



VIRTUAL COUNCIL MEETING AGENDA

January 21, 2020

9:00am – 11:00am

Mission Statement:

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

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

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

P.O. Box 60933
Fort Myers, FL 33906



P: 844.988.8244
www.swfrpc.org

**NEXT SWFRPC MEETING DATE:
MARCH 18, 2021**

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

OFFICERS

Mr. Donald McCormick, Chair
(Vacancy), Secretary

Councilman Fred Burson, Vice-Chair
Councilman Jaha Cummings, Treasurer

CHARLOTTE COUNTY

Commissioner Joe Tiseo, Charlotte BCC
Commissioner Ken Doherty, Charlotte BCC
Councilman Jaha Cummings, City of Punta Gorda
Mr. Donald McCormick, Governor Appointee
Ms. Suzanne Graham, Governor Appointee

COLLIER COUNTY

Commissioner Bill McDaniel, Collier BCC
Commissioner Penny Taylor, Collier BCC
(City of Naples Vacancy)
(City of Marco Island Vacancy)
(Governor Appointee Vacancy)
(Governor Appointee Vacancy)

GLADES COUNTY

Commissioner Donna Storter-Long, Glades BCC
Commissioner Donald Strenth, Glades BCC
(City of Moore Haven Vacancy)
Mr. Thomas Perry, Governor Appointee

HENDRY COUNTY

Commissioner Emma Byrd, Hendry BCC
Commissioner Mitchell Wills, Hendry BCC
Vice-Mayor Greg Thompson, City of Clewiston
(City of LaBelle Vacancy)
Mr. Mel Karau, Governor Appointee

LEE COUNTY

Commissioner Frank Mann, Lee BCC
Commissioner Cecil Pendergrass, Lee BCC
Councilman Fred Burson, City of Fort Myers
Mayor Ray Murphy, Town of Fort Myers Beach
Councilman Jesse Purdon, City of Bonita Springs
(Governor Appointee Vacancy)
(Governor Appointee Vacancy)

SARASOTA COUNTY

Commissioner Ron Cutsinger, Sarasota BCC
Commissioner Charles Hines, Sarasota BCC
Vice-Mayor Erik Arroyo, City of Sarasota
(City of Venice Vacancy)
(Governor Appointee Vacancy)
(Governor Appointee Vacancy)

EX-OFFICIO MEMBERS

Jon Iglehart, FDEP
Phil Flood, SFWMD

Wayne Gaither, FDOT
Dennis Ragosta, SWFWMD

STAFF

Margaret Wuerstle, Executive Director
Rebekah Harp
Katelyn Kubasik
Jim Burch



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

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

Regional Planning Council Functions and Programs

March 4, 2011

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

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

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)

Agenda

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Pledge of Allegiance 2

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Roll Call

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Public Comments

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Nominating Committee:
Appointment of Officers

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SEPTEMBER 17, 2020 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on September 17, 2020 virtually via GoToMeeting. Governor Appointee Mr. Tommy Perry called the meeting to order at 9:00AM. Ms. Margaret Wuerstle conducted the roll call and announced that a quorum was not yet present.

MEMBERS PRESENT

Charlotte County: Commissioner Ken Doherty, Commissioner Joe Tiseo, Mr. Don McCormick

Collier County: Commissioner Bill McDaniel, Commissioner Penny Taylor

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

Hendry County: Mr. Mel Karau, Commissioner Julie Wilkins

Lee County: Commissioner Cecil Pendergrass, Commissioner Frank Mann

Sarasota County: Vice-Mayor Chuck Newsom

Ex-Officio: Mr. Phil Flood–SFWMD, Mr. Dennis Ragosta-SWFWMD

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

City of Naples: None

Glades County: Commissioner Donald Strenth

Hendry County: Commissioner Mitchell Wills, Commissioner Emma Byrd, Vice-Mayor Michael Atkinson

Lee County: Councilman Fred Burson, Vice- Mayor Ray Murphy, Councilman Jesse Purdon

Sarasota County: Commissioner Charles Hines, Commissioner Michael Moran, Commissioner Willie Shaw

Ex-Officio: Mr. Wayne Gaither-FDOT, Mr. Jon Iglehart-FDEP

**AGENDA ITEM #4
PUBLIC COMMENTS**

There were no public comments.

**AGENDA ITEM #5
AGENDA**

Mr. Tommy Perry announced that because a quorum was not present, the agenda items will be moved around so the items that require a vote will be discussed last in order to wait for a quorum to be present.

**AGENDA ITEM #11
DIRECTOR'S REPORT**

Ms. Margaret Wuerstle brought everyone up to date on where we are with the FY20-21 budget. Since the approval of the budget in June the SWFRPC has received about \$723,000 in additional funding. A Healthy Cities & Healthy Counties grant was received for \$100,000 through EDA. \$400,000 was received as well as an addition \$60,000 for conducting a regional evacuation study update, a small grant was received for the website for the ABM to be update and notice was recently received that the Waterfront Master Plan for Clewiston for \$175,000 was awarded. This changes the financial picture of the SWFRPC substantially.

Ms. Wuerstle went on to announce that the 'Building Resilient Kids' conference scheduled for later this month was cancelled due to COVID but will hopefully be rescheduled for some time in 2021. Going forward, at the virtual November council meeting Ms. Wuerstle would like the council to discuss what topics they would like to address at each of the upcoming council meetings.

Ms. Wuerstle reminded everyone that the SWFRPC office is no longer at 1400 Colonial Blvd., in Fort Myers; staff is working remotely and the RPC has a small space with the United Way at Bell Towers where printers and supplies are located for staff use. Working from home has been going very well, the staff is working hard, and many grants have been submitted since working remotely started in March. The new mailing address for the SWFRPC is PO Box 60933, Fort Myers, FL 33906-6933 and the telephone number is 844.988.8244, calls are forwarded to the staffs' cellphones. Ms. Wuerstle stated that the landlord at the office was very understanding and allowed the lease to be terminated early, saving the SWFRPC \$13,000. She went on to let everyone know that the furniture has all been donated to various organizations and schools and materials not picked up by the counties was sent to the library at FGCU.

AGENDA ITEM #11(a)
KICK-OFF MEETING AGENDA

Ms. Wuerstle explained that on Monday, September 14, 2020 the RPC held a virtual kick-off meeting for two big projects that the agency is working on. The first is a statewide regional evacuation study funded by \$1.2 million allocated by the state legislature to the division of emergency management. Emergency management has contracted with Northeast Regional Planning Council who is doing contracts with all 10 RPC's as well as RFPs for consultants, all materials, slides, and recordings from this meeting are available on the SWFRPC's website. This information is all vital in case of a disaster.

The second project that the RPC is working on is through the Economic Development Administration. The EDA has awarded \$400,000 to each of the RPCs in Florida, this was a noncompetitive grant by invitation only. This money is received for two years, part of the money is to hire a Regional Economic Disaster Recovery Coordinator, Mr. Jim Burch has filled this position. Mr. Burch thanked everyone for attending the meeting and shared that he is a previous mayor and council person for Cape Coral as well as a business owner so he is prepared for this position and would like to speak to all council members by email or phone to hear what the issues being faced are in order to form a resiliency plan as it is very important for everyone to participate. He stated that he is available if anyone has questions and information and resource guides on this new program can be found on the SWFRPC website.

AGENDA ITEM #11(b)
SWFL FRESH LOGO

Ms. Wuerstle updated everyone on a project that the SWFRPC had just completed, after Hurricane Irma the State Department of Economic Opportunity funded a study to determine the impact of hurricane Irma on small growers. EDA funded the development of a brand for SWFL growers. A marketing firm had been hired to develop a logo and tag line for the SWFRPC. Originally it was "SWFL Fresh; taste the local difference," however just as printed materials, ad's and billboards were about to go out the RPC received a call from a group in Michigan that was already using this tagline and wanted to be paid if SWFL was going to use it. So, last minute the logo and tagline were changed to "SWFL Fresh; Choose Local, Choose Fresh," which is now being trademarked by the University of Florida's attorneys. Ms. Wuerstle shared that tote bags, t-shirts, window decals and other merchandise has been printed and distributed to the local growers.

AGENDA ITEM #11(c)
ALL GRANTS IN PROMISE ZONE

Ms. Wuerstle gave a brief update on the Promise Zone, due to COVID the Promise Zone Coordinators have not met in some time, but they are still working on securing grants for the promise zone. In the packet is a running list of grants that have been applied for, grants that have been awarded, those that are pending, as well as those that have been denied. Currently,

there is about \$2.9 million that has been awarded, there \$4.8 million in pending grants, and \$4.8 million that have been denied.

AGENDA ITEM #11(d)
FY20-21 MEETING SCHEDULE

Ms. Wuerstle stated that the next meeting will be in November 2020 and following that meeting the next will be in January 2021.

AGENDA ITEM #11(e)
FRCA JULY 2020/ AUGUST 2020 REPORT

These reports are for information only.

AGENDA ITEM #12
COMMITTEE REPORTS

AGENDA ITEM #12(a)
EXECUTIVE COMMITTEE

No update was given.

AGENDA ITEM #12(b)
ESTERO BAY AGENCY ON BAY MANAGEMENT COMMITTEE

Ms. Mackenzie Moorhouse gave an update on the ABM. The ABM heard from Director Roland Ottolini regarding the Southern Lee County Flood Mitigation Plan at the August 2020 meeting. The membership plans to provide comments and recommendations in a letter to Director Ottolini. Captain Jon Hall joined the membership as the primary member for Pelican Landing, as did Joe Miceli for ECCL and Bill Veach for the Town of Fort Myers Beach.

AGENDA ITEM #12(c)
QUALITY OF LIFE & SAFETY COMMITTEE

No update was given.

AGENDA ITEM #7
DISPOSAL OF FIXED ASSETS

Ms. Wuerstle explain that when the SWFRPC moved out of the office there were items that needed to be disposed of. In order to keep the books in order there needed to be approval on the disposal of these items. Ms. Rebekah Harp stated that on the list provided in the council packet you can see that aside from the items donated to other agencies, several of the items are in storage.

A motion was made by Commissioner Wilkins to approve the disposal of fixed assets. This motion was seconded by Commissioner Doherty and passed unanimously.

**AGENDA ITEM #8
FINANCIALS: FEBRUARY- JULY 2020**

Ms. Wuerstle briefly explained the financials, as of February 2020 the RPC was down \$58,000 for the month and \$209,000 for the year, although the council was aware that this would happen due to assessment fees not being paid by the counties. As of July 2020, the financials were \$33,000 to the good, the RPC still has about \$363,000 in reserves as of the end of July and August and September look better. The year will still end in the red, but it should not be quite as bad as it currently is as new funding has been brought in. October 1, 2020 is the start of the new budget year. When the new budget was adopted it was planned to end the year with \$20,000 in reserves, however with securing over \$700,000 in grants the year will end much better.

A motion was made by Commissioner McDaniel to approve the financials. This motion was seconded by Mr. McCormick and passed unanimously.

**AGENDA ITEM #9
CONSENT AGENDA**

**AGENDA ITEM #9(a)
INTERGOVERNMENTAL COORDINATION AND REVIEW**

Ms. Wuerstle explained that three new transit replacement/upgrade projects have come in and they are all regionally significant and consistent.

A motion was made by Commissioner Wilkins to approve the consent agenda. This motion was seconded by Commissioner McDaniel and passed unanimously.

**AGENDA ITEM #10
UPDATES**

**AGENDA ITEM #10(a)
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**

Ms. Katelyn Kubasik announced that the August 20th meeting of the LEPC was held virtually and that the 2020 Emergency Response Guidebooks are out now. The next LEPC meeting will be held virtually on December 3, 2020. There was a SERC meeting on September 10th and at this meeting it was announced that the 2021 HazMat Symposium has been cancelled due to COVID and safety concerns. It was also announced that when COVID was at its peak there were around 100,000 tests done each day, now there are about 9,000 tests being done each day, which has been a 90% reduction leading to the cut down of testing sites. If there is a resurgence in numbers testing sites will have to go back up.

**AGENDA ITEM #15
COUNCIL MEMBER' COMMENTS**

Commissioner McDaniel asked Ms. Wuerstle if meetings had been changed to quarterly instead of monthly and if it is possible to administratively go back to a monthly basis since meetings are now virtual and really put forth the effort to garner a quorum because these meetings information but not a good use of the RPC members' time. Ms. Wuerstle stated that the RPC board did adopt the resolution to change meetings to quarterly.

At this point in the meeting a quorum was reached and previously items that required a vote were now voted on

Commissioner McDaniel made a motion to move back to monthly virtual meetings for the foreseeable future and get the notice out to RPC membership to achieve a quorum. There was no second to this motion.

Mr. Perry made a motion that at the November meeting when the 2021 schedule is discussed we revisit this issue and move forward in a positive way. Commissioner Pendergrass seconded Commissioner McDaniel motion at this point in the meeting. Mr. McCormick added that while dealing with COVID and the RPC having virtual meetings he does not see any reason to make a change at this time and voted against Commissioner McDaniel motion. Commissioner Storter-Long stated that she is not in favor of having meetings more often as Ms. Wuerstle keeps everyone well informed by email updates, phone calls and quarterly meetings.

A call for vote showed that the majority of the RPC Board Members were opposed to going back to monthly meetings, the motion did *not* pass.

Commissioner McDaniel made a motion that at the November meeting an agenda item be added to call for a reconstitution of the SWFRPC to appeal the existing rules and reconstitute and rebrand the SWFRPC. Mr. Perry stated that any member can request an agenda item be added without a vote.

Commissioner Doherty pointed out that it should be remembered that even if council members support what Commissioner McDaniel is proposing at the next meeting, there is an interlocal agreement amongst the counties in SWFL so each individual board of county commissioners will have to vote on this motion so it is more complicated than just bringing this to the SWFRPC board calling for legal counsel to weigh in on this matter. Commissioner McDaniel agreed with Commissioner Doherty's points and stated that he would still like to move forward with this process because the RPC cannot continue to do what has always been done.

At this point Commissioner McDaniel withdrew his motion for the reconstitution and repeal of the SWFRPC roles and stated that he will bring the matter to the table at the November meeting.

Commissioner Julie Wilkins stated that we just spent the last year discussing the issues that Commissioner McDaniel brought up and we already have the results. Mr. Perry agreed and stated that there should be another discussion on this matter again moving forward. Commissioner McDaniel stated that when he came onto the RPC four years ago there were discussions of relevancy, then a relevancy committee was established but since then this has all been undone and he believes that there needs to be a reconstitution. He also mentioned that he has discussed this with two other RPC directors, and this is the path that he feels this is the path to follow in order to revamp the RPC with regard to relevancy. Commissioner Wilkins stated that there is a relevancy subcommittee and this conversation continues to come up, but there is a lot of legwork from the committees the SWFRPC is working. Commissioner McDaniel agreed and said that rules of this charter need to be reevaluated as an organization.

**AGENDA ITEM #6
MINUTES OF THE JUNE 18, 2020 MEETING**

A motion was made by Commissioner Doherty to approve the minutes of the June 18, 2020 meeting. This motion was seconded by Commissioner McDaniel and passed unanimously.

**AGENDA ITEM #13
NEW BUSINESS**

There was no new business.

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

Phil Flood of SFWMD shared that COVID had not slowed anything down with regard to Everglades Restoration, SFWMD is moving forward on numerous projects through the state and the legislature has given SFWMD \$368 million this year. The big project over on the West Coast is the C43 Reservoir, and Hendry County is well underway, there are well over 150 workers out there with over 100 pieces of heavy equipment. Everything is still on schedule to be completed in 2023. Mr. Flood also mentioned that there will be a ribbon cutting later today in Glades County for the big water quality project on the Brighton Valley Waterfall on 8,100 acres.

Mr. Dennis Ragosta of SWFWMD gave a COVID update stating there has been no hold back on any projects and thanked all cooperators out there for being understanding and cooperative.

Commissioner Wilkins informed the SWFRPC that this was her last meeting as she is stepping down. There is a new Commissioner on board for Hendry County that will be taking her place.

**AGENDA ITEM #16
ADJOURN**

The next meeting will be on November 19, 2020. The meeting adjourned at 9:59 a.m.

Vice-Mayor Michael Atkinson, Secretary

The meeting was duly advertised in the September 9, 2020 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 46, Number 176.

Agenda Item

8

Financials

8

8

Agenda Item

8a

August Financials

8a

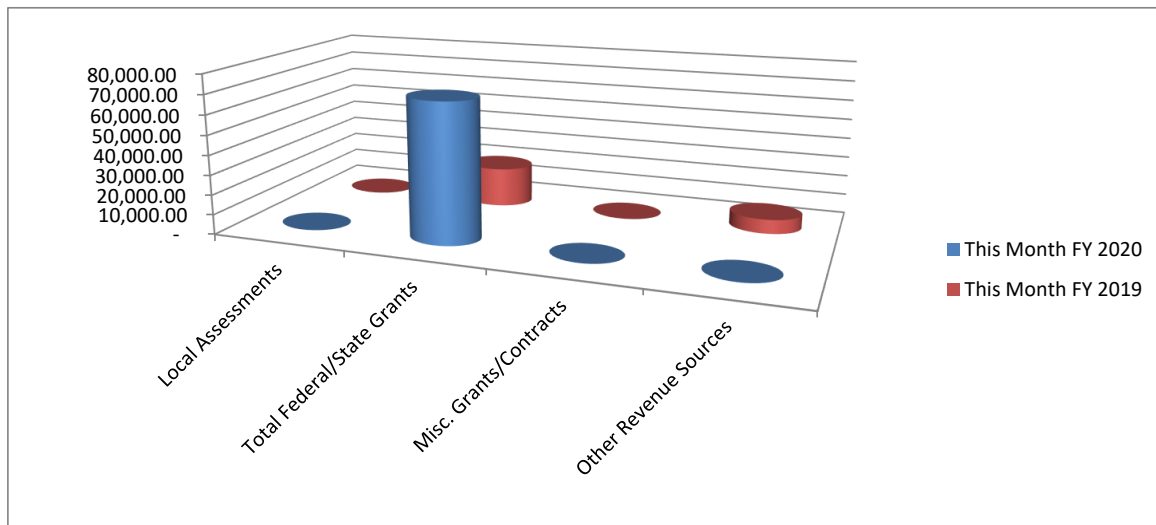
8a

2019 - 2020 Workplan & Budget Financial Snapshot Aug-20

Revenues

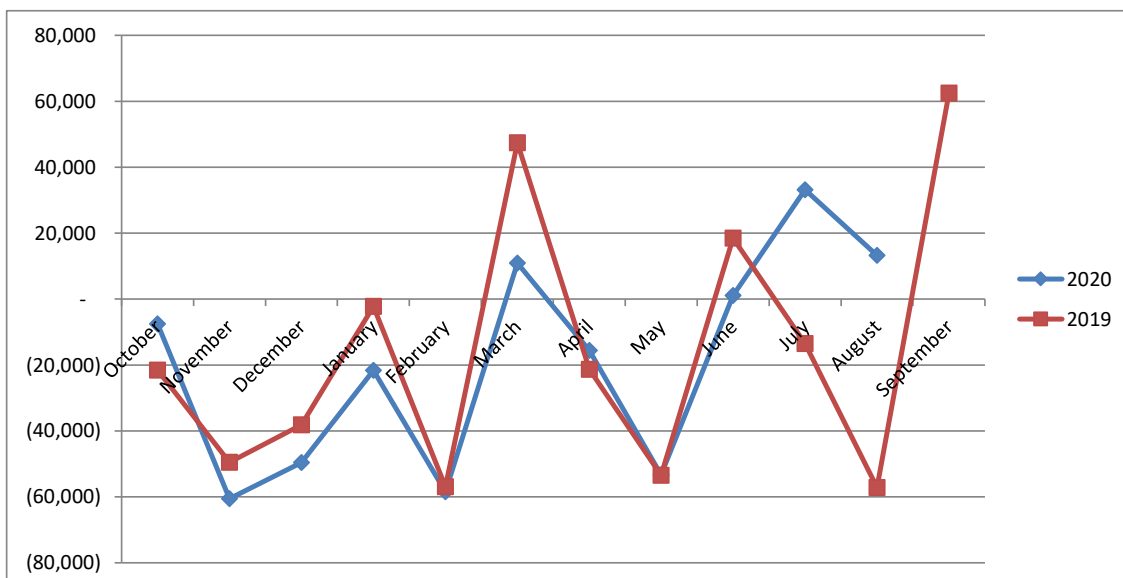
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
State/Federal Grants billed quarterly: LEPC, HMEP
Federal Grants billed Semi Annually: Economic Development
Misc. Grants/Contracts billed by deliverable: SQG, DEO Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$208,198) Unaudited

SWFRPC

Detail of Reserve

As of August 31, 2020

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	43,735
	<hr/>
<i>Total Cash and Cash Equivalents</i>	\$ 43,935

Investments:

FineMark Money Market	\$ 195,134
Local government Surplus Trust Fund Investment Pool (Fund A)	145,678
	<hr/>
<i>Total Investments</i>	\$ 340,812

Total Reserves	<hr/>
	\$ 384,747
	<hr/>

**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET**

FOR THE ONE MONTH ENDING AUGUST 31, 2020

	Current Month	Year to Date A	FY 2019-2020 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
COLLIER COUNTY	-	-	110,204	0%	\$ -
GLADES COUNTY	-	3,901	3,901	100%	\$ -
HENDRY COUNTY	-	11,876	11,876	100%	\$ -
CITY OF FORT MYERS	-	24,560	24,560	100%	\$ -
TOWN OF FORT MYERS BEACH INC	-	1,922	1,922	100%	\$ -
BONITA SPRINGS	-	15,354	15,354	100%	\$ -
CITY OF NORTH PORT (9/10/19)	-	-	-	-	-
*Not paying full amount as of 7/7/20	-	21,189	21,189	100%	\$ -
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 78,802	\$ 189,006	42%	\$ -
FEDERAL / STATE GRANTS					
DEM - LEPC 19/20	-	69,700	80,000	87%	\$ 10,300
DEM - HMEP 19/20	-	79,232	61,006	130%	\$ -
DEM - Collier Hazard Analysis 19/20	-	19,251	19,251	100%	\$ -
Food Policy - Healthy Cities	2,215	2,215	-	N/A	
Promise Zone	-	1,116	-	N/A	N/A
REDI Technical Assistance	-	2,000	-	N/A	N/A
Disaster Recovery Coordinator	-	29,950	50,000	60%	\$ 20,050
Economic Development Planning 20/22	-	17,500	30,000	58%	\$ 12,500
EDA Agriculture Sustainability	52,998	175,447	103,273	170%	\$ -
Vista Supervisor	-	10,384	15,000	69%	\$ 4,616
Brownfields - EPA	15,053	182,769	200,000	91%	\$ 17,231
TOTAL FEDERAL / STATE GRANTS	\$ 70,266	\$ 589,564	\$ 558,530	106%	\$ 64,697
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
FHERO 19/20	-	-	6,000	0%	\$ 6,000
Glades SQG	-	4,500	4,500	100%	\$ -
CHNEP Graphic Design - Website ABM	-	-	4,500	0%	\$ 4,500
TOTAL MISC. GRANTS/CONTRACTS	\$ -	\$ 4,500	\$ 15,000	30%	\$ 10,500
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	- \$	- \$	-	N/A	\$ -
DRIS/NOPCS INCOME		4,858	-	N/A	-
TOTAL	\$ -	\$ 4,858	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	259,386	100%	\$ 259,386
ABM Cela Tega		5,120	-	N/A	\$ 100
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ 5,120	\$ 518,873	\$ 259,487	\$ 259,486

Current Month	Year to Date A	FY 2019-2020 Approved Budget B	% Of Budget Year to Date	Budget Remaining
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OTHER REVENUE SOURCES					
Misc. Income		19,066	2,000	953%	\$ -
INTEREST INCOME - Money Market	158	2,526	2,000	126%	\$ -
Fund A Investment Income	48	1,669	2,000	83%	\$ 331
TOTAL OTHER REVENUE SOURCES	\$ 206	\$ 23,261	\$ 6,000	388%	\$ 331
<i>Fund Balance</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ 854,470</i>		
TOTAL REVENUES	\$ 70,472	\$ 706,105	\$ 2,141,879		\$ 335,014

EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 19,318	\$ 255,905	\$ 331,718	77%	\$ 75,813
FICA EXPENSE	1,455	18,918	25,376	75%	\$ 6,458
RETIREMENT EXPENSE	4,523	36,750	46,175	80%	\$ 9,425
HEALTH INSURANCE EXPENSE	5,114	49,918	55,187	90%	\$ 5,269
WORKERS COMP. EXPENSE	-	1,468	1,246	118%	\$ (222)
UNEMPLOYMENT COMP. EXPENSE	-	825	-	N/A	(825)
TOTAL PERSONNEL EXPENSES	\$ 30,409	\$ 363,784	\$ 459,702	79%	\$ 95,918

OPERATIONAL EXPENSES					
CONSULTANTS	\$ 1,890	\$ 65,682	\$ 54,950	120%	\$ (10,732)
GRANT/CONSULTING EXPENSE	15,675	323,221	289,333	112%	\$ (33,888)
AUDIT SERVICES EXPENSE		29,650	28,150	105%	\$ (1,500)
TRAVEL EXPENSE	(195)	22,141	37,000	60%	\$ 14,859
TELEPHONE EXPENSE	230	3,522	3,800	93%	\$ 278
POSTAGE / SHIPPING EXPENSE	380	719	1,200	60%	\$ 481
EQUIPMENT RENTAL EXPENSE	264	5,055	4,896	103%	\$ (159)
INSURANCE EXPENSE	84	7,185	9,029	80%	\$ 1,844
REPAIR/MAINT. EXPENSE	-	133	500	N/A	\$ 367
PRINTING/REPRODUCTION EXPENSE	74	966	3,000	32%	\$ 2,034
UTILITIES (Elec, Internet)	854	6,376	8,500	75%	\$ 2,124
ADVERTISING/LEGAL NOTICES EXP	116	705	1,600	44%	\$ 895
OTHER MISC. EXPENSE	-	84	200	42%	\$ 116
BANK SERVICE CHARGES	-	17	-	N/A	\$ (17)
OFFICE SUPPLIES EXPENSE	303	2,487	3,000	83%	\$ 513
COMPUTER RELATED EXPENSE	174	20,496	25,097	82%	\$ 4,601
DUES AND MEMBERSHIP	-	8,371	23,800	35%	\$ 15,429
PUBLICATION EXPENSE	-	-	-	N/A	\$ -
PROF. DEVELOP.	-	-	1,000	N/A	\$ 1,000
MEETINGS/EVENTS EXPENSE	-	4,562	7,000	65%	\$ 2,438

	Current Month	Year to Date A	FY 2019-2020 Approved Budget B	% Of Budget Year to Date	Budget Remaining
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
MOVING EXPENSE	2,757	2,757	-	N/A	\$ (2,757)
LEASE LONG TERM	4,254	46,392	50,646	92%	\$ 4,254
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
FUND BALANCE			\$ 852,378		
OPERATIONAL EXP.	\$ 26,860	\$ 550,520	\$ 1,405,079	39%	2,181
TOTAL OPERATIONAL EXP.			\$ 1,405,079		
TOTAL CASH OUTLAY	\$ 57,268	\$ 914,304	\$ 1,864,781		\$ 98,099
NET INCOME (LOSS)	\$ 13,203	\$ (208,198)			

SWFRPC
Balance Sheet
August 31, 2020

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ASSETS

Current Assets		
Cash - Florida Prime	\$	145,677.54
Cash - FineMark Oper.		43,734.98
Cash - FineMark MM		195,134.28
Petty Cash		200.00
Accounts Receivable		81,441.42
Accounts Receivable-RC&D		(61.25)
		<hr/>
Total Current Assets		466,126.97
Property and Equipment		
Property, Furniture & Equip		237,172.31
Accumulated Depreciation		(221,019.57)
		<hr/>
Total Property and Equipment		16,152.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		34,713.44
FSA Deposit		2,881.29
Rental Deposits		3,500.00
Amt t.b.p. for L.T.Debt-OPEB		65,074.00
		<hr/>
Total Other Assets		106,168.73
		<hr/>
Total Assets	\$	<u><u>588,448.44</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Food Policy_3340		47,785.33
Deferred PalmerRanch NOPC_5357		1,414.21
FICA Taxes Payable		376.70
Federal W/H Tax Payable		(435.13)
United way Payable		322.00
FSA Payable		(1,089.21)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		49,293.61
Long-Term Liabilities		
Accrued Annual Leave		34,713.44
Long Term Debt - OPEB		65,074.00
		<hr/>
Total Long-Term Liabilities		99,787.44
		<hr/>
Total Liabilities		149,081.05
Capital		
Fund Balance-Unassigned		125,213.14
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		8,353.74
Net Income		(208,199.49)
		<hr/>
Total Capital		439,367.39
		<hr/>
Total Liabilities & Capital	\$	<u><u>588,448.44</u></u>

Unaudited - For Management Purposes Only

Agenda Item

8b

September Financials

8b

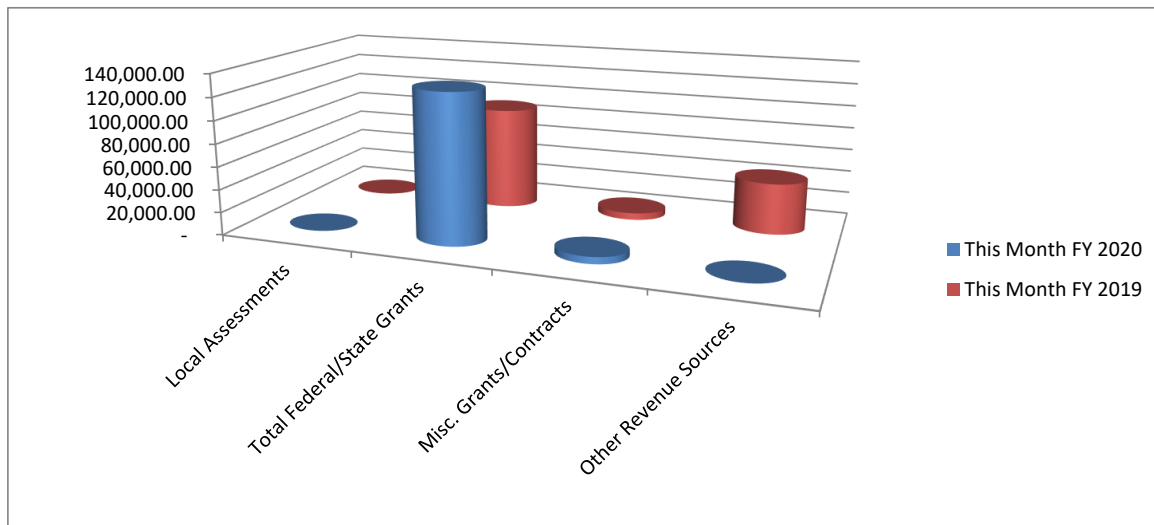
8b

2019 - 2020 Workplan & Budget Financial Snapshot Sep-20

Revenues

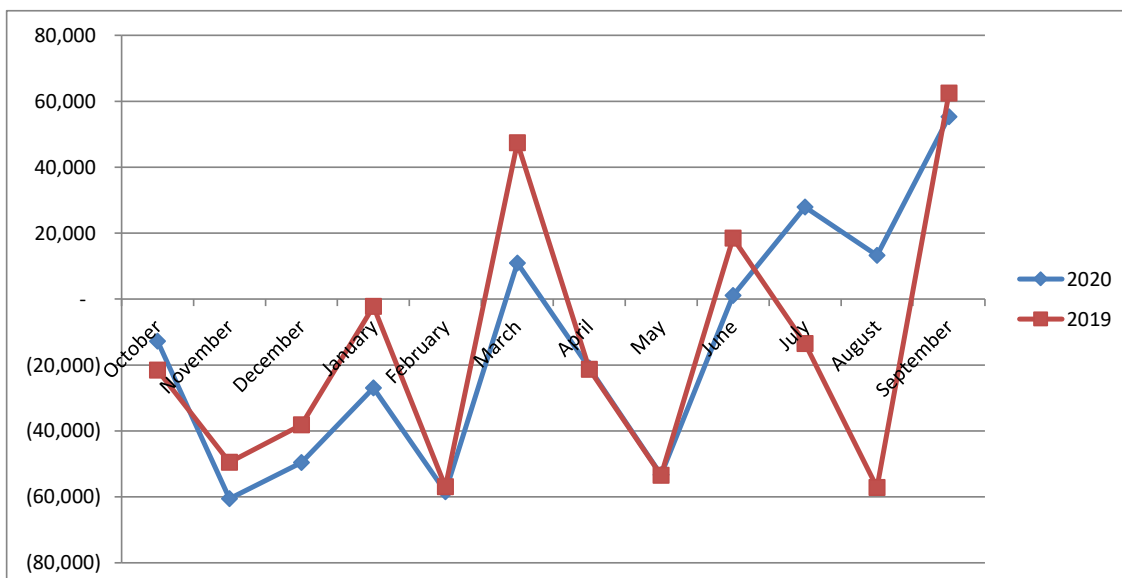
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
State/Federal Grants billed quarterly: LEPC, HMEP
Federal Grants billed Semi Annually: Economic Development
Misc. Grants/Contracts billed by deliverable: SQG, DEO Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$174,070) Unaudited

SWFRPC

Detail of Reserve

As of September 30, 2020

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	53,679
<i>Total Cash and Cash Equivalents</i>	<i>\$ 53,879</i>

Investments:

FineMark Money Market	\$ 195,247
Local government Surplus Trust Fund Investment Pool (Fund A)	145,717
<i>Total Investments</i>	<i>\$ 340,963</i>

Total Reserves	<i>\$ 394,842</i>
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**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING SEPTEMBER 30, 2020**

Page 36 of 331

	Current Month	Year to Date A	FY 2019-2020 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
COLLIER COUNTY	-	-	110,204	0%	\$ -
GLADES COUNTY	-	3,901	3,901	100%	\$ -
HENDRY COUNTY	-	11,876	11,876	100%	\$ -
CITY OF FORT MYERS	-	24,560	24,560	100%	\$ -
TOWN OF FORT MYERS BEACH INC	-	1,922	1,922	100%	\$ -
BONITA SPRINGS	-	15,354	15,354	100%	\$ -
CITY OF NORTH PORT (9/10/19)	-	-	-	-	-
*Not paying full amount as of 7/7/20	-	-	21,189	0%	\$ -
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 57,613	\$ 189,006	30%	\$ -
FEDERAL / STATE GRANTS					
DEM - LEPC 19/20	-	80,000	80,000	100%	\$ -
DEM - LEPC 20/21	10,300	-	-	0%	\$ -
DEM - HMEP 19/20	-	79,232	61,006	130%	\$ -
DEM - Collier Hazard Analysis 19/20	-	19,251	19,251	100%	\$ -
Food Policy - Healthy Cities	3,077	5,292	-	N/A	\$ -
Promise Zone	-	1,116	-	N/A	\$ -
REDI Technical Assistance	-	2,000	-	N/A	\$ -
Disaster Recovery Coordinator	-	29,950	50,000	60%	\$ 20,050
Economic Development Planning 20/22	52,500	70,000	30,000	233%	\$ -
EDA Agriculture Sustainability	-	175,447	103,273	170%	\$ -
EDA CARES Act COVID	16,617	16,617	-	N/A	\$ -
Vista Supervisor	15,798	26,182	15,000	175%	\$ -
Brownfields - EPA	32,156	214,925	200,000	107%	\$ -
TOTAL FEDERAL / STATE GRANTS	\$ 130,448	\$ 720,012	\$ 558,530	129%	\$ 20,050
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
FHERO 19/20	6,000	6,000	6,000	100%	\$ -
Glades SQG	-	4,500	4,500	100%	\$ -
CHNEP Graphic Design - Website ABM	-	-	4,500	0%	\$ 4,500
TOTAL MISC. GRANTS/CONTRACTS	\$ 6,000	\$ 10,500	\$ 15,000	70%	\$ 4,500
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	4,858	-	N/A	\$ -
TOTAL	\$ -	\$ 4,858	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	259,386	100%	\$ 259,386
ABM Cela Tega	-	5,120	-	N/A	\$ 100

	Current Month	Year to Date A	FY 2019-2020 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ 5,120	\$ 518,873	\$ 259,487	\$ 259,486

OTHER REVENUE SOURCES					
Misc. Income		19,066	2,000	953%	\$ -
INTEREST INCOME - Money Market	112	2,638	2,000	132%	\$ -
Fund A Investment Income	39	1,708	2,000	85%	\$ 292
TOTAL OTHER REVENUE SOURCES	\$ 152	\$ 23,412	\$ 6,000	390%	\$ 292

Fund Balance \$ - \$ - \$ 854,470

TOTAL REVENUES	\$ 136,600	\$ 821,515	\$ 2,141,879		\$ 284,328
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EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 24,244	\$ 280,149	\$ 331,718	84%	\$ 51,569
FICA EXPENSE	1,826	20,744	25,376	82%	\$ 4,632
RETIREMENT EXPENSE	3,364	40,114	46,175	87%	\$ 6,061
HEALTH INSURANCE EXPENSE	5,017	54,934	55,187	100%	\$ 253
WORKERS COMP. EXPENSE	112	1,580	1,246	127%	\$ (334)
UNEMPLOYMENT COMP. EXPENSE	-	825	-	N/A	(825)
TOTAL PERSONNEL EXPENSES	\$ 34,563	\$ 398,347	\$ 459,702	87%	\$ 61,355

OPERATIONAL EXPENSES					
CONSULTANTS	\$ -	\$ 65,682	\$ 54,950	120%	\$ (10,732)
GRANT/CONSULTING EXPENSE	41,460	364,681	289,333	126%	\$ (75,348)
AUDIT SERVICES EXPENSE	-	29,650	28,150	105%	\$ (1,500)
TRAVEL EXPENSE	-	22,141	37,000	60%	\$ 14,859
TELEPHONE EXPENSE	123	3,645	3,800	96%	\$ 155
POSTAGE / SHIPPING EXPENSE	-	719	1,200	60%	\$ 481
EQUIPMENT RENTAL EXPENSE	264	5,319	4,896	109%	\$ (423)
INSURANCE EXPENSE	82	7,267	9,029	80%	\$ 1,762
REPAIR/MAINT. EXPENSE	-	133	500	N/A	\$ 367
PRINTING/REPRODUCTION EXPENSE	34	1,000	3,000	33%	\$ 2,000
UTILITIES (Elec, Internet)	256	6,631	8,500	78%	\$ 1,869
ADVERTISING/LEGAL NOTICES EXP	528	1,232	1,600	77%	\$ 368
OTHER MISC. EXPENSE	967	1,051	200	526%	\$ (851)
BANK SERVICE CHARGES	-	17	-	N/A	\$ (17)
OFFICE SUPPLIES EXPENSE	17	2,504	3,000	83%	\$ 496
COMPUTER RELATED EXPENSE	488	20,984	25,097	84%	\$ 4,113
DUES AND MEMBERSHIP	2,500	10,871	23,800	46%	\$ 12,929
PUBLICATION EXPENSE	-	-	-	N/A	\$ -

	Current Month	Year to Date A	FY 2019-2020 Approved Budget B	% Of Budget Year to Date	Budget Remaining
PROF. DEVELOP.	-	-	1,000	N/A	\$ 1,000
MEETINGS/EVENTS EXPENSE	-	4,562	7,000	65%	\$ 2,438
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
MOVING EXPENSE	-	2,757	-	N/A	\$ (2,757)
LEASE LONG TERM	-	46,392	50,646	92%	\$ 4,254
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
FUND BALANCE			\$ 852,378		
OPERATIONAL EXP.	\$ 46,718	\$ 597,238	\$ 1,405,079	43%	(44,537)
TOTAL OPERATIONAL EXP.			\$ 1,405,079		
TOTAL CASH OUTLAY	\$ 81,281	\$ 995,585	\$ 1,864,781		\$ 16,818
NET INCOME (LOSS)	\$ 55,319	\$ (174,070)			

SWFRPC
Balance Sheet
September 30, 2020

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ASSETS

Current Assets		
Cash - Florida Prime	\$	145,716.85
Cash - FineMark Oper.		53,678.82
Cash - FineMark MM		195,246.58
Petty Cash		200.00
Accounts Receivable		103,709.34
Accounts Receivable-RC&D		(61.25)
		<hr/>
Total Current Assets		498,490.34
Property and Equipment		
Property, Furniture & Equip		237,172.31
Accumulated Depreciation		(221,019.57)
		<hr/>
Total Property and Equipment		16,152.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		34,713.44
FSA Deposit		2,881.29
Rental Deposits		3,500.00
Amt t.b.p. for L.T.Debt-OPEB		65,074.00
		<hr/>
Total Other Assets		106,168.73
		<hr/>
Total Assets	\$	<u><u>620,811.81</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Food Policy_3340		44,707.93
Deferred PalmerRanch NOPC_5357		1,414.21
FICA Taxes Payable		1,107.10
Federal W/H Tax Payable		170.94
United way Payable		322.00
Deferred Compensation Payable		(25.00)
FSA Payable		(1,089.17)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		47,527.72
Long-Term Liabilities		
Accrued Annual Leave		34,713.44
Long Term Debt - OPEB		65,074.00
		<hr/>
Total Long-Term Liabilities		99,787.44
		<hr/>
Total Liabilities		147,315.16
Capital		
Fund Balance-Unassigned		125,213.14
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		8,353.74
Net Income		(174,070.23)
		<hr/>
Total Capital		473,496.65
		<hr/>
Total Liabilities & Capital	\$	<u><u>620,811.81</u></u>

Unaudited - For Management Purposes Only

Agenda Item

8c

Budget Amendment

8c

8c

Southwest Florida Regional Planning Council

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OCTOBER 1, 2019 TO SEPTEMBER 30, 2020

Final Amendment to 2019-2020 Approved Budget

PROPOSED BUDGET AMENDMENTS

Revenues	Adopted FY 2020 Budget	Proposed Changes	SWFRPC General Fund	Proposed Budget Amendment FY2020
Assessments	\$167,817	\$ (110,204)	\$ 57,613	\$ 57,613
Secured Federal/State Grants	560,052	159,960	720,012	\$ 720,012
Program Development (Unsecured Grants/Contracts)	259,386	(85,316)	174,070	\$ 174,070
Secured Contractual	15,000	5,478	20,478	\$ 20,478
Interest/Misc	6,000	17,412	23,412	\$ 23,412
*Fund Balance from Audit YE 9/30/19	854,470	(223,056)	631,414	\$ 631,414
Total Income (Revenue)	\$1,862,725	\$ (235,726)	\$ 1,626,999	\$ 1,626,999

Expenditures (Expenses)				
Direct:				
Salaries (A)	\$331,718	(51,569)	280,149	\$280,149
FICA	25,376	(4,632)	20,744	\$20,744
Unemployment	-	825	825	\$825
Workers Compensation	1,246	334	1,580	\$1,580
Retirement	46,175	(6,061)	40,114	\$40,114
Health Insurance (B)	55,187	(253)	54,934	\$54,934
Total Personnel Expenses	\$459,703	\$ (61,356)	\$ 398,346	\$ 398,346

Expenses				
Consultants (C)	54,950	10,732	65,682	65,682
Grant/Consulting - Contractual (D)	289,333	75,348	364,681	364,681
Audit Fees	24,000	5,650	29,650	29,650
Travel	37,000	(14,859)	22,141	22,141
Telephone	3,800	(155)	3,645	3,645
Postage	1,200	(481)	719	719
Equipment Rental (E)	4,896	423	5,319	5,319
Insurance (F)	9,029	(1,762)	7,267	7,267
Repair/Maint. (Tech/Equip)	500	(367)	133	133
Printing/Reproduction	3,000	(2,000)	1,000	1,000
Utilities (Elec/Internet)	8,500	(1,869)	6,631	6,631
Advertising	1,600	(368)	1,232	1,232
Other Miscellaneous	200	851	1,051	1,051
Bank Service Charges	-	17	17	17
Office Supplies	3,000	(496)	2,504	2,504
Computer Related Expenses (G)	25,097	(4,113)	20,984	20,984
Dues and Memberships (H)	23,800	(12,929)	10,871	10,871
Publications	-	-	-	-
Professional Development	1,000	(1,000)	-	-
Meetings/Events	7,000	(2,438)	4,562	4,562
Capital Outlay-Operations	-	-	-	-
Moving Expense	-	2,757	2,757	2,757
Lease Long Term	50,646	(4,254)	46,392	46,392
*Fund Balance from Audit YE 9/30/19	854,470	(223,056)	631,414	631,414
Operational Expense	\$ 1,403,021	(174,369)	\$ 1,228,652	\$ 1,228,652
Total Cash Outlays	\$ 1,862,724	\$ (235,725)	\$ 1,626,998	\$ 1,626,998

Net Income/Loss	\$ 0	\$ (0)	\$ (0)	\$ (0)
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*Fund Balance from Audit YE 9/30/19 (FY18/19) - included in this fund is the investments, operating funds and net of all assets and liabilities as of 9/30/19.

**The Fund Balance - End of Year \$631,414 - is a snapshot as of 9/30/19 per audit report.

***** The Council approved by resolution on 4/21/16 to include investments in the budget. Investments consist of Money Market and Government Pool. The balance will increase over time as interest accrues.

	Adopted FY 2020 Budget	Proposed Changes	SWFRPC General Fund	Proposed Budget
Investments as of 9/30/19	-	-	\$ 394,842	\$ 394,842

**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING SEPTEMBER 30, 2020**

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	Current Month	Year to Date A	FY 2019-2020 Proposed Budget Am B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
COLLIER COUNTY - withdrew (12/26/19)	-	-	0	N/A	\$ -
GLADES COUNTY	-	3,901	3,901	100%	\$ -
HENDRY COUNTY	-	11,876	11,876	100%	\$ -
CITY OF FORT MYERS	-	24,560	24,560	100%	\$ -
TOWN OF FORT MYERS BEACH INC	-	1,922	1,922	100%	\$ -
BONITA SPRINGS	-	15,354	15,354	100%	\$ -
CITY OF NORTH PORT - withdrew (7/7/20)	-	-	0	N/A	\$ -
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 57,613	\$ 57,613	100%	\$ -
FEDERAL / STATE GRANTS					
DEM - LEPC 19/20	-	69,700	69,700	100%	\$ -
DEM - LEPC 20/21	-	10,300	10,300	100%	\$ -
DEM - HMEP 19/20	-	79,232	79,232	100%	\$ -
DEM - Collier Hazard Analysis 19/20	-	19,251	19,251	100%	\$ -
Food Policy - Healthy Cities	-	5,292	5,292	100%	\$ -
Promise Zone	-	1,116	1,116	100%	\$ -
REDI Technical Assistance	-	2,000	2,000	100%	\$ -
Disaster Recovery Coordinator	-	29,950	29,950	100%	\$ -
Economic Development Planning 20/22	-	70,000	70,000	100%	\$ -
EDA Agriculture Sustainability	-	175,447	175,447	100%	\$ -
EDA CARES Act COVID	-	16,617	16,617	100%	\$ -
Vista Supervisor	-	26,182	26,182	100%	\$ -
Brownfields - EPA	-	214,925	214,925	100%	\$ -
TOTAL FEDERAL / STATE GRANTS	\$ -	\$ 720,012	\$ 720,012	100%	\$ -
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
FHERO 19/20	-	6,000	6,000	100%	\$ -
Glades SQG	-	4,500	4,500	100%	\$ -
CHNEP Graphic Design - Website ABM	-	-	-	0%	\$ -
TOTAL MISC. GRANTS/CONTRACTS	\$ -	\$ 10,500	\$ 10,500	100%	\$ -
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	4,858	4,858	100%	\$ -
TOTAL	\$ -	\$ 4,858	\$ 4,858		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	174,070	100%	\$ -
ABM Cela Tega	-	5,120	5,120	100%	\$ -
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ 5,120	\$ 179,192	2	\$ -

Current Month	Year to Date A	FY 2019-2020 Proposed Budget Am B	% Of Budget Year to Date	Budget Remaining
------------------	-------------------	-----------------------------------------	-----------------------------	---------------------

OTHER REVENUE SOURCES					
Misc. Income		19,066	19,066	100%	\$ -
INTEREST INCOME - Money Market	-	2,638	2,638	100%	\$ -
Fund A Investment Income	-	1,708	1,708	100%	\$ (0)
TOTAL OTHER REVENUE SOURCES	\$ -	\$ 23,412	\$ 23,412	100%	\$ (0)
<i>Fund Balance</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ 631,414</i>		
TOTAL REVENUES	\$ -	\$ 821,515	\$ 1,627,001		\$ (0)

EXPENSES					
PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ -	\$ 280,149	\$ 280,149	100%	\$ (0)
FICA EXPENSE	-	20,744	20,744	100%	\$ -
RETIREMENT EXPENSE	-	40,114	40,114	100%	\$ -
HEALTH INSURANCE EXPENSE	-	54,934	54,934	100%	\$ -
WORKERS COMP. EXPENSE	-	1,580	1,580	100%	\$ -
UNEMPLOYMENT COMP. EXPENSE	-	825	825	100%	\$ -
TOTAL PERSONNEL EXPENSES	\$ -	\$ 398,347	\$ 398,347	100%	\$ (0)
OPERATIONAL EXPENSES					
CONSULTANTS	\$ -	\$ 65,682	\$ 65,682	100%	\$ -
GRANT/CONSULTING EXPENSE	-	364,681	364,681	100%	\$ -
AUDIT SERVICES EXPENSE	-	29,650	29,650	100%	\$ -
TRAVEL EXPENSE	-	22,141	22,141	100%	\$ -
TELEPHONE EXPENSE	-	3,645	3,645	100%	\$ -
POSTAGE / SHIPPING EXPENSE	-	719	719	100%	\$ -
EQUIPMENT RENTAL EXPENSE	-	5,319	5,319	100%	\$ -
INSURANCE EXPENSE	-	7,267	7,267	100%	\$ -
REPAIR/MAINT. EXPENSE	-	133	133	100%	\$ -
PRINTING/REPRODUCTION EXPENSE	-	1,000	1,000	100%	\$ -
UTILITIES (Elec, Internet)	-	6,631	6,631	100%	\$ -
ADVERTISING/LEGAL NOTICES EXP	-	1,232	1,232	100%	\$ -
OTHER MISC. EXPENSE	-	1,051	1,051	100%	\$ -
BANK SERVICE CHARGES	-	17	17	100%	\$ -
OFFICE SUPPLIES EXPENSE	-	2,504	2,504	100%	\$ -
COMPUTER RELATED EXPENSE	-	20,984	20,984	100%	\$ -
DUES AND MEMBERSHIP	-	10,871	10,871	100%	\$ -
PUBLICATION EXPENSE	-	-	-	N/A	\$ -
PROF. DEVELOP.	-	-	-	N/A	\$ -

	Current Month	Year to Date A	FY 2019-2020 Proposed Budget Am B	% Of Budget Year to Date	Budget Remaining
MEETINGS/EVENTS EXPENSE	-	4,562	\$ 4,562	100%	\$ -
CAPITAL OUTLAY - OPERATIONS	-	-	\$ -	N/A	\$ -
MOVING EXPENSE	-	2,757	\$ 2,757	100%	\$ -
LEASE LONG TERM	-	46,392	\$ 46,392	100%	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	\$ -	N/A	\$ -
FUND BALANCE			\$ 631,414		
OPERATIONAL EXP.	\$ -	\$ 597,238	\$ 1,228,652	49%	0
TOTAL OPERATIONAL EXP.			\$ 1,228,652		
TOTAL CASH OUTLAY	\$ -	\$ 995,585	\$ 1,626,999		\$ (0)
NET INCOME (LOSS)	\$ -	\$ (174,070)			

--- Agenda --- Item

9

Appointment of Nominating
Committee

9

9

Agenda Item

10

Consent Agenda

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10

--- Agenda --- Item

10a

Intergovernmental
Coordination & Review

10a

10a

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 January 1, 2021. and ending January 21, 2021

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 Strategic 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 attached report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the FDEP-State Clearinghouse in Tallahassee.

RECOMMENDED ACTION:

Approval of the administrative action on Clearinghouse Review items.

IC&R Council Report 2021

[illegible]

--- Agenda Item ---

10b

Babcock Ranch Community
Increment II

10b

10b

BABCOCK RANCH COMMUNITY INCREMENT 2 – CHARLOTTE COUNTY MASTER DEVELOPMENT ORDER INFORMATION REQUIREMENTS FOR DRI AIDA SUBMISSION

Background

A three-party agreement between Charlotte County, Babcock Ranch Community Developer and the SWFRPC requires the SWFRPC to coordinate the review of the Master Babcock Ranch Community DRI. The Babcock Ranch Community Master Development Order (MDO) was approved on December 13, 2007 and located in southeastern Charlotte County, north of CR 78, south of CR 74, and immediately east of SR 31. The MDO approval is for 17,870 residential units, 1,400,000 SF retail, 3,500,000 SF office (general office, medical office and civic), 600 hotel rooms, 177 hospital beds, 418 units of assisted living facilities, 54 golf holes, and ancillary facilities (see Attachment I). Projected buildout is 2045 with an expiration date of 2047. The MDO requires Applications for Incremental Developmental Approval (AIDA) and questions are limited to issues identified in MDO Exhibit C and the “C” conditions with Incremental Development Orders (IDOs) that guide development. The MDO specified that updates to the Master DRI Traffic Study (MTSU) must be undertaken no later than every five years and as such a Master Traffic Study Update Methodology meeting was held on August 20, 2020. Purpose of the MTSU is to assist the long-term planning of the DRI based on the current master development plan in Charlotte County and includes development proposed in Lee County.

Increment 1 was originally approved December 15, 2009 and amended May 26, 2020 to include 5,000 residential dwelling units (3,000 single family units and 2,000 multi-family units), non-residential 1,220,000 S.F. (870,000 SF retail and 350,000 SF office), 600 hotel rooms, 18 golf holes, and assisted living 100 units. All approved uses are subject to use of equivalency matrix (see Attachment II). Increment 1 is almost built out (see Attachment III) and has determined a proportionate share transportation mitigation of \$45,729,000 that includes expanding existing 2-Lane SR31 to a 4-Lane divided highway from SR78 to Cypress parkway with infrastructure and grading provided for 6-Lane expansion. Also, expanding existing 2-Lane SR31 to a 4-Lane divided highway from Cypress parkway to Horseshoe Road with sidewalk on one side. Buildout is 2033 with an expiration date of 2040.

On October 23, 2020 a Pre-application meeting was held for the proposed Babcock Ranch Community Increment 2 DRI AIDA. Attending this meeting was the applicant and their consultants, Charlotte County development review staff, U.S. Army Corp of Engineers, Florida Department of Environmental Protection, South Florida Water Management District, Florida Fish and Wildlife Conservation, Florida Department of Transportation, Lee County and SWFRPC staff. A transportation methodology meeting for Increment 2 was also held on October 29, 2020.

Project Description

The Increment 2 area is approximately 4,500 acres and generally east of Increment 1 (see Attachments IV). The Increment 2 development proposal is still in progress and is estimated to include 5,000-6,000 residential units and 1-1.5 million square feet of nonresidential with an anticipated buildout in 2030.

Questions for Babcock Ranch Increment 2

Pursuant to the MDO, all parties agreed to require the applicant to answer all applicable regional and local information requirements (see Attachment V).

RECOMMENDED ACTION: Approve the questionnaire checklist.

November 19, 2020

ATTACHMENT I

Master DRI Development Order

17,870 residential units

1,400,000 SF retail

3,500,000 SF office (general office, medical office and civic)

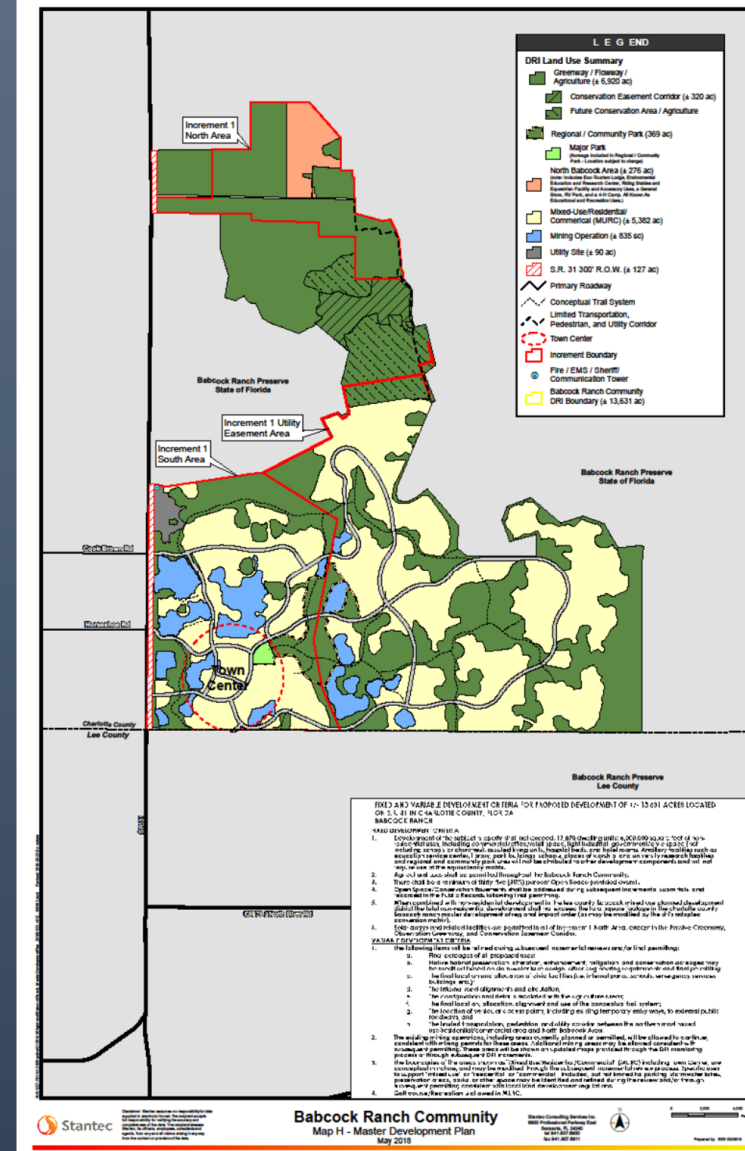
600 hotel rooms

177 hospital beds

418 units of assisted living facilities

54 golf holes

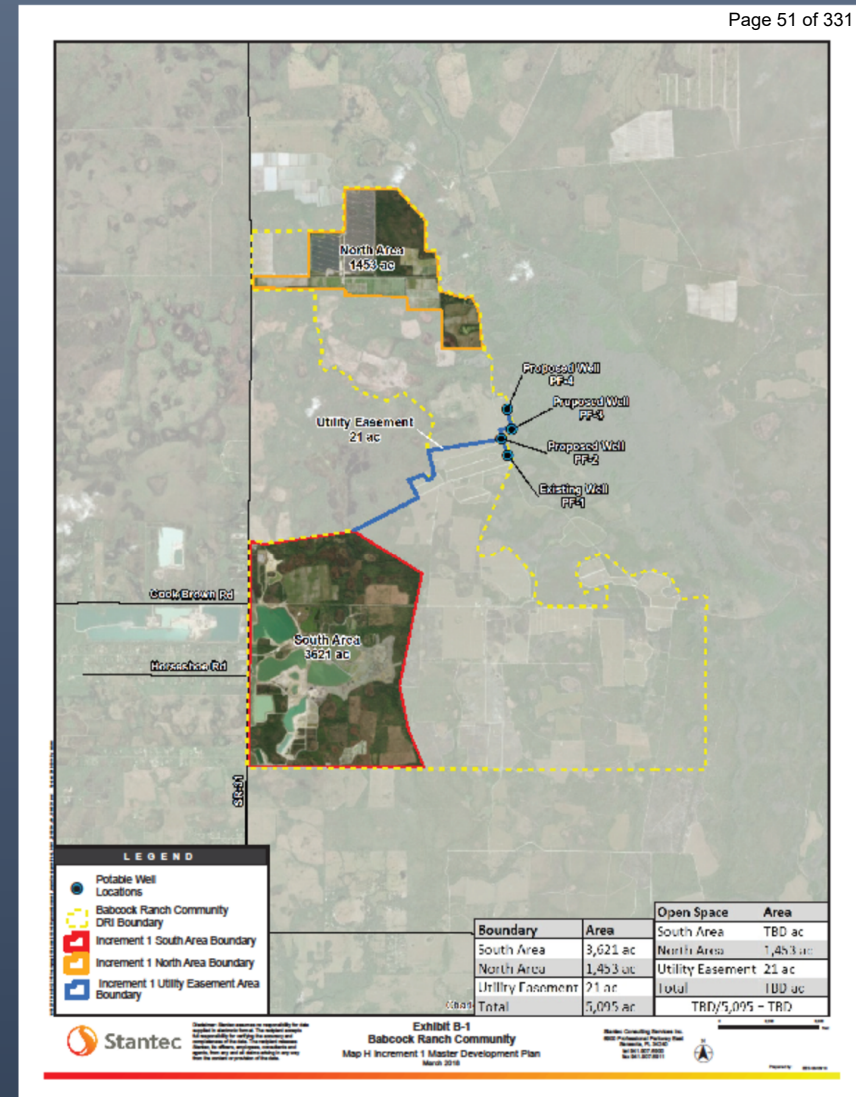
Ancillary facilities



Increment 1 (IDO-1)

- Originally approved December 15, 2009
- Amended May 26, 2020 as follows:
- Residential Dwelling Units – 5,000 *
 - 3,000 single family units
 - 2,000 multi-family units
- Non-Residential – 1,220,000 S.F.*
 - 870,000 SF Retail
 - 350,000 SF Office
- 600 Hotel Rooms*
- 18 Golf Holes*
- Assisted Living – 100 Units*

* Subject to use of equivalency matrix



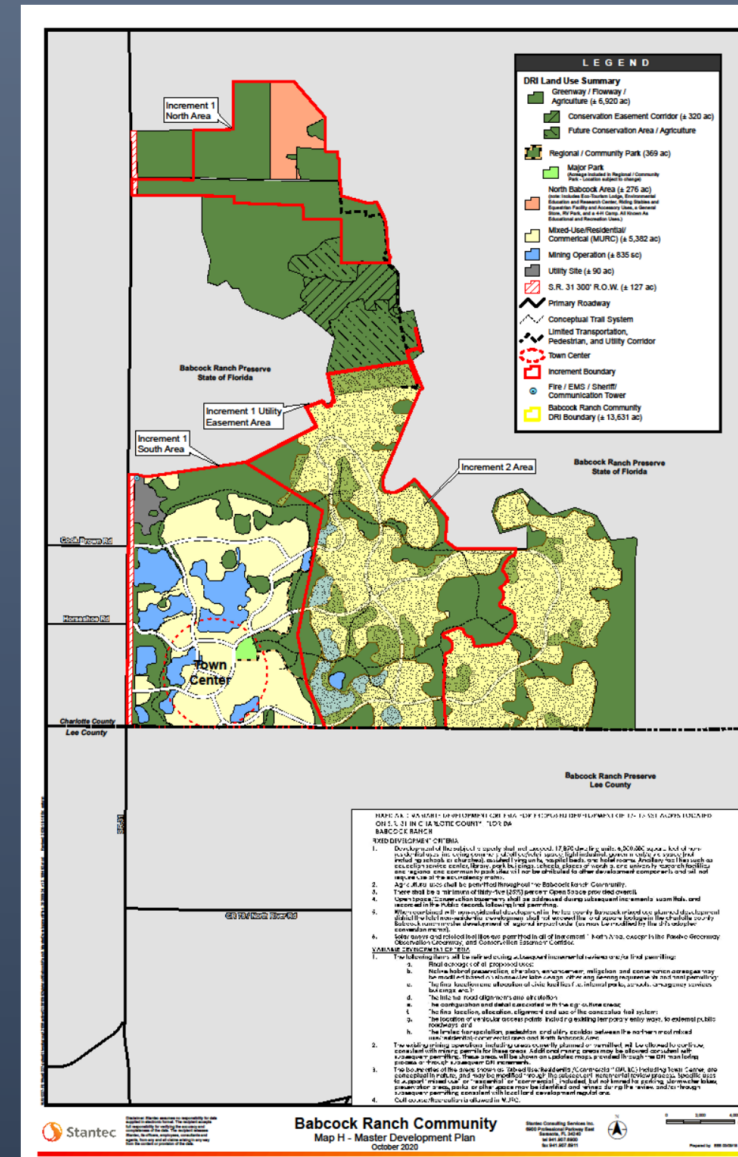
Current Status of Development

- FPL Solar Array- Two 74.5 MW facilities
- Trails/parks
- Founder's Square Businesses
- Crescent B Commons
- Babcock Neighborhood School
- Babcock Ranch Community Independent Special District



Increment 2 AIDA

- ~ 4,500 acres
- Development parameters
 - Still in progress
 - ~5,000- 6,000 residential units
 - ~ 1- 1.5 million square feet non-residential
- Anticipated buildout- 2030



ATTACHMENT V

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Part I		APPLICATION INFORMATION	ITEM	Applicant Information
	1	Statement of Intent		Included
	2.&3.	Applicant Information		Included
	4.-7.	Development Information	N/A	Per Exhibit C of the MDO, Question #6 is N/A to AIDA review.
	8	Permit Information		Included
Part II		GENERAL SECTION		
	9	Maps		Per Exhibit C of the MDO, only Maps B, F, G, H, I & J are applicable to AIDA review. Will complete maps B, F, G, H, I & J in 11" x 17" format with a CD for the purposes of allowing the ability to produce larger versions, as needed.
		Map A (General Location Map)		
		Map B (Aerial)		
		Map C (Topographic Map)		
		Map D (Existing & Approved Land Use)		
		Map E (Soils Map)		
		Map F (Vegetation)		
		Map G (Wildlife & Plant Resources)		
		Map H (Master Development Plan)		
		Map I (Master Drainage Plan)		
		Map J (Transportation Network)		
	10	General Project Description		Included
		Specific Project Description	N/A	Per Exhibit C of the MDO, is N/A to AIDA review.
		Consistency with Comprehensive Plan	N/A	Per Finding of Facts Paragraphs 7 & 8 of the MDO, development is deemed consistent.
		Demographic & Employment Information	N/A	Per Exhibit C of the MDO, is N/A to AIDA review.
		Impact Summary		Per Condition 21 of the MDO, AIDA review is limited to documentation.
	11	Revenue Generation Summary		Per Condition 22 of the MDO, AIDA review is limited to documentation.

Part III		ENVIRONMENTAL RESOURCE IMPACTS		
	12	Vegetation & Wildlife		Per Condition 6(C) of the MDO, AIDA review is limited to that set forth therein.
	13	Wetlands		Per Condition 6(C) of the MDO, AIDA review is limited to that set forth therein.
	14	Water		Per Condition 6(C) of the MDO, AIDA review is limited to that set forth therein.
	15	Soils	N/A	Per Exhibit C of the MDO, is N/A to AIDA review.
	16	Floodplains		Per Exhibit C of the MDO, AIDA review is limited to that set forth in Condition 4(C).
	17	Water Supply		Per Condition 7(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	18	Wastewater Management		Per Condition 7(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	19	Stormwater Management		Per Condition 4(C) of the MDO, AIDA review is limited to that set forth therein.
	20	Solid Waste/Hazardous Waste/Medical Waste		Per Condition 11(C) of the MDO, AIDA review is limited to that set forth therein.
Part IV		TRANSPORTATION RESOURCE IMPACTS		
	21	Transportation		Per Condition 5(C) of the MDO, AIDA review is limited to that set forth therein.
	22	Air	N/A	Per Condition 12(C) of the MDO, no incremental review is required.
	23	Hurricane Preparedness	N/A	Per Condition 13(C) of the MDO, no incremental review is required.
Part V		HUMAN RESOURCE IMPACTS		
	24	Housing	N/A	Per Condition 3(C) of the MDO, no incremental review is required.
	25	Police & Fire Protection		Per Condition 10(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	26	Recreation & Open Space		Per Condition 14(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	27	Education		Per Condition 9(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	28	Health Care		Per Condition 15(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	29	Energy	N/A	Per Condition 16(C) of the MDO, no incremental review is required.
	30	Historical & Archaeological	N/A	Per Condition 8(C) of the MDO, no incremental review is required.

Part VI		SPECIFIC INFORMATION		
	31	Airports	N/A	Not applicable
	32	Attractions & Recreation Facilities	N/A	Not applicable
	33	Hospitals		Per Condition 15(C) of the MDO, AIDA review is limited to the documentation set forth therein.
	34	Industrial Plants & Industrial Parks	N/A	Not applicable
	35	Mining Operation	N/A	Per Condition 17(C) of the MDO, no incremental review is required.
	36	Petroleum Storage Facilities	N/A	Not applicable
	37	Port & Marina Facilities	N/A	Not applicable
	38	Schools	N/A	Not applicable

Agenda Item

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Updates

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Agenda Item

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Director's Report

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_____Agenda
_____Item

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12a

SB 0062

12a



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

Florida Regional Planning Councils - SB 62 Fact Sheet

We oppose Senate Bill 62 because it removes authorization and all references to the 10 Regional Planning Councils (RPCs) from Florida Statutes. Senate Bill 62 will result in:

- **The loss of a regional convener** to guide community leaders in collaborative efforts to develop regional visions linking business development, job creation, infrastructure, environment, land use, and transportation.
- **The loss of a neutral platform and qualified technical staff** to address issues of regional impact that frequently involve multiple cities and counties, as well as the public and private sector on diverse challenges such as broadband, resiliency, rural mobility, and disaster recovery.
- **The loss of technical support and grant administration** for Florida's communities will decrease access to state and federal grant opportunities for smaller cities and counties.

As Florida's only multipurpose regional entities, RPCs have served the regions and citizens of the state of Florida for over five decades. Whether coastal or inland, urban or rural, north, central, or south each region has unique needs, and each RPC is attuned and positioned to serve these needs. Governed by local boards with comprehensive representation from member governments, RPCs are nimble and able to respond to emerging local and regional concerns and opportunities.

Some of the recent projects by Regional Planning Councils that are benefiting Florida and its communities include:

- The South Florida RPC is administering a \$6 million business loan program to **mitigate COVID-19 economic dislocation** funded by the U.S. EDA.
- All 10 RPCs have joined together, led by the Northeast Florida RC, to conduct **Statewide Regional Evacuation planning**.
- Tampa Bay RPC researchers have been working to **eliminate racial equity gaps**, an effort which "could add up to 375,000 new jobs and \$50 billion to the regional economy."
- The Apalachee RPC is exploring hemp cultivation to **boost the regional agriculture sector diversification**.
- The Central Florida RPC manages a fleet of vehicles and administers over \$3 million annually in rural transit funds and provides **mobility coordination for six rural counties**.
- Governor Ron DeSantis recently awarded \$2 million in grants to three RPCs as part of an effort "to develop or enhance state, regional, or local plans which will enable the state of Florida to **withstand future disasters**."

2020-21 Financial Impact supporting Florida and its communities in the following areas:

Economic Development - \$4,767,840

RPCs are designated as federal **Economic Development Districts** providing access to federal economic development funding, and technical assistance to local governments and private businesses for creation and expansion of infrastructure and jobs. Between 2016-2020 the E.D.A. invested **\$138,000,000** in Florida, funding more than **55 projects** in coordination with RPCs.

Resilience - \$6,354,570

RPCs are partners in resilience efforts coordinating **regional resilience coalitions** and compacts bringing together regional and local governments with the private sector to address the **impacts of sea level rise** and climate change.

Transportation - \$6,358,615

RPCs provide planning for **Transportation Disadvantaged Programs** in half the counties in Florida; staff **Metropolitan or Transportation Planning Organizations**; administer **rural transit programs**; and coordinate **commuter services for employers**.

Emergency Preparedness - \$3,618,806

RPCs staff **Local Emergency Planning Committees**; support **training and site visits** related to hazardous waste sites; and prepare the award-winning **Statewide Regional Evacuation Study**,

2507 Callaway Road, Suite 200 • Tallahassee, FL 32303 • 850.487.1426

By Senator Bradley

5-00364C-21

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1 A bill to be entitled
2 An act relating to regional planning councils;
3 amending s. 186.007, F.S.; revising a requirement for
4 the Executive Office of the Governor to review and
5 consider certain reports, data, and analyses relating
6 to the revision of the state comprehensive plan;
7 eliminating the advisory role of regional planning
8 councils in state comprehensive plan preparation and
9 revision; repealing ss. 186.501, 186.502, 186.503,
10 186.504, 186.505, 186.506, 186.507, 186.508, 186.509,
11 186.511, 186.512, and 186.513, F.S., relating to the
12 Florida Regional Planning Council Act, including a
13 short title, legislative findings, definitions, the
14 creation and membership of regional planning councils,
15 the powers and duties of regional planning councils,
16 the powers and duties of the Executive Office of the
17 Governor relating to the act, strategic regional
18 policy plans, strategic regional policy plan adoption,
19 a dispute resolution process, the evaluation of
20 strategic regional policy plans, the designation of
21 regional planning councils, and reports; repealing s.
22 186.515, F.S., relating to the creation of regional
23 planning councils under ch. 163, F.S.; amending s.
24 215.559, F.S.; requiring the Division of Emergency
25 Management to give funding priority to certain
26 projects in counties, rather than regional planning
27 council regions, that meet specified criteria;
28 amending s. 252.385, F.S.; revising the requirements
29 for the statewide emergency shelter plan to include

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30 the general location and square footage of special
31 needs shelters by county rather than by regional
32 planning council region; requiring state funds to be
33 maximized and targeted to counties with hurricane
34 evacuation shelter deficits rather than regional
35 planning council regions; amending s. 320.08058, F.S.;
36 revising the distribution of annual use fees collected
37 for the Tampa Bay Estuary license plate; amending s.
38 369.307, F.S.; requiring the St. Johns River Water
39 Management District, rather than the East Central
40 Florida Regional Planning Council, to adopt policies
41 to protect the Wekiva River Protection Area; revising
42 requirements for such policies; amending s. 369.324,
43 F.S.; requiring the St. Johns River Water Management
44 District, rather than the East Central Florida
45 Regional Planning Council, to provide staff support to
46 the Wekiva River Basin Commission; requiring the
47 district to serve as a clearinghouse of baseline or
48 specialized studies; amending s. 380.05, F.S.;
49 authorizing local governments to recommend areas of
50 critical state concern to the state land planning
51 agency; amending s. 403.7225, F.S.; requiring counties
52 to make arrangements with the Department of
53 Environmental Protection, rather than their regional
54 planning councils, to perform hazardous waste
55 management assessments; amending s. 403.723, F.S.;
56 requiring the department, rather than regional
57 planning councils, to designate sites for construction
58 of regional hazardous waste storage or treatment

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59 facilities; amending s. 1013.372, F.S.; providing that
60 if a county does not have a hurricane evacuation
61 shelter deficit, educational facilities within the
62 county are not required to incorporate the public
63 shelter criteria; requiring the Division of Emergency
64 Management to identify the general location and square
65 footage of existing and needed shelters by county
66 rather than by regional planning council region;
67 amending s. 1013.385, F.S.; authorizing counties,
68 rather than regional planning councils, to determine
69 whether there is sufficient shelter capacity in a
70 school district; amending s. 1013.74, F.S.; requiring
71 public hurricane evacuation shelters in certain
72 counties rather than in regional planning council
73 regions to be constructed in accordance with public
74 shelter standards; amending ss. 68.082, 120.52,
75 120.525, 120.65, 163.3164, 163.3177, 163.3178,
76 163.3184, 163.3245, 163.568, 164.1031, 186.003,
77 186.006, 186.008, 186.803, 187.201, 218.32, 258.501,
78 260.0142, 288.0656, 288.975, 335.188, 338.2278,
79 339.155, 339.175, 339.63, 339.64, 341.041, 343.54,
80 369.303, 373.309, 377.703, 378.411, 380.031, 380.045,
81 380.055, 380.06, 380.061, 380.07, 380.507, 403.0752,
82 403.503, 403.50663, 403.507, 403.518, 403.522,
83 403.526, 403.5272, 403.5363, 403.5365, 403.537,
84 403.704, 403.7226, 403.9403, 403.941, 403.9422,
85 403.973, 408.033, 420.609, 427.012, 501.171, and
86 1013.30, F.S.; conforming provisions and cross-
87 references to changes made by the act; amending ss.

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339.285, 373.415, and 403.5115, F.S.; conforming cross-references; reenacting ss. 57.105(5), 57.111(3)(f), and 216.241(3), F.S., relating to attorney fees, civil actions and administrative proceedings initiated by state agencies, and initiation or commencement of new programs, respectively, to incorporate the amendment made to s. 120.52, F.S., in references thereto; reenacting s. 380.0552(6), F.S., relating to the Florida Keys Area and its protection and designation as an area of critical state concern, to incorporate the amendment made to s. 380.045, F.S., in a reference thereto; authorizing local governments to enter into agreements to create regional planning entities; providing an effective date.

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

Section 1. Subsections (7) and (8) of section 186.007, Florida Statutes, are amended to read:

186.007 State comprehensive plan; preparation; revision.—

(7) In preparing and revising the state comprehensive plan, the Executive Office of the Governor shall, to the extent feasible, consider studies, reports, and plans of each department, agency, and institution of state and local government, ~~each regional planning agency,~~ and the Federal Government and shall take into account the existing and prospective resources, capabilities, and needs of state and local levels of government.

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(8) The revision of the state comprehensive plan is a continuing process. Each section of the plan shall be reviewed and analyzed biennially by the Executive Office of the Governor in conjunction with the planning officers of other state agencies significantly affected by the provisions of the particular section under review. In conducting this review and analysis, the Executive Office of the Governor shall review and consider, with the assistance of the state land planning agency, any relevant reports, data, or analyses ~~and regional planning councils, the evaluation and appraisal reports prepared pursuant to s. 186.511.~~ Any necessary revisions of the state comprehensive plan shall be proposed by the Governor in a written report and be accompanied by an explanation of the need for such changes. If the Governor determines that changes are unnecessary, the written report must explain why changes are unnecessary. The proposed revisions and accompanying explanations may be submitted in the report required by s. 186.031. Any proposed revisions to the plan shall be submitted to the Legislature as provided in s. 186.008(2) at least 30 days prior to the regular legislative session occurring in each even-numbered year.

Section 2. Sections 186.501, 186.502, 186.503, 186.504, 186.505, 186.506, 186.507, 186.508, 186.509, 186.511, 186.512, and 186.513, Florida Statutes, are repealed.

Section 3. Section 186.515, Florida Statutes, is repealed.

Section 4. Paragraph (b) of subsection (1) of section 215.559, Florida Statutes, is amended to read:

215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss Mitigation Program is established in the Division of Emergency

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Management.

(1) The Legislature shall annually appropriate \$10 million of the moneys authorized for appropriation under s. 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the division for the purposes set forth in this section. Of the amount:

(b) Three million dollars in funds shall be used to retrofit existing facilities used as public hurricane shelters. Each year the division shall prioritize the use of these funds for projects included in the annual report of the Shelter Retrofit Report prepared in accordance with s. 252.385(3). The division must give funding priority to projects in counties ~~regional planning council regions~~ that have shelter deficits and to projects that maximize the use of state funds.

Section 5. Paragraph (b) of subsection (2) and subsection (3) of section 252.385, Florida Statutes, are amended to read:
252.385 Public shelter space.—

(2)

(b) By January 31 of each even-numbered year, the division shall prepare and submit a statewide emergency shelter plan to the Governor and Cabinet for approval, subject to the requirements for approval in s. 1013.37(2). The plan shall identify the general location and square footage of special needs shelters, by county ~~regional planning council region~~, during the next 5 years. The plan shall also include information on the availability of shelters that accept pets. The Department of Health shall assist the division in determining the estimated need for special needs shelter space and the adequacy of facilities to meet the needs of persons with special needs based

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on information from the registries of persons with special needs and other information.

(3) The division shall annually provide to the President of the Senate, the Speaker of the House of Representatives, and the Governor a list of facilities recommended to be retrofitted using state funds. State funds should be maximized and targeted to counties ~~regional planning council regions~~ with hurricane evacuation shelter deficits. Retrofitting facilities in regions with public hurricane evacuation shelter deficits shall be given first priority and should be completed by 2003. All recommended facilities should be retrofitted by 2008. The owner or lessee of a public hurricane evacuation shelter that is included on the list of facilities recommended for retrofitting is not required to perform any recommended improvements.

Section 6. Paragraph (b) of subsection (26) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(26) TAMPA BAY ESTUARY LICENSE PLATES.—

(b) The annual use fees shall be distributed to the Tampa Bay Estuary Program created by s. 163.01.

1. A maximum of 5 percent of such fees may be used for marketing the plate.

2. ~~Twenty percent of the proceeds from the annual use fee, not to exceed \$50,000, shall be provided to the Tampa Bay Regional Planning Council for activities of the Agency on Bay Management implementing the Council/Agency Action Plan for the restoration of the Tampa Bay estuary, as approved by the Tampa Bay Estuary Program Policy Board.~~

~~3.~~ The remaining proceeds must be used to implement the

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Comprehensive Conservation and Management Plan for Tampa Bay, pursuant to priorities approved by the Tampa Bay Estuary Program Policy Board.

Section 7. Subsection (3) of section 369.307, Florida Statutes, is amended to read:

369.307 Developments of regional impact in the Wekiva River Protection Area; land acquisition.—

(3) The Wekiva River Protection Area is hereby declared to be a natural resource of state and regional importance. The St. Johns River Water Management District ~~East Central Florida Regional Planning Council~~ shall adopt policies that ~~as part of its strategic regional policy plan and regional issues list~~ which will protect the water quantity, water quality, hydrology, wetlands, aquatic and wetland-dependent wildlife species, habitat of species ~~designated pursuant to rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code,~~ and native vegetation in the Wekiva River Protection Area. The water management district ~~council~~ shall also cooperate with the department in the department's implementation of ~~the provisions of~~ s. 369.305.

Section 8. Subsections (1) and (4) of section 369.324, Florida Statutes, are amended to read:

369.324 Wekiva River Basin Commission.—

(1) The Wekiva River Basin Commission is created to monitor and ensure the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area. The St. Johns River Water Management District ~~East Central Florida Regional Planning Council~~ shall provide staff support to the commission with funding assistance from the Department of

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Economic Opportunity. The commission shall be comprised of a total of 18 members appointed by the Governor, 9 of whom shall be voting members and 9 shall be ad hoc nonvoting members. The voting members shall include:

(a) One member of each of the Boards of County Commissioners for Lake, Orange, and Seminole Counties.

(b) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Lake County.

(c) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Orange County.

(d) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Seminole County.

(e) One citizen representing an environmental or conservation organization, one citizen representing a local property owner, a land developer, or an agricultural entity, and one at-large citizen who shall serve as chair of the council.

(f) The ad hoc nonvoting members shall include one representative from each of the following entities:

1. St. Johns River Management District.
2. Department of Economic Opportunity.
3. Department of Environmental Protection.
4. Department of Health.
5. Department of Agriculture and Consumer Services.
6. Fish and Wildlife Conservation Commission.
7. Department of Transportation.
8. MetroPlan Orlando.

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9. Central Florida Expressway Authority.

(4) To assist the commission in its mission, the St. Johns River Water Management District ~~East Central Florida Regional Planning Council~~, in coordination with the applicable regional and state agencies, shall serve as a clearinghouse of baseline or specialized studies through modeling and simulation, including collecting and disseminating data on the demographics, economics, and the environment of the Wekiva Study Area including the changing conditions of the Wekiva River surface and groundwater basin and associated influence on the Wekiva River and the Wekiva Springs.

Section 9. Subsections (3), (4), (7), (8), and (12) of section 380.05, Florida Statutes, are amended to read:

380.05 Areas of critical state concern.—

(3) Each local government ~~regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. Each regional planning agency shall solicit from the local governments within its jurisdiction suggestions as to areas to be recommended. A local government in an area where there is no regional planning agency~~ may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. If the state land planning agency does not recommend to the commission as an area of critical state concern an area substantially similar to one that has been recommended, it shall respond in writing as to its reasons therefor.

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291 (4) Before ~~Prior to~~ submitting any recommendation to the
292 commission under subsection (1), the state land planning agency
293 shall give notice to any committee appointed pursuant to s.
294 380.045 and to all local governments ~~and regional planning~~
295 ~~agencies~~ that include within their boundaries any part of any
296 area of critical state concern proposed to be designated by the
297 rule, in addition to any notice otherwise required under chapter
298 120.

299 (7) The state land planning agency ~~and any applicable~~
300 ~~regional planning agency~~ shall, to the greatest extent possible,
301 provide technical assistance to local governments in the
302 preparation of the land development regulations and local
303 comprehensive plan for areas of critical state concern.

304 (8) If any local government fails to submit land
305 development regulations or a local comprehensive plan, or if the
306 regulations or plan or plan amendment submitted do not comply
307 with the principles for guiding development set out in the rule
308 designating the area of critical state concern, within 120 days
309 after the adoption of the rule designating an area of critical
310 state concern, or within 120 days after the issuance of a
311 recommended order on the compliance of the plan or plan
312 amendment pursuant to s. 163.3184, or within 120 days after the
313 effective date of an order rejecting a proposed land development
314 regulation, the state land planning agency shall submit to the
315 commission recommended land development regulations and a local
316 comprehensive plan or portions thereof applicable to that local
317 government's portion of the area of critical state concern.
318 Within 45 days following receipt of the recommendation from the
319 agency, the commission shall either reject the recommendation as

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tendered or adopt the recommendation with or without modification, and by rule establish land development regulations and a local comprehensive plan applicable to that local government's portion of the area of critical state concern. However, such rule shall not become effective before ~~prior to~~ legislative review of an area of critical state concern pursuant to paragraph (1)(c). In the rule, the commission shall specify the extent to which its land development regulations, plans, or plan amendments will supersede, or will be supplementary to, local land development regulations and plans. Notice of any proposed rule issued under this section shall be given to all local governments and regional ~~planning~~ agencies in the area of critical state concern, in addition to any other notice required under chapter 120. The land development regulations and local comprehensive plan adopted by the commission under this section may include any type of regulation and plan that could have been adopted by the local government. Any land development regulations or local comprehensive plan or plan amendments adopted by the commission under this section shall be administered by the local government as part of, or in the absence of, the local land development regulations and local comprehensive plan.

(12) Upon the request of a substantially interested person pursuant to s. 120.54(7), a local government or regional ~~planning~~ agency within the designated area, or the state land planning agency, the commission may by rule remove, contract, or expand any designated boundary. Boundary expansions are subject to legislative review pursuant to paragraph (1)(c). No boundary may be modified without a specific finding by the commission

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that such changes are consistent with necessary resource protection. The total boundaries of an entire area of critical state concern shall not be removed by the commission unless a minimum time of 1 year has elapsed from the adoption of regulations and a local comprehensive plan pursuant to subsection (1), subsection (6), subsection (8), or subsection (10). Before totally removing such boundaries, the commission shall make findings that the regulations and plans adopted pursuant to subsection (1), subsection (6), subsection (8), or subsection (10) are being effectively implemented by local governments within the area of critical state concern to protect the area and that adopted local government comprehensive plans within the area have been conformed to principles for guiding development for the area.

Section 10. Subsections (3) and (6) of section 403.7225, Florida Statutes, are amended to read:

403.7225 Local hazardous waste management assessments.—

(3) Each county ~~or regional planning council~~ shall coordinate the local hazardous waste management assessments within its jurisdiction according to guidelines established under s. 403.7226. If a county declines to perform the local hazardous waste management assessment, the county shall make arrangements with the department ~~its regional planning council~~ to perform the assessment.

(6) Unless performed by the county pursuant to subsection (3), the department ~~the regional planning councils~~ shall upon successful arrangements with a county:

(a) Perform local hazardous waste management assessments; and

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(b) Provide any technical expertise needed by the counties in developing the assessments.

Section 11. Subsection (2) of section 403.723, Florida Statutes, is amended to read:

403.723 Siting of hazardous waste facilities.—It is the intent of the Legislature to facilitate siting of proper hazardous waste storage facilities in each region and any additional storage, treatment, or disposal facilities as required. The Legislature recognizes the need for facilitating disposal of waste produced by small generators, reducing the volume of wastes generated in the state, reducing the toxicity of wastes generated in the state, and providing treatment and disposal facilities in the state.

(2) After each county designates areas for storage facilities, the department ~~each regional planning council~~ shall designate one or more sites at which a regional hazardous waste storage or treatment facility could be constructed.

Section 12. Subsections (1) and (2) of section 1013.372, Florida Statutes, are amended to read:

1013.372 Education facilities as emergency shelters.—

(1) The Department of Education shall, in consultation with boards and county and state emergency management offices, include within the standards to be developed under this subsection public shelter design criteria to be incorporated into the Florida Building Code. The new criteria must be designed to ensure that appropriate new educational facilities can serve as public shelters for emergency management purposes. A facility, or an appropriate area within a facility, for which a design contract is entered into after the effective date of

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the inclusion of the public shelter criteria in the code must be built in compliance with the amended code unless the facility or a part of it is exempted from using the new shelter criteria due to its location, size, or other characteristics by the applicable board with the concurrence of the applicable local emergency management agency or the Division of Emergency Management. Any educational facility located or proposed to be located in an identified category 1, 2, or 3 evacuation zone is not subject to the requirements of this subsection. If the county ~~regional planning council region in which the county is located~~ does not have a hurricane evacuation shelter deficit, as determined by the Division of Emergency Management, educational facilities within the county ~~planning council region~~ are not required to incorporate the public shelter criteria.

(2) By January 31 of each even-numbered year, the Division of Emergency Management shall prepare and submit a statewide emergency shelter plan to the Governor and the Cabinet for approval. The plan must identify the general location and square footage of existing shelters, by county ~~regional planning council region~~, and the general location and square footage of needed shelters, by county ~~regional planning council region~~, during the next 5 years. The plan must identify the types of public facilities that should be constructed to comply with emergency-shelter criteria and must recommend an appropriate and available source of funding for the additional cost of constructing emergency shelters within these public facilities. After the approval of the plan, a board may not be required to build more emergency-shelter space than identified as needed in the plan, and decisions pertaining to exemptions pursuant to

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subsection (1) must be guided by the plan.

Section 13. Paragraph (e) of subsection (2) of section 1013.385, Florida Statutes, is amended to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) so long as the county ~~regional planning council~~ determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.

Section 14. Subsection (4) of section 1013.74, Florida Statutes, is amended to read:

1013.74 University authorization for fixed capital outlay projects.—

(4) The university board of trustees shall, in consultation with local and state emergency management agencies, assess existing facilities to identify the extent to which each campus has public hurricane evacuation shelter space. The board shall submit to the Governor and the Legislature by August 1 of each year a 5-year capital improvements program that identifies new or retrofitted facilities that will incorporate enhanced hurricane resistance standards and that can be used as public hurricane evacuation shelters. Enhanced hurricane resistance standards include fixed passive protection for window and door

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465 applications to provide mitigation protection, security
466 protection with egress, and energy efficiencies that meet
467 standards required in the 130-mile-per-hour wind zone areas. The
468 board must also submit proposed facility retrofit projects to
469 the Division of Emergency Management for assessment and
470 inclusion in the annual report prepared in accordance with s.
471 252.385(3). Until a county ~~regional planning council~~ region in
472 which a campus is located has sufficient public hurricane
473 evacuation shelter space, any campus building for which a design
474 contract is entered into subsequent to July 1, 2001, and which
475 has been identified by the board, with the concurrence of the
476 local emergency management agency or the Division of Emergency
477 Management, to be appropriate for use as a public hurricane
478 evacuation shelter, must be constructed in accordance with
479 public shelter standards.

480 Section 15. Paragraph (f) of subsection (1) of section
481 68.082, Florida Statutes, is amended to read:

482 68.082 False claims against the state; definitions;
483 liability.—

484 (1) As used in this section, the term:

485 (f) "State" means the government of the state or any
486 department, division, bureau, commission, regional ~~planning~~
487 agency, board, district, authority, agency, or other
488 instrumentality of the state.

489 Section 16. Paragraph (a) of subsection (1) of section
490 120.52, Florida Statutes, is amended to read:

491 120.52 Definitions.—As used in this act:

492 (1) "Agency" means the following officers or governmental
493 entities if acting pursuant to powers other than those derived

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from the constitution:

(a) The Governor; each state officer and state department, and each departmental unit described in s. 20.04; the Board of Governors of the State University System; the Commission on Ethics; the Fish and Wildlife Conservation Commission; a regional water supply authority; ~~a regional planning agency~~; a multicounty special district, but only if a majority of its governing board is comprised of nonelected persons; educational units; and each entity described in chapters 163, 373, 380, and 582 ~~and s. 186.504~~.

This definition does not include a municipality or legal entity created solely by a municipality; a legal entity or agency created in whole or in part pursuant to part II of chapter 361; a metropolitan planning organization created pursuant to s. 339.175; a separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member; an expressway authority pursuant to chapter 348 or any transportation authority or commission under chapter 343 or chapter 349; or a legal or administrative entity created by an interlocal agreement pursuant to s. 163.01(7), unless any party to such agreement is otherwise an agency as defined in this subsection.

Section 17. Subsection (4) of section 120.525, Florida Statutes, is amended to read:

120.525 Meetings, hearings, and workshops.—

~~(4) For purposes of establishing a quorum at meetings of regional planning councils that cover three or more counties, a voting member who appears via telephone, real time~~

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~~videoconferencing, or similar real-time electronic or video communication that is broadcast publicly at the meeting location may be counted toward the quorum requirement if at least one-third of the voting members of the regional planning council are physically present at the meeting location. A member must provide oral, written, or electronic notice of his or her intent to appear via telephone, real-time videoconferencing, or similar real-time electronic or video communication to the regional planning council at least 24 hours before the scheduled meeting.~~

Section 18. Subsection (9) of section 120.65, Florida Statutes, is amended to read:

120.65 Administrative law judges.—

(9) The division shall be reimbursed for administrative law judge services and travel expenses by the following entities: water management districts, ~~regional planning councils~~, school districts, community colleges, the Division of Florida Colleges, state universities, the Board of Governors of the State University System, the State Board of Education, the Florida School for the Deaf and the Blind, and the Commission for Independent Education. These entities shall contract with the division to establish a contract rate for services and provisions for reimbursement of administrative law judge travel expenses and video teleconferencing expenses attributable to hearings conducted on behalf of these entities. The contract rate must be based on a total-cost-recovery methodology.

Section 19. Subsections (41) and (45) of section 163.3164, Florida Statutes, are amended to read:

163.3164 Community Planning Act; definitions.—As used in this act:

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~~(41) "Regional planning agency" means the council created pursuant to chapter 186.~~

(44)~~(45)~~ "Structure" has the same meaning as in s. 380.031(18) ~~s. 380.031(19)~~.

Section 20. Paragraph (h) of subsection (6) of section 163.3177, Florida Statutes, is amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.709, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal

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incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for a dispute resolution process, ~~as established pursuant to s. 186.509,~~ for bringing intergovernmental disputes to closure in a timely manner.

c. The intergovernmental coordination element shall provide for interlocal agreements as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall also state principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element must describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement.

3. Within 1 year after adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements. The agreement must:

a. Ensure that the local government addresses through

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610 coordination mechanisms the impacts of development proposed in
611 the local comprehensive plan upon development in adjacent
612 municipalities, the county, adjacent counties, the region, and
613 the state. The area of concern for municipalities shall include
614 adjacent municipalities, the county, and counties adjacent to
615 the municipality. The area of concern for counties shall include
616 all municipalities within the county, adjacent counties, and
617 adjacent municipalities.

618 b. Ensure coordination in establishing level of service
619 standards for public facilities with any state, regional, or
620 local entity having operational and maintenance responsibility
621 for such facilities.

622 Section 21. Subsection (5) of section 163.3178, Florida
623 Statutes, is amended to read:

624 163.3178 Coastal management.—

625 (5) A ~~The appropriate~~ dispute resolution process ~~provided~~
626 ~~under s. 186.509~~ must be used to reconcile inconsistencies
627 between port master plans and local comprehensive plans. In
628 recognition of the state's commitment to deepwater ports, the
629 state comprehensive plan must include goals, objectives, and
630 policies that establish a statewide strategy for enhancement of
631 existing deepwater ports, ensuring that priority is given to
632 water-dependent land uses. As an incentive for promoting plan
633 consistency, port facilities as defined in s. 315.02(6) on lands
634 owned or controlled by a deepwater port as defined in s.
635 311.09(1), as of the effective date of this act shall not be
636 subject to development-of-regional-impact review provided the
637 port either successfully completes an alternative comprehensive
638 development agreement with a local government pursuant to ss.

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163.3220-163.3243 or successfully enters into a development agreement with the state land planning agency and applicable local government pursuant to s. 380.032 or, where the port is a department of a local government, successfully enters into a development agreement with the state land planning agency pursuant to s. 380.032. Port facilities as defined in s. 315.02(6) on lands not owned or controlled by a deepwater port as defined in s. 311.09(1) as of the effective date of this act shall not be subject to development-of-regional-impact review provided the port successfully enters into a development agreement with the state land planning agency and applicable local government pursuant to s. 380.032 or, where the port is a department of a local government, successfully enters into a development agreement with the state land planning agency pursuant to s. 380.032.

Section 22. Paragraph (c) of subsection (1) and paragraph (b) of subsection (3) of section 163.3184, Florida Statutes, are amended to read:

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

(1) DEFINITIONS.—As used in this section, the term:

(c) "Reviewing agencies" means:

1. The state land planning agency;
2. ~~The appropriate regional planning council;~~
3. ~~The appropriate water management district;~~
- 3.4. The Department of Environmental Protection;
- 4.5. The Department of State;
- 5.6. The Department of Transportation;
- 6.7. In the case of plan amendments relating to public

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schools, the Department of Education;

7.8. In the case of plans or plan amendments that affect a military installation listed in s. 163.3175, the commanding officer of the affected military installation;

8.9. In the case of county plans and plan amendments, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services; and

9.10. In the case of municipal plans and plan amendments, the county in which the municipality is located.

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.—

(b)1. The local government, after the initial public hearing held pursuant to subsection (11), shall transmit within 10 working days the amendment or amendments and appropriate supporting data and analyses to the reviewing agencies. The local governing body shall also transmit a copy of the amendments and supporting data and analyses to any other local government or governmental agency that has filed a written request with the governing body.

2. The reviewing agencies and any other local government or governmental agency specified in subparagraph 1. may provide comments regarding the amendment or amendments to the local government. State agencies shall only comment on important state resources and facilities that will be adversely impacted by the amendment if adopted. Comments provided by state agencies shall state with specificity how the plan amendment will adversely impact an important state resource or facility and shall identify measures the local government may take to eliminate, reduce, or mitigate the adverse impacts. Such comments, if not

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697 resolved, may result in a challenge by the state land planning
698 agency to the plan amendment. Agencies and local governments
699 must transmit their comments to the affected local government
700 such that they are received by the local government not later
701 than 30 days after the date on which the agency or government
702 received the amendment or amendments. Reviewing agencies shall
703 also send a copy of their comments to the state land planning
704 agency.

705 3. Comments to the local government from a ~~regional~~
706 ~~planning council~~, county, or municipality shall be limited as
707 follows:

708 a. ~~The regional planning council review and comments shall~~
709 ~~be limited to adverse effects on regional resources or~~
710 ~~facilities identified in the strategic regional policy plan and~~
711 ~~extrajurisdictional impacts that would be inconsistent with the~~
712 ~~comprehensive plan of any affected local government within the~~
713 ~~region. A regional planning council may not review and comment~~
714 ~~on a proposed comprehensive plan amendment prepared by such~~
715 ~~council unless the plan amendment has been changed by the local~~
716 ~~government subsequent to the preparation of the plan amendment~~
717 ~~by the regional planning council.~~

718 ~~b.~~ County comments shall be in the context of the
719 relationship and effect of the proposed plan amendments on the
720 county plan.

721 b.e. Municipal comments shall be in the context of the
722 relationship and effect of the proposed plan amendments on the
723 municipal plan.

724 c.d. Military installation comments shall be provided in
725 accordance with s. 163.3175.

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726 4. Comments to the local government from state agencies
727 shall be limited to the following subjects as they relate to
728 important state resources and facilities that will be adversely
729 impacted by the amendment if adopted:

730 a. The Department of Environmental Protection shall limit
731 its comments to the subjects of air and water pollution;
732 wetlands and other surface waters of the state; federal and
733 state-owned lands and interest in lands, including state parks,
734 greenways and trails, and conservation easements; solid waste;
735 water and wastewater treatment; and the Everglades ecosystem
736 restoration.

737 b. The Department of State shall limit its comments to the
738 subjects of historic and archaeological resources.

739 c. The Department of Transportation shall limit its
740 comments to issues within the agency's jurisdiction as it
741 relates to transportation resources and facilities of state
742 importance.

743 d. The Fish and Wildlife Conservation Commission shall
744 limit its comments to subjects relating to fish and wildlife
745 habitat and listed species and their habitat.

746 e. The Department of Agriculture and Consumer Services
747 shall limit its comments to the subjects of agriculture,
748 forestry, and aquaculture issues.

749 f. The Department of Education shall limit its comments to
750 the subject of public school facilities.

751 g. The appropriate water management district shall limit
752 its comments to flood protection and floodplain management,
753 wetlands and other surface waters, and regional water supply.

754 h. The state land planning agency shall limit its comments

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755 to important state resources and facilities outside the
756 jurisdiction of other commenting state agencies and may include
757 comments on countervailing planning policies and objectives
758 served by the plan amendment that should be balanced against
759 potential adverse impacts to important state resources and
760 facilities.

761 Section 23. Subsection (2) of section 163.3245, Florida
762 Statutes, is amended to read:

763 163.3245 Sector plans.—

764 (2) The ~~Upon the request of a~~ local government having
765 jurisdiction, ~~the applicable regional planning council~~ shall
766 conduct a scoping meeting with affected local governments and
767 those agencies identified in s. 163.3184(1)(c) before
768 preparation of the sector plan. The purpose of this meeting is
769 to assist the state land planning agency ~~and the local~~
770 ~~government~~ in the identification of the relevant planning issues
771 to be addressed and the data and resources available to assist
772 in the preparation of the sector plan. ~~If a scoping meeting is~~
773 ~~conducted, the regional planning council shall make written~~
774 ~~recommendations to the state land planning agency and affected~~
775 ~~local governments on the issues requested by the local~~
776 ~~government.~~ The scoping meeting shall be noticed and open to the
777 public. If the entire planning area proposed for the sector plan
778 is within the jurisdiction of two or more local governments,
779 some or all of them may enter into a joint planning agreement
780 pursuant to s. 163.3171 with respect to the geographic area to
781 be subject to the sector plan, the planning issues that will be
782 emphasized, procedures for intergovernmental coordination to
783 address extrajurisdictional impacts, supporting application

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materials including data and analysis, procedures for public participation, or other issues.

Section 24. Paragraph (i) of subsection (2) of section 163.568, Florida Statutes, is amended to read:

163.568 Purposes and powers.—

(2) The authority is granted the authority to exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(i) To develop transportation plans, and to coordinate its planning and programs with those of appropriate municipal, county, and state agencies and other political subdivisions of the state. All transportation plans are subject to review and approval by the Department of Transportation ~~and by the regional planning agency, if any,~~ for consistency with programs or planning for the area and region.

Section 25. Subsection (2) of section 164.1031, Florida Statutes, is amended to read:

164.1031 Definitions.—For purposes of this act:

(2) "Regional governmental entities" includes ~~regional planning councils,~~ metropolitan planning organizations, water supply authorities that include more than one county, local health councils, water management districts, and other regional entities that are authorized and created by general or special law that have duties or responsibilities extending beyond the jurisdiction of a single county.

Section 26. Subsection (5) of section 186.003, Florida Statutes, is amended to read:

186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.—

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As used in ss. 186.001-186.031 and 186.801-186.901, the term:

~~(5) "Regional planning agency" means the regional planning council created pursuant to ss. 186.501-186.515 to exercise responsibilities under ss. 186.001-186.031 and 186.801-186.901 in a particular region of the state.~~

Section 27. Subsection (7) of section 186.006, Florida Statutes, is amended to read:

186.006 Powers and responsibilities of Executive Office of the Governor.—For the purpose of establishing consistency and uniformity in the state and regional planning process and in order to ensure that the intent of ss. 186.001-186.031 and 186.801-186.901 is accomplished, the Executive Office of the Governor shall:

~~(7) Act as the state clearinghouse and designate the regional planning councils as the regional data clearinghouses.~~

Section 28. Subsection (1) of section 186.008, Florida Statutes, is amended to read:

186.008 State comprehensive plan; revision; implementation.—

(1) On or before October 1 of every odd-numbered year, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Administration Commission, any proposed revisions to the state comprehensive plan deemed necessary. The Governor shall transmit his or her recommendations and explanation as required by s. 186.007(8). Copies shall also be provided to each state agency, ~~to each regional planning agency,~~ to any other unit of government that requests a copy, and to any member of the public who requests a copy.

Section 29. Section 186.803, Florida Statutes, is amended

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to read:

186.803 Use of geographic information by governmental entities.—When state agencies, water management districts, ~~regional planning councils,~~ local governments, and other governmental entities use maps, including geographic information maps and other graphic information materials, as the source of data for planning or any other purposes, they must take into account that the accuracy and reliability of such maps and data may be limited by various factors, including the scale of the maps, the timeliness and accuracy of the underlying information, the availability of more accurate site-specific information, and the presence or absence of ground truthing or peer review of the underlying information contained in such maps and other graphic information. This section does not apply to maps adopted pursuant to part II of chapter 163.

Section 30. Paragraph (b) of subsection (20) of section 187.201, Florida Statutes, is amended to read:

187.201 State Comprehensive Plan adopted.—The Legislature hereby adopts as the State Comprehensive Plan the following specific goals and policies:

(20) GOVERNMENTAL EFFICIENCY.—

(b) *Policies*.—

1. Encourage greater cooperation between, among, and within all levels of Florida government through the use of appropriate interlocal agreements and mutual participation for mutual benefit.

2. Allow the creation of independent special taxing districts which have uniform general law standards and procedures and do not overburden other governments and their

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871 taxpayers while preventing the proliferation of independent
872 special taxing districts which do not meet these standards.

873 3. Encourage the use of municipal services taxing units and
874 other dependent special districts to provide needed
875 infrastructure where the fiscal capacity exists to support such
876 an approach.

877 4. Eliminate regulatory activities that are not tied to
878 specific public and natural resource protection needs.

879 5. Eliminate needless duplication of, and promote
880 cooperation in, governmental activities between, among, and
881 within state, regional, county, city, and other governmental
882 units.

883 6. Ensure, wherever possible, that the geographic
884 boundaries of water management districts, ~~regional planning~~
885 ~~councils~~, and substate districts of the executive departments
886 shall be coterminous for related state or agency programs and
887 functions and promote interagency agreements in order to reduce
888 the number of districts ~~and councils~~ with jurisdiction in any
889 one county.

890 7. Encourage and provide for the restructuring of city and
891 county political jurisdictions with the goals of greater
892 efficiency and high-quality and more equitable and responsive
893 public service programs.

894 8. Replace multiple, small scale, economically inefficient
895 local public facilities with regional facilities where they are
896 proven to be more economical, particularly in terms of energy
897 efficiency, and yet can retain the quality of service expected
898 by the public.

899 9. Encourage greater efficiency and economy at all levels

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of government through adoption and implementation of effective records management, information management, and evaluation procedures.

10. Throughout government, establish citizen management efficiency groups and internal management groups to make recommendations for greater operating efficiencies and improved management practices.

11. Encourage governments to seek outside contracting on a competitive-bid basis when cost-effective and appropriate.

12. Discourage undue expansion of state government and make every effort to streamline state government in a cost-effective manner.

13. Encourage joint venture solutions to mutual problems between levels of government and private enterprise.

Section 31. Paragraph (c) of subsection (1) and subsection (2) of section 218.32, Florida Statutes, are amended to read:

218.32 Annual financial reports; local governmental entities.—

(1)

(c) Each ~~regional planning council created under s. 186.504,~~ each local government finance commission, board, or council, and each municipal power corporation created as a separate legal or administrative entity by interlocal agreement under s. 163.01(7) shall submit to the department a copy of its audit report and an annual financial report for the previous fiscal year in a format prescribed by the department.

(2) The department shall annually by December 1 file a verified report with the Governor, the Legislature, the Auditor General, and the Special District Accountability Program of the

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Department of Economic Opportunity showing the revenues, both locally derived and derived from intergovernmental transfers, and the expenditures of each local governmental entity, ~~regional planning council~~, local government finance commission, and municipal power corporation that is required to submit an annual financial report. In preparing the verified report, the department may request additional information from the local governmental entity. The information requested must be provided to the department within 45 days after the request. If the local governmental entity does not comply with the request, the department shall notify the Legislative Auditing Committee, which may take action pursuant to s. 11.40(2). The report must include, but is not limited to:

(a) The total revenues and expenditures of each local governmental entity that is a component unit included in the annual financial report of the reporting entity.

(b) The amount of outstanding long-term debt by each local governmental entity. For purposes of this paragraph, the term "long-term debt" means any agreement or series of agreements to pay money, which, at inception, contemplate terms of payment exceeding 1 year in duration.

Section 32. Paragraph (a) of subsection (7) of section 258.501, Florida Statutes, is amended to read:

258.501 Myakka River; wild and scenic segment.—

(7) MANAGEMENT COORDINATING COUNCIL.—

(a) Upon designation, the department shall create a permanent council to provide interagency and intergovernmental coordination in the management of the river. The coordinating council shall be composed of one representative appointed from

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each of the following: the department, the Department of Transportation, the Fish and Wildlife Conservation Commission, the Department of Economic Opportunity, the Florida Forest Service of the Department of Agriculture and Consumer Services, the Division of Historical Resources of the Department of State, ~~the Tampa Bay Regional Planning Council~~, the Southwest Florida Water Management District, ~~the Southwest Florida Regional Planning Council~~, Manatee County, Sarasota County, Charlotte County, the City of Sarasota, the City of North Port, agricultural interests, environmental organizations, and any others deemed advisable by the department.

Section 33. Subsections (1) and (3) of section 260.0142, Florida Statutes, are amended to read:

260.0142 Florida Greenways and Trails Council; composition; powers and duties.—

(1) There is created within the department the Florida Greenways and Trails Council which shall advise the department in the execution of the department's powers and duties under this chapter. The council shall be composed of 19 ~~20~~ members, consisting of:

(a)1. Five members appointed by the Governor, with two members representing the trail user community, two members representing the greenway user community, and one member representing private landowners.

2. Three members appointed by the President of the Senate, with one member representing the trail user community and two members representing the greenway user community.

3. Three members appointed by the Speaker of the House of Representatives, with two members representing the trail user

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community and one member representing the greenway user community.

Those eligible to represent the trail user community shall be chosen from, but not be limited to, paved trail users, hikers, off-road bicyclists, users of off-highway vehicles, paddlers, equestrians, disabled outdoor recreational users, and commercial recreational interests. Those eligible to represent the greenway user community shall be chosen from, but not be limited to, conservation organizations, nature study organizations, and scientists and university experts.

(b) The 8 ~~9~~ remaining members shall include:

1. The Secretary of Environmental Protection or a designee.
2. The executive director of the Fish and Wildlife Conservation Commission or a designee.
3. The Secretary of Transportation or a designee.
4. The Director of the Florida Forest Service of the Department of Agriculture and Consumer Services or a designee.
5. The director of the Division of Historical Resources of the Department of State or a designee.
6. A representative of the water management districts. Membership on the council shall rotate among the five districts. The districts shall determine the order of rotation.
7. A representative of a federal land management agency. The Secretary of Environmental Protection shall identify the appropriate federal agency and request designation of a representative from the agency to serve on the council.
- ~~8. A representative of the regional planning councils to be appointed by the Secretary of Environmental Protection.~~

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~~Membership on the council shall rotate among the seven regional planning councils. The regional planning councils shall determine the order of rotation.~~

~~9.~~ A representative of local governments to be appointed by the Secretary of Environmental Protection. Membership shall alternate between a county representative and a municipal representative.

(3) The term of all appointees shall be for 2 years unless otherwise specified. The appointees of the Governor, the President of the Senate, and the Speaker of the House of Representatives may be reappointed for no more than four consecutive terms. The representatives of the water management districts, ~~regional planning councils,~~ and local governments may be reappointed for no more than two consecutive terms. All other appointees shall serve until replaced.

Section 34. Paragraph (a) of subsection (6) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(6) (a) By August 1 of each year, the head of each of the following agencies and organizations shall designate a deputy secretary or higher-level staff person from within the agency or organization to serve as the REDI representative for the agency or organization:

1. The Department of Transportation.
2. The Department of Environmental Protection.
3. The Department of Agriculture and Consumer Services.
4. The Department of State.
5. The Department of Health.
6. The Department of Children and Families.

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- 1045 7. The Department of Corrections.
- 1046 8. The Department of Education.
- 1047 9. The Department of Juvenile Justice.
- 1048 10. The Fish and Wildlife Conservation Commission.
- 1049 11. Each water management district.
- 1050 12. Enterprise Florida, Inc.
- 1051 13. CareerSource Florida, Inc.
- 1052 14. VISIT Florida.
- 1053 15. ~~The Florida Regional Planning Council Association.~~
- 1054 ~~16.~~ The Agency for Health Care Administration.
- 1055 16.17. The Institute of Food and Agricultural Sciences
- 1056 (IFAS).

1057

1058 An alternate for each designee shall also be chosen, and the

1059 names of the designees and alternates shall be sent to the

1060 executive director of the department.

1061 Section 35. Subsection (2), paragraph (c) of subsection

1062 (4), and subsections (7), (8), and (9) of section 288.975,

1063 Florida Statutes, are amended to read:

1064 288.975 Military base reuse plans.—

1065 (2) As used in this section, the term:

1066 (a) "Affected local government" means a local government

1067 adjoining the host local government and any other unit of local

1068 government that is not a host local government but that is

1069 identified in a proposed military base reuse plan as providing,

1070 operating, or maintaining one or more public facilities as

1071 defined in s. 163.3164 on lands within or serving a military

1072 base designated for closure by the Federal Government.

1073 (b) "Affected person" means a host local government; an

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affected local government; any state, regional, or federal agency; or a person who resides, owns property, or owns or operates a business within the boundaries of a host local government or affected local government.

(c) "Base reuse activities" means development as defined in s. 380.04 on a military base designated for closure or closed by the Federal Government.

(d) "Host local government" means a local government within the jurisdiction of which all or part of a military base designated for closure by the Federal Government is located. This shall not include a county if no part of a military base is located in its unincorporated area.

(e) "Military base" means a military base designated for closure or closed by the Federal Government.

(f) ~~"Regional policy plan" means a strategic regional policy plan that has been adopted by rule by a regional planning council pursuant to s. 186.508.~~

~~(g)~~ "State comprehensive plan" means the plan as provided in chapter 187.

(4)

(c) Military base reuse plans shall identify projected impacts to significant regional resources and natural resources ~~of regional significance as identified by applicable regional planning councils in their regional policy plans~~ and the actions that shall be taken to mitigate such impacts.

(7) A military base reuse plan shall be consistent with the comprehensive plan of the host local government and shall not conflict with the comprehensive plan of any affected local governments. A military base reuse plan shall be consistent with

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the nonprocedural requirements of part II of chapter 163 and rules adopted thereunder, ~~applicable regional policy plans,~~ and the state comprehensive plan.

(8) At the request of a host local government, the department shall coordinate a presubmission workshop concerning a military base reuse plan within the boundaries of the host jurisdiction. Agencies that shall participate in the workshop shall include any affected local governments; the Department of Environmental Protection; the department; the Department of Transportation; the Department of Health; the Department of Children and Families; the Department of Juvenile Justice; the Department of Agriculture and Consumer Services; the Department of State; the Fish and Wildlife Conservation Commission; and any applicable water management districts ~~and regional planning councils~~. The purposes of the workshop shall be to assist the host local government to understand issues of concern to the above listed entities pertaining to the military base site and to identify opportunities for better coordination of planning and review efforts with the information and analyses generated by the federal environmental impact statement process and the federal community base reuse planning process.

(9) If a host local government elects to use the optional provisions of this act, it shall, no later than 12 months after notifying the agencies of its intent pursuant to subsection (3) either:

(a) Send a copy of the proposed military base reuse plan for review to any affected local governments; the Department of Environmental Protection; the department; the Department of Transportation; the Department of Health; the Department of

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Children and Families; the Department of Juvenile Justice; the Department of Agriculture and Consumer Services; the Department of State; the Fish and Wildlife Conservation Commission; and any applicable water management districts; and regional planning councils, or

(b) Petition the department for an extension of the deadline for submitting a proposed reuse plan. Such an extension request must be justified by changes or delays in the closure process by the federal Department of Defense or for reasons otherwise deemed to promote the orderly and beneficial planning of the subject military base reuse. The department may grant extensions to the required submission date of the reuse plan.

Section 36. Paragraph (b) of subsection (3) of section 335.188, Florida Statutes, as amended by section 91 of chapter 2020-114, Laws of Florida, is amended to read:

335.188 Access management standards; access control classification system; criteria.—

(3) The control classification system shall be developed consistent with the following:

(b) The access control classification system shall be developed in cooperation with counties, municipalities, the state land planning agency, ~~regional planning councils~~, metropolitan planning organizations, and other local governmental entities.

Section 37. Upon the expiration and reversion of the amendments made to section 338.2278, Florida Statutes, pursuant to section 91 of chapter 2020-114, Laws of Florida, paragraph (c) of subsection (3) of section 338.2278, Florida Statutes, is amended to read:

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1161 338.2278 Multi-use Corridors of Regional Economic
1162 Significance Program.—

1163 (3)

1164 (c)1. During the project development phase, the department
1165 shall utilize an inclusive, consensus-building mechanism for
1166 each proposed multiuse corridor identified in subsection (2).
1167 For each multiuse corridor identified in subsection (2), the
1168 department shall convene a corridor task force composed of
1169 appropriate representatives of:

- 1170 a. The Department of Environmental Protection;
1171 b. The Department of Economic Opportunity;
1172 c. The Department of Education;
1173 d. The Department of Health;
1174 e. The Fish and Wildlife Conservation Commission;
1175 f. The Department of Agriculture and Consumer Services;
1176 g. The local water management district or districts;
1177 h. A local government official from each local government
1178 within a proposed corridor;
1179 i. Metropolitan planning organizations;
1180 j. ~~Regional planning councils;~~
1181 ~~k.~~ The community, who may be an individual or a member of a
1182 nonprofit community organization, as determined by the
1183 department; and
1184 k.~~l.~~ Appropriate environmental groups, such as 1000 Friends
1185 of Florida, Audubon Florida, the Everglades Foundation, The
1186 Nature Conservancy, the Florida Sierra Club, and the Florida
1187 Wildlife Corridor, as determined by the department.
1188 2. The secretary of the department shall appoint the
1189 members of the respective corridor task forces by August 1,

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3. Each corridor task force shall coordinate with the department on pertinent aspects of corridor analysis, including accommodation or colocation of multiple types of infrastructure, addressing issues such as those identified in subsection (1), within or adjacent to the corridor.

4. Each corridor task force shall evaluate the need for, and the economic and environmental impacts of, hurricane evacuation impacts of, and land use impacts of, the related corridor as identified in subsection (2).

5. Each corridor task force shall hold a public meeting in accordance with chapter 286 in each local government jurisdiction in which a project within an identified corridor is being considered.

6. To the maximum extent feasible, the department shall adhere to the recommendations of the task force created for each corridor in the design of the multiple modes of transportation and multiple types of infrastructure associated with the corridor. The task force for each corridor may consider and recommend innovative concepts to combine right-of-way acquisition with the acquisition of lands or easements to facilitate environmental mitigation or ecosystem, wildlife habitat, or water quality protection or restoration. The department, in consultation with the Department of Environmental Protection, may incorporate those features into each corridor during the project development phase.

7. The Southwest-Central Florida Connector corridor task force shall:

a. Address the impacts of the construction of a project

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1219 within the corridor on panther and other critical wildlife
1220 habitat and evaluate in its final report the need for
1221 acquisition of lands for state conservation or as mitigation for
1222 project construction; and

1223 b. Evaluate wildlife crossing design features to protect
1224 panther and other critical wildlife habitat corridor
1225 connections.

1226 8. The Suncoast Connector corridor task force and the
1227 Northern Turnpike Connector corridor task force shall evaluate
1228 design features and the need for acquisition of state
1229 conservation lands that mitigate the impact of project
1230 construction within the respective corridors on:

1231 a. The water quality and quantity of springs, rivers, and
1232 aquifer recharge areas;

1233 b. Agricultural land uses; and

1234 c. Wildlife habitat.

1235 9. Each corridor task force shall issue its evaluations in
1236 a final report that must be submitted to the Governor, the
1237 President of the Senate, and the Speaker of the House of
1238 Representatives by November 15, 2020 ~~October 1, 2020~~.

1239 10. The department shall provide affected local governments
1240 with a copy of the applicable task force report and project
1241 alignments. Not later than December 31, 2023, a local government
1242 that has an interchange within its jurisdiction shall review the
1243 applicable task force report and its local comprehensive plan as
1244 adopted under chapter 163. The local government review must
1245 include consideration of whether the area in and around the
1246 interchange contains appropriate land uses and natural resource
1247 protections and whether the comprehensive plan should be amended

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to provide such appropriate uses and protections.

Section 38. Subsection (4) of section 339.155, Florida Statutes, is amended to read:

339.155 Transportation planning.—

(4) ADDITIONAL TRANSPORTATION PLANS.—

(a) Upon request by local governmental entities, the department may in its discretion develop and design transportation corridors, arterial and collector streets, vehicular parking areas, and other support facilities which are consistent with the plans of the department for major transportation facilities. The department may render to local governmental entities or their planning agencies such technical assistance and services as are necessary so that local plans and facilities are coordinated with the plans and facilities of the department.

~~(b) Each regional planning council, as provided for in s. 186.504, or any successor agency thereto, shall develop, as an element of its strategic regional policy plan, transportation goals and policies. The transportation goals and policies must be prioritized to comply with the prevailing principles provided in subsection (1) and s. 334.046(1). The transportation goals and policies shall be consistent, to the maximum extent feasible, with the goals and policies of the metropolitan planning organization and the Florida Transportation Plan. The transportation goals and policies of the regional planning council will be advisory only and shall be submitted to the department and any affected metropolitan planning organization for their consideration and comments. Metropolitan planning organization plans and other local transportation plans shall be~~

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1277 ~~developed consistent, to the maximum extent feasible, with the~~
1278 ~~regional transportation goals and policies.~~

1279 ~~(e)~~ Regional transportation plans may be developed in
1280 regional transportation areas in accordance with an interlocal
1281 agreement entered into pursuant to s. 163.01 by two or more
1282 contiguous metropolitan planning organizations; one or more
1283 metropolitan planning organizations and one or more contiguous
1284 counties, none of which is a member of a metropolitan planning
1285 organization; a multicounty regional transportation authority
1286 created by or pursuant to law; two or more contiguous counties
1287 that are not members of a metropolitan planning organization; or
1288 metropolitan planning organizations comprised of three or more
1289 counties.

1290 (c)~~(d)~~ The interlocal agreement must, at a minimum,
1291 identify the entity that will coordinate the development of the
1292 regional transportation plan; delineate the boundaries of the
1293 regional transportation area; provide the duration of the
1294 agreement and specify how the agreement may be terminated,
1295 modified, or rescinded; describe the process by which the
1296 regional transportation plan will be developed; and provide how
1297 members of the entity will resolve disagreements regarding
1298 interpretation of the interlocal agreement or disputes relating
1299 to the development or content of the regional transportation
1300 plan. Such interlocal agreement shall become effective upon its
1301 recordation in the official public records of each county in the
1302 regional transportation area.

1303 (d)~~(e)~~ The regional transportation plan developed pursuant
1304 to this section must, at a minimum, identify regionally
1305 significant transportation facilities located within a regional

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transportation area and contain a prioritized list of regionally significant projects. The projects shall be adopted into the capital improvements schedule of the local government comprehensive plan pursuant to s. 163.3177(3).

Section 39. Paragraph (g) of subsection (6) of section 339.175, Florida Statutes, is amended to read:

339.175 Metropolitan planning organization.—

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. shall be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law.

(g) Each M.P.O. shall have an executive or staff director who reports directly to the M.P.O. governing board for all matters regarding the administration and operation of the M.P.O. and any additional personnel as deemed necessary. The executive director and any additional personnel may be employed either by an M.P.O. or by another governmental entity, such as a county ~~or city, or regional planning council~~, that has a staff services agreement signed and in effect with the M.P.O. Each M.P.O. may enter into contracts with local or state agencies, private planning firms, private engineering firms, or other public or private entities to accomplish its transportation planning and

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programming duties and administrative functions.

Section 40. Subsections (3) and (4) of section 339.63, Florida Statutes, are amended to read:

339.63 System facilities designated; additions and deletions.—

(3) After the initial designation of the Strategic Intermodal System under subsection (1), the department shall, in coordination with the metropolitan planning organizations, local governments, ~~regional planning councils~~, transportation providers, and affected public agencies, add facilities to or delete facilities from the Strategic Intermodal System described in paragraphs (2)(b) and (c) based upon criteria adopted by the department.

(4) After the initial designation of the Strategic Intermodal System under subsection (1), the department shall, in coordination with the metropolitan planning organizations, local governments, ~~regional planning councils~~, transportation providers, and affected public agencies, add facilities to or delete facilities from the Strategic Intermodal System described in paragraph (2)(a) based upon criteria adopted by the department. However, an airport that is designated as a reliever airport to a Strategic Intermodal System airport which has at least 75,000 itinerant operations per year, has a runway length of at least 5,500 linear feet, is capable of handling aircraft weighing at least 60,000 pounds with a dual wheel configuration which is served by at least one precision instrument approach, and serves a cluster of aviation-dependent industries, shall be designated as part of the Strategic Intermodal System by the Secretary of Transportation upon the request of a reliever

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airport meeting this criteria.

Section 41. Subsection (1) and paragraph (a) of subsection (3) of section 339.64, Florida Statutes, are amended to read:

339.64 Strategic Intermodal System Plan.—

(1) The department shall develop, in cooperation with metropolitan planning organizations, ~~regional planning councils,~~ local governments, and other transportation providers, a Strategic Intermodal System Plan. The plan shall be consistent with the Florida Transportation Plan developed pursuant to s. 339.155 and shall be updated at least once every 5 years, subsequent to updates of the Florida Transportation Plan.

(3)(a) During the development of updates to the Strategic Intermodal System Plan, the department shall provide metropolitan planning organizations, ~~regional planning councils,~~ local governments, transportation providers, affected public agencies, and citizens with an opportunity to participate in and comment on the development of the update.

Section 42. Subsection (1) of section 341.041, Florida Statutes, is amended to read:

341.041 Transit responsibilities of the department.—The department shall, within the resources provided pursuant to chapter 216:

(1) Develop a statewide plan that provides for public transit and intercity bus service needs at least 5 years in advance. The plan shall be developed in a manner that will assure maximum use of existing facilities, and optimum integration and coordination of the various modes of transportation, including both governmentally owned and privately owned resources, in the most cost-effective manner

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possible. The plan shall also incorporate plans adopted by local
~~and regional~~ planning agencies which are consistent, to the
maximum extent feasible, with ~~adopted strategic policy plans and~~
approved local government comprehensive plans for the region and
units of local government covered by the plan and shall, insofar
as practical, conform to federal planning requirements. The plan
shall be consistent with the goals of the Florida Transportation
Plan developed pursuant to s. 339.155.

Section 43. Paragraph (m) of subsection (3) of section
343.54, Florida Statutes, is amended to read:

343.54 Powers and duties.—

(3) The authority may exercise all powers necessary,
appurtenant, convenient, or incidental to the carrying out of
the aforesaid purposes, including, but not limited to, the
following rights and powers:

(m) To cooperate with other governmental entities and to
contract with other governmental agencies, including the
Department of Transportation, the Federal Government, ~~regional~~
~~planning councils,~~ counties, and municipalities.

Section 44. Subsection (1) of section 369.303, Florida
Statutes, is amended to read:

369.303 Definitions.—As used in this part:

~~(1) "Council" means the East Central Florida Regional
Planning Council.~~

Section 45. Paragraph (e) of subsection (1) of section
373.309, Florida Statutes, is amended to read:

373.309 Authority to adopt rules and procedures.—

(1) The department shall adopt, and may from time to time
amend, rules governing the location, construction, repair, and

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abandonment of water wells and shall be responsible for the administration of this part. With respect thereto, the department shall:

(e) Encourage prevention of potable water well contamination and promote cost-effective remediation of contaminated potable water supplies by use of the Water Quality Assurance Trust Fund as provided in s. 376.307(1)(e) and establish by rule:

1. Delineation of areas of groundwater contamination for implementation of well location and construction, testing, permitting, and clearance requirements as set forth in subparagraphs 2., 3., 4., 5., and 6. The department shall make available to water management districts, ~~regional planning councils,~~ the Department of Health, and county building and zoning departments, maps or other information on areas of contamination, including areas of ethylene dibromide contamination. Such maps or other information shall be made available to property owners, realtors, real estate associations, property appraisers, and other interested persons upon request and upon payment of appropriate costs.

2. Requirements for testing for suspected contamination in areas of known contamination, as a prerequisite for clearance of a water well for drinking purposes. The department is authorized to establish criteria for acceptance of water quality testing results from the Department of Health and laboratories certified by the Department of Health, and is authorized to establish requirements for sample collection quality assurance.

3. Requirements for mandatory connection to available potable water systems in areas of known contamination, wherein

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the department may prohibit the permitting and construction of new potable water wells.

4. Location and construction standards for public and all other potable water wells permitted in areas of contamination. Such standards shall be designed to minimize the effects of such contamination.

5. A procedure for permitting all potable water wells in areas of known contamination. Any new water well that is to be used for drinking water purposes and that does not meet construction standards pursuant to subparagraph 4. must be abandoned and plugged by the owner. Water management districts shall implement, through delegation from the department, the permitting and enforcement responsibilities of this subparagraph.

6. A procedure for clearing for use all potable water wells, except wells that serve a public water supply system, in areas of known contamination. If contaminants are found upon testing pursuant to subparagraph 2., a well may not be cleared for use without a filter or other means of preventing the users of the well from being exposed to deleterious amounts of contaminants. The Department of Health shall implement the responsibilities of this subparagraph.

7. Fees to be paid for well construction permits and clearance for use. The fees shall be based on the actual costs incurred by the water management districts, the Department of Health, or other political subdivisions in carrying out the responsibilities related to potable water well permitting and clearance for use. The fees shall provide revenue to cover all such costs and shall be set according to the following schedule:

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1480 a. The well construction permit fee may not exceed \$500.
1481 b. The clearance fee may not exceed \$50.

1482 8. Procedures for implementing well-location, construction,
1483 testing, permitting, and clearance requirements as set forth in
1484 subparagraphs 2.-6. within areas that research or monitoring
1485 data indicate are vulnerable to contamination with nitrate, or
1486 areas in which the department provides a subsidy for restoration
1487 or replacement of contaminated drinking water supplies through
1488 extending existing water lines or developing new water supply
1489 systems pursuant to s. 376.307(1)(e). The department shall
1490 consult with the Florida Ground Water Association in the process
1491 of developing rules pursuant to this subparagraph.

1492

1493 All fees and funds collected by each delegated entity pursuant
1494 to this part shall be deposited in the appropriate operating
1495 account of that entity.

1496 Section 46. Paragraph (k) of subsection (2) of section
1497 377.703, Florida Statutes, is amended to read:

1498 377.703 Additional functions of the Department of
1499 Agriculture and Consumer Services.—

1500 (2) DUTIES.—The department shall perform the following
1501 functions, unless as otherwise provided, consistent with the
1502 development of a state energy policy:

1503 (k) The department shall coordinate energy-related programs
1504 of state government, including, but not limited to, the programs
1505 provided in this section. To this end, the department shall:

1506 1. Provide assistance to other state agencies, counties,
1507 and municipalities, ~~and regional planning agencies~~ to further
1508 and promote their energy planning activities.

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2. Require, in cooperation with the Department of Management Services, all state agencies to operate state-owned and state-leased buildings in accordance with energy conservation standards as adopted by the Department of Management Services. Every 3 months, the Department of Management Services shall furnish the department data on agencies' energy consumption and emissions of greenhouse gases in a format prescribed by the department.

3. Promote the development and use of renewable energy resources, energy efficiency technologies, and conservation measures.

4. Promote the recovery of energy from wastes, including, but not limited to, the use of waste heat, the use of agricultural products as a source of energy, and recycling of manufactured products. Such promotion shall be conducted in conjunction with, and after consultation with, the Department of Environmental Protection and the Florida Public Service Commission where electrical generation or natural gas is involved, and any other relevant federal, state, or local governmental agency having responsibility for resource recovery programs.

Section 47. Subsection (3) of section 378.411, Florida Statutes, is amended to read:

378.411 Certification to receive notices of intent to mine, to review, and to inspect for compliance.—

(3) In making his or her determination, the secretary shall consult with the Department of Economic Opportunity, ~~the appropriate regional planning council,~~ and the appropriate water management district.

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Section 48. Subsection (15) of section 380.031, Florida Statutes, is amended to read:

380.031 Definitions.—As used in this chapter:

~~(15) "Regional planning agency" means the agency designated by the state land planning agency to exercise responsibilities under this chapter in a particular region of the state.~~

Section 49. Subsection (2) of section 380.045, Florida Statutes, is amended to read:

380.045 Resource planning and management committees; objectives; procedures.—

(2) The committee shall include, but shall not be limited to, representation from each of the following: elected officials from the local governments within the area under study; the planning office of each of the local governments within the area under study; the state land planning agency; any other state agency under chapter 20 a representative of which the Governor feels is relevant to the compilation of the committee; and a water management district, if appropriate, ~~and regional planning council all or part of whose jurisdiction lies within the area under study.~~ After the appointment of the members, the Governor shall select a chair and vice chair. A staff member of the state land planning agency shall be appointed by the director of such agency to serve as the secretary of the committee. The state land planning agency shall, to the greatest extent possible, provide technical assistance and administrative support to the committee. Meetings will be called as needed by the chair or on the demand of three or more members of the committee. The committee will act on a simple majority of a quorum present and shall make a report within 6 months to the head of the state

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land planning agency. The committee shall, from the time of appointment, remain in existence for no less than 6 months.

Section 50. Subsection (3) of section 380.055, Florida Statutes, is amended to read:

380.055 Big Cypress Area.—

(3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The "Big Cypress Area," as defined in this subsection, is hereby designated as an area of critical state concern. "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big Cypress National Freshwater Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D.C., and in the office of the Board of Trustees of the Internal Improvement Trust Fund, which is the area proposed as the Federal Big Cypress National Freshwater Reserve, Florida, and that area described as follows: Sections 1, 2, 11, 12 and 13 in Township 49 South, Range 31 East; and Township 49 South, Range 32 East, less Sections 19, 30 and 31; and Township 49 South, Range 33 East; and Township 49 South, Range 34 East; and Sections 1 through 5 and 10 through 14 in Township 50 South, Range 32 East; and Sections 1 through 18 and 20 through 25 in Township 50 South, Range 33 East; and Township 50 South, Range 34 East, less Section 31; and Sections 1 and 2 in Township 51 South, Range 34 East; All in Collier County, Florida, which described area shall be known as the "Big Cypress National Preserve Addition, Florida," together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of South

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Florida, or the freshwater aquifer of South Florida, the definitive boundaries of which shall be set in the following manner: Within 120 days following the effective date of this act, the state land planning agency shall recommend definitive boundaries for the Big Cypress Area to the Administration Commission, after giving notice to all local governments and regional ~~planning~~ agencies which include within their boundaries any part of the area proposed to be included in the Big Cypress Area and holding such hearings as the state land planning agency deems appropriate. Within 45 days following receipt of the recommended boundaries, the Administration Commission shall adopt, modify, or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.

Section 51. Subsection (6) and paragraph (b) of subsection (12) of section 380.06, Florida Statutes, are amended to read:

380.06 Developments of regional impact.—

(6) REPORTS.—Notwithstanding any condition in a development order for an approved development of regional impact, the developer is not required to submit an annual or a biennial report on the development of regional impact to the local government, ~~the regional planning agency,~~ the state land planning agency, and all affected permit agencies unless required to do so by the local government that has jurisdiction over the development. The penalty for failure to file such a required report is as prescribed by the local government.

(12) PROPOSED DEVELOPMENTS.—

(b) This subsection does not apply to:

1. Amendments to a development order governing an existing

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development of regional impact.

2. An application for development approval filed with a concurrent plan amendment application pending as of May 14, 2015, if the applicant elects to have the application reviewed pursuant to this section as it existed on that date. The election shall be in writing and filed with the affected local government, ~~regional planning council,~~ and state land planning agency before December 31, 2018.

Section 52. Subsection (2) of section 380.061, Florida Statutes, is amended to read:

380.061 The Florida Quality Developments program.—

(2) Following written notification to the state land planning agency ~~and the appropriate regional planning agency,~~ a local government with an approved Florida Quality Development within its jurisdiction must set a public hearing pursuant to its local procedures and shall adopt a local development order to replace and supersede the development order adopted by the state land planning agency for the Florida Quality Development. Thereafter, the Florida Quality Development shall follow the procedures and requirements for developments of regional impact as specified in this chapter.

Section 53. Subsection (2) of section 380.07, Florida Statutes, is amended to read:

380.07 Florida Land and Water Adjudicatory Commission.—

(2) Whenever any local government issues any development order in any area of critical state concern, or in regard to the abandonment of any approved development of regional impact, copies of such orders as prescribed by rule by the state land planning agency shall be transmitted to the state land planning

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1654 agency, ~~the regional planning agency,~~ and the owner or developer
1655 of the property affected by such order. The state land planning
1656 agency shall adopt rules describing development order rendition
1657 and effectiveness in designated areas of critical state concern.
1658 Within 45 days after the order is rendered, the owner, the
1659 developer, or the state land planning agency may appeal the
1660 order to the Florida Land and Water Adjudicatory Commission by
1661 filing a petition alleging that the development order is not
1662 consistent with this part.

1663 Section 54. Subsection (3) of section 380.507, Florida
1664 Statutes, is amended to read:

1665 380.507 Powers of the trust.—The trust shall have all the
1666 powers necessary or convenient to carry out the purposes and
1667 provisions of this part, including:

1668 (3) To provide technical and financial assistance to local
1669 governments, state agencies, water management districts,
1670 ~~regional planning councils,~~ and nonprofit agencies to carry out
1671 projects and activities and develop programs to achieve the
1672 purposes of this part.

1673 Section 55. Subsection (6) of section 403.0752, Florida
1674 Statutes, is amended to read:

1675 403.0752 Ecosystem management agreements.—

1676 (6) The secretary of the department may form ecosystem
1677 management advisory teams for consultation and participation in
1678 the preparation of an ecosystem management agreement. The
1679 secretary shall request the participation of at least the state
1680 and regional and local government entities having regulatory
1681 authority over the activities to be subject to the ecosystem
1682 management agreement. Such teams may also include

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representatives of other participating or advisory government agencies, which may include ~~regional planning councils~~, private landowners, public landowners and managers, public and private utilities, corporations, and environmental interests. Team members shall be selected in a manner that ensures adequate representation of the diverse interests and perspectives within the designated ecosystem. Participation by any department of state government is at the discretion of that agency.

Section 56. Subsection (26) of section 403.503, Florida Statutes, is amended to read:

403.503 Definitions relating to Florida Electrical Power Plant Siting Act.—As used in this act:

~~(26) "Regional planning council" means a regional planning council as defined in s. 186.503(4) in the jurisdiction of which the electrical power plant is proposed to be located.~~

Section 57. Subsection (1) of section 403.50663, Florida Statutes, is amended to read:

403.50663 Informational public meetings.—

(1) A local government within whose jurisdiction the power plant is proposed to be sited may hold one informational public meeting in addition to the hearings specifically authorized by this act on any matter associated with the electrical power plant proceeding. Such informational public meetings shall be held by the local government ~~or by the regional planning council if the local government does not hold such meeting~~ within 70 days after the filing of the application. The purpose of an informational public meeting is for the local government ~~or regional planning council~~ to further inform the public about the proposed electrical power plant or associated facilities, obtain

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1712 comments from the public, and formulate its recommendation with
1713 respect to the proposed electrical power plant.

1714 Section 58. Paragraph (a) of subsection (2) of section
1715 403.507, Florida Statutes, is amended to read:

1716 403.507 Preliminary statements of issues, reports, project
1717 analyses, and studies.—

1718 (2)(a) No later than 100 days after the certification
1719 application has been determined complete, the following agencies
1720 shall prepare reports as provided below and shall submit them to
1721 the department and the applicant, unless a final order denying
1722 the determination of need has been issued under s. 403.519:

1723 1. The Department of Economic Opportunity shall prepare a
1724 report containing recommendations which address the impact upon
1725 the public of the proposed electrical power plant, based on the
1726 degree to which the electrical power plant is consistent with
1727 the applicable portions of the state comprehensive plan,
1728 emergency management, and other such matters within its
1729 jurisdiction. The Department of Economic Opportunity may also
1730 comment on the consistency of the proposed electrical power
1731 plant with applicable ~~strategic regional policy plans or~~ local
1732 comprehensive plans and land development regulations.

1733 2. The water management district shall prepare a report as
1734 to matters within its jurisdiction, including but not limited
1735 to, the impact of the proposed electrical power plant on water
1736 resources, regional water supply planning, and district-owned
1737 lands and works.

1738 3. Each local government in whose jurisdiction the proposed
1739 electrical power plant is to be located shall prepare a report
1740 as to the consistency of the proposed electrical power plant

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with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed electrical power plant, including any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means.

4. The Fish and Wildlife Conservation Commission shall prepare a report as to matters within its jurisdiction.

5. The Department of Transportation shall address the impact of the proposed electrical power plant on matters within its jurisdiction.

Section 59. Paragraph (c) of subsection (2) of section 403.518, Florida Statutes, is amended to read:

403.518 Fees; disposition.—The department shall charge the applicant the following fees, as appropriate, which, unless otherwise specified, shall be paid into the Florida Permit Fee Trust Fund:

(2) An application fee, which shall not exceed \$200,000. The fee shall be fixed by rule on a sliding scale related to the size, type, ultimate site capacity, or increase in electrical generating capacity proposed by the application.

(c)1. Upon written request with proper itemized accounting within 90 days after final agency action by the board or department or withdrawal of the application, the agencies that prepared reports pursuant to s. 403.507 or participated in a hearing pursuant to s. 403.508 may submit a written request to the department for reimbursement of expenses incurred during the certification proceedings. The request shall contain an accounting of expenses incurred which may include time spent reviewing the application, preparation of any studies required of the agencies by this act, agency travel and per diem to

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1770 attend any hearing held pursuant to this act, and for any local
1771 government's ~~or regional planning council's~~ provision of notice
1772 of public meetings required as a result of the application for
1773 certification. The department shall review the request and
1774 verify that the expenses are valid. Valid expenses shall be
1775 reimbursed; however, in the event the amount of funds available
1776 for reimbursement is insufficient to provide for full
1777 compensation to the agencies requesting reimbursement,
1778 reimbursement shall be on a prorated basis.

1779 2. If the application review is held in abeyance for more
1780 than 1 year, the agencies may submit a request for
1781 reimbursement. This time period shall be measured from the date
1782 the applicant has provided written notification to the
1783 department that it desires to have the application review
1784 process placed on hold. The fee disbursement shall be processed
1785 in accordance with subparagraph 1.

1786 Section 60. Subsection (21) of section 403.522, Florida
1787 Statutes, is amended to read:

1788 403.522 Definitions relating to the Florida Electric
1789 Transmission Line Siting Act.—As used in this act:

1790 ~~(21) "Regional planning council" means a regional planning~~
1791 ~~council as defined in s. 186.503(4) in the jurisdiction of which~~
1792 ~~the project is proposed to be located.~~

1793 Section 61. Paragraph (a) of subsection (2) of section
1794 403.526, Florida Statutes, is amended to read:

1795 403.526 Preliminary statements of issues, reports, and
1796 project analyses; studies.—

1797 (2)(a) No later than 90 days after the filing of the
1798 application, the following agencies shall prepare reports as

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provided below, unless a final order denying the determination of need has been issued under s. 403.537:

1. The department shall prepare a report as to the impact of each proposed transmission line or corridor as it relates to matters within its jurisdiction.

2. Each water management district in the jurisdiction of which a proposed transmission line or corridor is to be located shall prepare a report as to the impact on water resources and other matters within its jurisdiction.

3. The Department of Economic Opportunity shall prepare a report containing recommendations which address the impact upon the public of the proposed transmission line or corridor, based on the degree to which the proposed transmission line or corridor is consistent with the applicable portions of the state comprehensive plan, emergency management, and other matters within its jurisdiction. The Department of Economic Opportunity may also comment on the consistency of the proposed transmission line or corridor with applicable ~~strategic regional policy plans~~ or local comprehensive plans and land development regulations.

4. The Fish and Wildlife Conservation Commission shall prepare a report as to the impact of each proposed transmission line or corridor on fish and wildlife resources and other matters within its jurisdiction.

5. Each local government shall prepare a report as to the impact of each proposed transmission line or corridor on matters within its jurisdiction, including the consistency of the proposed transmission line or corridor with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed transmission line or corridor, including local

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comprehensive plans, zoning regulations, land development regulations, and any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means. A change by the responsible local government or local agency in local comprehensive plans, zoning ordinances, or other regulations made after the date required for the filing of the local government's report required by this section is not applicable to the certification of the proposed transmission line or corridor unless the certification is denied or the application is withdrawn.

6. The Department of Transportation shall prepare a report as to the impact of the proposed transmission line or corridor on state roads, railroads, airports, aeronautics, seaports, and other matters within its jurisdiction.

7. The commission shall prepare a report containing its determination under s. 403.537, and the report may include the comments from the commission with respect to any other subject within its jurisdiction.

8. Any other agency, if requested by the department, shall also perform studies or prepare reports as to subjects within the jurisdiction of the agency which may potentially be affected by the proposed transmission line.

Section 62. Subsection (1) of section 403.5272, Florida Statutes, is amended to read:

403.5272 Informational public meetings.—

(1) A local government whose jurisdiction is to be crossed by a proposed corridor may hold one informational public meeting in addition to the hearings specifically authorized by this act on any matter associated with the transmission line proceeding.

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1857 The informational public meeting ~~may be conducted by the local~~
1858 ~~government or the regional planning council and~~ shall be held no
1859 later than 55 days after the application is filed. The purpose
1860 of an informational public meeting is for the local government
1861 ~~or regional planning council~~ to further inform the public about
1862 the transmission line proposed, obtain comments from the public,
1863 and formulate its recommendation with respect to the proposed
1864 transmission line.

1865 Section 63. Subsection (4), paragraph (a) of subsection
1866 (5), and paragraph (a) of subsection (6) of section 403.5363,
1867 Florida Statutes, are amended to read:

1868 403.5363 Public notices; requirements.—

1869 (4) A local government ~~or regional planning council~~ that
1870 proposes to conduct an informational public meeting pursuant to
1871 s. 403.5272 must publish notice of the meeting in a newspaper of
1872 general circulation within the county or counties in which the
1873 proposed electrical transmission line will be located no later
1874 than 7 days before ~~prior to~~ the meeting. A newspaper of general
1875 circulation shall be the newspaper that has the largest daily
1876 circulation in that county and has its principal office in that
1877 county. If the newspaper with the largest daily circulation has
1878 its principal office outside the county, the notices shall
1879 appear in both the newspaper having the largest circulation in
1880 that county and in a newspaper authorized to publish legal
1881 notices in that county.

1882 (5) (a) A good faith effort shall be made by the applicant
1883 to provide direct notice of the filing of an application for
1884 certification by United States mail or hand delivery no later
1885 than 45 days after filing of the application to all local

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landowners whose property, as noted in the most recent local government tax records, and residences are located within one-quarter mile of the proposed boundaries of a transmission line corridor that only includes a transmission line as defined by s. 403.522(21) ~~s. 403.522(22)~~.

(6) (a) A good faith effort shall be made by the proponent of an alternate corridor that includes a transmission line, as defined by s. 403.522(21) ~~s. 403.522(22)~~, to provide direct notice of the filing of an alternate corridor for certification by United States mail or hand delivery of the filing no later than 30 days after filing of the alternate corridor to all local landowners whose property, as noted in the most recent local government tax records, and residences are located within one-quarter mile of the proposed boundaries of a transmission line corridor that includes a transmission line as defined by s. 403.522(21) ~~s. 403.522(22)~~.

Section 64. Paragraph (d) of subsection (1) of section 403.5365, Florida Statutes, is amended to read:

403.5365 Fees; disposition.—The department shall charge the applicant the following fees, as appropriate, which, unless otherwise specified, shall be paid into the Florida Permit Fee Trust Fund:

(1) An application fee.

(d)1. Upon written request with proper itemized accounting within 90 days after final agency action by the siting board or the department or the written notification of the withdrawal of the application, the agencies that prepared reports under s. 403.526 or s. 403.5271 or participated in a hearing under s. 403.527 or s. 403.5271 may submit a written request to the

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department for reimbursement of expenses incurred during the certification proceedings. The request must contain an accounting of expenses incurred, which may include time spent reviewing the application, preparation of any studies required of the agencies by this act, agency travel and per diem to attend any hearing held under this act, and for the local government ~~or regional planning council~~ providing additional notice of the informational public meeting. The department shall review the request and verify whether a claimed expense is valid. Valid expenses shall be reimbursed; however, if the amount of funds available for reimbursement is insufficient to provide for full compensation to the agencies, reimbursement shall be on a prorated basis.

2. If the application review is held in abeyance for more than 1 year, the agencies may submit a request for reimbursement under subparagraph 1. This time period shall be measured from the date the applicant has provided written notification to the department that it desires to have the application review process placed on hold. The fee disbursement shall be processed in accordance with subparagraph 1.

Section 65. Paragraphs (a) and (d) of subsection (1) of section 403.537, Florida Statutes, are amended to read:

403.537 Determination of need for transmission line; powers and duties.—

(1)(a) Upon request by an applicant or upon its own motion, the Florida Public Service Commission shall schedule a public hearing, after notice, to determine the need for a transmission line regulated by the Florida Electric Transmission Line Siting Act, ss. 403.52-403.5365. The notice shall be published at least

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21 days before the date set for the hearing and shall be published by the applicant in at least one-quarter page size notice in newspapers of general circulation, and by the commission in the manner specified in chapter 120, by giving notice to counties ~~and regional planning councils~~ in whose jurisdiction the transmission line could be placed, and by giving notice to any persons who have requested to be placed on the mailing list of the commission for this purpose. Within 21 days after receipt of a request for determination by an applicant, the commission shall set a date for the hearing. The hearing shall be held pursuant to s. 350.01 within 45 days after the filing of the request, and a decision shall be rendered within 60 days after such filing.

(d) The determination by the commission of the need for the transmission line, as defined in s. 403.522(21) ~~s. 403.522(22)~~, is binding on all parties to any certification proceeding under the Florida Electric Transmission Line Siting Act and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered pursuant to this section constitutes final agency action.

Section 66. Subsection (17) of section 403.704, Florida Statutes, is amended to read:

403.704 Powers and duties of the department.—The department shall have responsibility for the implementation and enforcement of this act. In addition to other powers and duties, the department shall:

(17) Provide technical assistance to local governments and regional agencies to ensure consistency between county hazardous waste management assessments; coordinate the development of such

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assessments ~~with the assistance of the appropriate regional planning councils~~; and review and make recommendations to the Legislature relative to the sufficiency of the assessments to meet state hazardous waste management needs.

Section 67. Subsection (1) of section 403.7226, Florida Statutes, is amended to read:

403.7226 Technical assistance by the department.—The department shall:

(1) Provide technical assistance to county governments ~~and regional planning councils~~ to ensure consistency in implementing local hazardous waste management assessments as provided in ss. 403.7225, 403.7234, and 403.7236. In order to ensure that each local assessment is properly implemented and that all information gathered during the assessment is uniformly compiled and documented, each county ~~or regional planning council~~ shall contact the department during the preparation of the local assessment to receive technical assistance. Each county ~~or regional planning council~~ shall follow guidelines established by the department, and adopted by rule as appropriate, in order to properly implement these assessments.

Section 68. Subsection (22) of section 403.9403, Florida Statutes, is amended to read:

403.9403 Definitions.—As used in ss. 403.9401-403.9425, the term:

~~(22) "Regional planning council" means a regional planning council created pursuant to chapter 186 in the jurisdiction of which the project is proposed to be located.~~

Section 69. Paragraph (a) of subsection (2) of section 403.941, Florida Statutes, is amended to read:

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2002 403.941 Preliminary statements of issues, reports, and
2003 studies.—

2004 (2)(a) The affected agencies shall prepare reports as
2005 provided in this paragraph and shall submit them to the
2006 department and the applicant within 60 days after the
2007 application is determined sufficient:

2008 1. The department shall prepare a report as to the impact
2009 of each proposed natural gas transmission pipeline or corridor
2010 as it relates to matters within its jurisdiction.

2011 2. Each water management district in the jurisdiction of
2012 which a proposed natural gas transmission pipeline or corridor
2013 is to be located shall prepare a report as to the impact on
2014 water resources and other matters within its jurisdiction.

2015 3. The Department of Economic Opportunity shall prepare a
2016 report containing recommendations which address the impact upon
2017 the public of the proposed natural gas transmission pipeline or
2018 corridor, based on the degree to which the proposed natural gas
2019 transmission pipeline or corridor is consistent with the
2020 applicable portions of the state comprehensive plan and other
2021 matters within its jurisdiction. The Department of Economic
2022 Opportunity may also comment on the consistency of the proposed
2023 natural gas transmission pipeline or corridor with applicable
2024 ~~strategic regional policy plans or~~ local comprehensive plans and
2025 land development regulations.

2026 4. The Fish and Wildlife Conservation Commission shall
2027 prepare a report as to the impact of each proposed natural gas
2028 transmission pipeline or corridor on fish and wildlife resources
2029 and other matters within its jurisdiction.

2030 5. Each local government in which the natural gas

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transmission pipeline or natural gas transmission pipeline corridor will be located shall prepare a report as to the impact of each proposed natural gas transmission pipeline or corridor on matters within its jurisdiction, including the consistency of the proposed natural gas transmission pipeline or corridor with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed natural gas transmission pipeline or corridor, including local comprehensive plans, zoning regulations, land development regulations, and any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means. No change by the responsible local government or local agency in local comprehensive plans, zoning ordinances, or other regulations made after the date required for the filing of the local government's report required by this section shall be applicable to the certification of the proposed natural gas transmission pipeline or corridor unless the certification is denied or the application is withdrawn.

6. The Department of Transportation shall prepare a report on the effect of the natural gas transmission pipeline or natural gas transmission pipeline corridor on matters within its jurisdiction, including roadway crossings by the pipeline. The report shall contain at a minimum:

a. A report by the applicant to the department stating that all requirements of the department's utilities accommodation guide have been or will be met in regard to the proposed pipeline or pipeline corridor; and

b. A statement by the department as to the adequacy of the report to the department by the applicant.

7. The Department of State, Division of Historical

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Resources, shall prepare a report on the impact of the natural gas transmission pipeline or natural gas transmission pipeline corridor on matters within its jurisdiction.

8. The commission shall prepare a report addressing matters within its jurisdiction. The commission's report shall include its determination of need issued pursuant to s. 403.9422.

Section 70. Paragraph (a) of subsection (1) of section 403.9422, Florida Statutes, is amended to read:

403.9422 Determination of need for natural gas transmission pipeline; powers and duties.—

(1)(a) Upon request by an applicant or upon its own motion, the commission shall schedule a public hearing, after notice, to determine the need for a natural gas transmission pipeline regulated by ss. 403.9401-403.9425. Such notice shall be published at least 45 days before the date set for the hearing and shall be published in at least one-quarter page size in newspapers of general circulation and in the Florida Administrative Register, by giving notice to counties ~~and regional planning councils~~ in whose jurisdiction the natural gas transmission pipeline could be placed, and by giving notice to any persons who have requested to be placed on the mailing list of the commission for this purpose. Within 21 days after receipt of a request for determination by an applicant, the commission shall set a date for the hearing. The hearing shall be held pursuant to s. 350.01 within 75 days after the filing of the request, and a decision shall be rendered within 90 days after such filing.

Section 71. Subsection (4) of section 403.973, Florida Statutes, is amended to read:

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2089 403.973 Expedited permitting; amendments to comprehensive
2090 plans.—

2091 (4) The regional teams shall be established through the
2092 execution of a project-specific memorandum of agreement
2093 developed and executed by the applicant and the secretary, with
2094 input solicited from the respective heads of the Department of
2095 Transportation and its district offices, the Department of
2096 Agriculture and Consumer Services, the Fish and Wildlife
2097 Conservation Commission, ~~appropriate regional planning councils,~~
2098 appropriate water management districts, and voluntarily
2099 participating municipalities and counties. The memorandum of
2100 agreement should also accommodate participation in this
2101 expedited process by other local governments and federal
2102 agencies as circumstances warrant.

2103 Section 72. Paragraphs (b) and (d) of subsection (1) of
2104 section 408.033, Florida Statutes, are amended to read:

2105 408.033 Local and state health planning.—

2106 (1) LOCAL HEALTH COUNCILS.—

2107 (b) Each local health council may:

2108 1. Develop a district area health plan that permits each
2109 local health council to develop strategies and set priorities
2110 for implementation based on its unique local health needs.

2111 2. Advise the agency on health care issues and resource
2112 allocations.

2113 3. Promote public awareness of community health needs,
2114 emphasizing health promotion and cost-effective health service
2115 selection.

2116 4. Collect data and conduct analyses and studies related to
2117 health care needs of the district, including the needs of

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medically indigent persons, and assist the agency and other state agencies in carrying out data collection activities that relate to the functions in this subsection.

5. Monitor the onsite construction progress, if any, of certificate-of-need approved projects and report council findings to the agency on forms provided by the agency.

~~6. Advise and assist any regional planning councils within each district that have elected to address health issues in their strategic regional policy plans with the development of the health element of the plans to address the health goals and policies in the State Comprehensive Plan.~~

7. Advise and assist local governments within each district on the development of an optional health plan element of the comprehensive plan provided in chapter 163, to assure compatibility with the health goals and policies in the State Comprehensive Plan and district health plan. To facilitate the implementation of this section, the local health council shall annually provide the local governments in its service area, upon request, with:

a. A copy and appropriate updates of the district health plan;

b. A report of hospital and nursing home utilization statistics for facilities within the local government jurisdiction; and

c. Applicable agency rules and calculated need methodologies for health facilities and services regulated under s. 408.034 for the district served by the local health council.

7.8. Monitor and evaluate the adequacy, appropriateness, and effectiveness, within the district, of local, state,

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2147 federal, and private funds distributed to meet the needs of the
2148 medically indigent and other underserved population groups.

2149 8.9. In conjunction with the Department of Health, plan for
2150 services at the local level for persons infected with the human
2151 immunodeficiency virus.

2152 9.10. Provide technical assistance to encourage and support
2153 activities by providers, purchasers, consumers, and local,
2154 regional, and state agencies in meeting the health care goals,
2155 objectives, and policies adopted by the local health council.

2156 10.11. Provide the agency with data required by rule for
2157 the review of certificate-of-need applications and the
2158 projection of need for health services and facilities in the
2159 district.

2160 (d) Each local health council shall enter into a memorandum
2161 of agreement with each ~~regional planning council in its district~~
2162 ~~that elects to address health issues in its strategic regional~~
2163 ~~policy plan. In addition, each local health council shall enter~~
2164 ~~into a memorandum of agreement with each~~ local government that
2165 includes an optional health element in its comprehensive plan.
2166 Each memorandum of agreement must specify the manner in which
2167 each local government, ~~regional planning council,~~ and local
2168 health council will coordinate its activities to ensure a
2169 unified approach to health planning and implementation efforts.

2170 Section 73. Subsection (1) of section 420.609, Florida
2171 Statutes, is amended to read:

2172 420.609 Affordable Housing Study Commission.—Because the
2173 Legislature firmly supports affordable housing in Florida for
2174 all economic classes:

2175 (1) There is created the Affordable Housing Study

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2176 Commission, which shall be composed of 20 ~~21~~ members to be
2177 appointed by the Governor:

2178 (a) One citizen actively engaged in the residential home
2179 building industry.

2180 (b) One citizen actively engaged in the home mortgage
2181 lending profession.

2182 (c) One citizen actively engaged in the real estate sales
2183 profession.

2184 (d) One citizen actively engaged in apartment development.

2185 (e) One citizen actively engaged in the management and
2186 operation of a rental housing development.

2187 (f) Two citizens who represent very-low-income and low-
2188 income persons.

2189 (g) One citizen representing a community-based organization
2190 with experience in housing development.

2191 (h) One citizen representing a community-based organization
2192 with experience in housing development in a community with a
2193 population of less than 50,000 persons.

2194 (i) Two citizens who represent elderly persons' housing
2195 interests.

2196 ~~(j) One representative of regional planning councils.~~

2197 ~~(k)~~ One representative of the Florida League of Cities.

2198 (k) ~~(l)~~ One representative of the Florida Association of
2199 Counties.

2200 (l) ~~(m)~~ Two citizens representing statewide growth
2201 management organizations.

2202 (m) ~~(n)~~ One citizen of the state to serve as chair of the
2203 commission.

2204 (n) ~~(o)~~ One citizen representing a residential community

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2205 developer.

2206 (o)~~(p)~~ One member who is a resident of the state.2207 (p)~~(q)~~ One representative from a local housing authority.2208 (q)~~(r)~~ One citizen representing the housing interests of
2209 homeless persons.2210 Section 74. Subsection (8) of section 427.012, Florida
2211 Statutes, is amended to read:2212 427.012 The Commission for the Transportation
2213 Disadvantaged.—There is created the Commission for the
2214 Transportation Disadvantaged in the Department of
2215 Transportation.2216 (8) The commission shall appoint a technical working group
2217 that includes representatives of private paratransit providers.
2218 The technical working group shall advise the commission on
2219 issues of importance to the state, including information,
2220 advice, and direction regarding the coordination of services for
2221 the transportation disadvantaged. The commission may appoint
2222 other technical working groups whose members may include
2223 representatives of community transportation coordinators;
2224 metropolitan planning organizations; ~~regional planning councils;~~
2225 experts in insurance, marketing, economic development, or
2226 financial planning; and persons who use transportation for the
2227 transportation disadvantaged, or their relatives, parents,
2228 guardians, or service professionals who tend to their needs.2229 Section 75. Paragraph (f) of subsection (1) of section
2230 501.171, Florida Statutes, is amended to read:

2231 501.171 Security of confidential personal information.—

2232 (1) DEFINITIONS.—As used in this section, the term:

2233 (f) "Governmental entity" means any department, division,

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bureau, commission, ~~regional planning agency~~, board, district, authority, agency, or other instrumentality of this state that acquires, maintains, stores, or uses data in electronic form containing personal information.

Section 76. Subsection (6) of section 1013.30, Florida Statutes, is amended to read:

1013.30 University campus master plans and campus development agreements.—

(6) Before a campus master plan is adopted, a copy of the draft master plan must be sent for review or made available electronically to the host and any affected local governments, the state land planning agency, the Department of Environmental Protection, the Department of Transportation, the Department of State, the Fish and Wildlife Conservation Commission, and the applicable water management district ~~and regional planning council~~. At the request of a governmental entity, a hard copy of the draft master plan shall be submitted within 7 business days of an electronic copy being made available. These agencies must be given 90 days after receipt of the campus master plans in which to conduct their review and provide comments to the university board of trustees. The commencement of this review period must be advertised in newspapers of general circulation within the host local government and any affected local government to allow for public comment. Following receipt and consideration of all comments and the holding of an informal information session and at least two public hearings within the host jurisdiction, the university board of trustees shall adopt the campus master plan. It is the intent of the Legislature that the university board of trustees comply with the notice

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requirements set forth in s. 163.3184(11) to ensure full public participation in this planning process. The informal public information session must be held before the first public hearing. The first public hearing shall be held before the draft master plan is sent to the agencies specified in this subsection. The second public hearing shall be held in conjunction with the adoption of the draft master plan by the university board of trustees. Campus master plans developed under this section are not rules and are not subject to chapter 120 except as otherwise provided in this section.

Section 77. Subsection (6) of section 339.285, Florida Statutes, is amended to read:

339.285 Enhanced Bridge Program for Sustainable Transportation.—

(6) Preference shall be given to bridge projects located on corridors that connect to the Strategic Intermodal System, created under s. 339.64, and that have been identified as regionally significant in accordance with s. 339.155(4)(b), (c), and (d) ~~s. 339.155(4)(c), (d), and (e)~~.

Section 78. Subsections (1) and (2) of section 373.415, Florida Statutes, are amended to read:

373.415 Protection zones; duties of the St. Johns River Water Management District.—

(1) Not later than November 1, 1988, the St. Johns River Water Management District shall adopt rules establishing protection zones adjacent to the watercourses in the Wekiva River System, as designated in s. 369.303(9) ~~s. 369.303(10)~~. Such protection zones shall be sufficiently wide to prevent harm to the Wekiva River System, including water quality, water

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2292 quantity, hydrology, wetlands, and aquatic and wetland-dependent
2293 wildlife species, caused by any of the activities regulated
2294 under this part. Factors on which the widths of the protection
2295 zones shall be based shall include, but not be limited to:

2296 (a) The biological significance of the wetlands and uplands
2297 adjacent to the designated watercourses in the Wekiva River
2298 System, including the nesting, feeding, breeding, and resting
2299 needs of aquatic species and wetland-dependent wildlife species.

2300 (b) The sensitivity of these species to disturbance,
2301 including the short-term and long-term adaptability to
2302 disturbance of the more sensitive species, both migratory and
2303 resident.

2304 (c) The susceptibility of these lands to erosion, including
2305 the slope, soils, runoff characteristics, and vegetative cover.
2306

2307 In addition, the rules may establish permitting thresholds,
2308 permitting exemptions, or general permits, if such thresholds,
2309 exemptions, or general permits do not allow significant adverse
2310 impacts to the Wekiva River System to occur individually or
2311 cumulatively.

2312 (2) Notwithstanding ~~the provisions of~~ s. 120.60, the St.
2313 Johns River Water Management District shall not issue any permit
2314 under this part within the Wekiva River Protection Area, as
2315 defined in s. 369.303(8) ~~s. 369.303(9)~~, until the appropriate
2316 local government has provided written notification to the
2317 district that the proposed activity is consistent with the local
2318 comprehensive plan and is in compliance with any land
2319 development regulation in effect in the area where the
2320 development will take place. The district may, however, inform

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any property owner who makes a request for such information as to the location of the protection zone or zones on his or her property. However, if a development proposal is amended as the result of the review by the district, a permit may be issued before ~~prior to~~ the development proposal being returned, if necessary, to the local government for additional review.

Section 79. Paragraph (a) of subsection (6) and paragraph (a) of subsection (7) of section 403.5115, Florida Statutes, are amended to read:

403.5115 Public notice.—

(6) (a) A good faith effort shall be made by the applicant to provide direct written notice of the filing of an application for certification by United States mail or hand delivery no later than 45 days after filing of the application to all local landowners whose property, as noted in the most recent local government tax records, and residences are located within the following distances of the proposed project:

1. Three miles of the proposed main site boundaries of the proposed electrical power plant.

2. One-quarter mile for a transmission line corridor that only includes a transmission line as defined by s. 403.522(21) ~~s. 403.522(22)~~.

3. One-quarter mile for all other linear associated facilities extending away from the main site boundary except for a transmission line corridor that includes a transmission line that operates below those defined by s. 403.522(21) ~~s. 403.522(22)~~.

(7) (a) A good faith effort shall be made by the proponent of an alternate corridor that includes a transmission line, as

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defined by s. 403.522(21) ~~s. 403.522(22)~~, to provide direct written notice of the filing of an alternate corridor for certification by United States mail or hand delivery of the filing no later than 30 days after filing of the alternate corridor to all local landowners whose property, as noted in the most recent local government tax records, and residences, are located within one-quarter mile of the proposed boundaries of a transmission line corridor that includes a transmission line as defined by s. 403.522(21) ~~s. 403.522(22)~~.

Section 80. For the purpose of incorporating the amendment made by this act to section 120.52, Florida Statutes, in a reference thereto, subsection (5) of section 57.105, Florida Statutes, is reenacted to read:

57.105 Attorney's fee; sanctions for raising unsupported claims or defenses; exceptions; service of motions; damages for delay of litigation.—

(5) In administrative proceedings under chapter 120, an administrative law judge shall award a reasonable attorney's fee and damages to be paid to the prevailing party in equal amounts by the losing party and a losing party's attorney or qualified representative in the same manner and upon the same basis as provided in subsections (1)-(4). Such award shall be a final order subject to judicial review pursuant to s. 120.68. If the losing party is an agency as defined in s. 120.52(1), the award to the prevailing party shall be against and paid by the agency. A voluntary dismissal by a nonprevailing party does not divest the administrative law judge of jurisdiction to make the award described in this subsection.

Section 81. For the purpose of incorporating the amendment

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made by this act to section 120.52, Florida Statutes, in a reference thereto, paragraph (f) of subsection (3) of section 57.111, Florida Statutes, is reenacted to read:

57.111 Civil actions and administrative proceedings initiated by state agencies; attorneys' fees and costs.—

(3) As used in this section:

(f) The term "state agency" has the meaning described in s. 120.52(1).

Section 82. For the purpose of incorporating the amendment made by this act to section 120.52, Florida Statutes, in a reference thereto, subsection (3) of section 216.241, Florida Statutes, is reenacted to read:

216.241 Initiation or commencement of new programs; approval; expenditure of certain revenues.—

(3) Any revenues generated by any tax or fee imposed by amendment to the State Constitution after October 1, 1999, shall not be expended by any agency, as defined in s. 120.52(1), except pursuant to appropriation by the Legislature.

Section 83. For the purpose of incorporating the amendment made by this act to section 380.045, Florida Statutes, in a reference thereto, subsection (6) of section 380.0552, Florida Statutes, is reenacted to read:

380.0552 Florida Keys Area; protection and designation as area of critical state concern.—

(6) RESOURCE PLANNING AND MANAGEMENT COMMITTEE.—The Governor, acting as the chief planning officer of the state, shall appoint a resource planning and management committee for the Florida Keys Area with the membership as specified in s. 380.045(2). Meetings shall be called as needed by the chair or

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2408 on the demand of three or more members of the committee. The
2409 committee shall:

2410 (a) Serve as a liaison between the state and local
2411 governments within Monroe County.

2412 (b) Develop, with local government officials in the Florida
2413 Keys Area, recommendations to the state land planning agency as
2414 to the sufficiency of the Florida Keys Area's comprehensive plan
2415 and land development regulations.

2416 (c) Recommend to the state land planning agency changes to
2417 state and regional plans and regulatory programs affecting the
2418 Florida Keys Area.

2419 (d) Assist units of local government within the Florida
2420 Keys Area in carrying out the planning functions and other
2421 responsibilities required by this section.

2422 (e) Review, at a minimum, all reports and other materials
2423 provided to it by the state land planning agency or other
2424 governmental agencies.

2425 Section 84. Local governments may enter into agreements to
2426 create regional planning entities pursuant to chapter 163,
2427 Florida Statutes.

2428 Section 85. This act shall take effect July 1, 2021.

--- Agenda --- Item

12b

12b

Update to the Comprehensive
Economic Development Strategy
(CEDS)

12b

CEDS 2019 Annual Report

Southwest Florida Comprehensive Economic Development Strategy

2017-2022



Southwest Florida Regional Planning Council



Southwest Florida Comprehensive Economic Development Strategy

2017-2022

2019 Annual Report

Grant Period: January 1, 2020 through December 31, 2022

This document was prepared under a financial assistance award (ED20ATL3020011) from the U.S. Economic Development Administration

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

Southwest Florida Regional Planning Council
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Southwest Florida has seen considerable investment in the region, despite the COVID 19 pandemic taking a significant toll on all the counties and cities in our region. EDA and Federal supported investment totals \$2,031,466. The State and local investments are \$141,270,000 and the private investment committed is approximately \$122,200,000 for a grand total of \$265,501,466. The investment totals are even more impressive when local business incentives are included.

Highlights Within Our Region

Charlotte County

\$1,950,000 for Charlotte Technical College

Charlotte Technical College was awarded \$1,700,000 through the Florida Jobs Growth Fund. This funding is for the A&P Aviation Certificate Training Program. Florida Job Growth Fund recipients are selected by the governor following recommendations from the Florida Department of Economic Opportunity and Enterprise Florida, a public-private partnership created to spur economic development in the state. The Job Growth Fund provides financial assistance for public infrastructure projects and job training.

Another \$250,000 was appropriated by the Florida Legislature for this training program.

Cheney Brothers Builds an 80,000 Square Foot Addition

Cheney Brothers hopes to continue to benefit Charlotte County by providing hundreds of job opportunities to the area. Charlotte County is providing Cheney Brothers with a 10-year property tax exemption for the construction of an 80,000 square foot addition to their existing facility.

Charlotte County Provides Economic Development Incentives to New Businesses

Charlotte County has provided Economic Development Incentives to three new businesses based on job creation and capital improvements:

- \$41,000 to Latitude Tournament Boats to build a boat manufacturing facility
- \$42,500 to Darzac Modular, Inc. to build a manufacturing facility
- \$100,500 to Samson Sky to build a facility for manufacturing flying cars

Development in the Opportunity Zones: Charlotte County, FL

\$100,000,000 investment in The Promenades Mall in the Parkside Community. This project will redesign the 60's mall into a new mixed-use development. The project is in permitting and has not started construction yet.

Collier County

Arthrex Expansions Leads to Over 1,700 New Jobs

Arthrex expansion is underway. The medical device manufacturer is intending to build several new facilities, including an administrative and event center, hotel, and office building. This growth will add 600 new positions within the company, plus an additional 1,200 construction jobs. Arthrex has received \$905,000 in State incentives. Florida has agreed to invest a maximum of \$5.3 million in the project through 2024.

Additional Investment in Collier County

- Phase I of a \$100M Sports Park was completed this year resulting in increased tax revenue dollars.
- A \$70M Uline distribution center that will result in 190 warehouse jobs and 30 office jobs was approved by the Collier County Commission.
- Encompass Health 50-bed rehabilitation hospital will create 120-150 new jobs over a two-year period.
- Collier County invested \$129 million into the purchase of the 167-acre Golden Gate golf course. The project will include new workforce housing and a new entertainment venue – Bigshots Golf.
- CareerSource awarded a \$15,000 grant through their Incumbent Worker Training program for a manufacturer to upskill 30 employees.
- CareerSource awarded a \$525,000 Quick Response Training grant for training up to 150 employees in Collier County.

Glades County

Progress on the Glades County Regional Training Center

For years there has been a widely held belief that education – training – is the way this long-time agricultural area will survive and thrive in the future. Although it is a standing goal to bring vocational training to Hendry and Glades on a large scale, the reality has been extremely difficult to accomplish.

For several years both Hendry and Glades have been systematically working toward that goal. The Glades County Regional Training Center (GCRTC) is at the core of the plan, the place where they hope to provide the training that will spark this area's economic rebirth by providing trained employees for manufacturing and logistics jobs. The facility is currently offering GED and citizenship classes, provided by the Glades County School Board, and CDL classes, by Suncoast Trucking.

Glades County desires to build synergy with the Training Center and the City of Moore Haven. Therefore, commercial businesses, heavy industrial businesses and agri-businesses are their priority.

Development in the Opportunity Zones: Glades County, FL

Glades County has one of the largest Opportunity Zones in the State of Florida. Although there was a great deal of interest in the Glades County Opportunity Zone, interest from investors has substantially slowed due to the pandemic. The County is hopeful that interest in the Opportunity Zone will resume once the nation recovers from the pandemic.

Hendry County

Airglades Improvements

A decade-long dream to transform a rural Florida airport into a multi-billion-dollar commercial hub for perishable cargo appears to be coming in for landing. It could be the catalyst Hendry County needs to pull it skyward from the depths of among the state's poorest counties. An Airport Executive expects the airport's cargo hub to employ about 1,000 people by 2021.

The Airglades project is estimated to cost \$650 million, with \$20 million already invested by Florida Cargo Fresh, a consortium of partners that includes U.S. Sugar, Hilliard Brothers (large agricultural companies and the county's two largest land owners, which own almost all the land surrounding the airport). When it comes to fruition, Airglades International Airport would become the first Federal Aviation Administration-sanctioned and privatized commercial cargo airport in the United States. Hendry County is looking to maximize the potential of Airglades by improving the infrastructure around the airport.

The project broke ground in May 2020 on the customs building. However, due to the pandemic work had to stop. Although disappointing, this delay provided an opportunity to revisit the design of this phase. It was then decided that instead of retrofitting an existing building, it would be more cost effective to construct a new building. The FAA has given a one year extension and construction is expected to be completed on this phase in 2023.

Agricultural Concerns

When the pandemic hit and restaurants and other facilities shut down, the growers in Hendry County had to quickly give away significant quantities of produce to prevent it from spoiling because there are no cold storage facilities available in Hendry County. Recently, there has been interest by developers in constructing cold storage facilities in Hendry County.

Developments in Opportunity Zones: Hendry County, FL

- The Airglades project described above
- The City of Clewiston is annexing 2000 acres from Hendry County for the purpose of constructing 400-600 new homes. This project will be partially located in the Hendry County Opportunity Zone

Lee County

Lee County continue to see strong investment in areas around Southwest Florida Regional Airport, specifically SkyPlex and along the Alico Road Corridor. Major economic development includes the construction of new Headquarters buildings for NeoGenomics and Scotlynn along I-75 at Alico Rd. For details please see: <https://edolegis.hub.arcgis.com/app/34a5d1440900497b8166ae9273a2355e> This site includes maps and descriptions of the projects along with a legend indicating if the project is in the planning stage, the development order stage, the permitting stage or under construction.

Developments in Opportunity Zones: Lee County, FL

West Lehigh Opportunity Zone

- Dollar General
- 7-Eleven

Fort Myers Opportunity Zone

- Michigan Avenue Housing (Multi-Family)
- Tahitian Gardens (Multi-Family)

San Carlos Opportunity Zone

- Estero Pointe (Multi-Family)
- Suncoast Credit Union

Cape Coral Opportunity Zone

- Civitas (Multi-Family)

North Fort Myers Opportunity Zone

- Magnolia Landing Parcels L,N,O

Sarasota County

Atlanta Braves Spring Training Facility in North Port

The \$110 million spring training facility is a joint collaboration between the city, county, the Braves and West Villages. The Atlanta Braves Spring Training stadium is receiving credit for transforming the region already. The Florida Economic Development Council recently named the stadium its regional “Deal of the Year,” citing the 139 jobs and \$1.7 billion economic impact it is slated to bring to Southwest Florida. The stadium has 6,500 fixed seats, luxury suites and room for another 2,500 for general admission on a berm, as well as a 360-degree concourse. A large grass parking field and entrance plaza is available for public use. The county and the city will be able to use the stadium for 10 events every year.

2020 would have been the first full season of Spring training at this new facility. However, due to the COVID 19 pandemic, the season was cut short.

Benderson Development Breaks Ground on New Industrial Park

The 280,000 square foot new industrial Park is located at I-75 and Toledo Blade Road. It is being built in two phases and two-thirds of the first phase is already leased out.

PGT Innovations Breaks Ground on \$1.7 Million Expansion

PGT a manufacturer of hurricane windows and doors has broken ground on an expansion that will create 167 new jobs.

Codeware, Inc. Builds a New 27,000 Square Foot Facility

The software engineering firm, Codeware, invested \$8.9 million in a 27,000 SF facility.

Ultrafast Systems Facility

The scientific equipment manufacturer, Ultrafast Systems, has invested \$1.2 million in an 8400 SF expansion that will result in 13 new jobs.

Rhodan Marine Supply

This \$2 Million 20,000 square foot expansion will result in 18 new jobs.

State College of Florida Receives \$3.6 Million from the Florida Job Growth Fund

The State of Florida provided \$3.6 Million to the Center for Advanced Technology and Innovation at the State College of Florida for a business incubator and technical training center. The State College of Florida provided another \$5 Million to this project and expects the center to become operational in 2021.

Developments in Opportunity Zones: Sarasota County, FL

North Sarasota – New Town Opportunity Zone

The old Main Street Plaza located at U.S. Route 301 and Main Street is currently under demolition in order to make room for a new \$19 Million, 10 story mixed-use development consisting of 51,000 SF of commercial space and 418 residential units.

SWFRPC

Brownfield Coalition Assessment Grant

On June 25, 2018, EPA announced that the SWFRPC was awarded a 3-year, \$600,000 Brownfield Coalition Assessment Grant. The project area is the SWFL Promise Zone, which is comprised of Glades County, Hendry County, and the Immokalee CDP in Collier County. Each of these Counties serve on the Southwest Florida Brownfields Coalition. The grant funds up to 35 Phase 1 ESAs (Environmental Site Assessments), 14 Phase 2 ESAs, 1 General QAPP (Quality Assurance Project Plan), and 6 RAPs (Remedial Action Plans). The grant also allows for public outreach meetings and materials.

The assessments and plans created by the grant will prepare potentially contaminated sites for brownfield cleanup. Once cleanup occurs, these economically distressed communities will have new sites ready for commercial development. The communities within the Promise Zone are economically dependent on agriculture and have some of the worst unemployment and poverty rates in the State. The Coalition currently has 6 sites identified for assessment. This project is ongoing. Originally the project was scheduled to be completed in September 2021. However, due to the setbacks caused by the Coronavirus pandemic, a one-year extension was requested and has been approved.

Technical Assistance to Local Governments

The Southwest Florida Regional Planning Council staff provided numerous hours of technical assistance to the Counties and Cities in our region by writing grants for programs and projects. The following is a list of grants submitted by the SWFRPC for our region that are pending approval. Other grants that were awarded are captured in the ***Number and Types of Public Sector Investments Undertaken in the Region*** section of this report.

- \$143,306 Prepared and submitted and an application to the Florida Department of Economic Opportunity Rebuild Florida CDBG-Mitigation Critical Facility Hardening Program for the City of Clewiston to replace transmission line insulators and overhead ground wires to increase the City's energy resiliency in the event of a major storm. If awarded, the Southwest Florida Regional Planning Council will provide administrative services that will include reporting, grant

management, closeout, contract and deliverable monitoring, and distribution of funds.

- \$3,141,031, Prepared and submitted an application for the City of Clewiston for the DEO CDBG-DR Infrastructure Repair Program Cycle 2 to make upgrades to the City's wastewater treatment facility. Facility upgrades will include the installation of a new 300kw generator, the installation of bypass pumps, and the planning and installation of a new pump station. If awarded, the Southwest Florida Regional Planning Council will provide administrative services that will include reporting, grant management, closeout, contract and deliverable monitoring, and distribution of funds.
- \$390,000, An application was prepared in partnership with the University of Florida IFAS to the Florida Department of Economic Opportunity CDBG-Mitigation Planning program to develop a Resiliency Strategy for Local Food Systems in Southwest Florida.
- \$682,000 CDBG-MIT GIP Program The SWFRPC prepared an application for the City of Clewiston to apply to the Florida Department of Economic Opportunity Rebuild Florida General Infrastructure Program to storm harden portions of its transmission and distribution lines, therefore increasing energy resiliency in the community.

TOTAL: \$4,356,337

Report Summary

The CEDS Annual Update Report shall discuss the following statements required by the Economic Development Administration (EDA). This report reflects 2019.

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

Response: A new section has been added to the CEDS document on the Opportunity Zones in each County.

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

Performance Measures, Page 22 of the CEDS Technical Report Document

1. Number of Jobs Created After Implementation of the Comprehensive Economic Development Strategy

Response:

The period covered by this annual update is October 1, 2019 to September 30, 2020. Nine months of this reporting period was impacted by the COVID 19 pandemic, which creates an anomaly in the numbers for employment and growth. However, the following is a snapshot of our region as of September 2020:

**Overview of the CareerSource Southwest Florida
Region (Not Seasonally Adjusted)**

- The unemployment rate in the CareerSource Southwest Florida region (Charlotte, Collier, Glades, Hendry, and Lee counties) was 6.2 percent in September 2020. This rate was 3.0 percentage point higher than the region's year ago rate of 3.2 percent. The region's September 2020 unemployment rate was 1.4 percentage point lower than the state rate of 7.6 percent. The labor force was 605,558, down 12,881 (-2.1) over the year. There were 37,722 unemployed residents in the region.
- Glades County the lowest unemployment rate (4.6 percent) in the CareerSource Southwest Florida region followed by Charlotte County (5.9 percent), Collier County (6.0 percent), Lee County (6.4 percent), and Hendry County (7.5 percent).
- The CareerSource Southwest Florida region contains three Metropolitan Statistical Areas (MSAs): the Cape Coral-Ft. Myers MSA (Lee County); the Naples-Immokalee-Marco Island MSA (Collier County); and the Punta Gorda MSA (Charlotte County). Glades and Hendry counties are not included in an MSA.
- Nonagricultural employment for the combined CareerSource Southwest Florida metro areas was 457,800 jobs in September 2020, a decrease of 16,000 jobs (-3.4 percent) from a year ago.
- The mining, logging, and construction (+2.6 percent); manufacturing (+1.7 percent); professional and business services (+1.2 percent); and financial activities (+0.8 percent) industries had metro area growth rates higher than statewide growth rates over the year.
- The industries gaining in jobs over the year were mining, logging, and construction (+1,400 jobs); professional and business services (+700 jobs); manufacturing (+200 jobs); and financial activities (+200 jobs).
- The leisure and hospitality (-11,300 jobs); trade, transportation, and utilities (-3,100 jobs); government (-1,900 jobs); educational and health services (-1,300 jobs); information (-500 jobs); and other services (-400 jobs) industries lost jobs over the year.
- In September 2020 nonagricultural employment in the Cape Coral-Fort Myers MSA was 261,100, a decrease of 12,700 jobs (-4.6 percent) over the year.

- The professional and business services (+4.5 percent) and financial activities (+1.4 percent) industries had metro area growth rates higher than statewide growth rates over the year.
- The Cape Coral-Fort Myers MSA had the fastest annual job growth rate compared to all the metro areas in the state in professional and business services (+4.5 percent) in September 2020.
- The Cape Coral-Fort Myers MSA had the highest annual job growth compared to all the metro areas in the state in professional and business services (+1,700 jobs) in September 2020.
- The Cape Coral-Fort Myers MSA had the second fastest annual job growth rate compared to all the metro areas in the state in financial activities (+1.4 percent) in September 2020.
- In September 2020 nonagricultural employment in the Naples-Immokalee-Marco Island MSA was 147,000, a decrease of 3,900 jobs (-2.6 percent) over the year.
- The manufacturing (+8.5 percent) and other services (+1.1 percent) industries had metro area growth rates higher than statewide growth rates over the year.
- The Naples-Immokalee-Marco Island MSA had the fastest annual job growth rate compared to all the metro areas in the state in manufacturing (+8.5 percent) in September 2020.
- The Naples-Immokalee-Marco Island MSA was tied for the highest annual job growth compared to all the metro areas in the state in other services (+100 jobs) in September 2020.
- The Naples-Immokalee-Marco Island MSA had the second fastest annual job growth rate compared to all the metro areas in the state in other services (+1.1 percent) in September 2020.
- The Naples-Immokalee-Marco Island MSA had the third highest annual job growth compared to all the metro areas in the state in manufacturing (+400 jobs) in September 2020.
- The Naples-Immokalee-Marco Island MSA was tied for the third highest annual job growth compared to all the metro areas in the state in mining, logging, and construction (+800 jobs) in September 2020.
- In September 2020 nonagricultural employment in the Punta Gorda MSA was 49,700, an increase of 600 jobs (+1.2 percent) over the year.
- The other services (+4.5 percent); trade, transportation, and utilities (+3.5 percent); government (+3.2 percent); and education and health services (+3.0 percent) industries had metro area growth rates higher than the statewide growth rates over the year.

- The Punta Gorda MSA had the fastest annual job growth rate compared to all the metro areas in the state in other services (+4.5 percent); trade, transportation, and utilities (+3.5 percent); and education and health services (+3.0 percent) in September 2020.
- The Punta Gorda MSA had the highest annual job growth compared to all the metro areas in the state in trade, transportation, and utilities (+400 jobs) in September 2020.
- The Punta Gorda MSA was tied for the highest annual job growth compared to all the metro areas in the state in other services (+100 jobs) in September 2020.
- The Punta Gorda MSA had the second highest annual job growth compared to all the metro areas in the state in education and health services (+300 jobs) in September 2020.

Unemployment Rates

(not seasonally adjusted)	Sep-20	Aug-20	Sep-19
CareerSource Southwest Florida	6.2%	6.9%	3.2%
Charlotte County	5.9%	6.5%	3.5%
Collier County	6.0%	6.8%	3.2%
Glades County	4.6%	4.9%	4.0%
Hendry County	7.5%	8.5%	7.1%
Lee County	6.4%	7.1%	3.0%
Florida	7.6%	7.6%	2.9%
United States	7.7%	8.5%	3.3%

Cape Coral-Ft. Myers Metropolitan Statistical Area					Naples-Immokalee-Marco Island Metropolitan Statistical Area			
Nonagricultural Employment by Industry (not seasonally adjusted)	Sep-20	Sep-19	change	percent change	Sep-20	Sep-19	change	percent change
Total Employment	261,100	273,800	-12,700	-4.6	147,000	150,900	-3,900	-2.6
Mining, Logging, and Construction	33,300	32,700	600	1.8	18,400	17,600	800	4.5
Manufacturing	6,300	6,500	-200	-3.1	5,100	4,700	400	8.5
Trade, Transportation, and Utilities	51,500	53,600	-2,100	-3.9	26,800	28,200	-1,400	-5.0
Wholesale Trade	7,300	7,700	-400	-5.2	4,800	4,800	0	0.0
Retail Trade	38,600	40,300	-1,700	-4.2	20,000	21,300	-1,300	-6.1
Transportation, Warehousing, and Utilities	5,600	5,600	0	0.0	2,000	2,100	-100	-4.8
Information	2,400	2,700	-300	-11.1	1,300	1,400	-100	-7.1
Financial Activities	14,000	13,800	200	1.4	8,500	8,500	0	0.0
Professional and Business Services	39,100	37,400	1,700	4.5	16,300	17,300	-1,000	-5.8
Education and Health Services	30,300	31,400	-1,100	-3.5	22,300	22,800	-500	-2.2
Leisure and Hospitality	31,600	40,000	-8,400	-21.0	24,500	27,100	-2,600	-9.6
Other Services	10,900	11,500	-600	-5.2	9,000	8,900	100	1.1
Government	41,700	44,200	-2,500	-5.7	14,800	14,400	400	2.8

Punta Gorda MSA				
Nonagricultural Employment by Industry	Sep-20	Sep-19	change	percent change
Total Employment	49,700	49,100	600	1.2
Mining, Logging, and Construction	4,300	4,300	0	0.0
Manufacturing	800	800	0	0.0
Trade, Transportation, and Utilities	11,800	11,400	400	3.5
Wholesale Trade	800	800	0	0.0
Retail Trade	9,700	9,500	200	2.1
Transportation, Warehousing, and Utilities	1,300	1,100	200	18.2
Information	300	400	-100	-25.0
Financial Activities	2,300	2,300	0	0.0
Professional and Business Services	4,200	4,200	0	0.0
Education and Health Services	10,200	9,900	300	3.0
Leisure and Hospitality	7,000	7,300	-300	-4.1
Other Services	2,300	2,200	100	4.5
Government	6,500	6,300	200	3.2

Punta Gorda/ Naples- immokalee-Marco Island/ Cape Coral- Ft Myers Combined MSAs

CareerSource Southwest Florida								
Nonagricultural Employment by Industry (not seasonally adjusted)	Combined Metropolitan Statistical Areas				Florida			
	20-Sep	19-Sep	change	Percent Change	20-Sep	19-Sep	change	Percent Change
Total Employment	457,800	473,800	-16,000	-3.4	8,482,900	8,923,100	-440,200	-4.9
Mining, Logging, and Construction	56,000	54,600	1,400	2.6	566,900	574,800	-7,900	-1.4
Manufacturing	12,200	12,000	200	1.7	376,400	384,100	-7,700	-2
Trade, Transportation, and Utilities	90,100	93,200	-3,100	-3.3	1,746,200	1,785,600	-39,400	-2.2
Wholesale Trade	12,900	13,300	-400	-3	342,000	352,600	-10,600	-3
Retail Trade	68,300	71,100	-2,800	-3.9	1,066,600	1,092,100	-25,500	-2.3
Transportation, Warehousing, and Utilities	8,900	8,800	100	1.1	337,600	340,900	-3,300	-1
Information	4,000	4,500	-500	-11.1	126,600	137,000	-10,400	-7.6
Financial Activities	24,800	24,600	200	0.8	587,100	592,000	-4,900	-0.8
Professional and Business Services	59,600	58,900	700	1.2	1,326,500	1,390,800	-64,300	-4.6
Education and Health Services	62,800	64,100	-1,300	-2	1,326,600	1,341,300	-14,700	-1.1
Leisure and Hospitality	63,100	74,400	-11,300	-15.2	1,001,100	1,230,500	-229,400	-18.6
Other Services	22,200	22,600	-400	-1.8	320,700	351,000	-30,300	-8.6
Government	63,000	64,900	-1,900	-2.9	1,104,800	1,136,000	-31,200	-2.7

- The unemployment rate in the CareerSource Suncoast region (Manatee and Sarasota counties) was 5.6 percent in September 2020. This rate was 2.7 percentage point higher than the region's year ago rate of 2.9 percent. The region's September 2020 unemployment rate was 2.0 percentage point lower than the state rate of 7.6 percent. The labor force was 355,415, down 14,653 (-4.0) over the year. There were 19,829 unemployed residents in the region.
- In September 2020 nonagricultural employment in the North Port-Sarasota-Bradenton MSA was 294,700, a decrease of 15,300 jobs (-4.9 percent) over the year.
- The professional and business services (+2.4 percent) industry grew faster in the metro area than statewide over the year.
- The North Port-Sarasota-Bradenton MSA had the second fastest annual job growth rate compared to all the metro areas in the state in professional and business services (+2.4 percent).
- The North Port-Sarasota-Bradenton MSA had the second highest annual job growth compared to all the metro areas in the state in professional and business services (+1,100 jobs).
- The industry gaining in jobs over the year was professional and business services (+1,100 jobs).
- The leisure and hospitality (-7,300 jobs); education and health services (-3,700 jobs); trade, transportation, and utilities (-2,500 jobs); government (-900 jobs); financial activities (-600

jobs); other services (-600 jobs); manufacturing (-300 jobs); information (-300 jobs); and mining, logging, and construction (-200 jobs) industries lost jobs over the year.

North Port-Sarasota-Bradenton									
Nonagricultural Employment by Industry (not seasonally adjusted)	Combined Metropolitan Statistical Areas				Florida				
	20-Sep	19-Sep	change	Percent Change	20-Sep	19-Sep	change	Percent Change	
	Total Employment	294,700	310,000	-15,300	-4.9	8,482,900	8,923,100	-440,200	-4.9
	Mining, Logging, and Construction	26,100	26,300	-200	-0.8	566,900	574,800	-7900	-1.4
	Manufacturing	16,500	16,800	-300	-1.8	376,400	384,100	-7700	-2
	Trade, Transportation, and Utilities	56,100	58,600	-2,500	-4.3	1,746,200	1,785,600	-39400	-2.2
	Wholesale Trade	8,300	8,800	-500	-5.7	342,000	352,600	-10600	-3
	Retail Trade	41,700	43,600	-1,900	-4.4	1,066,600	1,092,100	-25500	-2.3
	Transportation, Warehousing, and Utilities	6,100	6,200	-100	-1.6	337,600	340,900	-3300	-1
	Information	3,100	3,400	-300	-8.8	126,600	137,000	-10400	-7.6
Financial Activities	14,800	15,400	-600	-3.9	587,100	592,000	-4900	-0.8	
Professional and Business Services	47,100	46,000	1,100	2.4	1,326,500	1,390,800	-64300	-4.6	
Education and Health Services	52,500	56,200	-3,700	-6.6	1,326,600	1,341,300	-14700	-1.1	
Leisure and Hospitality	36,100	43,400	-7,300	-16.8	1,001,100	1,230,500	-229400	-18.6	
Other Services	14,000	14,600	-600	-4.1	320,700	351,000	-30300	-8.6	
Government	28,400	29,300	-900	-3.1	1,104,800	1,136,000	-31200	-2.7	

Source: Florida Department of Economic Opportunity (DEO)

2. Number and Types of Public Sector Investments Undertaken in the Region

a. EDA & Federal Sponsored Investments

Response:

- \$400,000 EDA CARES ACT Invited for Regional Disaster Economic Recovery Coordinator to evaluate the Impacts of COVID 19 on the region and develop a recovery and resilience plan for the region.
- \$206,545 EDA Agricultural Sustainability Implementation Study
- \$24,921 HUD Comprehensive Housing Counseling Grant to the Home Ownership Resource Center of Lee County
- \$1.4 Million to the National association of Latino Community Asset Builders from HUD Rural Capacity Building Community Development and Affordable Housing Program. Nonprofits and local governments can apply for technical assistance and loan funding for community and economic development projects as well as assistance with affordable housing development projects

Total: \$2,031,466

b. Significant State and Local Investments

Response:

- \$100,000 over 2 years for a Food Policy Council Coordinator through the Healthy Cities Healthy Counties Program.
- \$175,000 awarded for the Clewiston Water from Master Plan from Florida Fish and Wildlife Conservation Commission – Boating Improvement Program.
- \$1,700,000 grant from the Florida Jobs Growth Fund to Charlotte Technical College for the A&P Aviation Certificate Training program.
- \$250,000 from the Florida Legislature to Charlotte Technical College for the A&P Aviation Certificate Training Program
- \$3,600,000 from the Florida Jobs Growth Act to the State College of Florida for the Center for Advanced Technology and Innovation
- \$5,000,000 from the State College of Florida for the Center for Advanced Technology and Innovation
- Arthrex, a medical device manufacturer located in Naples, received \$905,000 in State incentives.
- Collier County invested \$129 Million in the purchase of the 167-acre Golden Gate golf course for new workforce housing and a new entertainment venue.
- CareerSource awarded a \$15,000 Incumbent Worker Training Grant to a manufacturer to upskill employees.
- CareerSource awarded a \$525,000 Quick Response Training grant to train 150 employees in Collier County

Total: \$141,270,000

3. Number of Jobs Retained in the Region

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

Response: None

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

Response: 337 jobs in Sarasota County have been documented and the Arthrex project in Naples when completed will result in 600 new jobs.

4.. Amount of Private Sector Investment in the Region After Implementation of the Comprehensive Economic Development Strategy

Response:

- \$100,000,000 investment in The Promenades Mall in the Parkside Community
- \$1,200,000 has been invested by the scientific equipment manufacturer, Ultrafast Systems
- \$2,000,000 invested by Rhodan Marine Supply
- \$19,000,000 to the old Main Street Plaza located at U.S. Route 301 and Main Street for a new 10 story mixed-use development consisting of 51,000 SF of commercial space and 418 residential units.

TOTAL: \$122,200,000

5. Changes in the Economic Environment of the Region

a. Housing Costs

County	Median Housing Value						Change
	2012	2013	2014	2015	2016	2018	
Charlotte	154,300	143,700	140,900	145,700	154,400	176,500	0.14%
Collier	280,700	261,300	258,400	272,800	291,900	340,100	16.50%
Glades	84,400	87,700	84,100	84,500	79,200	76,400	-3.50%
Hendry	89,100	81,400	72,400	72,400	70,600	82,000	16.00%
Lee	161,400	149,400	150,000	157,400	171,100	207,700	21.00%
Sarasota	191,600	175,000	172,800	181,400	196,800	234,800	19.00%
SWFL*	190,802	176,669	175,376	184,113	198,433	267,000	34.50%
Florida	170,800	160,200	156,200	159,000	166,800	196,800	17.90%

*SWFL value is estimated using weighted median values of each County

Source: census.gov

b. Educational Attainment

County	Educational Attainment						Change
	2012	2013	2014	2015	2016	2018	
	Bachelor's Degree or Higher						
Charlotte	21.10%	21.20%	20.90%	20.80%	21.60%	23.20%	7.40%
Collier	31.40%	31.70%	32.30%	33.20%	33.90%	36.20%	6.78%
Glades	10.20%	12.20%	10.30%	8.40%	8.90%	9.90%	11.00%
Hendry	9.70%	9.90%	10.60%	9.80%	9.10%	8.20%	9.89%
Lee	24.60%	24.70%	25.30%	26.00%	26.70%	27.80%	4.11%
Sarasota	29.90%	30.80%	31.10%	32.40%	33.10%	34.70%	4.80%
Florida	26.20%	26.40%	26.80%	27.30%	27.90%	29.20%	4.65%
High School Graduate or Higher							
Charlotte	88.40%	88.80%	89.10%	89.30%	89.40%	90.30%	1.00%
Collier	85.10%	85.80%	85.70%	86.00%	85.70%	86.40%	0.80%
Glades	75.60%	78.00%	76.00%	76.90%	74.40%	75.60%	1.60%
Hendry	64.30%	64.40%	65.70%	63.00%	62.90%	65.70%	4.45%
Lee	87.10%	86.90%	86.90%	87.00%	87.00%	88.00%	1.14%
Sarasota	91.60%	91.90%	92.20%	92.40%	92.60%	92.80%	0.21%
Florida	85.80%	86.10%	86.50%	86.90%	87.20%	88.00%	0.91%

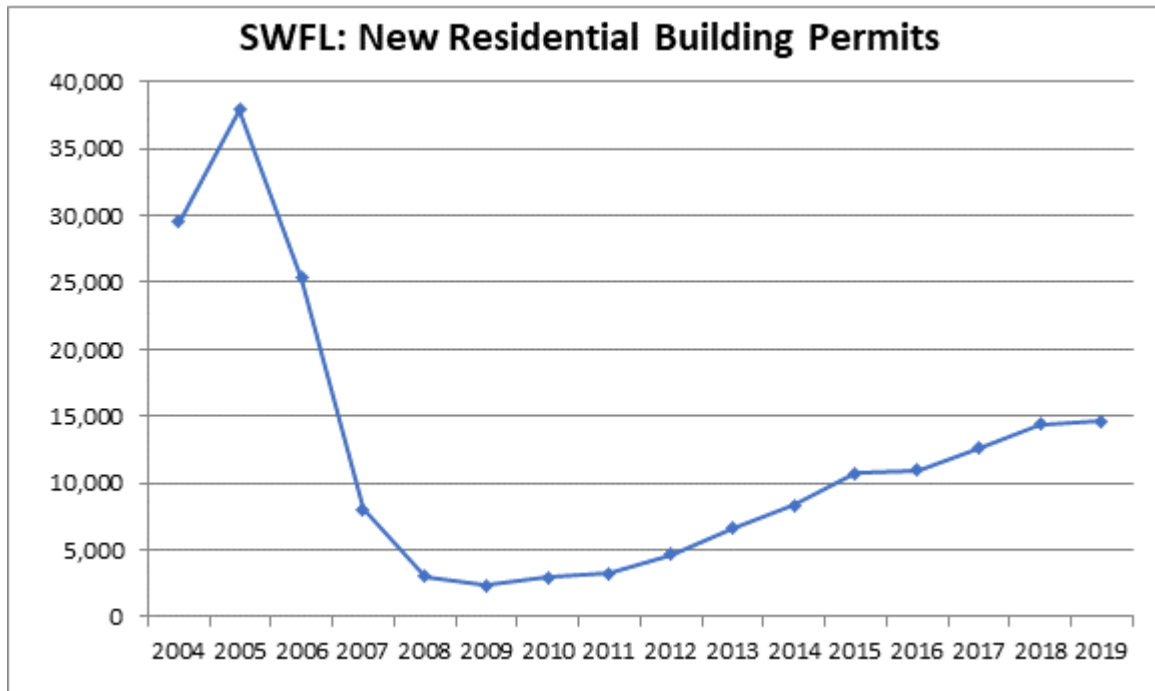
Source: census.gov

c. Age Cohort Growth in Workforce Age

SWFL Population by Age Range							
Age Range	2012	2013	2014	2015	2016	2017	Change
Under 20 Years	312,271	311,575	312,917	313,949	315,974	309,446	-2.00%
20 to 54 Years	591,614	592,009	595,523	600,852	606,086	597,526	-1.41%
55 and Over	636,298	654,389	675,233	699,421	726,595	1,222,281	68.22%

Source: Data USA/Sarasota County/Florida
and American Community Survey 5 Year Estimates US
Census

d. Change in Commercial & Residential Building Permits



Source: census.gov

e. Changes in Wage and Income

Charlotte-Collier-Glades-Hendry-Lee MSA

Average Annual Wage	2019	2018	change	Percent Change
CareerSource Southwest Florida	\$46,674	\$45,326	\$1,348	3
Charlotte County	\$40,358	\$38,921	\$1,437	3.7
Collier County	\$50,117	\$48,695	\$1,422	2.9
Glades County	\$43,901	\$42,009	\$1,892	4.5
Hendry County	\$39,938	\$40,840	-\$902	-2.2
Lee County	\$46,195	\$44,818	\$1,377	3.1
Florida	\$51,761	\$50,092	\$1,669	3.3

North Port- Sarasota-Bradenton MSA

Average Annual Wage	2019	2018	change	Percent Change
CareerSource Southwest Florida	\$46,268	\$45,543	\$725	1.6
Manatee County	\$44,315	\$43,048	\$1,267	2.9
Sarasota County	\$47,747	\$47,355	\$392	0.8

Florida

\$51,761

\$50,092

\$1,669

3.3

f. Change in Employment by industry

Punta Gorda/Naples-Immokalee-Marco Island/Cape Coral-Ft. Myers MSAs - CareerSource Southwest Florida									
Nonagricultural Employment by Industry (not seasonally adjusted)	Combined Metropolitan Statistical Areas				Florida				
	20-Sep	19-Sep	change	Percent Change	20-Sep	19-Sep	change	Percent Change	
Total Employment	457,800	473,800	-16,000	-3.4	8,482,900	8,923,100	-440,200	-4.9	
Mining, Logging, and Construction	56,000	54,600	1,400	2.6	566,900	574,800	-7,900	-1.4	
Manufacturing	12,200	12,000	200	1.7	376,400	384,100	-7,700	-2.0	
Trade, Transportation, and Information	90,100	93,200	-3,100	-3.3	1,746,200	1,785,600	-39,400	-2.2	
Wholesale Trade	12,900	13,300	-400	-3.0	342,000	352,600	-10,600	-3.0	
Retail Trade	68,300	71,100	-2,800	-3.9	1,066,600	1,092,100	-25,500	-2.3	
Transportation, Warehousing, and Information	8,900	8,800	100	1.1	337,600	340,900	-3,300	-1.0	
Information	4,000	4,500	-500	-11.1	126,600	137,000	-10,400	-7.6	
Financial Activities	24,800	24,600	200	0.8	587,100	592,000	-4,900	-0.8	
Professional and Business Services	59,600	58,900	700	1.2	1,326,500	1,390,800	-64,300	-4.6	
Education and Health Services	62,800	64,100	-1,300	-2.0	1,326,600	1,341,300	-14,700	-1.1	
Leisure and Hospitality	63,100	74,400	-11,300	-15.2	1,001,100	1,230,500	-229,400	-18.6	
Other Services	22,200	22,600	-400	-1.8	320,700	351,000	-30,300	-8.6	
Government	63,000	64,900	-1,900	-2.9	1,104,800	1,136,000	-31,200	-2.7	

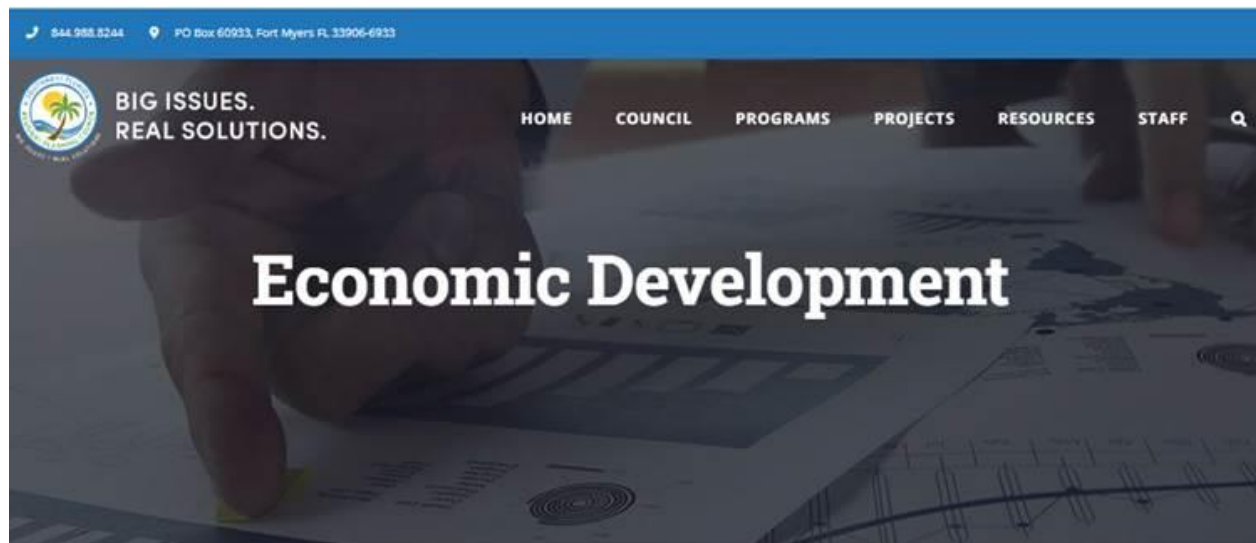
North Port-Sarasota-Bradenton									
Nonagricultural Employment by Industry (not seasonally adjusted)	Combined Metropolitan Statistical Areas				Florida				
	20-Sep	19-Sep	change	Percent Change	20-Sep	19-Sep	change	Percent Change	
Total Employment	294,700	310,000	-15,300	-4.9	8,482,900	8,923,100	-440,200	-4.9	
Mining, Logging, and Construction	26,100	26,300	-200	-0.8	566,900	574,800	-7,900	-1.4	
Manufacturing	16,500	16,800	-300	-1.8	376,400	384,100	-7,700	-2.0	
Trade, Transportation, and Information	56,100	58,600	-2,500	-4.3	1,746,200	1,785,600	-39,400	-2.2	
Wholesale Trade	8,300	8,800	-500	-5.7	342,000	352,600	-10,600	-3.0	
Retail Trade	41,700	43,600	-1,900	-4.4	1,066,600	1,092,100	-25,500	-2.3	
Transportation, Warehousing, and Information	6,100	6,200	-100	-1.6	337,600	340,900	-3,300	-1.0	
Information	3,100	3,400	-300	-8.8	126,600	137,000	-10,400	-7.6	
Financial Activities	14,800	15,400	-600	-3.9	587,100	592,000	-4,900	-0.8	
Professional and Business Services	47,100	46,000	1,100	2.4	1,326,500	1,390,800	-64,300	-4.6	
Education and Health Services	52,500	56,200	-3,700	-6.6	1,326,600	1,341,300	-14,700	-1.1	
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Other Services	14,000	14,600	-600	-4.1	320,700	351,000	-30,300	-8.6	
Government	28,400	29,300	-900	-3.1	1,104,800	1,136,000	-31,200	-2.7	

Description of community involvement in the CEDS process

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

The program page for Economic Development Planning (EDD) is located here:

https://www.swfrpc.org/programs/economic_development/



OVERVIEW
CEDS
MEETINGS & AGENDAS
REMI

Economic Development District (EDD)

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

Services & Programs Offered

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

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

Vital Project	Lead Organization	Status
Charlotte County Incubator	Charlotte County	In Progress
Murdock Village	Charlotte County	In Progress
Charlotte Harbor Redevelopment Catalyst Project	Charlotte County	In Progress
Punta Gorda Interstate Airport Park (i.e. ECAP) - Piper Road Extension and Infrastructure Improvements	Charlotte County	Planning
Charlotte County Residential Centers / Employment Hubs - Vehicular and Pedestrian Interconnectivity	Charlotte County	Planning
Logistics Center (America Gateway Logistics - Phase 1)	Glades County	In Progress
Develop Material Handling Industry of America (MHIA) Training Center for Logistics/manufacturing	Glades/Hendry Counties	In Progress
AirGlades Airport Development	Hendry County	In Progress
Multi-Family Housing for Essential Service Employees	Hendry County	Planning
Four Corners Stormwater/Water Quality Project	Hendry County	In Progress
Wastewater Infrastructure on US27/SR80	Hendry County	Planning
Tiger Village	Hendry County	Planning
Warm Mineral Springs	City of North Port	Planning
West Villages	North Port	In Progress
Southwest Florida International Airport Improvements	Lee County Port Authority	In Progress

47th Terrace Improvements	City of Cape Coral	Planning
Academic Village	City of Cape Coral	Planning
Bimini Basin	City of Cape Coral	Planning
Burnt Store Rd. City Parcel	City of Cape Coral	Planning
Cape Coral UEP & Fiber Optic	City of Cape Coral	Planning
Festival Park	City of Cape Coral	Planning
Kismet Industrial Park	City of Cape Coral	Planning
Seven Islands	City of Cape Coral	Planning
Repositioning the talent delivery system in the Southwest Florida Region	SWF Workforce Development Board	In Progress
Preservation of the Rural Counties Tax Base	SWFRPC	On Hold
Regional Transportation Plan	SWFRPC/MPOs	On Hold
Promise Zone	SWFRPC	In Progress
Completed		
Expansion of the Immokalee/Naples Business Development Center to include Incubators/Accelerators	Collier County	Completed
Regional Economic Development Opportunity Map	SWFRPC/Economic Development Directors	Completed
Agriculture Impact and Strategy Study	Industry Cluster Development	Completed
Fort Myers Riverfront Redevelopment Project	Fort Myers/CRA/ Lee County	Completed
Establish partnerships for the creation of a Regional Economic Development Agency to promote centralized data and regional marketing efforts	Regional EDO's/FGCU	Completed

Regional Pre-Machining Training	SWF Workforce Development Board/I-Tech/Immokalee	Completed
CNC Training	SWF Workforce Development Board/I-Tech/Immokalee	Completed
Research and Enterprise Diamond	Lee County/FGCU	Completed
Prepare a regional plan and identify place-making projects that improve the quality of life	SWFRPC	Completed
Create an Ad-Hoc Committee to evaluate and recommend legal & regulatory reform to address government efficiency.	SWFRPC	Completed
Regional Broadband Plan	Regional Infrastructure	Completed 2013 Collier, Charlotte and Lee

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

Important Projects	Program	Status
GrowFL - Economic Gardening	Regional Entrepreneurial Support	In Progress
Identify solutions to “food deserts”	Industry Cluster Development	In Progress
Regional Industry Cluster Study	Industry Cluster Development	Pre-Planning
VA Clinic & Development of Veteran’s Investment Zone	Regional Innovation	In Progress
Widening of Sumter Boulevard as a hurricane evacuation route – City of North Port	Regional Infrastructure	In Progress
Road Bond Project – City of North Port	Regional Infrastructure	In Progress
Water Expansion Pilot Program – City of North Port	Regional Infrastructure	Pre-Planning
Punta Gorda Interstate Airport Park	Innovation & Economic Development	In Progress
Downtown & Central Fort Myers Redevelopment (CRA)	Industry Cluster Development	In Progress

Future Makers	Southwest Florida Community Foundation	In Progress
Eastern Immokalee Sidewalk Project	Regional Infrastructure	Pre-Planning
Immokalee Sidewalk Improvement Project	Regional Infrastructure	Pre-Planning
Eleven Bridge Replacements Project-Collier County	Regional Infrastructure	Pre-Planning
Immokalee Stormwater Improvement Program	Regional Infrastructure	Pre-Planning
SR 29 (Main Street) Improvements-Immokalee	Regional Infrastructure	Pre-Planning

Future Projects	Program	Status
Prevent Childhood Obesity by Building Healthy Habits	Regional Education and Training Focus	In Process
Farmland preservation and sustainable agricultural practices	Regional Entrepreneurial Support	Pre-Planning

Council FY 2019 -2020 Budget

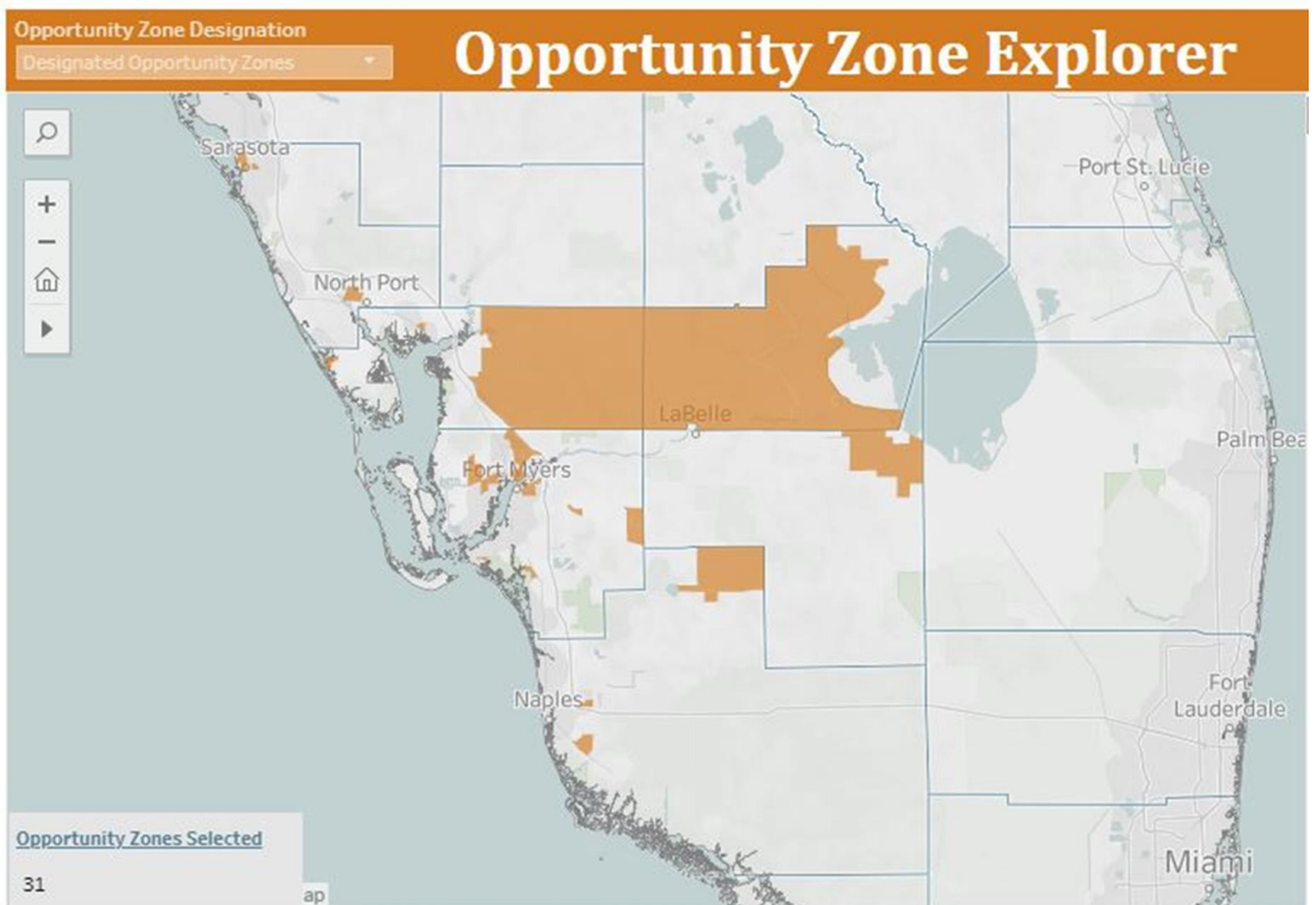
Adopted: June 20, 2019

https://www.swfrpc.org/wpcontent/uploads/Finance/FY20_SWFRPC_Adopted_BudgetWorkPlan.pdf



Southwest Florida

Opportunity Zones





Charlotte County

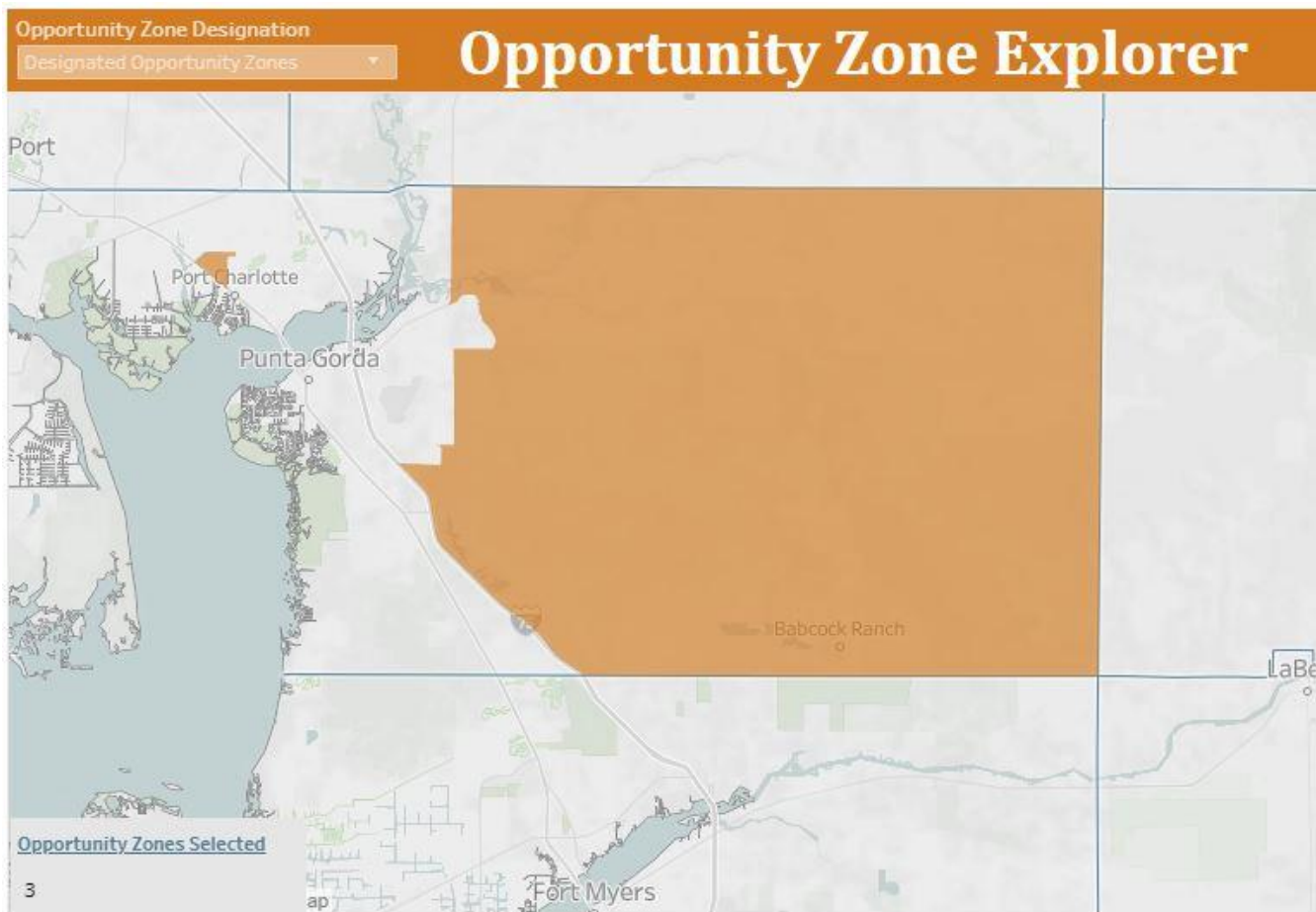
Opportunity Zones



Babcock Ranch

Tract Population: 4,353

Census Tract #: 12015010100



This census tract covers all of eastern Charlotte County and includes the quasi-town of Babcock Ranch. The community includes 19,500 residential units and six million square feet of commercial space. Babcock Ranch is dedicated to being America's greenest town. Half of its 18,000 acres are dedicated to greenways, parks, and lakes. Babcock Ranch partnered with Florida Power & Light (FPL) to become the first fully solar powered city in America with FPL building a 75 mega-watt solar facility onsite. The 73,000 acres Babcock Ranch Preserve is adjacent to the community. The town is even trailing self-driving electric shuttles for public transportation.

The community also includes features such as free, hi-speed WiFi through CenturyLink, its own K-8 neighborhood school (soon to be K-12), a LeeHealth facility, and a recently announced Publix grocery store. The goal is for Babcock Ranch's residents to be able to live, work, play, and shop all within the town's boundary. If Babcock Ranch can successfully meet their goals, opportunities for business development and economic growth will follow.

The tract is close in vicinity to the Punta Gorda Airport (PGD). PGD saw over 1.6 million flights in 2019 and has been growing rapidly. The Airport had just over 750,000 flights in 2015 and just over 180,000 in 2010. FDOT's 2018 Economic Impact Study identified PDG as the 3rd fastest growing airport in the nation and estimated over \$1.275 billion of total output. The Punta Gorda Interstate Airport Park has 4,300 acres ready for development, is located in a foreign trade zone, and represents impressive global opportunity.

Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	14.58%	4.49%	7.19%
Poverty Rate	15.33%	2.96%	0.22%
Median Household Income	\$43,880	-\$985	-\$11,442

Age	Tract	Reg Δ	Nat Δ
Under 18	13.88%	0.80%	-9.23%
18 - 64	67.95%	18.65%	5.56%
65 +	18.17%	-19.45%	3.67%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	31.71%	16.35%	-6.34%
Non-English Speaking	6.25%	2.89%	-2.27%

Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	70.68%	-18.74%	-16.30%
Bachelors or Higher (Adults)	12.73%	-8.87%	-17.59%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$176,500	\$22,100	-\$8,200
Median Gross Rent	\$970	\$65	\$21
Median Owner Cost Burden	17.50%	-1.10%	-1.40%
Median Renter Cost Burden	21.40%	-12.30%	-9.20%
Ownership Rate	80.14%	2.03%	16.53%
Residential Vacancy	15.85%	-11.96%	3.66%
Workers Who Commute Over an Hour	16.93%	10.54%	8.25%
Income Spent on Housing & Transportation by Working Individual Household	101.48%	20.04%	60.48%



Grove City

Census Tracts: 12015030401

Population: 2,176



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	14.50%	4.41%	7.11%
Poverty Rate	24.90%	12.53%	9.79%
Median Household Income	\$36,375	-\$8,490	-\$18,947

Age	Tract	Reg Δ	Nat Δ
Under 18	10.40%	-2.68%	-12.71%
18 - 64	41.60%	-7.70%	-20.79%
65 +	48.00%	10.38%	33.50%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	15.30%	-0.06%	-22.75%
Non-English Speaking	3.56%	0.20%	-4.96%

Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	43.60%	-	-43.38%
Bachelors or Higher (Adults)	25.10%	3.50%	-5.22%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$199,100	\$44,700	\$14,400
Median Gross Rent	\$711	-\$194	-\$238
Median Owner Cost Burden	14.90%	-3.70%	-4.00%
Median Renter Cost Burden	28.80%	-4.90%	-1.80%
Ownership Rate	76.60%	-1.51%	12.99%
Residential Vacancy	27.40%	-0.41%	15.21%
Workers Who Commute Over an Hour	11.59%	5.20%	1.65%
Income Spent on Housing & Transportation by Working Individual Household	88.09%	6.65%	80.69%

Port Charlotte

Census Tracts: 12015020700

Population: 4,353



Economic Conditions	Tract	Reg Δ	Nat	Nat Δ
Unemployment Rate	10.80%	0.71%	7.39%	3.41%
Poverty Rate	31.00%	18.63%	15.11%	15.89%
Median Household Income	\$19,516	-\$25,349	\$55,322	-\$35,806

Age	Tract	Reg Δ	Nat	Nat Δ
Under 18	20.50%	7.42%	23.11%	-2.61%
18 - 64	41.60%	-7.70%	62.39%	-20.79%
65 +	38.00%	0.38%	14.50%	23.50%

Race	Tract	Reg Δ	Nat	Nat Δ
Ethnic Minority	20.10%	4.74%	38.05%	-17.95%
Non-English Speaking	2.93%	-0.43%	8.52%	-5.59%

Education	Tract	Reg Δ	Nat	Nat Δ
High School Diploma (Adults)	55.70%	-33.72%	86.98%	-31.28%
Bachelors or Higher (Adults)	11.90%	-9.70%	30.32%	-18.42%

Housing & Transportation	Tract	Reg Δ	Nat	Nat Δ
Median Owner-Occupied Value	\$70,400	-\$84,000	\$184,700	\$114,300
Median Gross Rent	\$766	-\$139	\$949	-\$183
Median Owner Cost Burden	23.90%	5.30%	18.90%	5.00%
Median Renter Cost Burden	50.00%	16.30%	30.60%	19.40%
Ownership Rate	45.40%	-32.71%	63.61%	-18.21%
Residential Vacancy	22.10%	-5.71%	12.19%	9.91%
Workers Who Commute Over an Hour	5.30%	-1.09%	8.68%	-3.38%
Income Spent on Housing & Transportation by Working Individual Household	66.31%	-15.13%	41.00%	25.31%



Collier County

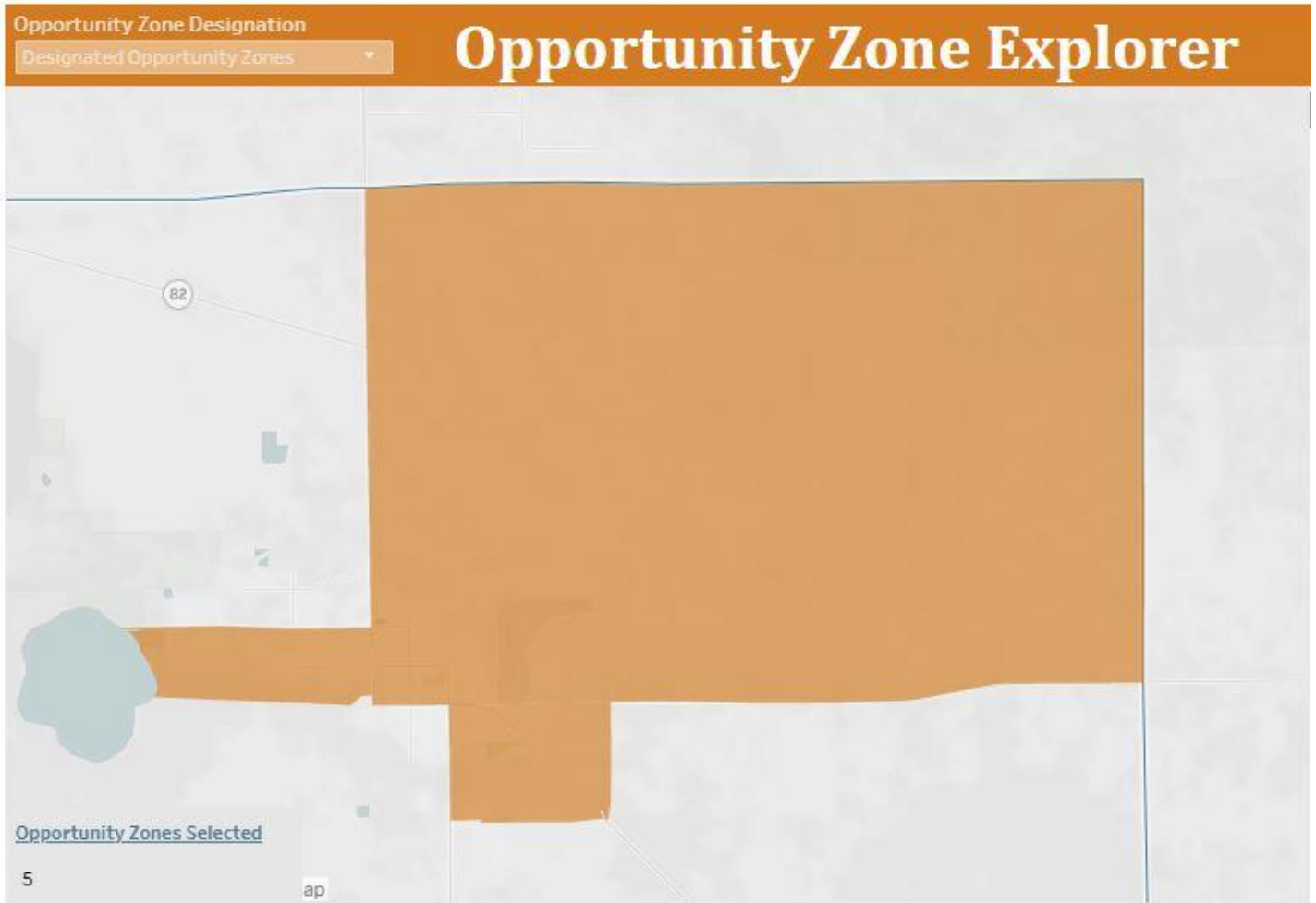
Opportunity Zones



Immokalee

Tract Population: 14,801

Census Tract #s: 12021011205, 12021011301, 12021011400



These three contiguous census tracts are located in the Immokalee community of Collier County. Immokalee, like much of eastern Collier County, has an agriculturally dependent economy and a largely Hispanic population. The Immokalee Regional Airport (IMM) is situated on 1,333 acres of land located in a foreign trade zone, approximately 35 miles NE of the City of Naples. FDOT estimates that the Airport adds \$39 million of economic output annually. IMM primarily supports agricultural spraying, recreational flying, and business activity.

Immokalee Technical College (iTECH) and the Florida Culinary Accelerator @ Immokalee are included in the Opportunity Zone area. iTECH, the newest state-of-the-art technical training center in Florida, offers 19 different programs, helping to grow the rural workforce. All programs have active business partners who function beyond the traditional advisory capacity found in most technical schools. The Culinary Accelerator is a high-tech commercial shared kitchen and production space that provides members with mentors who can help with nutrition, food safety, food testing, business plans and more.

Economic Conditions	Tracts	Region Δ	Nation Δ
Unemployment Rate	17.63%	11.22%	10.24%
Poverty Rate	45.04%	31.88%	29.93%
Median Household Income	\$31,490	-\$28,293	-\$23,832

Age	Tracts	Region Δ	Nation Δ
Under 18	29.89%	11.67%	6.78%
18 - 64	65.61%	13.42%	3.22%
65 +	4.50%	-25.09%	-10.00%

Race	Tracts	Region Δ	Nation Δ
Ethnic Minority	95.00%	59.22%	56.95%
Non-English Speaking	40.86%	26.35%	32.34%

Education	Tracts	Region Δ	Nation Δ
High School Diploma (Adults)	41.31%	-44.37%	-45.67%
Bachelors or Higher (Adults)	5.96%	-27.92%	-24.36%

Housing & Transportation	Tracts	Region Δ	Nation Δ
Median Owner-Occupied Value	\$87,084	-\$204,816	-\$97,616
Median Gross Rent	\$744	-\$381	-\$205
Median Owner Cost Burden	16.83%	-2.57%	-2.07%
Median Renter Cost Burden	31.48%	-1.02%	0.88%
Ownership Rate	42.63%	-29.40%	-20.98%
Residential Vacancy	20.12%	-14.49%	7.93%
Workers Who Commute Over an Hour	17.59%	12.09%	8.91%
Income Spent on Housing & Transportation by Working Individual Household	75.41%	0.53%	34.41%



Lely

Census Tracts: 12021010802

Population: 10,713



Economic Conditions	Tracts	Region Δ	Nation Δ
Unemployment Rate	12.80%	6.39%	5.41%
Poverty Rate	19.00%	5.84%	3.89%
Median Household Income	\$50,654	-\$9,129	-\$4,668

Age	Tracts	Region Δ	Nation Δ
Under 18	24.70%	6.48%	1.59%
18 - 64	53.70%	1.51%	-8.69%
65 +	21.60%	-7.99%	7.10%

Race	Tracts	Region Δ	Nation Δ
Ethnic Minority	66.50%	30.72%	28.45%
Non-English Speaking	30.33%	15.82%	21.81%

Education	Tracts	Region Δ	Nation Δ
High School Diploma (Adults)	57.40%	-28.28%	-29.58%
Bachelors or Higher (Adults)	24.20%	-9.68%	-6.12%

Housing & Transportation	Tracts	Region Δ	Nation Δ
Median Owner-Occupied Value	\$355,100	\$63,200	\$170,400
Median Gross Rent	\$1,005	-\$120	\$56
Median Owner Cost Burden	24.20%	4.80%	5.30%
Median Renter Cost Burden	32.60%	0.10%	2.00%
Ownership Rate	67.20%	-4.83%	3.59%
Residential Vacancy	42.50%	7.89%	30.31%
Workers Who Commute Over an Hour	4.91%	-0.59%	-3.77%
Income Spent on Housing & Transportation by Working Individual Household	97.25%	22.37%	56.25%

Golden Gate

Census Tracts: 12021010411

Population: 8,031



Economic Conditions	Tracts	Region Δ	Nation Δ
Unemployment Rate	7.60%	1.19%	0.21%
Poverty Rate	16.20%	3.04%	1.09%
Median Household Income	\$42,642	-\$17,141	-\$12,680

Age	Tracts	Region Δ	Nation Δ
Under 18	23.20%	4.98%	0.09%
18 - 64	61.80%	9.61%	-0.59%
65 +	15.00%	-14.59%	0.50%

Race	Tracts	Region Δ	Nation Δ
Ethnic Minority	75.90%	40.12%	37.85%
Non-English Speaking	34.30%	19.79%	25.78%

Education	Tracts	Region Δ	Nation Δ
High School Diploma (Adults)	65.80%	-19.88%	-21.18%
Bachelors or Higher (Adults)	13.70%	-20.18%	-16.62%

Housing & Transportation	Tracts	Region Δ	Nation Δ
Median Owner-Occupied Value	\$149,800	-\$142,100	-\$34,900
Median Gross Rent	\$1,090	-\$35	\$141
Median Owner Cost Burden	25.50%	6.10%	6.60%
Median Renter Cost Burden	40.80%	8.30%	10.20%
Ownership Rate	64.50%	-7.53%	0.89%
Residential Vacancy	12.50%	-22.11%	0.31%
Workers Who Commute Over an Hour	1.66%	-3.84%	-7.02%
Income Spent on Housing & Transportation by Working Individual Household	83.84%	8.96%	42.84%

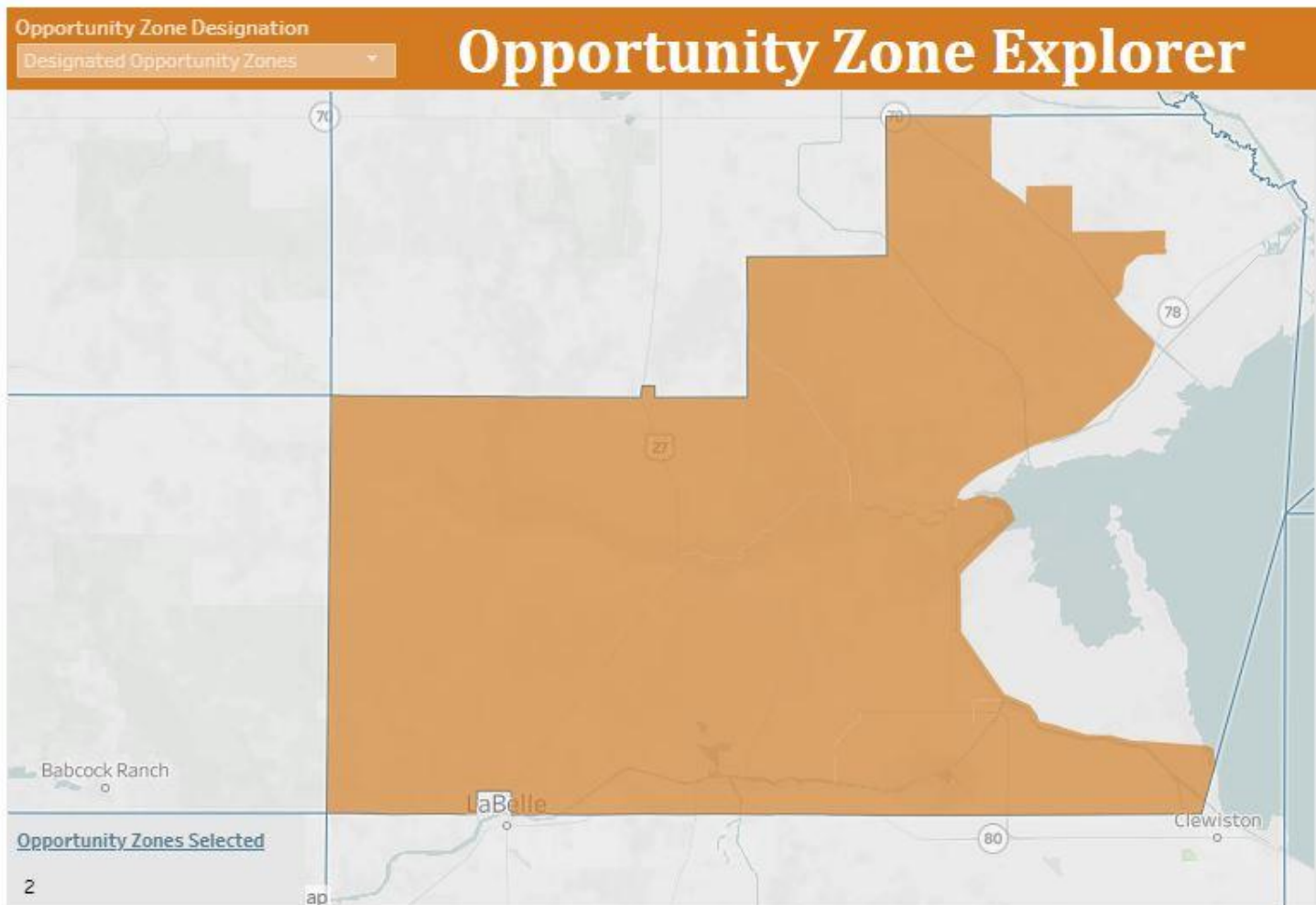


Glades County

Opportunity Zones

Tract Population: 11,077

Census Tract #s: 12043000200 & 12043000300





Glades County consists of three large census tracts and two of them have been designated Opportunity Zones. The Opportunity Zone area includes the City of Moore Haven, which sits on the Caloosahatchee River. Much of the City's riverfront remains undeveloped and building up that area remains the County's top economic priority. The County is currently utilizing the Southwest Florida Regional Planning Council's EPA Brownfield Grant to assess sites in Moore Haven that may be suitable for redevelopment. There has also been progress on a large Opportunity Fund to develop the waterfront area.

The Opportunity Zone area also includes the Glades County Regional Training Center and America's Gateway Logistics Center. The Immokalee Technical College (iTECH), in partnership with Glades County, and with the support of Glades, Hendry, Highlands, and Okeechobee County Schools, is requesting \$5.435 million dollars to improve, equip and staff the Training Center. The initial offerings at iTECH Glades will include 10 locally targeted occupations from the 4 surrounding Workforce Regions. All program offerings will lead to a Post-Secondary Adult Vocational (PSAV) Certificates. This multi-county collaborative venture will give iTECH Glades the ability to serve a population that has historically seen limited access to post-secondary training by providing transferable and sustainable technical skills necessary to excel in the regional workforce.

Economic Conditions	Tracts	Reg Δ	Nat Δ
Unemployment Rate	13.85%	N/A	6.46%
Poverty Rate	21.04%	N/A	5.93%
Median Household Income	\$36,110	N/A	-\$19,212

Age	Tracts	Reg Δ	Nat Δ
Under 18	18.01%	N/A	-5.10%
18 - 64	60.20%	N/A	-2.19%
65 +	21.79%	N/A	7.29%

Race	Tracts	Reg Δ	Nat Δ
Ethnic Minority	46.65%	N/A	8.60%
Non-English Speaking	11.38%	N/A	2.86%

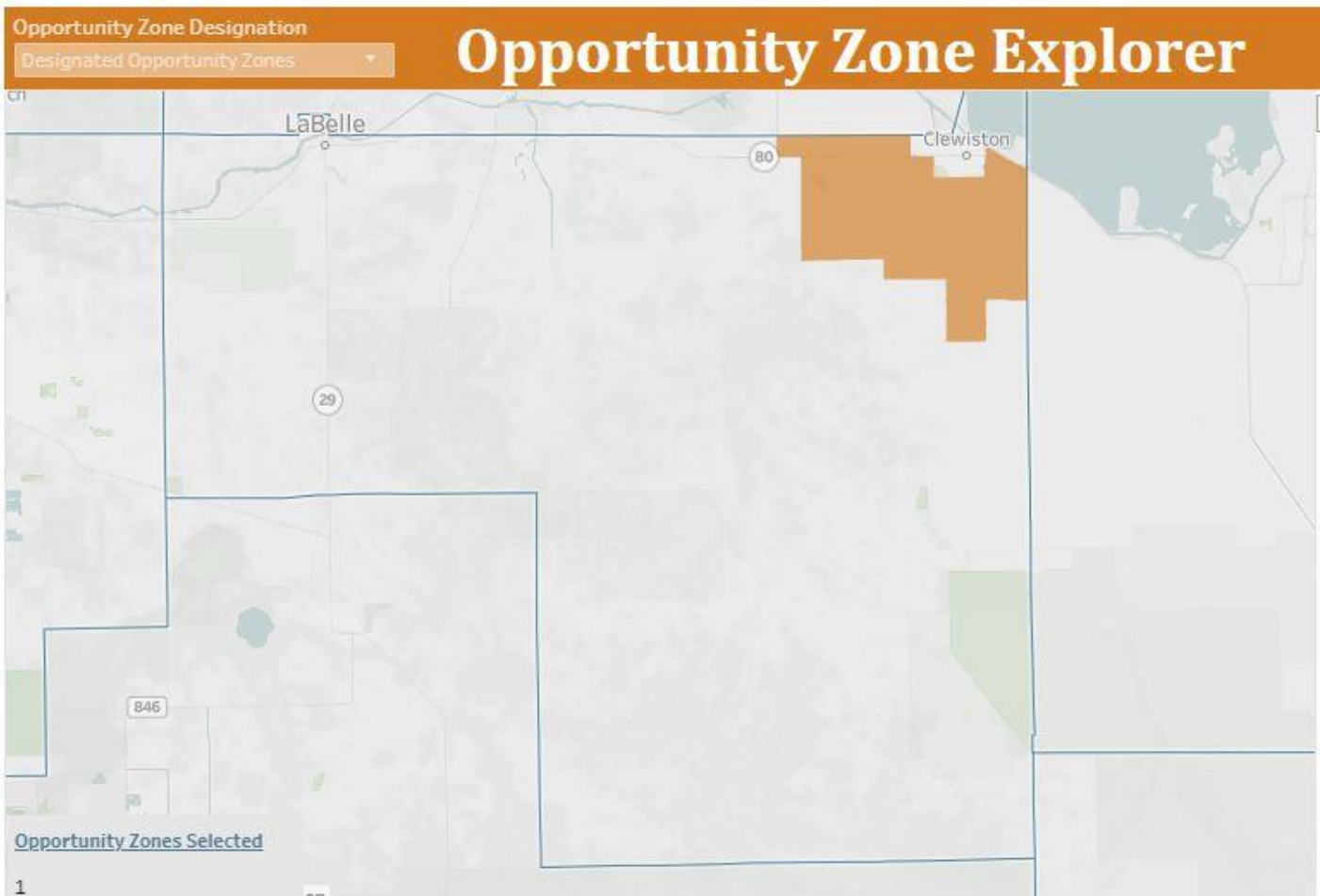
Education	Tracts	Reg Δ	Nat Δ
High School Diploma (Adults)	73.89%	N/A	-13.09%
Bachelors or Higher (Adults)	8.27%	N/A	-22.05%

Housing & Transportation	Tracts	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$87,001	N/A	\$97,699
Median Gross Rent	\$748	N/A	-\$201
Median Owner Cost Burden	14.89%	N/A	-4.01%
Median Renter Cost Burden	35.07%	N/A	4.47%
Ownership Rate	73.34%	N/A	9.73%
Residential Vacancy	32.96%	N/A	20.77%
Workers Who Commute Over an Hour	9.12%	N/A	0.44%
Income Spent on Housing & Transportation by Working Individual Household	136.67%	N/A	95.67%



Hendry County

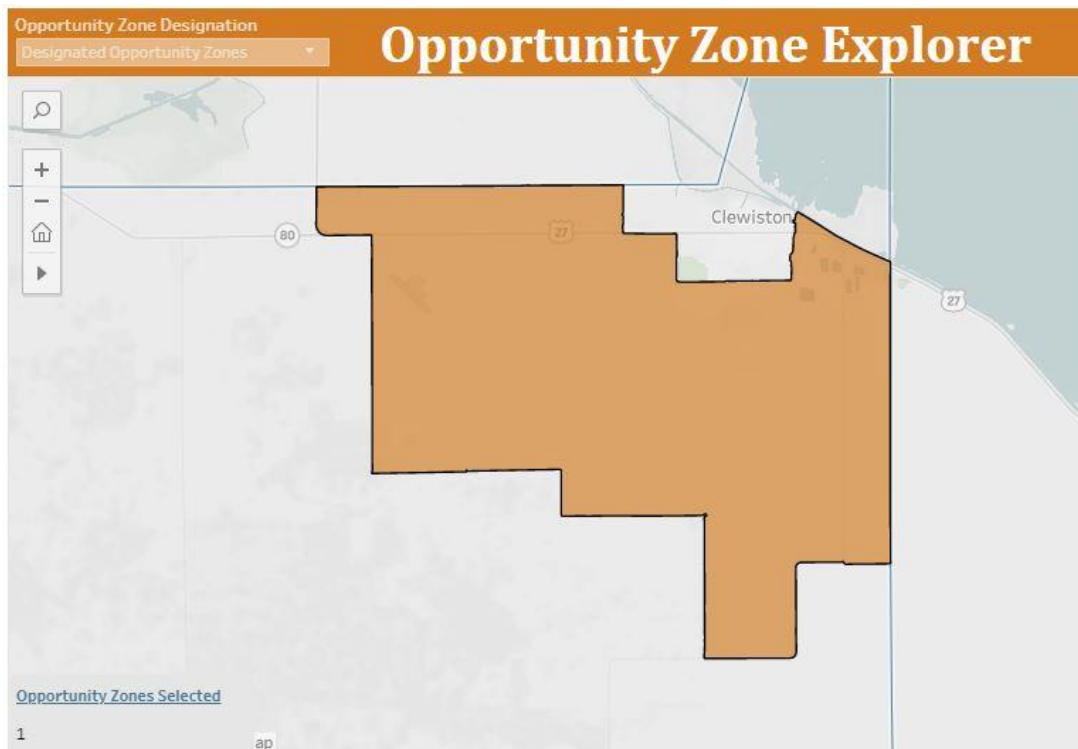
Opportunity Zones



Clewiston

Population: 7,706

Census Tract #: 12051000200



The Clewiston Opportunity Zone includes Hendry County's highest economic priority, Airglades International Airport (AIA). The Airport has been planning expansion into perishable goods cargo freight. Moving perishable goods cargo imports from Miami to AIA will reduce trucking and flight costs and add product shelf life. The expansion is expected to create more than 10,000 jobs during the construction phase and AIA will create 1,700 long-term jobs for the region. AIA will be the first airport in the U.S. to be converted from public to private ownership under the FAA's Airport Privatization Project. Additionally, there is abundant affordable land, both on-airport and adjacent, available for development, including Airport related logistics infrastructure.

U.S. Sugar's factory is also located within the Opportunity Zone tract. U.S. Sugar is headquartered in Clewiston and has 2,100 employees, the largest employer in the County. The Census tract borders the City of Clewiston, which has an estimated population of 7,985. The City sits on the southern tip of Lake Okeechobee. This Census tract is Hendry County's only Opportunity Zone. The County has an estimated population of 41,566 and has an agriculturally based economy.

Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	7.41%	-2.73%	0.02%
Poverty Rate	29.51%	3.24%	14.40%
Median Household Income	\$32,009	-\$5,543	-\$23,313

Age	Tract	Reg Δ	Nat Δ
Under 18	25.60%	-2.12%	2.49%
18 - 64	61.88%	2.35%	-0.51%
65 +	12.52%	-0.23%	-1.98%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	77.24%	11.13%	39.19%
Non-English Speaking	18.83%	-4.65%	10.31%

Education	Tract	Reg Δ	Nat Δ
High School Diploma	62.61%	-0.25%	-24.37%
Bachelors or Higher	7.02%	-2.12%	-23.30%

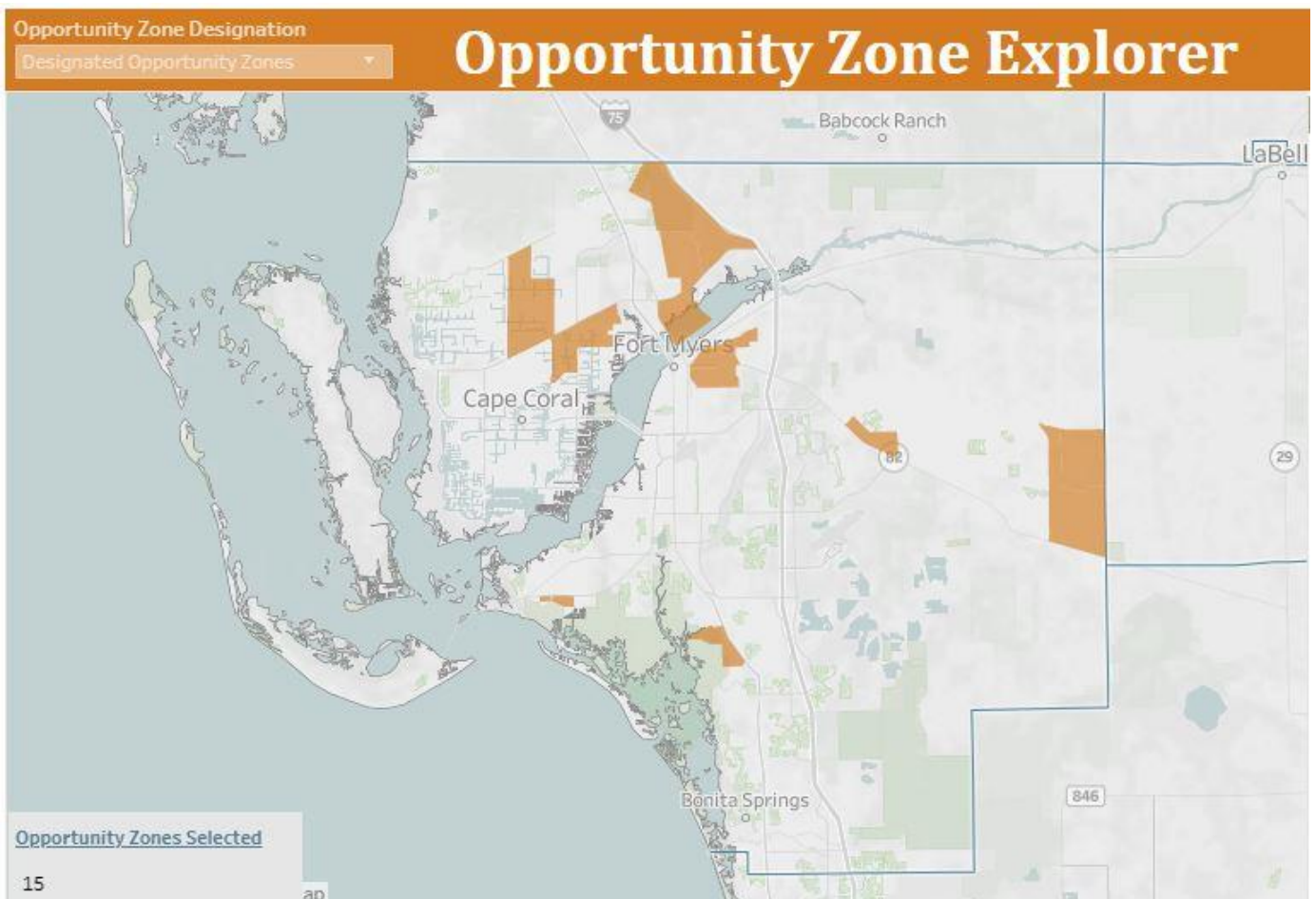
Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$62,300	-\$8,300	-\$122,400
Median Gross Rent	\$494	-\$198	-\$455
Median Owner Cost Burden	19.40%	3.10%	0.50%
Median Renter Cost Burden	37.80%	11.60%	7.20%
Ownership Rate	71.00%	3.25%	7.39%
Residential Vacancy	8.43%	-9.44%	-4.36%
Workers Who Commute Over an Hour	10.47%	-5.87%	1.79%
Income Spent on Housing & Transportation by Working Individual Household	134.43%	44.85%	93.43%





Lee County

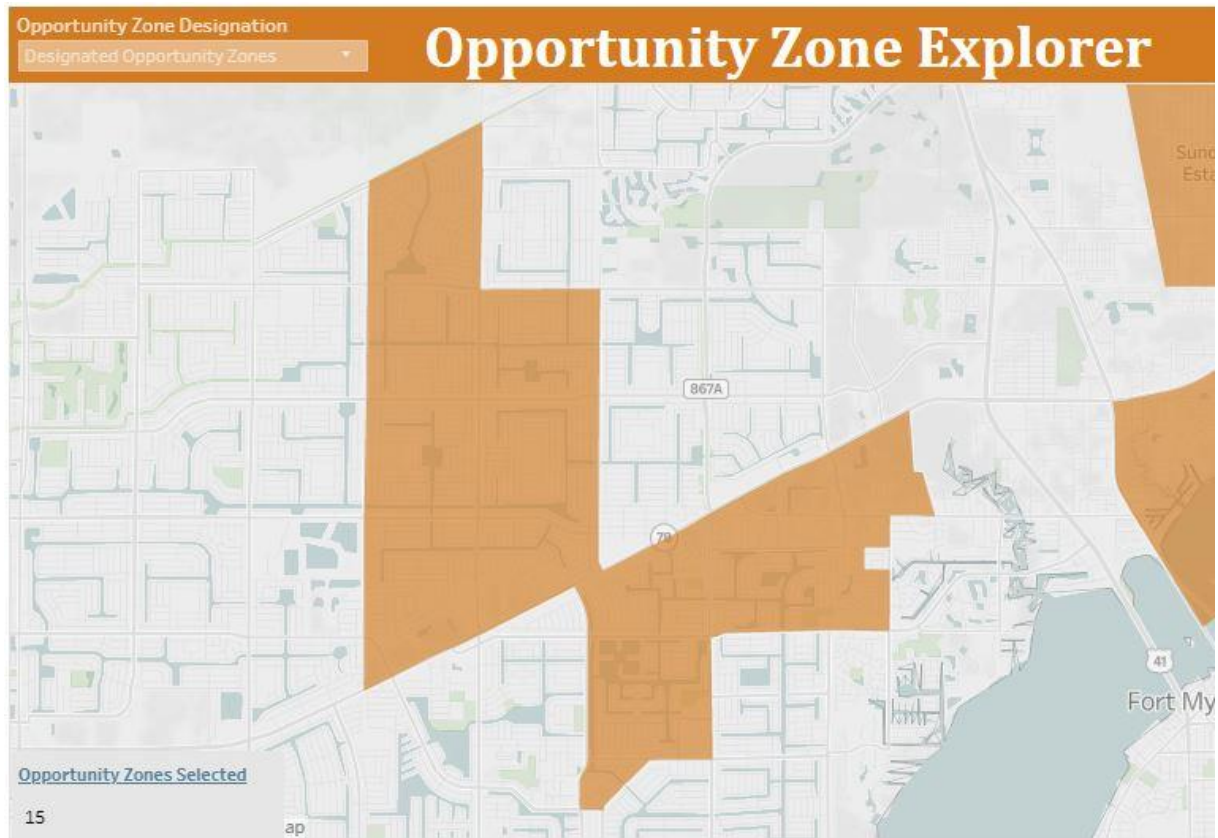
Opportunity Zones



Cape Coral

Census Tracts: 12071010201, 12071010302, 12071010307

Population: 14,808



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	14.10%	4.01%	6.71%
Poverty Rate	21.72%	9.35%	6.61%
Median Household Income	\$41,103	-\$3,762	-\$14,219

Age	Tract	Reg Δ	Nat Δ
Under 18	22.00%	8.92%	-1.11%
18 - 64	58.70%	9.40%	-3.69%
65 +	19.20%	-18.42%	4.70%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	41.50%	26.14%	3.45%
Non-English Speaking	13.49%	10.13%	4.97%

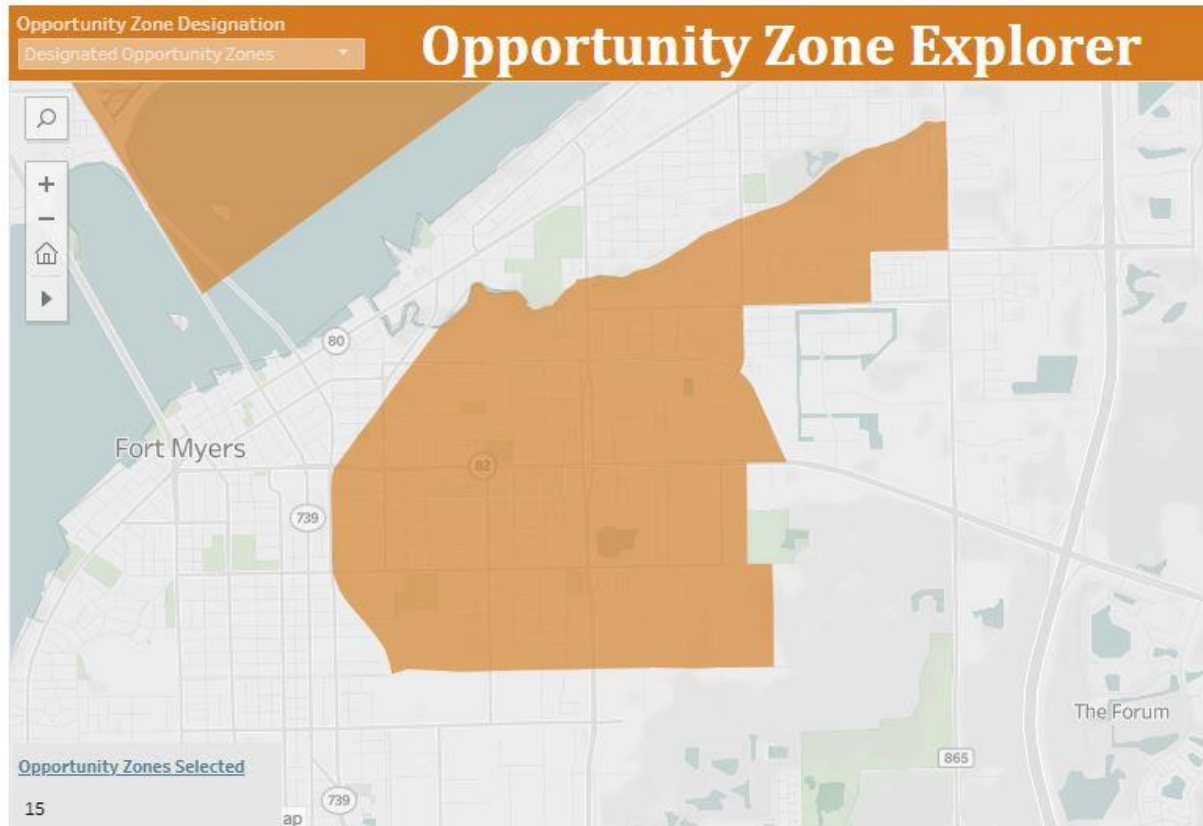
Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	50.00%	-39.42%	-36.98%
Bachelors or Higher (Adults)	18.90%	-2.70%	-11.42%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$120,693	-\$33,707	-\$64,007
Median Gross Rent	\$918	\$13	-\$31
Median Owner Cost Burden	20.83%	2.23%	1.93%
Median Renter Cost Burden	35.10%	1.40%	4.50%
Ownership Rate	62.30%	-15.81%	-1.31%
Residential Vacancy	19.00%	-8.81%	6.81%
Workers Who Commute Over an Hour	7.26%	0.87%	-1.42%
Income Spent on Housing & Transportation by Working Individual Household	89.79%	8.35%	48.79%

Fort Myers

Census Tracts: 12071000503, 12071000502, 12071000600

Population: 12,357



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	13.50%	3.41%	6.11%
Poverty Rate	35.30%	22.93%	20.19%
Median Household Income	\$26,180	-\$18,685	-\$29,142

Age	Tract	Reg Δ	Nat Δ
Under 18	31.30%	18.22%	8.19%
18 - 64	56.90%	7.60%	-5.49%
65 +	12.00%	-25.62%	-2.50%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	92.00%	76.64%	53.95%
Non-English Speaking	10.72%	7.36%	2.20%

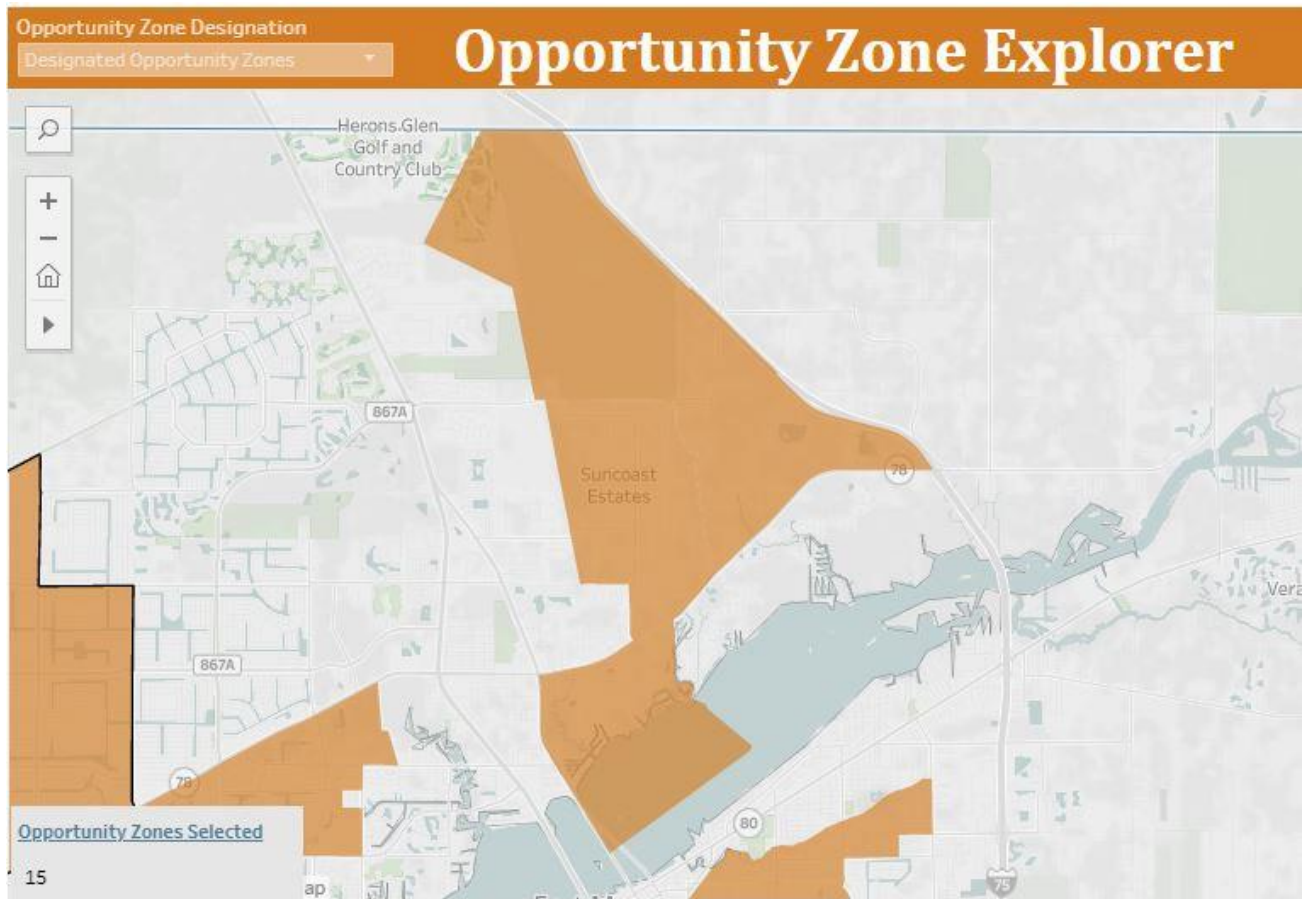
Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	66.50%	-22.92%	-20.48%
Bachelors or Higher (Adults)	12.10%	-9.50%	-18.22%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$67,259	-\$87,141	-\$117,441
Median Gross Rent	\$773	-\$132	-\$176
Median Owner Cost Burden	22.33%	3.73%	3.43%
Median Renter Cost Burden	43.86%	10.16%	13.26%
Ownership Rate	48.70%	-29.41%	-14.91%
Residential Vacancy	16.10%	-11.71%	3.91%
Workers Who Commute Over an Hour	7.61%	1.22%	-1.07%
Income Spent on Housing & Transportation by Working Individual Household	76.94%	-4.50%	35.94%

North Fort Myers

Census Tracts: 12071020201, 12071020300, 12071020502

Population: 21,227



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	13.10%	3.01%	5.71%
Poverty Rate	19.20%	6.83%	4.09%
Median Household Income	\$44,619	-\$246	-\$10,703

Age	Tract	Reg Δ	Nat Δ
Under 18	21.40%	8.32%	-1.71%
18 - 64	58.10%	8.80%	-4.29%
65 +	20.50%	-17.12%	6.00%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	21.20%	5.84%	-16.85%
Non-English Speaking	1.46%	-1.90%	-7.06%

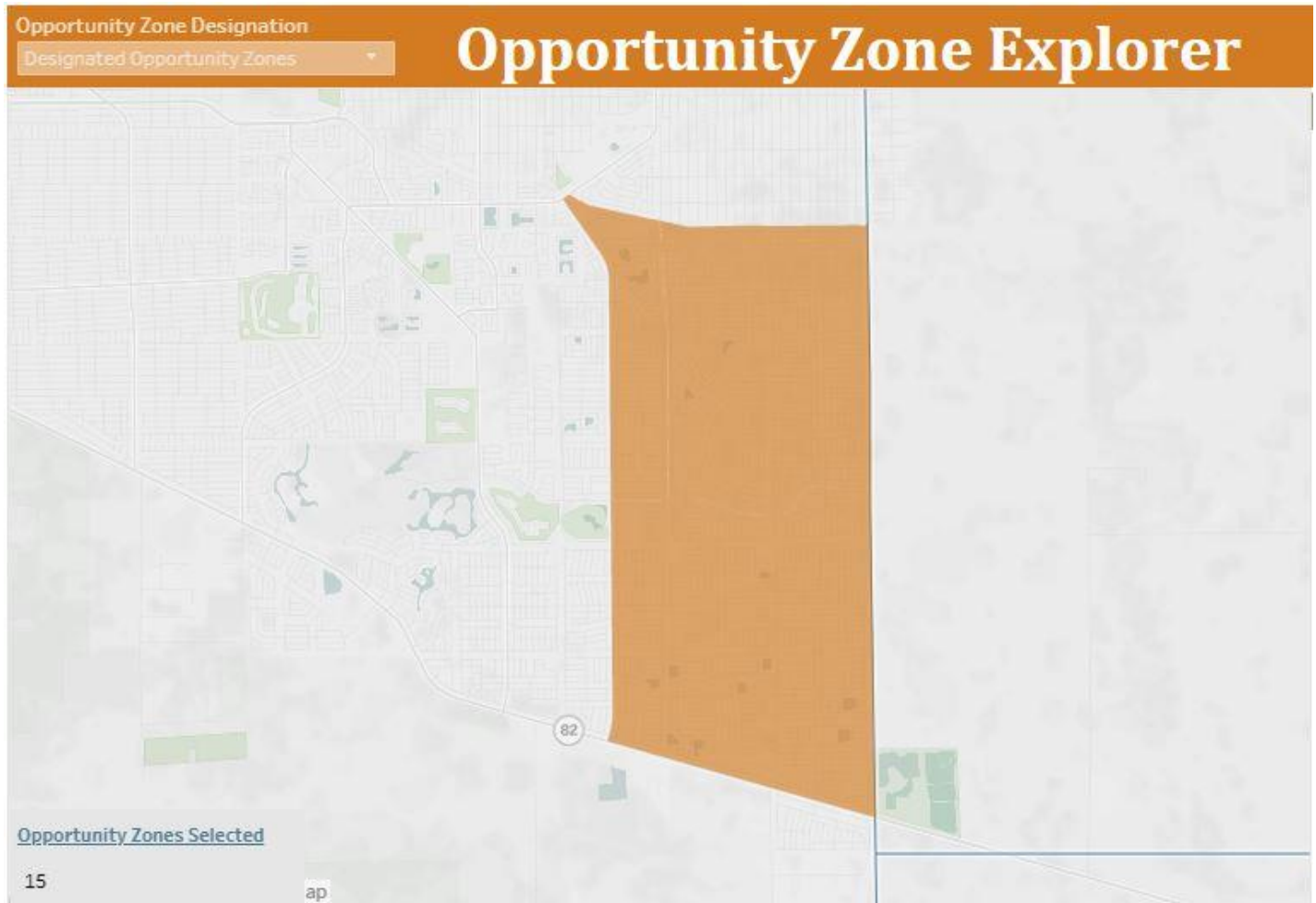
Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	58.40%	-31.02%	-28.58%
Bachelors or Higher (Adults)	13.60%	-8.00%	-16.72%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$99,530	-\$54,870	-\$85,170
Median Gross Rent	\$950	\$45	\$1
Median Owner Cost Burden	16.13%	-2.47%	-2.77%
Median Renter Cost Burden	31.53%	-2.17%	0.93%
Ownership Rate	61.50%	-16.61%	-2.11%
Residential Vacancy	19.30%	-8.51%	7.11%
Workers Who Commute Over an Hour	9.57%	3.18%	0.89%
Income Spent on Housing & Transportation by Working Individual Household	88.28%	6.84%	47.28%

East Lehigh Acres

Census Tracts: 12071040313, 12071040314, 12071040308

Population: 8,598



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	26.30%	16.21%	18.91%
Poverty Rate	16.17%	3.80%	1.06%
Median Household Income	\$42,821	-\$2,044	-\$12,501

Age	Tract	Reg Δ	Nat Δ
Under 18	32.22%	19.14%	9.11%
18 - 64	59.79%	10.49%	-2.60%
65 +	7.99%	-29.63%	-6.51%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	61.71%	46.35%	23.66%
Non-English Speaking	15.61%	12.25%	7.09%

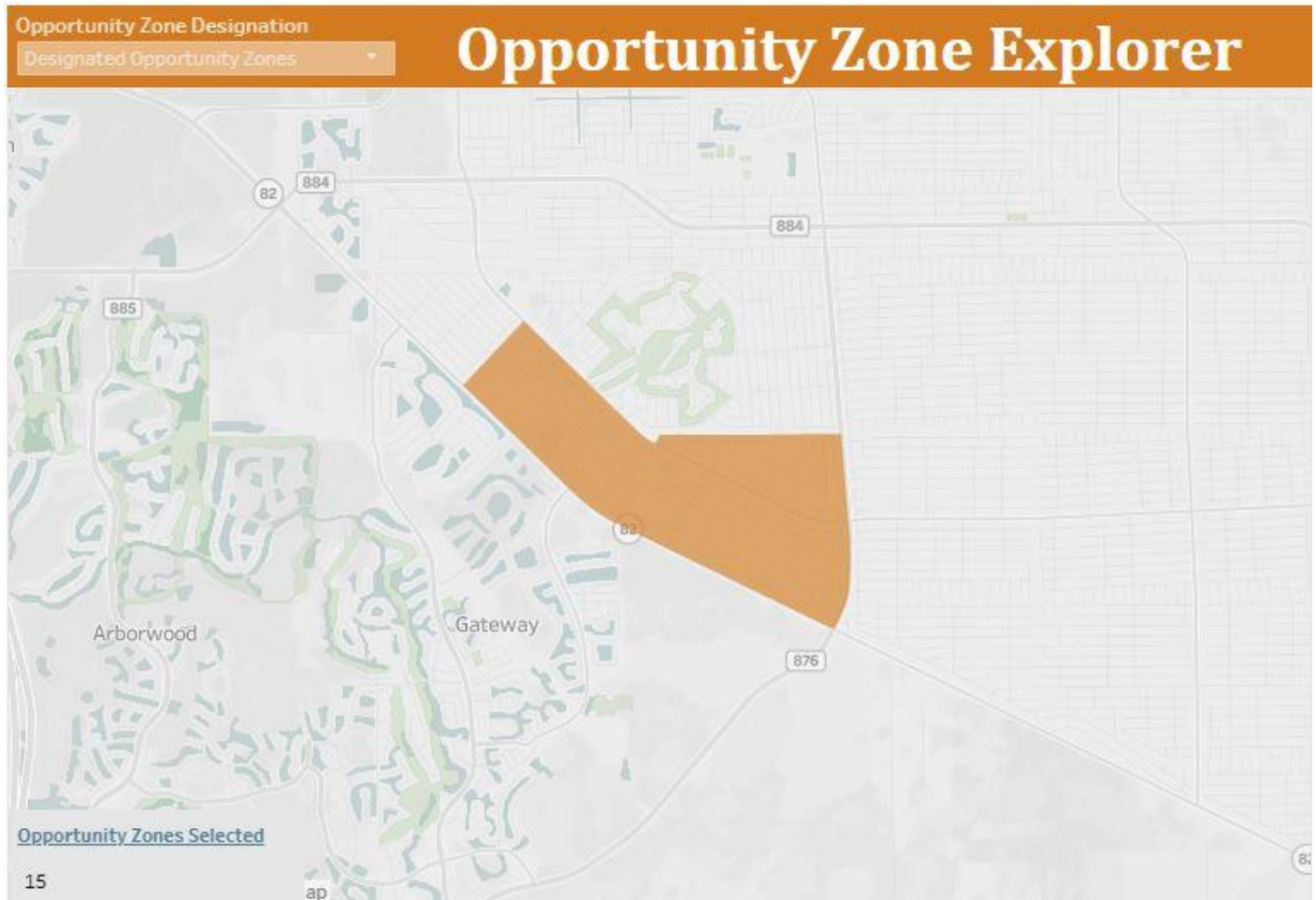
Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	59.16%	-30.26%	-27.82%
Bachelors or Higher (Adults)	12.84%	-8.76%	-17.48%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$105,242	-\$49,158	-\$79,458
Median Gross Rent	\$998	\$93	\$49
Median Owner Cost Burden	18.40%	-0.20%	-0.50%
Median Renter Cost Burden	31.20%	-2.50%	0.60%
Ownership Rate	54.19%	-23.92%	-9.42%
Residential Vacancy	19.50%	-8.31%	7.31%
Workers Who Commute Over an Hour	17.77%	11.38%	9.09%
Income Spent on Housing & Transportation by Working Individual Household	88.05%	6.61%	47.05%

West Lehigh Acres

Census Tracts: 12071040122

Population: 7,026



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	18.00%	7.91%	10.61%
Poverty Rate	29.40%	17.03%	14.29%
Median Household Income	\$36,197	-\$8,668	-\$19,125

Age	Tract	Reg Δ	Nat Δ
Under 18	36.80%	23.72%	13.69%
18 - 64	60.10%	10.80%	-2.29%
65 +	3.00%	-34.62%	-11.50%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	82.70%	67.34%	44.65%
Non-English Speaking	25.08%	21.72%	16.56%

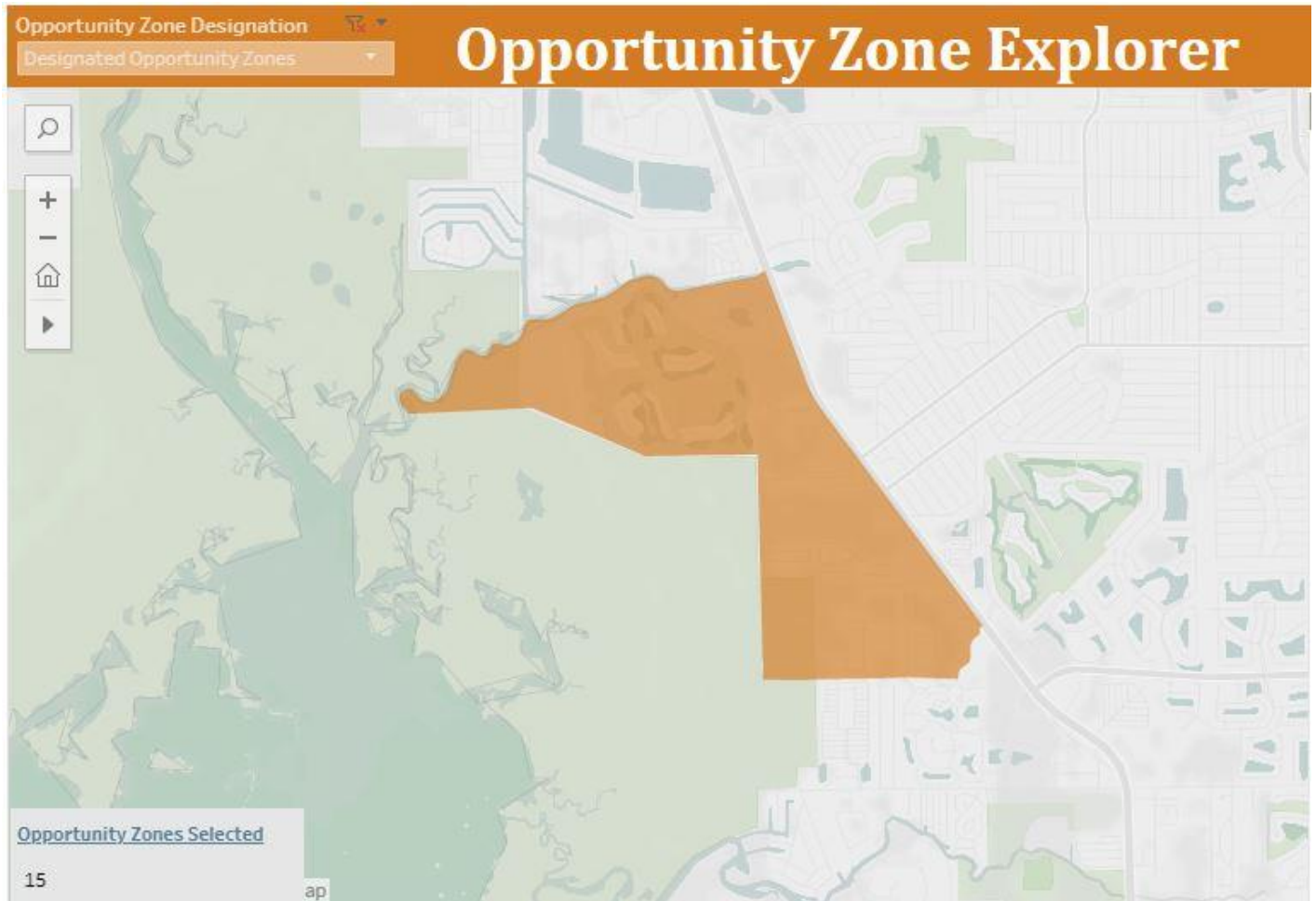
Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	72.40%	- 17.02%	- 14.58%
Bachelors or Higher (Adults)	8.60%	- 13.00%	- 21.72%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$127,500	- \$26,900	- \$57,200
Median Gross Rent	\$859	-\$46	-\$90
Median Owner Cost Burden	31.50%	12.90%	12.60%
Median Renter Cost Burden	28.20%	-5.50%	-2.40%
Ownership Rate	6.00%	- 72.11%	- 57.61%
Residential Vacancy	11.90%	- 15.91%	-0.29%
Workers Who Commute Over an Hour	14.35%	7.96%	5.67%
Income Spent on Housing & Transportation by Working Individual Household	76.93%	-4.51%	35.93%

San Carlos

Census Tracts: 12071050103

Population: 1,052



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	3.60%	-6.49%	-3.79%
Poverty Rate	8.80%	-3.57%	-6.31%
Median Household Income	\$59,476	\$14,611	\$4,154

Age	Tract	Reg Δ	Nat Δ
Under 18	18.70%	5.62%	-4.41%
18 - 64	51.50%	2.20%	-10.89%
65 +	29.80%	-7.82%	15.30%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	10.50%	-4.86%	-27.55%
Non-English Speaking	2.75%	-0.61%	-5.77%

Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	33.30%	-56.12%	-53.68%
Bachelors or Higher (Adults)	28.10%	6.50%	-2.22%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$232,700	\$78,300	\$48,000
Median Gross Rent	\$983	\$78	\$34
Median Owner Cost Burden	17.50%	-1.10%	-1.40%
Median Renter Cost Burden	23.60%	-10.10%	-7.00%
Ownership Rate	81.40%	3.29%	17.79%
Residential Vacancy	38.50%	10.69%	26.31%
Workers Who Commute Over an Hour	4.63%	-1.76%	-4.05%
Income Spent on Housing & Transportation by Working Individual Household	83.54%	2.10%	42.54%

Iona

Census Tracts: 12071001910

Population: 2,036



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	11.70%	1.61%	4.31%
Poverty Rate	13.40%	1.03%	-1.71%
Median Household Income	\$36,949	-\$7,916	-\$18,373

Age	Tract	Reg Δ	Nat Δ
Under 18	1.10%	-11.98%	-22.01%
18 - 64	22.30%	-27.00%	-40.09%
65 +	76.60%	38.98%	62.10%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	2.40%	-12.96%	-35.65%
Non-English Speaking	2.88%	-0.48%	-5.64%

Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	53.20%	-36.22%	-33.78%
Bachelors or Higher (Adults)	21.60%	0.00%	-8.72%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$59,100	-\$95,300	-\$125,600
Median Gross Rent	\$830	-\$75	-\$119
Median Owner Cost Burden	15.10%	-3.50%	-3.80%
Median Renter Cost Burden	24.10%	-9.60%	-6.50%
Ownership Rate	84.10%	5.99%	20.49%
Residential Vacancy	60.00%	32.19%	47.81%
Workers Who Commute Over an Hour	11.59%	5.20%	2.91%
Income Spent on Housing & Transportation by Working Individual Household	88.09%	6.65%	47.09%



Sarasota County

Opportunity Zones



Sarasota (City)

Census Tracts: 12115000300, 12115000200, 12115000102, 12115000406

Population: 17,118



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	13.70%	3.61%	6.31%
Poverty Rate	32.00%	19.63%	16.89%
Median Household Income	\$34,219	-\$10,646	-\$21,103

Age	Tract	Reg Δ	Nat Δ
Under 18	18.70%	5.62%	-4.41%
18 - 64	59.30%	10.00%	-3.09%
65 +	22.10%	-15.52%	7.60%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	57.20%	41.84%	19.15%
Non-English Speaking	9.58%	6.22%	1.06%

Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	54.00%	-35.42%	-32.98%
Bachelors or Higher (Adults)	56.00%	34.40%	25.68%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$177,106	\$22,706	-\$7,594
Median Gross Rent	\$895	-\$10	-\$54
Median Owner Cost Burden	24.47%	5.87%	5.57%
Median Renter Cost Burden	37.82%	4.12%	7.22%
Ownership Rate	41.90%	-36.21%	-21.71%
Residential Vacancy	13.80%	-14.01%	1.61%
Workers Who Commute Over an Hour	3.91%	-2.48%	-4.77%
Income Spent on Housing & Transportation by Working Individual Household	67.25%	-14.19%	26.25%

Warm Mineral Springs (North Port)

Census Tracts: 12115002721

Population: 4,928



Economic Conditions	Tract	Reg Δ	Nat Δ
Unemployment Rate	14.50%	4.41%	7.11%
Poverty Rate	32.00%	19.63%	16.89%
Median Household Income	\$34,219	-\$10,646	-\$21,103

Age	Tract	Reg Δ	Nat Δ
Under 18	18.70%	5.62%	-4.41%
18 - 64	62.10%	12.80%	-0.29%
65 +	19.20%	-18.42%	4.70%

Race	Tract	Reg Δ	Nat Δ
Ethnic Minority	14.70%	-0.66%	-23.35%
Non-English Speaking	14.28%	10.92%	5.76%

Education	Tract	Reg Δ	Nat Δ
High School Diploma (Adults)	56.00%	-33.42%	-30.98%
Bachelors or Higher (Adults)	19.50%	-2.10%	-10.82%

Housing & Transportation	Tract	Reg Δ	Nat Δ
Median Owner-Occupied Value	\$79,500	-\$74,900	\$105,200
Median Gross Rent	\$954	\$49	\$5
Median Owner Cost Burden	17.70%	-0.90%	-1.20%
Median Renter Cost Burden	29.10%	-4.60%	-1.50%
Ownership Rate	59.30%	-18.81%	-4.31%
Residential Vacancy	26.20%	-1.61%	14.01%
Workers Who Commute Over an Hour	6.50%	0.11%	-2.18%
Income Spent on Housing & Transportation by Working Individual Household	85.91%	4.47%	44.91%

_____Agenda _____Item

12c

12c

PowerPoint: SWFRPC
Relevancy

12c

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

EST. 1973



REQUIRED BY STATE STATUTE

UNFUNDED

01

*SRPP:
Strategic
Regional
Policy Plan*

02

*Regional
Data
Clearing-
house /
IC&R*

03

*Annual
Report /
Financial &
Audit
Reporting*

04

*Regional
Dispute
Resolution*

ONGOING PROGRAMS FUNDED BY FEDERAL GOVERNMENT

01

Local Emergency Planning Committee

- Outreach, Education, & Comprehensive Emergency Management Plan

02

Hazardous Material Emergency Planning

- Training of first responders

03

Economic Development District

- CEDS required for federal funding
- Impact modeling provided

The Regional Planning Councils Are Delegated:

37 duties within **11** chapters:

CHAPTER 129: ADMINISTRATIVE PROCEDURES ACT
CHAPTER 163: INTERGOVERNMENTAL PROGRAMS
CHAPTER 186: STATE & REGIONAL PLANNING
CHAPTER 258: MYAKKA RIVER MANAGEMENT COORDINATING COUNCIL
CHAPTER 260: FLORIDA GREENWAYS & TRAILS COUNCIL
CHAPTER 288: COMMERCIAL DEVELOPMENT & CAPITAL IMPROVEMENTS
CHAPTER 339: TRANSPORTATION FINANCE & PLANNING
CHAPTER 380: LAND AND WATER MANAGEMENT
CHAPTER 403: ENVIRONMENTAL CONTROL
CHAPTER 420: HOUSING
CHAPTER 1013: EDUCATIONAL FACILITIES

CHAPTER 129: ADMINISTRATIVE PROCEDURES ACT

- When an administrative law judge presides over a matter involving RPC, RPC shall reimburse administrative law judge's travel expenses.

CHAPTER 163: INTERGOVERNMENTAL PROGRAMS

- Review and comment on regional resources or facilities identified in the SRPP.
- Review proposed plans or plan amendments under the State Coordinated Review
- Conduct scoping meetings upon request, to identify relevant planning issues.

CHAPTER 186: STATE & REGIONAL PLANNING

- Act as a regional data clearinghouse.
- Designated as the primary organization to address problems and plan solutions that are of greater-than-local concern.
- Florida's only multipurpose regional entity to plan for and coordinate intergovernmental solutions to growth-related problems; provide technical assistance to local governments; and, meet other needs of the communities in each region.
- Provide technical assistance to local governments on growth management matters.
- Assist local governments with activities designed to promote and facilitate economic development.
- Meet statutory requirements regarding membership for a regional planning council.
- Conduct business to run the organization.
- Provide advice to constituent local governments on regional, metropolitan, county, and municipal planning matters.
- Cooperate with federal and state agencies in planning for emergency management.
- Coordinate with other regional entities in preparing and assuring regular review of the Strategic Regional Policy Plan.
- Coordinate land development and transportation policies that foster region-wide transportation systems.
- Review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans.
- Provide consulting services to a private developer or landowner under certain circumstances.
- Prepare and adopt by rule a Strategic Regional Policy Plan (SRPP). SRPP shall be prepared at least every 5 years.
- Establish by rule a dispute resolution process to reconcile differences on planning and growth management issues between local governments, regional agencies, and private interests.
- Provide annual report of activities.

CHAPTER 186: STATE & REGIONAL PLANNING

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- Statute provides protection for regional planning councils created pursuant to Chapter 163, F.S.
- Must take into account that the accuracy and reliability of maps and data for GIS may be limited to various factors.
- Submit an audit report and an annual financial report for the previous fiscal year.

CHAPTER 258: MYAKKA RIVER MANAGEMENT COORDINATING COUNCIL

- Required to serve on Myakka River Management Coordinating Council

CHAPTER 260: FLORIDA GREENWAYS & TRAILS COUNCIL

- Serve on the Florida Greenways and Trails Council. Membership rotates among the 7 RPCs.

CHAPTER 288: COMMERCIAL DEVELOPMENT & CAPITAL IMPROVEMENTS

- An appointed representative by FRCA shall serve on the Rural Economic Development Initiative.
- Participate in a pre-submission workshop concerning a military base reuse plan.

CHAPTER 339: TRANSPORTATION FINANCE & PLANNING

- Develop transportation goals and policies as part of the SRPP.

CHAPTER 380: LAND AND WATER MANAGEMENT

- Serve on Resource Planning and Management Committees as designated by the Governor prior to an area being designated as an Area of Critical State Concern.
- Provide technical assistance to local governments in the preparation of land development regulations and local comprehensive plans in Areas of Critical State Concern.

CHAPTER 403: ENVIRONMENTAL CONTROL

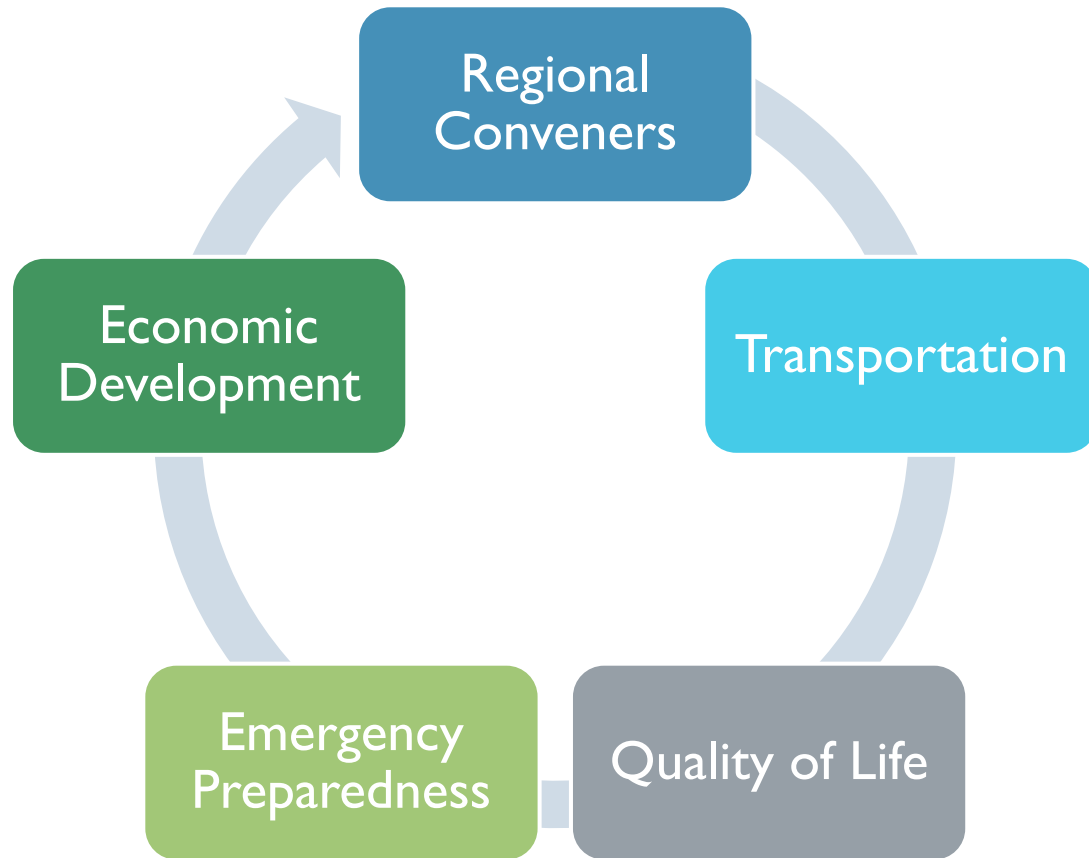
- Serve on Ecosystem Management Advisory Teams.
- Perform local hazardous waste management assessments and provide technical expertise.
- Follow the local hazardous waste management assessment guidelines to properly implement the assessments.
- Designate sites for regional hazardous waste storage or treatment facility could be constructed.
- Participate in regional permit action teams.

CHAPTER 420: HOUSING

- One representative from RPCs shall serve on the Affordable Housing Study Commission, as appointed by Governor.

CHAPTER 1013: EDUCATIONAL FACILITIES

- Review Campus Master Plans prior to adoption and provide comments.



PRIMARY FOCUS AREAS

FOR ALL 10 REGIONAL
PLANNING COUNCILS:

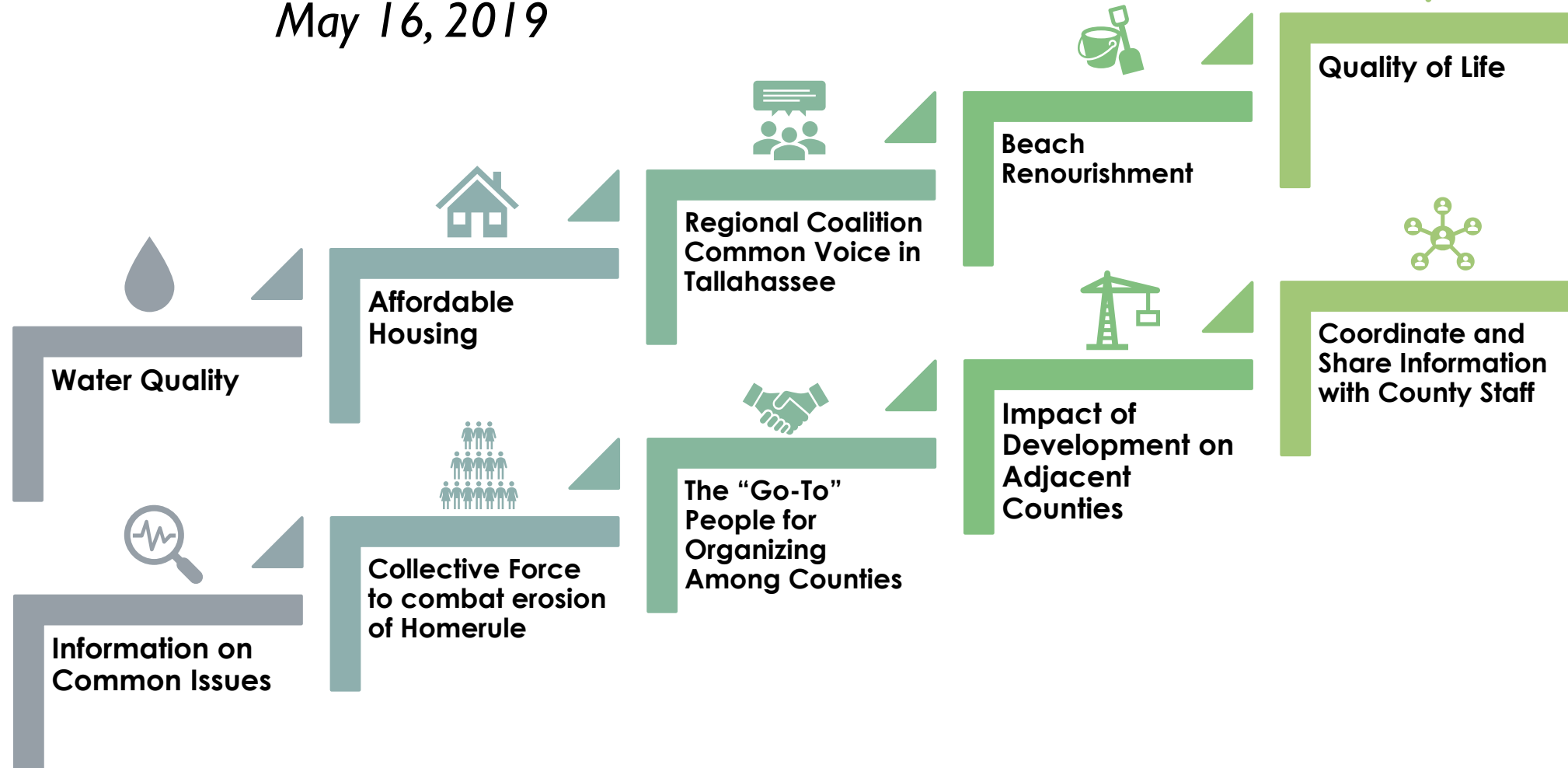
RELEVANCY:

*This Is What We Heard from
County Managers...*



RELEVANCY ISSUES FROM THE RPC BOARD.....

May 16, 2019



THIS IS WHAT WE HEARD - MEETING CHANGES



Quarterly meetings



Half Day Event Meeting
(Mini Conference)



Short Business Meeting
followed by a meaningful
Presentation on an
Important Issue

**Moving
Forward**



REQUIRED BY STATE STATUTES - UNFUNDED



Update & Maintain
The Strategic Regional
Policy Plan



Be The Regional Data
Clearinghouse / IC&R
(Intergovernmental
Coordination And Review)



Provide Annual Report/
Financial Audit & Reporting



Regional Dispute
Resolution if Requested

ONGOING PROGRAMS FUNDED BY THE FEDERAL GOVERNMENT (\$172,164)



**Local Emergency
Planning Committee**



**Hazardous Material
Emergency Planning**



**Economic Development
District**

Brownfield Grant
(October 2021)

**SWF Agriculture
Sustainability/Marketing
Grant** (August 2020)

Promise Zone
(June 2026)

**COMPLETE
CURRENT
PROJECTS**

PROVIDE INFORMATION ON COMMON ISSUES IMPACTING THE REGION

**Impact Of Development
On Adjacent Counties**

**Coordinate & Share
Information With County
Staff**

**Provide Information On
Common Issues**



Home Rule



Water Quality



**Affordable
Housing**



**Beach
Renourishment**



Resiliency



**Quality of Life
Issues**



**Impact of
Development**



**Coordinate
and Share
Information**



**Information on
Common
Issues**



**Collective
Force**

INTER-GOVERNMENTAL COORDINATION & COMMUNICATION



Hold one public workshop meeting with Board members to identify the issues to be included in our Common Voice and set the Agenda for quarterly meetings and major event



Coordinate quarterly RPC meetings with presentations on relevant common issues



Coordinate and host one major event with a prominent speaker on an issue of importance to the RPC Board members



Coordinate meeting with all planning directors and appropriate planning staff twice a year



Share all comp plan amendments with adjacent counties and County/City Planning Staff



OPERATIONAL CHANGES

RPC Quarterly Board Meetings

(4 meetings/yr. plus 1 workshop)

One workshop meeting

in addition to the 4 board meetings to determine topics and discuss speakers

Three short business meetings

followed by a speaker on a relevant topic

One major event/conference

Annual full/half day conference

NEW MEETING SCHEDULE

FY 19-20

21

NOVEMBER
2019

- Workshop to determine relevant issues and potential speakers for the year.
- Nominating Committee appointed for election of 2020 Officers.

16

JANUARY
2020

- Election of Officers
- Speaker on subject determined at workshop

19

MARCH
2020

- Speaker on subject determined at workshop

18

JUNE
2020

- Audit Report
- Budget & Workplan
- Speaker on subject determined at workshop

17

SEPTEMBER
2020

- Host Major Event

OPERATIONAL CHANGES NEEDED



--- Agenda --- Item

12d

12d

PowerPoint: SWFRPC Programs

12d

SWFRPC Programs



FDEM HazMat Contracts





Contract Overview

Local Emergency Planning Committee (LEPC): \$80,000 for LEPC management

Hazardous Material Emergency Preparedness (HMEP): \$62,000 for HazMat training courses

Hazardous Analysis (HA): \$20,000 for hazardous facility inspections in Lee and Collier Counties

Total: roughly \$162,000 annually, no match required





LEPC Contract

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Conduct Quarterly meetings of the LEPC

Attend quarterly State SERC meetings

Update LEPC Emergency Management Plan

Conduct HazMat exercises and trainings

Provide Tier II Reporting and Shelter-in-Place Trainings

Advertise EPCRA requirements

Provide Technical Assistance as requested





HMEP Contract

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Provide \$62,000 of trainings for HazMat responders

Full-Scale Exercise every other year (100+ participants)

Send responders to annual FL HazMat Symposium





2018 Cheney Brothers Exercise

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2020 SRQ Exercise





HA Contract

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Conduct roughly 80 site visits on facilities with hazardous chemicals in Lee and Collier Counties

Results are used to determine a plume radius, affected population, and critical facilities for a chemical leak

Data is given to FDEM and first responders



EDA Economic Development Planning Grant





EDA Grant Overview

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3-Year Cycle, \$210,000 Grant,
70/30 Match

Current cycle ends 12/31/22

SWFRPC is the region's federally
designated Economic Development District (EDD)

EDD allows the region access to EDA grant funding and
coordination with EDA staff

EDD is responsible for creating and updating the
Comprehensive Economic Development Strategy (CEDS)





2017-2022 CEDS

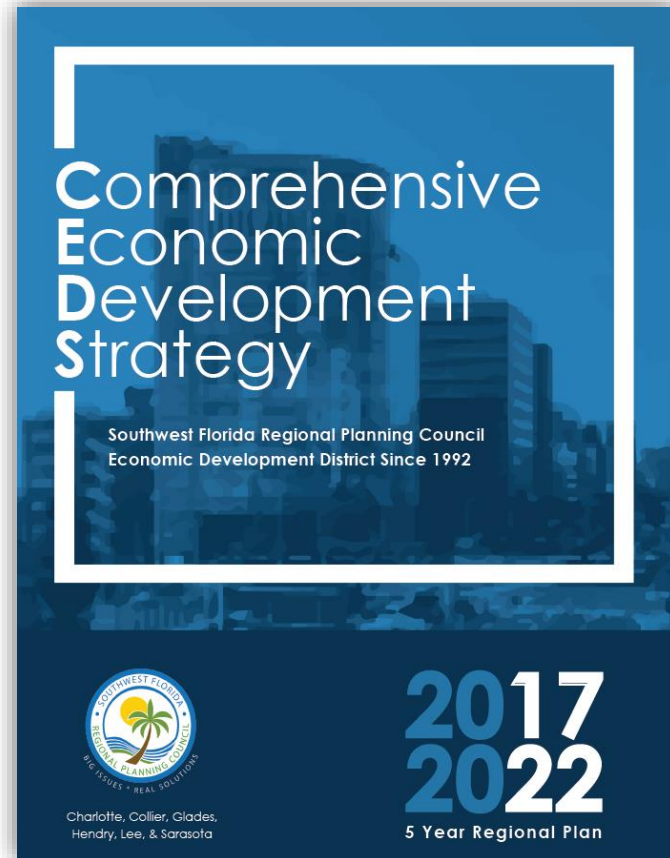
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CEDS goes through total rewrite every 5 years

The strategy provides an overview of the current economic state of SWFL and gives a strategy on how to move forward.

CEDS includes a SWOT analysis and data section

Regional CEDS Committee meets quarterly





The RPC planned and hosted 4 EDA Hurricane Irma economic disaster recovery meetings;

Assisted the FL Chamber Foundation in holding a Florida 2030 workshop;



Assists FDEP with annual Brownfield Conferences;

Administers FHERO's annual DEO RDG grants;

Shares resources and participates in meetings with economic development partners across the region

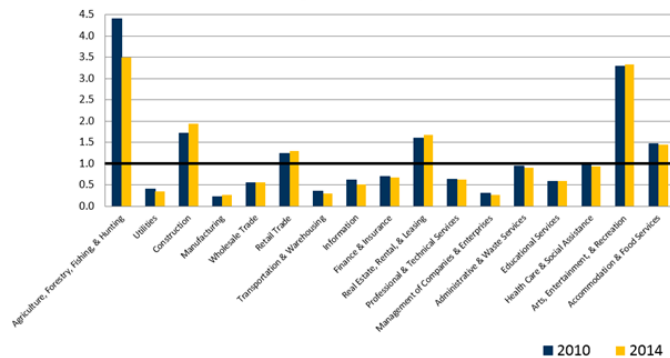


Grant Writing & Data Services

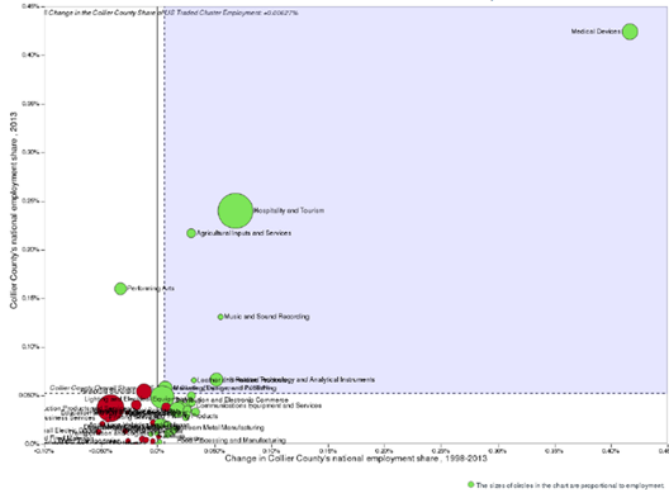
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The RPC provides grant writing & data services to each of its partner organizations

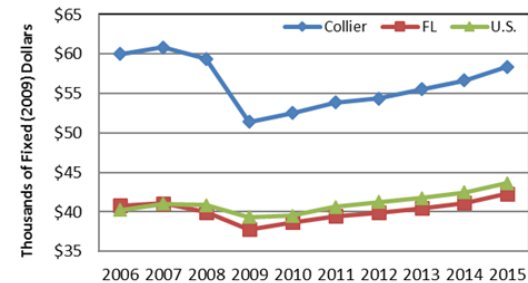
INDUSTRY LOCATION QUOTIENTS (2010-2014)



COLLIER COUNTY SPECIALIZATION BY TRADED CLUSTER, 1998-2013



REAL PERSONAL INCOME PER CAPITA





Economic Development Grants (FY 17-20)

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Project Name	Funding Agency	Project Total	Grant Funding	Time Frame
Brownfield Coalition Assessment	EPA	\$600,000	\$600,000	Oct 18-Sep 21
Disaster Recovery Coordinator	EDA	\$250,000	\$250,000	Completed
CEDS Planning Grant 2020-2022	EDA	\$300,000	\$210,000	Jan 20-Dec 22
CEDS Planning Grant 2017-2019	EDA	\$300,000	\$210,000	Completed
Agricultural Sustainability Implementation Study	EDA	\$258,182	\$206,545	Aug 18-Aug 20
FHERO RDG 2019	DEO	\$97,500	\$97,500	Jan 19-Dec 20
FHERO RDG 2018	DEO	\$82,300	\$82,300	Completed
FHERO RDG 2017	DEO	\$79,744	\$79,744	Completed
Agricultural Sustainability Study	DEO	\$30,000	\$30,000	Completed
Bonita Springs Affordable Housing Study	Bonita Springs	\$30,000	\$30,000	Completed
Food Safety Plan for Regional Growers	DEO	\$30,000	\$30,000	Completed
LaBelle Tourism Marketing	DEO	\$20,000	\$20,000	Completed
Total		\$2,077,726	\$1,846,089	



REMI Economic Impact Modeling

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SWFRPC created 28 economic impact models from 2017-2020.

REMI can estimate the impacts of disasters, new businesses, and a wide variety of policy or market changes

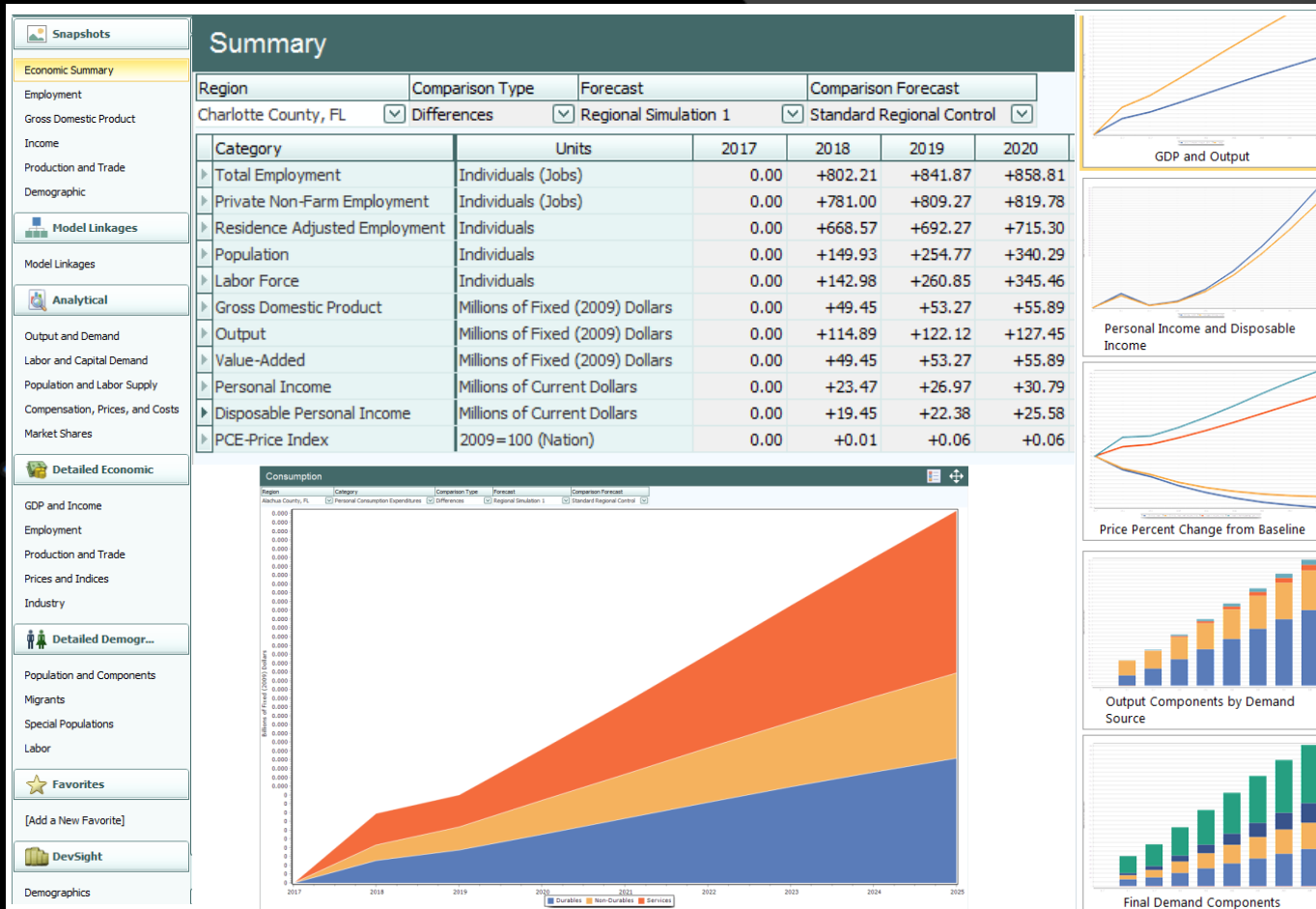
This allows policy makers to approximate the impacts of a decision before it is made.

Southwest Florida Regional Planning Council Regional Economic Analysis Program Featuring REMI Policy Insight®						
Cigent Technology, Inc.						
The Southwest Florida Regional Planning Council (SWFRPC) has conducted an analysis on Cigent Technology, Inc., which will initially employ 50 workers in Fort Myers. SWFRPC utilized its REMI Policy Insight model to generate the economic impacts.						
Total Impacts						
The Year 1 project total personal income equals \$10.55 million. The company initially employs 50 workers and expects to grow by 20 employees annually for the next 10 years. In Year 1, the firm is estimated to create an additional 101 indirect jobs and average another 41 indirect jobs for the following 4 years. The jobs created by the company generated an average of \$23.09 million annually in personal income in its first 5 years of operation.						
Total new employment contributed an average of \$22.73 million to the Gross Product from Years 1-5. Gross Product is equal to output excluding the intermediate inputs. It represents compensation and profits. The firm is also estimated to have a large impact on regional output, with an estimated average of \$35.06 million for Years 1-5.						
Below is a table depicting the annual changes:						
Cigent Technology, Inc.						
	Year 1	Year 2	Year 3	Year 4	Year 5	
	2019	2020	2021	2022	2023	
Direct Employment	50	70	90	110	130	
Total Impacts						Average Annual Total
Total Employment	151	217	283	346	397	
Gross Product (\$ Mil)	11.70	17.17	22.91	28.51	33.37	22.73 113.65
Personal Income (\$ Mil)	10.55	16.50	23.02	29.83	35.55	23.09 115.46
Output (\$ Mil)	18.03	26.51	35.37	43.99	51.40	35.06 175.30



REMI Economic Impact Modeling

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EPA Brownfield Coalition Assessment Grant





Grant Overview

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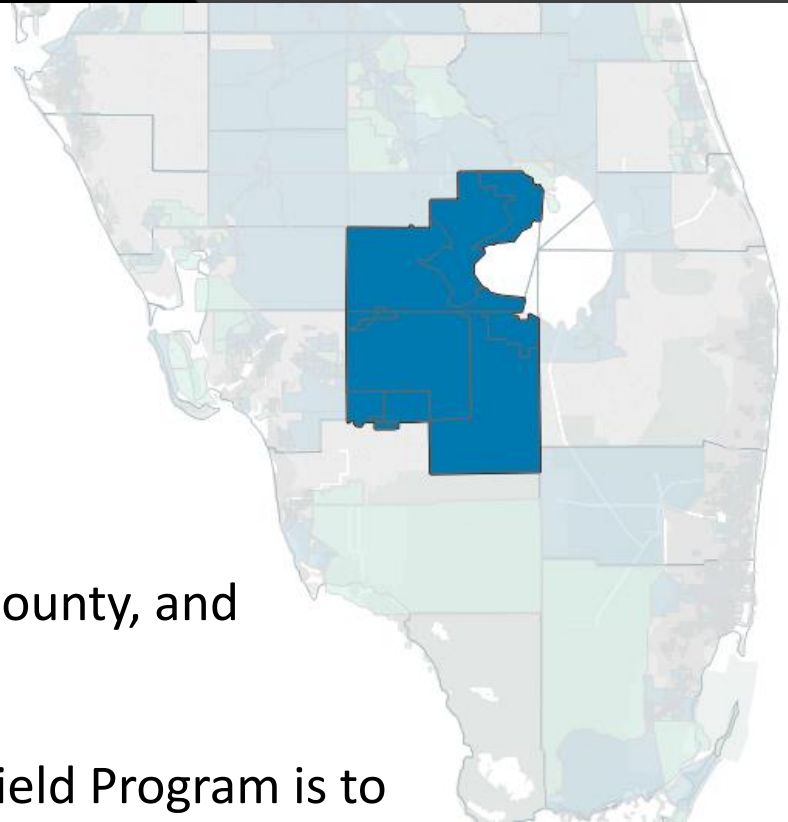
Three-year, \$600,000
EPA Grant for Site
Assessments and Reuse
Planning (no match)

\$530,500 to contactors

Oct 2018 – Sept 2021

Glades County, Hendry County, and
Immokalee

End result of the Brownfield Program is to
redevelop potentially contaminated sites





Brownfield Benefits

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- Tax Credits / Financial Incentives
 - Voluntary Cleanup Tax Credit Program
 - Job Bonus Tax Refund
 - Refunds on Sales Tax
 - State Loan Guarantees
- Boost Property Values
 - Estimated 5-13%
- Jumpstart Redevelopment
 - \$18 leveraged for each \$1 of EPA funds
- Liability Protection





Progress So Far

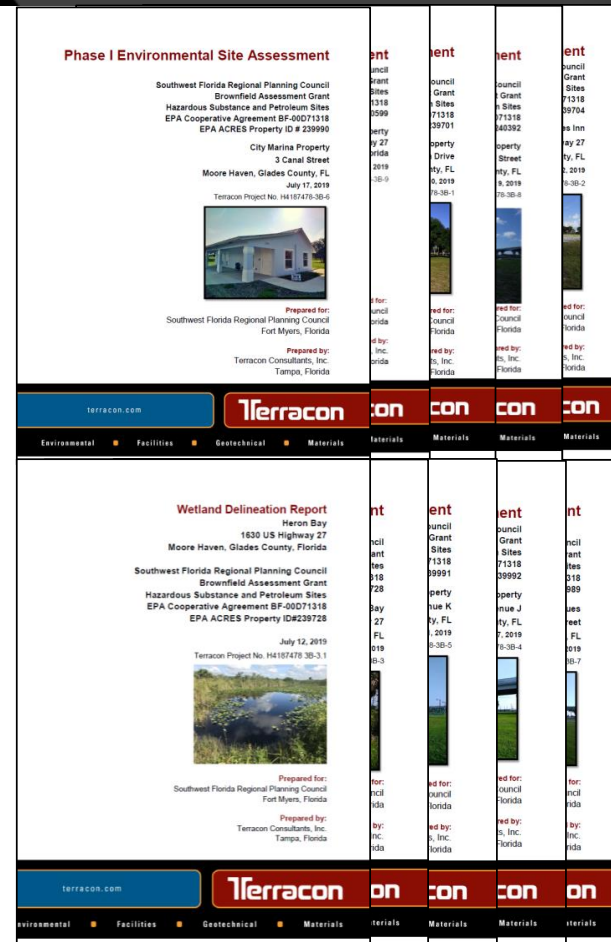
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17 Phase I ESAs, 6 Phase IIs
one Wetland Delineation, and
one Asbestos Survey
completed or underway

Public outreach meeting held
in each grant area community

Presented at EPA's Region 4
Brownfield Conference

We can also apply for Cleanup
Grants or Assessment for
another area



Other Programs





Other Programs

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VISTA Volunteer Grant

Funds 9 VISTA Volunteers in SWFL Region and a VISTA Program Supervisor

Program has a budget of \$257,938

Glades County Small Quantity Hazardous Waste Generators (SQG) Contract

5-Year, \$22,500 contract, ends 6/6/2022, renewable

RPC inspects Glades County businesses for SQG compliance and enters data into State database

_____Agenda
_____Item

12e

12e

Proposed Changes to Interlocal
Agreement

12e

Executive Summary

Meeting Date: Meeting November 19, 2020

Submitted by: Commissioner Bill McDaniel

RE: Southwest Florida Regional Planning Council Interlocal Agreement and By-Laws

OBJECTIVE: To reconstitute and rebrand the Southwest Florida Regional Planning Council (SWFRPC) by repealing the existing Interlocal Agreement and the existing By-Laws and replacing them with an Interlocal Agreement that is consistent with State Statutes and a corresponding set of By-Laws, while the six member counties work on establishing the relevancy of the SWFRPC.

BACKGROUND:

Attached as Exhibit A are the existing Interlocal Agreement adopted November 8, 1973 and an Amendment adopted in October 1980. The existing By-Laws are attached as Exhibit B. The existing Interlocal Agreement as well as the current By-Laws are inconsistent with State Statutes. A document attached as Exhibit C explains the history of the Interlocal Agreement and compares it to the By-Laws and the Florida Statutes.

- The original Interlocal Agreement creating the Southwest Florida Regional Planning Council was adopted November 8, 1973 but was not recorded.
- On June 6, 1974 an Amendment to Interlocal Agreement was adopted to revise final date of budget approval from June 1 to August 15.
- On June 27, 1974 an Amendment to the Interlocal Agreement was adopted to provide for alternate voting members, the checks to be signed by the Treasurer, the meeting date moved to the first Thursday of the month, and for special meetings to require 24-hour notice.
- On August 1, 1974 the By-Laws for the Southwest Florida Regional Planning Council were adopted.
- On January 18, 1976 the Regional Planning Council board agrees to changed meeting date to third Thursday of month and to hold meetings at the Holiday Inn.
- On February 5, 1976 an Amendment to the Interlocal Agreement (that was presented at the 1/18/76 meeting) was adopted that removes meeting day from the Interlocal Agreement and provides wording changes.
- In October 1980 an Amendment to the Interlocal Agreement was adopted that changed the requirement for approval of amendments to the Interlocal Agreement from 3/4 of voting members to 2/3 of voting members and majority (4) of principal members;

changes 15-day notice of amendments to 7 days; and added the 9 governor appointees or ½ of total voting members to the membership.

- In 2004 the 1973 original Interlocal Agreement along with the 1976 and 1980 amendments were recorded by all counties to facilitate the purchase of the building on Victoria Avenue in Ft. Myers.

CONSIDERATION:

In 1993 the State Legislature removed the DRI Appeal Authority from the statutes. The Appeal Authority allowed the RPCs to appeal to the Florida Land and Water adjudicatory Commission which is the governor and cabinet. Losing the DRI Appeal Authority meant that the RPC recommendations were advisory and the “teeth” in the recommendations were lost. Then in 2015, the legislature eliminated the requirement that a DRI be subject to the state coordinated review process, thereby removing the DRI process from the RPCs authority. A number of legislative changes over the years have weakened the RPC land use advisory ability.

In an effort to bring the Interlocal Agreement into compliance with the State Statutes, I am recommending that the current Interlocal Agreement be repealed and replaced with the Replacement Interlocal Agreement attached as Exhibit D. The Replacement Interlocal Agreement is consistent with State Statutes. Additionally, the existing By-Laws should be repealed and the Replacement By-Laws that are consistent with the Replacement Interlocal Agreement be adopted. The Replacement By-Laws are attached as Exhibit E.

LEGAL CONSIDERATIONS:

1. Termination and adoption of a new interlocal agreement must be done by the county commissions of the six counties. The RPC can recommend that the existing Interlocal be terminated and that the replacement interlocal be adopted but it is the County Commissions that must approve the Interlocal Agreement.
2. Termination may only occur concurrent with a subsequent Interlocal Agreement being adopted due to the requirement of Section 186.512(1)(h), Florida Statutes, and the Executive Office of the Governor’s designation of Southwest Florida Regional Planning Council and Comprehensive Planning District IX shall be comprised of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota.

RECOMMENDATIONS:

- That the members of the Southwest Florida Regional Planning Council recommend to the six counties that comprise Comprehensive Planning District IX that the existing Interlocal Agreement be terminated and the Replacement Interlocal and Replacement By-Laws be adopted and further

- That the SWFRPC members meet monthly to reconstitute and rebrand the SWFRPC including a new Mission Statement and By-Laws.

ATTACHMENTS:

- Exhibit A: The existing Interlocal Agreement adopted November 8, 1973 and an Amendment adopted in October 1980
- Exhibit B: Existing By-Laws
- Exhibit C: History Summary of the Interlocal Agreement
- Exhibit D: Replacement Interlocal Agreement
- Exhibit E: Replacement By-Laws

INTERLOCAL AGREEMENT CREATING THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

THIS AGREEMENT, made and entered into this 8th day of November, 1973, pursuant to the authority of Section 163.01, Florida Statutes, by and between CHARLOTTE COUNTY, COLLIER COUNTY, GLADES COUNTY, HENDRY COUNTY, LEE COUNTY and SARASOTA COUNTY, each being a political subdivision of the State of Florida,

WITNESSETH:

WHEREAS, the continuing "Comprehensive State Planning" process described by Chapter 23 of the Florida Statutes includes, but is not limited to the following areas of regional and Local Development and concern:

1. Economic Development, including agriculture, industry and commerce;
2. Natural Resources Development, including oceanic and water resources, fish and wildlife, parks and recreation, pollution and environmental health;
3. Social Development, including housing, employment, education, mental and physical health and social welfare, and cultural development, public utilities and services;
4. Transportation Development, including provisions for airports, highways, roads and waterways;
5. Public and Industrial Safety, including the prevention and suppression of fires, explosions and unsafe conditions and practices including the prevention of crime, identification, custody and correction of criminals and those criminally inclined:

WHEREAS, the Environmental Land and Water Management Act, Chapter 380 of the Florida Statutes, grants to Regional Planning Agencies the right and duty to study, review and make recommendations concerning "Areas of Critical State Concern" and "Developments of Regional Impact" to local governments and through the Division of State Planning to the Governor and the

Cabinet, and

WHEREAS, Rule 22E-1.01 of the Florida Administrative Code requires every State Board, Department, Commission, District, Agency, County and Municipality Agency created by Florida Statutes or laws, except judicial or legislative circuits and districts, to use the ten (10) multi-county regional planning district boundaries to prepare regional studies, reports and plans and for programs and budgets, including but not limited to comprehensive planning and land and water management, and

WHEREAS, the Division of State Planning is responsible for conducting a "continual process of State Comprehensive Planning" by considering studies, reports and plans of each Federal, State, Regional and Local Governmental Department, Agency, Institution and Commission and considering existing and prospective resources, capabilities, and needs of State and Local governments based upon the best available data to establish goals, objectives and policies for the long-range guidance for orderly social, economic, and physical growth of Florida, and

WHEREAS, "Comprehensive Regional Planning Districts" are an integral part of "State Comprehensive Planning" as established by Part I of Chapter 23 of the Florida Statutes, and

WHEREAS, the parties hereto desire to make the most efficient use of their powers to cooperate for mutual advantages to provide services and facilities in an effort to optimize the employment of geographic human, economic and natural resources in an effort to optimize economic, natural resources, social, land use, transportation and public safety development, and

WHEREAS, Section 163.01(4) of the Florida Statutes provides "a public agency of the State of Florida may exercise jointly with any other public agency of the State, or any other State or of the United States Government any power, privilege, or authority which such agencies share in common and which each might

exercise separately."

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual promises, covenants, benefits to accrue and agreements herein contained and set forth, the parties signatory hereto do hereby establish the "Southwest Florida Regional Planning Council", hereinafter referred to as Council a separate legal entity, and do further agree as follows:

1. Purpose: The purpose of this Agreement is:
 - a. To provide a means of exercising the rights, duties and powers of a Regional Planning Agency set forth by Chapters 23, 163 and 380 of the Florida Statutes, including those functions enumerated hereinabove by preambles, and other applicable Florida, Federal and Local law.
 - b. To serve as a regional coordinator for the members of the Region.
 - c. To exchange, interchange and review various programs of the individual members which have a relationship to regional problems.
 - d. To promote communication between the members for the conservation and compatible development of the member counties.
 - e. To cooperate with Federal, State, Local and non-governmental agencies to accomplish these objectives.
2. Effective Date, Duration, Termination and Withdrawal:
 - a. The principle member units of the Region shall be the Charlotte, Collier, Glades, Hendry, Lee and Sarasota Boards of County Commissioners.
 - b. This agreement shall continue from year to year without the necessity of a formal renewal by any party hereto, unless terminated as hereinafter provided.
 - c. Amendments to this agreement, except as to its membership provisions, shall be made effective by an affirmative vote

of a majority of the voting members of the Council.

Changes in membership provisions shall require a majority of the principal member units. Any amendment to this agreement shall be submitted, in writing, to each regular voting member at least seven (7) days prior to the meeting at which such amendment is to be voted upon.

d. Any party hereto or principal member unit may withdraw its membership by resolution duly adopted by its governing body, and upon giving twelve (12) months written notice of withdrawal to the chairman of the governing body of each other principal member unit without the effect of terminating this agreement. Contractual obligations of the withdrawing member shall continue until the effective date of the withdrawal. All property, real or personal, of the Region on the effective date of withdrawal shall remain the property of the Region and the withdrawing principal member unit shall have no right thereto.

e. In the event there is a complete termination of this agreement which would involve the disposition of the property of the Council, such property shall be liquidated and each principal member unit shall be entitled to a share of the proceeds bearing the same ratio to the total proceeds as the contribution of the principal member bore to total contributions made by all principal member units during the preceding fiscal year of the Region.

f. In case of a complete termination of this agreement, the non-Federal matching contribution to any approved Federal grant shall be firm, the project shall be completed and the required reports and accounting shall be completed.

g. This agreement may be terminated at any time by resolution duly adopted by the governing body of each principal member unit.

3. Membership: Each principal member unit as defined in Article 2(a) above shall be represented by one alternate and three (3) regular voting members of whom two (2) regular voting members will be members of the elected governing body of the principal member unit and the third a regular voting member of the elected governing body of a municipal corporation located within the boundaries of the principal member unit appointed after seeking the recommendation of the governing bodies of all municipalities within the County. Each voting member shall to be appointed by the governing body of the appropriate principal member unit. Each appointed member shall serve at the pleasure of the appointing Board of County Commissioners. An alternate shall be eligible to vote in the absence of a regular voting member.

4. Officers: The officers of the Region shall consist of the following:

- a. A Chairman, who shall serve as Chairman of the Council. He shall be an ex-officio member of all subsidiary committees and boards.
- b. A Vice-Chairman, who shall act for the Chairman in his absence. He shall also perform such other functions as the members, from time to time, shall assign.
- c. A Secretary, who shall conduct the correspondence of the Council, approve minutes of the meetings, be custodian of the records, keep the roll of all members and discharge such other duties as may be assigned by the Chairman or the members.
- d. A Treasurer, who shall supervise the financial affairs of the corporation and perform such other duties as usually pertain to that office.
- e. The officers of the Region shall be elected at the annual meeting of the Region and shall hold office for a term of one (1) year or until their respective successors are elected and qualified.

5. Meetings:

- a. The annual election of officers shall be held during the regular January meeting in each year.
- b. Regular meetings shall be held on the days and times established by the Council.
- c. Special meetings may be called by the Chairman at his discretion and shall be called by the Chairman when requested by one (1) voting member from each of two-thirds (2/3) of the principal member units.
- d. The place and time of each meeting shall be determined by the membership prior to the adjournment of the previous meeting. In the absence of such a determination, the time and place of meetings shall be determined by the Chairman.
- e. A quorum at any meeting shall consist of a majority of the voting members present provided, however, no quorum shall exist unless a voting member is present from each of more than one-half (1/2) of the principal member units. When a quorum has been determined to be present, a majority of those present and voting may take action on all matters presented at the meeting. Each member present shall vote on each question presented to the Council except in the event he disqualifies himself. Proxy voting is prohibited.
- f. The Secretary or his nominee shall keep minutes of each meeting and distribute a copy thereof to each voting member.

6. Finances:

- a. On or before August 15th of each year, the Region shall adopt a budget and certify a copy thereof to the Clerk of the governing body of each principal member unit. Upon approval thereof by the governing body of the principal member unit, each principal member unit shall include in its annual budget and cause the levy of a millage sufficient to produce an amount sufficient to fund the proportionate share of each principal member unit of the Region's budget.

- b. The fiscal year of the Region shall commence on the first day of October and end on the last day of September in each year.
 - c. The Region shall have the right to receive and accept in furtherance of its functions, funds, grants and services from federal, state and local governments or their agencies and from private and community sources, and to expend therefrom such sums of money as shall be deemed necessary from time to time for the attainment of its objectives.
 - d. The proportionate share of the budget of the Region shall be an amount which bears the same ratio to the total budget as the population of each principal member unit bears to the total population of Region, all as determined annually by the Department of Administration pursuant to Section 23.019, Florida Statutes, for the year preceding each budget determination.
 - e. The contribution of each principal member unit shall be thirty cents (30¢) per capita of the population of the principal member unit according to the last available determination under Section 23.019.
7. Powers: The Region shall have all powers granted by law, including without limiting the generality of the foregoing:
- a. The powers granted by Chapters 23, 163 and 380 of the Florida Statutes as now existing or as, from time to time, are amended.
 - b. To adopt rules of policy and procedure and by-laws, to regulate its affairs and conduct business.
 - c. To adopt an official seal.
 - d. To maintain an office at such place within the Region as may from time to time be determined.
 - e. To employ staff members and consultants, including an executive director, planning specialists, clerical personnel,

- attorneys, engineers and other specialists as the Council deems necessary and desirable to the performance of its duties and exercise of its rights and powers.
- f. To utilize staff members employed by principal member units as agreed by the principal member unit and determined by the Council to be desirable to solve regional and local problems and establish Council policies.
 - g. To hold public hearings and sponsor public forums whenever deemed necessary or useful in the execution of the functions of the Council.
 - h. To acquire, own, operate, maintain, lease and sell real or personal property and hold title thereto in the name of the Council.
 - i. To fix and determine by resolution rules and regulations relating to advertisement for bids, manner of bidding and a maximum amount, below which same will not be required.
 - j. To sue and be sued, implead and be impleaded, complain and defend, in all courts and before all administrative boards.
 - k. To receive and accept from any Federal or State agency and institutions grants for, or in aid of, the purposes of the Council.
 - l. To make and enter into all contracts and agreements, and do and perform all acts and deeds necessary and incidental to the performance of its duties and the exercise of its powers.
 - m. To incur debts, liabilities and obligations which are not the debts, liabilities or obligations of any of the parties to this Agreement.
8. It is expressly understood that the terms and conditions of, and this Agreement, shall be effective between and among those parties signatory hereto; and that the validity, force and effect of their Agreement shall not be affected by one or more of the

parties named hereinabove not joining in this Agreement, any other provision of this Agreement to the Contrary notwithstanding.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and their signatures to be affixed on the day and year first above written.

BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA

By /S/ DOROTHY FLOWERS
Chairman

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

/S/ RUSS WIMER
Chairman

BOARD OF COUNTY COMMISSIONERS
GLADES COUNTY, FLORIDA

By /S/ TOMMY BRONSON
Chairman

BOARD OF COUNTY COMMISSIONERS
HENDRY COUNTY, FLORIDA

/S/ C. E. HALL
Chairman

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

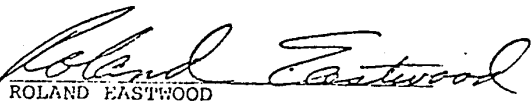
By /S/ R. H. WHAN
Chairman

BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FLORIDA

/S/ WILLIAM A. MUIRHEAD
Chairman

CERTIFICATE

This is to certify that the attached Interlocal Agreement is a true and accurate copy of the original maintained in my file and that each Board of County Commissioners has duly passed and executed a Resolution approving the attached Interlocal Agreement as indicated by the facsimile signatures affixed thereto.


ROLAND EASTWOOD
EXECUTIVE DIRECTOR
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

AMENDMENT TO AGREEMENT
CREATING THE SOUTHWEST FLORIDA REGIONAL
PLANNING COUNCIL

THIS AGREEMENT, by and between CHARLOTTE COUNTY, COLLIER COUNTY, GLADES COUNTY, HENDRY COUNTY, LEE COUNTY and SARASOTA COUNTY, each being a political subdivision of the State of Florida, and hereinafter collectively referred to as "the COUNTIES",

WITNESSETH:

WHEREAS, the COUNTIES entered into an interlocal agreement on November 8, 1973, pursuant to Section 163.01, Florida Statutes, to create the SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, said agreement hereinafter referred to as "the Interlocal Agreement"; and

WHEREAS, Chapter 80-315, Laws of Florida, requires certain modifications to the Interlocal Agreement in order for the SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL to continue to exercise its responsibilities under Chapter 23, 163 and 380, Florida Statutes; and

WHEREAS, it is the intent of the COUNTIES by entering into this amendment to the Interlocal Agreement to comply with the provisions of Chapter 80-315, Laws of Florida.

NOW, THEREFORE, FOR AND IN CONSIDERATION on the mutual promises, covenants, benefits to accrue and agreements herein contained and set forth, the COUNTIES signatory hereto do agree to the following amendments to the Interlocal Agreement to comply with the provisions of Chapter 80-315, Laws of Florida:

1. Paragraph 1.a. of the Interlocal Agreement is amended to read as follows:

1. a. To provide a means of exercising the rights, duties and powers of a Regional Planning Agency set forth by Chapters 23, 160, 163 and 380 of the Florida Statutes, including those functions enumerated hereinabove by preambles, and other applicable Florida, Federal and Local law.

2. Paragraph 2.c. of the Interlocal Agreement is amended to read as follows:

2. c. Amendments to this agreement, except as to its membership provisions, shall be made effective by an affirmative vote not less than two-thirds of the voting members of the Council. Changes in membership provisions shall require consent of a majority of the principal member units in addition to the two-thirds vote of the members of the Council. Any amendment to this agreement shall be submitted, in writing, to each regular voting member at least seven (7) days prior to the meeting at which such amendment is to be voted upon.

3. Paragraph 3 of the Interlocal Agreement is amended to read as follows:

3. Membership: At least eighteen voting members shall be elected County Commissioners or City Councilmen. Each principal member unit as defined in Article 2(a) above shall be represented by three voting members of whom two voting members will be members of the elected governing body of the principal member unit and the third a voting member of the elected governing body of a municipal corporation located within the boundaries of the principal member unit chosen by all municipalities within the County. In addition, the Governor of the State of Florida shall appoint representatives to the Regional Planning Council equalling one-half of the total of members appointed by the member counties and municipalities. These appointments shall be citizens of the Region and no two appointees of the Governor shall have their residences in the same county until each county within the Region is represented by a Governor's appointee.

4. Except as amended herein, the COUNTIES ratify and affirm the provisions of the Interlocal Agreement dated November 8, 1973.

IN WITNESS WHEREOF, the COUNTIES have caused the Agreement to be executed and their signatures to be affixed on the day and year indicated below their respective signatures.

Attest:

Buddy C. Alexander, Clerk of
Circuit Court and Ex-
Officio Clerk to the Board
of County Commissioners of
Charlotte County, FL

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Buddy C. Alexander
Deputy Clerk

By: Paul G. Foy
Chairman

Date: October 28, 1980

ATTEST:

William J. Reagan, Clerk of
Circuit Court and Ex-
Officio Clerk to the Board
of County Commissioners of
Collier County, FL

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: [Signature]
Chairman
Date: October 7, 1980

ATTEST:

Jerry L. Beck, Clerk of
Circuit Court and Ex-
Officio Clerk to the Board
of County Commissioners of
Glades County, FL

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF GLADES COUNTY, FLORIDA

By: [Signature]
Chairman
Date: 10-13-80

ATTEST:

Charlotte R. Fitzsimmons,
Clerk of Circuit Court and
Ex-Officio Clerk to the Board
of County Commissioners of
Hendry County, Florida

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF
HENDRY COUNTY, FLORIDA

By: [Signature]
Chairman
Date: Oct. 14, 1980

ATTEST:

Sal Geraci, Clerk of
Circuit Court and Ex-
Officio Clerk to the Board
of County Commissioners of
Lee County, Florida

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: [Signature]
Chairman
Date: Oct 1, 1980

ATTEST:

R. H. Hackney, Jr., Clerk of
Circuit Court and Ex-
Officio Clerk to the Board
of County Commissioners of
Sarasota County, Florida

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: [Signature]
Chairman
Date: Oct 31, 1980

APPROVED AS TO FORM

By: [Signature]
OFFICE OF COUNTY ATTORNEY

SWFRPC ADOPTED BY-LAWS

29I-1.001 Name and Scope.

The name of this agency is the Southwest Florida Regional Planning Council (SWFRPC, or “Council”), a voluntary association of counties and cities formed as of November 8, 1973, under the laws of Florida and comprising the 9th Comprehensive Regional Planning District as provided for by the Florida Statutes.

Rulemaking Authority 186.502, 186.504(6), 186.505(2) FS. Law Implemented 186.504 FS. History—New 2-9-76, Formerly 29I-1.01, Amended 5-14-09.

29I-1.002 Purpose.

(1) Purpose. The purposes of the Southwest Florida Regional Planning Council shall be:

(a) To provide a means to permit local governmental units to make the most efficient use of their powers to cooperate for mutual advantages in order to provide services and facilities that will accord best with geographic, economic, social, land use, transportation, public safety resources and other factors influencing the needs and development of local communities within Planning District No. 9;

(b) To serve as a regional coordinator for the local governmental units comprising the planning district;

(c) To exchange information on and review programs of region concerns;

(d) To promote communication between the local governments for the conservation and compatible development of the Southwest Region;

(e) To cooperate with Federal, State and local government and non-government agencies to accomplish regional objectives; and

(f) To do all things authorized for a Regional Planning Agency under Chapters 163, 186 and 380, F.S., and other applicable Florida, Federal and Local Laws, rules and regulations.

(2) Mission. It is the mission of the Council:

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.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.502 FS. History—New 2-9-76, Amended 7-18-82, Formerly 29I-1.02, Amended 5-7-92, 5-14-09.

29I-1.003 Staff Functions; General Description.

The Council shall appoint an Executive Director who shall have the responsibility for the general management of the affairs of the Council, subject to the governing laws of the State and such regulations as may be adopted by the Council.

(1) The Executive Director shall annually prepare a budget for the Council and transmit the Council’s budget request to the member governmental units.

(2) The Executive Director shall be responsible for the general management of the Council’s office, for assisting the Secretary of the Council in the recording and maintenance of Council minutes and other documents of record, for any moneys received on behalf of the Council, for the keeping of financial statements in such form and in accordance with such procedures as shall be required by the Treasurer.

(3) The Executive Director may appoint and discharge any employee or subordinates in accordance with the policies of the Council and applicable Federal and Florida Statutes and regulations, and shall fix compensation within such limits as may be provided by the approved Council budget.

(4) The Executive Director may make agreements on behalf of the Council in performing the duties entrusted to him/her and shall attest all necessary instruments.

Rulemaking Authority 186.505(1), 186.505(4) FS. Law Implemented 186.505 FS. History—New 2-9-76, Formerly 29I-1.03, Amended 5-7-92, 5-14-09.

29I-1.004 Council Membership and Appointments, Term of Service, Vacancies, Removal from Office.

(1) Membership and Appointments.

(a) The Council shall include the Counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota, each of which shall be represented on the Council by two voting representatives appointed by their respective Board of County Commissioners.

(b) All municipalities within each county shall select one representative of one of the municipalities within the county who will be a voting representative.

(c) Further, each city has the option to be a member local government and to appoint one representative from the city's governing board; cities taking this option shall not participate in the process in (b) above.

(d) The representative(s) to the Council from each member local government shall be the elected chief representative of said local government or a member of its governing body chosen by such body to be its representative.

(e) Changes in membership provisions shall require a two thirds vote of the members.

(2) Terms of Service.

(a) Council members shall serve, and may be reappointed, at the pleasure of the appointing authority for terms not to exceed 3 years.

(b) Member governments may appoint alternate representative(s) to the Council. Alternate representative(s) shall be the chief elected official of said local government or a member of its governing body chosen by such body to be its alternate representative.

(3) Vacancies.

Any vacancy shall be filled for the unexpired term in the same manner as the initial appointment.

(4) Removal from Service.

Should a Council member have three consecutive unexplained absences from regular Council meetings, the Council shall so advise the appropriate appointing authority and request another appointment. Voting representatives will continue to occupy their offices until the Council is notified in writing of their replacement.

Rulemaking Authority 186.502, 186.505(1) FS. Law Implemented 186.504 FS. History—New 2-9-76, Amended 2-20-77, 7-18-82, Formerly 29I-1.04, Amended 5-4-88, 3-1-95, 5-14-09.

29I-1.005 Officers, Term, Duties, Committees.

(1) The regular January monthly meeting shall include electing from the regular membership officers with duties as follows:

(a) Chair – The Chair shall be the Chief Executive Officer, responsible for executing contracts for the Council, for overseeing the organization of the work of the Council, for seeing that all policy decisions of the Council are carried out, and for such other executive level functions as the Council shall assign. Except as provided for elsewhere, the Chair shall serve as a non-voting member of each advisory committee.

(b) Vice-Chair – The Vice-Chair shall act for the Chair in his/her absence, or in the event of the Chair's inability to act, perform all the functions of the Chair.

(c) Secretary – The Secretary shall conduct the correspondence of the Council, keep and distribute the minutes of the meetings, be custodian of the records and seal, keep the roll of all members, and discharge such other duties as may be assigned by the Chair or the members. The Executive Director shall serve as deputy to the Secretary.

(d) Treasurer – The Treasurer shall supervise the financial affairs of the Council, including recommending designation of checking and savings account depositories, and perform such other duties as usually pertain to that office. Except as provided for elsewhere, each negotiable check or warrant shall bear the signature of the Treasurer.

(2) Each officer so elected shall serve one (1) year or until re-elected or a successor is elected.

(3) A Nominating Committee comprised of at least three (3) Council members, each from a different County shall be appointed by the Chair at the regular December meeting of the Council for the purpose of proposing candidates for all offices for the following year. Additional nominations may be made by any Council member at the January monthly meeting. Newly elected officers shall be declared to be installed following their election at the January monthly meeting and shall assume the duties of office upon adjournment of said meeting.

(4) Standing and Special Committees.

The Council is empowered to designate and appoint standing committees, study groups, boards, and consultants consisting of members or non-members as the Council determines are essential or desirable to carry out its policies and objectives. The Council is empowered to direct the Executive Director to assign staff to support such standing committees, study groups, boards and

consultants to carry out the Council's policies and objectives. The Chair may appoint such special Advisory Committees consisting of members or non-members as he/she deems necessary or expedient to assist the Council and staff from time to time. Standing Committee members shall serve for terms of one (1) year. Special advisory committee members shall serve for the same period as the appointing Chair. All Committee actions shall be advisory only to the Council. The Council may, however, delegate certain specific administrative and review prerogatives to a committee in order to expedite the Council's work.

Rulemaking Authority 186.505 FS. Law Implemented 186.505 FS. History--New 2-9-76, Amended 2-20-77, Formerly 29I-1.05, Amended 5-14-09.

29I-1.006 Conduct of Meetings.

(1) The Council shall hold regular monthly meetings at a time and place to be determined by the membership prior to adjournment of the previous meeting or by the Chair in the absence of such determination. A monthly meeting may be waived by a majority of the Council. Business to have been conducted at the waived meeting shall be considered at the next successive monthly meeting.

(2) Special meetings of the Council may be called by the Chair at his/her discretion or when requested by six (6) voting members.

(3) Voting.

(a) Council members must be present to vote. A quorum shall consist of a majority of the total voting membership of the Council, representing at least four (4) of the Counties. When a quorum is present, a majority of those present may take action on matters properly presented at the meeting. Members present shall vote on each question presented to the Council unless they disqualify themselves. Business shall be transacted only at regular or special called meetings and shall be duly recorded in the minutes thereof.

(b) As permitted by Florida Statutes, Council members are present at a meeting when participating through interactive video and telephone systems.

(4) Minutes.

(a) The Council shall record minutes of its proceedings and official actions in the office of the Council.

(b) The minutes of prior meetings approved by a majority of the members present, shall become the official minutes.

(c) Each resolution shall be signed by the presiding officer at the meeting and by the Executive Director and entered in the minutes.

(5) Rules of Debate.

(a) Chair Participation: The presiding Chair shall not be deprived of any rights and privileges of a Council member by reason of being the presiding Chair, but may move or second a motion only after the gavel has been passed to the Vice-Chair or another member of the Council.

(b) Form of Address: Members shall address only the presiding officer for recognition; shall confine themselves to the question under debate; and shall avoid personalities and indecorous language.

(c) The Question: Upon the closing of debate the Chair shall call the question by voice or roll call vote. Members may give a brief statement or file a written explanation of their vote.

(6) Amending the Agenda.

If a subject is not on the Agenda it may be added by motion and a majority vote that the subject should not be delayed until the next meeting.

(7) DRI Recommendations.

(a) When the Council is considering the recommendations it shall make to a local government, the Council, in addition to its normal staff presentation, shall allow limited presentations by the following: the developer; the adjacent or contiguous city and county involved; technical consultants to the Council; and members of the public, who shall be required to submit a "Request to Speak" form. The applicant may request additional time for presentation. The Chair may limit or restrict the time available for any presentation. Any Council member may ask the developer, or any person present, specific questions concerning specific issues of the proposed development.

(b) The Council may close debate by a majority vote of the members present.

(8) Voting shall be by voice, but members shall have their votes recorded in the minutes if they so desire. A roll call vote shall be held upon proper motion. All other questions of procedure shall be governed by Robert's Rules of Order, Revised.

(9) Staff memoranda and committee resolutions, minutes and reports are prepared for the purpose of providing the Council with the basic information it requires to make decisions. Such staff memoranda and committee resolutions, minutes and reports are advisory only and not final actions or conclusions of the Council itself. The Council shall release all such data to the chief executive officer of each member governmental unit upon his request.

(10) All official meetings of the Council shall be open to the public as required by Florida Sunshine Laws, Chapter 286, F.S., and shall meet the requirements of the applicable sections of the Florida Administrative Procedures Act, Chapter 120, F.S. The Council shall give seven (7) days notice of meetings and workshops, in addition to any other notices as required by Florida Statutes.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505 FS. History--New 2-9-76, Amended 2-20-77, 7-18-82, Formerly 29I-1.06, Amended 5-7-92, 5-14-09.

29I-1.007 Budget and Finances.

(1) The Council shall cause to be prepared and shall adopt on or before August 15 of each year a budget for the development and implementation of the planning and development programs by such means and through such agencies as the Council shall determine and shall certify a copy thereof to the Clerk of the governing body of each local government that is a member established through (a) and (c) of subsection 29I-1.004(1), F.A.C., above. Upon approval thereof by the governing body each member local government shall include in its annual budget and cause the levy of a millage sufficient to produce the amount necessary to fund its proportionate share of the Council's total budget for the District, which, beyond minimums for individual membership established by the Council, bears the same ratio to the total budget as the population of each member unit bears to the total population of the District, all as determined annually by official population forecasts by the state of Florida for the year preceding each budget determination.

(2) The fiscal year of the Council shall commence on the first day of October of each year and end on the last day of September of the following year.

(3) The Council shall have the right to receive and accept in furtherance of its functions, funds, grants and services from Federal, State and Local Governments or their agencies and from private and community sources, and to expend therefrom such sums of money as shall be deemed necessary from time to time for the attainment of its objectives.

(4) Services Charges. The Council may establish fees for its services reasonably related to the general cost of providing such service including but not limited to the processing of Applications for Developments of Regional Impact.

(5) The Council shall maintain bank accounts, including, but not limited to, checking and savings accounts, and to do those things generally authorized by law for such public authorities.

(6) Designation of Authorized Fiscal Signatures. Each check or warrant issued by the Council shall be co-signed by one of two designated Council officers and by one of two designated Council employees in the following manner:

(a) Authorized Council Officers. Treasurer, or in his absence, a voting member designated by the Council.

(b) Authorized Council Employees. Executive Director, or in his absence, the Director of Planning, shall verify that budgeting provisions have been made therefor, and that quid pro quo has been received and shall have the check or warrant prepared.

All such Officers or Employees of the Council to whom authority to receive and disburse funds has been delegated shall be sufficiently bonded under a general fidelity bond to be paid by the Council.

(7) The Council shall prepare or cause to be prepared annually a report of its activities for the preceding fiscal year, to include an independently audited financial statement. The annual report shall be officially presented to the Council at its Annual Meeting.

(8) Council members shall receive no compensation for their services but shall be reimbursed for travel expenses incurred while engaged in specific, authorized activities on behalf of the Council.

Specific Authority 120.53(1) FS. Law Implemented 120.53(1), 186.502, 163.01 FS. History--New 2-9-76, Amended 7-18-82, Formerly 29I-1.07, Amended 5-4-88.

29I-1.008 Responsibilities and Authority.

The Council shall exercise all powers granted to regional planning councils, or regional planning agencies by Section 186.505 F.S., and by its Interlocal Agreement dated, November 8, 1973, amended October 28, 1980, incorporated by reference and available from the Council.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.502 FS. History--New 2-9-76, Amended 7-18-82, Formerly 29I-1.08, Amended 5-7-92, 5-14-09.

29I-1.009 Amendments.

These rules shall be amended by a majority vote of the Council. All proposed amendments shall be voted on at a regular meeting, the call of which meeting shall have included notice of the proposed amendment, and which shall have been duly advertised in accordance with the provisions of Chapter 120, Florida Statutes.

Specific Authority 120.53(1) FS. Law Implemented 120.53(1), 163.01 FS. History--New 2-9-76, 2-20-77, Formerly 29I-1.09.

29I-1.010 Information Requests.

(1) The principal office of the Southwest Florida Regional Planning Council is located at 1926 Victoria Avenue, Fort Myers, Florida 33901-3414. The office hours are Monday through Friday, from 8:00 a.m. to 5:00 p.m. All official forms, publications or documents of the Council are available for public inspection at the Council's principal office during regular business hours.

(2) All information requests are fulfilled in compliance with the Florida Public Records Law, Chapter 119, F.S.

(3) Copies of the Council's forms, publications and official documents prepared for public dissemination are available as follows:

(a) Public agencies, defined as those organizations representing the public; government agencies situated in the State of Florida receive Council publications at no charge.

(b) Private organizations situated in Florida and all parties outside of Florida can receive Council publications at cost.

(c) Publications out of print or singular documents are available for inspection at its principal office. Persons wishing photocopies may receive same at cost.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505 FS. History--New 2-9-76, Formerly 29I-1.10, Amended 5-14-09.

29I-4.001 DRI Review Process.

(1) The DRI Review Process incorporates the following Council practices and procedures in conjunction with the required guidelines, reviews, reports, recommendations, and time limitations imposed by Chapter 380, F.S. The Southwest Florida Regional Planning Council (SWFRPC) has been charged by the State with the responsibility of reviewing Developments of Regional Impact (DRI's) as defined and authorized by Chapter 380, F.S. The SWFRPC is responsible for State Region 9, encompassing the Counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota.

(2) By law, the SWFRPC has 50 days in which to review an Application for Development Approval (ADA) after receiving notice that the legislative body of the local government will hold a DRI Public Hearing. However, the local government cannot schedule a DRI Public Hearing until it has received a letter from the SWFRPC indicating that the application is sufficient for review or that the SWFRPC has received notification from the developer that the additional requested information will not be supplied.

(3) Upon receiving a DRI-ADA, the SWFRPC has 30 calendar days in which to determine the sufficiency of the information provided. In order to provide an applicant with reasonable assurance that ADA will be acceptable, all information requested must be in the ADA. If the information in an ADA is determined by the SWFRPC to be insufficient, the applicant and the local government will be notified, in writing, of any information desired. If additional information is requested, the applicant has two options:

(a) To provide a letter within five working days of the receipt of the statement, requesting additional information, stating that the additional information will be provided to the SWFRPC and the local government. The applicant may choose to supply some of the requested information and decline, in writing, to provide the balance.

(b) To notify the SWFRPC that the requested additional information will not be provided. In this case, the SWFRPC may find it necessary to recommend that the ADA be denied for lack of information.

(4) Within 30 calendar days after receipt of such additional information, the SWFRPC shall review it following procedures specified in (3)(a) and (b) above and may request only that information needed to clarify such additional information or to answer new questions raised by, or directly related to, such additional information.

(5) If an applicant does not provide the information requested by the SWFRPC within 120 days of its request, the application shall be considered withdrawn. The SWFRPC Executive Director, at his discretion, may grant an additional 45 day extension, upon formal written request for an extension by the applicant. Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension.

Any such extension shall be based upon the complexity, availability of data and additional analysis caused by a time extension and any unnecessary hardships upon the developer.

(6) If the application is sufficient or if the developer has notified the SWFRPC that the additional requested information will not be provided, the SWFRPC, within 10 days of finding the application sufficient or receipt of notice from the applicant, will notify the local government and the applicant in writing. The local government is then required to set a DRI Public Hearing date at its next scheduled meeting. The notice of Public Hearing must be published at least 60 days in advance of the Hearing. The DRI Public Hearing date should be at least 10 days after the SWFRPC's meeting at which the DRI Assessment Report is officially adopted.

(7) The receipt of the local government notice of a DRI Public Hearing by the SWFRPC initiates the statutorily provided 50-day review period within which the Council must prepare and transmit a DRI Assessment Report to the local government. To eliminate the possibility of having to set up special Council meeting dates, the local government and the SWFRPC must coordinate the transmittal of the notice of the DRI Public Hearing so it is received by the SWFRPC no less than 45 days before the Council meeting at which the DRI Assessment Report would be officially adopted by the Council.

(8) After the DRI Public Hearing is held, the local government has 30 days to issue a Development Order. However, a time extension may be requested by the applicant. During the DRI Public Hearing, the local governments must consider the report and recommendations of the SWFRPC. The Development Order should approve, approve with conditions or deny the DRI. The Development Order should address all the regional issues raised by the SWFRPC indicating how these issues have or have not been resolved.

(9) Certified copies of the Development Orders shall be sent by the local government to the state land planning agency, the SWFRPC, and the applicant. Upon receipt of a copy of the Development Order to the state land planning agency, the SWFRPC, the owner, and the developer, a 45 day period begins during which appeals may be initiated. Three parties may appeal a Development Order: the landowner, the developer, or the state land planning agency. No development permit should be issued by the local government during this 45 day period. Should an appeal take place, no development permit should be issued by the local

government until the appeal is adjudicated. An appeal is made to the Land and Water Adjudicatory Commission. Decisions of the Commission are subject to judicial review under Chapter 120, F.S.

(10) The Council will review substantial deviation determinations made by local government on approved DRI Development Orders. The Council will assist the state land planning agency in monitoring the progress of the development and its compliance with the terms of the approved development. The Council will notify local governments if the required annual report is not received from the developer.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History—New 2-9-76, Amended 2-20-77, 9-26-77, 7-18-82, Formerly 29I-4.01, Amended 7-27-86, 2-19-92, 5-14-09.

29I-4.003 Procedures for Filing an ADA.

(1) An Application for Development Approval (ADA) may be received at any time by the SWFRPC. Before filing an ADA, the applicant shall contact the SWFRPC to arrange for a preapplication conference. During this conference, SWFRPC shall provide the applicant information about the DRI Process and the use of preapplication conferences to identify the appropriate listed regional issues and coordinate appropriate state, district, and local agency requirements.

(2) If during a preapplication meeting, the applicant states that any question(s) from the ADA appear unnecessary for a DRI and requests such question(s) be eliminated, the SWFRPC shall review the arguments of the applicant and then draft a written agreement for the elimination of any question(s) it deems unnecessary. If the SWFRPC determines during sufficiency review of a DRI that elimination of any ADA question(s) was based upon erroneous information, the question shall be immediately reinstated.

(3) The applicant must send a “Letter of Intent” to the Council at least one week prior to the submission of the DRI-ADA. All DRI communication and requests should be directed to:

Executive Director
Southwest Florida Regional Planning Council
(Please contact the agency for appropriate mailing address)

(4) At various intervals in the DRI Review Process, the Council’s staff and the developer/owner, or a representative, may meet to discuss information deficiencies of the ADA and regional issues identified in the ADA. These meetings will be used to establish communication with the applicant and to seek appropriate measures to changes in the ADA necessary to resolve the regional issues prior to final review of the ADA by the Council.

(5) State, regional, and local governmental agencies will be invited to participate in the DRI Review process. Comments or reports on a particular DRI provided by such agencies will be included in the report of the staff to the Council.

(6) Standards used in review of DRI projects shall be as specified within SWFRPC rules and Regional Comprehensive Policy Plans. The SWFRPC shall also consider other appropriate Federal, State and Local Government Standards and Policies during the review of DRI projects.

Specific Authority 120.53(1), 163.01, 186.505 FS. Law Implemented 120.53(1), 163.01, 186.505, 380.06, 380.07 FS. History—New 2-9-76, Amended 2-20-77, 7-18-82, Formerly 29I-4.03, Amended 7-27-86, 2-19-92.

29I-4.004 DRI-ADA Form.

(1) An application for development approval shall be submitted using the state land planning agency official ADA forms specified within Rule 9J-2.010, F.A.C. Form RPM-BSP-ADA-1, Development of Regional Impact Application for Development Approval under Section 380.06, F.S., effective 11/90, hereby incorporated by reference, shall be used and may be obtained from the SWFRPC. Each question shall be fully answered. The Standard ADA form is subject to clarification to reflect specific regional concerns and to clarify the intent and response necessary to specific questions or parts of questions. Such supplemental questions shall be provided to the applicant at the preapplication meeting.

(2) Applications are required to be submitted on 8 1/2 x 11 inch paper. Digital files and geo-referenced data may also be required. Each question must be repeated in the application text with the answer following.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History—New 2-9-76 Amended 2-20-77, 7-18-82, Formerly 29I-4.04, Amended 7-27-86, 2-19-92, 5-14-09.

29I-4.005 DRI-ADA Submission.

Copies of the completed ADA shall be submitted to the local government on the same date submitted to the SWFRPC. A minimum of 20 copies shall be submitted to the SWFRPC. Additional copies may be requested based on the number of regional review agencies expected to participate in the review process.

Specific Authority 120.53(1), 163.01, 186.505 FS. Law Implemented 120.53(1), 163.01, 186.505, 380.06, 380.07 FS. History—New 2-9-76, Amended 1-3-77, 2-20-77, 7-18-82, Formerly 29I-4.05, Amended 7-27-86, 2-19-92.

29I-4.006 Request for DRI Review.

The applicant must complete and deliver with the application for development approval (ADA) a “SWFRPC receipt and review fee agreement for review of developments of regional impact,” (eff. 7/2006 available from Southwest Florida Regional Planning Council).

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505, 380.06 FS. History—New 2-9-76, Amended 2-20-77, Formerly 29I-4.06, Amended 2-19-92, 5-14-09.

29I-4.007 DRI Review Fee.

The DRI review fee for each DRI application, Florida Quality Development application, substantial deviation application, substantial deviation determination, supplemental plans and reviews identified in a development order requiring regional review or approval and review of each annual report are governed by the provisions of Rule 9J-2.0252, F.A.C. (DRI Review Fee Rule).

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06, 380.07 FS. History—New 8-19-76, Amended 2-20-77, 7-18-82, Formerly 29I-4.07, Amended 7-27-86, 9-20-88, 2-19-92, 5-14-09.

29I-4.009 Conceptual Agency Review.

In order to facilitate the planning and preparation of permit applications for projects that undergo development-of-regional-impact review, and in order to coordinate the information required to issue such permits a developer may elect to request conceptual agency review pursuant to Section 380.06, F.S., either concurrently with development-of-regional-impact review and comprehensive plan amendments, if applicable, or subsequent to a preapplication conference. The developer should notify the SWFRPC and appropriate review agencies of his intent to request Conceptual Agency Review at the pre-application conference.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07 FS. History—New 7-27-86.

29I-4.010 Downtown Development Authorities.

(1) A downtown development authority may submit a development-of-regional-impact application for development approval pursuant to Section 380.06, F.S. The area described in the application may consist of any or all of the land over which a downtown development authority has the power described in Section 380.031(5), F.S. For the purposes of this subsection, a downtown development authority shall be considered the developer whether or not the development will be undertaken by the downtown development authority.

(2) In addition to information required by the development-of-regional-impact application, the application for development approval submitted by a downtown development authority shall specify the total amount of development planned for each land use category.

Specific Authority 120.53, 163.01, 186.505, FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07, FS. History—New 7-27-86.

29I-4.011 Areawide Development of Regional Impact.

(1) An authorized developer may submit an areawide development of regional impact to be reviewed pursuant to the procedures and standards set forth in Section 380.06, F.S. The areawide development-of-regional-impact review shall include an area wide development plan in addition to any other information required by rule pursuant to Section 380.06, F.S., and the information required in the state land planning agency official ADA form.

(2) Prior to filing an Areawide DRI, the authorized developer shall submit a petition to the local government, the SWFRPC, and the state land planning agency requesting authorization to submit an Areawide ADA. Such petition shall include proof that timely, actual notice has been provided by the petitioner to each person owning land within the proposed areawide development plan. This

notice shall be in addition to other notice of public hearings as required by Section 380.06, F.S.

(3) Criteria used by the SWFRPC for evaluating a petition shall include, but not be limited to:

(a) Whether the developer is financially capable of processing the application for development approval through final approval pursuant to this section.

(b) Whether the defined planning area and anticipated development therein appear to be of a character, magnitude, and location that a proposed areawide development plan would be in the public interest. Any public interest determination under this criterion is preliminary and not binding on the state land planning agency, the SWFRPC, or local government.

(4) The local government shall submit any order which approves the petition, or approves the petition with conditions, to the petitioner, to all owners of property within the defined planning area, to the SWFRPC, and to the state land planning agency, within 30 days after the order becomes effective.

(5) The petitioner, an owner of property within the defined planning area, or the state land planning agency may appeal the decision of the local government to the Florida Land and Water Adjudicatory Commission by filing a notice of appeal with the Commission. The procedures established in Section 380.07, F.S., shall be followed for such an appeal.

(6) In reviewing an application for a proposed areawide development of regional impact, the SWFRPC shall evaluate the following criteria, in addition to any other criteria set forth in this rule:

(a) Whether the developer has demonstrated its legal, financial, and administrative ability to perform any commitments it has made in the application for a proposed areawide development of regional impact.

(b) Whether the developer has demonstrated that all property owners within the defined planning area consent or do not object to the proposed areawide development of regional impact.

(c) Whether the area and the anticipated development are consistent with the applicable, local, regional, and state comprehensive plans and any state land development plan.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History--New 7-27-86, Amended 5-14-09.

29I-4.012 Florida's Quality Developments Program.

(1) An authorized developer may file an application under the Florida's Quality Developments program pursuant to Section 380.061, F.S. The developer shall submit the application to the state land planning agency, the SWFRPC, and the appropriate local government for review. The review shall be conducted under the time limits and procedures set forth in Section 120.60, F.S., except that the 90-day time limit shall cease to run when all three entities reviewing the project have notified the applicant of their decision on whether the development should be designated under this program.

(2) Criteria used by the SWFRPC for review of an application submitted under this program shall be as specified within Section 380.06, F.S.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History--New 7-27-86, Amended 5-14-09.

29I-4.013 Review of Amendments to Development Orders.

(1) The developer shall submit, simultaneously, to the local government, the SWFRPC, and the state land planning agency, the request for approval of a proposed change to a previously approved development of regional impact. The form for this submission shall be as prescribed by rule of the Department of Community Affairs.

(2) The SWFRPC shall review the proposed change and may, in its discretion and within 30 days of submittal by the developer of the request for approval of a change, advise the local government of its intention to participate at the public hearing before the local government.

(3) The decision of the local government to approve, with or without conditions, or to deny the proposed change that the developer asserts does not require further review, shall be subject to the appeal provisions of Section 380.07, F.S.

(4) If a proposed change requires further development-of-regional-impact review pursuant to this section, the review shall be conducted subject to the following additional conditions:

(a) The development-of-regional-impact review conducted by the SWFRPC shall address only those issues raised by the proposed change except as provided in paragraph (b).

(b) The SWFRPC shall consider, and recommend whether to approve, approve with conditions, or deny the proposed change as it relates to the entire development.

(c) If the SWFRPC determines that the proposed change as it related to the entire development should be approved, any new conditions in the amendment to the development order recommended by the SWFRPC shall address only those issues raised by the proposed change.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History—New 7-27-86, Amended 5-14-09.

29I-4.0081 Master Development Approval Alternative Review Procedure.

(1) If a proposed development is planned for development over an extended period of time, the developer may follow an alternative development of regional impact review procedure by filing an application for master development approval of the project and agree to present subsequent increments of the development for preconstruction review. This alternative procedure shall follow development of regional impact procedures established by statute and rule but shall not be used for the optional coordinated review process. The developer shall consult with the local government and the SWFRPC regarding information to be provided; the timing of review of phases, increments, or issues related to regional impacts of the proposed development; and any other considerations that must be addressed in the application for master development approval and the agreement required by Section 380.06, F.S. The agreement shall be entered into by the developer, the SWFRPC, and the local government having jurisdiction before the application for master development approval is filed.

(2) In determining sufficiency of information contained in an application for master development approval, the SWFRPC shall give consideration to: the adequacy and availability of sufficient, reliable information; the necessity of subsequent review of phases, increments, or issues related to regional impacts; additional information which may be required in subsequent incremental applications; and issues which could result in the denial of an incremental application.

(3) Prior to adoption of the master plan development order by the local government, the SWFRPC board shall review the draft development order and, if appropriate, related agreements, at a regularly scheduled board meeting, to ensure that the requirements of Section 380.06, F.S., are met.

(4) The review of subsequent incremental applications shall be as prescribed in Section 380.06, F.S. Substantial changes in conditions underlying the approval of the master development order was based are to be construed to mean changed conditions or inaccurate information that creates a reasonable likelihood of additional adverse regional impact or any other regional impact not previously reviewed by the regional planning agency.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07, FS. History—New 7-27-86.

29I-4.0081 Master Development Approval Alternative Review Procedure.

(1) If a proposed development is planned for development over an extended period of time, the developer may follow an alternative development of regional impact review procedure by filing an application for master development approval of the project and agree to present subsequent increments of the development for preconstruction review. This alternative procedure shall follow development of regional impact procedures established by statute and rule but shall not be used for the optional coordinated review process. The developer shall consult with the local government and the SWFRPC regarding information to be provided; the timing of review of phases, increments, or issues related to regional impacts of the proposed development; and any other considerations that must be addressed in the application for master development approval and the agreement required by Section 380.06, F.S. The agreement shall be entered into by the developer, the SWFRPC, and the local government having jurisdiction before the application for master development approval is filed.

(2) In determining sufficiency of information contained in an application for master development approval, the SWFRPC shall give consideration to: the adequacy and availability of sufficient, reliable information; the necessity of subsequent review of phases, increments, or issues related to regional impacts; additional information which may be required in subsequent incremental applications; and issues which could result in the denial of an incremental application.

(3) Prior to adoption of the master plan development order by the local government, the SWFRPC board shall review the draft development order and, if appropriate, related agreements, at a regularly scheduled board meeting, to ensure that the requirements of Section 380.06, F.S., are met.

(4) The review of subsequent incremental applications shall be as prescribed in Section 380.06, F.S. Substantial changes in conditions underlying the approval of the master development order was based are to be construed to mean changed conditions or inaccurate information that creates a reasonable likelihood of additional adverse regional impact or any other regional impact not previously reviewed by the regional planning agency.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07, FS. History—New 7-27-86.

29I-5.001 General.

(1) The Southwest Florida Regional Planning Council was designated as the are awide clearinghouse pursuant to United States Office of Management and Budget Circular A-95 for substate District Nine on May 17, 1974.

(2) The Council's Clearinghouse Review function addresses projects requiring review under OMB Circular A-95 as well as U.S. Army Corps of Engineers/Department of Environmental Regulation Permits, Environmental Impact Statements, Florida Highway Projects, and Coast Guard Permits.

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History--New 9-5-78, Amended 10-15-78, Formerly 29I-5.01.

29I-5.002 Classification of Projects.

(1) Because of the high volume of Clearinghouse reviews, and the desire of the Council to provide more detailed analysis of those projects of regional significance, without duly burdening those applications of a local nature, a classification system is employed. All applications are classified as either a) Projects of Regional Significance, b) Projects of Less Than Regional Significance.

(2) Projects of Regional Significance include:

(a) All federally assisted projects or programs of organizations or agencies having multi-jurisdictional responsibility within all or part of the Region.

(b) All applications for comprehensive planning and management grants.

(c) All applications for projects which cross county boundaries, impact two or more counties, or projects of significant multi-jurisdictional impact.

(d) All applications for projects which approach the DRI threshold.

(e) All Environmental Impact Statements.

(f) All Proposals with a significant water quality impact on the Council's 208 study area.

(g) Any project which, due to its unique aspects, has regional significance.

(3) Projects of Less Than Regional Significance.

All applications NOT determined to be of Regional Significance are considered Projects of Less Than Regional Significance.

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History--New 9-5-78, Amended 10-15-78, Formerly 29I-5.02.

29I-5.003 Review Criteria.

(1) Projects of Regional Significance.

In reviewing Projects of Regional Significance, the following criteria is generally used in whole or in part:

(a) Project's consistency with adopted regional and local goals, objectives and policies.

(b) The need for the project and whether it duplicates an existing program.

(c) Appropriateness of the proposed funding levels and its project costs.

(d) Accuracy of data utilized; appropriateness of methodology, and the completeness of the proposal.

(e) The project's potential for air, noise and water pollution.

(f) The potential impact on historic/archeologic sites, wildlife habitats and sensitive ecosystems.

(g) The potential for increased surface water runoff and/or erosion.

(h) The accessibility to adequate infrastructure.

(i) The location of project in relation to those it will serve.

(j) If the project is located in the coastal zone, the project's compatibility with the State's Coastal Zone Management Program.

(k) The impact of traffic generated by the project.

(l) The effects on energy resource supply and demand.

(m) The project's potential secondary impacts including impacts on neighboring communities.

(n) The potential displacement of people, housing or business.

(o) The project's relationship to flood plain.

(2) Projects of Less than Regional Significance.

In reviewing Projects of Less Than Regional Significance, consistency with adopted regional and local goals, objectives and policies is assessed.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History--New 9-5-78, Amended 10-15-78, Formerly 29I-5.03, Amended 5-14-09.

29I-5.004 Review Procedures.

All projects and programs which are reviewed by the Council are processed as follows:

(1) Receipt of Project.

When a proposal (Notification of Intent, Pre-Application, Permit Application, EIS, etc.) is received, it is date stamped, logged in and assigned a file number by the A-95 Coordinator. The Council has thirty (30) days to complete its Clearinghouse review of a project.

(2) Emergency Situations.

There are emergency situations when the Council will accept projects for Clearinghouse review with less than thirty (30) days remaining to review the project. The Council will work closely with the applicant to ensure that potential funding is not jeopardized. Review will commence when the documents are in a draft stage. Before the applicant is notified in writing of the Clearinghouse comments, however, the Council requires that the application in its final form be officially transmitted to it.

(3) Local Government Comment.

The A-95 Coordinator solicits comment from the local governments and other agencies whose interests might be affected. These letters indicate a deadline for comments. Comments received from local government or other agencies will either be included in the Council's comments or attached to them. If no comment is received by this date, it is presumed that the project or program is not inconsistent with local plans.

(4) Staff Action.

Each project or program is screened by the Council staff to determine if it is a new application or a continuation/modification of an existing program. The staff member then determines if the project is of regional significance and applies the appropriate review criteria.

(5) Staff Recommendations.

Utilizing the classification system and respective review criteria, described previously, each project is identified to be within one of four categories as follows:

- (a) Less than Regional Significance – Consistent with goals, objectives and policies,
- (b) Less than Regional Significance – Not consistent with goals, objectives and policies,
- (c) Regional Significance – Consistent with goals, objectives and policies,
- (d) Regional Significance – Not consistent with goals, objectives and policies.

When initial staff review determines that a proposal of regional significance does not appear consistent with regional goals, objectives and policies, every effort is made with the applicant to resolve the issues. This includes requesting additional information, meeting with the applicant, or discussing the issues with local government or other commenting agencies. If the issues are resolved through this effort, the project is recategorized.

The identification of the projects as to category, along with all analysis and comments, constitutes the staff's recommended action. Prior to each Council meeting, a report is prepared identifying the staff's recommended action for all Clearinghouse projects received during the previous month.

(6) Council Action.

Unless prevented by extenuating circumstances, the Council shall approve or disapprove the staff's recommended action for the Clearinghouse projects received during the previous month. Due to their importance, staff recommendations regarding Projects of Regional Significance that are not consistent with Regional and local goals, objectives, and policies shall be considered by the Council on an individual basis.

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History--New 9-5-78, Amended 10-15-78, Formerly 29I-5.04.

29I-5.005 Review Procedure – Graphic Presentation.

SEE FLORIDA ADMINISTRATIVE CODE FOR “REVIEW PROCEDURE - GRAPHIC PRESENTATION”

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History—New 9-5-78, Amended 10-15-78, Formerly 29I-5.05.

29I-6.002 Strategic Regional Policy Plan.

There is hereby adopted, for the Southwest Florida Region, the Strategic Regional Policy Plan for the Southwest Florida Regional Planning Council, August 2001, which is incorporated herein by reference and copies of which are kept at the Council office at: 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917. Copies are also available at our website: www.swfrpc.org/publctns.htm.

VOLUME TWO: GOALS, STRATEGIES, AND ACTIONS.

Specific Authority 186.508(1) FS. Law Implemented 120.53(1) FS. History--New 10-23-95, Amended 7-3-02.

29I-7.001 Purpose.

(1) The purpose of this rule is to establish a voluntary regional dispute resolution process (RDRP) to reconcile differences on planning, growth management, and other issues among local governments, regional agencies and private interests. The process consists of seven components: (a) process initiation (initiation and response letters), (b) settlement meetings, (c) pre-initiation meeting, (d) situation assessment, (e) mediation, (f) advisory decision-making, and (g) reference to other dispute resolution processes (judicial, administrative, or arbitration proceedings). Components (a) and (b) are required while components (c), (d), (e), (f), and (g) are optional.

(2) The intent of the RDRP is to provide a flexible process to reconcile differences on planning and growth management issues that will clearly identify and resolve problems as early as possible; utilize the procedures in a low-to-high cost sequence; allow flexibility in the order in which the procedures are used; provide for the appropriate involvement of affected and responsible parties; and provide as much process certainty as possible.

(3) The RDRP may be used to resolve disputes involving extrajurisdictional impacts as provided for in the intergovernmental coordination elements of local comprehensive plans, as required by Section 163.3177, F.S.; inconsistencies between port master plans and local comprehensive plans, as required by Section 163.3178, F.S.; the siting of community residential homes, as required by Section 419.001(5), F.S.; and any other matters covered by statutes which reference the RDRP.

(4) The RDRP shall not be used to address disputes involving environmental permits or other regulatory matters unless all the parties involved agree to initiate use of the RDRP.

(5) The RDRP does not replace local processes and is not intended to be used by parties dissatisfied with the appropriate application of local rules and regulations.

(6) Use of the RDRP shall not alter the right of a jurisdiction, organization, group, or individual to judicial or administrative determination of any issues if that entity is entitled to such a determination under statutory or common law.

(7) Participation in the RDRP as a named party or in any other capacity does not convey or limit intervenor status in any judicial or administrative proceedings.

(8) All named parties who agree to participate in this process commit to a good faith effort to resolve problems or disputes.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.002 Definitions.

(1) “Situation assessment” is a procedure of information collection that may involve review of documents, interviews, and an assessment meeting leading to a written or oral report identifying the issues in dispute, the stakeholders, the information needed before a decision can be made, and a recommendation for appropriate dispute resolution procedures. This procedure is sometimes referred to as “fact finding.”

(2) “Pre-initiation meeting” is a meeting which provides the opportunity for a party to discuss with the RPC staff the suitability of the RDRP for resolution of a dispute before formal initiation of the RDRP.

(3) “Facilitation” is a procedure in which the facilitator helps the parties to design and follow a meeting agenda and assists the parties to communicate more effectively throughout the process. The facilitator has no authority to make or recommend a decision.

(4) “Mediation” is a procedure in which a neutral party assists disputing parties in a negotiation process to explore their interests, develop and evaluate options, and reach a mutually acceptable agreement without prescribing a resolution. A mediator (who may take more control of the process than a facilitator) usually works in more complex cases in which a dispute is more clearly defined.

(5) “Advisory decision-making” is a procedure aimed at enhancing the effectiveness of negotiations and helping parties more realistically evaluate their negotiation positions. This procedure may include fact-finding, neutral evaluation, or advisory arbitration in which a neutral party or panel listens to the facts and arguments presented by the parties and renders a non-binding advisory decision.

(6) “Jurisdiction” is any local government or regional agency, including any special district, authority, or school board.

(7) “Named party” is any jurisdiction, organization, group, or individual who is named in an initiation letter, including the initiating jurisdiction, or any jurisdiction, organization, group, or individual who is permitted by the named parties to participate in settlement of a dispute pursuant to subsections 29I-7.003(1), (2), and (3), F.A.C. Being a “named party” in the RDRP does not convey or limit standing in any judicial or administrative proceeding.

(8) “Representative” is an individual who is given guidance and authority to act, to the extent possible, by a named party in a RDRP case. Subsection 29I-7.003(4), F.A.C., sets forth the process for designation of a representative.

(9) “Initiation letter” is a letter from a jurisdiction that formally identifies a dispute, asks named parties to engage in this process to resolve the dispute, and, at a minimum, requests the named parties to attend the initial settlement meeting. Rule 29I-7.010, F.A.C., specifies what must be included in an initiation letter.

(10) “Response letter” is a letter that formally notifies the initiator and other named parties that a party is willing to participate in the RDRP and, at a minimum, attend at least one settlement meeting. Subsection 29I-7.010(3), F.A.C., specifies what must be included in a response letter.

(11) “Settlement agreements” may be voluntarily approved by the individual or governing body authorized to bind the named party. Agreements may take the form of memorandums of understanding, contracts, interlocal agreements, or some other form mutually agreed to by the signatory parties or as required by law. A settlement may be agreed to by some or all of the named parties.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.003 Participation.

(1) Named parties shall automatically be allowed to participate. Other jurisdictions, public or private organizations, groups, or individuals may be suggested by a named party in response letters or during RDRP meetings. Any such entity or individual may also submit a petition to participate. In any case, such an entity or individual may become a named party if agreed to by a two-thirds majority of the participating named parties, except as provided for in subsection 29I-7.003(3), F.A.C. Fee allocation agreements will be amended as appropriate.

(2) All initiation and response letters that are made in accordance with intergovernmental coordination elements of local government comprehensive plans shall list only affected local government jurisdictions as named parties. The named parties, at the initial settlement meeting or at subsequent RDRP meetings, may add public or private named parties by mutual agreement of all the current named parties.

(3) Other jurisdictions, public or private organizations, groups or individuals seeking to become named parties shall submit to the Regional Planning Council (RPC) staff a written petition to participate, including reasons for the request and information required in subsection 29I-7.010(2), F.A.C. Such jurisdictions, organizations, groups, or individuals shall become named parties if agreed to by a two-thirds majority of the named parties, prior to or during RDRP meetings, except as pursuant to subsection 29I-7.003(2), F.A.C. Named parties who do not respond within 21 days of the date of the initiation letter may not participate in the RDRP unless they submit a petition for participation.

(4) Each of the jurisdictions, organizations, groups, or individuals participating as a named party in this process shall designate a representative, in writing, or be represented by the chief executive officer. Such a representative shall have authority to act, to the maximum extent feasible, and shall have responsibility to represent that party’s interest in this process and to maintain communications with that party throughout the process. Jurisdictions are encouraged to designate a representative to participate in this process in advance of initiating or receiving a request.

(5) Individuals or organizations who can provide information and technical assistance useful in the resolution of the dispute may be invited by a named party or the presiding neutral to attend meetings under this process. The parties, by agreement, or the presiding neutral shall determine when and under what circumstances such individuals or entities may be invited. Invited parties may provide input as agreed by the named parties or the presiding neutral.

(6) All communications by a named party called for in this process shall be submitted to all other named parties and the RPC staff in writing.

(7) Any named party may withdraw from participation in dispute resolution under this process upon written notice to all other named parties and the RPC staff.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.004 Costs.

(1) There shall be no charge for processing a RDRP initiation request and facilitation of the initial settlement meeting. The SWFRPC shall be compensated for situation assessments, facilitation of additional settlement meetings, mediation, technical assistance, and other staff services at its standard rate or as negotiated by the parties. Outside professional neutrals shall be compensated at their standard rate or as negotiated by the parties.

(2) The costs of administration, settlement meetings, mediation, or advisory decision-making shall be split equally between the parties or as otherwise agreed. The agreed upon cost allocation shall be documented in a written fee agreement.

(3) Jurisdictions formally adopting this process shall establish budgeting procedures for paying the cost of participation in this process.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505(5), 186.505(19) FS. History—New 4-12-94, Amended 5-14-09.

29I-7.005 Time Frames.

(1) The initial settlement meeting shall be scheduled and held within 30 days of the date of receipt of the initiation letter at a time and place convenient to the named parties.

(2) Additional settlement meetings, mediation, or advisory decision-making shall be completed within 45 days of the date of the conclusion of the initial settlement meeting.

(3) All time frames specified or agreed to in this process may be altered by mutual agreement of the named parties.

(4) The parties may, by agreement, utilize procedures in the RDRP in any order.

(5) Where necessary to allow this process to be carried out effectively, named parties should consider deferring or seeking stays of judicial or administrative proceedings.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.006 Administrative Protocols.

The Regional Planning Council is authorized to write and adopt such administrative procedures as are necessary to implement this rule. These may address staff and Council roles, procedures for situation assessment and the selection of neutrals, development of consumer guides, or other matters. Where required pursuant to Chapter 120.52, F.S., policies and guidelines should be adopted as rules.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.007 Public Notice, Records, and Confidentiality.

(1) Named parties should consider the provision of appropriate opportunities for public input at each step in this process. This could include the submission of comments on issues, alternative solutions, and the impacts of proposed agreements.

(2) Applicable public notice and public records requirements shall be observed as required by Chapters 119 and 120, F.S.

(3) Participants in these procedures agree by their participation that no comments, meeting records, or written or oral offers of settlement shall be offered by them as evidence in a subsequent judicial or administrative action.

(4) To the extent permitted by law, mediation under this process will be governed by the confidentiality provisions of Chapter 44, F.S., and other applicable law.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.008 Pre-Initiation Meeting.

A jurisdiction, organization, group, or individual contemplating initiation of this process may request an informal pre-initiation meeting with the RPC staff in order to ascertain whether the potential dispute would be appropriate for this process. The Regional Planning Council at the next regularly scheduled or emergency meeting shall authorize the staff to act as appropriate pursuant to Rules 29I-7.009, .010, .011, .012, .013, and .014, F.A.C.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.009 Situation Assessment.

(1) A jurisdiction, organization, group, or individual may request that the RPC staff or other neutral perform a situation assessment at any time, before or after initiation of the process.

(2) The situation assessment may involve examination of documents, interviews, and assessment meetings and shall recommend issues to be addressed, parties that may participate, appropriate resolution procedures, and a proposed schedule.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.010 Initiation of the Process by Jurisdictions.

(1) This process is initiated by an initiation letter from the representative of the governing body of a jurisdiction, other than a regional planning council, to the named parties as provided for in subsections 29I-7.003(1) and (2), F.A.C., and to the RPC staff. The initiation letter must be accompanied by a resolution of the governing body authorizing initiation or by a copy of a written authorization for the representative to initiate a request to use the RDRP process.

(2) Such an initiation letter shall identify the issues to be discussed, named parties to be involved in the dispute resolution process, the initiating party's representative and others who will attend, and a brief history of the dispute indicating why it is appropriate for this process.

(3) Named parties shall send a response letter to the RPC staff and all other named parties confirming their willingness to participate in a settlement meeting within twenty-one (21) days of receipt of the initiation letter. This response letter shall include any additional issues and potential named parties that the respondent wishes considered, as well as a brief history of the dispute and a description of the situation from the respondent's point of view.

(4) Upon receipt of a request, the RPC staff shall assess the interest of the RPC in the case. If the RPC is a named party or sees itself as a potential party, it shall notify the named parties of the nature of its interest and ascertain whether the parties desire an outside facilitator for the initial settlement meeting.

(5) The RPC may not initiate the RDRP but may recommend that a potential dispute is suitable for this process and transmit its recommendation to potential parties who may, at their discretion, initiate the RDRP.

(6) The RPC staff shall schedule a meeting at the most convenient time within thirty (30) days of the date of the receipt of the initiation request, unless the named parties agree otherwise.

(7) In the event that a dispute involves jurisdictions under two or more Regional Planning Councils, the process adopted by the Regional Planning Council of the initiating jurisdiction shall govern, unless the named parties agree otherwise.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.011 Requests to Initiate Submitted by Others.

(1) Private interests may ask any jurisdiction to initiate the process.

(2) Any public or private organization, group, or individual may request that the RPC recommend use of this process to address a potential dispute in accordance with subsection 29I-7.010(5), F.A.C. Such a request shall be submitted in writing and shall include the information required for an initiation letter in subsection 29I-7.010(2), F.A.C.

(3) After reviewing the material submitted by, and consulting with, the requesting organization, group, or individual, the RPC staff will conduct a situation assessment and prepare a written report. The Council at the next regularly scheduled or emergency meeting, shall act to amend, reject, or affirm the recommendations of its staff.

(4) If the RPC determines that the potential dispute is suitable for the process, it shall transmit that determination in writing to the potential parties, as agreed upon by the RPC and the requesting organization, group, or individual. The determination may include a recommendation that one or more of the jurisdictions among the potential parties initiate the procedure. The RPC may also suggest that other resolution processes be considered.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.012 Settlement Meetings.

(1) Settlement meetings shall, at a minimum, be attended by the properly designated representatives of the named parties.

(2) Settlement meetings shall be facilitated by an RPC staff member or other neutral facilitator acceptable to the parties and shall be held at a time and place acceptable to the parties within 30 days after the date of the receipt of the initiation request, unless

the named parties agree otherwise.

(3) At the settlement meeting, the parties shall consider the addition of named parties, consider guidelines for participation, identify the issues to be addressed, present their concerns and constraints, explore options for a solution, and seek agreement.

(4) The parties shall submit a settlement meeting report in accordance with subsection 29I-7.015(4), F.A.C., of this process.

(5) If an agreed-upon settlement meeting is not held or a settlement meeting produces no agreement to proceed to additional settlement meetings, mediation, or advisory decision-making, any party who has agreed to participate in this procedure may withdraw or may proceed to a joint meeting of governing bodies pursuant to Chapter 164, F.S., litigation, an administrative hearing, or arbitration, as appropriate.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.013 Mediation.

(1) If two or more named parties submit a request for formal mediation to the RPC, the RPC shall assist them to select and retain a mediator or the named parties may request that the RPC select a mediator. An informal mediation may be administered by the staff of the Regional Planning Council or a member of the Regional Planning Council.

(2) All formal mediations shall be mediated by a mediator who understands Florida growth management issues, has mediation experience, and is acceptable to the parties. Parties may consider mediators who are on the Florida Growth Management Conflict Resolution Consortium rosters or any other mutually acceptable mediator. Mediators shall be guided by the Standards of Professional Conduct, Florida Rules of Civil Procedure, Rule 10, Part II, Section 020-150, F.S.

(3) The parties shall submit a mediation report in accordance with subsection 29I-7.015(4), F.A.C., of this process.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.014 Advisory Decision-Making.

(1) If two or more of the named parties submit a request for advisory decision-making to the Regional Planning Council,

(a) The RPC shall assist the parties to select and retain an appropriate neutral;

(b) The parties may request that the RPC make the selection; or

(c) The parties may request the RPC to provide an advisory opinion at a regularly scheduled or emergency meeting. Parties serving on the Regional Planning Council may excuse themselves from voting on advisories which directly address their jurisdiction.

(2) A neutral handling a dispute must understand Florida growth management issues, have appropriate experience, and be acceptable to the parties.

(3) The parties shall submit an advisory decision-making report in accordance with subsection 29I-7.015(4), F.A.C., of this process at the conclusion.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.015 Settlement Agreements and Reports.

(1) The form of all settlements reached through this process shall be determined by the named parties, and may include interlocal agreements, concurrent resolutions, memoranda of understanding, plan amendments, deed restrictions, or other forms as appropriate.

(2) Agreements signed by designated representatives may be in the form of recommendations to formal bodies and subject to their formal approval.

(3) Agreements may be reached by two or more parties even if all of the named parties do not agree or do not sign a formal agreement.

(4) After settlement meetings, mediation, or advisory decision-making under this process, the named parties shall submit a joint report to the RPC which shall, at a minimum, include

(a) An identification of the issues discussed and copies of any agreement reached;

(b) A list of potentially affected or involved jurisdictions, organizations, groups, or individuals (including those which may not be named parties);

(c) A time frame for starting and ending informal negotiations, additional settlement meetings, mediation, advisory decision-making, joint meetings of elected bodies, administrative hearings, or litigation;

- (d) Any additional RPC assistance requested;
- (e) A written fee allocation agreement to cover the costs of agreed-upon RDRP procedures;
- (f) A description of responsibilities and schedules for implementation and enforcement of agreements reached; and,
- (g) Any statements that any named party wishes to include.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

29I-7.016 Other Dispute Resolution Processes.

(1) The RDRP is a voluntary opportunity for parties to negotiate a mutual agreement. It may be used before, in parallel with, or after judicial or administrative proceedings.

(2) When appropriate, parties may obtain a stay of judicial or administrative proceedings to provide time for RDRP negotiations.

(3) Use of the RDRP shall not alter the right of a jurisdiction, organization, group, or individual to a judicial or administrative determination of any issue if that entity or person is entitled to such a determination under statutory or common law.

(4) Participation in the RDRP as a named party or in any other capacity does not convey or limit intervenor status or standing in any judicial or administrative proceedings.

(5) In addition to the Regional Dispute Resolution Process authorized by Section 186.509, F.S., parties may consider the applicability of other resolution processes within Florida statutes, including the following: Intergovernmental Coordination Element, Sections 163.3177(5)(h)1. and 2., F.S.; Port Master Plans, Section 163.3178, F.S.; Community Residential Homes, Section 419.001(5), F.S.; Cross Acceptance Negotiation Process, Section 186.505(22), F.S.; Location of Spoil Sites, Section 380.32(14), F.S.; Administrative Procedures Act, Chapter 120, F.S.; Florida Governmental Cooperation Act, Chapter 164, F.S.; and Mediation Alternatives to Judicial Action, Chapter 44, F.S.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 4-12-94.

History

November 8, 1973	Original Interlocal Agreement (ILA) adopted (not recorded)
June 6, 1974	Amendment to ILA adopted to revise final date of budget approval from June 1 to August 15.
June 27, 1974	Amendment to the ILA adopted to provide for alternate voting members, the checks to be signed by the Treasurer, the meeting date moved to the first Thursday of the month, and for special meetings to require 24-hour notice.
August 1, 1974	By-Laws are adopted
January 18, 1976	RPC agrees to changed meeting date to third Thursday of month and to hold meetings at Holiday Inn.
February 5, 1976	<p>Amendment to the ILA (that was presented at the 1/18/76 meeting) adopted that removes meeting day from ILA and provides wording changes as follows:</p> <ul style="list-style-type: none"> • Adds “regional” to title of Southwest Florida Planning Council • Pg 1-2nd whereas: added: “to local government” • Pg 2-2nd whereas: deleted • Pg 2- 4th whereas: deleted • Pg 3- now therefore: added regional to SWFPC and “region” changed to “Council” • Pg 3- Purpose: Chapter 160 removed • Pg 3- item 2a “principle” inserted, “Board of County Commissioners” inserted and wording regarding organizational meeting eliminated. • Pg 4- b: reworded to remove initial term • Pg 4- c: changes the amendment votes from $\frac{3}{4}$ to majority, changes the submission to council from 15 days to 7 days, removes “unanimous consent” of principle members for changes to membership and changes “region” to “council”. • Pg 5-e: “region” changed to “council” • Pg 5- 4: Officers wording changed to remove to: be chief executive officer to supervise all functions”. • Pg 6- c: Changed “maintains” minutes to “approves” minutes • Pg 6- e: removes language regarding “first officers of the region”. • Pg 6- 5 Meetings: Annual meeting changed from December to January • Pg 6- 5b: changed working of regular meeting to:” dates and times established by Council” instead of a specific day of the month. • Pg 6 -quorum: changed to voting members “present”

- Pg 7 – took out “and leave the room” for disqualifying members or those that recuse themselves from voting on an issue/project.
- Pg8 – 7a: section 160 removed
- Pg 8 – 7b: added the word “policy” to the sentence
- Pg 8-7e; 7f and 7h: Changed “region” to “Council”.
- Pg 8- 7j: added words “and before all administrative boards” regarding the ability to be sued and to defend.
- Pg9 – 7k added the word “institution” regarding the ability to accept grants and changed “region” to “council”.
- Pg9- 7m changed wording regarding the ability to incur debts such that they are not the debts, liabilities or obligations of any of the parties to the ILA

October 1980 **Changed requirement for approval of amendments to the ILA from $\frac{3}{4}$ of voting members to $\frac{2}{3}$ of voting members and majority (4) of principal members; changes 15-day notice of amendments to 7 days; and added the 9 governor appointees or $\frac{1}{2}$ of total voting members to the membership.**

2004 **1973 original document with the 1976 and 1980 amendments were recorded by all counties to facilitate the purchase of the building on Victoria Avenue in Ft. Myers.**

The following is a comparison of the recorded Interlocal Agreement to the Bylaws and Florida Statutes

<u>Interlocal Agreement (IA)</u>	<u>Bylaws</u>	<u>Florida Statutes (Fl.St.)</u>
Section 1: Purpose: <ol style="list-style-type: none"> exercise rights and duties per chapters 23, 163, 380 Fl.St. regional coordinator review programs promote communication cooperate w/ federal, state, local 	29I-1.002 Purpose CONSISTENT with IA but references chapters 163, 186, 380 Fl.St.	Chapters 163, 186 and 380 Fl.St. govern 186.502 establishes RPC as “only multipurpose regional entity in a position to plan for and coordinate intergovernmental solutions to growth-related problems on great than local issues, provide technical assistance to local governments and meet other needs of the communities in each region.” (186.502(4)) 186.505 Fl.St. is primary in listing powers and duties of RPC.

<p>Section 2: Date, Duration, Termination, Withdrawal</p> <ul style="list-style-type: none"> a. principal (but misspelled principle) units are the 6 counties b. continuous agreement c. Amendments except re: membership can be made by majority of voting members; changes in membership by <i>majority of principal units</i>; 7 days notice required d. Any party or principal member can withdraw by resolution by giving 12 months notice; contractual obligations of withdrawing entity continue; all property remains property of Region (NOTE: THIS LANGUAGE PREDATES THE FLORIDA STATUTE REQUIRING RPCs and most other RPCs have similar language within their IAs) e. If complete termination of agreement, property will be liquidated and each principal member unit entitled to a share of proceeds pro rata f. If complete termination, non-federal matching grants are firm and all projects and reporting must be completed g. Agreement may be terminated at any time by resolution of each principal unit 	<p>29I-1.009 Amendments to Bylaws by majority vote</p> <p>29I-1.004(1)(e) changes in membership requires $\frac{2}{3}$ <i>vote of members</i></p>	<p>186.504(1) and 186.512(1)(h) REQUIRES SWFRPC to exist and requires 6 counties as participating members</p>
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<p>Section 3: Membership Each principal unit (county) shall be represented by 1 alternate and 3 regular voting members of whom 2 regular voting members will be elected county officials and 1 will be an elected official of a municipal corporation within the county appointed after seeking the recommendation of the governing bodies of all municipalities within the county. Each appointed member serves at pleasure of appointing board of county commissioners. Alternate is eligible to vote in absence of regular voting member.</p>	<p>29I-1.004 (1) (a) Each county shall be represented by 2 voting representatives. (b) all municipalities shall elect 1 representative who will be a voting representative (c) each city has option to be a member local government (cities doing this do not participate in process in (b) above (d) representative from each local government shall be its elected chief representative OR member of its governing body chosen by governing body to be representative (2) Terms of Service (a) members may serve terms up to 3 years (b) alternates permitted (3) Vacancies shall be filled for unexpired term (4) Removal-where member has 3 consecutive unexplained absences from regular meetings, Council must advise appointing authority and request another appointment. Voting representatives will continue until Council is notified in writing of replacement.</p>	<p>186.504(2)-(4) Fl.St. membership requires: -representatives appointed by each of the member counties -representatives from other member local general-purpose governments -representatives appointed by Governor including an elected school board member to be nominated by Florida School Board Association. (3) Not less than $\frac{2}{3}$ of representatives serving as voting members shall be elected officials from cities and counties. Each county must have at least 1 vote. Remaining $\frac{1}{3}$ voting members shall be appointed by Governor. No 2 appointees of the Governor shall be from same county UNTIL each county is represented by a Governor's appointee. (4) In addition to voting members, Governor appoints ex officio NON-voting members (representative from DOT, DEP, DEC, and WMD). Governor may also appoint ex-officio nonvoting member from MPO and regional water supply authorities. (5) No requirement that municipalities become members.</p>
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<p>Section 4 Officers Include: Chair, Vice Chair, Secretary, Treasurer. All officers elected at annual meeting and hold officer for 1 year or until successors are elected and qualified.</p> <p>Section 5 Meetings</p> <ul style="list-style-type: none"> a. January elections b. Regular meetings established by Council c. Special meetings - shall be called where one voting member of $\frac{2}{3}$ principal units request d. Place and time e. quorum=majority voting members PRESENT as long as a voting member present from at least $\frac{1}{2}$ principal units. If quorum established, majority voting may take action on all matters. Each member shall vote unless disqualifies. Proxy voting prohibited. f. Secretary keeps minutes 	<p>29I-1.005 Officers, Term, Duties, Committees. Consistent with IA but goes further to specify regular January meeting includes elections of officers. Also, includes provisions for Nominating and Standing and Special Committees.</p> <p>29I-1.006(2) special meetings must occur when at least 6 voting members request</p> <p>(3)(a) quorum is "majority of the total voting membership of the Council, representing at least 4 of the counties." (3)(b) member is present when participating through interactive video and telephone systems (4) Minutes (5) Rules of Debate (6) Amending Agenda (7) DRI Recommendations (8) voting by voice (9) staff memoranda (10) all official meetings open to public as required by chapter 286 Fl.St. and shall satisfy APA chapter 120 Fl.St.</p>	
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<p>Section 6 Finances. (a)by 8/15 budget adopted; each principal member unit shall include in its annual budget and cause the levy of a millage sufficient to produce an amount sufficient to fund it's proportionate share of budget (b)defines FY (c)right to receive and accept funds, grants (d)proportionate share of budget of Region is per capita (e)30cents per capita= dues.</p>	<p>29I-1.007 Budget and Finances Not inconsistent but also includes (4)service charges, (5)maintenance of banking accounts, (6) signatures, (7)annual report and audit and (8)Council members receive no compensation but shall be reimbursed for travel expenses "incurred while engaged in specific, authorized activities on behalf of the Council"</p>	<p>185.505(12) Fl.St. RPC has power to fix and collect membership dues</p>
<p>Section 7 Powers References chapters 23, 163 and 380</p>	<p>29I-1.008 Responsibilities and Authority references Section 186.505 Fl.St. and IA dated 11/8/73 and amended 10/28/80</p>	<p>186.505 Fl.St. is primary delineation of RPC's powers and duties. Chapters 163, 186 and 380 Fl.St. govern.</p>
<p>Section 8 Severability provision- if a provision is invalid, it does not invalidate the remaining provisions</p>	<p>29I-1.010 Information Requests contain past address and provides for requests of public documents pursuant to chapter 119 Fl.St.</p>	
	<p>29I-4.001-5.004 DRI Related</p>	<p>DRI LAWS REPEALED/AMENDED.</p>
	<p>29I-6.002 Strategic Regional Policy Plan- includes past address</p>	<p>186.507 and 186.508 Fl.St. requires SRPP. 186.511 Fl.St. requires SRPP at least every 5 years.</p>

	<p>29I-7.001-7.005 RDRP-regional dispute resolution process</p> <p>29I-7.006 Administrative protocols</p> <p>29I-7.007 Public Notice, Records, Confidentiality</p> <p>29I-7.008 Pre-Initiation Meeting</p> <p>29I-7.009 Situation Assessment</p> <p>29I-7.010 Initiation of the Process by Jurisdictions</p> <p>29I-7.011 Requests to Initiate Submitted by Others</p> <p>29I-7.012 Settlement Meetings</p> <p>29I-7.013 Mediation</p> <p>29I-7.014 Advisory Decision-Making</p> <p>29I-7.015 Settlement Agreements and Reports</p> <p>29I-7.016 Other Dispute Resolution Processes</p>	<p>186.509 Fl.St. requires Dispute Resolution Process</p>
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EXHIBIT D

REPLACEMENT INTERLOCAL

CREATING

THE

SOUTHWEST FLORIDA REGIONAL COUNCIL

EFFECTIVE XXXX, XXXX

AMENDED AND RESTATED
INTERLOCAL AGREEMENT
CREATING THE SOUTHWEST FLORIDA
REGIONAL COUNCIL

THIS AMENDED AND RESTATED AGREEMENT, made and entered into this ____ day of _____, pursuant to authority of Section 163.01, Florida Statutes, by and between:

CHARLOTTE COUNTY
COLLIER COUNTY
GLADES COUNTY
HENDRY COUNTY
LEE COUNTY
and
SARASOTA COUNTY

WITNESSETH:

WHEREAS, The Florida Interlocal Cooperation Act of 1969, Section 163.01 et seq., Florida Statutes, permits local government units to make the most efficient use of their powers by enabling them to cooperate with other localities on the basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, this Agreement replaces the Interlocal Agreement entered on November 8, 1973, as amended June 6, 1974, as amended June 27, 1974, as amended February 5, 1976, and as amended October 28, 1980 by and among the parties to this agreement pursuant to which the Southwest Florida Regional Planning Council was originally created; and

WHEREAS, the Florida Regional Planning Council Act, Section 186.501, Florida Statutes, mandates the creation of a Regional Planning Council in each of the several comprehensive planning districts of the state; and,

WHEREAS, Section 186.512(1)(h), Florida Statutes, and the Executive Office of the Governor have designated that the Southwest Florida Regional Planning Council and Comprehensive Planning District IX shall be comprised of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota; and

WHEREAS, the declared purpose of the Florida Regional Planning Council Act is to establish a common system of regional planning councils for areawide coordination and related cooperative activities of federal, state and local governments and ensure a broad-based regional organization that can provide a truly regional perspective enhancing the ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries; and

WHEREAS, it is the desire of the parties hereto to establish a regional council to serve in an advisory capacity to the constituent local governments and

WHEREAS, the parties hereto desire to make the most efficient use of their powers to cooperate for mutual advantage in conducting the regional planning process

and for providing coordination and cooperation within the Southwest Florida region;
and,

WHEREAS, the Community Planning Act, Chapter 163, Part II Florida Statutes assigns to regional planning agencies the responsibility to determine the relationship and effect of a local government's plan or element thereof to or on the strategic regional policy plan and extra jurisdictional impacts; and,

WHEREAS, Governor's Executive Orders 83-150 and Presidential Executive Order 82-12372, designates the comprehensive regional planning agencies as areawide clearinghouses responsible for review and coordination regarding certain Federal programs; and,

WHEREAS, Regional Planning Councils are statutorily assigned various duties and responsibilities in Chapter 129, 163, 186, 258, 260, 288, 339, 380, 403, 420 and 1013, Florida Statutes and other applicable federal, state and local laws.

NOW, THEREFORE, for and in consideration of mutual promises, covenants, benefits to accrue from conduct of a regional planning process, and agreements herein contained and set forth, the member counties to hereby establish, pursuant to the authority of Section 163.01 and Section 186.501, Florida Statutes, the Southwest Florida Regional Planning Council located in Comprehensive Planning District IX consisting of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota, hereinafter referred to as the Council, a separate legal entity, and do further delegate such powers as are specified herein and agree as follows:

1. Purpose.

The purposes of this agreement are:

- (a) To provide local governments with a means of exercising the rights, duties and powers of a regional planning council as defined in Chapter 186, Florida Statutes and other applicable federal, state and local laws.
- (b) To provide a means for conducting the regional planning process.
- (c) To provide regional coordination for local governments in the Southwest Florida region.
- (d) To act in an advisory capacity to exchange, interchange, and review the various programs referred to it which are of regional concern.
- (e) To promote communication among local governments in the region and the identification and resolution of common regional-scale problems.
- (f) To cooperate with Federal, State, local, and non-governmental agencies and citizens to ensure the orderly and harmonious coordination of Federal, State, and local planning and development programs in order to insure the orderly, and balanced growth and development of this region, consistent with protection of the natural resources and environment of the region, and to promote safety, welfare and to enhance the quality of life of the residents of the region.

- (g) To encourage and promote communications between neighboring regional planning districts in attempt to ensure compatibility in development and long-range planning goals.
- (h) To establish an organization that will promote areawide coordination and related cooperative activities of federal, state and local governments, ensuring a broad based-regional organization that can provide a truly regional perspective and enhance that ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries.
- (i) To establish an organization to carry out the duties, functions and activities that are to the mutual advantage of one or more of the local governments within Southwest Florida.

2. Definitions.

- (a) Appointed Representative – a voting member of the Council.
- (b) Comprehensive Planning Districts – the geographic areas within the State specified by the Executive Office of the Governor, and/or by statute.
- (c) Strategic Regional Policy Plan – a plan prepared pursuant to Section 186.507 Florida Statutes and containing goals and policies that address, at a minimum, affordable housing, economic development, emergency preparedness, natural resources of regional significance and regional transportation and that may address any other subject

that relates to the particular needs and circumstances of the comprehensive planning district as determined by the regional planning council. Regional plans shall identify and address significant regional resources and facilities. Regional plans shall be consistent with the State Comprehensive Plan.

- (d) Contribution – any monies received by the Council from a member county or otherwise.
- (e) Council – the Southwest Florida Regional Planning Council.
- (f) Elected Official – a member of the governing body of a municipality or county or a county elected official chosen by the governing body.
- (g) Federal or Federal Government – the government of the United States or any department, commission, agency, or other instrumentalities thereof.
- (h) Governing body – the Board of County Commissioners or City/Town Council/Commission of any member county.
- (i) Local General Purpose Government – any municipality or county created pursuant to the authority granted under ss. 1 and 2, Article VIII of the Florida Constitution.
- (j) Member County – any county within the Southwest Florida Comprehensive Planning District IX.
- (k) Municipality – any incorporated municipality located within a member county.

- (l) Principal Member Units – shall be the Charlotte, Collier, Glades, Hendry, Lee and Sarasota Boards of County Commissioners.

3. Effective Date, Duration, Amendment, Withdrawal, and Termination.

- (a) The effective creation date of the Council is November 8, 1973.
- (b) This agreement shall continue in effect until terminated as provided in Section 3.e.
- (c) Any amendments to this agreement shall be in writing and set forth an effective date. To put into effect any amendment, each member county shall adopt, by a majority vote of its governing body, a resolution authorizing its chairman or chief elected official to execute the amendment.
- (d) Termination may only occur concurrent with a subsequent Interlocal Agreement being adopted due to the requirement of Section 186.512(1)(h), Florida Statutes, and the Executive Office of the Governor's designation of Southwest Florida Regional Planning Council and Comprehensive Planning District IX shall be comprised of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota.
- (e) In the case of a complete termination of this agreement, the non-Federal matching contribution required to match any approved Federal or State grant shall be firm. The project shall be completed, and the required reports and accounting shall be completed.

4. Membership, Voting and Term.

- (a) Membership of the Council shall be provided pursuant to 186.504 Florida Statutes, as amended from time to time.
- (b) A regional planning council shall be created in each of the several comprehensive planning districts of the state. Only one agency shall exercise the responsibilities granted herein within the geographic boundaries of any one comprehensive planning district.
- (c) Membership on the regional planning council shall be as follows:
 - (1) Representatives appointed by each of the member counties in the geographic area covered by the regional planning council.
 - (1.1) There shall be two elected officials appointed from each of the member counties.
 - (2) Representatives from other member local general-purpose governments in the geographic area covered by the regional planning council.
 - (2.1) Each county shall decide which of cities, towns and or villages will be voting members of the regional planning council.
 - (3) Representatives appointed by the Governor from the geographic area covered by the regional planning council, including an elected school board member from the geographic area covered by the regional planning council, to be nominated by the Florida School Board Association.
 - (4) Not less than two-thirds of the representatives serving as voting members on the governing bodies of such regional planning councils shall be

elected officials of local general-purpose governments chosen by the cities and counties of the region, provided each county shall have at least one vote.

(5) The remaining one-third of the voting members on the governing board shall be appointed by the Governor, to include one elected school board member, subject to confirmation by the Senate, and shall reside in the region. No two appointees of the Governor shall have their places of residence in the same county until each county within the region is represented by a Governor's appointee to the governing board.

(6) Nothing contained in this section shall deny to local governing bodies or the Governor the option of appointing either locally elected officials or lay citizens provided at least two-thirds of the governing body of the regional planning council is composed of locally elected officials.

(7) In addition to voting members appointed pursuant to paragraph (2)(c), the Governor shall appoint the following ex officio nonvoting members to each regional planning council:

- (i) A representative of the Department of Transportation.
- (ii) A representative of the Department of Environmental Protection.
- (iii) A representative nominated by the Department of Economic Opportunity.
- (iv) A representative of the appropriate water management district or districts.

- (8) The Governor may also appoint ex officio nonvoting members representing appropriate metropolitan planning organizations and regional water supply authorities.
- (d) Nothing contained in this act shall be construed to mandate municipal government membership or participation in a regional planning council. However, each county shall be a member of the regional planning council created within the comprehensive planning district encompassing the county.
- (e) The existing regional planning council in each of the several comprehensive planning districts shall be designated as the regional planning council specified under subsections (1)-(5), provided the council agrees to meet the membership criteria specified therein and is a regional planning council organized under either s. 163.01 or s. 163.02 or ss. 186.501-186.515.
- (f) The names of all the appointed representatives shall be recorded in the Council minutes.
- i. Each Board Member shall have an equal vote, which shall be one (1) vote for each Board Member. The basic term of office for appointed representatives of the Council shall be set by the respective appointing authority. All representatives shall serve until a replacement is appointed by the appropriate appointing authority or until written resignation is received by the Council.

5. Officers.

The officers of the Council shall consist of:

- (a) A Chairman, who shall be responsible for overseeing the working organization of the Council, for seeing that all policies of the Council are carried out, and for presiding over all Council meeting. The Chairman or a designated representative shall be ex officio member of all subsidiary committees and boards.
- (b) A Vice-Chairman who shall preside in the Chairman's absence or inability to act. The Vice-Chairman shall perform such other functions as the Council may from time to time assign.
- (c) A Secretary, who shall be responsible for correspondence of the Council, approve minutes of the meetings, be custodian of the records, keep the roll of all members and discharge other duties as may be assigned by the Chairman or the members
- (d) A Treasurer, who shall supervise the financial affairs of the Council and perform such other duties as may be assigned.
- (e) The officers shall be elected at the annual meeting of the Regional Planning Council and shall hold office for a term of one (1) year or until their respective successor(s) are elected and qualified.
- (f) An Executive Committee, consisting of the Chairman, immediate past Chairman, Vice Chairman, Secretary, Treasurer shall be established to act for the Council when necessary to meet any emergency or to deal with any matters when it would be

impossible or inconvenient to convene a meeting of the full Council.

6. Meetings.

- (a) The annual election of officers shall occur in a timely manner, so the terms of officers may commence with their installation at the January meeting.
- (b) Regular meetings shall be held on the days and times established by the Council.
- (c) Special meetings shall be called by the Chairman either at his/her discretion or when she/he is requested by at least three (3) appointed representatives, none of which may be from the same member county; provided adequate notice shall be given to all appointed representatives stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (d) The place and time of each meeting shall be determined by the membership prior to the adjournment of the previous meeting. In the absence of such determination, the time and place of the meeting(s) shall be determined by the Chairman.
- (e) All meetings of the Council shall be open to the public.
- (f) A quorum at any meeting shall consist of at least one-half of all voting members. When a quorum has been established, a

majority of those present and voting may take action on all matters presented at the meeting. Each member shall vote on each question presented to the Council except in the event he disqualifies himself. Proxy voting is prohibited.

(g) The Secretary or his/her designee shall keep minutes of each meeting and distribute a copy thereof to each member county.

7. Finances.

(a) The work year and fiscal year of the Council shall be twelve (12) months beginning the first day of October and ending the thirtieth day of September.

(b) On or before August 15th of each year, the Council shall adopt an annual budget and certify a copy thereof to the Clerk or authorized recipient of the governing body of each member county. Each member county shall include in its annual budget and provide to the Council funds in an amount sufficient to fund its proportionate share of the Council's adopted budget, which bears the same ratio to the total budget as the population of each member unit bears to the total population of the region, all as determined annually by official population forecasts by the state of Florida for the year preceding each budget determination.

- i. Each municipal government having a voting seat on the Council shall provide its proportionate share of funds based on population.
 - ii. Each member county shall pay the full assessment to the regional planning council. Each County will collect the proportionate share of assessments for cities, towns and villages within each county that are voting members of the regional planning council.
- (c) Contributions for each fiscal year shall be payable in four equal installments. Payments shall be made within thirty (30) days from receipt of invoicing. The contribution of each member county shall be fifteen cents (15 cents) per capita of the population of the member county according to the most recent available determination under Section 186.901 Florida Statutes.
- (d) Each member county who does not remit the contribution amounts in accordance with Section 7(c) above shall lose all voting privileges until payment is made.

8. Powers

The Council shall have the right to receive and accept in furtherance of its function; gifts, grants, assistance funds, bequeaths, and services from Federal, State and local governments or their agencies and from private and community sources, and to expend therefrom such sums of money

as shall be deemed necessary from time to time for the attainment of its objectives in accordance with all applicable laws. Pursuant to Chapter 186.505 F.S. the Council shall have all powers granted herein including:

- (a) To adopt rules of procedure for the regulation of its affairs and the conduct of its business and to appoint from among its members a chair to serve annually; however, such chair may be subject to reelection.
- (b) To adopt an official name and seal.
- (c) To maintain an office at such place or places within the comprehensive planning district as it may designate.
- (d) To employ and to compensate such personnel, consultants, and technical and professional assistants as it deems necessary to exercise the powers and perform the duties set forth in this act.
- (e) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act.
- (f) To hold public hearings and sponsor public forums in any part of the regional area whenever the council deems it necessary or useful in the execution of its other functions.
- (g) To sue and be sued in its own name.
- (h) To accept and receive, in furtherance of its functions, funds, grants, and services from the Federal Government or its agencies; from departments, agencies, and instrumentalities of state, municipal, or local government; or from private or civic sources. Each regional planning council shall render an accounting of the receipt and disbursement of all funds received by it, pursuant to the federal Older Americans Act, to the Legislature no later than March 1 of each year.

- (i) To receive and expend such sums of money as shall be from time to time appropriated for its use by any county or municipality when approved by the council and to act as an agency to receive and expend federal funds for planning.
- (j) To act in an advisory capacity to the constituent local governments in regional, metropolitan, county, and municipal planning matters.
- (k) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for emergency management as defined in s. 252.34.
- (l) To fix and collect membership dues, rents, or fees when appropriate.
- (m) To acquire, own, hold in custody, operate, maintain, lease, or sell real or personal property.
- (n) To dispose of any property acquired through the execution of an interlocal agreement under s. 163.01.
- (o) To accept gifts, grants, assistance, funds, or bequests.
- (p) To conduct studies of the resources of the region.
- (q) To participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities.
- (r) To select and appoint such advisory bodies as the council may find appropriate for the conduct of its activities.
- (s) To enter into contracts to provide, at cost, such services related to its responsibilities as may be requested by local governments within the region and which the council finds feasible to perform.
- (t) To provide technical assistance to local governments on growth management matters.

- (u) To perform a coordinating function among other regional entities relating to preparation and assurance of regular review of the strategic regional policy plan, with the entities to be coordinated determined by the topics addressed in the strategic regional policy plan.
- (v) To coordinate land development and transportation policies in a manner that fosters regionwide transportation systems.
- (w) To review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans.
- (x) To use personnel, consultants, or technical or professional assistants of the council to help local governments within the geographic area covered by the council conduct economic development activities.
- (y) To provide consulting services to a private developer or landowner for a project, if not serving in a review capacity in the future, except that statutorily mandated services may be provided by the regional planning council regardless of its review role.

9. Rules of Procedure

See attached Replacement By-laws

10. Immunity

All of the privileges and immunities from liability and exemptions from laws, ordinance and rules which apply to the activity of the officials, officers, agents or employees of the members shall apply to the officials,

officers, agents of employees of the Council when performing their respective functions and duties under the provisions of this Agreement.

11. Limited Liability

Except as provided in Section 3(e) and Section 7 herein, no member shall in any manner be obligated to pay any debts, obligations or liabilities arising as a result of any actions of the Council, the representatives of any other agents, employees, officers or officials of the Council to have any authority or power to otherwise obligate the members in any manner.

12. Severability.

If any provision of this agreement or the application of such provisions to any person or circumstance shall be invalid, such invalidity shall not affect other provisions or applications of this agreement which can be given effect without invalid provisions or applications, and to this end the provisions of this agreement are declared severable.

13. Signatories.

It is expressly understood that the terms and conditions of this agreement shall be effective between and among those parties signatory hereto; and that the validity, force and effect to their agreement shall not be affected by one or more of the parties named herein not joining in this agreement any other provisions of this agreement to the contrary notwithstanding.

IN THE WITNESS WHEREOF, the parties have officially adopted and caused this amended and restated agreement to be executed and their signature to be affixed by their respective Chairman or Chief Elected Official as of the day and year first above written.

Execution of parties follows on next page.

CHARLOTTE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISIONERS

Chairman

COLLIER COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISIONERS

Chairman

GLADES COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISIONERS

Chairman

HENDRY COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISIONERS

Chairman

LEE COUNTY, FLORIDA
BY IT'S BOARD OF COUNTY COMMISIONERS

Chairman

SARASOTA COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISIONERS

Chairman

EXHIBIT E REPLACEMENT BYLAWS

of the
SOUTHWEST FLORIDA REGIONAL PLANNING
COUNCIL



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1. ORGANIZATION

The name of the agency shall be the Southwest Florida Regional Planning Council. It is a regional planning council formed in November 1973 under the authority of Chapter 160, Florida Statutes, as a voluntary association of local governments of the counties and municipalities which comprise the Region, namely, the counties of Charlotte, Collier, Hendry, Glades, Lee and Sarasota. The regional boundaries are those defined as Comprehensive Planning District IX as specified by rule by the Executive Office of the Governor pursuant to 27E-1.002, F.A.C.

2. POWERS AND DUTIES

The Council shall have the following powers and duties prescribed and granted by Chapter 186.505(1) through (25), Florida Statutes, and as they may be amended from time to time.

3. MEMBERSHIP

The Council shall consist of twenty-seven (24) voting members. A voting member shall represent each Principal member unit of the Council as described in the following.

- a. Two voting members from each member county shall be a member of that county's Board of County Commissioners and appointed by that Board. If an alternate is assigned on the annual appointment form, the alternate must also be a county elected official.
- b. One voting member from each member county shall be a Mayor, a City Commission or Council member, or other elected municipal official from one of the local general-purpose governments in the county, appointed by the Board of County Commissioners from the respective County.
- c. There shall be six (6) voting members appointed by the Governor, subject to confirmation by the Florida Senate. One (1) member who is a resident of that county shall represent each County.
- e. **Ex-officio Members:** There may be (1) non-voting ex-officio member from the South Florida Water Management District (SFWMD), from the Southwest Florida Water Management District (SWFWMD) from the Florida Department of Transportation (FDOT), from the Florida Department of Environmental Protection (FDEP), and a representative nominated by the Florida Department of Economic Opportunity (FDEO).

4. OFFICERS, TERM OF OFFICE AND STANDING COMMITTEES

- a. **Officers:** The Council shall elect from its membership, a Chairman, a Vice-Chairman a Secretary and a Treasurer. The Chairman shall preside over regular and special meetings of the Council. The Chairman may also represent and speak for the Council at other official meetings and functions. The Vice-Chairman shall assume duties of the Chairman on request of the Chairman or in the absence of the Chairman.
- b. **Terms of Office:** The Chairman, Vice Chairman, Secretary and Treasurer shall be elected annually. All officers are limited to two consecutive two-year terms.
- c. **Elections:** The election of the Chairman, Vice Chairman and other officers as may be created or appointed by the Council shall be at the January meeting of the calendar year every year. Installation shall follow immediately.

- d. **Standing Committees:** The Council may establish such standing committees, as it may deem appropriate to the efficient pursuit of its duties and responsibilities. Members of all committees shall be appointed by the Chairman and shall serve at his or her discretion. Ad hoc and special committees may be appointed and dissolved by the Chairman with the approval of the Council. The following committee is hereby established as a standing committee.
 - 1. **Executive Committee:** Duties of the Executive Committee shall be to represent and act on behalf of the Council between regular meetings, on personnel relations and regulations, budget control, and on contractual relationships with individuals, agencies and firms. The Committee may meet in lieu of the regular Council meeting and shall have the authority to conduct Council business. Membership shall be composed of the Chairman, Vice Chairman, Secretary, Treasurer, and Past Chairman.

5. EXECUTIVE DIRECTOR

- a. The Executive Director of the Southwest Florida Regional Planning Council shall be selected by the Executive Committee and shall be appointed by a majority of those Council members present and voting at an official meeting of the Council at which an appointment is being considered. Compensation for the Executive Director shall be set and adjusted from time to time by the Executive Committee and ratified by the Full Council.
- b. The Executive Director shall be appointed for an indefinite term to continue for such time as both parties find the association to be satisfactory. Neither party shall terminate the period of employment with less than sixty (60) days written notice, unless the other party waives the rights to such notice. The Council retains the right to remove the Executive Director from office for just cause without notice or compensation in the event of fraud, dishonesty, or criminal actions and may suspend said Executive Director pending investigation and hearings on charges before the Council.
- c. The Executive Director shall operate the Regional Planning Agency with the concurrence of the Council, and shall report at each meeting of the Council on the progress, problems and status of the approved programs. The duties and the limits of his or her authority shall, from time to time, be prescribed by the Council and shall include, but not be limited to the following:
 - 1. Recruit, employ, set compensation, and train and direct all authorized staff personnel in accordance with the annual budget as approved by the Council.

2. Approve all expenditures and account for all budgeted funds.
3. Prepare all budgets for Council review and approval.
4. Negotiate for all available funding from local, state and/or federal or private sources.
5. Conduct such research, planning and economic development programs as will benefit the member governments as approved by the Council.
6. Coordinate the programs of all departments to insure maximum benefit and minimum costs.

6. GENERAL INFORMATION

The mailing address of the Southwest Florida Regional Planning Office is P.O. Box 60933, Ft. Myers, Florida 33906.

7. PUBLIC RECORDS

Any and all Council correspondence, reports, publications, memoranda and other documents are public records and thus open for public inspection during office hours.

The Council maintains a list of publications available and the cost per document. Individuals using the Council's copying machine are charged a set per page fee. Any person may purchase documents. Local general-purpose governments within the region shall be charged only the direct cost of production and are not subject to regular cost schedules.

8. PUBLIC MEETINGS

The Council normally meets every other month on the third Thursday of the month at 9:00 a.m. Eastern Time. The date and time of regular meetings may change for the convenience of the Council. The Chairman or any two Executive Committee members may call Executive Committee meetings. The Council and Executive Committee meetings shall be conducted pursuant to Roberts Rules of Order Revised.

- a. **Quorum:** Half of the voting members shall constitute a quorum. For purposes of establishing a quorum, the following rules shall apply. (1) Vacant seats on the Council shall not count as a “voting member”. (2) Any member who has been reasonably notified by the appointing body and is unresponsive, shall not count as a “voting member”. In the event that a quorum is not present, a majority of the voting members present may reschedule and adjourn the meeting.

A quorum for the Executive Committee will consist of three (3) voting members. During circumstances that require immediate action, the Executive Committee may conduct its business via teleconference.

- b. **Annual Meeting:** The regular January meeting shall be known as the Annual Meeting and shall be for the purpose of installing the Chairman, Vice-Chairman, Secretary and Treasurer, and conducting other business as may come before the membership.
- c. **Notice:** The general public is cordially invited to all Council meetings and proceedings. Notice of these meetings is published at least seven (7) days prior thereto in the Florida Administrative Register. In addition, notice is mailed to all Council members and to anyone who has requested notice.

Adopted on the _____ day of _____ 2020 at the Council’s Board Meeting.

Chair, Southwest Florida Regional Planning Council

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NEW MEETING SCHEDULE FY 20-21

<p>19</p> <p>NOVEMBER</p> <p>2020</p> <ul style="list-style-type: none"> Workshop to determine items to be addressed for the year 2021 	<p>21</p> <p>JANUARY</p> <p>2021</p> <ul style="list-style-type: none"> Election of Officers Speaker on subject determined at workshop 	<p>18</p> <p>MARCH</p> <p>2021</p> <ul style="list-style-type: none"> Speaker on subject determined at workshop 	<p>17</p> <p>JUNE</p> <p>2021</p> <ul style="list-style-type: none"> Audit Report Budget & Workplan Speaker on subject determined at workshop 	<p>16</p> <p>SEPTEMBER</p> <p>2021</p> <ul style="list-style-type: none"> Host Major Event
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--- Agenda --- Item

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SWFRPC Committee Reports

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Agenda Item

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Executive Committee

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_____ _____ Agenda Item

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13b

Quality of Life & Safety
Committee

13b

Agenda Item

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New Business

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Agenda Item

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State Agency Comments/ Reports

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Agenda Item

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Council Member Comments

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Agenda Item

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Adjourn

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