1926 Victoria Avenue | Fort Myers, FL 33901

P: 239.338.2550 | F: 239.338.2560 | www.swfrpc.org

COUNCIL MEETING AGENDA

November 12, 2015

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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COUNCIL MEETING AGENDA

	Councilman Jim Burch
11	**NEW BUSINESS**
12	**STATE AGENCIES COMMENTS/REPORTS**
13	**COUNCIL ATTORNEY'S COMMENTS**
14	**COUNCIL MEMBERS' COMMENTS**
15	**ADJOURN**

NEXT SWFRPC MEETING DATE: TO BE DETERMINED

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

CHAIR..... Mr. Robert "Bob" Mulhere
VICE CHAIR..... Mr. Don McCormick
SECRETARY..... Councilman Forrest Banks
TREASURER..... Mr. Thomas Perry

CHARLOTTE COUNTY
Commissioner Tricia Duffy, Charlotte Co BCC
Commissioner Ken Doherty, Charlotte Co BCC
Councilwoman Nancy Prafke, City of Punta Gorda
Ms. Suzanne Graham, Governor Appointee
Mr. Donald McCormick, Governor Appointee

COLLIER COUNTY
Commissioner Tim Nance, Collier Co BCC
Commissioner Penny Taylor, 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

GLADES COUNTY
Commissioner Weston Pryor, Glades Co BCC
Commissioner Tim Stanley, Glades Co BCC
Councilwoman Pat Lucas, City of Moore Haven
Mr. Thomas C. Perry, Governor Appointee

HENDRY COUNTY
Commissioner Karson Turner, Hendry Co BCC
Commissioner Don Davis, Hendry Co BCC
Commissioner Sherida Ridgdill, City of Clewiston
Commissioner Julie Wilkins, City of LaBelle
Mr. Mel Karau, Governor Appointee

LEE COUNTY
Commissioner Frank Mann, Lee Co BCC
Commissioner Cecil Pendergrass, Lee Co BCC
Councilman Jim Burch, City of Cape Coral
Vice Mayor Mick Denham, City of Sanibel
Councilman Forrest Banks, City of Fort Myers
Mayor Anita Cereceda, Town of Fort Myers Beach
Councilwoman Katy Errington, Village of Estero
(City of Bonita Springs Vacancy)
Ms. Laura Holquist, Governor Appointee
(Gubernatorial Appointee Vacancy)

SARASOTA COUNTY
Commissioner Carolyn Mason, Sarasota Co BCC
Commissioner Charles Hines, Sarasota Co BCC
Mayor Rhonda DiFranco, City of North Port
Councilman Kit McKeon, City of Venice
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
Sara Catala, FDOT

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL STAFF

MARGARET WUERSTLE.....EXECUTIVE DIRECTOR
VACANT.....LEGAL COUNSEL

James Beever
Nichole Gwinnett
Rebekah Harp
Charles Kammerer
Jennifer Pellechio
Timothy Walker

Updated 8/11/2015

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

BEBR - 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)

FLORIDA REGIONAL COUNCILS ASSOCIATION
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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.

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MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SEPTEMBER 17, 2015 MEETING

The meeting of the **Southwest Florida Regional Planning Council** was held on **September17, 2015** at the offices of the Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chair Bob Mulhere called the meeting to order at **9:02 AM. Mayor Willie Shaw** then led an invocation and the Pledge of Allegiance. Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County:	Commissioner Ken Doherty, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Mr. Don McCormick
Collier County:	Commissioner Penny Taylor, Mr. Bob Mulhere, Councilwoman Teresa Heitmann, Mr. Alan Reynolds
Glades County:	Mr. Thomas Perry
Hendry County:	Commissioner Karson Turner, Commissioner Don Davis, Commissioner Julie Wilkins, Mr. Mel Karau
Lee County:	Commissioner Frank Mann, Commissioner Cecil Pendergrass, Councilman Forrest Banks, Councilman Jim Burch
Sarasota County:	Commissioner Charles Hines, Councilman Kit McKeon, Mayor Rhonda DiFranco, Mayor Willie Shaw
Ex-Officio:	Ms. Sara Catala– FDOT, Mr. Phil Flood – SFWMD,Ms. Tara Poulton for Melissa Dickens – SWFWMD, Mr. Jon Iglehart -FDEP

MEMBERS ABSENT

Charlotte County:	Ms. Suzanne Graham
Collier County:	Commissioner Tim Nance
Glades County:	Commissioner Weston Pryor, Councilwoman Pat Lucas, Commissioner Tim Stanley
Hendry County:	Commissioner Sherida Ridgdill
Lee County:	Councilman Mick Denham, Commissioner Katy Errington, Mayor Anita Cereceda, Ms. Laura Holquist
Sarasota County:	Commissioner Carolyn Mason, Mr. Felipe Colón

Ex-Officio: None

AGENDA ITEM #4
PUBLIC COMMENTS

Ms. Laura DeJohn, member of the CEDS Working Committee spoke in support of approving the CEDS document under Item #10(d).

AGENDA ITEM #5
AGENDA

Chair Mulhere explained that there was a request to move Agenda Item #11(i) Interlocal Agreement/Future of the SWFRPC Committee to be presented immediately following the Director's Report.

Commissioner Turner asked if there was any reason why the Council shouldn't be able to get through the action items of the agenda before having Agenda Item #11(i) presented. He recommended that Agenda Item #11(i) be placed at the top of the committee reports and have the Council first take action on the action items first.

A motion was made by Commissioner Turner to have Agenda Item #11(i) Interlocal Agreement Committee moved to the top of Agenda Item #11. The motion was seconded by Mayor Shaw and passed unanimously.

AGENDA ITEM #6
Minutes of the August 6, 2015Meeting

A motion was made by Commissioner Turner to approve the August 6, 2015 minutes and seconded by Commissioner Mann. The motion then carried unanimously.

AGENDA ITEM #7
DIRECTOR'S REPORT

Ms. Wuerstle presented the item; she announced that the building had been advertised in the newspapers throughout the region for two weeks. The notice stated that any offers on the building are due by 5:00 p.m. on October 1, 2015. The offer packets will be opened on October 2, 2015 for review. She explained that she will give a full report at the Council's October meeting, with the opportunity for the Council to decide if they felt that there was an offer to consider.

Ms. Wuerstle stated that the Council's one-time assessment letter was sent out to each city and county. She received three letters back: Collier, Sarasota and Lee Counties. All three letters state that those counties are not interested in the one-time assessment and both Sarasota and Lee Counties stated within their letters that they would be supporting the "opt out" provision that will be part of the upcoming legislation.

Ms. Wuerstle explained that she had distributed a handout that described several options for refinancing the building.

At this time, Ms. Wuerstle introduced Beth Nightengale. She explained that Ms. Nightengale is a licensed attorney in Maine, Georgia and New Mexico; but she isn't currently licensed to practice law within the State of Florida. Ms. Wuerstle explained that she has contracted with Ms. Nightengale to conduct research on issues such as the Council's Interlocal Agreement and the sale of the building.

Ms. Wuerstle then announced that the Council's Auditor, Jeff Tuscan, was present and he was going to explain to the Council the timeframe to consider on refinancing the building even though the building is up for sale.

Mr. Tuscan stated that one of the issues that he had mentioned during his presentation on the audit was that the balloon payment on the current building note comes due on June 2016. At that time he recommended that the Council start looking for opportunities to refinance the building. Between the efforts of Ms. Wuerstle and himself as noted in the distributed handout, many of the agencies came by and looked the building over and then they all saw a for sale sign. As a result, many of the agencies put in a prepayment clause because if the building is sold shortly after they went through the effort of refinancing, they would lose money. This is one of the reasons for the prepayment clauses. If timing is such, where the Council reviews the submitted offers in October and an offer isn't selected and the Council decides to move forward with the refinance, then the prepayment penalties might be removed.

Also, a couple of banks have stated that if the Council was serious and wanted to move forward with the refinance process that they may consider a lower interest rate. But essentially the most important factors are two that need the Council's consideration. First there is a deadline of June 30, 2016 and on commercial loans the closing date could be longer than the typical 90 days. He suggested that when the Council reviews the submitted offers they also need to consider moving forward with refinancing the building. The second issue is the current cash flow issues. He then briefly went over the distributed handout on bank refinancing.

Commissioner Mann asked Mr. Tuscan to give the amounts again. Mr. Tuscan stated the following:

1. The current mortgage payment is $10,650
2. Fifth Third Bank monthly payment would be approximately $7,200
3. First Florida Integrity Bank monthly payment would be approximately $9,800
4. Preferred Bank monthly payment would be approximately $8,040
5. CNL Bank monthly payment would be approximately $5,600
6. Encore Bank monthly payment would be approximately $10,003

Mr. Tuscan said that the above amounts were using $1 million for the loan.

Chair Mulhere thanked Mr. Tuscan for his presentation and said that it was obvious that the Council needs to wait until the beginning of October when the offers are submitted for review. The

Council will need to make the decision if there on a viable offer or move forward with refinancing the building.

Councilman Burch stated that there seemed to be some confusion among the counties in regards to the letter that was sent out. He referred to page 25 of 260 where the Council unanimously approved the motion, with a representative from each county present, to send the letter. So it is unclear to him how there was confusion among the counties as for the reason of the letter being sent.

Ms. Wuerstle noted that there has been a request to change the Council October meeting due to a conflict with the Walkable Communities Symposium. She noted that she had included information on the symposium within the packets. She explained that she had received a call asking if the Council would consider changing their October meeting date because they would like to have all of the elected officials in attendance.

Ms. Wuerstle also noted that the regular November monthly meeting is scheduled for November 19 which conflicts with the Florida League of Cities meeting. She said that she didn't know if the Council would want to change the meeting date in November also. Commissioner Turner explained that November 19 is the Florida Association of Counties event on Amelia Island in Nassau County.

Chair Mulhere clarified that both the Council's October 15 and November 19 meeting dates have conflicts with other events.

Commissioner Pendergrass stated that there is also an event being held at the Harborside Event Center on October 15. Councilman Banks stated that he had already notified them that he will be attending the Council meeting in the morning and then the event in the afternoon. Commissioner Pendergrass then said that he will also be attending the Florida Association of Counties event on November 19.

Chair Mulhere noted that he would not be attending the October 15 meeting. Commissioner Turner stated that he could attend the October 15 meeting. After a brief discussion the Council decided to keep the Council's original meeting date of October 15.

Chair Mulhere stated that the November 19 meeting couldn't be moved out due to the Thanksgiving holiday. Commissioner Turner suggested moving the meeting to November 12. Chair Mulhere suggested that staff conduct a Doodle Poll for both November 12 and November 19 dates and then send out a notice to the members with the meeting confirmation date.

AGENDA ITEM #8
STAFF SUMMARIES

Ms. Wuerstle presented the item and also announced that the SWFRPC was awarded three grants from the Department of Economic Opportunity.

AGENDA ITEM #9
CONSENT AGENDA

A motion was made by Councilman Banks to approve the consent agenda as presented and then Commissioner Turner seconded the motion. The motion passed unanimously.

AGENDA ITEM #10
REGIONAL IMPACT

Ms. Wuerstle explained that Mr. Dan Trescott of Trescott Planning Solutions would be presenting the following items.

AGENDA ITEM #10(a)
Hendry County Comprehensive Plan Amendment (DEO 15-1 ESR)

Mr. Trescott presented the item.

Mr. Mulhere asked Mr. Trescott if he knew how many jobs were anticipated to be created. Commissioner Turner said that there would be approximately 200 construction jobs with over 24 being full-time. Mr. Trescott noted that the job creation wasn't that significant, but the property taxes that would be recovered as a result of the project would be significant.

Discussion ensued.

Ms. Charlotte Miller of FPL explained that FPL currently has three large-scale solar fields throughout Florida and there are plans to add three more solar fields by the end of 2016. She said that there are two existing solar fields on the west coast in DeSoto County and another one is underway at the Babcock Community and Manatee County and also add more in DeSoto County. There are also two on the east coast.

Ms. Miller referenced Commissioner Turner's response in regards to the number of jobs would be created. She explained that it is by "per unit" and it is very possible that FPL will be putting up two to three units for the plant, so it could increase the number of jobs being created.

A motion was made by Commissioner Turner to approve staff's recommendations as presented and seconded by Councilman Banks. The motion passed unanimously.

AGENDA ITEM #10(b)
Palmer Ranch MDO Resolution

Mr. Trescott presented the item.

A motion was made by Mayor Shaw to approve staff's recommendations as presented and seconded by Commissioner Doherty. The motion passed with Mr. Reynolds abstaining.

AGENDA ITEM #10(c)
Pelican Marsh NOPC

Mr. Trescott presented the item.

Commissioner Wilkins asked Mr. Trescott if there was a timeline that had to be met on the project. Mr. Trescott explained that for the DRIs, NOPCs, etc. the law requires the applicant to submit a NOPC application in order to address any proposed changes. Following the submittal of the NOPC application the SWFRPC has 30 days to determine if there are significant issues that need to be addressed.

A motion was made by Councilwoman Heitmann to approve staff's recommendations, with a strong emphasis be made of staff's recommendations. Commissioner Davis seconded the motion and the motion passed unanimously.

AGENDA ITEM #10(d)
Comprehensive Economic Development Strategy (CEDS) Annual Update Report and Resiliency Chapter

Ms. Pellechio presented the item.

Chair Mulhere asked Ms. Pellechio to explain how the CEDS benefits the SWFRPC and the region. Ms. Pellechio explained the importance of the Economic Development District (EDD) and stated that Southwest Florida has been an EDD since 1992.

Councilman Burch explained the importance of having the Council members take such information back to their jurisdictions.

A motion was made by Commissioner Wilkins for discussion to approve the CEDS Annual Update Report and Resiliency Chapter as presented; the motion was seconded by Commissioner Mann.

Commissioner Wilkins asked Ms. Pellechio for clarification regarding a project that wasn't listed within the CEDS and wanted to know if it would funded. Ms. Pellechio explained that there are general program areas. If a project can be categorized within a program area then that project would be covered.

Commissioner Wilkins asked Ms. Pellechio about growing the labor workforce that was mentioned in the Resiliency Chapter. She wanted to know what the plan was for making that happen. Ms. Pellechio explained that the labor workforce would increase by the diversity of types of jobs that would be created.

The motion carried unanimously.

Councilman Banks thanked staff and the CEDS committees for all of their efforts.

AGENDA ITEM #11(i)
Interlocal Agreement/Future of the SWFRPC Committee

Councilman Burch presented the item. He noted that there were two counties within the Council that put the "opt out" legislation as one of their legislative priorities. He explained that the goal of the committee was to make sure that the Council's by-laws and interlocal agreement are consistent.

Councilman Burch stated that with two counties (Lee and Sarasota) supporting the "opt out" legislation, the options have changed. Prior to the action taken by those two counties the option was to come up with a collaborative effort. He didn't feel that it was still an option at this point. He now felt that there were two options:

> Option #1 – Wait until the legislative session in January has been completed and find out the legislature's opinion in regards to the RPCs.
>
> Option #2 – Continue on the path of syncing the by-laws, interlocal agreement and administrative code, and also create a way that if counties do decide to opt out that the definition of the Council's membership doesn't necessarily have to be defined as "member units" which currently are the counties. Rather define the membership as "general membership governments" which include both the counties and cities.

Councilman Burch explained that if the Council decided to go with Option #2 then the terms would have to be made a little bit more generic where all of the membership would be equal, but all of the member jurisdictions of the Council would have to pay assessment dues to the Council. It basically comes down to if the local jurisdictions feel that there is value to being a member of the Council. He said that he feels that there is a benefit to being a member of the Council because it is the only body where there are representatives from both cities and counties from Sarasota to Collier, including Glades and Hendry that are able to come together at one table.

> **A motion was made by Councilman Burch to pass a resolution supporting the SWFRPC and also noting that the SWFRPC is in opposition of the proposed "opt out" clause in the proposed legislation.**

Commissioner Doherty stated that it would be a benefit to him to know why both Sarasota and Lee counties support the "opt out" legislation.

Commissioner Pendergrass explained that the discussion began when Lee County received a letter from the RPC Chair regarding the onetime assessment fee. He noted that Commissioner Mann wasn't present at the BCC meeting when the discussion took place and the four members had voted unanimously against the onetime fee. The option presented was to discuss the home rule. He said that the BCC's Chair, Commissioner Hammond, explained it very well where the county doesn't necessarily want to opt out, but they want to have that option if needed.

Commissioner Pendergrass stated that the County's Administrator asked why some cities pay and some don't and how is that determined. He then said to make it fair to Lee County and their budget process that they should be able to have an "opt out" option. Lee County looked at the bylaws and interlocal agreement and they all conflict with one another and there is staff still working on the issues of who pays, who sits on the board, who is a voting member and who isn't. It is very confusing and unorganized.

Commissioner Pendergrass also noted that since the RPC doesn't have any authority, due to the legislature over the years; since Lee County has the authority, the county is providing the same assistance to its citizens as the RPC does, so it has become a duplicative process. He said that the main issue is how is the RPC going to affect the county's budget, what do they receive in return and how the county would be able to improve their own staff if they didn't have to pay dues to the RPC.

Chair Mulhere stated that he wasn't surprised by the response from the counties as a result of the onetime assessment letter. He said that he would agree with the counties to not support the onetime assessment fee; however, the "opt out" issue is totally separate from the letter.

Commissioner Turner noted that Hendry County would've also supported the "opt out" option, so if needed the county would have that option. Hendry County would not support the onetime assessment fee; however, they are in support of the RPC.

Councilman Burch addressed the support of home rule. However, home rule doesn't cover everything. Regional boards are boards that have restrictions on their membership for specific purposes, so he doesn't believe that home rule plays a part in the RPC. As far as the issue with the onetime assessment letter, the Council had voted unanimously to send the letter and it appears that the letter had been used to address the second issue regarding the by-laws and the future of the RPC when it was meant to be only an option. He then said that he hoped that the Council's representatives explained to their boards the purpose of the letter and the options that had been discussed. The letter was to ask the local jurisdictions if they would consider a onetime assessment fee, it wasn't meant to be a letter requesting that the local jurisdictions pay the onetime assessment fee.

Councilman Burch then addressed the issues of the RPC's bylaws and interlocal agreement and how the committee has been designated to review and make them consistent with one another. He had mentioned at the very beginning that the process of the fee assessments would probably be changing and it is moving in that direction.

Chair Mulhere stated that from the discussions he is hearing that the counties just want the option to opt out and also the option to opt out of home rule; it doesn't mean that they wouldn't support revisions to the RPC's bylaws and interlocal agreement.

Commissioner Hines said that it was hard for him to advocate on behalf of Sarasota County in regards to the letter; however, he stated that he was conflicted where he recognizes the value of regional cooperation. He said that when he was appointed to the Council over 2 years ago, there was already conflicts going on with Sarasota County BCC in regards to the Council. Former Council members of Sarasota County BCC were asking what was the county receiving in return for their assessment and also trying to define the region. It was then placed on the back burner since there were changes within the legislature and also a change in the governor's office. The Sarasota County BCC also discussed who they felt that they were more in line with as a region. He said that he felt closer with Manatee, Charlotte and DeSoto counties then Hendry and Glades counties. The Sarasota County BCC has been struggling with that issue for a number of years trying to decide what they should do and what is the value. He is in agreement with Commissioner Doherty and Commissioner Kiker on how to promote regionalism, with what entity, what is the cost factor,

bureaucracy, etc. The Sarasota County BCC said that the option is there and the "teeth" has been taken away from the RPCs in having the authority to approve or deny development within the region, so they decided that they would go a different route.

Commissioner Duffy noted that the Charlotte County BCC had a very good discussion on the issue at their latest BCC meeting. She explained that the BCC didn't vote on the "opt out" option, she didn't believe that the discussion was even going in that direction. Overall, the Charlotte County BCC was very supportive of the RPC in understanding the value of the RPC. However, the BCC voted not to support the onetime assessment fee.

Chair Mulhere recommended to Councilman Burch that the committee provide a revised membership document, i.e., bylaws, with clear goals and objectives. He suggested creating membership categories where the member doesn't have to be an elected official. Councilman Burch said that he planned on continuing because he wants a positive outcome.

Discussion ensued on the continuation of the committee.

Chair Mulhere noted that there were still statutory requirements that the RPCs have to follow. So any county that opts out they are still required to go through the processes through the RPC and there will probably be a substantial fee.

Commissioner Doherty stated that from listening to both Commissioner Pendergrass and Commissioner Hines there seems to be a big concern on the cost sharing process for the RPC. He then said that he would be in support of having the committee continue their efforts in revising the RPCs guidelines/documents. He said that Charlotte County is unique with only having "two" municipalities, with most of its population living in the unincorporated areas.

Commissioner Turner said that we need to be aware of the "temperature within the room" with the legislature. There are a number of legislators that have been very direct in regards to the RPCs. The RPCs are definitely within the legislature's crosshairs and if the "opt out" language is pitched in the incorrect manner it then comes down that the counties don't support their RPC.

Commissioner Turner said that he agreed with Commissioner Doherty because Hendry County is very similar as Charlotte County where there is Hendry County, City of LaBelle and City of Clewiston. There is a very small pot of funds among them that gets sent to the RPC. He said that Hendry County has never and probably never will ask their municipalities to pay the RPC because they just don't have the funding. Hendry County doesn't have a professional planning staff as what the RPC can provide. Hendry County feels that with an open line of communication it could be a great relationship for Hendry County and probably for Glades County as well; but you have to be active at the table in order for it to be a great relationship.

Commissioner Turner said that he is very concerned about FRCA because they have done a disservice to the SWFRPC every year. They are doing a disservice and we are paying a lot of money for it. FRCA's Executive Director, Ron Book, who is also FRCA's lobbyist, is one of the most skilled lobbyists within the State of Florida. He doesn't feel that FRCA works in favor of Southwest Florida. So as we reshape the RPC all of the cards need to be placed on the table. He said that he felt that the SWFRPC needs to pull away from FRCA.

Councilman Banks said that he agreed with Commissioner Turner's comments. He wasn't so sure that Ron Book didn't use the RPCs to get funding for other entities.

Councilman McKeon asked for clarification on the two counties that support the "opt out" option. Commissioner Mann explained that the Lee County BCC had adopted their legislative priorities that were sent to their legislative delegation. One of the priorities was that Lee County would support the legislation, if it was to pass, that would give cities and counties the option to opt out. He felt that the legislature would be foolish in creating an opt out clause in the requirements for the RPCs because there would be a "hodgepodge" of opt outs and a totally ineffective planning mechanism. He said that he will continue to argue for some sort of regional dialog.

Councilman Burch said that with the opt out option and having some counties supporting it, it becomes a wedge with the legislature because they see it where if two counties support the opt out option then why are they going to defend the RPCs.

Mayor Shaw asked Commissioner Hines if Sarasota County supports the RPC. He needs to know where the county stands on the issue because the City of Sarasota is currently the "free city" within Sarasota County. He then said that he does agree that there needs to be collaboration among the region. Commissioner Hines replied to Mayor Shaw's question on whether or not Sarasota County BCC supports the RPC. With what the RPC has turned into over the last few years and what is left in regards to its mission on what it can do under its current form and direction the answer is "No", but that doesn't mean that the county doesn't support regionalism. Now, if the RPC's role, bylaws, interlocal agreement, etc. were to be updated/amended there may be a chance that Sarasota County BCC would reconsider. There are more members of the BCC that don't feel the need to be a member of the RPC. He then said that he was open to further discussion on the issues and felt that it has been a healthy conversation.

Commissioner Pendergrass explained that Lee County BCC does support regionalism and does support the Alliance because the county can see their return on their money; but they can't justify paying the RPC $167,647 each year because they don't see their return on the money.

Commissioner Doherty said that he agrees with Commissioner Hines in that it has been a healthy conversation and felt that the option of opting out is too premature at this stage.

Discussion ensued on the assessments.

Councilwoman Heitmann explained that the City of Naples already pays an assessment to the county. She said that the cities and counties cannot be fragmented, we need to stand together. We need to be a pack of elected officials protecting the Southwest Florida region.

Discussion ensued.

Mr. Perry said that throughout the discussion he hasn't heard any county state that they want out of the RPC, but that they just wanted options. He also hasn't heard any county say that they feel that they are paying too much in assessments.

Councilman McKeon asked Commissioner Hines if Sarasota County would politic for the "opt out" option. Commissioner Hines said that he doesn't believe that the county has approved their final legislative priorities at this time and he doesn't believe that the "opt out" option was discussed at that time. The discussion consisted of two issues, the first was what benefits was the county receiving from the RPC for their assessment and the second one was if the county felt that they were part of the right region. He doesn't feel that Sarasota County would run to Tallahassee and say that they wanted out of the RPC. The concern came from the recent legislation that was passed taking away more requirements from the RPCs.

Councilman Burch noted that all of that information was included within the survey monkey that was sent out. It had what the RPC does, both statutorily and otherwise. He suggested that the members take the information from the survey monkey back to their boards.

Mayor DiFranco read a statement from Sarasota County's letter which stated that the Sarasota County BCC voted unanimously to advocate 2016 Legislative Session for the ability to opt out. She then referred to Commissioner Hines' statement that Sarasota County doesn't feel that they fit into the Southwest Florida region, but that isn't the same for the City of North Port. The City of North Port while being a large land mass and a large population really feels that they are more part of Charlotte County and the southwest region. Since North Port is one of the fastest growing cities within the area they utilize the RPC. She said that she has the majority at this time of the city's commission to continue with the SWFRPC. She said that she would be bringing this before her board for their input. She then said that she agrees with Councilwoman Heitmann's comments.

Commissioner Hines said that he would be happy to report back to the Sarasota County BCC on the Council's conversation on these issues.

Commissioner Taylor explained that the Collier County BCC voted unanimously not to pay the onetime assessment fee. She then said that there was a sentiment among the BCC, even though they didn't discuss placing it in their legislative priorities that the RPC is irrelevant, but not everyone shared that. She then said that although political winds change and people change, it seems to her that she is looking at the issue programmatically that we really can't do anything at this time. The Council is facing a deficit and there is the building that needs to be sold in order to get the Council in order. It seems to her that the Council is currently in a holding pattern and the most that can be done is either wait to see what the legislature is going to do or what the membership of the Council is going to do in order to address the Council's current financial situation.

> **A motion was made by Councilman Burch to have staff contact every city and county to ask them whether or not they support the RPC and if so, do they support being a possible funding mechanism, such as the per capita assessment. The motion was seconded by Councilman McKeon.**

Chair Mulhere suggested having staff present and explain the letter that was sent earlier regarding the onetime assessment fee. He also explain that the Council is continuing to look at the relevance of the RPC and into its membership structure and its bylaws and invite them to participate in that discussion.

Discussion ensued on how a document should be presented to the cities and counties and if it should include the projection of their assessment dues.

Commissioner Turner said that he felt the main reason that the letter wasn't received in a positive manner was due to the timing. He felt that if the process begins now it would be better received, but it needs to show the details, per capita, etc.

Mr. Perry suggested including in the second letter whether or not they support the opt out option and/or would they like to remain as a member of the RPC.

Discussion ensued.

Chair Mulhere explained what should be included within the letter.

Mr. Jeff Tuscan of Tuscan and Associates explained that the RPC is a government entity by Florida Statute. The statute would need to be amended for the "opt out" clause. He then explained that there would be a lot of ramifications, including the audit opinion.

Discussion ensued.

Councilman Banks said that by looking at the proposed lease payments there seem to be some options that would solve the Council's current financial situation. Secondly, if some type of legislation is passed that dissolves the RPCs, then what is the legislature going to do with the statutory mandates and funding, most likely they would be given back to the State and not to the local governments within Southwest Florida. He then suggested all of the county and city managers/administrators within Southwest Florida have a meeting to discuss the RPC and ask whether or not they support the RPC, but we need to make sure that they have all of the correct information, especially with what it would cost each of their jurisdictions to be a member of the RPC. The information needs to include the costs and the formula of those costs.

Commissioner Taylor said that she liked Councilman Banks' idea of having the city and county managers/administrators meet together.

Commissioner Pendergrass noted that the Lee County Administrator had met with the City of Cape Coral Manager met last year. Councilman Burch clarified that the reason behind that meeting was to discuss having the City of Cape Coral pay their assessment to the RPC.

Mayor Shaw noted that when the Council had this discussion last there wasn't an auditor sitting at the meeting to explain the possible ramifications.

Chair Mulhere asked Councilman Burch if he would amend the motion to include the second follow-up letter to be sent.

Both Councilman Burch and Councilman McKeon agreed to the amendment to the motion of including a second follow-up letter to be sent. The motion passed unanimously.

Chair Mulhere said that he agreed with the statement that there hasn't been anyone saying that they didn't support the RPCs and regional planning and felt that definitive action needed to be taken. He suggested that all of the action that the Council is taking in order to move forward is to support the RPC, define its relevance, role, and financial stability.

A motion was made by Mayor Shaw to take definitive action on all of the Council's current action is to support the RPC, define its relevance, role and financial stability. The motion was seconded by Councilman McKeon. The motion passed unanimously.

Commissioner Pendergrass stated that he wanted to be on the record stating that he would be willing to take this information back to the Lee County BCC and asked them to reconsider including the opt out option within their legislative priorities. He said that even though the county had already approved their legislative priorities he believes that they could be amended. He said that doesn't want to see Lee County going against any of the other counties and cities.

Commissioner Doherty asked Mr. Tuscan if both Lee County and Sarasota County didn't change their legislative priorities to not support the "opt out" option, what the ramifications would be. He understands that the two counties haven't taken any action in stating that if the legislation passed that they would actually remove themselves from the RPC as members. Mr. Tuscan said that it would be beneficial if those two counties did remove that from their legislative priorities. He then explained that if the counties didn't remove it from their priorities he would be obligated to evaluate all of the facts that he was aware of and decide whether or not he felt that the SWFRPC would be able to survive. He didn't believe that if the legislation passed and the two counties did opt out of the RPC that the RPC would be able to survive a year. There is also the issue of knowing that the Council is going out to possibly refinance the building, so the bank will also be looking into that. However, the one thing that may save the Council is that the audit will probably be late going out due to a new State requirement of having to audit the State's pension plan. In order for us to conduct the audit we need that information and he isn't expecting that until sometime in January.

Councilman McKeon referred back to Councilman Banks' comment. He said that he was currently wearing two hats, City of Venice and the Manasota League of Cities and in both cases home rule is incredibly important from short-term rental to the cities destiny. He said that under the current RPC's mission and if the RPC was to be dissolved by the State, then the RPC's responsibilities would be pulled from the cities and placed back in Tallahassee. He said that this comes down to being a home rule issue for this region.

Councilwoman Heitmann thanked Commissioner Pendergrass for going on the record stating that he would be willing to bring the "opt out" issue back to the Lee County BCCC for reconsideration.

AGENDA ITEM #11(a)
Budget & Finance Committee

Councilman McKeon gave a report. He referred to page 240 of the Budget and Workplan financials snapshot and the year to date income. The Council had approved the use of approximately $126,000 of reserves in order to balance the budget. However, under year to date the amount shown has increased to $204,000. Ms. Wuerstle had explained to him that it was due

to billings that haven't been received, but once those receivables come in, the financials will be on track. Ms. Wuerstle explained that no additional funds would need to be taken out of the Council's reserves.

Ms. Erica Harp, Council's CPA referred to the actual comparative income statement and under the budget remaining there is approximately $154,000 in income that will close the budget once received. Most of that income comes from quarterly statements and once those funds are received the Council should make up $77,000 of the deficit; so the Council would be hitting the target of $125,000 loss for the FY14-15 year.

AGENDA ITEM #11(b)
Economic Development Committee

No report was given at this time.

AGENDA ITEM #11(c)
Energy & Climate Committee

Ms. Pellechio presented the item. She explained the status of the Solar Ready II project.

AGENDA ITEM #11(d)
Estero Bay Agency on Bay Management (EBABM) Committee

No report was given at this time.

AGENDA ITEM #11(e)
Executive Committee

No report was given at this time.

AGENDA ITEM #11(f)
Legislative Affairs Committee

Mr. McCormick announced that the committee was scheduled to meet immediately following the Council meeting.

AGENDA ITEM #11(g)
Quality of Life & Safety Committee

Mayor Shaw announced that the committee was scheduled to meet immediately following the Council meeting.

AGENDA ITEM #11(h)
Regional Transportation Committee

Ms. Wuerstle announced that the committee had not met. However, she attended a workshop in Arcadia recently and had a chance to meet with FDOT District One's Secretary, Billy Hattaway to

discuss of having a regional transportation plan for Southwest Florida. He was very supportive of the idea of having a regional transportation plan for Southwest Florida.

AGENDA ITEM #12
NEW BUSINESS

No new business was discussed at this time.

AGENDA ITEM #13
STATE AGENCIES COMMENTS/REPORTS

FDEP – Mr. Iglehart announced that DEP's legislative priorities are capital water projects, such as infrastructure for drinking water, wastewater, etc.

FDOT – Ms. Catala announced that the Florida Transportation Plan (FTP) and the Strategic Intermodal System (SIS) Plan are currently in the update process. She announced the dates and locations of the upcoming workshops and emphasized that they are not the same workshops that were held in June. She also announced that in October a Freight Summit will be held hosted by the Lee County MPO.

Commissioner Wilkins asked if there was going to be a follow-up report on the Complete Streets workshop. Ms. Catala explained that complete streets will affect local developments, land uses, etc. She said that complete streets would be included in the FTP.

Councilman Banks asked Ms. Catala if the Green Book Committee supported complete streets. Ms. Catala said that she didn't know the answer to that question; however, she would go back to her office and ask other FDOT staff on the issue.

SWFWMD – Ms. Poulton said that she didn't have any updates at this time.

AGENDA ITEM #14
COUNCIL ATTORNEY'S COMMENTS

No comments were made at this time.

AGENDA ITEM #15
COUNCIL MEMBER'S COMMENTS

Mr. Reynolds announced that on September 28-29 the Florida Chamber will host their annual Future of Florida Forum in Orlando.

AGENDA ITEM #16
ADJOURNMENT

The meeting adjourned at 11:30 a.m.

_____
Mr. Forrest Banks, Secretary

The meeting was duly advertised in the September1, 2015issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 41, Number,170.

MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
OCTOBER 15, 2015 MEETING

The meeting of the **Southwest Florida Regional Planning Council** was held on **October15, 2015** at the offices of the Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida.In the absence of Chair Bob Mulhere, Vice-Chair Don McCormick called the meeting to order at **9:00 AM. Mayor Willie Shaw** then led an invocation and the Pledge of Allegiance. Nichole Gwinnett of staff conducted the roll call.

MEMBERS PRESENT

Charlotte County:	Commissioner Ken Doherty, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Mr. Don McCormick
Collier County:	Commissioner Penny Taylor, Councilwoman Teresa Heitmann, Mr. Alan Reynolds
Glades County:	Mr. Thomas Perry
Hendry County:	Commissioner DonDavis, Commissioner Julie Wilkins, Mr. Mel Karau
Lee County:	Commissioner Frank Mann, Commissioner Cecil Pendergrass, Councilman Forrest Banks, Councilman Jim Burch, Councilman Mick Denham
Sarasota County:	Commissioner Charles Hines, Councilman Kit McKeon, Mayor Willie Shaw
Ex-Officio:	Ms. Sara Catala– FDOT, Mr. Phil Flood – SFWMD, Mr. Jon Iglehart - FDEP

MEMBERS ABSENT

Charlotte County:	Ms. Suzanne Graham
Collier County:	Commissioner Tim Nance, Mr. Bob Mulhere
Glades County:	Commissioner Weston Pryor, Councilwoman Pat Lucas, Commissioner Tim Stanley
Hendry County:	Commissioner Karson Turner, Commissioner Sherida Ridgdill
Lee County:	Commissioner Katy Errington, Mayor AnitaCereceda, Ms. Laura Holquist
Sarasota County:	Commissioner Carolyn Mason, Mayor Rhonda DiFranco, Mr. Felipe Colón

Ex-Officio: Ms. Tara Poulton for Melissa Dickens – SWFWMD

AGENDA ITEM #4
PUBLIC COMMENTS

No public comment was given at this time.

AGENDA ITEM #5
AGENDA

Councilman Burch recommended moving Agenda Item #11(f) Legislative Priorities to the top of the agenda for discussion.

Vice-Chair McCormick noted that there would be an additional item added to the agenda regarding a letter of notification to the counties on the special assessment.

A motion was made by Council Burch to approve the agenda as amended. The motion was seconded by Commissioner Wilkins and passed unanimously.

AGENDA ITEM #6
Minutes of the September17, 2015Meeting

It was noted that the minutes of the September 17, 2015 meeting were going to be included in the November agenda packet.

AGENDA ITEM #7
DIRECTOR'S REPORT

Vice-Chair McCormick stated that a formal notification should be sent to the counties letting them know that there was no interest in the proposed onetime assessment.

Commissioner Mann asked who the letter was to be sent to. Vice-Chair McCormick explained that the letter will be sent to all of the counties within the region.

A motion was made by Commissioner Mann to send a letter of notification to the six counties stating that there was no interest in the proposed special assessment. The motion was seconded by Mr. Perry and passed unanimously.

AGENDA ITEM #7(a)
Sale of the Building

Vice-Chair McCormick announced that the Council did receive an offer of $1.2 million for the building with no contingencies other than a 45 day due diligence regarding the condition of the building. There isn't a lease back provision included within the sale.

Ms. Wuerstle noted that the offer was included in the agenda packet. The offer came in at $1.2 million from Family Health Centers. All of the counties were notified and the notice of sale was published for two weeks in each of region's newspapers. She then noted that today, October 15, is the deadline for a decision to be made on whether or not to accept the offer. She explained that with the sale price of $1.2 million and after paying all of the fees involved the Council should net approximately $150,000. In addition to that, since she had originally put in the FY15-16 budget the loan payment of $128,000, plus utilities, etc. the Council's FY15-16 budget should increase approximately $100,000, so the reserves should be able to be replenished with the savings.

Ms. Wuerstle explained that if the Council decided to accept the sale offer of $1.2 million, she had a resolution prepared. There is also a second resolution authorizing the executive director to find a new location for the Council and authorizing the executive director to negotiate a lease. It is a very short turnaround with the 45 day due diligence and then closing within two weeks. The closing would be sometime in the middle of December and she would like to be able to have a new location selected and have moving completed.

Vice-Chair McCormick said that he felt that the Council needed to first discuss the issue of the sale of the building (Resolution #1) and if the Council passes the first resolution then move onto the second resolution with the authorization of a lease.

> **A motion was made by Commissioner Davis to approve the first resolution regarding the sale of the building. The motion was seconded by Councilman Burch.**

Commissioner Doherty asked about the options for leasing, location, etc. and if staff could be able to move within the timeframe. Ms. Wuerstle explained that she believed that the move could be done. She believed that the first space that she would be pursuing is located within Lee County in downtown Fort Myers. The price seemed to be very reasonable; it had meeting space, parking, etc. If the Council approves the second resolution she would like to move forward in negotiating a lease with Lee County for the space.

Commissioner Mann asked Ms. Wuerstle if she had an idea of what the difference would be with a lease versus the current mortgage, since there currently isn't anything in writing with the potential landlord. Ms. Wuerstle explained that at the time that staff went to see the space for the first time, it was mentioned to staff that the rent would be approximately $7.00 per square foot for 7,000 square feet which totaled $49,000 annually and it included utilities, cleaning, there was a minimal parking fee, etc. She had estimated that for ten staff it would cost approximately $3,000 which is less than what the current utilities bill is. The overall savings with a lease at $49,000 versus a loan $128,000 annually is approximately $79,000.

Commissioner Mann asked if staff had an estimate on what the moving costs would be. Ms. Wuerstle explained that she didn't have an estimate at this time. Ms. Pellechio noted that when the Council moved from its North Fort Myers office to its current office location it cost the Council approximately $25,000; however, there were a lot more staff and equipment, etc. to be moved.

Councilman McKeon said that he felt that this was outstanding considering all of the discussions that the Council has had over the past year. With the sale of the building it would get the Council

out of its current financial situation. He said that staff should be applauded for the work that they have done in order to get us to this point.

Commissioner Doherty asked Ms. Wuerstle if she had an idea of how many years the lease would be for. He felt that it shouldn't be a long-term lease. Ms. Wuerstle noted that since negotiations haven't been started she really doesn't know.

Councilman Burch asked for clarification if the motion included the approval of the resolution or just the sale of the building. Vice-Chair McCormick explained that the first resolution is the approval of the sale. As the motion maker, Commissioner Davis explained that his motion was to approve the first resolution, which was to approve the sale of the building.

Councilman Burch noted that he was concerned having the Council negotiating a lease with a county that has placed within their legislative priorities that they support the "opt out" legislation. So there is that issue that the Council would have a lease with a county who may choose to opt out of the Council. He said that he felt that the Council needs to be very careful on how a lease is structured due to that situation. He said that there is a possibility of conflict of interest.

Commissioner Duffy asked Ms. Wuerstle for her opinion on the proposed sale offer. Ms. Wuerstle said that she felt that it was a good offer on the building and that the Council should accept the offer for the sale of the building.

Commissioner Pendergrass said that on his behalf he isn't going to do anything to promote the Lee County BCC to "opt out" of the Council should the legislation pass. He will not be in Tallahassee lobbying for that effort. He feels that the Council would be a great tenant, Lee County would be a great landlord to the Council, and it is a great location for the Council.

Commissioner Wilkins pointed out that with such a short timeframe there needs to be some contingencies within the lease that if for some reason the sale doesn't go through that the Council wouldn't be committed to the lease. She then suggested asking Family Health Centers if they would consider giving the Council a grace period even if the Council had to pay for it in order to allow the Council more time to move after the closing.

Councilman Banks asked if the Family Health Centers was a private company. Ms. Wuerstle said that she didn't know at this time. Councilman Banks then said that if they are then it is a benefit to the City of Fort Myers because it would increase their tax revenues.

Commissioner Mann stated that could be a conflict of interest. Councilman McKeon explained that it is his understanding that it isn't a conflict of interest as long as there isn't any personal gain.

Commissioner Davis called to question. Call to question passed unanimously.

Vice-Chair McCormick referred to the first motion for action.

Commissioner Mann asked about Commissioner Wilkins' suggestion on requesting a grace period being part of the motion.Commissioner Davis stated that the first motion is just to approve the sale of the building. Commissioner Mann said that he felt that it needed to be included in the motion

regarding the sale of the building. It is a very quick closing on a million dollar sale and he doesn't feel that it would be unreasonable to ask for a grace period if needed.

The motion passed unanimously.

Vice-Chair McCormick then moved onto the second resolution regarding giving the executive director the authority to execute a lease agreement for the Council's new location.

A motion was made by Councilman Burch to approve the second resolution giving the executive director the authorization to enter into a lease agreement for a new location. The motion was seconded by Commissioner Davis.

Ms. Wuerstle explained that staff has been working with the realtor and there is an understanding that it is a real tight turnaround. She said that if a lease is agreed upon with Lee County it does have to go before the Lee County BCC for final approval. Staff has also been working with the investors and they have been very accommodating.

Commissioner Davis said that he has confidence within the executive director to make the correct decisions regarding the lease.

Commissioner Doherty asked Ms. Wuerstle if a conference call with some of the Council members in regards to either the sale of the building and/or the lease could it be done relatively easy. Ms. Wuerstle said yes it could be done.

Councilman Burch asked if the negotiated lease would be brought before the Council for their final approval. Ms. Wuerstle said that it wasn't her intent to bring it before the full board; however, if there is adequate time to bring it before the Council she would certainly do that.

Councilwoman Heitmann asked if such an issue wouldn't be a decision for the Executive Committee. Ms. Wuerstle agreed that if needed she would take it before the Executive Committee. Councilman Burch said that he felt that it needed to go before either the Executive Committee or the full board for a final approval.

Commissioner Davis called the question. Called question passed unanimously.
Vice-Chair McCormick moved onto the second motion on the second resolution giving the executive director authorization to enter into a lease agreement.

The motion carried unanimously.

AGENDA ITEM #11(f)
Legislative Affairs Committee

Commissioner Doherty stated that he agreed with the proposed legislative priorities with the exception of the $2.8 million for the visitor center under Item #4. He explained that Charlotte County is currently in the process of trying to secure the land. Charlotte County Commissioner Constance will be presenting that information to the legislative delegation, he will be explaining that

it is still a priority for Charlotte County but will not be requesting any funds at this time because they simply are not at that point at this time.

> **A motion was made by Councilman Burch to approve Item #4 without the $2.8 million and also approve the remaining listed priorities. The motion was seconded by Commissioner Doherty.**

Commissioner Mann referred to Item #2 – County Opt-Out Provision from Regional Planning Councils and explained that Lee County's position and what was presented to the legislative delegation is opposite of what is listed within the Council's priorities. He suggested voting on Item #2 separate from the remaining priorities.

As the motion maker Councilman Burch agreed to remove Item #2 and vote on it separately from the remaining priorities. As the second, Commissioner Doherty agreed to remove Item #2 for discussion.

> **The motion passed unanimously as amended, not including Item #2 – County Opt-Out Provision from Regional Planning Councils.**

Vice-Chair McCormick asked for action to be taken on Item #2 – County Opt-Out Provision from Regional Planning Councils.

> **A motion was made by Councilman Burch to approve Item #2 as presented. The motion was seconded by Mayor Shaw.**

Commissioner Doherty went on record as being opposed to Item #2 because he felt that the Council needed to be very careful on what message they sent up to Tallahassee; because he felt that such a legislation could be catastrophic to the RPCs.

Commissioner Pendergrass stated that Sarasota County had taken the same position on Item #2 as Lee County and wanted to know if they had an update to their position at this time. Commissioner Hines explained that he did take the issue back before the Sarasota County BCC and they didn't change their position on the opt-out provision. He then said that he was obligated to vote "no" on Item #2 because it would be contrary to what the BCC had voted.

Councilman Denham asked how many counties within the region are in support of the opt-out provision. Ms. Wuerstle said that to her knowledge there were just the two counties within the Southwest Florida region.

Councilman Burch referred to Mr. Tuscan's comments at the September meeting in regards to having two counties support the opt-out provision and what the ramifications could be to the RPC.

Vice-Chair McCormick asked for a vote on Item #2 - County Opt-Out Provision from Regional Planning Councils as proposed within the Council's Legislative Priorities.

> **The motion carried with three opposed.**

Councilman Denham asked what FRCA's position was on the opt-out provision; especially, since they are aware that two of the counties within Southwest Florida support the provision. Ms. Wuerstle explained that FRCA is aware of the situation because it was brought up at the last FRCA meeting. Mr. Book wasn't present at the meeting; however, Rana his assistant was present. She explained that there really weren't any comments made at that time on the issue.

Commissioner Mann asked for clarification that FRCA's Executive Director, Ron Book, was not in attendance at the last FRCA meeting. Ms. Wuerstle said that was correct, but his assistant was present. Her perception was that Mr. Book wasn't concerned about the opt-out provision. She said that she felt that it should be a big concern since it could have ramifications for all of the RPCs; especially since another county within another RPC supported the opt-out provision.

Councilman Denham asked what FRCA's position is on the opt-out provision. Ms. Wuerstle said that she hasn't seen FRCA's legislative priorities at this time. Usually FRCA does come out with legislative priorities and it is expected that all of the RPCs support those priorities. Councilman Denham stated that the RPCs are expected to pay their dues but with no return from FRCA. He has a great amount of concern on whether or not to continue being a member of FRCA. He asked Ms. Wuerstle what the annual dues were that are paid to FRCA from the SWFRPC. Ms. Wuerstle said $20,500.

Councilman Denham stated that he didn't see any reason to keep paying FRCA over $20,000 annually when the SWFRPC receives nothing in return. Ms. Wuerstle noted that $15,000 hasn't been paid to FRCA from last year's dues. She then explained the organization of FRCA and stated that recently a new Chair had been appointed to FRCA's Policy Board. He has been attending the Executive Directors meetings, and he is now putting together a "path forward" committee to make some changes on the organization of FRCA. She said that if the new chair is able to make those changes that it would be a very positive move forward.

A motion was made by Councilman Denham to have a discussion on the possibility of having the SWFRPC discontinue being a member of FRCA if FRCA isn't supporting the SWFRPC. The motion was seconded by Commissioner Wilkins.

Councilman Denham said that with the changes made in the legislature, by removing DRIs, comp plan reviews, etc. that the same thing should be done to FRCA. Ms. Wuerstle explained that she felt if the SWFRPC pulls out of FRCA then the SWFRPC would be the next RPC that gets eliminated as did Withlacoochee.

Discussion ensued on FRCA not meeting the RPC's needs.

Councilman Denham noted that his motion was to have a discussion regarding FRCA, so further action needs to take place.

AGENDA ITEM #8
STAFF SUMMARIES

This item was for information purposes only.

AGENDA ITEM #9
CONSENT AGENDA

A motion was made by Commissioner Doherty to approve the consent agenda as presented and then Councilman McKeon seconded the motion. The motion passed unanimously.

AGENDA ITEM #10
REGIONAL IMPACT

Ms. Wuerstle explained that Mr. Dan Trescott of Trescott Planning Solutions would be presenting the following items.

AGENDA ITEM #10(a)
Palmer Ranch Increment XII NOPC

Mr. Trescott presented the item.

A motion was made by Commissioner Pendergrass to approve staff's recommendations. The motion was seconded by Mayor Shaw; the motion passed with Mr. Reynolds abstaining.

AGENDA ITEM #11(a)
Budget & Finance Committee

Councilman McKeon gave the report. He then referred to page 92 of the financials and explained that it illustrates the close out of FY4-15. The Council had approved for staff to take $125,000 out of reserves in order to cover the Council's deficit. At this time the financials show that there is an increase of the deficit to $139,000. However, on page 95 there is an unrecovered deficit of $15,000. It is anticipated that revenue will be recovered in order to close out the FY14-15 year.

AGENDA ITEM #11(b)
Economic Development Committee

No report was given at this time.

AGENDA ITEM #11(c)
Energy & Climate Committee

Vice-Chair McCormick presented the item. He referred to a handout indicating which cities/counties haven't participated.

Councilman McKeon stated that he will speak with staff on getting a point of contact for the City of Venice.

Commissioner Doherty stated that he will also speak with staff in regards to getting a point of contact for Charlotte County.

AGENDA ITEM #11(d)
Estero Bay Agency on Bay Management (EBABM) Committee

Mr. Beever noted that there wasn't a report for the ABM due to the regular meeting fell on Columbus Day so it had to be rescheduled to October 26.

AGENDA ITEM #11(e)
Executive Committee

No report was given at this time.

AGENDA ITEM #11(g)
Quality of Life & Safety Committee

Mayor Shaw announced that the committee had met briefly last month and he is hoping to have a presentation given to the Council at a future meeting.

AGENDA ITEM #11(h)
Regional Transportation Committee

Ms. Wuerstle noted that the committee hasn't met; however, she had been in contact with FDOT District 1 Secretary Billy Hattaway and she is in the process of having him come down to give a presentation to the Council at a future meeting.

AGENDA ITEM #11(i)
Interlocal Agreement/Future of the SWFRPC Committee

Councilman Burch gave the report.

Vice-Chair McCormick announced that the next meeting of the Council has been scheduled for November 12.

AGENDA ITEM #12(a)
Imperiled Species Management Plan Presentation

Ms. Claire Sunquist Blunden of Florida Fish & Wildlife Conservation Commission (FWC) gave a presentation of "Imperiled Species Management Plan".

Councilman McKeon asked Ms. Blunden the definition of "delisted". Ms. Blunden explained that when a species is "delisted" it means that that particular species didn't meet the FWC's criteria for listing.

Mr. Karau asked about the criteria it is based on. Ms. Blunden explained that FWC uses the international criteria, the ICN criteria. There are a number of factors that have to be considered and also its regional importance in Florida.

Commissioner Doherty asked Ms. Blunden to give an example of a delisted species. Ms. Blunden noted that the Brown Pelican came off the list; it was previously listed as a species of special concern.

Commissioner Wilkins asked Ms. Blunden if the alligator was still listed. Ms. Blunden explained that the alligator is still listed as similarity and appearance with the crocodile. FWC is in the process of re-evaluating the crocodile listing at this time. The alligator is not a protected species, since they are hunted and harvested, but they are still listed for similarity and appearance. Commissioner Wilkins clarified that it is against the law to shoot an alligator. Ms. Blunden said that he was correct. Commissioner Wilkins clarified that since the alligator has a hunting season it is not a protected species. Ms. Blunden said that was correct.

Councilman Burch asked Ms. Blunden to explain FWC's permitting process. Ms. Blunden explained that FWC's standard for a permitting process is not recovery, so the FWC doesn't use agency permitting to recover a species because they use their resources and conservation to recover those species. The burden is not on the permitee to recover state listed species because they are at a different threshold.

Discussion ensued on FWC's processes.

Councilman Banks asked Ms. Blunden what was the habitat for the Sanibel Rice Rat. Ms. Blunden explained that the Sanibel Rice Rat lives in freshwater marshes and mangroves. Mr. Beever explained that the Sanibel Rice Rat was restricted to the central freshwater wetland on Sanibel Island.

Discussion continued on the changes in FWC's policies.

Ms. Blunden continued with her presentation. She announced that the draft management plan and its associated rules will be presented to FWC's Commission in November 2015. There will be a 60 day comment period from November to January, then the comments would be incorporated and the final plan and associated guidelines would be presented in April 2016.

Commissioner Mann asked Ms. Blunden about the black bear. Ms. Blunden explained that the bear already had a management plan in place so it is not included within this plan. She explained that in 2012 the bear was delisted and it has come to the point where FWC will be executing a bear hunt.

Commissioner Mann asked Ms. Blunden the difference between the Big Cypress Fox Squirrel and the Sherman Fox Squirrel and asked if he needs to pay more attention to one than the other. Ms. Blunden explained that there are three species of the Fox Squirrel and the Caloosahatchee River is the dividing line between the Big Cypress and Sherman Fox Squirrel. The Big Cypress Fox Squirrel is listed as being "threatened" and the Sherman Fox Squirrel is listed as a "species of special concern". The Big Cypress Fox Squirrel habitat is predominantly wetter cypress habitats. Mr. Beever explained that there are subspecies of the fox squirrels.

AGENDA ITEM #13
STATE AGENCIES COMMENTS/REPORTS

FDEP – Mr. Iglehart announced that DEP's drinking and wastewater project RFP are out.

FDOT – Ms. Catala noted that she had distributed a handout regarding the upcoming FTP Webinar.

SFWMD – Mr. Flood announced that the SFWMD has a new executive director

AGENDA ITEM #14
COUNCIL ATTORNEY'S COMMENTS

No comments were made at this time.

AGENDA ITEM #15
COUNCIL MEMBER'S COMMENTS

Councilman Denham stated that the City of Sanibel and a number of businesses on Sanibel have been very engaged with the Solar Ready II project.

Councilman McKeon announced that he was unable to attend the November 12 meeting due to a scheduling conflict.

AGENDA ITEM #16
ADJOURNMENT

The meeting adjourned at10:20 a.m.

_____
Mr. Forrest Banks, Secretary

The meeting was duly advertised in the October 1, 2015 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 41, Number, 170.

Agenda Item

7

Director’s Report 7

7

1926 Victoria Avenue | Fort Myers, FL 33901 P: 239.338.2550 | F: 239.338.2560 | www.swfrpc.org

EXECUTIVE DIRECTOR'S REPORT: November 12, 2015

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. Management / Operations

a. Sale of Building - Update
- Legal Representation/Non-Rep Agreement
- Credit to buyer of $10, 375 - (see attached deficiency report)

b. Lease of Office Space
c. Appointment of a Nominations Committee for 2016 RPC Officers
d. December 17, 2015 RPC meeting cancellation
e. Senate Bill 7000 (attached)
f. Correspondence to FRCA
g. CREW Valentine's Eve Concert & Silent Auction: tickets available for $15.00
h. CREW Pocket Naturalist Guide on available for $8.00

2. Resource Development and Capacity Building

a. FRCA:
b. Attended Legislative Delegation Meetings in Lee County, Collier County and Glades County
c. Met with USDA regarding the Promise Zone Application
d. Met with Representatives Matt Hudson, Ken Roberson, Ray Rodrigues, and Kathleen Passidomo regarding Legislative Priorities.

3. Fourth Quarter FY 2014-2015 (July - October)

a. Implementation of Workplan:
- Grants Awarded:
  - ✓ DEO Clewiston Revitalization Plan
  - ✓ DEO Lee County Rail Study
  - ✓ DEO Ft. Myers MLK Equitable Economy Plan
  - ✓ EPA Wetland Protection Development Grant
- Grants Under Development
  - ✓ FHREDI -Regional Rural Development Grant - On Hold
- Grants Pending:
  - ✓ Shirley Conroy Grant for Goodwheels $245,799
  - ✓ Farms to School Grant $95,292

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- Pending Grants: approximately $341,091 in various grants

Agenda Item

7a

Building Sale-Non Rep Letters-Sellers

7a

7a

CHEFFY PASSIDOMO

ATTORNEYS AT LAW

EDWARD K. CHEFFY
Board Certified Civil Trial Lawyer
Board Certified Business Litigation Lawyer
JOHN M. PASSIDOMO
Board Certified Real Estate Lawyer
JOHN D. KEHOE
Board Certified Civil Trial Lawyer
LOUIS D. D'AGOSTINO
Board Certified Appellate Practice Lawyer
DAVID A. ZULIAN
Board Certified Construction Lawyer
CLAY C. BROOKER
Board Certified City, County and
Local Government Lawyer

821 Fifth Avenue South
Naples, Florida 34102
Telephone: (239) 261-9300
Facsimile: (239) 261-9782
www.napleslaw.com

ANDREW H. REISS
Board Certified Business Litigation Lawyer
WILLIAM J. DEMPSEY
Board Certified Real Estate Lawyer
R. BRUCE ANDERSON
NICHOLAS P. MIZELL
DEBBIE SINES CROCKETT
BRIAN J. THANASIU
MARIA VIGILANTE

Of Counsel:
GEORGE L. VARNADOE

October 19, 2015

Via Email:twalker@swfrpc.org

Southwest Florida Regional Planning Council
c/o Krise Commercial Group, LLC
Attn: Tim Walker
2040 Virginia Avenue
Fort Myers, Florida 33901

Re: Sale to Family Health Centers of Southwest Florida, Inc.
1926 Victoria Avenue, Fort Myers, Florida 33901

Dear Mr. Walker:

We represent Family Health Centers of Southwest Florida, Inc. in the above captioned real estate transaction. We understand that you have asked us to prepare the documents required to close the transaction incidental to the representation of our client. We are happy to do so.

By arranging for the preparation of the closing documents, we are not undertaking to represent Southwest Florida Regional Planning Council in this transaction. We will serve as escrow closing agent, prepare the closing documents, obtain payoff and estoppel letters, and receive and disburse the sale proceeds. We will charge a document preparation fee of $650.00 to cover the cost of preparing the documents and obtaining estoppel information necessary to close the sale. Out-of-pocket expenses and incidental costs, such as long distance telephone calls, routine air courier, fax and copying charges, generally run approximately $75.00. Estoppel fees generally cost $75.00 to $300.00, and you will be responsible to reimburse our office for such expenses whether or not your transaction closes. We urge you to seek independent legal counsel if you have any questions concerning your rights and obligations under the Sales Contract.

We look forward to working with you and to closing this transaction in a timely and efficient manner. Please contact me or my real estate paralegal, Chelsea N. Lach, if you have any questions or comments concerning this transaction.

Very truly yours,

William J. Dempsey
Cheffy Passidomo, P.A.

WJD/dp

AUTHORIZATION
TO
CHEFFY PASSIDOMO

Re: Sale to Family Health Centers of Southwest Florida, Inc.
1926 Victoria Avenue, Fort Myers, Florida 33901

I authorize Cheffy Passidomo to proceed on the basis provided in their October 19, 2015 correspondence.

Dated this _____ day of October, 2015

Southwest Florida Regional Planning Council

By:_____

Printed Name:_____

Its: _____

Agenda Item

7b

Building Inspection Deficiency Summary

7b

7b

Kross Inspectors Deficiency Summary -15002360_14 (1926 Victoria Avenue)

Location	System	Condition	Recommended Action	Deferred Maintenance, Damaged Component, or Normal Wear & Tear	Notes	Page # in Original Report	Estimated Cost Of Repair*	Corrected? Y/N
Roof	Roof	Bubbling roll roofing	Repair	Normal Wear & Tear		7	$5,000.00	
Roof	Roof	Vegetation growth on roof surface	Repair	Deferred Maintenance		7	$250.00	
Roof	Roof	Damaged hatch flashing	Repair or replace	Damaged Component		8	$500.00	
Throughout	Exterior	Cracks in exterior stucco wall surfaces	Repair	Damaged Component		10	$2,000.00	
Parking Lot	Exterior	Settlement of common parking area	Repair	Normal Wear & Tear	Typical settlement observed throughout entire parking area. Cost estimate takes in to consideration resurfacing entire parking lot.	11	$10,000.00	
Parking Lot	Exterior	Trip hazard(s) on walkway	Repair	Damaged Component	Area of concern is transformer concrete pad	11	$750.00	
Exterior Front	Exterior	Leaning parking lot light	Repair	Damaged Component		11	$2,500.00	
Electric Room	Exterior	Exterior door is deteriorated (rust observed on metal door)	Repair	Normal Wear & Tear		12	$500.00	
Throughout	Exterior	Inoperable parking lot light	Repair	Damaged Component		12	$1,500.00	
Exterior Rear	Exterior	Exterior door has damaged weatherstripping	Repair	Damaged Component		12	$250.00	
1st Floor Copy	Exterior	Exterior door is deteriorated (rust observed on metal door)	Repair	Normal Wear & Tear		13	$350.00	
Exterior Rear	Exterior	Exterior door will not close completely	Repair	Damaged Component		13	$175.00	
Exterior Left	Exterior	Trip hazard(s) on walkway	Repair	Deferred Maintenance	Trip hazard observed is an extension of the roof drain. Consider trimming back to avoid tripping hazard within parking/loading/unloading area.	13	$150.00	
Throughout	Interior	Interior floor plan photo	Review			18		
1st Floor Copy	Interior	Evidence of pest entry	Service	Deferred Maintenance	Engage licensed pest control	19	$500.00	
1st Floor Copy	Interior	Dry wall stain adjacent to exterior wall	Review	Deferred Maintenance		19	$250.00	
1st Floor South Office	Interior	Evidence of pest entry	Service	Deferred Maintenance		19	See Line Item 17	
1st Floor South Office	Interior	Window leaks	Repair	Damaged Component		20	$250.00	
1st Floor South Office	Interior	Dry ceiling AC component leak	Review	Deferred Maintenance		20	$100.00	
1st Floor South Office	Interior	Wet wall stain adjacent to exterior wall	Repair	Damaged Component		20	$250.00	
1st Floor South Office	Interior	Damaged trims	Repair	Damaged Component		21	$150.00	
1st Floor South Office	Interior	Dry ceiling AC component leak	Repair	Deferred Maintenance		21	$100.00	
1st Floor Women's Room	Interior	Auto door opener inoperable	Repair or replace	Damaged Component		22	$250.00	
1st Floor Conference	Interior	Wet water staining observed on interior trim	Repair	Damaged Component		22	$350.00	
1st Floor Reception	Interior	Dry water stains on trim	Review	Deferred Maintenance		23	$250.00	
1st Floor Conference	Interior	Dry wall stain adjacent to exterior wall	Review	Deferred Maintenance		23	$250.00	
1st Floor Conference	Interior	Dry ceiling stain adjacent wall	Repair ceiling	Damaged Component		23	$100.00	
1st Floor Conference	Interior	Dry ceiling pest moisture	Review	Deferred Maintenance		24	$100.00	
1st Floor Conference	Interior	Dry ceiling pest moisture	Review	Deferred Maintenance		24	$100.00	
2nd Floor Server	Interior	Dry ceiling stain roof leak	Review	Deferred Maintenance		25	$100.00	
2nd Floor West Office	Interior	Dry ceiling stain roof leak	Review	Deferred Maintenance		25	$500.00	

2nd Floor Central Office	Interior	Dry ceiling stain roof leak	Review	Deferred Maintenance		26	$100.00
2nd Floor Central Office	Interior	Dry ceiling stain roof leak	Review	Deferred Maintenance		26	$500.00
2nd Floor Central Office	Interior	Dry ceiling stain roof leak	Review	Deferred Maintenance	Duplicate comment	27	See Line Item 35
2nd Floor Conference	Interior	Dry ceiling stain roof leak	Review	Deferred Maintenance		27	$100.00
2nd Floor Central Office	Interior	Dry ceiling AC component leak	Review	Deferred Maintenance		28	$200.00
Exterior Left	Heating and Cooling	Refrigerant line insulation missing or damaged	Repair	Damaged Component		33	$125.00
1st Floor Copy	Heating and Cooling	Air conditioner failed to operate when inspected	Service; consult specialist	Damaged Component	Consult licensed AC contractor for recommended repairs. Cost estimate takes into consideration full replacement.	34	$2,500.00
Exterior Left	Plumbing	Irrigation controls did not operate as intended	Service	Damaged Component	Full review of irrigation system required in order to determine estimate.	36	
1st Floor Women's Room	Plumbing	Debris in plumbing distribution lines	Repair	Deferred Maintenance	Consult utility provider or licensed plumber in order to determine cause.	37	$250.00
Throughout	Plumbing	Water heater temperature not as high as expected	Repair	Deferred Maintenance	Cost estimate considers replacing water heaters	37	$500.00
2nd Floor Women's Room	Plumbing	Toilet valve runs on when tank is full	Repair	Damaged Component		37	$125.00
Electric Room	Electrical	Panel label is missing or deteriorated	Review	Deferred Maintenance		40	$125.00
Exterior Front	Electrical	Electrical fixture does not work	Repair	Damaged Component	Review by licensed electrician required in order to determine cause. Per site contact, lights have not functioned for some time.	41	$250.00
1st Floor West Office	Electrical	Electrical fixture does not work	Repair	Damaged Component		41	$250.00
1st Floor South Office	Electrical	Electrical fixture does not work	Repair	Damaged Component		41	$250.00
1st Floor Women's Room	Electrical	Electrical fixture does not work	Repair	Damaged Component		42	$250.00
2nd Floor Men's Room	Electrical	Electrical fixture does not work	Repair	Damaged Component		42	$125.00
2nd Floor Server	Electrical	Damaged panel cover	Repair	Damaged Component		43	$175.00

This report reflects local builder/contractor estimates for repairs of items found during our inspection. If local builder or contractor costs were not available, Marshall & Swift estimating service was utilized. Please note that these are itemized repair costs and multiple services provided by a single provider may be discounted significantly. Furthermore, these estimates are to be used with caution as actual repair costs of contractors may vary depending on variables such as material costs, labor costs, and location of property.

Kross Inspectors strongly urges the user of this attached report to consult a licensed professional for each of the items requiring attention. Should the licensed professional's opinion regarding corrective action for any item listed differ from those of Kross Inspectors, the opinion of the individual holding the license for that specific trade should be considered. For items considered as major repairs, it is recommended to obtain multiple proposals from licensed individuals in order to receive a competitive bid.

The attached cost estimate report is not to be considered a Full Inspection Report of the subject property. The report does not contain all details necessary in order to make an informed decision about the condition of the property.

Agenda Item

7c

Senate Bill 7000

7c

7c

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL:	SPB 7000
INTRODUCER:	For consideration by Community Affairs Committee
SUBJECT:	Developments of Regional Impact
DATE:	September 11, 2015 REVISED:

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
Stearns	Yeatman		**CA Submitted as Committee Bill**

I. Summary:

SPB 7000 clarifies that certain proposed developments which are currently consistent with the local government comprehensive plan are not required to be reviewed pursuant to the State Coordinated Review Process for comprehensive plan amendments.

II. Present Situation:

Development of Regional Impact Background

A development of regional impact (DRI) is defined in s. 380.06, F.S., as "any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county." The DRI program was initially created in 1972 as an interim program intended to be replaced by comprehensive planning and permitting programs. The DRI program provided a lengthy and complicated review process for proposed projects that was largely duplicated by the successor comprehensive planning review process.

Comprehensive planning was first required by law in 1975. However, the Growth Management Act of 1985 is considered the watershed moment that brought truly modern planning requirements into force. In recognition of this fact, the Environmental Land Management Study Committee in 1992 recommended that the DRI program be eliminated and relegated to an enhanced version of the Intergovernmental Coordination Element (ICE) that is required to be included in local comprehensive plans.[1] After much controversy, this recommendation was not implemented, and the DRI program continued in its previous form.

However, over the ensuing years, the program was chipped away via the serial enactment of a number of exemptions. The following list of exemptions is not exhaustive, but it is illustrative of the number and variety of carve outs from the DRI program that have been enacted:

[1] *See* Richard G. Rubino and Earl M. Starnes, *Lessons Learned? The History of Planning in Florida*. Tallahassee, FL: Sentry Press, 2008. ISBN 978-1-889574-31-8.

- Certain projects that created at least 100 jobs that met certain qualifications – 1997.
- Certain expansions to port harbors, certain port transportation facilities and certain intermodal transportation facilities – 1999.
- The thresholds used to identify projects subject to the program were increased by 150 percent for development in areas designated as rural areas of critical economic concern (now known as Rural Areas of Opportunity) – 2001.
- Certain proposed facilities for the storage of any petroleum product or certain expansions of existing petroleum product storage facilities – 2002.
- Any renovation or redevelopment within the same land parcel which does not change land use or increase density or intensity of use – 2002.
- Certain waterport or marina developments – 2002.
- The establishment, relocation, or expansion of any military installation as defined in s. 163.3175, F.S. – 2005.

In 2009, the Legislature enacted the most significant exemption from the DRI program: the exemption for Dense Urban Land Areas (DULAs). By 2015, when the Legislature eliminated the requirement that new DRIs undergo the DRI review process, eight counties and 243 cities qualified as DULAs. This meant that all projects within those counties and cities were exempted from the DRI program. The areas qualifying as DULAs accounted for more than half of Florida's population.

Comprehensive Plans and the Comprehensive Plan Amendment Process

The landmark Growth Management Act of 1985 required every city and county to create and implement a comprehensive plan to guide future development. A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments. Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government amends its comprehensive plan first.

State law requires a proposed comprehensive plan amendment to receive three public hearings, the first held by the local planning board.[2] The local commission (city or county) must then hold an initial public hearing regarding the proposed amendment and subsequently transmit it to several statutorily identified reviewing agencies,[3] including the Department of Economic Opportunity (DEO), the relevant Regional Planning Council (RPC), and adjacent local governments that request to participate in the review process.[4]

The state and regional agencies review the proposed amendment for impacts related to their statutory purview. The RPC reviews the amendment specifically for "extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region" as well as adverse effects on regional resources or facilities.[5] Upon receipt of the reports from the various agencies the local government holds a second public hearing at which

[2] Section 163.3174(4)(a), F.S.
[3] Section 163.3184, F.S.
[4] *Id.*
[5] Section 163.3184(3)(b)3.a., F.S.

the governing body votes to approve the amendment or not. If the amendment receives a favorable vote it is transmitted to the DEO for final review.[6] The DEO then has either 31 days or 45 days (depending on the review process to which the amendment is subject) to determine whether the proposed comprehensive plan amendment is in compliance with all relevant agency rules and laws.[7]

The Expedited State Review Process vs. the State Coordinated Review Process

In 2011, the Florida Legislature bifurcated the process for approving comprehensive plan amendments. Most plan amendments were placed into the Expedited State Review Process, while plan amendments related to large-scale developments were placed into the State Coordinated Review Process. The two processes operate in much the same way, however, the State Coordinated Review Process provides a longer review period and requires all agency comments to be coordinated by the DEO, rather than communicated directly to the permitting local government by each individual reviewing agency.

2015 Changes to the DRI Law

In 2015, the Florida Legislature, in a bid to reduce duplicative and burdensome regulation, eliminated the requirement that new developments be reviewed pursuant to the DRI process. Instead, the Legislature directed that proposed developments only need to comply with the requirements of the State Coordinated Review Process.[8]

However, there has been some confusion regarding whether the new statutory language requires new DRI-sized projects that comply with the existing comprehensive plan to nevertheless be reviewed pursuant to the State Coordinated Review Process and to obtain a plan amendment.

III. Effect of Proposed Changes:

Section 1 amends s. 163.3184, F.S., to clarify statutory language.

Section 2 amends s. 380.06, F.S., to clarify that a proposed development that is consistent with the existing comprehensive plan is not required to undergo review pursuant to the state coordinated review process for comprehensive plan amendments.

Section 3 provides an effective date of July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

[6] Section 163.3184, F.S.
[7] *Id.*
[8] Section 380.06(30), F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 163.3184 and 380.06.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

A bill to be entitled

An act relating to developments of regional impact; amending s. 163.3184, F.S.; clarifying statutory language; amending s. 380.06, F.S.; providing that a proposed development that is consistent with certain comprehensive plans is not required to undergo review pursuant to the state coordinated review process; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 163.3184, Florida Statutes, is amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

(c) Plan amendments that are in an area of critical state concern designated pursuant to s. 380.05; propose a rural land stewardship area pursuant to s. 163.3248; propose a sector plan pursuant to s. 163.3245 or an amendment to an adopted sector plan; update a comprehensive plan based on an evaluation and appraisal pursuant to s. 163.3191; propose a development that is subject to the state coordinated review process ~~qualifies as a development of regional impact~~ pursuant to s. 380.06(30) ~~s. 380.06~~; or are new plans for newly incorporated municipalities adopted pursuant to s. 163.3167 shall follow the state coordinated review process in subsection (4).

Section 2. Subsection (30) of section 380.06, Florida Statutes, is amended to read:

380.06 Developments of regional impact.—

(30) ~~NEW~~ PROPOSED DEVELOPMENTS.—A ~~new~~ proposed development otherwise subject to the review requirements of this section shall be approved by a local government pursuant to s. 163.3184(4) in lieu of proceeding in accordance with this section. However, if the proposed development is consistent with the comprehensive plan as provided in s. 163.3194(3)(b), the development is not required to undergo review pursuant to s. 163.3184(4) or this section.

Section 3. This act shall take effect July 1, 2016.

Agenda Item

7d

Correspondence to FRCA

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7d

1926 Victoria Avenue | Fort Myers, FL 33901

P: 239.338.2550 | F: 239.338.2560 | www.swfrpc.org

October 23, 2015

Honorable Commissioner Lee Constantine, President
Florida Regional Councils Association
Board of County Commissioners
Seminole County Services Building
1101 E. First Street
Sanford, Florida 32771

RE: Florida Regional Councils Association

Dear Commissioner Constantine:

As you know, the general objective of the Florida Regional Councils Association (the Association) as stated in the bylaws is "to further the interests of the RPCs in Florida as these interests relate to their service to their local governments and their citizens, the promotion of these interests, the promotion of harmonious, productive relationships among the several member RPCs, the promotion of harmonious, productive relationships among member RPCs and any and all state and federal agencies as well as private groups whose interests overlap those of member RPCs, and to do any and all things necessary to assure that Florida's RPCs are effective service organizations to the people of Florida."

Furthermore, "Lobbying responsibilities shall include seeking funding to advance the programs of the regional planning councils; opposing legislation that does not support regional planning councils; and, identifying proposed legislation or proactively developing proposed legislation that would advance the mission of the regional planning councils, which must be approved by the members without opposition." The New Board Member Fact Sheet states, "The Association also has a contract lobbyist/Executive Director who reports to the President of the Association and is responsible for the Association's legislative program and strategy".

Regional Planning Councils are facing a potentially devastating situation during the upcoming legislative session. There is a strong likelihood that legislation will be proposed that would allow counties to "opt out" of membership in a regional planning council. Should such legislation come to fruition, the future of the regional planning councils will be seriously threatened. As things stand today, the Southwest Florida Regional Planning Council is apprehensive about its future and that of the other regional planning councils. On behalf of the Southwest Florida Regional Planning Council I am asking that the Association address the following questions:

1926 Victoria Avenue | Fort Myers, FL 33901

P: 239.338.2550 | F: 239.338.2560 | www.swfrpc.org

1. Moving forward, what are the Association's strategies to promote the interest and long term viability of the Councils (assuming those strategies do not include lobbying for renewed State funding)?

2. What is the Association's position on the county "Opt Out" legislation and what is the Association's legislative program and strategy for addressing "Opt Out" legislation and any other legislation that could potentially harm the effectiveness of the RPCs?

3. What is the Association's strategic plan for accomplishing its objectives as stated in the Association's by-laws?

The Southwest Florida Regional Planning Council desires the Association to be a strong, reliable advocate for regionalism in Florida through the ten regional planning councils. We applaud the current efforts of FRCA's Path Forward Committee and we are committed to being fully engaged in that process. We are grateful for your long standing commitment to regional planning. However, based on current observations on how the Association operates, the Council is not convinced that membership in the Association has been beneficial to the Southwest Florida Region. We want to be sure that the Path Forward Committee will consider and make recommendations related to a strategy for the Association to effectively promote the interest and long term viability of the Councils. This strategy may include changes in the Association's structure, and how it communicates and interacts with the 10 regional planning councils that make up the Association. The Southwest Florida Regional Planning Council would be grateful if you would respond to these questions at your earliest convenience. Should you have any questions, please contact me at 239-825-9373 or in the alternative you can contact our Executive Director, Margaret Wuerstle at 239-281-6978. Thank you for your attention to this matter.

Sincerely,

Robert J. Mulhere, FAICP, Chair
Southwest Florida Regional Planning Council

cc: Ron Book, FRCA Executive Director
Michael Busha, FRCA Executive Directors Advisory Committee Chair
Barbara Sheen Todd, Forward Path Committee Chair
SWFRPC Board Members
Margaret Wuerstle, AICP, SWFRPC Executive Director

Agenda Item

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CREW Fundraisers

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I ♥ CREW

Valentine's Eve Concert & Silent Eco-Auction

Featuring The Sarah Hadeka Band & Chain Reaction

Saturday, February 13
Gates open at 5 pm
Riverside Park
27300 Old Route 41
Bonita Springs

Bid on unique eco-auction items, including a personal on-stage "Sarah-nade" by Sarah for your sweetheart!

Tickets $15 at CREWTRUST.ORG or $20 at gate
$75 VIP Cafe ticket includes drinks and dinner

CREW Land & Water Trust

Food, craft beer and wine available for purchase. Bring lawn chairs.
Children under 12 FREE - No pets

All concert proceeds will support CREW's education programs

Agenda Item

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Staff Summaries 8

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Agenda Item

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Grant Activity Sheet (Information Only)

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SWFRPC Grant Summary As Of November 3, 2015

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
1	SWFRPC	Grant	Yes	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning Grant Modification					9/11/2015		$13,000.00	$13,000.00	10/1/2015	12/13/2015	Trainings	$0.00
2	SWFRPC	Grant	Yes	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 HMEP Planning and Training Grant						9/28/2015	$73,922.00	$73,922.00	10/1/2015	9/30/2016	HMEP related projects and trainings	$0.00
3	SWFRPC	Grant	Yes	EPA- Enivronmental Protection Agency	Jim Beever	Developing a Method to Use Ecosystem Services to Quantify Wetland Restoration Successes			5/15/2015	5/5/2015	9/29/2015	9/29/2015	$234,071.00	$174,071.00	10/1/2015	9/30/2016	Ecosystem Services Method with manual on its use; final report and progress reports.	$60,000.00
4	SWFRPC	Grant	Yes	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 LEPC Agreement			6/30/2015	5/15/2015	6/11/2015	6/11/2015	$48,000.00	$48,000.00	7/1/2015	6/20/2016	Staff support to the LEPC, Plan Development and Exercise, Technical Assistance and Training Coordination/Planning.	$0.00
5	SWFRPC	Contract	Yes	Glades County	Tim Walker	Glades County Small Quantity Generators (SQG)						5/17/2012	$3,900.00	$3,900.00	5/17/2012	5/16/2017	The goal of the assessment, notification, and verification program is to inform Small Quantity	$0.00
6	SWFRPC	Contract	Yes	DOE - US Dept. 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	$50,000.00
7	SWFRPC	Grant	Yes	EDA - US Economic Development Administration	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	Visit Florida	Jennifer Pellechio	OUR CREATIVE ECONOMY Marketing			2/9/2015	2/9/2015	6/25/2015	6/26/2015	$5,000.00	$2,500.00	7/1/2015	6/15/2016	TBD	$2,500.00
9	SWFRPC	Contract	Yes	EPA/CHNEP - Charlotte Harbor National Estuary Program	Jim Beever	Mangrove Loss Project			4/4/2014	4/4/2014	12/19/2014		$243,324.00	$60,000.00	Oct 2014	Sept 2016	Report, transect information, presentations, articles	$63,800.00
10	SWFRPC	Grant	Yes	City of Bonita Springs	Jim Beever	Spring Creek Restoration Plan							$50,000.00	$50,000.00	Jan 2015	Feb 2016	The Spring Creek Vulnerability Assessment and The	$0.00
11	SWFRPC	Grant	Yes	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Southwest Florida Rail Corridor Preservation Plan				6/16/2015	8/3/2015		$39,000				Comprehensive Plan language, GIS maps of the rail corridor, Stakeholder meetings	
12	SWFRPC	Grant	Yes	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Clewsiton Main Street Revitalization Plan				6/16/2015	8/3/2015		$25,000				Outreach materials, Public meetings, Develop comminity	
13	SWFRPC	Grant	Yes	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Community Planning Technical Assistance Grants- City of Fort Myers				6/15/2015			$30,000		10/1/2015	5/31/2016	Educational Program Curriculum, Community Preference Analysis and Visual Preference Assessment, Report results	

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
14	SWFRPC	Grant	Yes	DEM - FL Div. of Emergency Management	Tim Walker	Collier Hazard Analysis FY15-16						7/1/2015	$9,693.00	$9,693.00	8/16/2015	6/30/2016		
15	SWFRPC	Grant	Complete	EPA - US Environmental Protection Agency	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
16	SWFRPC	Grant	Complete	EPA - US Environmental Protection Agency	Jim Beever	WQFAM							$160,000.00	$160,000.00	10/1/2011	9/30/2015	Extention 2014-2015	$0.00
17	SWFRPC	Grant	Complete	EDA - US Economic Development Administration	Jennifer Pellechio	Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development				12/26/2013	9/3/2014		$116,514.00	$58,257.00			SWOT Analysis, Web Survey, REMI, Regional website, branding strategy, brochures	$30,584.45
18	SWFRPC	Grant	Complete	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning						2/4/2015	$22,000.00	$22,000.00	10/1/2014	9/30/2015	Major Planning Project; travel coordination for LEPC Chairman; LEPC program coordination and quarterly reports.	$0.00
19	SWFRPC	Contrac t	Complete	NADO- National Association of Development Organizations	Jennifer Pellechio	CEDS Resiliency Section Technical Assistance												
20	SWFRPC	PO	Complete	TBRPC - Tampa Bay Regional Planning Council	Rebekah Harp	Tampa Bay RPC Graphics and Publications					10/21/2014	10/21/2014			10/21/2014	5/29/2015	As needed publication and graphic design, including FOR (Future of the Regions) award materials and annual report.	$0.00
21	SWFRPC	PO	Complete	TBRPC - Tampa Bay Regional Planning Council	Rebekah Harp	2015 Disaster Planning Guide					1/28/2015		$4,000.00	$4,000.00	2/5/2015	3/1/2015	2015 Disaster Planning Guide for eight counties in English and Spanish.	$0.00
22	SWFRPC	Grant	Complete	DEM - FL Div. of Emergency Management	Tim Walker	Collier Hazard Analysis					12/5/2014		$8,042.00	$8,042.00	12/23/2014	6/15/2015	There are 4 deliverables stipulated with the contractual agreement.	$0.00
23	SWFRPC	Grant	Complete	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
24	SWFRPC	Grant	Complete	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	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	$20,000.00	12/1/2014	5/31/2015	City of LaBelle Agriculture Tour Plan	$0.00

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
25	SWFRPC	Grant	Complete	CTD - FL Commission for the Transportation Disadvantaged	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
26	SWFRPC	Contract	Complete	DEM - FL Div. of Emergency Management	Nichole Gwinnett	Title III (LEPC) FY14-15					7/1/2014	9/24/2014	$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
27	SWFRPC	Grant	Pending	USDA - US Dept. of Agriculture	Margaret Wuerstle	Farm to School			5/20/2015	5/20/2015								
28	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Growing Markets for Small Farmers				6/17/2015				$25,000			Identify needs of local farmers, identify sellers for the market, Prudce a map and marketing materials, Implement action plan	
29	SWFRPC	Grant	No	WalMart	C.J. Kammerer	GoodWheels			7/17/2015	7/16/2015	9/10/2015						Run transporation routes between Clewsiton and Belle Glade	$50,000
30	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	SWF "Know Your Zone" Public Education Campaign				6/17/2015	8/7/2015			$30,000			Design a logo, Prepare education program and curriculum, introduce campaign and schedules, Create Diaster Planning Guide, Present to schools	

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
31	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Strategic Opportunity Plan for Immokalee				5/26/2015	8/7/2015			$25,000			Task 1: Demographics & Economic Study; Task 2: Community Vision & Stakeholder Engagement ; Task 3: Goal Development (with Steering Committee) ; Task 4: Implementation Guide and Strategic Action Plan (3 – 5 years)	
32	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Hendry County Regional Laborshed/Workforce Assessment				6/17/2015	8/7/2015			$25,000			Hire consultant, Meeting with Hendry County, Draft Material for Hendry presentation, Final assessment and recommendations	
33	SWFRPC	Grant	No	EDA - US Economic Development Administration	Jennifer Pellechio	EDA- North Port			6/12/2015	6/12/2015	8/3/2015							
34	SWFRPC	Grant	No	NOAA - National Oceanic and Atmospheric Administration	Jim Beever	Measuring and Forecasting Future Ecosystem Services in the CHNEP Study Area	1/30/2015	1/30/2015	3/17/2015	3/17/2015			$400,000.00				Products of the study will include updated valuations of the ecosystem services provided by existing conservation lands in the CHNEP; an updated conservation lands mapping of the project study area; a documentation and quanitification of the ecosystem services provided by each habitat type, etc.	
35	SWFRPC	Grant	No	Florida Humanities Council	Jennifer Pellechio	Public Art Field Guide and Map Viewer for Lee County	01/15/2015	01/15/2015	3/11/2015	3/5/2015	5/11/2015		$15,000.00	$15,000.00			TBD	$0.00
36	SWFRPC	Grant	No	Artplace America	Margaret Wuerstle	ArtPlace - "OUR CREATIVE ECONOMY"			3/12/2015	3/11/2015			$3,000,000	$3,000,000			TBD	$0.00
37	SWFRPC	Grant	No	EPA - US Environmental Protection Agency	John Gibbons	Environmental Workforce Development Job Training			2/3/2015	2/3/2015			$200,000.00	$200,000.00			OSHA 29 CFR 1910.120 40-Hour HAZWOPER and other training.	$0.00

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
38	SWFRPC	Grant	No	NEA - National Endowment for the Arts	Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues			1/15/2015	1/14/2015			$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
39	SWFRPC	Contract	No	NACo - National Association of Counties	Jennifer Pellechio	NACo County Prosperity Summit			10/3/2014	10/3/2014			$0.00	$0.00			Summit	$0.00
40	SWFRPC	Grant	No	EPA - US Environmental Protection Agency	Dottie Cook	Southwest Florida Brownfields Coalition			12/19/2014	12/19/2014	5/27/2015		$600,000.00	$600,000.00				$0.00
41	RC&DC	Grant	No	Southwest Florida Community Foundation	Nichole Gwinnett	SWFRPC & RC&DC Collaboration			9/30/2014	9/30/2014			$25,000.00	$25,000.00			Provide information to the non-profit community about collaborative models that have suceeded in our area and to share proven effective practices for non-profits working together.	$0.00
42	SWFRPC	Grant	No	USDA - US Dept. of Agriculture	Dottie Cook	Southwest Florida Rural Promise Zone	10/17/2014	10/14/2014	11/21/2014	11/21/2014			Technical Assistance	Technical Assistance			Rural designation of a Promise Zone for Immokalee in Collier County, Glades County, and Hendry County	$0.00
43	RC&DC	Grant	No	Dreyfus Foundation - The Max and Victoria Dreyfus Foundation	Beth Nightingale	"Our Creative Economy - A Regional Strategy for Southwest Florida Public Art, Festivals and Cultural Venues"	11/10/2014	11/10/2014					$20,000.00	$20,000.00			1. complete the Lee County public art descriptions (name of artist, year of creation, material, and significance); 2. provide QR Codes for Lee County's public art assets which will drive traffic to the Guide and direct users to other public art assets and venues; and 3. Create and promote a photo share site to encourage making art (photography) from art (public art assets and venues).	$0.00

Agenda Item

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Consent Agenda

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Consent Agenda Summary

Agenda Item #9(a) - Intergovernmental Coordination and 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 October 1, 2015 and ending October 31, 2015.

RECOMMENDED ACTION: Information purposes only

Agenda Item #9(b) - Sarasota County (DEO 15-7 ESR)

Sarasota 15-7 proposes a new RMA, Hidden Creek, within the existing RMA, North Village. The Village Center requirement will be satisfied by a Neighborhood Center. Affordable Housing will be satisfied by 15% of units at 100% AMI instead of 10% of units at 80% AMI. Greenbelt widths will be reduced or eliminated in certain areas. The FPL Easement area will count towards the Open Space percentage.

The parcel is currently designated as Rural with optional Sarasota 2050-Village/Open Space RMA (North Village) under the FLU Map and Village/Open Space RMA under Sarasota 2050. A nearby parcel is designated as Major Employment Center-MEC under the FLU Map.

RECOMMENDED ACTION: Staff recommends that this proposal be found not regionally significant.

Agenda Item #9(c) – Town of Longboat Key (DEO 15-3 ESR)

Longboat Key 15-3 proposes a results neutral crosswalk of the various elements of the Town's Comprehensive Plan. The purpose of the amendment is to create a more user-friendly Comprehensive Plan that is easier to read, understand, and apply. The crosswalk assures that the existing goals, objectives, and policies in the Comprehensive Plan that remain essential to the Town are preserved, while any extraneous content is eliminated. It also delineates strategies for successfully implementing the goals, objectives, and policies.

RECOMMENDED ACTION: Staff recommends that this proposal be found not regionally significant.

Agenda Item

9a

Intergovernmental Coordination and Review

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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 October 1, 2015 and ending October 31, 2015.

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

Council staff reviews projects under the following four designations:

> Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.
>
> Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.
>
> Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.
>
> Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

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

RECOMMENDED ACTION: Information purposes only.

08/2015

Review in Progress

SWFRPC #	First Name	Last Name	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2015-05			Lee County	Lee County Transit - Section 5311 Non-Urbanized Program Grant - Rural Operating Assistance for Lee County.	FTA	$184,582.00	Review in Progress
2015-13			Sarasota County	FDEP - Joint Coastal Permit (File No. 0333315-001-JC) - City of Sarasota and the USACOE - The proposed project is to nourish 1.6 miles of shoreline on Lido Key from Department Reference Monuments R-34.5 to R-44.			Review in Progress

Agenda Item

9b

Sarasota County DEO 15-7 ESR

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LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
SARASOTA COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 15-7ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

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

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

A summary of the results of the review follows:

	Factors of Regional Significance			
Proposed Amendment	Location	Magnitude	Character	Consistent
DEO 15-7ESR	No	No	No	(1) Not Regionally Significant (2) Consistent with SRPP

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

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

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.

SARASOTA COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 15-7ESR)

RECEIVED: OCTOBER 2, 2015

Summary of Proposed Amendment

The privately-initiated CPA is requesting to revise several policies contained in Chapter 9 Sarasota 2050 Resource Management Area (RMA) System relating to the Village/Open Space RMA. The application's proposed amendments to the following policies will be applicable solely for the Hidden Creek proposed development:

A. Policy VOS2.1(f) Timing/Phasing of Development – Hidden Creek
    1. Village Center- To allow the requirement for a Village Center to be satisfied by a Neighborhood Center in Hidden Creek. As proposed, non-residential uses, public/civic or public space will not be required.
    2. Affordable Housing - To allow Hidden Creek to provide its 15 percent required affordable housing to be sold to families with incomes at or below the 100 percent AMI (instead of providing the required 10% portion being directed to families with incomes at or below the 80% AMI).
    3. Greenbelts - To allow Hidden Creek to eliminate or reduce the Greenbelt widths in the development in certain areas.
    4. Open Space Allowable Uses – To allow the FPL Easement area as counting toward the required Open Space percentage in Hidden Creek.
B. RMA Definitions - Adding a new text definition and graphic to define Hidden Creek

The proposed RMA, Hidden Creek, is on a 90 acre piece of land within the southern portion of the North Village RMA. The Zoning Designation would change from Open Use Estate (OUE-1: maximum 1 dwelling unit per 5 acres) to Village Planned Development (VPD: 2 dwelling units per acre). The parcel is currently designated as Village/Open Space RMA under Sarasota 2050. FLU Designation is Rural with optional Sarasota 2050-Village/Open Space RMA (North Village). The surrounding FLU Designation is Rural and Semi-Rural, but a Major Employment Center-MEC parcel is very close to the proposal. The land is currently used as improved subdivision land, utility easement, and improved pasture land.

Regional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

FDOT has reviewed this project and determined that the proposal is "not anticipated to adversely impact important State transportation resources or facilities".

Extra-Jurisdictional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Conclusion

Council staff agrees with the recommended stipulations put forward by Sarasota County staff. No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

Recommended Action

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

Centennial FDOT 1915 ★ 2015

Florida Department of Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

JIM BOXOLD
SECRETARY

October 27, 2015

Mr. Thomas C. Polk
Planning and Development Services Director
Sarasota County
1660 Ringling Boulevard, 1st Floor
Sarasota, Florida 34236

RE: Sarasota County 15-7ESR (CPA 2013-J, Hidden Creek) Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Comments and Recommendations

Dear Mr. Polk:

The Florida Department of Transportation (FDOT), District One, has reviewed the Sarasota County 15-7ESR Proposed Comprehensive Plan Amendment (CPA 2013-J, Hidden Creek). This CPA has been transmitted under the Expedited State Review process by the Board of County Commissioners (*received by FDOT on October 9, 2015*), in accordance with the requirements of Florida Statutes (F.S.) Chapter 163. The Department offers Sarasota County the following comments and recommendations for your consideration regarding the proposed amendment.

CPA 2013-J, Hidden Creek (Text Amendment):

The site that is the subject of this amendment encompasses approximately 89.53 acres and is generally located north of Fruitville Road, west of the Dog Kennel Road and east of Deer Run Drive. The applicant proposes to develop 43.19 acres, with the remaining 46.34 acres as open space area. The amendment proposes to revise several policies contained in Chapter 9 (Sarasota 2050 Resource Management Area (RMA) System) of the Sarasota County Comprehensive Plan, relating to the Village/Open Space RMA, and will be applicable solely for the Hidden Creek proposed development. Following is a summary of the proposed amendments:

- Add a new subsection (f), Hidden Creek, to Policy VOS2.1 (Timing/Phasing of Development). Subsection (f) proposes the following:
  - Allow the requirement for a Village Center to be satisfied by a Neighborhood Center in Hidden Creek.
  - Allow Hidden Creek to provide 15 percent of required affordable housing to be sold to families with incomes at or below the 100 percent area median income (AMI), versus the currently required 10% directed to families with incomes at or below the 80% AMI.

  - Allow Hidden Creek to eliminate or reduce the Greenbelt widths in the development in certain areas.
  - Allow the Florida Power and Light (FPL) Easement area to count towards the required Open Space percentage in Hidden Creek.
- Add a new Hidden Creek definition under RMA Definitions within the Comprehensive Plan to define and graphically identify the Subject Property.

In addition, two zoning applications (included as part of the proposed CPA package) are being concurrently reviewed as part of Hidden Creek, and are summarized as follows:

1. Zoning Ordinance Amendment (ZOA) No. 101: ZOA 101 proposes to revise regulations to implement portions of proposed 15-7ESR.
2. Rezone Petition (RZ) No. 14-32: The Rezone Petition proposes to change the zoning district from OUE-1 (Open Use Estate, 1 unit per 5 acres) to VPD (Village Planned Development). The proposed rezoning to VPD will provide entitlements for:
    - Up to 178 residential dwelling units; and
    - One Neighborhood Center with recreational uses.

ZOA No. 101 and RZ No. 14-32 proposes to cap development at 178 residential dwelling units (including 26 affordable housing units) and a 15,000 square foot neighborhood center. Per Policy VOS 1.2.a (Villages), Hidden Creek could develop 300,000 square feet of commercial/office uses and up to 6 dwelling units/gross developable acre due to the proposed affordable housing units. The proposed zoning changes would result in a decrease in the trip potential of the Hidden Creek.

FDOT Comment #1:

The proposed 15-7ESR Comprehensive Plan Amendment does not impact approved densities within the adopted Village/Open Space RMA future land use category, per Policy VOS 1.2.a. In addition, the nearest State facilities (SR 780/Fruitville Road from US 301/SR 683 to Coburn Road and I-75) are approximately 3.5 miles from the proposed Hidden Creek amendment site. **The Department has therefore determined that the changes associated with the proposed amendment are not anticipated to adversely impact important State transportation resources or facilities.**

FDOT Comment #2:

The proposed Sarasota County 15-7ESR is located adjacent to the Adopted Sarasota County 15-4ESR. The Adopted 15-4ESR includes development up to 900 residential dwelling units and up to 100,000 square feet of commercial. The Department recognizes that this area of the County continues to grow, and that the growth will lead to an increase in demand on transportation facilities within and around the Village/Open Space Resource Management Area. To help offset the impacts on the roadway network, the Department supports the County in implementing industry best practices to provide alternatives other than automobile travel for both current and future transportation users.

The Department has developed guidelines for multimodal forms of travel along State facilities (that can be applied to various roadway types), such as the FDOT Complete Streets Policy which incorporates context-appropriate roadway designs that accommodates users of all ages and

abilities, and balances the needs of the different transportation modes. There are numerous other guidelines and techniques, such as the CDC Healthy Communities Program, National Complete Streets Coalition and Transportation Demand Management (TDM) programs, that aid in reducing the automobile mode split, by providing more opportunities for alternative modes of travel. The Department is available to assist the County with incorporating these principles into future development plans.

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions please free to contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,

Sarah Catala
SIS/Growth Management Coordinator
FDOT District One

CC: Mr. Ray Eubanks, Florida Department of Economic Opportunity

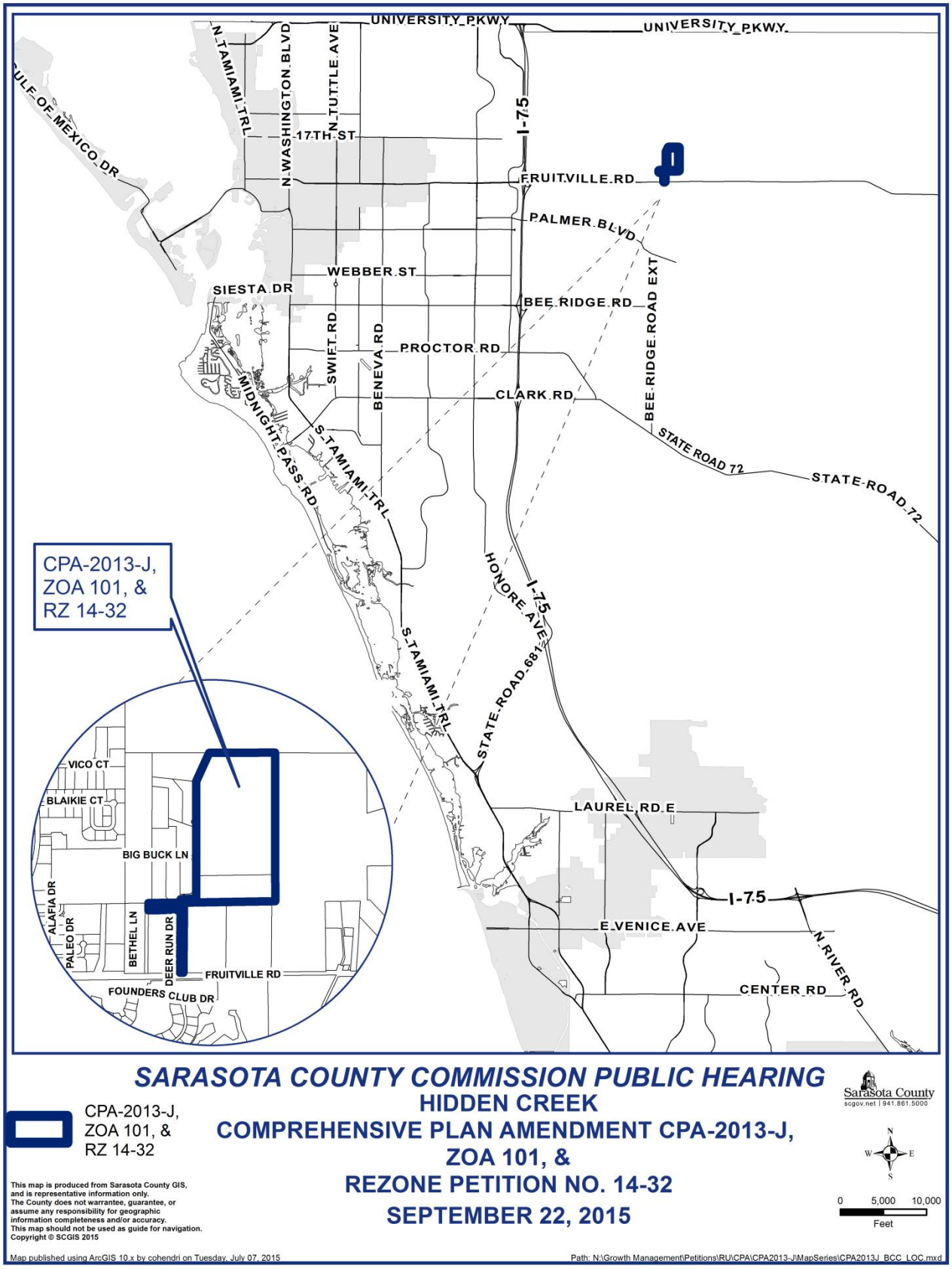
MAPS

Sarasota County

DEO 15-7ESR

Growth Management Plan

Comprehensive Plan Amendment



SARASOTA COUNTY COMMISSION PUBLIC HEARING

CPA-2013-J,
ZOA 101, &
RZ 14-32

HIDDEN CREEK
COMPREHENSIVE PLAN AMENDMENT CPA-2013-J,
ZOA 101, &
REZONE PETITION NO. 14-32
SEPTEMBER 22, 2015

Sarasota County
scgov.net | 941.861.5000

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Map published using ArcGIS 10.x by cohendri on Tuesday, July 07, 2015

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VICO CT
BLAIKIE CT
STAR GATE CT
DEER RUN DR
BETHEL LN
VALAFIA DR
VICELA DR
FRUITVILLE RD
FOUNDERS CLUB DR
CPA-2013-J, ZOA 101, & RZ 14-32
2015 Aerial
HIDDEN CREEK
COMPREHENSIVE PLAN AMENDMENT CPA-2013-J, ZOA 101, &
REZONE PETITION NO. 14-32
Sarasota County
scgov.net | 941.861.5000
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This map is produced from Sarasota County GIS, and is representative information only. The County does not warrantee, guarantee, or assume any responsibility for geographic information completeness and/or accuracy. This map should not be used as guide for navigation. Copyright © SCGIS 2015
Aerial Imagery Provided by Pictometry International: Sarasota County, FL January 2015 4" Resolution N.A.D. 1983 HARN State Plane Florida West FIPS 0902 (U.S. Survey Feet)
Map published using ArcGIS 10.x by cohendri on Wednesday, May 27, 2015
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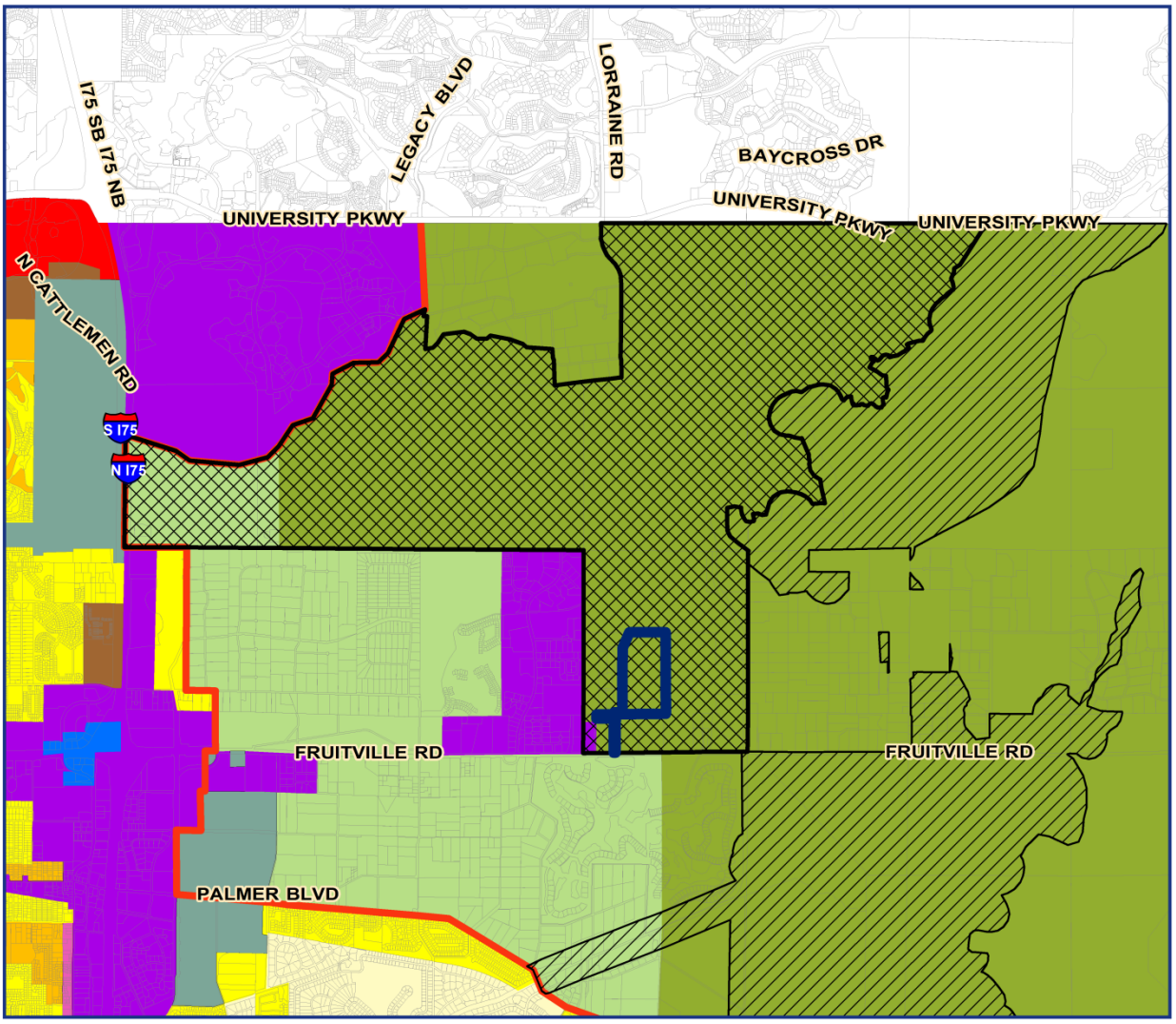

FUTURE LAND USE DESIGNATION

HIDDEN CREEK
COMPREHENSIVE PLAN AMENDMENT CPA-2013-J, ZOA 101, & REZONE PETITION NO. 14-32

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

- LOW DENSITY RESIDENTIAL (< 2 DUs/ACRES)
- MODERATE DENSITY RESIDENTIAL (≥ 2 AND < 5 DUs/ACRE)
- MEDIUM DENSITY RESIDENTIAL (≥ 5 AND ≤ 9 DUs/ACRE)
- HIGH DENSITY RESIDENTIAL (> 9 AND ≤ 13 DUs/ACRE)
- SEMI-RURAL
- RURAL
- BARRIER ISLAND
- COMMERCIAL CENTER
- COMMERCIAL CORRIDOR
- COMMERCIAL CENTER (UNDEFINED BOUNDARIES)
- LIGHT OFFICE
- OFFICE/MULTI-FAMILY RESIDENTIAL
- COMMERCIAL HIGHWAY INTERCHANGE
- MAJOR EMPLOYMENT CENTER - MEC
- MAJOR GOVERNMENT USES
- PUBLIC CONSERVATION/PRESERVATION
- INCORPORATED AREA
- WATER
- URBAN SERVICE AREA BOUNDARY
- FUTURE URBAN SERVICE AREA BOUNDARY
- PUBLIC AIRPORT FACILITY
- PRIVATE AIRPORT FACILITY
- FUTURE THOROUGHFARES
- CPA-2013-J, ZOA 101, & RZ 14-32
- NORTH VILLAGE RMA
- GREENWAY RMA

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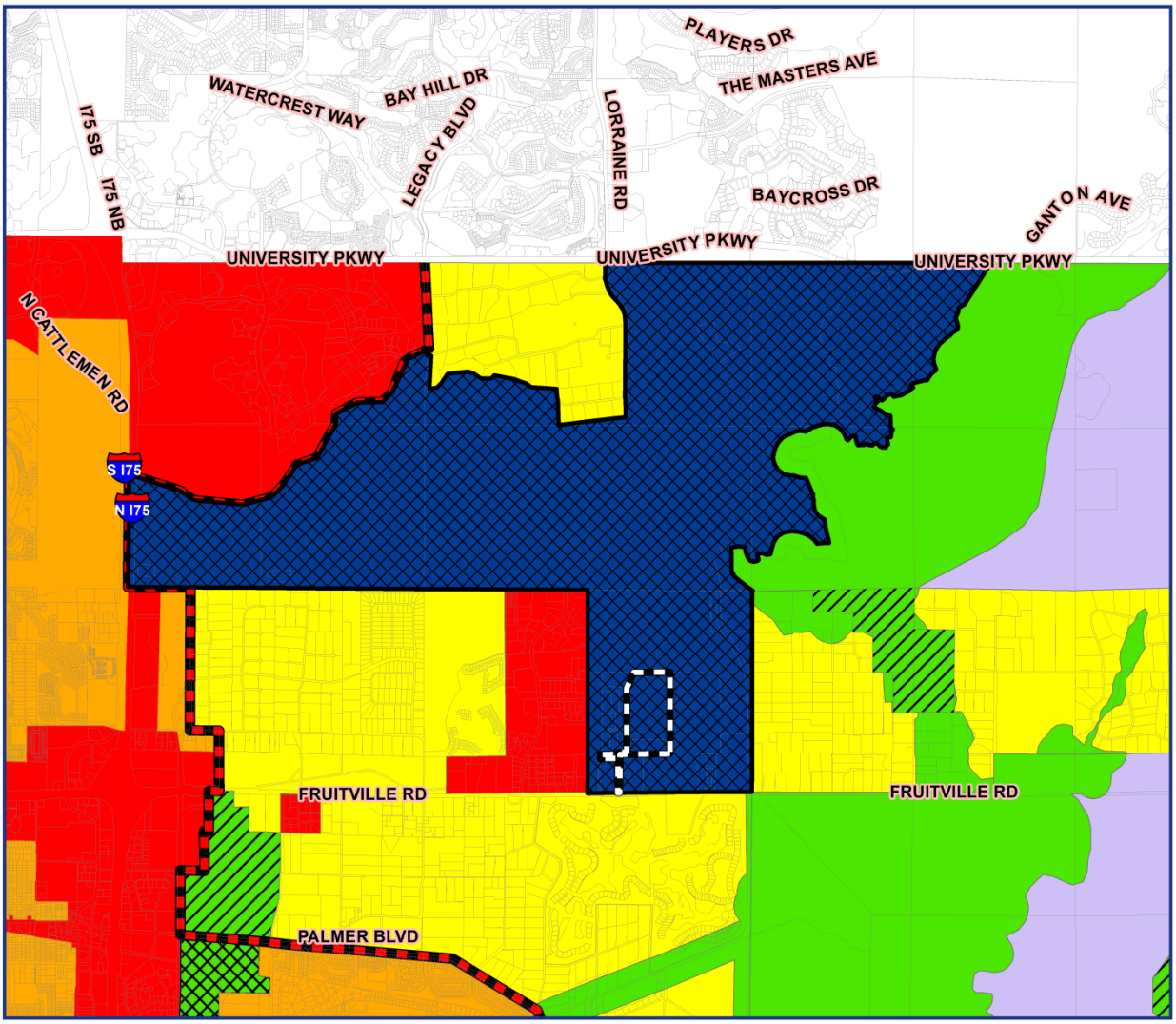
Map published using ArcGIS 10.x by cohendri on Wednesday, May 27, 2015



SARASOTA COUNTY 2050
RESOURCE MANAGEMENT AREA DESIGNATION
HIDDEN CREEK
COMPREHENSIVE PLAN AMENDMENT CPA-2013-J, ZOA 101, & REZONE PETITION NO. 14-32

Sarasota County
scgov.net | 941.861.5000

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

- URBAN SERVICE AREA BOUNDARY
- VILLAGE
- HAMLET
- FUTURE URBAN AREA
- INCORPORATED AREA
- URBAN / SUBURBAN
- URBAN / SUBURBAN SETTLEMENT AREA
- URBAN / SUBURBAN SETTLEMENT OVERLAY ORD NO No 2003-012
- URBAN OPEN SPACE / CONSERVATION / PRESERVATION
- ECONOMIC DEVELOPMENT
- RURAL HERITAGE / ESTATE
- GREENWAY
- PUBLICLY OWNED LANDS AND LANDS PROTECTED FOR PRESERVATION
- AGRICULTURAL RESERVE
- CPA-2013-J, ZOA 101, & RZ 14-32
- NORTH VILLAGE RMA

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Map published using ArcGIS 10.x by cohendri on Wednesday, May 27, 2015

Agenda Item

9c

Town of Longboat Key
DEO 15-3ESR

9c

9c

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
TOWN OF LONGBOAT KEY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Town of Longboat Key Comprehensive Plan (DEO 15-3ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

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

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

A summary of the results of the review follows:

	Factors of Regional Significance			
Proposed Amendment	Location	Magnitude	Character	Consistent
DEO 15-3ESR	No	No	No	(1) Not Regionally Significant (2) Consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and the Town of Longboat Key

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

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.

TOWN OF LONGBOAT KEY COMPREHENSIVE PLAN AMENDMENT (DEO 15-3ESR)

RECEIVED: OCTOBER 8, 2015

Summary of Proposed Amendment

In April, the Town of Longboat Key began to review a "results neutral" crosswalk of the various elements of the Comprehensive Plan. The purpose of this exercise was to create a more user-friendly Comprehensive Plan that is easier to read, understand, and apply. The crosswalk assures that the existing goals, objectives, and policies in the Comprehensive Plan that remain essential to the Town are preserved, while any extraneous content is eliminated. It also delineates strategies for successfully implementing the goals, objectives, and policies.

Through the crosswalk effort, the existing goals, objectives, and policies of the Potable Water, Solid Waste, and Wastewater elements of the Plan have been converted into the framework for the new Comprehensive Plan. The Planning & Zoning Board previously reviewed the results neutral crosswalk and directed Town Staff to bring these elements back as an Ordinance for recommendation to the Town Commission. Town Staff presented Ordinance 2015-20 at the Planning and Zoning Board Meeting on June 16, 2015, for the Board's consideration. The Board recommended approval, with minor revisions, to the Town Commission.

Regional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Extra-Jurisdictional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Conclusion

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

Recommended Action

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and the Town of Longboat Key.

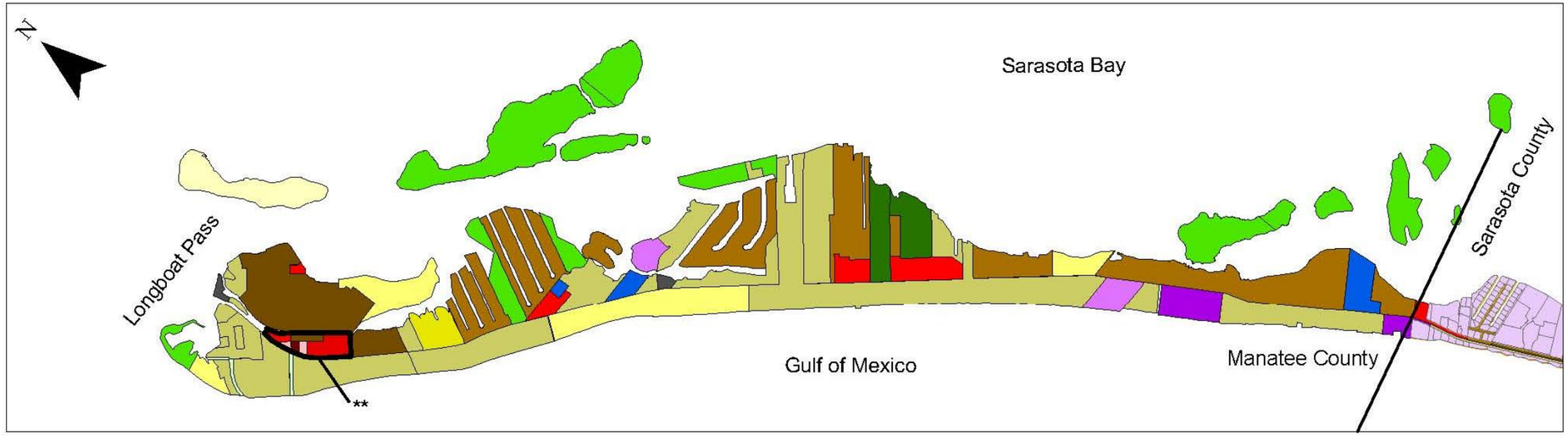
MAPS

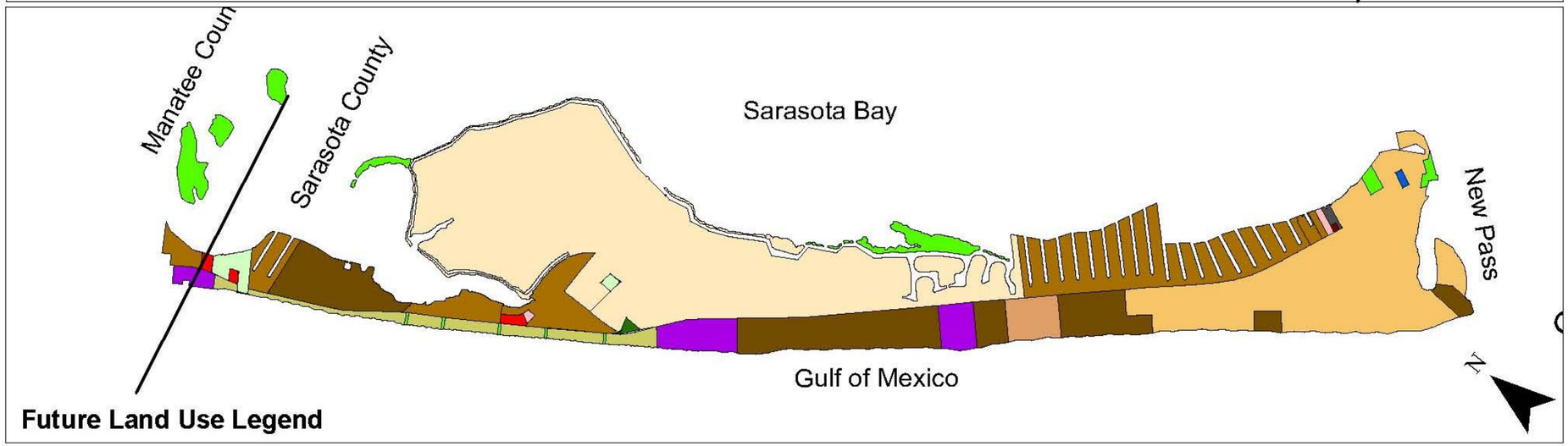
Town of Longboat Key

DEO 15-3ESR

Growth Management Plan

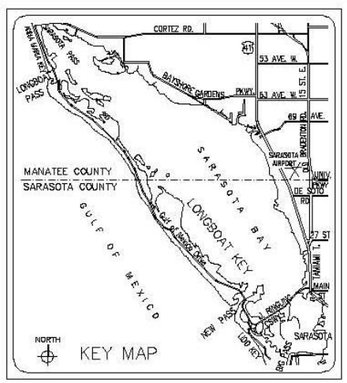
Comprehensive Plan Amendment

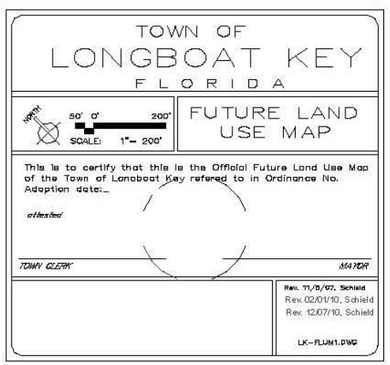




Future Land Use Legend

- OS-A Open Space - Active
- OS-P Open Space - Passive
- OS-C Open Space - Conservation
- IP Island Preserve: 1 DU/5 ACRES
- RL-1 Low Density SF Residential: 1 DU/ACRE
- RL-2 Low Density SF Residential: 2 DU/ACRE
- RM-3 Medium Density SF/Mixed Residential: 3 DU/ACRE
- RM-4 Medium Density SF/Mixed Residential: 4 DU/ACRE
- RH-6 High Density SF/Mixed Residential: 6 DU/ACRE
- MUC-1 Mixed Use Community (Bay Isles): 3.26 DU/ACRE
- MUC-2 Mixed Use Community (Islandside): 5.05 U/ACRE
- MUC-3 Mixed Use Community (Promenade/Water Club): 11.26 DU/ACRE
- OI Office Institutional
- CL Limited Commercial
- CG General Commercial
- CH Highway Commercial
- MCS Marine Commercial Service
- INS Institutional
- TRC-3 Med. Density Tourist Resort/Commercial: 3 U/ACRE
- TRC-6 High-Density Tourist Resort/Commercial: 6 U/ACRE





*** Increased densities and intensities for tourism uses may be available in the tourist resort commercial, commercial, office, and marina commercial service future land use categories under the land development regulations for utilization of no more than 250 tourism units islandwide, as set forth in the Future Land Use Map above, reflected by the referendum vote of March 18, 2008.**

**** Whitney Beach Overlay**

Agenda Item

10

10

SWFRPC Committee Reports

10

10

Agenda Item

10a

10a

Budget & Finance Committee

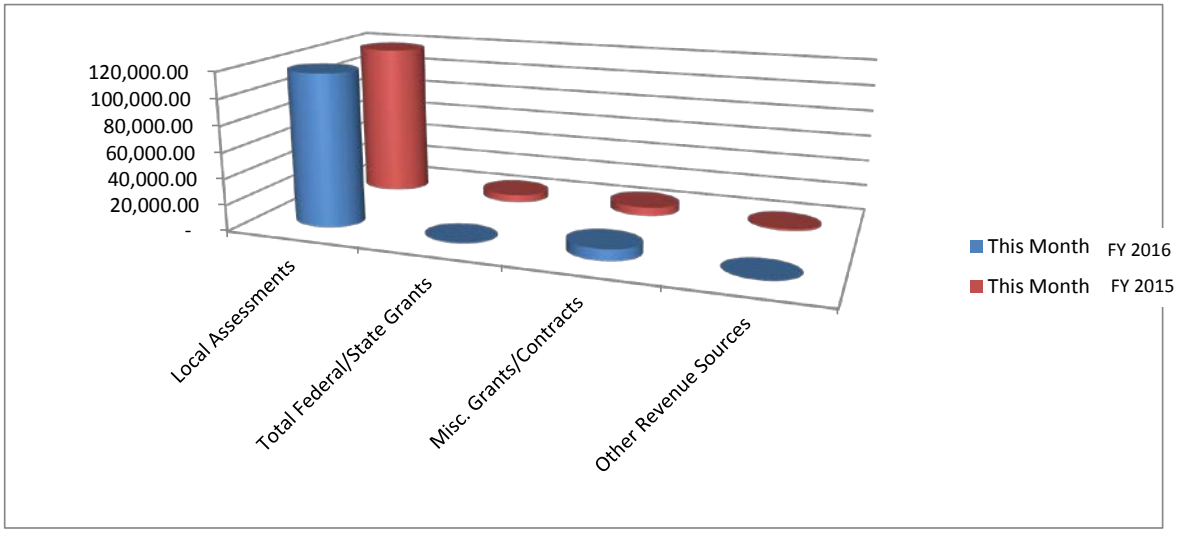
10a

2015 - 2016 Workplan & Budget Financial Snapshot
Oct-15

Revenues

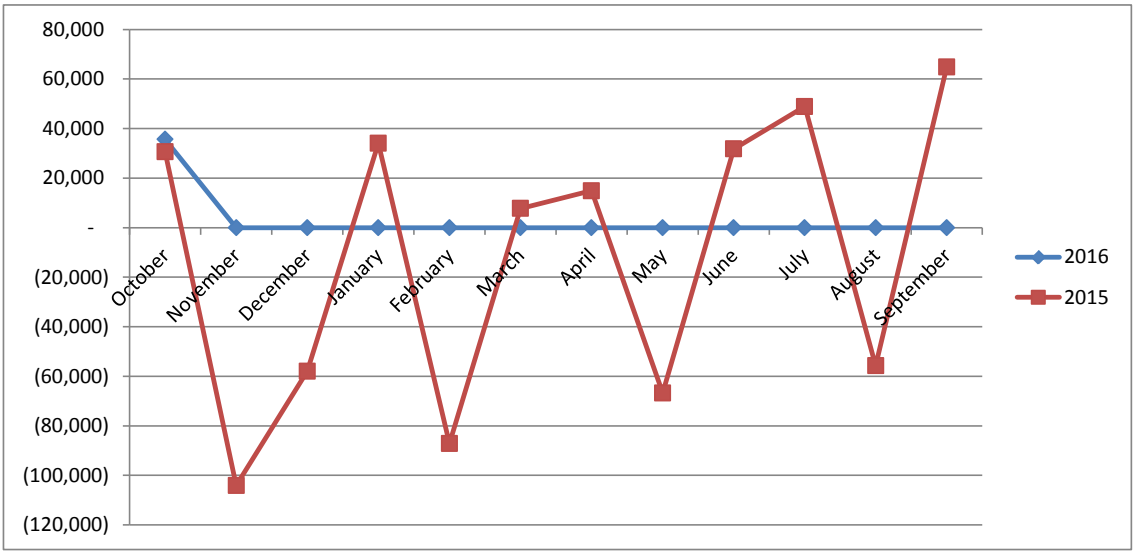
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
Federal Grants (EPA) billed monthly: EPA: Ecosystems Services
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, Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income $35,679 Unaudited

SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING OCTOBER 31, 2015

	Current Month	Year to Date A	FY 2015-2016 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
CHARLOTTE COUNTY	$ 12,335	$ 12,335	$ 49,340	25.00%	$ 49,340
COLLIER COUNTY	25,259	25,259	101,035	25.00%	101,035
GLADES COUNTY	964	964	3,856	25.00%	3,856
HENDY COUNTY	2,842	2,842	11,369	25.00%	11,369
LEE COUNTY	37,153	37,153	157,647	23.57%	157,647
CITY OF FORT MYERS	5,208	5,208	20,831	25.00%	20,831
TOWN OF FORT MYERS BEACH INC	469	469	1,875	25.01%	1,875
BONITA SPRINGS	3,436	3,436	13,746	25.00%	1,947
CITY OF SANIBEL	487	487	1,947	25.01%	116,142
SARASOTA COUNTY	29,036	29,036	116,142	25.00%	13,746
TOTAL LOCAL ASSESSMENTS	**$ 117,189**	**$ 117,189**	**$ 477,787**	**24.53%**	**$ 477,787**
FEDERAL / STATE GRANTS					
DEM -Title III - LEPC 15/16	$ -	$ -	$ 48,000	0.00%	48,000
DEM-HMEP Planning & Training 14/15	-	-	22,000	0.00%	22,000
FL CTD - Glades/Hendry TD 15/16	-		38,573	0.00%	38,573
MARC - SOLAR READY	-	-	6,000	0.00%	6,000
DEM - Collier Hazards	-	-	9,693	0.00%	9,693
Economic Development Planning	-	-	63,000	0.00%	63,000
Fed EPA - Ecosystem Services	542	542	-	N/A	(542)
TOTAL FEDERAL / STATE GRANTS	**$ 542**	**$ 542**	**$ 187,266**	**0.29%**	**$ 187,266**
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
City of Bonita Springs - Spring Creek	$ -	$ -	$ 30,000	0.00%	30,000
VISIT FLORIDA - MARKETING	-	-	4,000	0.00%	4,000
GLADES SQG	-	-	3,900	0.00%	$ 3,900
City of Punta Gorda - Mangrove Loss	-	-	32,250	0.00%	32,250
TOTAL MISC. GRANTS/CONTRACTS	**$ -**	**$ -**	**$ 70,150**	**0.00%**	**$ 34,650**
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES			$ -		$ -
DRIS/NOPCS INCOME	7,000	7,000	35,000	20.00%	28,000
TOTAL	**$ 7,000**	**$ 7,000**	**$ 35,000**	**20.00%**	**$ 28,000**

	Current Month	Year to Date A	FY 2015-2016 Approved Budget B	% Of Budget Year to Date	Budget Remaining
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured			100,000		
Goodwheels Tech Assistance	1,500	1,500		N/A	(1,500)
TOTAL PROGRAM DEVELOPMENT	**$ 1,500**	**$ 1,500**	**$ 100,000**	**0.88%**	
OTHER REVENUE SOURCES					
ABM SPONSORSHIPS	-		-	#DIV/0!	-
INTEREST INCOME			1,500	0.00%	1,500
Fund A Investment Income				#DIV/0!	0
TOTAL OTHER REVENUE SOURCES	**$ -**	**$ -**	**$ 1,500**	**0.00%**	**$ 1,500**
Fund Balance	*$ -*	*$ -*	*$ 640,816*		
TOTAL REVENUES	**$ 126,231**	**$ 126,231**	**$ 1,512,519**		**$ 736,203**
EXPENSES					
PERSONNEL EXPENSES					
SALARIES EXPENSE	$ 36,211	$ 36,211	$ 487,098	7%	450,887
FICA EXPENSE	2,713	2,713	37,263	7%	34,550
RETIREMENT EXPENSE	6,091	5,090	35,084	15%	29,994
HEALTH INSURANCE EXPENSE	10,684	4,508	79,799	6%	75,291
WORKERS COMP. EXPENSE	111	111	3,687	3%	3,576
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	0
TOTAL PERSONNEL EXPENSES	**$ 55,810**	**$ 48,633**	**$ 642,931**	**8%**	**594,298**
OPERATIONAL EXPENSES					
CONSULTANTS	$ 8,250	$ 8,250	$ 33,100	25%	24,850
GRANT/CONSULTING EXPENSE	-	-	18,100	0%	18,100
AUDIT SERVICES EXPENSE	-	-	32,000	0%	32,000
TRAVEL EXPENSE	1,030	1,030	12,960	8%	11,930
TELEPHONE EXPENSE	234	234	5,100	5%	4,866
POSTAGE / SHIPPING EXPENSE	6	6	2,075	0%	2,069
EQUIPMENT RENTAL EXPENSE	420	420	7,335	6%	6,915
INSURANCE EXPENSE	3,001	3,001	23,207	13%	20,206
REPAIR/MAINT. EXPENSE	26	26	5,000	1%	4,974
PRINTING/REPRODUCTION EXPENSE	138	138	2,580	5%	2,442
UTILITIES (ELEC, WATER, GAR)	1,690	1,690	21,500	8%	19,810
ADVERTISING/LEGAL NOTICES EXP	-	-	2,750	0%	2,750
OTHER MISC. EXPENSE	-	-	2,150	0%	2,150
BANK SERVICE CHARGES	389	389	2,700	14%	2,311
OFFICE SUPPLIES EXPENSE	48	48	4,000	1%	3,952

	Current Month	Year to Date A	FY 2015-2016 Approved Budget B	% Of Budget Year to Date	Budget Remaining
COMPUTER RELATED EXPENSE	8,650	8,650	22,969	38%	14,319
DUES AND MEMBERSHIP	-	-	200	0%	200
PUBLICATION EXPENSE	-	-	3,000	0%	3,000
PROF. DEVELOP.	86	86	25,510	0%	25,424
MEETINGS/EVENTS EXPENSE	128	128	1,250	10%	1,122
CAPITAL OUTLAY EXPENSE	-	-	5,000	0%	5,000
CAPITAL OUTLAY - BUILDING	-	-	4,000	0%	4,000
LONG TERM DEBT	10,646	10,646	128,000	8%	117,354
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	
FUND BALANCE			$ 640,816	0%	
OPERATIONAL EXP.	**$ 34,743**	**$ 34,743**	**$ 1,005,302**	3%	**329,743**
ALLOCATION FOR FRINGE/INDIRECT (CAPTURED BY GRANTS)			$ -		
UTILIZED RESERVE			$ (135,714)		
TOTAL OPERATIONAL EXP.			$ 869,588		
TOTAL CASH OUTLAY	**$ 90,553**	**$ 83,376**	**$ 1,512,519**		
NET INCOME (LOSS)	$ 35,679	$ 76,098			

SWFRPC
Detail of Reserve
As of October 31, 2015

Cash and Cash Equivalents:		
Petty Cash	$	200
Bank of America Operating Funds		238,981
Total Cash and Cash Equivalents	$	239,181
Investments:		
Iberia Bank MM	$	318,853
Local government Surplus Trust Fund Investment Pool (Fund A)		135,566
Local government Surplus Trust Fund (Fund B)		-
Total Investments	$	454,419
Total Reserves	$	693,600

Balance Sheet
October 31, 2015

ASSETS

Current Assets			
Cash - Bank of America Oper.	$ 238,980.83		
Cash - Iberia MM	318,853.27		
Cash - FL Local Gov't Pool	135,565.51		
Petty Cash	200.00		
Accounts Receivable	166,529.88		
Total Current Assets			860,129.49
Property and Equipment			
Property, Furniture & Equip	2,014,488.05		
Accumulated Depreciation	(576,325.59)		
Total Property and Equipment			1,438,162.46
Other Assets			
Amount t.b.p. for L.T.L.-Leave	45,923.44		
FSA Deposit	2,881.29		
Amt t.b.p. for L.T.Debt-OPEP	61,797.00		
Amount t.b.p. for L.T.Debt	872,779.36		
Total Other Assets			983,381.09
Total Assets		$	3,281,673.04

LIABILITIES AND CAPITAL

Current Liabilities			
Accounts Payable	$ 199.42		
Deferred Income - EPA_3675	173,528.71		
Deferred Palmer XXIV_4097	26,578.98		
Deferred NorthPoint NOPC_5328	662.23		
Deferred Pelican Marsh_5329	463.85		
Deferred Palmer Ranch MDO_NOPC	1,500.00		
Deferred Palmer Ranch IV 8-9	2,500.00		
Deferred Palmer Ranch IV - 12	1,500.00		
Deferred Alico-3 Oaks	2,000.00		
FICA Taxes Payable	245.28		
Federal W/H Tax Payable	92.51		
United way Payable	531.00		
FSA Payable	(174.57)		
Due To Employee	200.00		
LEPC Contingency Fund	305.25		
Total Current Liabilities			210,132.66
Long-Term Liabilities			
Accrued Annual Leave	45,923.44		
Long Term Debt - OPEB	61,797.00		
Long Term Debt - Bank of Am.	872,779.36		
Total Long-Term Liabilities			980,499.80
Total Liabilities			1,190,632.46
Capital			
Fund Balance-Unassigned	103,199.46		
Fund Balance-Assigned	514,000.00		
FB-Non-Spendable/Fixed Assets	1,438,162.46		

Net Income	35,678.66	
Total Capital		2,091,040.58
Total Liabilities & Capital		$ 3,281,673.04

Agenda Item

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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

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Estero Bay Agency on Bay Management

The regular meeting of the Estero Bay Agency on Bay Management were held on October 26, 2015.

The Spring Creek Vulnerability and Restoration Opportunity Assessment was presented by Mr. Jim Beever. A copy of the presentation can be found at the Spring Creek Project Portal site at http://www.swflregionalvision.com/spring_creek.html

Members agreed to prepare draft letters. Dr. Demers for the FGCU letter. Mr. Cangialosi and Ms. Whitehead for the Corkscrew Woods letter. A motion was made concerning the direction of the Corkscrew woods letter to oppose the project before a study of impacts was completed. Notion by Mr. Cangialosi, second Ms. Whitehead. Vote was 8 ayes, 4 nays, with EBAP abstaining.

Emerging Issues issued included whether Lee County may not be in compliance with the EAR and litigation may be upcoming by third party NGO.

There is a Notice of General Permit for Dredging in Lee County. This will likely not apply to New Pass dredging and Big Carlos Pass dredging.

There is a Lee County Neighborhood Improvement Plan with a NEP grant Packages for native plant and reduction of septic system and fertilizer pollution.

The next Cela Tega on climate change will likely be set for December 2016.

A request to continue mining past the year 202 was not approved in the Bonita Springs DRGR.

There was a discussion on limiting the amount of time for the presenters of the item on Corkscrew Crossing at the November meeting.

The September 2015 meeting was not held due to lack of a quorum.

Next Meeting Time and Place, for EBABM is Monday November 9, 2015 – 9:30 a. m.

Next IAS and Principles Subcommittee Meeting: in Monday, November 23, 2015

Recommended Action: Information only.

Agenda Item

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Executive Committee

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Agenda Item

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Legislative Affairs Committee

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Agenda Item

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Quality of Life & Safety Committee

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Agenda Item 10h

Agenda Item 10h

Regional Transportation Committee

Agenda Item 10h

Agenda Item

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Interlocal Agreement/Future of the SWFRPC Committee

10i