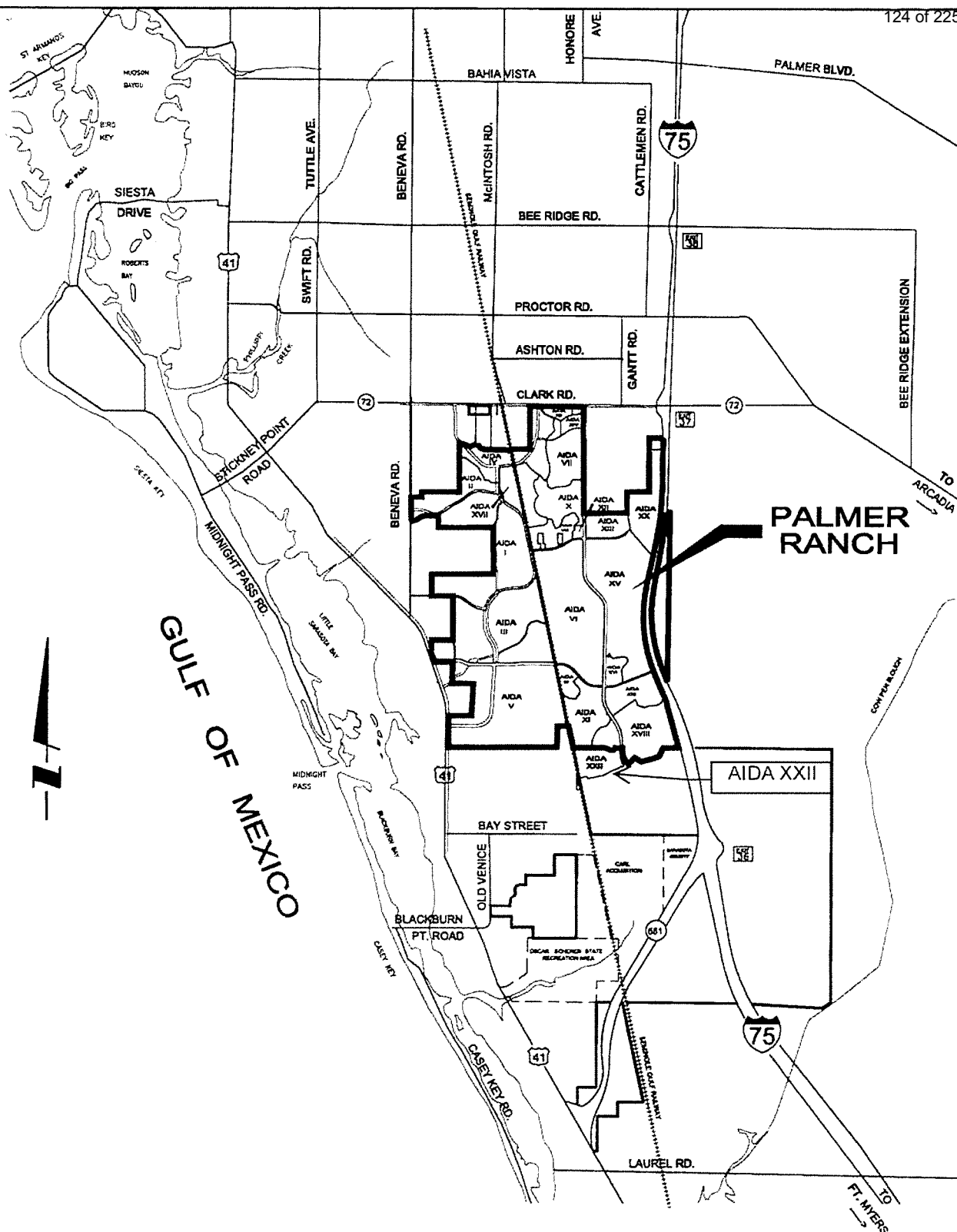
| Subject | Question No. | Regionally Significant Y/N | Answer Required Y/N | Special Note |
|--|---------------------|-----------------------------------|----------------------------|--|
| Palmer Ranch Master Development Order (Resolution No. 91-170) Questions Subject to Further Review in AIDA's | | | | |
| General DRI AIDA Information | Part I & Part II | Y | Y | Submit Maps A, B, C.1, C.2, C.3, F.1, F.2, G.1, G.2, H.1 & I.2 |
| Air Quality | B.1 | N | N | |
| Rare and Endangered Species | | | | Refer to Part IV of Standard Questionnaire |
| Water Quality/Drainage | B.1-16 | Y | Y | Answer B.1, 2 & 5 |
| Mosquito Control | B.1-2 | Y | N | Implement B.1-2. |
| Native Habitats | | | | Refer to Part IV of Standard Questionnaire |
| Land Use | B.1-5 | Y | Y | Answer B.4 |
| Historical/ Archaeological | B.1-5 | Y | N | Refer to Part IV of Standard Questionnaire |
| Recreation/Open Space | B.1-4 | N | N | |
| Floodplain/ Hurricane Evacuation | B.1-3 | Y | Y | |
| Economy | B.1-5 | Y | N | |
| Transportation | B.1-5 | Y | Y | Trip generation rates and site access issues |

**PALMER RANCH MASTER DEVELOPMENT ORDER QUESTIONNAIRE
CHECKLIST FOR DRI-AIDA SUBMISSION**

| Subject | Question No. | Regionally Significant Y/N | Answer Required Y/N | Special Note |
|------------------------------|---------------------|-----------------------------------|----------------------------|--|
| | | | | to be addressed only. Palmer Ranch 5-Yr Transportation Reanalysis to be submitted in 2014. |
| Wastewater | B.1-3 | N | Y | Answer B.1 & 2 only |
| Water Supply | B.1-3 | N | Y | Answer B.1, 2 & 3 |
| Solid Waste | B.1-2 | N | Y | Answer B.1 & 2 |
| Energy Conservation | B.1-2 | Y | N | Comprehensively addressed in prior AIDAs. |
| Education | B.1-3 | N | Y | Answer B.1 only |
| Police | B.1-3 | N | Y | Answer B.2 only |
| Fire Protect/ Health Care | B.1-2 | N | Y | Answer B.1 fire protection/response times only. |

**Standardized Questionnaire for Developments of Regional Impact Within
Unincorporated Sarasota County**

| | | | |
|-------------------------------------|------------------------|---|---|
| Applicant Information | Part I A-E | Y | Y |
| Environmental Systems | Part IV | | |
| Native Habitats | A – Questions 1 - 3 | Y | Y |
| Rare and Endangered Species | B – Questions 1 - 5 | Y | Y |
| Historical and Archaeological Sites | H – Questions 1 & 2 | Y | Y |



PROJECT: PALMER RANCH — MASTER DEVELOPMENT ORDER

CLIENT: PALMER RANCH



6900 Professional Parkway East, Sarasota, FL 34240

Phone 941-907-6900 • Fax 941-907-6810

Certificate of Authorization #27013 • www.stantec.com

LOCATION MAP

| | | | |
|----------------|-----------|----------|-----------|
| SCALE: | AS NOTED | DATE: | JULY 2014 |
| SEC. 36 | TWP. 37S | RGE. 18E | REV NO: |
| PROJECT NO | INDEX NO: | | |
| DRWN BY/EMP NO | SHEET NO: | | |
| RTD/89450 | A | | |



PROJECT: PALMER RANCH

CLIENT:



Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
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PARCEL 9A

| | | | |
|-----------------|------------|-------|----------|
| SCALE: | 1" = 1500' | DATE: | 07/24/14 |
| SEC: | TWP: | RGE: | REV NO: |
| PROJECT NO. | INDEX NO: | | |
| DRWN BY/EMP NO. | SHEET NO: | | |
| | 1 OF 1 | | |



| PALMER RANCH PARCEL 9A | |
|------------------------|-----------|
| ZONE | RSF-1/PUD |
| ACREAGE | 103.16 AC |
| # OF UNITS | 170 |
| OPEN SPACE | 33± AC |
| DENSITY | 1.65 |
| | 32% ± |
| | 100% |

CONCEPTUAL SITE PLAN

TAYLOR MORRISON

IDENT:

and the fact that the system is not yet fully operational. The system is not yet fully operational.

Stantec
2000 President of the City of Portland, Oregon 11/10/00

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Summary

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Agenda Item

10d

10d

Palmer Ranch AIDA Increment
XXIII-9B – Questionnaire
Checklist

10d

**PALMER RANCH
NOTICE OF PROPOSED CHANGE
QUESTIONNAIRE CHECKLIST
FOR INCREMENT XXIII
(PARCEL 9-B)**

Background

On August 21, 2014, a pre-application meeting was held by Sarasota County for the proposed Notice of Proposed Change (NOPC) to the Palmer Ranch Master Development Order (MDO) and proposed Incremental Development Order (IDO) for Increment XIII. The participants of the meeting reviewed the submittal requirements for a 216-acre project site that is located directly south and adjacent to the Palmer Ranch community which is located in central Sarasota County. The subject parcel is located east of Honore Avenue and south of the Palmer Ranch Isles of Sarasota neighborhood (Increment XVIII) (see attached map). Presently, the subject parcel is located outside of the adopted boundaries of the Palmer Ranch Master Development of Regional Impact. Attending this meeting were the contract purchaser of the site and the applicant DiVosta Homes, the landowner's representatives from Stantec Consulting Services, Inc., Florida Department of Transportation, Sarasota County Development Review representatives, and the SWFRPC staff.

Project Description

The applicant intends to construct a 400-unit single-family residential community as part of the Palmer Ranch development.

Project Applications

The applicant will provide the associated applications that include:

- 1) an application for a Notice of Proposed Change (NOPC) to the Palmer Ranch Master Development Order; and
- 2) an Application for Incremental Development Approval (AIDA) for Increment XXII.

Questionnaire Checklist

Based on a review of the submitted pre-application information, all parties agreed to require the applicant to answer all applicable regional and local information requirements (see attached questionnaire checklist).

RECOMMENDED ACTION: Approve the Questionnaire Checklist.

September 2014

**PALMER RANCH MASTER DEVELOPMENT ORDER QUESTIONNAIRE
CHECKLIST FOR DRI-AIDA SUBMISSION**

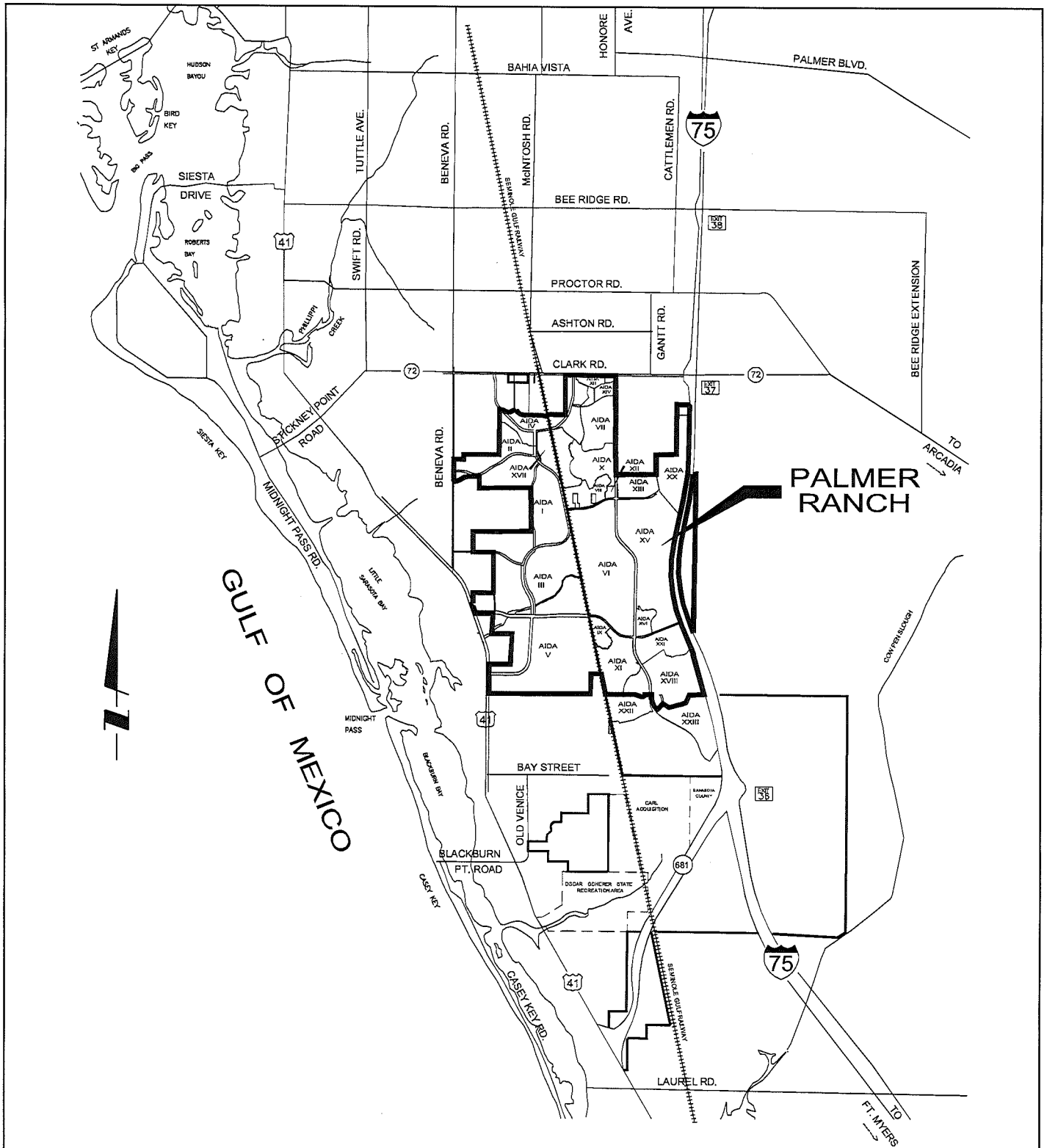
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| Recreation/Open Space | B.1-4 | N | N | |
| Floodplain/ Hurricane Evacuation | B.1-3 | Y | Y | |
| Economy | B.1-5 | Y | N | |
| Transportation | B.1-5 | Y | Y | Trip generation rates and site access issues |

**PALMER RANCH MASTER DEVELOPMENT ORDER QUESTIONNAIRE
CHECKLIST FOR DRI-AIDA SUBMISSION**

| Subject | Question No. | Regionally Significant Y/N | Answer Required Y/N | Special Note |
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| | | | | to be addressed only. Palmer Ranch 5-Yr Transportation Reanalysis to be submitted in 2014. |
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| Water Supply | B.1-3 | N | Y | Answer B.1, 2 & 3 |
| Solid Waste | B.1-2 | N | Y | Answer B.1 & 2 |
| Energy Conservation | B.1-2 | Y | N | Comprehensively addressed in prior AIDAs. |
| Education | B.1-3 | N | Y | Answer B.1 only |
| Police | B.1-3 | N | Y | Answer B.2 only |
| Fire Protect/ Health Care | B.1-2 | N | Y | Answer B.1 fire protection/response times only. |

**Standardized Questionnaire for Developments of Regional Impact Within
Unincorporated Sarasota County**

| | | | |
|-------------------------------------|------------------------|---|---|
| Applicant Information | Part I A-E | Y | Y |
| Environmental Systems | Part IV | | |
| Native Habitats | A – Questions 1 - 3 | Y | Y |
| Rare and Endangered Species | B – Questions 1 - 5 | Y | Y |
| Historical and Archaeological Sites | H – Questions 1 & 2 | Y | Y |



PROJECT: PALMER RANCH — MASTER DEVELOPMENT ORDER

CLIENT: PALMER RANCH



6900 Professional Parkway East, Sarasota, FL 34240

Phone 941-907-6900 • Fax 941-907-6910

Certificate of Authorization #27013 • www.stantec.com

LOCATION MAP

| | | | |
|-----------------|-----------|-----------|-----------|
| SCALE: | AS NOTED | DATE: | JULY 2014 |
| SEC: | 36 | TWP: | 37S |
| PROJECT NO. | 18E | REV NO: | |
| DRWN BY/EMP NO. | RTD/89450 | INDEX NO: | |
| | | SHEET NO: | A |



PROJECT: PALMER RANCH

CLIENT:



Stantec

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Phone 941-907-6900 • Fax 941-907-6910
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PARCEL 9B

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|-----------------|------------|-------|----------|
| SCALE: | 1" = 1500' | DATE: | 08/05/14 |
| SEC: | TWP: | RGE: | REV NO: |
| PROJECT NO. | INDEX NO: | | |
| DRWN BY/EMP NO. | SHEET NO: | | |
| | 1 OF 1 | | |

--- Agenda --- Item

10e

10e

Miromar Lakes DRI –
Development Order Review

10e

10e

**MIROMAR LAKES
DEVELOPMENT OF REGIONAL IMPACT
11-9798-142
LEE COUNTY
DEVELOPMENT ORDER**

Council Recommendations

On September 24, 2012, the Southwest Florida Regional Planning Council staff received an application for a Notice of Proposed Change (NOPC) to amend the Miromar Lakes Development Order from the agent representing Alico, Inc. as the owner/applicant for Miromar Lake, L.L.C. as the developer. The applicant requested changes to the DRI to shift a portion of the commercial and residential entitlements from the northern portion of the DRI which are currently located at the intersection of Alico Road and Ben Hill Griffin Parkway, with a portion of the residential development located on the 500 acres on the south side of the Florida Gulf Coast University (FGCU). Additionally, the proposed changes eliminated 18 of the approved 36 holes of the golf courses approved for the project.

Based on the applicant's submittal, the proposed changes were necessary because of changes in the FGCU campus master plan and existing structures that substantially intensified development along the southern edge of the University with high density, multi-story dormitories, parking garages and intramural athletic facilities. The requested changes were intended to allow the applicant to shift from a low density high end residential development plan, to the construction of commercial and mixed uses on the northern portion of the site that will provide a synergy with the existing dormitory development on the University property, as well as the provide residential housing of similar density that may be marketed toward a student population in the future. Additionally, the commercial uses that were being moved to the south and would be located at a site that was more accessible to the developments south and west of the proposed project.

In a letter from the Florida Department of Transportation (FDOT) dated October 9, 2012, the Department found the proposed changes to the Miromar DRI would produce less traffic impacts to the surrounding road network and therefore would not create any addition impacts that have not been previously reviewed and mitigated by the developer.

The requested NOPC was not requesting any change to the overall approved DRI entitlements or any changes to the currently approved development areas, conservation areas, or wildlife management plans on or for the subject site. In addition, the requested NOPC is not proposing any change to the build out date of the DRI.

Lee County Development Order

On November 29, 1999, the Lee County Board of County Commissioners at a public hearing heard and approved the Application for Development Approval (ADA) for the Miromar Lakes Development of Regional Impact (DRI).

On June 18, 2014, the Sarasota Board of County Commissioners held a public hearing for the NOPC submitted for the Miromar Lakes DRI. The Board at that meeting found that the proposed changes to the DRI did not constitute a substantial deviation to the DRI and approved the requested amendments to the Miromar Lake DRI Development Order (see Attachment), was rendered to the SWFRPC on June 18, 2014. The 45-day appeal period for the development order will expire on August 1, 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 and forward the review to Lee County and the Florida Department of Economic Opportunity

9/14



Telephone (239) 533-2236

Facsimile (239) 485-2106

John E. Manning
*District One*Cecil L. Pendergrass
*District Two*Larry Kiker
*District Three*Brian Hamman
*District Four*Frank Mann
*District Five*Roger Desjarlais
*County Manager*Richard Wm. Wesch
*County Attorney*Donna Marie Collins
Chief County Hearing Examiner

VIA CERTIFIED MAIL 7011 1150 0001 5757 1008

July 18, 2014

David Crawford, DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

Re: MIROMAR LAKES DRI DEVELOPMENT ORDER
EIGHTH DEVELOPMENT ORDER AMENDMENT
STATE DRI # 11-9798-142
COUNTY CASE # DRI2012-00021 & DCI2013-00008

Dear Dave:

Enclosed please find a certified copy of the Eighth Amendment to the Miromar Lakes DRI Development Order adopted by the Board of County Commissioners of Lee County, Florida, on June 18, 2014. This certified copy has been transmitted pursuant to Rule 9J-2.025, Florida Administrative Code.

Sincerely,

Michael D. Jacob
Managing Assistant County Attorney

MDJ:tlb
Enclosure

cc via email only:

Tony Palermo, Senior Planner, DCD
Neale Montgomery, Esq., Pavese Law Firm

EIGHTH DEVELOPMENT ORDER¹
 AMENDMENT FOR MIROMAR LAKES
 (CODIFIED)
 A DEVELOPMENT OF REGIONAL IMPACT
 STATE DRI #11-9798-142

LET IT BE KNOWN THAT, PURSUANT TO SECTION 380.06 OF THE FLORIDA STATUTES, THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA ADOPTED THE APPLICATION FOR DEVELOPMENT APPROVAL ORIGINALLY SUBMITTED AS THE ALICO AMDA, BUT THEREAFTER REDUCED TO AN ADA AND RENAMED AS THE MIROMAR LAKES DRI (HEREINAFTER REFERRED TO AS MIROMAR LAKES) BY ALICO, INC., AS THE OWNER/APPLICANT, FOR MIROMAR LAKES, L.L.C., AS THE DEVELOPER.

WHEREAS, on November 29, 1999 the Lee County Board of County Commissioners (Board), adopted the Development of Regional Impact (DRI) Application for Development Approval for the project known as Miromar Lakes, subject to conditions, restrictions and limitations; and

WHEREAS, the Miromar Lakes DRI Development Order was subsequently amended on December 10, 2002 to revise the adjustment rate applicable to the unpaid balance of the proportionate share assessment; and

WHEREAS, the Miromar Lakes DRI Development Order was amended a second time on December 15, 2003, to add approximately 534 +/- acres of property to the project (total project to be 1805 +/- acres). This change included a proposal to increase the number of golf holes by 18, add a clubhouse, and golf maintenance facility on the property; and

WHEREAS, in 2001, the Board approved a request to amend the Lee Plan to change the future land use designation of 19.85+/- acres from "Density Reduction Groundwater Resource" to "University Community" and also to re-designate 170.92± acres from "University Community and Wetlands" to "Conservation Lands-Uplands" and "Conservation Lands – Wetlands"; and

WHEREAS, the project build out date was extended pursuant to HB7203 to December 31, 2011 by the third amendment of the Miromar Lakes DRI Development Order (Resolution 07-09-18), adopted August 21, 2007; and

¹ This is a codification and a restatement of all DRI Development Orders rendered with respect to Miromar Lakes within Lee County, including actions taken on November 29, 1999, December 10, 2002, December 15, 2003, August 21, 2007, January 26, 2010, and September 20, 2010, April 16, 2012, and June 18, 2014.

WHEREAS, on January 26, 2010, the DRI Development Order was amended a fourth time to extend the build out date from December 31, 2011 to December 31, 2013, pursuant to SB360; and

WHEREAS, on September 20, 2010, the DRI Development Order was amended a fifth time to change the buildout from December 31, 2013 to December 31, 2020, the termination date from December 31, 2018 to December 31, 2026, change from annual to biennial reporting for transportation monitoring reports, and to eliminate Conditions II.A.2. and 3. relating to the re-analysis of affordable housing needs; and

WHEREAS, the DRI Development Order was amended a sixth time on October 11, 2011 to amend the compliance dates as follows: Buildout from December 31, 2020 to December 31, 2024 and the termination date from December 31, 2026 to December 31, 2030; and

WHEREAS, the DRI DO was amended a seventh time on April 16, 2012 to remove 12± acres from the project pursuant to a transfer of property to the Florida Gulf Coast University; and

WHEREAS, Miromar Lakes LLC has filed the current application to amend the DRI an eighth time to reflect the effect of SB 2156 and several Emergency Orders on the compliance dates and concurrency status.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Lee County, Florida, that the Development Order for Miromar Lakes DRI is hereby further amended as follows:

I. FINDINGS OF FACT AND CONCLUSIONS OF LAW.

- A. Miromar Lakes is a master planned community located in unincorporated south Lee County, east of I-75, north of Corkscrew Road, south of Alico Road, on either side of Ben Hill Griffin Parkway. The site is 1,793.646 +/- acres. Miromar is a mixed use development that will consist of: 2,600 residential units, 250,000 square feet of retail, 450 hotel rooms, 340,000 square feet of office, 250 wet slips, 400 dry slips, 40,000 square feet of research and development, and all accessory uses to these uses. In addition, there will be 312 acres of lakes/buffers and recreation, and a minimum of 338 of conservation lands. The recreational uses will include golf, tennis, clubhouses, and active and passive recreation. The legal description of the project is set forth in Exhibit A.

The assessment was based on a phasing schedule that includes two five-year phases described in Exhibit B. Site preparation commenced upon completion of all necessary permitting. The project buildout date is ~~December 31, 2024~~April 3, 2028. The termination date is ~~December 31, 2030~~April 3, 2033.

Water supply and wastewater treatment will be provided by Lee County Utilities.

- B. The factual findings, conclusions of law, conditions and other terms of this Development Order apply to the property legally described in Exhibit A and known as the Miromar Lakes DRI.
- C. The original 1,271.12± acres was zoned AG-2, and coincident with the 1999 approval of the Development Order the property was rezoned to a Mixed Use Planned Development (MPD). In the recent past, portions of the property have been utilized for mining and related activity. The mining, and related activity, will cease on any portion of the property under active development. The 534 +/- acre addition was initially zoned AG-2, but was rezoned to MPD coincident with the Second DRI Development Order Amendment. The 12+/- acres were located in the original 1,271.12+/- acres. With the sale of the 12+/- acres the original parcel will total 1,259.12+/- acres.
- D. The AMDA went through sufficiency and a report and recommendation were issued. The application was put on hold, then reduced to an Application for Development Approval (ADA). The ADA for Miromar Lakes is consistent with the requirements of Section 380.06, Florida Statutes. The project went through two sufficiency rounds and the Developer exercised its right to refuse participation in further rounds.
- E. The development is not located in an area designated as an Area of Critical State Concern under the provision of Section 380.05, Florida Statutes.
- F. The development does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan. The development is consistent with the State Comprehensive Plan if it is developed in accordance with the development parameters and conditions of approval set forth in this development order.
- G. The development has been reviewed by the Southwest Florida Regional Planning Council (SWFRPC) and is the subject of reports and recommendations adopted by that body on December 17, 1998 and June 21, 2001. The SWFRPC report and recommendations were subsequently forwarded to Lee County pursuant to Section 380.06, Florida Statutes. The development, as proposed in the ADA and modified by this Development Order, is consistent with the reports and recommendations of the SWFRPC pursuant to Section 380.06(11), Florida Statutes.
- H. The development, as conditioned, is located in, and is consistent with, the University Community, "Conservation Lands - Uplands", and "Conservation Lands-Wetlands" future land use categories.

- I. The conditions set forth below meet the criteria found in Section 380.06(15)(d), Florida Statutes.
- J. The Phase II and build out dates were extended by three years to 2012 and 2017 respectively pursuant to House Bill 7203, which amended Florida Statutes, Section 380.06(19)(c).
- K. Senate Bill 360 (SB360), as signed into law by the Governor of the State of Florida on June 1, 2009 (codified as a note to F.S. §§373.414 and 380.06) provided a statutory two-year extension to build out dates expiring between September 1, 2008 through January 1, 2012. The Board of County Commissioners recognized the statutory extension in Lee County Resolution 09-06-22, adopted on June 23, 2009,

In accord with SB 360, Miromar Lakes DRI qualified for a two-year extension of its build out date from December 31, 2011 to December 31, 2013. Under Lee County Resolution 09-06-22, concurrency is also extended to December 31, 2013, consistent with the build out extension. Under SB 360, the two-year extension does not constitute a substantial deviation of the original development order approvals warranting further DRI review.

- L. House Bill 7207 (HB7207), as signed into law by the Governor of the State of Florida on June 2, 2011 (as codified in Chapter 2011-139, Laws of Florida) authorized a four year extension for all valid DRI Development Orders. At the option of the developer, all commencement, phase, buildout and expiration dates for valid Developments of Regional Impacts may be extended by four years regardless of previous extensions issued in the past.

In accord with HB 7207, Miromar Lakes DRI qualified for the four-year extension of its build out date from December 31, 2020 to December 31, 2024. Under Lee County Resolution concurrency is also extended to December 31, 2024, consistent with the build out extension. Under HB 7207, the extension of the DRI's compliance dates does not constitute a substantial deviation and cannot be considered in the future in determining whether there has been a substantial deviation of the original development order approvals warranting further DRI review.

In accordance with SB2156, and Emergency Orders 12-140, 120192, 120217, 120199, Miromar Lakes DRI qualified for the extension of its build out date from December 31, 2024 to April 3, 2028. Under Lee County Resolution concurrency is also extended to April 3, 2028, consistent with the build out extension. The extension of the DRI's compliance date does not constitute a substantial deviation and cannot be considered in the future in determining whether there has been a substantial deviation of the original development order approvals warranting further DRI review.

II. ACTION ON THE REQUEST AND CONDITIONS OF APPROVAL.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Lee County, Florida, in a public meeting duly advertised, constituted and assembled June 18, 2014, the ~~Seventh~~Eighth Amendment to the Miromar Lakes Development of Regional Impact is hereby approved subject to the conditions, restrictions and limitations that follow. For the purpose of this Development Order, the term "Developer" refers to Miromar Lakes, L.L.C., and includes all of its successors or assigns, and all references to County Ordinances or other regulations including future amendments.

A. AFFORDABLE HOUSING.

1.—The Applicant conducted a survey in accordance with an approved methodology to determine whether a sufficient number of affordable housing units are available to meet the demands of the projected, non-construction, permanent employees of Phase I of the Project. The survey results demonstrated there was no unmet demand through build out of Phase I.

~~2.—Prior to initiation of the second phase of the Project, the Developer must conduct a re-analysis of the affordable housing needs of the projected, non-construction, permanent employees of that phase using a methodology acceptable to the County, SWFRPC and the Florida Economic Opportunity (FDEO). The methodology must limit the percentage of mobile homes that comprise the total available supply to 20 percent.~~

~~3.—If the second phase re-analysis of the affordable housing needs shows a shortage of affordable housing units that exceeds the threshold for regionally significant impact for the DRI, the Developer must mitigate the need by following the options outlined in Rule 9J-2.048(8), the Adequate Housing Uniform Standard Rule, or other measures agreed to by the County, SWFRPC and FDEO.~~

B. ENERGY.

The Developer will utilize the energy conservation measures outlined in the ADA.

C. STORM WATER MANAGEMENT.

1. The Developer has obtained an Environmental Resource Permit (ERP) from South Florida Water Management District (SFWMD) - Permit No. 951122-7 Miromar Lakes. Prior to construction, the Developer must provide Lee County Development Services with a copy of the ERP, and any early work permit. The Developer must provide Lee County Development Services Division with a copy of all amendments to the ERP that include property that was not a part of the original application.

2. The Developer, Property Owner's Association, Uniform Community Development District (UCDD), or other entity with operational responsibility for the surface water management system must comply with Class III water quality standards for all water discharged into the lakes generally referred to as the north and south mining lakes.
3. The Developer must incorporate best management practices (BMPs) into the surface water management plans submitted to SFWMD. The Developer must also utilize BMPs during construction for control of erosion and sediment. These practices will be identified on the aforementioned plans submitted to SFWMD, and other agencies with jurisdiction.
4. The first habitable floor of all structures must be at or above the 100-year flood elevations. The 25-year/three-day storm event must be used in computing off-site discharge rates, taking into account the backwater elevations along on-site flowways.
5. The Developer must obtain a SFWMD permit for dewatering activities as required by Sections 2.5 and 5.2.2 Dewatering, Basis of Review (water use).
6. Upon completion of construction and stabilization of side slopes, the Developer must remove all silt barriers, hay bales, anchor soil, and accumulated silt.
7. The Developer must establish a legal operating entity in accordance with the SFWMD Basis of Review and Lee County Land Development Code (LDC), to maintain all internal storm water management lakes, ditches, and wetlands. The same condition applies to that portion of the north and south mining lakes under the ownership and control of the Developer. Easements, common areas or other legal mechanisms may be utilized to ensure sufficient access to the storm water management areas.
8. Where applicable, the storm water management plan submitted to SFWMD must consider measures to reduce runoff rates and volumes, including, but not limited to, fixed control structures, perforated pipes, and grass swale conveyances. The Developer must use swales rather than closed systems whenever practical.
9. The Developer must create littoral zones along the shoreline banks of the storm water management system consistent with the requirements of SFWMD and Lee County. The littoral zones must consist of native emergent or submergent aquatic vegetation. The Developer must ensure, by supplemental replanting if necessary, at least 80 percent cover by native aquatic vegetation within the required littoral zones.

10. The surface water management system design must incorporate natural flowway corridors and restore impacted natural flow way corridors.
 - (a) Storm water run-off must be pre-treated consistent with the South Florida Water Management District permit prior to discharging the run-off into existing lake or wetland (any aquatic) systems.
 - (b) The development must maintain the function and integrity of the Stewart Slough, the natural flowway being restored through the South Florida Water Management District's ERP, contained within the boundaries of this DRI. Flowways are precluded from being primary surface water treatment areas.
11. The Developer, or the legal operating entity, must perform annual inspections of the project's on-site storm water management system to ensure that the system is maintained in accordance with the final approved design.
12. The Developer must meet all Army Corps. of Engineers, Department of Environmental Protection, South Florida Water Management District, and Lee County requirements regarding the impact of the proposed storm water management system on state or federally listed plants or animal species occurring on-site. When required by federal, state, or local permits, the Developer will provide mitigation for those impacts.
13. The Developer must vacuum sweep all commercial streets and parking areas within the development on a regularly scheduled basis.
14. When required by SFWMD in accordance with Section 5.2.2, Basis of Review (E.R.P.), the Developer must provide at least one-half inch of dry pre-treatment (retention or detention), or an equivalent alternative, for commercial and industrial uses.
15. The Developer must participate in any Countywide storm water management system adopted by Lee County that directly benefits the development, under the same fiscal terms and conditions applicable to other benefitted properties.
16. As part of the routine maintenance of the project, the Developer must:
 - (a) mow grassed storm water management areas;
 - (b) remove accumulated debris within treatment areas;
 - (c) replace all identifiable erosion to banks; and

- (d) remove noxious exotic vegetation that may potentially interfere with the proper function of the treatment areas.

17. The Developer must inspect, clean and repair all under-drain systems and grease baffles on a regular basis. The period between inspections may not exceed eighteen months.

18. The storm water management system must be designed to ensure that the quality and quantity of the water entering the wetlands is adequate to ensure the wetland survivability. The impact of the storm water management system on the wetland mitigation areas will be evaluated by the SFWMD during the ERP process.

19. All individual tenants or residents must comply with applicable laws and regulations regarding the management and use of hazardous materials.

20. Golf Course:

- (a) Prior to development order approval for the first 18-hole golf course, the developer must conduct a pre-development groundwater and surface water analysis and submit the analysis to the County. This analysis is intended to establish baseline data for groundwater and surface water monitoring for the project area. The analysis must be designed to identify those nutrients and chemicals that are anticipated to be associated with the project. Prior to commencing this baseline study, the developer must submit the methodology for review, comment, and approval by the County.
- (b) The developer must submit an annual monitoring report of surface water quality on the first 18-hole golf course for a period of five years from the issuance of the certificate of completion for the golf course, or the last violation, if any, of Chapter 62-302, F.A.C. water quality standards. The monitoring program will include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water at the project's outfall locations, which are the south mining lake, the Stewart Cypress Slough, and the north headwaters of Estero River. The developer will submit the test results with the monitoring report. The monitoring program will be established and operated at the expense of the developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 62-302, F.A.C., water quality standards.
- ~~(c) The developer must conduct a pre-development ground water and surface water analysis and submit the analysis to the County prior to development order approval for the second 18-hole golf course. The analysis will establish the baseline data for groundwater and surface water~~

monitoring of the project area. The developer must design the analysis to identify the nutrients and chemicals anticipated to be associated with the second 18 hole golf course. The methodology employed in the base line study must first be reviewed and approved by the county.

- (d) ~~The operator of the second 18 hole golf course must submit an annual monitoring report of ground water and surface water quality. The proposed monitoring program will be reviewed by the Natural Resources Division and evaluated in accordance with the requirements of Chapter 62-302 FAC water quality standards. The monitoring program must include: testing to assess whether there are unacceptable increased levels of herbicide, pesticide or fertilizer at project outfalls; identification of the locations of the ground water monitoring and project outfalls; identification of the locations of ground water monitoring and testing on a map(s); an outline of the testing and recording requirements. The operator must submit test results and the monitoring report to the Lee County Natural Resources Division. The monitoring program will be established and operated at the expense of the developer or other legal entity charged with the legal responsibility of managing the golf course. Compliance with the program will be evaluated at the project outfalls utilizing the water quality standards set forth in Chapter 62-302 F.A.C. The monitoring program will continue in perpetuity.~~

21. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application of the pollutant must cease until there is a revised management plan for the application of the pollutant. A determination that the application of fertilizers, herbicides or pesticides to the golf course are the cause and source of the pollution must be based on competent and substantial evidence. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County and other appropriate agencies will be implemented by the developer.

D. TRANSPORTATION

1. Significant Impacts

(a) Assessment Parameters

The traffic impact assessment for the project assumes the following development parameters:

| | Phase I (2004) | Buildout (2028) |
|-----------------------------|----------------|-----------------|
| Residential | | |
| Single Family (ITE LUC 210) | 314 D.U. | 700 D.U. |

| | | |
|--|--------------------|--------------------|
| Multi-Family | 1,100 D.U. Total | 1,900 D.U. |
| Total Apartments (LUC 220) | 200 D.U. | 200 D.U. |
| Residential Condominiums (LUC 230) | 900 D.U. | 1,700 D.U. |
| Non-Residential | | |
| --Service/Office (LUC 710) | 100,000 sq. ft. | 340,000 sq. ft. |
| --General Retail (LUC 820) | 160,000 sq. ft. | 250,000 sq. ft. |
| --Hotel (LUC 310) | 350 rooms | 450 rooms |
| --Industrial/R & D (LUC 760) | 0 sq. ft. | 40,000 sq. ft. |
| --Golf Course (LUC 430) | 36 holes | 36 holes |
| --Community Use (LUC 495) | 20,000 sq. ft. | 20,000 sq. ft. |
| (Golf Clubhouse) | | |
| --Beach Park (LUC 415) | 10 acres | 10 acres |
| (Including a Beach Clubhouse for use of residents and their guests.) | | |

The above parameters form the basis for the project impacts and mitigation requirements contained herein. The assumed land uses associated with the general parameters are identified by the Land Use Code (LUC) from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition. While approved zoning categories may allow a wider range of uses, from a DRI standpoint, the project impacts are based on the above parameters and assumed uses. Any significant change in the assumed uses or mix of uses will require a re-evaluation of the DRI transportation impacts. A significant change is one that would increase the external project traffic by five (5) percent or more or that would significantly change the projected distribution and assignment of project traffic, so as to result in additional significantly and adversely impacted roadway links. The overall traffic at the project entrances based on the above parameters is estimated to be 3,931 p.m. peak hour trips.

(b) Phase I Impacts

The assessment indicates that the significantly impacted roadways and intersections described below were anticipated to be operating below acceptable levels of service at the end of Phase I (2004):

| <u>Roadways</u> | <u>Needed Improvement</u> |
|------------------------------------|---------------------------|
| Alico Road | |
| --U.S. 41 to Seminole Gulf Railway | Widen to six (6) lanes* |
| --I-75 to Ben Hill Griffin Parkway | Widen to six (6) lanes |

** or realignment/interchange as part of Metro Parkway extension (6 lanes), US 41 to Six Mile Parkway*

Intersections

| | |
|--|---|
| Alico Road/Three Oaks Parkway | Add 2 nd NB left, 2 nd WB left, 2 nd SB left |
| Alico Road/Project Entrance | Intersection Improvements |
| Ben Hill Griffin Parkway/Alico Road | Add 2 nd NB left |
| Ben Hill Griffin Parkway/Project Entrances | Intersection Improvements |
| Ben Hill Griffin Parkway/Corkscrew Road | Signalization, add 2 nd EB left, 2 nd SB left |
| US 41/Alico Road | Add 2 nd WB right, 3 rd SB left |

The intersection improvements include geometric improvements, such as turn lanes and signalization when warranted. The Developer will be fully responsible for improvements needed at the project entrances that are deemed site-related (See Paragraph D.4). The intersections are addressed in the overall proportionate share calculation. As noted above, however, site-related needs at the project entrances are not addressed in the proportionate share calculation.

(c) Buildout Impacts

The assessment indicated that the significantly impacted roadways and intersections described below were anticipated to be operating below acceptable levels of service at the end of buildout (2009²):

| <u>Roadways</u> | <u>Needed Improvement</u> |
|--|---------------------------|
| Alico Road | |
| --U.S. 41 to Seminole Gulf Railway | Widen to six (6) lanes |
| --Lee Road to I-75 | Widen to eight (8) lanes |
| --I-75 to Ben Hill Griffin Parkway | Widen to six (6) lanes |
| Ben Hill Griffin Parkway | |
| --T&T Entrance to Alico Road | Widen to six (6) lanes |
| Corkscrew Road | |
| --Three Oaks Parkway to Ben Hill Griffin Parkway | Widen to six (6) lanes |
| Daniels Parkway | |
| -- Metro Parkway to Six Mile Cypress Parkway | Widen to eight (8) lanes |
| --Six Mile Cypress Parkway to Fiddlesticks Boulevard | Widen to ten (10) lanes |
| --Fiddlesticks Boulevard to I-75 | Widen to eight (8) lanes |

² The build out date of the Miromar DRI was extended to 2020. However, the transportation analysis was conducted assuming a build out date of December 31, 2009. For this reason, the reference to 2009 was not amended in this paragraph.

U.S. 41

-- Coconut Road to Williams Road
 --Alico Road to Six Mile Cypress Parkway

Widen to six (6) lanes
 Alternate facility needed*

**Metro Parkway extension (six (6) lanes), US 41 to Six Mile Parkway*

Intersections

| | |
|--|--|
| Alico Road/Oriole Road | Add 2 nd WB left, signalization |
| Alico Road/Three Oaks Parkway | Add 3 rd EB left, 3 rd NB through 3 rd SB through |
| Alico Road/I-75 East Ramp | Add 2 nd WB left, 2 nd NB left |
| Alico Road/Project Entrance | Intersection Improvements |
| Ben Hill Griffin Parkway/Alico Road | Add 3 rd NB left, 3 rd SB through, 3 rd WB through, 2 nd EB left |
| Ben Hill Griffin Parkway/Project Entrances | Intersection Improvements |
| Ben Hill Griffin Parkway/Corkscrew Road | Add 2 nd EB left, 2 nd NB left, 2 nd SB left |
| Corkscrew Road/Three Oaks Parkway | Add 2 nd EB left |
| US 41/Alico Road | Add 3 rd SB left |

The intersection improvements include geometric improvements, such as turn lanes and signalization when warranted. The Developer will be fully responsible for improvements needed at the project entrances that are deemed site-related (see Paragraph D.4). The intersections are addressed in the overall proportionate share calculation. As noted above, however, site-related needs at the project entrances are not addressed in the proportionate share calculation.

The amended traffic assessment conducted for the Fifth Amendment to the development order indicated that the significantly impacted roadways described below will be operating below acceptable levels of service at the end of buildout in 2028.

Roadways

Needed Improvement

| | |
|---|------------------------|
| Ben Hill Griffin Parkway | |
| -- Miromar Lakes Entrance to College Club Drive | Widen to six (6) lanes |

2. Mitigation

(a) Phase I Proportionate Share

The total proportionate share obligation to mitigate the Phase I transportation impacts on the non site-related roads and intersections set

forth in Paragraph D.1.b. above is estimated to be \$1,270,796 in 1999 dollars. The Phase I road impact fees anticipated to be generated by the project based on the development parameters set forth in Paragraph D.1.a and under the current County road impact fee schedules are \$3,171,928, or \$1,901,132 more than the Phase I proportionate share obligation.

(b) Buildout Proportionate Share

The total proportionate share obligation to mitigate the build out transportation impacts on the non-site related roads and intersections set forth in Paragraph D.1.c. above is estimated to be \$10,914,866 in 1999 dollars. The total road impact fees anticipated to be generated by the project through buildout based on the development parameters set forth in Paragraph D.1.a. and under the current County road impact fee schedules are \$5,686,010. The proportionate share obligation is approximately \$5,228,856 more than impact fees in 1999 dollars.

(c) Traffic Mitigation

The Developer must mitigate its overall project traffic impacts through the payment of the entire project proportionate share obligation of \$10,914,866 for project buildout. The details of this payment must be established in a Local Government Development Agreement executed pursuant to Section 163.3220, Florida Statutes, and Chapter 2, Article III of the Lee County Land Development Code. The Developer must submit to Lee County a Development Agreement within 90 days of the effective date of this DRI Development Order.

Generally, the payment is to be accomplished in the following manner:

Within 120 days of the effective date of this DRI Development Order, the Developer must deliver as Maker a promissory note, payable to Lee County, in the original principal amount of \$10,914,866.00, representing the entire proportionate share obligation. The note will provide for payment of the entire amount to be paid the County before December 30, 2005. Additionally, the note must provide for interest to be paid at a rate of 7.4 percent on the unpaid balance of the proportionate share assessment.

The promissory note will provide for payments of principal as follows:

The first principal installment will be in the amount of the Phase I impact fee obligation, \$3,171,928.00, and will be due and payable on or before the earlier of one year from the date of final DRI Development Order approval or the date of the issuance of the first building permit for vertical

construction. However, some development such as the golf course, golf clubhouse, information/sales center/model center, and beach club may proceed prior to the first payment. That development will be required to pay road impact fees at the time permits are received. Impact fee payments will be deducted from the first principal payment;

The second principal installment in the amount of \$6,000,000.00, will be due and payable on December 30, 2002;

The final payment of principal in the amount of \$1,742,938.00, will be due and payable December 30, 2005.

Interest will be payable on December 30th of each year beginning December 30, 2000 and continuing until the promissory note is paid in full. Upon payment of the six million dollar principal payment prior to December 30, 2002, the 2002 interest payment will be based on the remaining principal balance of \$1,742,938.00. Each payment will be in the amount of all accrued and unpaid interest to the date thereof. Except for the year 2002, the amount of interest accrued will be based on the daily principal balance outstanding during the preceding year. The applicable interest rate will be equal to 7.4 percent. Interest payments are due and owing on December 30th of each calendar year. All prepayments of principal shall be credited to the next installment(s) due. All interest payments will be deposited in the District 3 impact fee account.

The Developer may choose to provide certain improvements such as the right-of-way for Koreshan Boulevard Extension along the south property line for Miromar Lakes or the six-laning of Ben Hill Griffin Parkway in exchange for credits against the overall payment obligation. These improvements are subject to concurrence by Lee County DOT on their scope and timing, and the contributions will be treated as prepayments of principal. Dedication of the Koreshan Boulevard Extension right-of-way will be valued consistent with the provisions of the Lee County Land Development Code, based on the date prior to DRI Development Order approval.

The portion of the payment in lieu of impact fees, estimated at \$5,686,010.00, will be treated as impact fees as outlined in the Lee County Land Development Code and deposited in the District 3 impact fee account. Cash payments above and beyond those in lieu of impact fees will be applied by Lee County toward the following improvements and in the following priority:

The list of significantly and adversely impacted roads and intersections from Paragraphs D.1.b and D.1.c.

Other non-site related roadway improvements benefitting Miromar Lakes.

(d) Concurrency

1. If the development agreement and promissory note specified in Paragraph D.2.c. above are provided as described and in the time frames noted, the Miromar Lakes DRI will be granted a concurrency certificate for buildout of the project, that is, the certificate will be valid until the project completes the buildout development parameters specified in Paragraph D.1.a. or December 31, 2028, whichever is sooner. Thereafter, further development of the project will be subject to the Concurrency Management System, unless the concurrency certificate is extended as provided in Condition D.2.d.2 below. Under the payment schedules identified above, the Developer will not be required to pay road impact fees at the building permit stage, except as previously noted for that limited development that may occur prior to the first payment. If the payments are not made as described, then no further building permits will be issued until the Developer makes the payment. Concurrency vesting is contingent on the payment schedule and amounts set forth in Paragraph D.2.c. The proportionate share required herein was paid in full and the project will not lose its vested status and will not be subject to the County's Concurrency Management System for all future development as long as the development is constructed within the adopted development parameters. The Developer will have a 15 day grace period following the due date for each payment within which to make the required payment without affecting the concurrency vesting.
2. In 2010, the developer filed a Notice of Proposed Change that resulted in a fifth amendment to the DRI development, which permitted an extension of the project buildout to December 31, 2020, extended the concurrency certificate in Condition II.D.2.d.1. above to December 31, 2020, and provided a detailed traffic assessment to the Lee County Department of Transportation for review and approval.

If the developer files a Notice of Proposed Change that results in an extension of project build out beyond December 31, 2024 and the developer desires to extend the concurrency certificate in Condition D.2.d.1. above beyond 2024, the developer must provide a detailed traffic assessment to Lee County DOT for review and approval. The assessment must include, but not limited to, identifying the adjusted phasing, level of development anticipated for the revised

phasing, estimated traffic impacts, needed improvements, and the project's proportionate share of those improvements.

The assessment will be a cumulative analysis of the project's traffic impacts. The County will provide credit against the recalculated proportionate share for all mitigation paid through the date of the new traffic assessment. The proportionate share payments previously made by the Developer will be adjusted to then current year dollars. This will be accomplished by increasing the principal amount paid by an amount equal to the increase as determined in the State Highway Bid Index for the State of Florida, published in the Engineering News Record. This increase will be expressed as a percentage and will be measured from the index published for the second quarter of 1999 to the index published in the then latest available edition. In no event may the adjustment result in a refund of money paid to the County. The assessment must identify mitigation for those roadway segments that are significantly and adversely impacted by cumulative project traffic at the extended build-out year in accordance with the Transportation Uniform Standard Rule in the Florida Administrative Code. Prior to conducting a reassessment analysis, the developer must attend a transportation methodology meeting with the County, and other review agencies as necessary, to establish the appropriate methodology.

The traffic assessment will be prepared by the developer following generally acceptable transportation planning procedures consistent with the standards in effect at the time. Additional mitigation, if any, resulting from the traffic assessment must be paid in a manner generally consistent with that of the original mitigation. For example, the development order and any corresponding development agreement must be amended to reflect the revised phasing and additional mitigation.

3. Amendments to Phasing Schedule

If the project phasing is expanded in the future, the phases must be limited to not more than five-year intervals and a new analysis will be required at the start of each phase.

4. Access and Site-Related Improvements

The Developer is fully responsible for its share of the following site-related roadway and intersection improvements: all intersection improvements, including signalization, turn lanes, deceleration

lanes, and other improvements deemed necessary by the County Engineer and consistent with the Lee County Land Development Code for the project's access points onto Alico Road and Ben Hill Griffin Parkway. Site-related improvements are not eligible for credit against impact fees and are also ineligible for offset against the project's proportionate share obligation.

5. Biennial Transportation Monitoring Report

(a) Design of Monitoring Program

The transportation monitoring program will be designed in cooperation with the Lee County Department of Transportation, the Florida Department of Transportation (FDOT), the Southwest Florida Regional Planning Council (SWFRPC), and the Florida Department of Economic Opportunity (FDEO) prior to submittal of the first report. The methodology of the biennial transportation monitoring report may be revised if agreed upon by all parties.

(b) Submittal of Monitoring Report

The Developer must submit a biennial transportation monitoring report to the following entities for review and approval: Lee County Department of Transportation, FDOT, FDEO, and SWFRPC. Additionally, the Developer must provide a copy of the report to Florida Gulf Coast University (FGCU). The first monitoring report will be submitted one year after the effective date of the DRI Development Order. The Developer must provide written notice to the above review agencies if he concludes that a traffic monitoring report is not required because no traffic impacts have been created. Once an biennial transportation monitoring report has been submitted, a report must be submitted biennially thereafter until project buildout, whether actual or declared.

(c) Minimum Requirements for Report Contents

At a minimum, the monitoring report will measure the project's actual external roadway impacts and the level of service conditions on the impacted roads and intersections, and determine the timing for needed improvements. The biennial traffic monitoring report must also contain the following information:

- 1) P.M. peak hour traffic counts with turning movements at the project's access points onto Alico Road and Ben Hill Griffin Parkway, and on the external road segments and intersections identified in Paragraph D.1.c.
- 2) A comparison of field measured project traffic volumes to the project trip generation assumed in the DRI analysis. The Developer will need to specify in the methodology how the internal interaction will be measured.
- 3) Estimated existing levels of service and needed improvements for the roads and intersections specified in Paragraph D.1.c. above.
- 4) Estimated future levels of service and needed improvements for the roads and intersections specified in Paragraph D.1.c. above, based on a one-year projection of future volumes.
- 5) A summary of the status of road improvements assumed to be committed by Lee County and FDOT as set forth below:

| <u>Roadways</u> | <u>Improvement</u> | <u>Construction Schedule</u> |
|--|--------------------|----------------------------------|
| Alico Road | | |
| --US 41 to Seminole Gulf Railway | four (4) lanes | FY 98/99 |
| --Seminole Gulf Railway to I-75 West Ramps | six (6) lanes | FY 98/99 |
| Corkscrew Road | | |
| --Sandy Lane to I-75 | four (4) lanes | FY 98/99 |
| Three Oaks Parkway | | |
| --Alico Road to Daniels Parkway | four (4) lanes | FY 00/01 |
| Treeline Avenue | | |
| --Alico Road to Daniels Parkway | four (4) lanes | FY 01/02 |
| US 41 | | |
| --Alico Road to Daniels Parkway | four (4) lanes | FY 98/99 |

| <u>Intersections</u> | <u>Improvement</u> | <u>Construction Schedule</u> |
|-----------------------|--------------------|------------------------------|
| I-75 Ramps/Alico Road | Signalization | FY 98/99 |

(d) Implications

- 1) If the biennial transportation monitoring report reveals that the project trip generation exceeds the thresholds identified in 380.06(19)(b)15, Florida Statutes, then the statutory provisions regarding substantial deviations will govern. If the project is deemed to be a substantial deviation, the Developer must then undergo additional DRI review. This review must reanalyze the project impacts on the County road network in general, and specifically evaluate the potential project impacts on the roadway segments identified in Paragraph D.3 above.
- 2) Changes to development parameters or phasing may trigger the need to rebut the statutory presumption of substantial deviation. In some instances, the evidence necessary to rebut the presumption may involve the need for a comparison of project trip distribution and assignment.

6. Other

(a) Access to FGCU

The Developer has accommodated a second access to FGCU that connects to Ben Hill Griffin Parkway at STA 916+43.75, as contemplated in the FGCU Master Plan.

In addition, the Developer has accommodated two additional accesses to the FGCU campus from: 1) the southern project entrance off Ben Hill Griffin Parkway; and 2) the east boundary of the project as reflected on the DRI Master Plan (Map H) dated 02-14-2014.

(b) Access Locations and Movements

- 4) The transportation assessment was based on the access locations and movements identified in the DRI Master Plan (Map H) dated 12/23/09, printed by Miromar Development Corporation. Additional accesses may require further analysis by the Lee County Department of Transportation for the DRI.

- 2) ~~Access to the Estero Parkway will be subject to the access management plan for the roadway proposed in conjunction with the design. Median openings were determined as part of the roadway design process as well.~~

(c) Pedestrian/Bicycle and Transit Facilities

The Developer will provide for pedestrian and bicycle facilities and bus stop locations in accordance with the attached Exhibit D.

(d) Access to Future 951

Future access to County Road 951 will be subject to the recommendations set forth in the PD&E for the roadway.

7. Land Use Conversion

The approved parameters, as specified in this Development Order, may be modified by the Developer without further amendment to this Development Order, subject to the conditions of Paragraph D.1.a. and as set forth below.

- (a) ~~No more than 700 single-family units will be built at Miromar Lakes. Given that single family units generate more total and external traffic than multi-family and, therefore, have a greater traffic impact, single family units may be converted to multi-family units at a one-to-one (1:1) ratio. Single Family units can be converted to multi-family units, and multi-family units can be converted to single-family units and any type of multi-family unit and other unit types permitted under the zoning can be constructed as long as the conversion of residential unit types does not result in a significant change as that term is defined in paragraph D.1.a. The current ITE manual will be used to determine whether or not there is 5% or less increase in net new external p.m. trips. This conversion may occur without further DRI or substantial deviation review.~~
- (b) ~~Residential condominium units may be converted to apartment units at a ratio of 1.15 residential condominium units to one apartment unit. However, no more than 700 residential condominium units may be converted to apartment units. This conversion may occur without further DRI or substantial deviation review.~~
- (eb) Office use may be converted to Research and Development (R&D) at a ratio of 1,000 square feet of Office to 1,100 square feet of Research and Development, unless the current ITE manual would require an adjustment to the conversion rate set forth herein. There is no limitation on the conversion of Office use to Research and Development (R&D) at the

above ratio.

- (dc) ~~Notice of any conversion must be provided to the County, the Regional Planning Council, and the Department of Economic Opportunity. In addition, t~~The amount of conversion must be reported as part of the subsequent biennialannual monitoring reports to the Southwest Florida Regional Planning Council, and the Department of Economic Opportunity.

8. Golf Cart Crossing

- (a) Any golf cart crossing of Ben Hill Griffin Parkway by the Miromar Lakes DRI must be grade-separated. At-grade golf cart crossings of Ben Hill Griffin Parkway are prohibited. The golf cart crossing must be elevated over Ben Hill Griffin Parkway.
- (b) The elevated golf cart crossing of Ben Hill Griffin Parkway was reviewed and approved by Lee County DOT. The review included issues such as structural requirements and adequate sight distances for Ben Hill Griffin Parkway. The Developer obtained a right-of-way permit from Lee County DOT and agreed to adequately maintain the structure within the right-of-way.

E. VEGETATION AND WILDLIFE/WETLANDS.

1. Where feasible and appropriate for bird usage, storm water management lakes must include draw-down pool features in littoral shelf slopes. These features will be reviewed as part of the ERP permit and will be considered because they favor use by wood storks and wading birds.
2. Identifiable impacts to the Florida panther habitat will be addressed through the Army Corps. of Engineers (ACOE) permitting process. The ACOE is consulting with U.S. Fish and Wildlife (USFWS) Service as part of the Section 7 consultation under the Endangered Species Act. The ACOE will evaluate, through the permitting process, the impacts to the Florida panther. The impact must be assessed in accordance with Section 404 Federal Register and Section 7 of the Endangered Species Act.

The panther mitigation for buildout of the development, as depicted on Map H, has been identified in the ACOE Permit #199507483 (IP-MN) and SAJ1995-07483 (IP-MN) Addition and South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) No. 36-03568-P, as modified. The 12.65 Panther Island Mitigation credits have been transferred and 548.0 acres (194.0 and 353.0 acre parcels) of off-site land for panther mitigation has been acquired by the applicant. The 353-acre parcel must be accepted by appropriate agencies and conservation

easements as per ACOE and SFWMD permit condition requirements must be recorded over the 194.0 and 353.0 acre parcels.

3. The Big Cypress Fox Squirrel Management Plan, dated July 2, 1998, must be amended to:
 - (a) address the quantity and quality of the Big Cypress Fox Squirrel habitat to be protected, and
 - (b) to identify the entity that will be responsible for the perpetual maintenance of the habitat.

The afore-stated amendments to the Big Cypress Fox Squirrel Management Plan are subject to review and approval by Lee County, FDEO, and SWFRPC. Once approved, the management plan must be incorporated into this DRI Development Order. (9J-2.041 FAC)

4. ~~The Developer must obtain an incidental take permit or off-site relocation permit from the Florida Game and Fresh Water Fish and Wildlife Conservation Commission (FGFWFC FWC) for gopher tortoises. If the Developer obtains an incidental take permit, tortoises and commensal species must be located out of harm's way to appropriate upland locations. The Developer will relocate tortoises to appropriate on-site upland preserves. Regardless of the type of permit obtained from the FGFWFC, a minimum of 3.0 acres of upland habitat appropriate for gopher tortoises will be preserved south of Stewart Cypress Slough between Ben Hill Griffin Parkway and the approximate 156-acre wetland/upland conservation area.~~
5. Where appropriate, the Developer must design internal roads that cross the Stewart Cypress and other strand areas to accommodate wildlife crossings of appropriate size for use by Florida panther and Florida black bear. Such size and design must correspond to the size and design set out in Condition 24 18 to the MPD.
6. Seventy-five (75) percent of the total number of required trees used in buffers and landscaping must be indigenous native varieties. Fifty percent (50%) of the total number of required shrubs used in buffers and landscaping must be indigenous native varieties. Where practicable, ecologically viable existing native vegetation should be incorporated into the landscape design. Xeriscaped landscape areas should not be irrigated after the initial start-up period, unless weather conditions and the survival of the areas require otherwise. Category 1 invasive exotic vegetation listed by the Florida Pest Plant Council may not be used for landscaping

south of the main branch of the Stewart Cypress Slough (see Exhibit F attached hereto), except that *Ficus benjaminia* trees are permitted only along Ben Hill Griffin Parkway to screen the residential community and to carry forward the existing landscaping theme of the northern and western portions of the DRI.

7. The following management guidelines must be implemented to further reduce the potential for ground and surface water impacts from the golf course:
 - (a) The course must be planted with a turf grass cultivated variety having drought and pest resistant qualities and requiring relatively low fertilizer use;
 - (b) The irrigation system should operate on an "as needed" basis by the utilization of weather forecasting and ongoing assessment of the moisture content of the soil. It is not the intent of this provision to require the purchase or installation of high technology weather forecasting or rain monitoring equipment.
 - (c) Fertilizers with a low leaching potential (slow release) must be used whenever possible. Fertilizers may not be applied after active growth of the turf grass has ceased. Application rates must be kept to the lowest reasonable levels;
 - (d) To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan which includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary and only in the most conservative manner through minimal species-specific applications. The nutrient management program must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals are permitted. Turf managed areas (including fairways, tees, and greens) are prohibited within 35 feet of the Conservation Areas (CO) shown on the Master Concept Plan for Miromar Lakes.
 - (e) The golf course manager will coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.
 - (f) The Developer must employ a golf course manager licensed by the state to use restricted pesticides and experienced in the

principles of IPM. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

- (g) The storage, mixing, and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment. The golf course must comply with the publication "Best Management Practices for Golf Course Maintenance Departments, May 1995" published by the Florida Department of Environmental Protection.

8. Golf Cart Crossing

- (a) Golf course crossing of the Stewart Cypress Slough must be grade-separated. At grade golf cart crossings of this Slough are prohibited.
- (b) At the time of final plan approval, all proposed elevated golf cart crossings of the Slough must be reviewed and approved by the Lee County Division of Environmental Sciences. The review will include, but is not limited to, the structural requirements of the crossing and function of the Slough.

- 9. The wetland mitigation for buildout of the development, as depicted on Map H, has been identified in the ACOE Permit #199507483 (IP-MN) and SAJ1995-07483 (IP-MN), and SFWMD ERP No. 36-03568-P, as modified. In addition to mitigation as discussed in Condition II.E.2., requirements include a minimum of 354.0 acres of on-site wetland and upland preservation, restoration and enhancement in substantial compliance with the areas delineated as conservation areas (CO) on Map H. If modifications to Map H are proposed to include additional land and/or impacts to required conservation areas, then jurisdictional agency review is required. Should additional land be added to the DRI, the impacts to wetlands on the additional lands will be reviewed in accordance with the laws in effect at that time. The inclusion of additional land will not subject the wetland mitigation identified in ACOE Permit #199507483 (IP-MN) and SAJ1995-07483 (IP-MN) to additional review or changes unless the applicant proposes changes to the wetland impacts and/or the required wetland mitigation.

F. WASTEWATER MANAGEMENT/WATER SUPPLY.

- 1. The project must incorporate water conserving devices or methods, including low volume water use plumbing fixtures, self-closing or metered

water faucets. The water conserving devices must meet the criteria outlined in the water conservation plan of the public water supply permit issued to Gulf Environmental Services (GES) by SFWMD.

2. The Developer must obtain Water Use Permits for water withdrawals for landscape irrigation. Permits may only be issued for applications that meet the SFWMD criteria in effect at the time of permitting. Permits must be received prior to construction of the irrigation system.
3. Prior to the commencement of construction, plans and specifications for the water and wastewater collection system must be reviewed by Gulf Environmental Services, in accordance with their adopted rules and regulations.
4. The Developer must design potable water facilities in accordance with the Lee County Land Development Code (LDC). The LDC will also govern the applicable design for domestic and fire flow.
5. The Developer must comply with the LDC provisions that require the availability of adequate water and wastewater at the time of local final Development Order approval. Potable water, wastewater collection and treatment, and eventually non potable water must be obtained from Gulf Environmental Services. If GES is unable to provide the service, the Developer must construct interim potable water and wastewater treatment facilities, or postpone development until GES has sufficient capacity. Interim facilities must be constructed to LDC standards, and must be dismantled at the Developer's expense upon connection to GES facilities.
6. If the Developer utilizes treated effluent for irrigation, the Developer must buffer the on-site lakes, preserved wetlands, and storm water management system from possible effluent contamination in accordance with applicable SFWMD regulations.
7. Temporary septic systems may be used in conjunction with the construction office, sales offices, and model homes. Temporary septic systems must be properly abandoned and removed by a licensed septic system firm when permanent or interim wastewater treatment facilities are operational. Permanent septic systems are permitted for golf course restrooms. All other septic systems are prohibited.
8. The Developer must use the lowest quality of water available and acceptable for all non-potable water uses. Potable water may not be utilized for non-potable uses if adequate and acceptable non-potable water is readily available.

G. COMPREHENSIVE PLAN CONSISTENCY.

1. Lee County may not issue a local Development Order unless the Development Order is consistent with the County's Comprehensive Plan, Land Development Code, University Window Overlay, Ben Hill Griffin Parkway Access Management Plan, and Concurrency Management System.
2. ~~Given the 114 acres~~ The proposed for commercial development, the project is limited to no more than 1,140,000 square feet of commercial retail, office, hotel, and research and development uses. This includes commercial located within property designated as C1, C-S, and MU on Map H. All commercial ancillary uses are included in this limitation; no residential or recreational ancillary uses or parking structures serving commercial or residential development are included in this amount. ~~All building area must be included in this calculation to show compliance with this limitation.~~ If multiple local development orders are requested, it is the developer's responsibility to provide a cumulative total of square footage from previous development order approvals prior to the issuance of the requested local development order.
3. ~~The requested 340,000 square feet of office use may be converted to research and development use on a one square foot to 1.1 square foot ratio.~~

H. FIRE.

1. The Developer must address its fire and emergency services impacts through the payment of impact fees in accordance with the schedule set forth in the Lee County Land Development Code.
2. When required by Superfund Amendments Reauthorization Act (SARA) Title III, and the Florida Hazardous Materials Emergency Response and Community Right to Know Act of 1988, the Developer must file hazardous materials reports and updates.

I. ~~AIRPORT NOISE ZONE.~~

~~Residential development is prohibited within all areas designated as Airport Noise Zone 3. However, this does not preclude the development of time-share units in conjunction with a bona-fide hotel use, provided the time-share units do not comprise more than 25 percent of the total approved hotel rooms. In such an instance, time-share units are not deemed to be a residential use.~~

III. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER AND ADMINISTRATIVE REQUIREMENTS.

- A. Resolution. This Development Order constitutes a resolution of Lee County adopted by the Board of County Commissioners in response to the DRI ADA filed for Miromar Lakes DRI.
- B. Additional Developer Commitments. All commitments and impact mitigating actions volunteered by the Developer in the ADA and supplementary documents that are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order. These documents include, *but are not limited to the following*:
1. The Alico AMDA filed September 13, 1990, as amended by The Miromar Lakes Development of Regional Impact ADA sufficiency response filed November 10, 1997.
 2. The Miromar Lakes DRI sufficiency responses, stamped received on:
 - January 16, 1991
 - April 2, 1991
 - July 10, 1991
 - November 17, 1997
 - March 27, 1998
 - July 6, 1998
 3. The Miromar Lakes Notice of Proposed Change as amended by subsequent submittals.
- C. Master Plan of Development. Map H, dated ~~September 19, 2011~~ February 14, 2014, is attached hereto as Exhibit C, and is incorporated by reference. The Developer may modify the boundaries of development areas and the location of internal roadways to accommodate topography, vegetation, market conditions, traffic circulation, or other site related conditions as long as the modification meets local development regulations. However, this provision may not be used to reduce the size of wetland preserve areas. Precise wetland boundaries will be determined by the South Florida Water Management District, as delegated by the Department of Environmental Protection and the Army Corps. of Engineers.
- D. Binding Effect. This Development Order is binding upon the Developer(s), and its assignees or successors in interest. Where the Development Order refers to lot owners, business owners or other specific references, those provisions are binding on the entities or individuals referenced. Those portions of this Development Order that clearly apply only to the project Developer are binding upon any builder/Developer who acquires a tract or parcel of land within the DRI.

The Developer may impose or pass on the requirements of this DRI DO to ultimate purchasers through covenants that run with the land.

- E. Reliance. The terms and conditions and phasing schedule set out in this Development Order constitute a basis upon which the Developer and the County may rely in future actions necessary to fully implement the final development contemplated by this Development Order. The development parameters and phasing schedule upon which this Development Order approval is based is set forth in Exhibit B. Changes to the development mix or phasing schedule may require a reanalysis of project impacts in order to rebut a presumption of substantial deviation.
- F. Enforcement. All conditions, restrictions, stipulations and safeguards contained in this Development Order may be enforced by either party by action at law or equity. The cost of those proceedings, including reasonable attorney's fees, will be paid by the defaulting party.
- G. Successor Agencies. References to governmental agencies will be construed to mean future instrumentalities that may be created and designated as successors in interest to, or which otherwise possess the powers and duties of the referenced governmental agencies in existence on the effective date of this Development Order.
- H. Severability. If any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, that decision will not affect the remaining portions or sections of the Development Order, which will remain in full force and effect.
- I. Applicability of Regulations. This Development Order does not negate the Developer's responsibility to comply with federal, state, regional and local regulations.
- J. Further Review. Subsequent requests for local development permits do not require further DRI review pursuant to Section 380.06, Florida Statutes. However, upon a finding by the Board that any of the following conditions exist, the Board must order a termination of all development activity in that portion of the development affected by the substantial deviation until a DRI Application for Development Approval, Notice of Substantial Deviation or Notice of Proposed Change has been submitted, reviewed and approved in accordance with Section 380.06, Florida Statutes.
 - 1. There is a substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans that create a reasonable likelihood of adverse regional impacts or other regional impacts that have not been evaluated in the review by the

Regional Planning Council; or

2. Expiration of the period of effectiveness of the Development Order. Any request to extend the effectiveness of this Development Order will be evaluated based on the criteria for the extension of the buildout date set forth in Section 380.06(19), Florida Statutes.
 3. Conditions in the development order that specify circumstances in which the development will be required to undergo additional DRI review. See *9J-2.025(10)*.
- K. Commencement of Physical Development. Substantial physical development of the project occurred no later than December 31, 2000. Further development must occur in accordance with the development parameters and phasing schedule set forth in Exhibit B.
- L. Buildout and Termination Dates. The project has a buildout date of ~~December 31, 2024~~ April 3, 2028, and a termination date of ~~December 31, 2030~~ April 3, 2033. No permits for development will be issued by the County subsequent to the termination date or expiration date unless the conditions set forth in Section 380.06(15)(g) are applicable.
- M. Assurance of Compliance. The administrative director of the Lee County Department of Community Development, or their designee, will be the local official responsible for assuring compliance with this Development Order. Lee County is primarily responsible for monitoring the development and enforcing the provisions of the development order. No permits or approvals will be issued if the developer fails to act in substantial compliance with the development order.
- N. Credits Against Local Impact Fees. Pursuant to Chapter 380.06(16), the Developer may be eligible for credits for contributions, construction, expansion, or acquisition of public facilities, if the Developer is also subject by local ordinances to impact fees or exactions to meet the same needs. However, no credit will be provided for internal on-site facilities required by County regulations or to any off-site facilities to the extent those facilities are necessary to provide safe and adequate services to the development.
- O. Protection of Development Rights. Assuming the project can comply with the County's Concurrency Management Program at the time development permits are requested, the project will not be subject to down-zoning, unit density reduction, intensity reduction or prohibition of development until December 30, 2026~~30~~. If the County demonstrates at a public hearing that substantial changes have occurred in the conditions underlying the approval of this Development Order, or finds that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established

by Lee County to be essential to public health, safety and welfare, then down-zoning unit density reduction or prohibition of development may occur. [See 9J-2.025(3)(b)13]

- P. Biennial Reports. The Developer must submit a report biennially to the Lee County Department of Community Development, the SWFRPC and Florida DEO on Form RPM-BSP-Annual Report-1. The content of the biennial report must include the information set forth in Exhibit E, and must also be consistent with the rules of the FDCA. The first monitoring report must be submitted to the DRI coordinator for SWFRPC, FDEO, and Lee County not later than one year after the effective date of this Development Order. Further reporting must be submitted not later than two years from the previously submitted report, until buildout, whether actual or declared. Failure to comply with this biennial reporting procedure is governed by Section 380.06(18), Florida Statutes, which provides for the temporary suspension of the DRI Development Order.

The Developer must file the biennial monitoring reports until actual or declared buildout of the project. Miromar Lakes, L.L.C., is the party responsible for filing the biennial monitoring reports until one or more successor entities are named in the development order. The Developer must inform successors in title to the undeveloped portion of the real property covered by this Development Order of the biennial reporting requirement. Tenants or owners of individual lots or units have no obligation to comply with this reporting condition.

The Developer must also submit a transportation biennial report in accordance with the provisions set forth in Section II.D. of this development order.

- Q. Community Development District. The Developer elected to petition for the formation of a Uniform Community Development District to serve all or a portion of the project pursuant to Florida Statutes Chapter 190, as it may be in effect from time to time. Lee County hereby gives its approval that any such district may undertake the construction and/or funding of all or any of the mitigation and public infrastructure projects for which the Developer is responsible under the terms of this development order, whether within or without the boundaries of the district, and including the payment of mitigation amounts provided for in this development order, as a co-obligor hereunder. This provision shall not be construed to require the approval of any petition to form such a district, and in no event shall the Developer be released from its obligations under this Development Order.
- R. Transmittal and Effective Date. The County will forward certified copies of this Development Order to the SWFRPC, the Developer, and appropriate state agencies. This Development Order is rendered as of the date of that transmittal. In accordance with the requirements of Section 380.06(15)(f), Florida Statutes, once this development order is effective, the Developer must record notice of its

adoption in the office of the Clerk of the Circuit Court of Lee County. The FDEO and the SWFRPC offered no objections within 45 days after the application was submitted, and therefore have no ability to appeal the amended DRI DO.

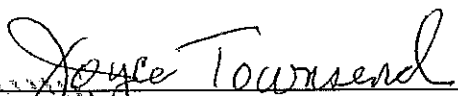
Commissioner Hamman made a motion to adopt the Eighth Development Order Amendment, seconded by Commissioner Manning. The vote was as follows:

| | |
|---------------------|--------|
| John E. Manning | Aye |
| Cecil L Pendergrass | Absent |
| Larry Kiker | Aye |
| Brian Hamman | Aye |
| Frank Mann | Aye |

DULY PASSED AND ADOPTED this 18th day of June, 2014.

ATTEST:
Linda Doggett, Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

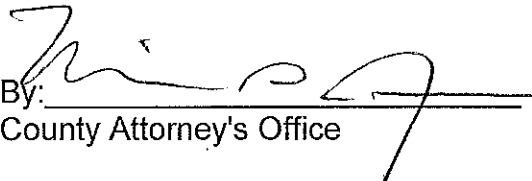


Deputy Clerk

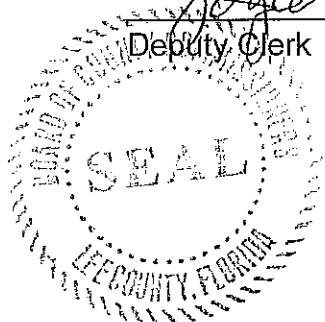
By: 

Larry Kiker, Chair

Approved as to Form for the Reliance
of Lee County Only

By: 

County Attorney's Office



Exhibits:

- A. Legal Description (1,793.646 +/- acres)
- B. Development Parameters and Phasing Schedule
- C. Map H dated ~~September 19, 2011~~ February 14, 2014
- D. Pedestrian and Bicycle Facilities and Bus Stop Locations
- E. Biennial Monitoring Report Requirements
- F. Invasive exotic vegetation listed by Florida Pest Plant Council



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HM PROJECT #2000106X

7/25/2011

REF. DWG. #A-1583-1

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LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 10, 11, 14, 15 AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.89°44'39"W., ALONG THE SOUTH LINE OF SAID SECTION 23, FOR A DISTANCE OF 651.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (A.K.A. TREELINE DRIVE), A 150.00 FOOT WIDE RIGHT-OF-WAY, RECORDED IN O.R. BOOK 2745, PAGES 1550 THROUGH 1554 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°44'39"W. ALONG THE SOUTH LINE OF SAID SECTION 23, FOR A DISTANCE OF 2,921.79 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75; THENCE RUN N.18°17'51"W. ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75, FOR A DISTANCE OF 955.62 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 17,026.80 FEET, THROUGH A CENTRAL ANGLE OF 04°04'42", SUBTENDED BY A CHORD OF 1,211.72 FEET AT A BEARING OF N.16°15'30"W., FOR A DISTANCE OF 1,211.97 FEET TO THE END OF SAID CURVE; THENCE RUN N.14°13'09"W. ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75, FOR A DISTANCE OF 9,126.68 FEET; THENCE RUN N.76°08'54"E., FOR A DISTANCE OF 527.61 FEET; THENCE RUN N.79°14'37"E., FOR A DISTANCE OF 501.77 FEET; THENCE RUN N.84°36'26"E., FOR A DISTANCE OF 384.54 FEET; THENCE RUN S.85°27'53"E., FOR A DISTANCE OF 381.51 FEET; THENCE RUN S.74°31'06"E., FOR A DISTANCE OF 209.92 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY AND A POINT ON A CIRCULAR CURVE, CONCAVE EASTERLY, WHOSE RADIUS POINT BEARS S.69°47'11"E., A DISTANCE OF 3,075.00 FEET THEREFROM; THENCE RUN SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 3,075.00 FEET, THROUGH A CENTRAL ANGLE OF 23°44'14", SUBTENDED BY A CHORD OF 1,264.85 FEET AT A BEARING OF S.08°20'42"W., FOR A DISTANCE OF 1,273.94 FEET TO THE END OF SAID CURVE; THENCE RUN S.03°31'24"E. ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY, FOR A DISTANCE OF 3,887.79 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2,000.00 FEET, THROUGH A CENTRAL ANGLE OF 20°33'03", SUBTENDED BY A CHORD OF 713.52 FEET AT A BEARING OF S.13°47'56"E., FOR A DISTANCE OF 717.36 FEET TO THE END OF SAID CURVE; THENCE RUN S.24°04'27"E. ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY, FOR A DISTANCE OF 1,593.09 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2,875.00 FEET, THROUGH A CENTRAL ANGLE OF 31°16'49", SUBTENDED BY A CHORD OF 1,550.16 FEET AT A BEARING OF S.39°42'52"E., FOR A DISTANCE OF 1,569.58 FEET TO THE END OF SAID CURVE; THENCE RUN S.55°21'16"E. ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY, FOR A DISTANCE OF

EXHIBIT A

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HM PROJECT #2000106X
7/25/2011
REF. DWG. #A-1583-1
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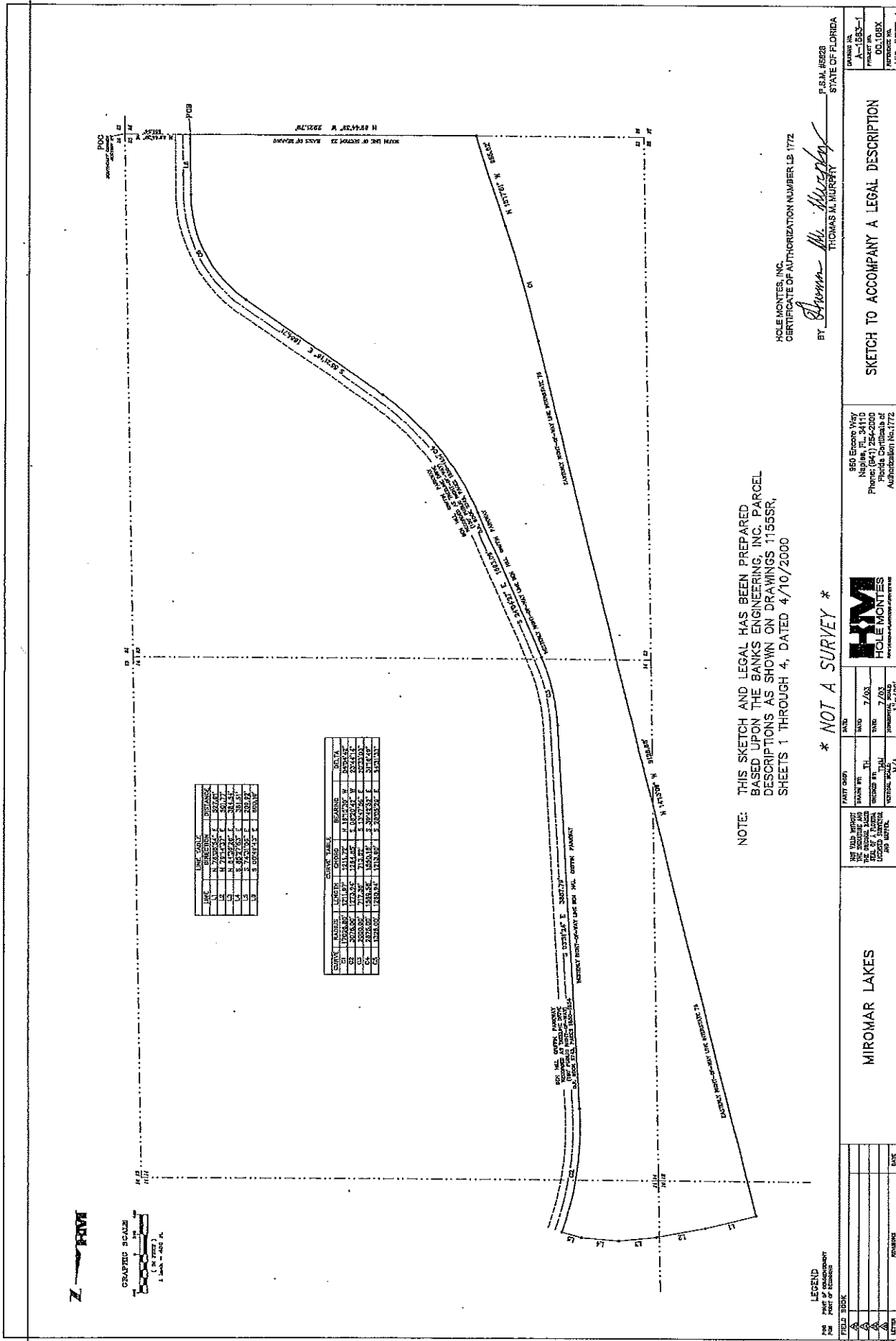
1,684.71 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1,325.00 FEET, THROUGH A CENTRAL ANGLE OF $54^{\circ}31'33''$, SUBTENDED BY A CHORD OF 1,213.90 FEET AT A BEARING OF $S.28^{\circ}05'29''E.$, FOR A DISTANCE OF 1,260.94 FEET TO THE END OF SAID CURVE; THENCE RUN $S.00^{\circ}49'43''E.$ ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BEN HILL GRIFFIN PARKWAY, FOR A DISTANCE OF 600.19 FEET TO THE POINT OF BEGINNING; CONTAINING 396.652 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE SOUTH LINE OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, OF LEE COUNTY, FLORIDA AS BEING $N.89^{\circ}44'39''W.$

THIS SKETCH AND LEGAL HAS BEEN PREPARED BASED UPON THE BANKS ENGINEERING, INC. PARCEL DESCRIPTIONS AS SHOWN ON DRAWINGS 1155SR, SHEETS 1 THROUGH 4, DATED 4/10/2000

HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 1772

BY Thomas M. Murphy P.S.M. #5628
THOMAS M. MURPHY STATE OF FLORIDA





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6/26/2014
REF. DWG. #A-1582-2
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LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 11, 12, 13, 14, 23, AND 24, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AND SECTION 18, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.00°48'26"W. ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 24, FOR A DISTANCE OF 37.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT 37.50 FEET AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 24; THENCE RUN S.89°28'32"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION 24, FOR A DISTANCE OF 4812.99 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2800.92 FEET, THROUGH A CENTRAL ANGLE OF 07°47'42", SUBTENDED BY A CHORD OF 380.77 FEET AT A BEARING OF N.86°37'37"W., FOR A DISTANCE OF 381.06 FEET TO THE END OF SAID CURVE; THENCE RUN N.82°43'46"W., FOR A DISTANCE OF 275.20 FEET, TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2950.00 FEET, THROUGH A CENTRAL ANGLE OF 05°34'48", SUBTENDED BY A CHORD OF 287.19 FEET AT A BEARING OF N.85°31'11"W., FOR A DISTANCE OF 287.30 FEET TO THE END OF SAID CURVE, THE SAME BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (A.K.A. TREELINE DRIVE), A 150 FOOT WIDE RIGHT-OF-WAY, RECORDED IN O.R. BOOK 2745, PAGES 1550 THROUGH 1554 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.00°49'43"W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 484.10 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,475.00 FEET, THROUGH A CENTRAL ANGLE OF 54°31'33", SUBTENDED BY A CHORD OF 1,351.32 FEET AT A BEARING OF N.28°05'29"W., FOR A DISTANCE OF 1,403.69 FEET TO THE END OF SAID CURVE; THENCE RUN N.55°21'16"W. ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 423.96 FEET; THENCE RUN N.38°37'17"E., FOR A DISTANCE OF 180.44 FEET; THENCE RUN N.40°45'20"W., FOR A DISTANCE OF 1,287.06 FEET; THENCE RUN N.51°22'43"W., FOR A DISTANCE OF 275.00 FEET; THENCE RUN N.20°50'23"W., FOR A DISTANCE OF 170.61 FEET; THENCE RUN N.03°26'59"W., FOR A DISTANCE OF 196.02 FEET; THENCE RUN N.49°19'44"E., FOR A DISTANCE OF 344.71 FEET; THENCE RUN S.54°09'13"E., FOR A DISTANCE OF 1,057.59 FEET; THENCE RUN S.05°08'14"W., FOR A DISTANCE OF 497.67 FEET; THENCE RUN S.87°48'55"E., FOR A DISTANCE OF 1,464.61 FEET; THENCE RUN N.88°17'13"E., FOR A DISTANCE OF 233.73 FEET; THENCE RUN S.31°47'37"E., FOR A DISTANCE OF 631.21 FEET; THENCE RUN N.62°11'53"E., FOR A DISTANCE OF 2,704.05 FEET; THENCE RUN N.21°20'50"E., FOR A DISTANCE OF 1,025.79 FEET; THENCE RUN N.02°13'31"W., FOR A DISTANCE OF 339.05 FEET; THENCE RUN N.73°40'08"E., FOR A DISTANCE OF 497.73 FEET; THENCE RUN N.84°27'10"E., FOR A DISTANCE OF 648.96 FEET; THENCE RUN N.20°19'20"W., FOR A DISTANCE OF 155.37 FEET; THENCE RUN N.04°47'10"W., FOR A DISTANCE OF 137.24 FEET; THENCE RUN N.10°20'25"E., FOR A DISTANCE OF 89.58 FEET; THENCE RUN N.88°40'48"W., FOR A DISTANCE OF 108.51 FEET; THENCE RUN N.35°22'24"E., FOR A DISTANCE OF 61.49 FEET; THENCE RUN N.24°10'35"E., FOR A DISTANCE OF 16.58 FEET; THENCE RUN N.16°58'33"E., FOR A DISTANCE OF 22.30 FEET; THENCE RUN N.01°25'10"W., FOR A DISTANCE OF 17.20 FEET; THENCE RUN N.02°00'52"E., FOR A DISTANCE OF 22.73 FEET; THENCE RUN N.10°34'22"E., FOR A DISTANCE OF 27.69 FEET; THENCE RUN N.08°31'29"E., FOR A DISTANCE OF 27.56 FEET; THENCE RUN N.04°17'29"W., FOR A DISTANCE OF 27.54 FEET; THENCE RUN N.03°50'00"E., FOR A DISTANCE OF 32.88 FEET; THENCE RUN



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Page 2 of 3

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N.05°16'54"E., FOR A DISTANCE OF 34.74 FEET; THENCE RUN N.14°36'53"W., FOR A DISTANCE OF 12.71 FEET; THENCE RUN N.49°59'45"W., FOR A DISTANCE OF 15.95 FEET; THENCE RUN N.67°08'11"W., FOR A DISTANCE OF 67.75 FEET; THENCE RUN N.67°33'34"E., FOR A DISTANCE OF 68.16 FEET; THENCE RUN N.57°34'58"E., FOR A DISTANCE OF 15.64 FEET; THENCE RUN N.53°45'20"E., FOR A DISTANCE OF 13.61 FEET; THENCE RUN N.58°32'02"E., FOR A DISTANCE OF 11.22 FEET; THENCE RUN N.54°40'50"E., FOR A DISTANCE OF 13.85 FEET; THENCE RUN N.49°36'55"E., FOR A DISTANCE OF 19.09 FEET; THENCE RUN N.37°17'03"E., FOR A DISTANCE OF 14.40 FEET; THENCE RUN N.25°04'13"E., FOR A DISTANCE OF 22.74 FEET; THENCE RUN N.30°25'33"E., FOR A DISTANCE OF 40.77 FEET; THENCE RUN S.70°47'07"E., FOR A DISTANCE OF 50.50 FEET; THENCE RUN N.19°32'42"E., FOR A DISTANCE OF 63.26 FEET; THENCE RUN N.62°41'55"E., FOR A DISTANCE OF 33.33 FEET; THENCE RUN N.60°03'38"E., FOR A DISTANCE OF 27.79 FEET; THENCE RUN N.68°56'32"E., FOR A DISTANCE OF 33.67 FEET; THENCE RUN N.69°27'09"E., FOR A DISTANCE OF 39.32 FEET; THENCE RUN N.76°09'54"E., FOR A DISTANCE OF 38.69 FEET; THENCE RUN N.84°37'56"E., FOR A DISTANCE OF 35.30 FEET; THENCE RUN N.71°01'39"E., FOR A DISTANCE OF 36.05 FEET; THENCE RUN N.56°16'09"E., FOR A DISTANCE OF 22.32 FEET; THENCE RUN N.54°45'23"E., FOR A DISTANCE OF 72.52 FEET; THENCE RUN N.43°40'48"E., FOR A DISTANCE OF 14.33 FEET; THENCE RUN N.36°37'28"E., FOR A DISTANCE OF 31.97 FEET; THENCE RUN N.16°15'53"E., FOR A DISTANCE OF 27.07 FEET; THENCE RUN N.00°14'32"W., FOR A DISTANCE OF 18.58 FEET; THENCE RUN N.01°01'18"W., FOR A DISTANCE OF 22.80 FEET; THENCE RUN N.11°30'29"E., FOR A DISTANCE OF 41.66 FEET; THENCE RUN N.25°25'32"E., FOR A DISTANCE OF 18.52 FEET; THENCE RUN N.29°13'14"E., FOR A DISTANCE OF 12.77 FEET; THENCE RUN N.09°42'26"E., FOR A DISTANCE OF 13.86 FEET; THENCE RUN N.10°10'17"W., FOR A DISTANCE OF 8.24 FEET; THENCE RUN N.25°29'33"W., FOR A DISTANCE OF 11.70 FEET; THENCE RUN N.71°45'42"W., FOR A DISTANCE OF 21.85 FEET; THENCE RUN N.59°03'27"W., FOR A DISTANCE OF 13.21 FEET; THENCE RUN N.37°04'03"W., FOR A DISTANCE OF 27.24 FEET; THENCE RUN N.00°38'43"W., FOR A DISTANCE OF 28.85 FEET; THENCE RUN N.10°12'59"E., FOR A DISTANCE OF 35.02 FEET; THENCE RUN N.01°52'01"E., FOR A DISTANCE OF 31.20 FEET; THENCE RUN N.05°34'22"E., FOR A DISTANCE OF 13.39 FEET; THENCE RUN N.01°01'36"W., FOR A DISTANCE OF 30.61 FEET; THENCE RUN N.15°40'00"W., FOR A DISTANCE OF 27.26 FEET; THENCE RUN N.22°54'25"W., FOR A DISTANCE OF 20.46 FEET; THENCE RUN N.20°19'15"W., FOR A DISTANCE OF 21.36 FEET; THENCE RUN N.17°17'45"W., FOR A DISTANCE OF 18.27 FEET; THENCE RUN N.25°34'23"W., FOR A DISTANCE OF 16.79 FEET; THENCE RUN N.15°41'23"W., FOR A DISTANCE OF 49.27 FEET; THENCE RUN N.00°29'10"W., FOR A DISTANCE OF 19.63 FEET; THENCE RUN S.65°22'51"W., FOR A DISTANCE OF 893.03 FEET; THENCE RUN S.62°02'33"W., FOR A DISTANCE OF 548.61 FEET; THENCE RUN N.84°00'27"W., FOR A DISTANCE OF 113.75 FEET; THENCE RUN S.73°01'40"W., FOR A DISTANCE OF 332.94 FEET; THENCE RUN S.88°47'09"W., FOR A DISTANCE OF 386.35 FEET; THENCE RUN N.01°12'51"W., FOR A DISTANCE OF 733.65 FEET; THENCE RUN N.75°24'23"E., FOR A DISTANCE OF 644.66 FEET; THENCE RUN N.02°55'16"W., FOR A DISTANCE OF 211.27 FEET; THENCE RUN N.19°49'36"E., FOR A DISTANCE OF 1,336.10 FEET; THENCE RUN S.88°44'00"W., FOR A DISTANCE OF 3,706.01 FEET; THENCE RUN N.00°58'18"W., FOR A DISTANCE OF 320.16 FEET; THENCE RUN S.89°01'42"W., FOR A DISTANCE OF 450.42 FEET; THENCE RUN S.03°10'23"E., FOR A DISTANCE OF 430.66 FEET; THENCE RUN S.88°17'12"W., FOR A DISTANCE OF 1,027.71 FEET; THENCE RUN S.01°42'48"E., FOR A DISTANCE OF 306.15 FEET; THENCE RUN S.47°45'12"W., FOR A DISTANCE OF 1,504.06 FEET; THENCE RUN S.88°27'56"W., FOR A DISTANCE OF 1,780.04 FEET TO A POINT ON THE SAID EASTERLY RIGHT-OF-WAY LINE; THENCE RUN N.03°31'24"W. ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 3,304.77 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2,925.00 FEET, THROUGH A CENTRAL ANGLE OF 23°44'13", SUBTENDED BY A CHORD OF 1,203.14 FEET AT A BEARING OF N.08°20'42"E., FOR A DISTANCE OF 1,211.79 FEET TO THE END OF SAID CURVE; THENCE RUN



HM PROJECT #2000106X
6/26/2014
REF. DWG. #A-1582-2
Page 3 of 3

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N.20°12'49"E. ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 473.55 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN NORTHERLY ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 10,075.00 FEET, THROUGH A CENTRAL ANGLE OF 19°11'28", SUBTENDED BY A CHORD OF 3,358.85 FEET AT A BEARING OF N.10°37'06"E., FOR A DISTANCE OF 3,374.60 FEET TO THE END OF SAID CURVE; THENCE RUN N.01°01'21"E. ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 909.75 FEET; THENCE RUN S.89°42'24"E., FOR A DISTANCE OF 1,049.81 FEET; THENCE RUN S.01°00'21"E., FOR A DISTANCE OF 847.76 FEET; THENCE RUN S.04°19'45"W., FOR A DISTANCE OF 1,091.78 FEET; THENCE RUN S.00°39'26"E., FOR A DISTANCE OF 1,432.24 FEET; THENCE RUN S.00°16'17"E., FOR A DISTANCE OF 606.52 FEET; THENCE RUN N.88°47'46"E., FOR A DISTANCE OF 376.79 FEET; THENCE RUN S.40°48'12"E., FOR A DISTANCE OF 322.81 FEET; THENCE RUN S.19°01'17"E., FOR A DISTANCE OF 249.77 FEET; THENCE RUN S.88°53'28"E., FOR A DISTANCE OF 216.94 FEET; THENCE RUN S.24°26'51"E., FOR A DISTANCE OF 150.17 FEET; THENCE RUN S.77°09'26"E., FOR A DISTANCE OF 573.01 FEET; THENCE RUN S.88°10'13"E., FOR A DISTANCE OF 1,363.08 FEET; THENCE RUN S.19°42'28"E., FOR A DISTANCE OF 157.73 FEET; THENCE RUN S.87°09'14"E., FOR A DISTANCE OF 469.81 FEET; THENCE RUN N.88°02'24"E., FOR A DISTANCE OF 612.22 FEET; THENCE RUN S.21°30'12"E., FOR A DISTANCE OF 81.17 FEET; THENCE RUN N.88°10'32"E., FOR A DISTANCE OF 846.89 FEET; THENCE RUN N.88°10'32"E., FOR A DISTANCE OF 1,137.62 FEET; THENCE RUN S.20°09'57"E., FOR A DISTANCE OF 344.08 FEET; THENCE RUN S.89°48'06"E., FOR A DISTANCE OF 80.00 FEET; THENCE RUN S.20°09'57"E., FOR A DISTANCE OF 807.57 FEET; THENCE RUN S.15°43'44"E., FOR A DISTANCE OF 978.45 FEET; THENCE RUN S.89°46'43"E., FOR A DISTANCE OF 516.03 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 88°55'56", SUBTENDED BY A CHORD OF 700.49 FEET AT A BEARING OF S.45°18'45"E., FOR A DISTANCE OF 776.08 FEET TO THE END OF SAID CURVE; THENCE RUN S.00°50'47"E., FOR A DISTANCE OF 1,447.68 FEET; THENCE RUN S.09°57'20"W., FOR A DISTANCE OF 533.57 FEET TO A POINT ON THE EAST LINE OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE RUN S.00°50'47"E. ALONG THE EAST LINE OF SAID SECTION 13, FOR A DISTANCE OF 957.10 FEET TO THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE RUN S.00°50'13"E. ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 24, FOR A DISTANCE OF 2,639.78 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 24; THENCE RUN S.00°48'26"E. ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 24, FOR A DISTANCE OF 2,606.47 FEET, TO THE POINT OF BEGINNING; CONTAINING 1,403.216 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING S.00°48'26"E.

THIS SKETCH AND LEGAL HAS BEEN PREPARED BASED UPON THE BANKS ENGINEERING, INC. PARCEL DESCRIPTIONS AS SHOWN ON DRAWINGS 1155SR, SHEETS 1 THROUGH 4, DATED 4/10/2000 AND DRAWINGS 1418SR, SHEETS 1 AND 2, DATED 7/13/2000.

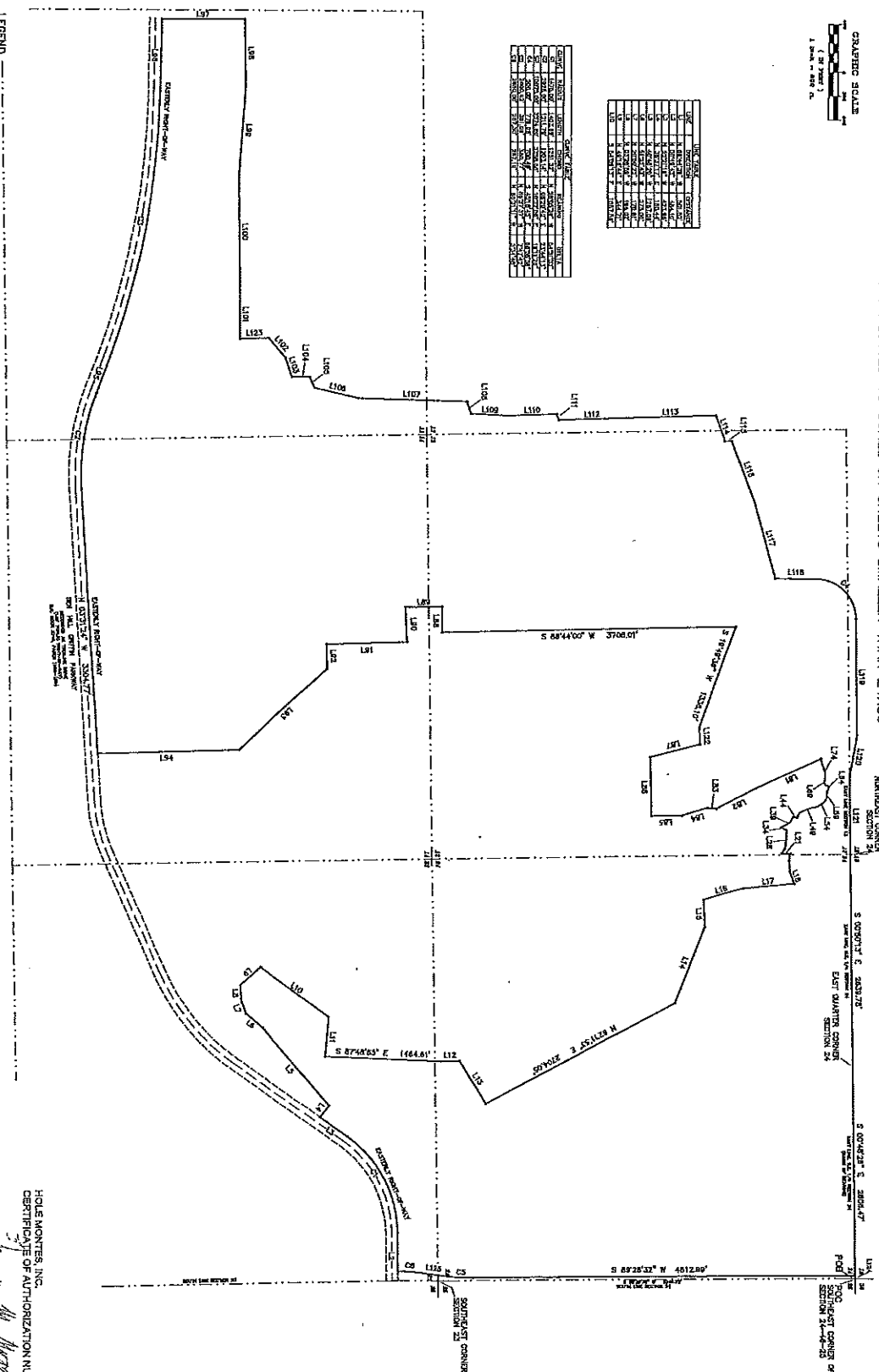
HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 1772

BY Thomas M. Murphy P.S.M. #5628
THOMAS M. MURPHY STATE OF FLORIDA

GRAPHIC SCALE
(30 Years)
A break in 2000 A.D.

| LINE | DESCRIPTION | QTY/AMT |
|------|-------------|---------|
| 1 | M 01E41.20 | 501.00 |
| 2 | M 02N08.42 | 484.00 |
| 3 | M 03V01.18 | 475.00 |
| 4 | M 03E21.17 | 100.00 |
| 5 | M 40E40.20 | 170.00 |
| 6 | M 41E01.45 | 375.00 |
| 7 | M 01E00.28 | 170.00 |
| 8 | M 01E00.68 | 194.00 |
| 9 | M 40V07.47 | 344.00 |
| 10 | M 40V01.17 | 100.00 |

| | DATE | WAVELENGTH | EXPOSURE | RELATIVE | INTENSITY |
|---|----------|------------|----------|----------|-----------|
| 1 | 1-27-00 | 147.48 | 12.51 | 2.00 | 0.41 |
| 2 | 2-21-01 | 152.48 | 12.01 | 1.00 | 0.41 |
| 3 | 10-23-02 | 227.24 | 22.08 | 1.00 | 0.41 |
| 4 | 2-28-03 | 271.07 | 27.01 | 1.00 | 0.41 |
| 5 | 2-28-03 | 271.07 | 27.01 | 1.00 | 0.41 |
| 6 | 2-28-03 | 271.07 | 27.01 | 1.00 | 0.41 |

[illegible]

HOLE MONTE'S, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 1772
BY Thomas M. Murphy
THOMAS M. MURPHY

P.S.M. #5628
STATE OF FLORIDA

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

A-1582-2
PROJECT NO.
00.106X
REFERENCE NO.
MIR-EAST-2

NY 2013-00008

EXHIBIT B
Page 1 of 2

DEVELOPMENT PARAMETERS AND PHASING SCHEDULE – 2024~~2027~~

| LAND USE | ACRES |
|--|-----------------------------|
| Residential | 404 <u>296</u> 3 |
| Commercial/Office/Hotel | 40 <u>2</u> 84 |
| Mixed Use | <u>109</u> |
| Lakes/Miscellaneous Recreation/Buffers | 312 |
| Conservation Areas | 338 |

| LAND USE | PHASE ONE | PHASE TWO | TOTAL |
|---|-----------------|----------------------------|--------------------------|
| RESIDENTIAL | 1,414 | 1,186 | 2,600 |
| Single Family | 314 | 386 | 700 |
| Multiple Family | 1,100 | 800 | 1,900 |
| RETAIL COMMERCIAL (gfa) | 160,000 | 90,000 | 250,000 |
| HOTEL ROOMS | 350 | 100 | 450 |
| OFFICE (gfa)* | 100,000 | 240,000 | 340,000 |
| RESEARCH & DEVELOPMENT (gfa) | - | 40,000 | 40,000 |
| CLUBHOUSE | 20,000 | 20,000 | 40,000 |
| GOLF COURSE | 18 Holes | 18 Holes | 36<u>18</u> Holes |
| BEACH PARK | 10 Acres | - | 10 Acres |

*The 340,000 square feet of office use may be converted to Research and Development use on a one square foot to 1.1 square foot ratio.

EXHIBIT B
Page 2 of 2

| | ANCILLARY BOATING FACILITIES | | | | | |
|------------------------|--------------------------------|-----------|-----------|-----------|-----------|---|
| | PHASE ONE | | | PHASE TWO | | |
| | Slips | Day Slips | Boat Ramp | Slips | Day Slips | |
| Multiple-Family Parcel | 25 | | | 25 | | |
| Beach Club | 10 | 40 | √ | | | |
| Town Center | 25 | 25 | √ | 25 | 25 | |
| Single Family Homes | Individual Docks as Applicable | | | | | |
| Boat Club | | | | 10 | 40 | √ |

1. A maximum of 250 ancillary wet boat slips may be located in the "R", "R2", "C2", the Beach Club and the Boat Club tracts in addition to a dock for each single-family lakefront lot as of 11/29/1999.
2. Single-family docks may be converted to multiple-family slips on a 1:1 basis.
3. Up to 250 wet slips may be converted to dry storage associated with the Boat Club on a 1:1 basis.



1

DRI
EXHIBIT E
BIENNIAL MONITORING REPORT REQUIREMENTS

The Biennial Monitoring Report that must be submitted by the Developer in accordance with Subsections 380.06(15) and 380.06(18), Florida Statutes, and 9J-2.025(7), Florida Administrative Code, must include the following:

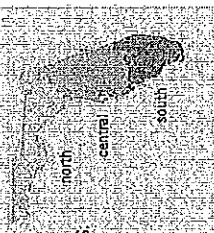
- A. Any changes in the plan of development or in the representations contained in the application for development approval, or in the phasing for the reporting year and for the next year;
- B. A summary comparison of development activity proposed and actually conducted for the year;
- C. Identification of undeveloped tracts of land, other than individual single family lots, that have been sold to separate entities or developers.
- D. Identification and intended use of lands purchased, leased, or optioned by the developer adjacent to the original DRI site since the development order was issued;
- E. A specific assessment of the developer's and the local government's compliance with each individual condition of approval contained in the DRI Development Order and the commitments which are contained in the application for development approval and which have been identified by the local government, the RPC, or the DCA as being significant;
- F. Any requests for substantial deviation determination that were filed in the reporting year and to be filed during the following year;
- G. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;
- H. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;
- I. A statement that all persons have been sent copies of the biennial report in conformance with Subsections 380.06(15) and (18), Florida Statutes;
- J. A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Paragraph 380.06(15)(f), Florida Statutes.

NOTE: The Florida Administrative Code specifically requires that the development order specify the requirements for the biennial report. The Administrative Code requires that the biennial report will be submitted to DCA, the RPC, and the local government on Form RPM-BSP-Annual Report-1.

EXHIBIT F

FLEPPC List Definitions: Exotic – a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida. Native – a species whose natural range includes Florida. Naturalized exotic – an exotic that sustains itself outside cultivation (it is still exotic; it has not "become" native). Invasive exotic – an exotic that not only has naturalized, but is expanding on its own in Florida native plant communities.

Abbreviations: Government List (Gov. List): P = Prohibited Aquatic Plant by the Florida Department of Agriculture and Consumer Services; N = Noxious Weed listed by Florida Department of Agriculture & Consumer Services; U = Noxious Weed listed by U.S. Department of Agriculture Regional Distribution (Reg. Dist.): N = north; C = central; S = south, referring to each species' current distribution in general regions of Florida (not its potential range in the state). Please refer to the adjacent map.



Citation example:

FLEPPC. 2011. List of Invasive Plant Species. Florida Exotic Pest Plant Council. Internet: <http://www.fleppc.org/list11> list, *Hum or Wildland Words* Vol. 14 (3-4):11-14, Summer/Fall 2011.

The 2011 list was prepared by the FLEPPC Plant List Committee:

Keith A. Bradley – Chair (2006-present), The Institute for Regional Conservation, 22691 SW 152nd Ave., Miami, FL 33170, (305) 247-6547, bradley@regionalconservation.org
 Janice A. Durquesno, Florida Park Service, Florida Department of Environmental Protection, P.O. Box 1052, Islamorada, FL 33056, (905) 664-9455, Janice.Durquesno@dep.state.fl.us
 David W. Hall, Private Consulting Botanist, 3656 NW 13th Place, Gainesville, FL 32605, (352) 375-1370
 Roger L. Hammer, Retired Naturalist and Author, 17360 Avenida Drive, Homestead, FL 33030, askask44@comcast.net (954) 357-8137, phowell@brownrd.org
 Patricia L. Howell, Broward County Parks, Environmental Section, 950 NW 38th St., Oakland Park, FL 33309, (954) 357-8137, phowell@brownrd.org
 Collette C. Jacono, USDA/APHIS/PPQ, 1911 SW 34th Street, Gainesville, FL 32608, (352) 258-4458, Collette.C.Jacono@aphis.usda.gov
 Kenneth A. Langeland, University of Florida-IFAS, Center for Aquatic and Invasive Plants, 7922 NW 71st St., Gainesville, FL 32653, (352) 392-9614, ken18@ufl.edu
 Chris Lockhart, Habitat Specialists, Inc., c/o P.O. Box 243116, Boynton Beach, FL 33424-3116, (561) 738-1179, chris@lockhart.org
 Gil Nelson, Gil Nelson Associates, 137 Lemnards Dr., Thomasville, GA 31792, gil@glebigh.com
 Robert W. Pemberton, Research Associate, Florida Museum of Natural History and Parrish Tropical Botanic Garden, 2121 SW 28th Terrace, Fort Lauderdale, FL 33312, pemberton5@gmail.com
 Jim L. Saddle, Everglades National Park, 40001 State Road 9336, Homestead, FL 33034, (305) 242-7806, JimL.Saddle@nps.gov
 Robert W. Simons, 1122 SW 11th Ave., Gainesville, FL 32601-7816
 Daniel B. Ward, Department of Botany, University of Florida, 220 Berrum Hall, Gainesville, FL 32611
 Richard B. Wunderlin, Institute for Systematic Botany, Dept. of Biological Sciences, University of South Florida, Tampa, FL 33620, (813) 974-2359, rwunderl@usf.edu

For more information on invasive exotic plants, including links to related web pages, visit the Florida EPPC web site: <http://www.fleppc.org>

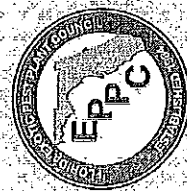
Florida Exotic Pest Plant Council's 2011 List of Invasive Plant Species

The mission of the Florida Exotic Pest Plant Council is to support the management of invasive exotic plants in Florida's natural areas by providing a forum for the exchange of scientific, educational and technical information.

Purpose of the List:

To focus attention on:

- ▶ the adverse effects exotic pest plants have on Florida's biodiversity and native plant communities;
- ▶ the habitat losses in natural areas from exotic pest plant infestations;
- ▶ the impacts on endangered species via habitat loss and alteration;
- ▶ the need for pest-plant management;
- ▶ the socio-economic impacts of these plants (e.g., increased wildfires or flooding in certain areas);
- ▶ changes in the severity of different pest plant infestations over time;
- ▶ providing information to help managers set priorities for research and control programs.



www.fleppc.org

Application for Membership in the Florida Exotic Pest Plant Council

Annual Membership Levels

(circle one)

| Individual | Institutional |
|--------------|------------------------------|
| Student \$10 | Library \$100 |
| General \$30 | General \$100 |
| Donor \$75 + | Contributor \$501 – \$10,000 |
| | Patron \$10,001 + |

FLEPPC is a 501(c)(3) nonprofit organization.

NAME

ORGANIZATION

MAILING ADDRESS

CITY, STATE, ZIP

TELEPHONE

FAX

E-MAIL

Mail application & dues, payable to FLEPPC, to:

Florida EPPC, Treasurer

P.O. Box 23426

Fort Lauderdale, FL 33307

(Or join online at www.fleppc.org)

LINDA DOGGETT : CLERK OF COURT

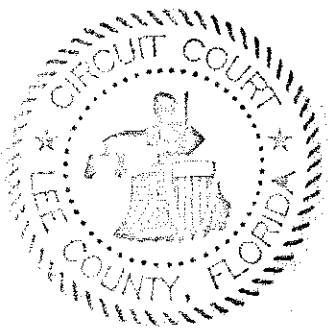
STATE OF FLORIDA

COUNTY OF LEE

I Linda Doggett, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby certify that the above and foregoing is a true and correct copy of the Eighth Development Order Amendment for Miromar Lakes (Codified) State DRI #11-9798-142, adopted by the Board of Lee County Commissioners at their meeting held on the 18th day of June, 2014.

Given under my hand and seal, at Fort Myers, Florida, this 18th day of July, 2014.

LINDA DOGGETT,
Clerk of Circuit Court
Lee County, Florida



By: Joyce Townsend
Deputy Clerk

Agenda Item

11

11

Regional Issues

11

11

--- Agenda --- Item

11a

11a

Comprehensive Economic
Development Strategy (CEDS)
Annual Update

11a



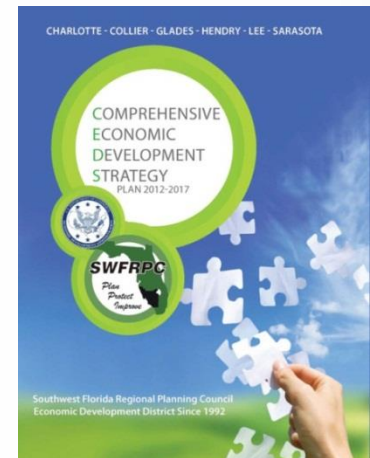
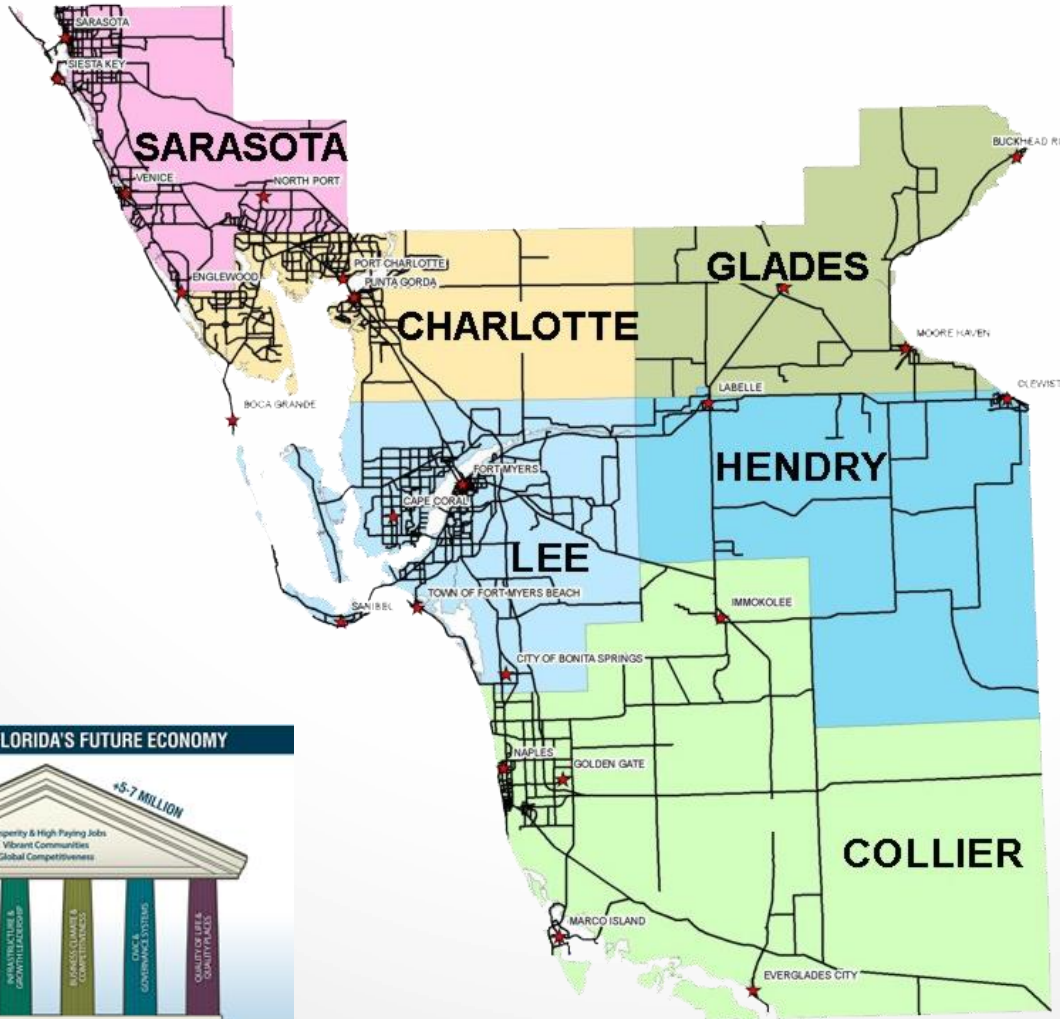
2014 ANNUAL REPORT UPDATE

Comprehensive Economic Development Strategy

September 18, 2014



Build Upon Existing Efforts



SIX PILLARS OF FLORIDA'S FUTURE ECONOMY



www.FLFoundation.org

FLORIDA
CHAMBER
Foundation



Process



Program Areas

Regional
Education &
Training Focus

Regional
Entrepreneurial
Support

Industry Cluster
Development

Regional
Infrastructure

Global
Competitiveness

Regional
Guidance &
Collaboration

Regional
Innovation

Current Projects

17

Vital

26 + 3

Important

12

Future

Collaboration

Growing **Together** To Expand
Opportunity to All



WORKING COMMITTEE

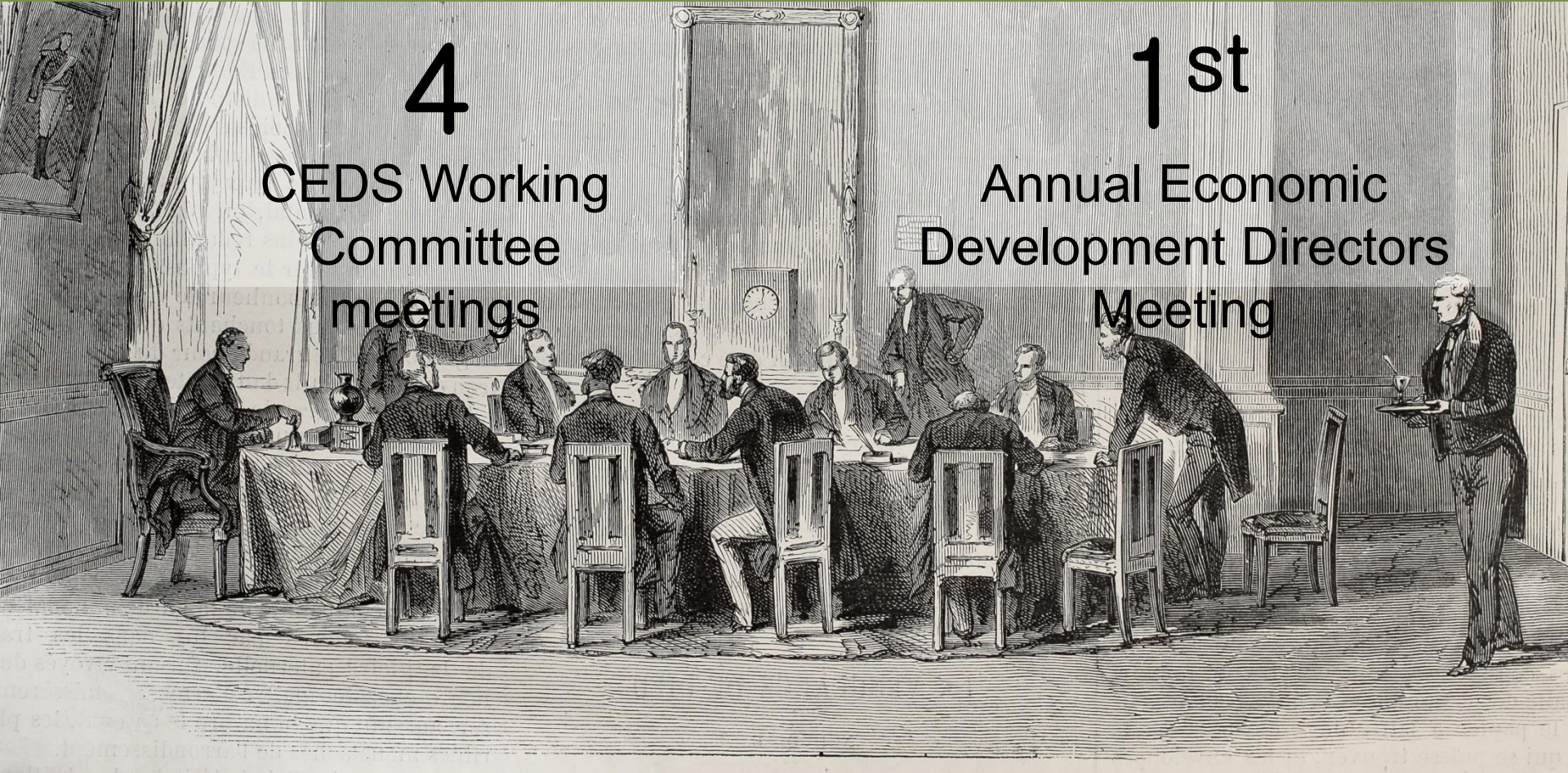
192 of 225

4

CEDS Working
Committee
meetings

1st

Annual Economic
Development Directors
Meeting



Private Individuals Publi C Communit Y Leaders Workforce Development Boards Higher Education Minorit y

Annual Update Report

NO
CHANGES

Project Summary

194 of 225

17
Vital

Pre-Machining Training
Ad-Hoc Committee: Legal & Regulatory Reform

Murdock Village

Riverfront Redevelopment Project

Regional Place Making Plan

2
Completed

8

In Progress

3

Pre-Planning

3

On Hold

1

Inactive

Expansion of the Immokalee/Naples
Business Development Center to
Include Incubators/Accelerators
Americas Gateway Logistics Center
Training Center for Logistics Center
AirGlades Airport
Research and Enterprise Diamond
Regional Economic Development
Agency
SW FL International Airport
Improvements

Project

195 of 225

Summary

26 + 3

Important

Regional Broadband

Plan
1

Completed

5

In Progress

Regional Industry Cluster
Study

Water Expansion Pilot
Program – City of North
Port

2

Pre-Planning

0

On Hold

GrowFL - Economic Gardening

Identify solutions to “food deserts”

VA Clinic & Development of Veteran’s

Investment Zone

Widening of Sumter Boulevard as a
Hurricane Evacuation Route – City of North
Port

Road Bond Project – City of North Port

Project Summary

12

Future

0

Completed

0

In Progress

3

Pre-Planning

0

On Hold

Prevent Childhood Obesity by Building Healthy Habits

Farmland preservation and sustainable agricultural practices

Agriculture Impact and Strategy Study

Regional Highlights 2014



Charlotte County

Nathan Benderson Park



Hendry County

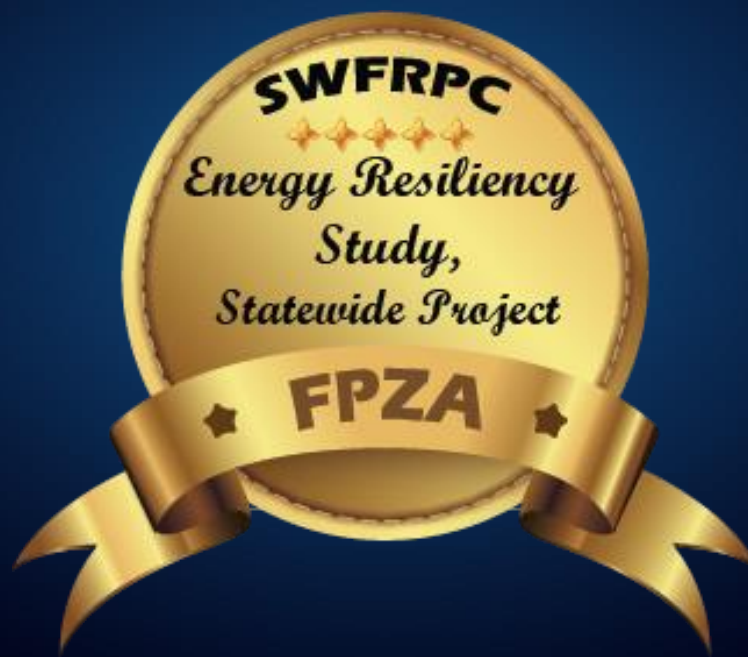


Expansion

I-75 On The Go
Southwest Florida

I-75
Expansion

2014 Awards



CEDS ANNUAL REPORT

199 of 225



**Annual Update Report
Approved By CEDS
Working Committee on
August 29th.**



Review and Authorize

submittal to the Economic Development
Administration

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) ANNUAL UPDATE REPORT

As an Economic Development District designated in 1992 by the U.S. Department of Commerce, from the Economic Development Administration (EDA), the Southwest Florida Regional Planning Council is required to submit a Comprehensive Economic Development Strategy (CEDS) for the District. The CEDS serves as a guide or blueprint for economic development activities to be undertaken in a particular area. EDA requires a CEDS from any area that is requesting EDA funding for a project. As a result, the submission of the District CEDS by SWFRPC removes the burden of creating a CEDS by each city or county that elects to apply for EDA funding.

The CEDS includes background information on the District, as well as an action plan describing the focus of future economic development activities. The background information for the CEDS includes an analysis of the region. The CEDS blueprint was developed by the Regional Planning Council's CEDS Working Committee and Regional Oversight Committee. The attached document is the CEDS 2014 Annual Report and was approved by the CEDS Working Committee on August 29, 2014.

RECOMMENDED ACTION: Review the attached document and authorize staff to submit the report to the Economic Development Administration.

CEDS 2014 Annual Report

Southwest Florida Comprehensive Economic Development Strategy

2012-2017



Southwest Florida Regional Planning Council



Southwest Florida Comprehensive Economic Development Strategy

2012-2017

September 2014 – Annual Report

Grant Period: January 1, 2014 through December 31, 2016

This document was prepared under a financial assistance award (04-83-06902) from the U.S. Economic Development Administration

United States Department of Commerce
Economic Development Administration
Atlanta Regional Office Suite 1820
401 W. Peachtree, St, NW Atlanta, GA 30308-3510

Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901
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Award Winning Economic Development Related Projects

June 2014, Florida Planning and Zoning Association (FPZA) presented an award for Sustainability for the **Energy Resiliency Study, Statewide Project**. Florida's eleven Regional Planning Councils in association with the U.S. Economic Development Administration, U.S. Department of Energy, and the Florida Office of Energy identified strategies to diversify Florida's energy future and reduce reliance on foreign energy sources. Increased domestic energy usage means domestic jobs.

For more information visit: <http://www.florida-energy.org/>

Highlights within our Region

Southwest Florida International Airport

Southwest Florida International Airport served more than 7.6 million passengers in 2013 and is one of the top 50 U.S. airports for passenger traffic. Today, 17 airline partners serve RSW with nonstop service throughout North America and international service to Canada and Germany. With flights to major gateways like Atlanta, Chicago, New York and more, travelers have access to convenient connections worldwide.

I-75 Road Expansion Project

Interstate 75 (I-75) is one of the nation's most significant interstate corridors, connecting south Florida through the United States to Canada. In southwest Florida, iROX made history as the first design/build/finance project in the state and six-laned I-75 from the Golden Gate interchange to the Colonial Boulevard interchange.

For more information visit: <http://www.i75onthego.com/>

Nathan Benderson Park

Nathan Benderson Park is located in Sarasota, Florida. It is slated to become North America's premier 2,000-meter sprint course and regatta center by 2014. Over \$40 million is committed to the facility's future development, including 2,200 meter racing lanes and straight shorelines by 2013, coaching lanes, wave attenuation, a multi-function boathouse and athlete training center, starting huts and finish towers, grand stands and a state of the art boat maintenance and testing facility. Most of these facilities will be constructed on a first of its kind "regatta island" – an Olympic Village type setting which will provide competitors the support and focus which rowing demands, and spectators a viewing and entertainment platform unparalleled at sprint courses elsewhere in the world.

The Park will also be home to numerous other paddle sport competitions, from dragon boats to canoe and kayak races, as well as triathlon and cross country events. And to top it all off, the Park is located immediately adjacent to University Town Center – Southwest Florida's premier shopping, dining and entertainment destination opening in October 2014!

Governor Scott announces Cheney Brothers' ground breaking in Charlotte County

March 5, 2014 - Cheney Brothers Inc. (CBI), food Distribution Company serving both the southeast and international markets, broke ground on their 350,000 square foot food distribution center in Charlotte County on March 5, 2014. Governor Rick Scott and Bryon Russell, CBI President, along with local government officials and business leaders celebrated the company's first gulf coast distribution center and the positive impact it will have on the region. One of Florida's top 30 privately held companies; the new facility is located in the Punta Gorda Interstate Commerce Park, which is strategically located along I-75 and within the Charlotte County Enterprise Zone. The facility is projected to hire 380 employees once it is fully operational in 2015.

Hendry County

On May 14, 2014, BioNitrogen Holdings Corp. held a ribbon cutting ceremony at the site of the company's proposed cleantech biomass gasification plant that will create urea fertilizer in Hendry County. BioNitrogen's proprietary manufacturing process will use natural woody and agricultural waste biomass as its feedstock, in place of natural gas and harmful chemicals, to create a high-quality urea fertilizer. The only by-products are sulphur and fly ash, both of which will be packaged and sold for reuse by other industry segments. According to Gregg Gillman, President of the Hendry County Economic Development Council, it was "Hendry County's largest project announcement in 50 years."

Report Summary

The CEDS Annual Update Report shall discuss the following statements required by the Economic Development Administration (EDA). This report reflects 2014.

1. Any changes in technical components of the CEDS as required by the EDA's CEDS Summary of Requirements

Response: There have been no changes to the technical component of the CEDS during 2014.

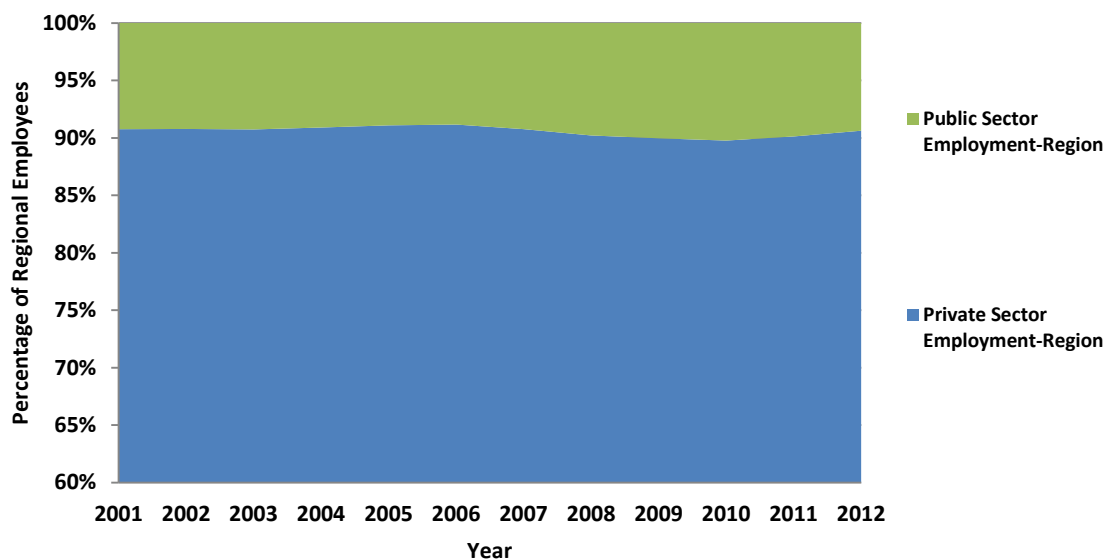
2. Performance of the CEDS based upon the performance evaluation criteria established in the CEDS

Performance Measures, Page 67 of the CEDS Technical Report Document

a) Number of Jobs Created After Implementation of the Comprehensive Economic Development Strategy

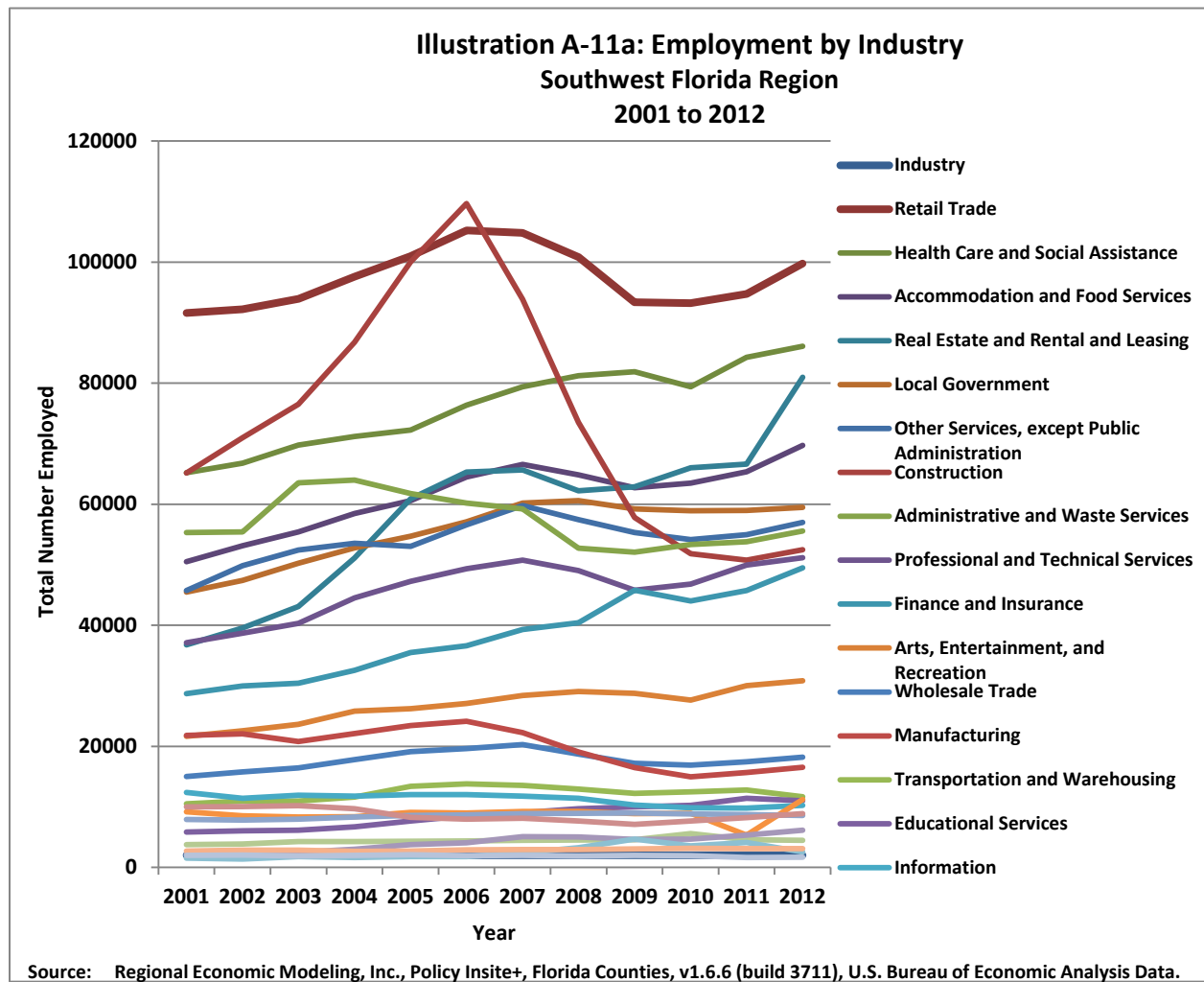
i. Total Employment in Initial Year

**Illustration A-11b: Employment Composition by Sector
Southwest Florida Region, 2001 to 2012**

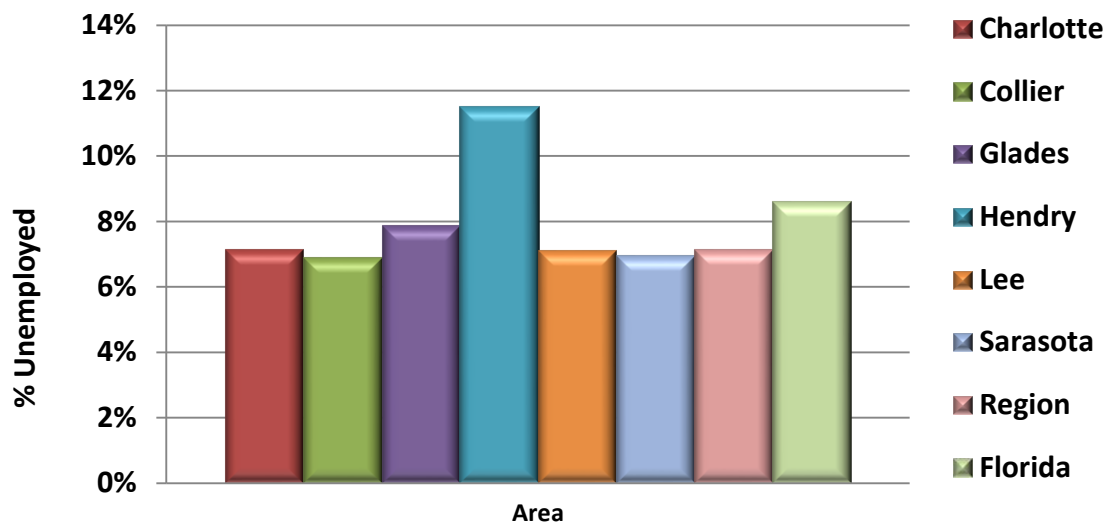


Source: Regional Economic Modeling, Inc., Policy Insite+, Florida Counties, v1.6.6 (build 3711), U.S. Bureau of Economic Analysis Data.

ii. Total Employment in Subsequent Years



**Illustration C-10: Average Annual Unemployment Rates
Southwest Florida Region and State, 2013**



Source: Florida Department of Economic Opportunity Local Area Unemployment Statistics, accessed 08/14/2014.

b) Number and Types of Public Sector Investments Undertaken in the Region

i. EDA Sponsored Investments

Response: None

ii. Significant State and Local Investments

Response: \$ (airport projects)

\$2.5 Million (Regional Incubator Network – Business Accelerator)

\$7 Million (Research and Enterprise Diamond – iHub)

\$15K – Regional Economic Agency

Total: \$9,515,000 state

c) Number of Jobs Retained in the Region

i. Number of Jobs Retained as a Result of Federal Investments

Response: TBD

- ii. Number of Jobs Retained as a Result of Select State and Local Investments

Response: 1 (DEO Grant)

- d) Amount of Private Sector Investment in the Region After Implementation of the Comprehensive Economic Development Strategy

Response: 2013 - \$400,000 (Pre-Machining – Southwest Workforce Development Board/I-Tech Immokalee)

- e) Changes in the Economic Environment of the Region (Changes to Taxes & Fees, New Incentive Programs, etc.)-

Response: No Changes during this time period

f) Description of community involvement in the CEDS process

Staff continues to work closely with the [CEDS Working Committee](#) to actively engage participation from the community. The Council staff maintains the SWFRPC website and project portal where relevant information is available. For more information visit: www.swfrpc.org

The program page for Economic Development Planning (EDD) is located here:
http://www.swfrpc.org/eco_dev.html



Home About Us Council Program Areas Resources News Contact

Mission: 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.



Economic Development

- ▶ [Economic Development District](#)
- ▶ [Broadband](#)
- ▶ [Brownfields Program](#)
- ▶ [Big Water Heritage Trail](#)
- ▶ [Economic Modeling](#)



LINKS

- ▶ [DEO Five Year Strategic Plan](#)
- ▶ [U.S. Department of Agriculture \(USDA\) - Rural Development](#)
- ▶ [U.S. Small Business Administration \(SBA\)](#)
- ▶ [Enterprise Florida](#)
- ▶ [Florida Chamber of Commerce](#)
- ▶ [U.S. Environmental Protection Agency](#)
- ▶ [Department of Management Services](#)

Economic Development Planning (EDD)

Economic Development District (EDD)
 In 1992, the SWFRPC was designated an Economic Development District (EDD) by the Economic Development Administration of the U.S. Department of Commerce. The SWFRPC staffs the Southwest Florida Regional Comprehensive Economic Development Strategy (CEDS) Committee, which includes representatives from the Region and was established to address the area's economic problems and challenges from a regional perspective. The EDD is comprised of the six counties that make up the SWFRPC (Charlotte, Collier, Glades, Hendry, Lee and Sarasota, and all municipalities therein).

Comprehensive Economic Development Strategy (CEDS)
 The CEDS provides a mechanism for coordinating the efforts of economic development organizations, local governments, and private industries for the purpose of creating jobs, fostering a stable and diversified economy, and improving living conditions.

On September 20, 2012, Southwest Florida Regional Planning Council approved its new five-year (2012-2017) Comprehensive Economic Development Strategy (CEDS) plan.



Services & Programs Offered

- ▶ **Coordination**
 SWFRPC plays a role in the coordination of efforts within the Region by providing a one-stop information clearinghouse of information on EDA and other federal economic programs.
- ▶ **Brownfields**
 SWFRPC is working towards the development of a Brownfields Program to facilitate the redevelopment and revitalization of Brownfield areas. [Click for more information.](#)
- ▶ **Technical Assistance**
 SWFRPC provides technical assistance to local governments on their economic development activities, programs, and grant applications.
- ▶ **Planning**
 SWFRPC works with a Comprehensive Economic Development Strategy (CEDS) Committee to guide regional economic development plans, policies, and programs.

Related Documents

- ▶ [Florida Energy Resiliency Report](#)
- ▶ [Economic Views Publications](#)
- ▶ [Facts & Figures](#)
- ▶ [Economic Conditions Presentation](#)
- ▶ [Southwest Florida Regional Business Incubator Planning Study](#)
- ▶ [Economic Development Subcommittee Recommendations - October 2011](#)
- ▶ [U.S. Department of Commerce Invests To Help Grow Renewable Energy Jobs - Lee County | Regional Economic Development Strategy \(CEDS\) Funded Project](#)

Agendas

- ▶ 01/24/14: Cancelled
- ▶ 04/25/14: [agenda](#) | [minutes](#)
- ▶ 07/25/14: [agenda](#) | [minutes](#)
- ▶ 10/24/14: [agenda](#) | [minutes](#)

EDA

- ▶ [Economic Development Administration \(EDA\) & Funding Opportunities](#)
- ▶ [EDA Grant Process Overview](#)
- ▶ [EDA Scope of Work](#)
- ▶ [Funded Projects](#)
- ▶ [EDA CEDS Requirements](#)

CEDS

- ▶ [2012 CEDS Plan](#)
- ▶ [CEDS Committee Structure](#)
- ▶ [CEDS Committee](#)
- ▶ [Interested Individuals](#)
- ▶ CEDS Vital Project Portal Links:
 - ▶ [Broadband Project](#)
 - ▶ [Brownfields Project](#)

SIX PILLARS

- ▶ [Six Pillars of Florida's Future Economy](#)
- ▶ [Six Pillars Background](#)
- ▶ [Six Pillars Indicators](#)
- ▶ [Florida ScoreCard](#)

A status update of the projects listed in the CEDS. (Projects are listed by lead organization)

| Vital Project | Lead Organization | Status |
|--|--|---------------------------------------|
| Charlotte County Incubator | Charlotte County | On Hold |
| Murdock Village | Charlotte County | Pre-planning |
| Expansion of the Immokalee/ <u>Naples</u> Business Development Center <u>to include Incubators/Accelerators</u> | Collier County | In Progress |
| Fort Myers Riverfront Redevelopment Project | Fort Myers/CRA/ Lee County | Pre-planning |
| Logistics Center (America Gateway Logistics - Phase 1) | Glades County | In Progress |
| Develop Material Handling Industry of America (MHIA) Training Center for Logistics/manufacturing | Glades/Hendry Counties | In Progress |
| AirGlades Airport Development | Hendry County | In Progress |
| Research and Enterprise Diamond | Lee County/FGCU | In Progress |
| Charlotte County Aquarium | Charlotte County | On Hold |
| Establish partnerships for the creation of a Regional Economic Development Agency to promote centralized data and regional marketing efforts | Regional EDO's/FGCU | In Progress |
| Warm Mineral Springs | Sarasota County/ North Port | On Hold |
| Southwest Florida International Airport Improvements | Lee County Port Authority | In Progress |
| Repositioning the talent delivery system in the Southwest Florida Region | SWF Workforce Development Board | In Progress |
| Regional Pre-Machining Training <u>CNC Training</u> | SWF Workforce Development Board/I-Tech/Immokalee | Completed 2013 In Progress |
| Create an Ad-Hoc Committee to evaluate and recommend legal & regulatory reform to address government efficiency. | SWFRPC | Completed 2013 |
| Prepare a regional plan and identify place-making projects that improve the quality of life | SWFRPC | Pre-planning |
| Regional Transportation Plan | SWFRPC/MPOs | Inactive |

The SWFRPC worked on the following projects also identified in the CEDS.

| Important Projects | Program | Status |
|---|----------------------------------|--|
| GrowFL - Economic Gardening | Regional Entrepreneurial Support | In Progress |
| Identify solutions to “food deserts” | Industry Cluster Development | In Progress |
| Regional Industry Cluster Study | Industry Cluster Development | Pre-Planning |
| Regional Broadband Plan | Regional Infrastructure | Completed 2013 Collier, Charlotte and Lee |
| VA Clinic & Development of Veteran’s Investment Zone | Regional Innovation | In Progress |
| Widening of Sumter Boulevard as a hurricane evacuation route – City of North Port | Regional Infrastructure | In Progress |
| Road Bond Project – City of North Port | Regional Infrastructure | In Progress |
| Water Expansion Pilot Program – City of North Port | Regional Infrastructure | Pre-Planning |

| Future Projects | Program | Status |
|--|---------------------------------------|----------------------|
| Prevent Childhood Obesity by Building Healthy Habits | Regional Education and Training Focus | Pre-Planning |
| Farmland preservation and sustainable agricultural practices | Regional Entrepreneurial Support | Pre-Planning |
| Agriculture Impact and Strategy Study | Industry Cluster Development | Pre- Planning |

Summary of Initiatives that Support CEDS Projects

Several local jurisdictions were provided with technical assistance along with grant preparation for implementation of the economic development projects identified in the CEDS. Staff has aggressively sought funding for CEDS vital projects.

2014 Accomplishments

Focus Area: Economic Development

- ➡ A business plan for a regional economic development entity was completed.
- ➡ Ten meetings were held with the economic development leaders in our region.
- ➡ The federal EDA Economic Development Planning grant was awarded.
- ➡ A grant was submitted to DEO to incorporate economic resiliency into the CEDS document.
- ➡ A grant application was submitted to DEO for Agricultural tours to promote assets and economic development in the City of Labelle.

Focus Area: Brownfield Redevelopment

- ➡ A Brownfield grant was submitted to EPA for site identification and assessment.
- ➡ Staff partnered with DEP to host the 2nd Annual Brownfield Conference.

Focus Area: Arts and Culture

- ➡ A logo was developed for the Our Creative Economy project through a grant from VISIT FLORIDA.
- ➡ The public art assets in Lee County were mapped and an interactive map completed through a grant from the Southwest Florida Community Foundation.
- ➡ A DEO grant was submitted to start mapping public art assets in Charlotte County.
- ➡ A grant was submitted to the National Endowment for the Arts to develop a regional plan to enhance public art assets.

Focus Area: Agricultural Sustainability

- ➡ A Farms-to-School grant was submitted to USDA in collaboration with the Hendry, Collier, Glades and Lee County School Districts along with IFAS, the Gulf Citrus Growers Association, Harry Chapin Food Bank and the Roots Heritage Urban Food HUB to develop a Smart Process Food Hub.
- ➡ A Farms to school grant was submitted to USDA in collaboration with the Hendry, Collier, Glades and Lee County School Districts along with IFAS, the Gulf Citrus Growers Association, Harry Chapin Food Bank and the Roots Heritage Urban Food HUB to create a coordinator position that would identify “opportunity buys” for the school districts.
- ➡ A grant was submitted to USDA for a mobile food vehicle/community garden project through the Roots Heritage Urban Food HUB.

For more information about the integration of Economic Development Planning and the Southwest Florida Regional Planning Council

Council 2015 Workplan & Budget – Building Resiliency

Adopted: August 2014

http://www.swfrpc.org/content/Budget_Finance/2013/2013_FINAL_WorkPlan_Budget.pdf

Council 2014 Workplan – Our Path to Success Through: Calibration and Improvement focused on Economic Development and Quality of Life

Adopted: July 2013

http://www.swfrpc.org/content/Budget_Finance/2014/13-14_WorkPlan073013-FINAL.pdf

DRAFT

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SWFRPC Committee Reports

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Agenda Item

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Budget & Finance Committee

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Economic Development
Committee

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Agenda Item

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Energy & Climate Committee

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Agenda Item

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Estero Bay Agency on Bay
Management Committee

12d

Estero Bay Agency on Bay Management

The regular meeting of the Estero Bay Agency on Bay Management was held on August 11, 2014. The meeting initially scheduled for September 8, 2014 was cancelled due to lack of quorum; principally caused by FDEP holding a meeting on new fertilizer label regulations at the same time.

Items discussed at the August meeting included a new Marina Plan at Weeks Area at end of Coconut Point Road on the east shore of Estero Bay. A date was set for the next CELA TEGA as October 23, 2015, at FGCU. The official theme for the Cela Tega 2015 was selected as "Resiliency and Sea Level Rise Adaptation in the Estero Bay Basin". Dr. Win Everham has been elected Vice-chair to replace Dr. Nora Demers who has gone on a sabbatical to Washington D.C. Discussion occurred on replacement of FGCU student representative to fill the vacancy by a graduation.

Next Meeting Time and Place, for EBABM is Monday, October 20, 2014 – 9:30 A.M, at the SWFRPC and for the IAS is Monday, September 20, 2014 – 1:30 P.M at FGCU.

Recommended Action: Information Only

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Executive Committee

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--- Agenda --- Item

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Legislative Affairs Committee

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Southwest Florida Regional Planning Council

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MEETING NOTICE

September 18, 2014 at 8:15 a.m.

First Floor Conference Room at SWFRPC

Conference Call Dial-in #: 1-888-670-3525 Passcode: 4417753282 then #

AGENDA

- 1. Call To Order – Vice Mayor Doug Congress (Chair)**
- 2. Approve minutes of June 19, 2014 meeting**
- 3. Legislative Plan for 2015 Session**
 - a. Legislative Process Project: Cooperative Regional Legislative Agenda for 2015 Session
 - b. Develop SWFRPC legislative agenda independently of other member governments' legislative processes
- 4. Regional Priorities for 2015**
 - a. Potential growth management legislation
 - b. Other issues
- 5. Old Business**
 - a. Invitation to Ron Book, Exec. Dir. of FRCA, to attend Council meeting
 - b. Legislative Process Project: Regional Legislative Agenda for 2015 Session
- 6. Public Comment**
- 7. Next Meeting: October 16, 2014**
- 8. Adjournment**

Two or more members of the Charlotte Harbor National Estuary Program or other entity subject to Florida's government in the Sunshine laws applicable to public meetings may be in attendance, and they may discuss matters that could come before the Charlotte Harbor National Estuary Program or other entity 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.

Agenda Item

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Quality of Life & Safety
Committee

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--- Agenda --- Item

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Regional Transportation
Committee

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