



IN-PERSON COUNCIL MEETING AGENDA

March 17, 2022

9:00am – 11:00am

Location:

**South Florida Water Management District Office
2301 McGregor Blvd., Ft. Myers Florida 33901**

**Call-in #: 1-888-585-9008
Conference Room #: 303-826-303**

Mission Statement:

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

1	INVOCATION	
2	PLEDGE OF ALLEGIANCE	
3	ROLL CALL	
4	PUBLIC COMMENTS	
5	AGENDA	Page 1
6	MINUTES	
	a) Minutes of the January 20, 2022, Council/Executive Meeting	Page 11
7	FINANCIALS	
	a) December 2021 – January 2022	Page 20
	b) Audit Report FY 2020 – 2021 – Mr. Jeff Tuscan	Page 33
	i. Audit Graphs and Charts – Mr. Jeff Tuscan	Page 117
8	DISCUSSION ITEMS	
	a) Inland Port, Freight Rail Resolution - Ms. Tracy Whirls	Page 126
	b) 5 Year CEDS Update – Ms. Tracy Whirls	
	c) Organization Structure Discussion – Councilman McDaniel	Page 136
9	<u>DIRECTOR'S REPORT</u>	Page 207
	a) Update on Cares Act - Disaster Recovery & Resiliency Guide	
	b) Update on Resiliency Strategy for Local Food Systems	
	c) Meeting Location for June 16, 2022	Page 223

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

10 COMMITTEE REPORTS

- a) Executive Committee – **Chair Don McCormick**
- b) Quality of Life & Safety Committee – **Chair Don McCormick**

11 NEW BUSINESS

12 STATE AGENCIES COMMENTS/REPORTS

13 COUNCIL MEMBERS' COMMENTS

14 ADJOURN

UPCOMING SWFRPC MEETING DATES:

June 16, 2022

September 15, 2022

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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 Rick LoCastro, Collier BCC
Councilman Raymond Christman, City of Naples
(City of Marco Island Vacancy)
(Governor Appointee Vacancy)
(Governor Appointee Vacancy)

GLADES COUNTY

Commissioner Donna Storter-Long, Glades BCC
(Glades BCC Vacancy)
(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
(Sarasota BCC Vacancy)
Mayor Erik Arroyo, City of Sarasota
Mayor Ron Feinsod, City of Venice
(Governor Appointee Vacancy)
(Governor Appointee Vacancy)

EX-OFFICIO MEMBERS

Jon Iglehart, FDEP
Phil Flood, SFWMD

Keith Robbins, FDOT
Dennis Ragosta, SFWMD

STAFF

Margaret Wuerstle, Executive Director
Rebekah Harp
Amelia Williams
Jim Burch
Tracy Whirls
Asmaa Odeh



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
Item

6

Minutes

6

6

--- Agenda --- Item

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Minutes of the Lcpwct{ 42,
2024 Council/Executive
Meeting

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
EXECUTIVE BOARD
JANUARY 20, 2022, MEETING**

The meeting of the Southwest Florida Regional Planning Council Executive Board was held on January 20, 2021, virtually via a zoom meeting. Governor Appointee and Council Chair, Mr. Don McCormick called the meeting to order at 9:03 a.m. There was a quorum of the Executive Committee present.

EXECUTIVE BOARD MEMBERS PRESENT

Councilman Jaha Cummings - Treasurer
Mr. Don McCormick - Chair
Mr. Tommy Perry - Governor Appointee

OTHERS BOARD MEMBERS PRESENT

Commissioner Rick LoCastro - Collier BCC
Commissioner Bill McDaniel - Collier BCC
Mr. Mel Karau - Governor Appointee

EX-OFFICIO MEMBER PRESENT

Phil Flood, SFWMD
Jon Iglehart, FDEP

OTHERS PRESENT

Mr. Keith Robbins, FDOT
Ms. Heather Anckner, Co-Founder/Partner, Rockwood Steel LLC
Ms. Lillie Rentz, Air Glades Airport Manager
Ms. Natlie Hardman,
Ms. Rosemary Fllori, Glades County EDC
Ms. Keitha Daniels, Hendry County EDC
Ms. Margaret Wuerstle- Executive Director, SWFRPC
Ms. Rebekah Harp- SWFRPC
Ms. Tracy Whirls- SWFRPC
Mr. Jim Burch- SWFRPC

AGENDA ITEM #6(b)
MINUTES OF THE NOVEMBER 18, 2021, EXECUTIVE COMMITTEE MEETING

Mr. Tommy Perry offered a motion to accept the minutes of the November 18, 2021, Executive Committee meeting as presented. Commissioner Bill McDaniel seconded the motion to accept the minutes. The action was approved unanimously.

AGENDA ITEM #7
FINANCIALS

AGENDA ITEM #7(a)
OCTOBER-NOVEMBER 2021 FINANCIALS

Ms. Wuerstle explained that October 1st is the beginning of the fiscal year, and the October/November financials follow the typical financial pattern of prior years. The financials show that the RPC is down approximately \$34,000 in the first month and down \$72,000 in the second month. Ms. Wuerstle explained that it is early in the fiscal year, and the RPC has outstanding receivables yet to come in. She explained that the RPC is hopeful to continue the patterns and close out the fiscal year but will continue to watch it closely. Margaret also wanted to mention that the RPC has started the audit for last year and the auditors have been working with Rebekah to go through the books. Margaret explained that the RPC should have the audit completed early this year.

Councilman Cummings offered a motion to approve the October-November 2021 financials. Mr. Tommy Perry seconded the motion for approval of the October-November 2021 financials. The action was approved unanimously.

AGENDA ITEM #8(a)
INLAND PORT DISCUSSION

Ms. Whirls introduced herself to the Council and stated that she is working on a contract basis with the RPC as an Economic Disaster Recovery Coordinator. She explained that she has been working with the Economic Development offices from four of the six counties in the RPC region. They formed a Coalition with the Glades region of western Palm Beach County to pursue a Build Back Better grant from EDA to create an inland port system in southern Florida, which would be housed largely in the rural areas of Palm Beach County designed to serve the urban coastal markets of Florida and beyond. Ms. Whirls invited Keith Robbins with FDOT district 1 freight and seaport coordinator servings Polk, Highlands, Okeechobee, Glades, Hendry, Collier, Lee, Charlotte, Sarasota, Hardee, DeSoto and Manatee Counties. Ms. Whirls explained that included in the packet is a presentation on Inland Ports that was presented to the US 27 mobility stakeholders working group in May of 2019. Ms. Whirls also invited Heather Anckner, Co-Founder/Partner of Rockwood Steel LLC, of Jacksonville. Ms. Anckner is the contractor for south central Florida express, which is the railroad that connects Florida east coast rail on the east side of Lake Okeechobee and CSX in Sebring. Before Ms. Anckner established Rockwood,

she led six railroads across eight states and was in charge of business development for a multi-model inland river port facility at the port of Florence Alabama. Ms. Whirls continued to explain that based on the bare shelves in the local grocery stores, the supply chain crisis is not over and from the research she had done, it's not expected to get significantly better absence some major systemic changes before 2023. Ms. Whirls continued to cite the coastal shipping container backup challenges and noted that the supply chain jam is not confined to the shipping industry. The freight issues were switched to air cargo to help alleviate the shipping issues, which created a traffic jam at Chicago's O'Hare airport and caused cargo to be stored in employee parking lots and warehouses. All of this is creating unique opportunities in Florida, as Florida ports were featured on the national news and the Governor encouraged companies to bring their products to Florida. The Florida Governor has proposed an increase in spending to Florida ports to \$117.3 million dollars with the goal of doubling the states port capacity for receiving cargo containers from 4 million to 8 million. This is great news for America's Gateway, which is on 646 acres to be developed as an integrated intermodal logistics center campus with advanced manufacturing.

Ms. Whirls invited Lillie Rentz from Air Glades to talk about exciting things that are happening at Air Glades International Airport. Ms. Whirls explained that Air Glades was featured in the January issue of Southwest Florida Business.

Finally, Ms. Whirls noted that a PB&E study to build a bypass around Bell Glades and South Bay, which is the necessary next step in developing an inland port facility on the east side. The study shows several alternatives to work in conjunction with an intermodal ramp for east coast rail. The study is anticipated to be complete in March by Cambridge Systematics. Meanwhile a separate study by Cambridge Systematics is an update of the Florida Trade and logistics study, which highlights that it is faster to ship to Florida than anywhere else.

Lastly, Ms. Whirls would like to finish up by stating that this is a perfect opportunity for Florida as an on ramp for cargo coming into the United States. There are things can be done on a legislative front for improvements for the ports system and also to the highway and rail to serve this model.

Mr. McCormick asked if there is a Florida Port Authority of any sort. Ms. Whirls explained that there is the Florida Ports Council, which is an Association of the 15 ports in Florida.

Mr. McCormick asks Ms. Whirls if this proposal would take a lot of pressure off US 27 and the other North/South Highway systems in Florida. Ms. Whirls agreed and stated that the bi-partisan infrastructure bill that was passed, has several competitive grant programs that will be available beginning in February. Ms. Whirls explained that the RPC will be looking at those and working with partners among the economic development folks and determine how best to go after those funding opportunities. Ms. Whirls explains that the RPC needs to get the word out to the world that Florida can be an on ramp for product cargo destined for the eastern seaboard or even the mid-west.

Councilman Jaha Cummings stated that he is on the Freight Advisory Committee for FDOT and he explained that during the last meeting there was a discussion on intermodal sites and Southwest Florida was left off of the conversation. He would like to bring this inland port discussion to the next meeting in February to push hard. He explained that the east coast is full, and he believes that the inland port is a solution to the bigger picture of Florida being a major player in terms of trade. Southwest Florida needs to be seen as a solution for the state. Ms. Whirls asks Councilman Cummings to send her the information for the next meeting and she would sit in on the meeting.

Mr. Burch wanted to include that this discussion on inland ports is a great example of getting elected officials from all over the region to come together and collaborate to push for a solution to this national problem.

Ms. Lillie Rentz thanked everyone for the invitation to participate and explained that Air Glades has been seeing a lot of challenges in the air cargo industry, but it is an exciting time as well. Ms. Rentz continued to introduce herself as the Airport Manager for Air Glades International Airport. She explained that Air Glades has been working on a project for over a decade now to develop a commercial air cargo airport within the FAA's privatization partnership program. In a nutshell, it is a supply chain solution for the perishable industry to become a faster fresher concept to bring goods to markets sooner with no disruption to the cold chain and also add shelf life. Ms. Rentz announced that Air Glades signed the largest floral importer and grower in the world, and are working on acquiring remaining contracts needed to get to a financial closing deadline of April this year. Pushing forward Air Glades needs to execute the existing purchase agreement with Hendry County to purchase the airport and privatize it. The intent is to become operational by the end of 2024 with a 24-36 month construction period before the first commercial air freighter lands at Air Glades. All permits have been acquired for the project as well as the selection of operators and the contract with the fuel supplier is currently being finalized. Ms. Rentz continued that this project is a national necessity to bring fresh food and extend shelf life.

AGENDA ITEM #9 DIRECTOR'S REPORT

Ms. Wuerstle explained that the fiscal year 20-21 audit is underway, and that RPC is working to bring it to the board earlier this year than last year.

Ms. Wuerstle wanted to note that the new Brownfields grant was submitted, and notification of funding should be announced in early spring.

AGENDA ITEM #9(a) UPDATE ON CARES ACT – DISASTER RECOVERY & RESILIENCY GUIDE

Ms. Wuerstle explained that both Jim Burch and Tracy Whirls are working to identify resiliency measures. Tracy was focused on inland ports under the Build Back Better grant that was not

awarded. However, there are still many funding opportunities available that the project can be phased to different funding sources. Ms. Wuerstle explained that the infrastructure bill will be released in February. In addition, Ms. Wuerstle stated that the latest version of the Disaster Recover and Resiliency Guide that Jim has been working on went out to the board for review. Ms. Wuerstle also mentioned that the next NOFO due for the American Rescue Plan is for the Good Jobs Challenge. Ms. Wuerstle explained that the RPC is working with the Southwest Florida Enterprise Center to put together a training program for small business needs as well as implement this Disaster Recovery Guide.

Mr. Burch explained that there were several NOFO's that the Regional Planning Council has been working on and he appreciated all the effort. The guide started with how to reach the small businesses, however during outreach to businesses and distributing surveys, it was determined that the best thing needed was to prepare this guide, especially during the mist of the pandemic. Small businesses can be prepared with a recovery guide as a business model plan. In this guide, there are several different ways to stay strong and be somewhat structurally sound during events, such as a pandemic or a hurricane, there are several ways within a business plan or structure to help mitigate a lot of those problems. Mr. Burch continued to explain that the guide is roughly 60 pages of which half are worksheets and the other half is information to help in different areas to recover.

AGENDA ITEM #9(B) **RESILIENCY STRATEGY FOR LOCAL FOOD SYSTEMS**

Ms. Wuerstle also wanted to point out that both Tracy and Jim mentioned various grants that were submitted. She wanted to mention that there is over \$16 million dollars in grants that are pending for various projects. The RPC is actively pursuing implementation of not only the inland ports, but some of the other projects that are needed in the area. One project that was funded is to address food insecurity in the region. An RFP was distributed for a national consultant, however only one proposal was received despite putting it out to thousands. IFAS will fill the role of the consultant and Ms. Wuerstle explained that she will provide updates once the Stakeholders have given recommendations.

Ms. Wuerstle also provided a quick update on the Clewiston Lake front Master Plan project that was awarded through the Florida Fish and Wildlife Commission. The site analysis and market analysis are both complete and several proposals are being developed to bring to the public. Once the proposals are complete, Ms. Wuerstle explained she will bring them to the board for review.

AGENDA ITEM #9(c) **MEETING LOCATION FOR MARCH 17, 2022 MEETING**

Ms. Wuerstle explained that she was hopeful for an in-person meeting today, but because of the pandemic the RPC was cautious and moved to a zoom meeting. Ms. Wuerstle is hopeful

that an in-person meeting will happen in March and explained that she will be reaching out to Mr. Flood to request the SFWMD meeting space for the March meeting.

Lastly, Ms. Wuerstle wanted to mention that during the last meeting she asked the board what issues and/or projects were of interest to discuss, and the inland port was one of those issues. One of the other topics brought up was the census, which Ms. Wuerstle is working to identify a speaker on the new census and the impact it will have on this region. Ms. Wuerstle is hopeful that she will have someone identified for the March meeting.

Ms. Wuerstle encouraged everyone to reach out and submit any issues or topics to discuss during future meetings.

**AGENDA ITEM #9
COMMITTEE REPORTS**

No Committee Reports were given

**AGENDA ITEM #9(a)
EXECUTIVE COMMITTEE**

There was no update given.

**AGENDA ITEM #9(b)
QUALITY OF LIFE & SAFETY COMMITTEE**

There was no update given.

**AGENDA ITEM #10
NEW BUSINESS**

There was no new business.

**AGENDA ITEM #11
STATE AGENCIES COMMENTS/REPORTS**

Mr. Iglehart explained that FDEP is swamped with applications and suffering from COVID issues. He explained that if there are any urgent issues to please reach out to him.

Mr. Flood also agreed that the development community has not slowed down and lots of application for permits are being processed. Mr. Flood explained that the Everglades restoration is moving forward, and the Biden administration announced \$1.2 billion in federal funding for the Everglades Restoration, which is very positive to see the federal government step up and keep pace with the states funding.

AGENDA ITEM #12

COUNCIL MEMBERS' COMMENTS

Commissioner McDaniel requested that an agenda item for organizational structure be added to the next meeting agenda. Ms. Wuerstle ensured Commissioner McDaniel that the item will be added to the next agenda.

Councilman Cummings stated that the meeting was very good and very informative regarding the inland ports.

AGENDA ITEM #13 ADJOURN

The meeting adjourned at 9:51 a.m.

Don McCormick, Chairman

The meeting was duly advertised in the January 7, 2022, issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 48, Number 05.

Agenda Item

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Financials

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Agenda Item

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Financials

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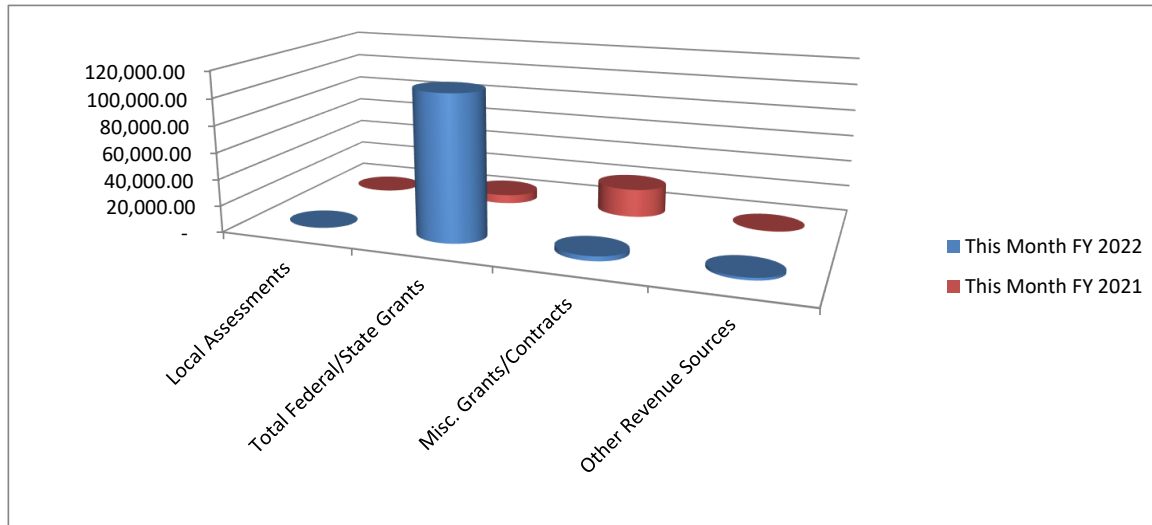
2021 - 2022 Workplan & Budget Financial Snapshot

Dec-21

Revenues

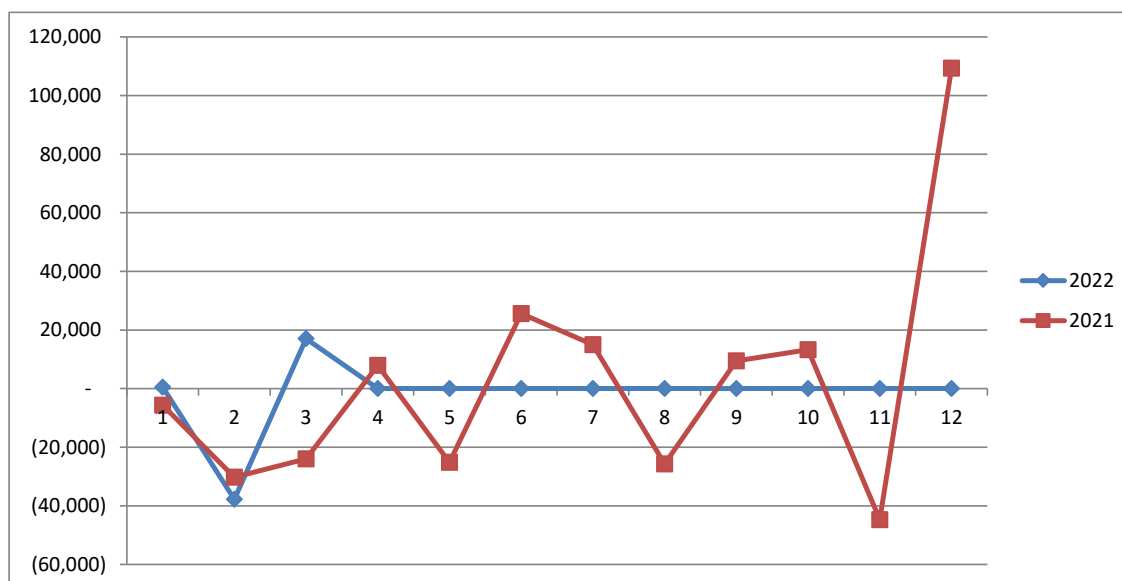
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

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, Interagency PO'S
 Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$20,244) Unaudited

SWFRPC

Detail of Reserve

As of December 31, 2021

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	11,621
	<hr/>
<i>Total Cash and Cash Equivalents</i>	\$ 11,821

Investments:

FineMark Money Market	\$ 130,930
Local government Surplus Trust Fund Investment Pool (Fund A)	145,984
	<hr/>
<i>Total Investments</i>	\$ 276,914

Total Reserves	<hr/>
	\$ 288,735
	<hr/>

**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET**

FOR THE ONE MONTH ENDING DECEMBER 31, 2021

	Current Month	Year to Date A	FY 21-22 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
GLADES COUNTY	-	1,021	4,083	25%	\$ 3,062
CITY OF FORT MYERS	-	6,945	27,780	25%	\$ 20,835
TOWN OF FORT MYERS BEACH INC	-	492	1,967	25%	\$ 1,475
BONITA SPRINGS	-	4,174	16,694	25%	\$ 12,521
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 12,631	\$ 50,524	25%	\$ 37,893
FEDERAL / STATE GRANTS					
DEM - LEPC 20/21	-	-		0%	\$ -
DEM - LEPC 21/22	-	-	80,000	0%	\$ 80,000
DEM - HMEP 21/22	-	-	61,006	0%	\$ 61,006
DEM - Collier Hazard Analysis 21/22	-	-	19,251	0%	\$ 19,251
Economic Development Planning 20/22	20,000	20,000	70,000	29%	\$ 50,000
EDA CARES Act COVID	45,069	45,069	200,000	23%	\$ 154,931
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
Clewiston Lakefront MasterPlan	43,781	43,781	175,000	25%	\$ 131,219
Brownfields - EPA	-	37,805	85,000	44%	\$ 47,195
Vista Supervisor	-	-	20,000	0%	\$ 20,000
Promise Zone	0				
TOTAL FEDERAL / STATE GRANTS	\$ 108,850	\$ 146,655	\$ 885,257	17%	\$ 738,602
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
Food Policy Coordinator	3,526	9,930	50,000	20%	\$ 40,070
TOTAL MISC. GRANTS/CONTRACTS	\$ 3,526	\$ 9,930	\$ 61,500	16%	\$ 51,570
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	- \$	- \$	-	N/A	\$ -
DRIS/NOPCS INCOME	1,409	2,083	-	N/A	-
TOTAL	\$ 1,409	\$ 2,083	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	-	100%	\$ -
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ -	\$ -	-	\$ -
OTHER REVENUE SOURCES					
Misc. Income	434	434	400	108%	\$ (34)
INTEREST INCOME - Money Market	22	66	800	8%	\$ 734
Fund A Investment Income	16	40	800	5%	\$ 760

	Current Month	Year to Date A	FY 21-22 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OTHER REVENUE SOURCES	\$ 472	\$ 540	\$ 2,000	27%	\$ 1,460
<i>Fund Balance</i>	\$ -	\$ -			
TOTAL REVENUES	\$ 114,256	\$ 171,839	\$ 999,281	17%	\$ 829,525

EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 24,628	\$ 57,137	\$ 256,131	22%	\$ 198,994
FICA EXPENSE	1,871	4,342	19,594	22%	\$ 15,252
RETIREMENT EXPENSE	4,857	9,266	61,112	15%	\$ 51,846
HEALTH INSURANCE EXPENSE	3,022	9,742	40,848	24%	\$ 31,106
WORKERS COMP. EXPENSE	214	321	1,344	24%	\$ 1,023
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
TOTAL PERSONNEL EXPENSES	\$ 34,592	\$ 80,808	\$ 379,029	21%	298,221

OPERATIONAL EXPENSES					
CONSULTANTS	\$ 567	\$ 2,151	\$ 94,724	2%	\$ 92,573
GRANT/CONSULTING EXPENSE	55,147	90,795	412,313	22%	\$ 321,518
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	-	-	1,000	0%	\$ 1,000
TELEPHONE EXPENSE	155	444	1,488	30%	\$ 1,044
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	-	1,153	3,151	37%	\$ 1,999
INSURANCE EXPENSE	5,762	5,926	6,220	95%	\$ 294
PRINTING/REPRODUCTION EXPENSE	35	105	1,000	11%	\$ 895
ADVERTISING/LEGAL NOTICES EXP	58	148	1,600	9%	\$ 1,452
OTHER MISC. EXPENSE	-	136	500	27%	\$ 364
BANK SERVICE CHARGES	60	88	-	N/A	\$ (88)
OFFICE SUPPLIES EXPENSE	68	68	600	11%	\$ 532
COMPUTER RELATED EXPENSE	706	6,682	21,668	31%	\$ 14,986
DUES AND MEMBERSHIP	-	2,500	3,059	82%	\$ 559
MEETINGS/EVENTS EXPENSE	80	80	2,000	4%	\$ 1,920
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
FUND BALANCE			\$ 428,877		
OPERATIONAL EXP.	\$ 62,637	\$ 111,275	\$ 1,003,200	11%	463,048

	Current Month	Year to Date A	FY 21-22 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,003,200		
TOTAL CASH OUTLAY	\$ 97,228	\$ 192,083	\$ 1,382,229		\$ 761,269
NET INCOME (LOSS)	<u>\$ 17,028</u>	<u>\$ (20,244)</u>			

SWFRPC
Balance Sheet
December 31, 2021

Page 26 of 231

ASSETS

Current Assets		
Cash - Forida Prime	\$	145,983.76
Cash - FineMark Oper.		11,621.49
Cash - FineMark MM		130,929.82
Petty Cash		200.00
Accounts Receivable		147,202.12
Accounts Receivable-RC&D		(61.25)
		<hr/>
Total Current Assets		435,875.94
Property and Equipment		
Property, Furniture & Equip		43,026.31
Accumulated Depreciation		(43,025.57)
		<hr/>
Total Property and Equipment		0.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		41,305.44
FSA Deposit		0.29
Amt t.b.p. for L.T.Debt-OPEB		8,232.00
		<hr/>
Total Other Assets		49,537.73
		<hr/>
Total Assets	\$	<u><u>485,414.41</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Food Policy_3340		35,552.82
FICA Taxes Payable		1,873.69
Federal W/H Tax Payable		(543.98)
United way Payable		322.00
Deferred Compensation Payable		(25.00)
FSA Payable		(1,533.30)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		36,565.94
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		86,103.38
Capital		
Fund Balance-Unassigned		(94,444.79)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(20,243.92)
		<hr/>
Total Capital		399,311.03
		<hr/>
Total Liabilities & Capital	\$	<u><u>485,414.41</u></u>

Unaudited - For Management Purposes Only

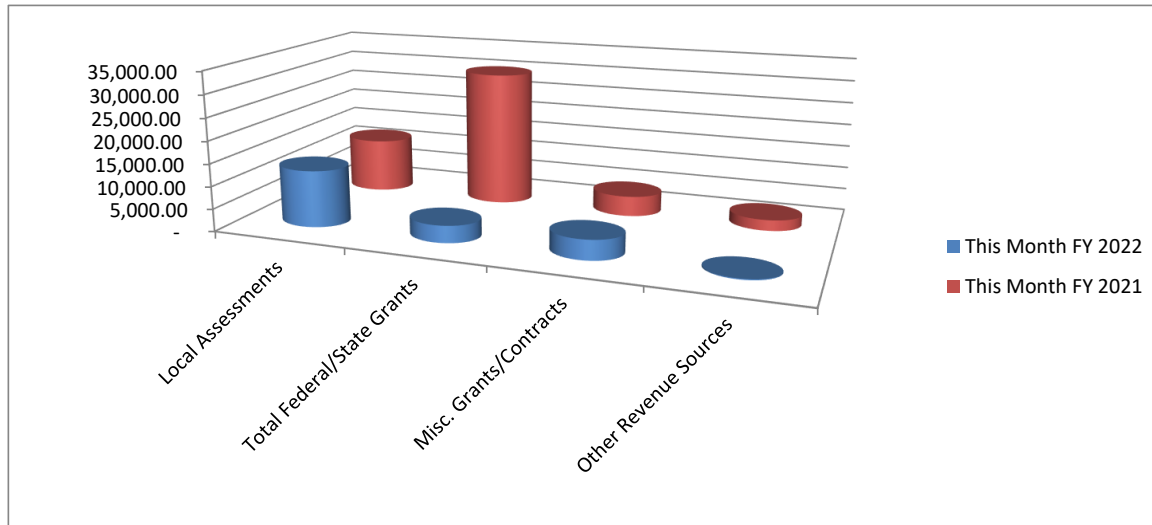
2021 - 2022 Workplan & Budget Financial Snapshot

Jan-22

Revenues

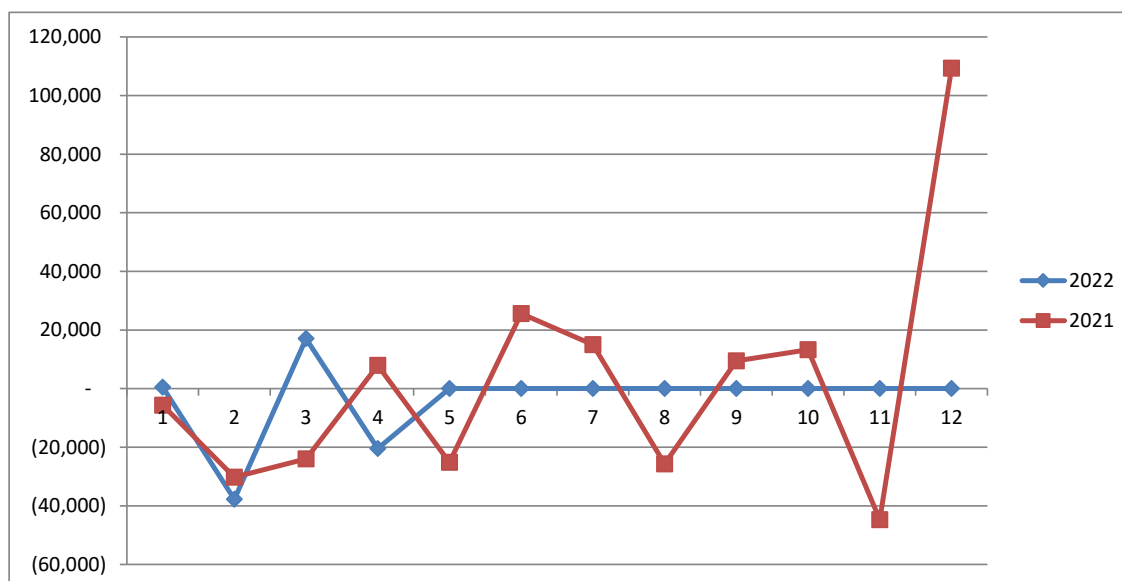
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

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, Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$40,727) Unaudited

SWFRPC

Detail of Reserve

As of January 31, 2022

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	49,602
	<hr/>
<i>Total Cash and Cash Equivalents</i>	\$ 49,802

Investments:

FineMark Money Market	\$ 130,952
Local government Surplus Trust Fund Investment Pool (Fund A)	146,002
	<hr/>
<i>Total Investments</i>	\$ 276,954

Total Reserves	<hr/>
	\$ 326,756
	<hr/> <hr/>

**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET**

FOR THE ONE MONTH ENDING JANUARY 31, 2022

	Current Month	Year to Date A	FY 21-22 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
GLADES COUNTY	1,021	2,042	4,083	50%	\$ 2,042
CITY OF FORT MYERS	6,945	13,890	27,780	50%	\$ 13,890
TOWN OF FORT MYERS BEACH INC	492	984	1,967	50%	\$ 984
BONITA SPRINGS	4,174	8,347	16,694	50%	\$ 8,347
TOTAL LOCAL ASSESSMENTS	\$ 12,631	\$ 25,262	\$ 50,524	50%	\$ 25,262
FEDERAL / STATE GRANTS					
DEM - LEPC 20/21	-	-		0%	\$ -
DEM - LEPC 21/22	-	-	80,000	0%	\$ 80,000
DEM - HMEP 21/22	-	-	61,006	0%	\$ 61,006
DEM - Collier Hazard Analysis 21/22	3,804	3,804	19,251	20%	\$ 15,447
Economic Development Planning 20/22	-	20,000	70,000	29%	\$ 50,000
EDA CARES Act COVID	-	45,069	200,000	23%	\$ 154,931
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
Clewiston Lakefront MasterPlan	-	43,781	175,000	25%	\$ 131,219
Brownfields - EPA	-	37,805	85,000	44%	\$ 47,195
Vista Supervisor	-	-	20,000	0%	\$ 20,000
Promise Zone	-	-	-	N/A	\$ -
TOTAL FEDERAL / STATE GRANTS	\$ 3,804	\$ 150,459	\$ 885,257	17%	\$ 734,798
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
Food Policy Coordinator	4,403	14,333	50,000	29%	\$ 35,667
TOTAL MISC. GRANTS/CONTRACTS	\$ 4,403	\$ 14,333	\$ 61,500	23%	\$ 47,167
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	- \$	- \$	-	N/A	\$ -
DRIS/NOPCS INCOME	-	2,083	-	N/A	-
TOTAL	\$ -	\$ 2,083	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	-	100%	\$ -
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ -	\$ -	-	\$ -
OTHER REVENUE SOURCES					
Misc. Income	150	584	400	146%	\$ (184)
INTEREST INCOME - Money Market	22	88	800	11%	\$ 712
Fund A Investment Income	18	58	800	7%	\$ 742

	Current Month	Year to Date A	FY 21-22 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OTHER REVENUE SOURCES	\$ 190	\$ 730	\$ 2,000	36%	\$ 1,270
<i>Fund Balance</i>	\$ -	\$ -			
TOTAL REVENUES	\$ 21,028	\$ 192,867	\$ 999,281	19%	\$ 808,497

EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 18,823	\$ 75,960	\$ 256,131	30%	\$ 180,171
FICA EXPENSE	1,429	5,771	19,594	29%	\$ 13,823
RETIREMENT EXPENSE	6,430	15,696	61,112	26%	\$ 45,416
HEALTH INSURANCE EXPENSE	2,912	12,654	40,848	31%	\$ 28,194
WORKERS COMP. EXPENSE	-	321	1,344	24%	\$ 1,023
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
TOTAL PERSONNEL EXPENSES	\$ 29,594	\$ 110,402	\$ 379,029	29%	268,627
OPERATIONAL EXPENSES					
CONSULTANTS	\$ -	\$ 2,471	\$ 94,724	3%	\$ 92,253
GRANT/CONSULTING EXPENSE	9,598	100,393	412,313	24%	\$ 311,920
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	-	-	1,000	0%	\$ 1,000
TELEPHONE EXPENSE	144	588	1,488	40%	\$ 900
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	-	1,153	3,151	37%	\$ 1,999
INSURANCE EXPENSE	82	6,008	6,220	97%	\$ 212
PRINTING/REPRODUCTION EXPENSE	35	141	1,000	14%	\$ 859
ADVERTISING/LEGAL NOTICES EXP	86	234	1,600	15%	\$ 1,366
OTHER MISC. EXPENSE	-	136	500	27%	\$ 364
BANK SERVICE CHARGES	62	88	-	N/A	\$ (88)
OFFICE SUPPLIES EXPENSE	97	165	600	28%	\$ 435
COMPUTER RELATED EXPENSE	1,709	8,391	21,668	39%	\$ 13,277
DUES AND MEMBERSHIP	60	2,560	3,059	84%	\$ 499
MEETINGS/EVENTS EXPENSE	43	123	2,000	6%	\$ 1,877
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
FUND BALANCE			\$ 428,877		
OPERATIONAL EXP.	\$ 11,917	\$ 123,450	\$ 1,003,200	12%	450,873

	Current Month	Year to Date A	FY 21-22 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,003,200		
TOTAL CASH OUTLAY	\$ 41,511	\$ 233,852	\$ 1,382,229		\$ 719,500
NET INCOME (LOSS)	<u>\$ (20,483)</u>	<u>\$ (40,985)</u>			

SWFRPC
Balance Sheet
January 31, 2022

Page 32 of 231

ASSETS

Current Assets		
Cash - Florida Prime	\$	146,001.58
Cash - FineMark Oper.		49,602.16
Cash - FineMark MM		130,952.06
Petty Cash		200.00
Accounts Receivable		84,102.69
Accounts Receivable-RC&D		(61.25)
		<hr/>
Total Current Assets		410,797.24
Property and Equipment		
Property, Furniture & Equip		43,026.31
Accumulated Depreciation		(43,025.57)
		<hr/>
Total Property and Equipment		0.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		41,305.44
FSA Deposit		0.29
Amt t.b.p. for L.T.Debt-OPEB		8,232.00
		<hr/>
Total Other Assets		49,537.73
		<hr/>
Total Assets	\$	<u><u>460,335.71</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Food Policy_3340		31,149.97
FICA Taxes Payable		1,873.68
Federal W/H Tax Payable		(543.98)
United way Payable		322.00
Deferred Compensation Payable		(25.00)
FSA Payable		(1,726.04)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		31,970.34
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		81,507.78
Capital		
Fund Balance-Unassigned		(94,444.79)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(40,727.02)
		<hr/>
Total Capital		378,827.93
		<hr/>
Total Liabilities & Capital	\$	<u><u>460,335.71</u></u>

Unaudited - For Management Purposes Only

_____Agenda

_____Item

7b

7b

Audit Report FY 2020-2021

7b

**SOUTHWEST FLORIDA REGIONAL
PLANNING COUNCIL
BASIC FINANCIAL STATEMENTS
TOGETHER WITH ADDITIONAL REPORTS
YEAR ENDED
SEPTEMBER 30, 2021**

Verbal MLC

Remove Willie Shaw from bank signature cards
Properly dispose of old O/S checks
Margaret to sign bank rec noting approval

TABLE OF CONTENTS

	<u>Page(s)</u>
INDEPENDENT AUDITOR'S REPORT.....	1-4
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A).....	i-vi
 <u>BASIC FINANCIAL STATEMENTS</u>	
GOVERNMENT-WIDE FINANCIAL STATEMENTS:	
Statement of Net Position.....	5
Statement of Activities.....	6
 FUND FINANCIAL STATEMENTS:	
Governmental Fund:	
Balance Sheet.....	7
Reconciliation of the Balance Sheet - Governmental Fund to the Statement of Net Position.....	8
Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Fund.....	9
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Fund to the Statement of Activities.....	10
 NOTES TO THE FINANCIAL STATEMENTS.....	 11-50
 <u>REQUIRED SUPPLEMENTARY INFORMATION OTHER THAN MD&A</u>	
BUDGET TO ACTUAL COMPARISON - MAJOR FUND (General Fund)	
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund - Summary Statement.....	51
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund - Detailed Statement.....	52-53
 OTHER REQUIRED SUPPLEMENTARY INFORMATION	
Schedule of Council's Proportionate Share of the Net Pension Liability - Florida Retirement System (FRS) Pension Plan	54
Schedule of Council Contributions - Florida Retirement System (FRS) Pension Plan	54
Schedule of Council's Proportionate Share of the Net Pension Liability - Health Insurance Subsidy (HIS) Pension Plan	55
Schedule of Council Contributions - Health Insurance Subsidy (HIS) Pension Plan	55
Notes to the Required Supplementary Information.....	56-57
Schedule of Changes in the Net OPEB Liability and Related Ratios, GASB No. 75 and Notes to the Schedule	58
 <u>ADDITIONAL REPORTS</u>	
Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Basic Financial Statements Performed in Accordance with <u>Government Auditing Standards</u>	59-60
Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes.....	61
Independent Auditor's Report to Management.....	62-65
Management's Response to Independent Auditor's Report to Management.....	Exhibit 1
Florida Rules of the Auditor General - Rule 10.554(1)(i)6-8 Compliance - Unaudited.....	Exhibit 2

INDEPENDENT AUDITOR'S REPORT

Executive Committee and Council Members
Southwest Florida Regional Planning Council
P.O. Box 60933
Fort Myers, Florida 33906-6933

Report on the Financial Statements

We have audited the accompanying financial statements of governmental activities and each major fund of Southwest Florida Regional Planning Council (the "Council"), as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the Council's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We did not audit the financial statements of Florida Retirement Systems Pension Plan (FRS) or Health Insurance Subsidy Pension Plan (HIS) as of and for the year ended June 30, 2021. The Council is required to record its proportionate share of the FRS and HIS liability in the Council's government-wide financial statements as of September 30, 2021 and for the year then ended. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for Southwest Florida Regional Planning Council's government-wide financial statements, is based on the report of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Council's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness

Executive Committee and Council Members
 Southwest Florida Regional Planning Council
 Page 2

of the Council's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Summary of Opinions

<u>Opinion Unit</u>	<u>Type of Opinion</u>
Governmental Activities	Unmodified
General Fund	Unmodified

Opinion

Unmodified Opinion

In our opinion, based on our report and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Southwest Florida Regional Planning Council as of September 30, 2021, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis Of Matter

Substantial Doubt About the Council's Ability to Continue as a Going Concern

Over the course of the last three (3) fiscal years, five (5) of the six (6) member counties and certain of the participating cities have withdrawn financial support from the Council. The financial effect of this intended action is approximately \$475,000 of unrestricted revenue annually.

The accompanying financial statements have been prepared assuming that the Council will continue as a going concern. As discussed in Note O to the financial statements, the Council, as noted above, has suffered substantially all its member governments withdrawal of funding. As a result of such action by its member governments the Council's operational shortfall has been funded by use of fund balance for the year ended September 30, 2021. The Council's financial situation is continuing to deteriorate in fiscal year 2021. It is likely the Council will be forced to cease operations on or before September 30, 2023 without significant change in circumstances.

Executive Committee and Council Members
 Southwest Florida Regional Planning Council
 Page 3

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages i - vi, Schedule of Council's Proportionate Share of the Net Pension Liability - Florida Retirement System Pension Plan (FRS), Schedule of Council Contributions - Florida Retirement System Pension Plan (FRS), Schedule of Council's Proportionate Share of the Net Pension Liability - Health Insurance Subsidy Pension Plan (HIS), Schedule of Council Contributions - Health Insurance Subsidy Pension Plan (HIS), Notes to Required Supplementary Information and Schedule of Changes in the Net OPEB Liability and Related Ratios GASB No. 75 and Notes to the Schedule, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information - management's discussion and analysis (MD&A), Schedule of Council's Proportionate Share of the Net Pension Liability - Florida Retirement System Pension Plan (FRS), Schedule of Council Contributions - Florida Retirement System Pension Plan (FRS), Schedule of Council's Proportionate Share of the Net Pension Liability - Health Insurance Subsidy Pension Plan (HIS), Schedule of Council Contributions - Health Insurance Subsidy Pension Plan (HIS), Notes to Required Supplementary Information and Schedule of Changes in the Net OPEB Liability and Related Ratios GASB No. 75 and Notes to the Schedule, as listed in the table of contents, in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the required supplementary information - management's discussion and analysis (MD&A), Schedule of Council's Proportionate Share of the Net Pension Liability - Florida Retirement System Pension Plan (FRS), Schedule of Council Contributions - Florida Retirement System Pension Plan (FRS), Schedule of Council's Proportionate Share of the Net Pension Liability - Health Insurance Subsidy Pension Plan (HIS), Schedule of Council Contributions - Health Insurance Subsidy Pension Plan (HIS), Notes to Required Supplementary Information and Schedule of Changes in the Net OPEB Liability and Related Ratios GASB No. 75 and Notes to the Schedule, as listed in the table of contents, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Required Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise Southwest Florida Regional Planning Council's basic financial statements. The required supplementary information other than the MD&A - budgetary comparison information is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The required supplementary information other than the MD&A - budgetary comparison information is the responsibility of management as was derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting

Executive Committee and Council Members
Southwest Florida Regional Planning Council
Page 4

and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the required supplementary information other than MD&A - budgetary comparison information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Council's basic financial statements. The Exhibit 1 - Management's Response to Independent Auditor's Report to Management and Exhibit 2 - Florida Rules of the Auditor General - Rule 10.554(l)(i)6-8 Compliance are not a required part of the basic financial statements but are required by Government Auditing Standards and/or Rules of the Auditor General, Section 10.554(i), respectively. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Section 218.415, Florida Statutes

In accordance with Section 218.415, Florida Statutes, we have also issued our report dated January 25, 2022 on our consideration of Southwest Florida Regional Planning Council's compliance with provisions of Section 218.415, Florida Statutes. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and to provide an opinion on compliance with the aforementioned Statute. That report is an integral part of an audit performed in accordance with Sections 218.39 and 218.415, Florida Statutes in considering Southwest Florida Regional Planning Council's compliance with Section 218.415, Florida Statutes.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated January 25, 2022 on our consideration of the Council's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contract and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Council's internal control over financial reporting and compliance.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
January 25, 2022

**MANAGEMENT'S DISCUSSION
AND ANALYSIS
(MD&A)**

DRAFT

As management for the Southwest Florida Regional Planning Council (the "Council") this narrative overview and analysis of the financial statements is designed to provide a helpful viewpoint as to the Council's financial activities for the fiscal year ending September 30, 2021. We recommend readers consider this information in conjunction with the financial statements taken as a whole.

Financial Highlights

- The net position of the Council at the close of its fiscal year ended September 30, 2020 was a (deficit) of (\$238,750). The Council's total net position decreased \$198,392 or 495% from the prior year, due to reduced member assessment collections.
- The net position (deficit) of the Council at the close of its fiscal year ended September 30, 2021 was (\$126,067). The Council's total net position (deficit) decreased \$112,683 or 47% from the prior year.
- As of the close of the fiscal year 2020, the Council reported an ending fund balance of \$428,877, a decrease of \$202,537 from the prior year. \$428,877 of this amount is assigned to fund future operations.
- As of the close of the fiscal year 2021, the Council reported an ending fund balance of \$419,591 a decrease of \$9,286 from the prior year. \$419,591 of this amount is available for spending at the Council's discretion.
- For the year ended September 30, 2020, total revenues increased \$93,886 in comparison to the prior year. The decrease in revenue was substantially due to an increase in grant funding. Total expenses increased \$50,276, in comparison to the prior year. The increase in expenses was related to costs of related grant funded projects.
- For the year ended September 30, 2021, total revenues decreased \$404 in comparison to the prior year. The decrease in revenue was substantially due to the withdrawal of funding by member governments. Total expenses decreased \$311,479, in comparison to the prior year. The decrease in expenses was related to less employees and projects.
- During the year ended September 30, 2020, the Council terminated its office space lease and moved into space donated by the United Way of Lee County. The Council continued to operate from this location during fiscal year 2021.
- Effective June 15, 2015, the Council adopted the provisions of Governmental Accounting Standards Board Statement No. 68 "*Accounting and Financial Reporting for Pensions*" (Statement No. 68). The implementation of this accounting standard required the Council to report its actuarially determined net pension liability of \$179,958 and \$555,964 in the government-wide financial statements as of September 30, 2021 and 2020, respectively.
- Effective September 30, 2018, the Council adopted the provisions of Governmental Accounting Standards Board Statement No. 75 "*Accounting and Financial Reporting for Post Employment Benefits Other Than Pensions (OPEB)*" (Statement No. 75). This 16,710 and \$16,710 in the government-wide financial statements of the Council as of September 30, 2020 and 2019, respectively.

Government-Wide Financial Statements

Government-wide financial statements (statement of net position and statement of activities found on pages 5 and 6, respectively) are intended to provide readers with a broad overview of the Council's finances and financial health in a manner similar to a private sector business. They are prepared using the full accrual method of accounting, (revenue is recognized when earned and expenses are recognized when incurred. Amounts expended for capital assets are capitalized rather than expensed).

The *Statement of Net Position* (page 5) presents information on all of the Council's assets and liabilities, with the difference between the two reported as net position. The Council's capital assets, equipment, furniture and fixtures, and vehicles) are included in this statement and are reported at historical cost, or fair market value at the date of donation if they were donated to the Council, net of their accumulated depreciation.

The *Statement of Activities* (page 6) presents revenue and expense information showing how the Council's net assets changed during the fiscal year.

Governmental Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain financial control over resources that have been segregated for specific activities or objectives. Fund financial statements explain how the Council's services were paid for as well as what remains for future spending. Fund financial statements report the Council's operations in more detail than the government-wide financial statements by providing information about the Council's funds.

Governmental funds financial statements (found on pages 7 and 9) are prepared on the modified accrual basis using the current financial resources measurement focus. Under the modified accrual basis of accounting, revenues are recognized when they become measurable and available as net current assets.

Notes to the Financial Statements

The notes to the financial statements provide additional information so that a reader may more fully understand the information provided in the basic financial statements. The information contained in the notes is essential to a full understanding of the government-wide and fund financial statements. The notes begin on page 11.

Supplementary information consists of more detailed information on the budget to actual revenues and expenditures.

Government-Wide Financial Analysis

The government-wide financial statements were designed so that the user could determine if the Council is in a better or worse financial condition from the prior year. The net position may serve, over time, as a useful indicator of the Council's financial position.

The net investment in capital assets are used by the Council to provide services and consequently these assets are not available to liquidate liabilities and are not available for other spending.

Government-Wide Financial Analysis, (continued)

The following table reflects a Summary of Net Position for fiscal years 2021 and 2020:

Southwest Florida Regional Planning Council			
Summary of Net Position			
September 30			
	2021	2020	Change
Assets:			
Current assets	\$ 521,447	\$ 498,491	\$ 22,956
Capital assets, net	-	694	(694)
Total assets	<u>521,447</u>	<u>499,185</u>	<u>22,262</u>
Deferred outflows of resources	<u>155,552</u>	<u>162,490</u>	<u>(6,938)</u>
Liabilities:			
Current liabilities	101,856	69,614	32,242
Noncurrent liabilities	<u>229,495</u>	<u>607,387</u>	<u>(377,892)</u>
Total liabilities	<u>331,351</u>	<u>677,001</u>	<u>(345,650)</u>
Deferred inflows of resources	<u>471,715</u>	<u>223,424</u>	<u>248,291</u>
Net Position:			
Net investment in capital assets	-	694	(694)
Restricted	-	-	-
Unrestricted (Deficit)	<u>(126,067)</u>	<u>(239,444)</u>	<u>113,377</u>
Total net position (Deficit)	<u>\$ (126,067)</u>	<u>\$ (238,750)</u>	<u>\$ 112,683</u>

For the fiscal year 2021, current assets are comprised of cash and cash equivalents of \$185,435, investments of \$145,944, contract and other receivables of \$31,030, due from other governments of \$154,304, and deposits and other of \$4,734.

For the fiscal year 2021, current liabilities are comprised of accounts payable and accrued expenses of \$54,325, unearned contract, grant and DRI/NOPC revenue of \$47,531. The balance of the long term liabilities consist of pension, OPEB and accrued compensation liabilities.

For the fiscal year 2021, the net investment in capital assets of \$0 is a component of net position and is comprised of equipment, furniture and fixtures, and vehicles, net of accumulated depreciation.

The fiscal year 2021 net asset (deficit) balance of (\$126,067) decreased by \$112,683 due to the current year operations.

For the fiscal year 2020, current assets are comprised of cash and cash equivalents of \$249,126, investments of \$145,717, contract and other receivables of \$31,562 and due from other governments of \$72,086.

Government-Wide Financial Analysis, (continued)

For the fiscal year 2020, current liabilities are comprised of accounts payable and accrued expenses of \$23,492, unearned contract, grant and DRI/NOPC revenue of \$46,122.

For the fiscal year 2020, the net investment in capital assets of \$694 is a component of net position and is comprised of equipment, furniture and fixtures, and vehicles and net of accumulated depreciation.

For the year ended September 30, 2020 the unrestricted net asset (deficit) balance of (\$238,750) decreased by \$198,392 due substantially to the reduction in member assessment collections.

The following schedule reports the revenues, expenses, and changes in net position for the Council for the current and previous fiscal year:

Southwest Florida Regional Planning Council Summary of Changes in Net Position Years Ended September 30			
	<u>2021</u>	<u>2020</u>	<u>Change</u>
Revenues:			
Program Revenues			
Charges for services – dues & fees	\$ 68,708	\$ 85,383	\$ (16,675)
Contracts, grants and contributions	738,385	703,913	34,472
General Revenues			
Interest and miscellaneous	5,211	23,412	(18,201)
Total revenues	<u>812,304</u>	<u>812,708</u>	<u>(404)</u>
Expenses:			
Project Planning			
Personnel services	254,906	390,656	(135,750)
Operating expenses	444,021	614,151	(170,130)
Depreciation	694	6,293	(5,599)
Interest and fiscal charges	-	-	-
Total expenses	<u>699,621</u>	<u>1,011,100</u>	<u>(311,479)</u>
Change in net position	112,683	(198,392)	\$ <u>311,075</u>
Net Position (Deficit) – Beginning	(238,750)	(40,358)	
Net Position (Deficit) - Ending	<u>\$ (126,067)</u>	<u>\$ (238,750)</u>	

Budgetary Highlights

Budget versus actual comparisons are presented in the required supplementary information other than the Management's Discussion and Analysis. The significant budget variations versus actual results were due to the Council budgeting use of its reserves carryforward in the amount of \$428,877 then only having to use \$9,286.

Original to Final Budget Variances

The Council Members approved one budget amendment during the fiscal year ended September 30, 2021 to adjust the fund balance carryover to the FY20 audited balance.

Capital Assets

Non-depreciable capital assets include land. Depreciable capital assets include building, equipment, furniture and fixtures, and vehicles. The following is a schedule of the Council's capital assets as of September 30:

Southwest Florida Regional Planning Council			
Capital Assets			
Years Ended September 30			
	2021	2020	Change
Depreciable Capital Assets			
Total depreciable capital assets	\$ 43,026	\$ 43,026	\$ -
Less Accumulated Depreciation	(43,026)	(42,332)	(694)
Depreciable capital assets, net	-	694	(694)
Capital Assets, net	\$ -	\$ 694	\$ (694)

Debt Administration

At September 30, 2021, the Council had \$607,387 of outstanding liabilities, which is comprised as noted below. The following is a detailed schedule of the Council's outstanding liabilities as of September 30:

Southwest Florida Regional Planning Council				
Outstanding Liabilities				
Years Ended September 30				
	2021	2020	Change	
Compensated Absences	\$ 41,305	\$ 34,713	\$	6,592
Net OPEB Liability	8,232	16,710		(8,478)
Net Pension Liability	179,958	555,964		(376,006)
Total Outstanding Liabilities	229,495	607,387	\$	(377,892)
Less current portion	-	-		
Noncurrent portion	\$ 229,495	\$ 607,387		

The amount reported as compensated absences represents the total amount the Council had due at the termination of all employees' employment. The net OPEB liability is the actuarially determined cost to offer retirees health, dental, and vision coverage.

Net pension liability reflects the Council's proportionate share of its FRS and HIS liability.

Future Operations

As of the year ended September 30, 2021, five (5) of its six (6) member Counties as well as certain cities have withdrawn financial support from the Council. The financial effect of such withdrawal is approximately \$475,000 annually. This loss of funding has created substantial doubt as to the Council's ability to continue as a going concern on or before September 30, 2023. It should be noted the Council has successfully applied for and received increased grant funding. Grant funding, however, provides little or no administrative funding. Administrative funding was previously provided through various charges for services and member assessments which have now significantly decreased. As such, the Council is funding administrative operations through the use of fund balance.

Request for Information

This financial report is designed to provide the reader an overview of the Council. Questions regarding any information provided in this report should be directed to: Southwest Florida Regional Planning Council, P. O. Box 60933, Fort Myers, Florida 33906-6933.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF NET POSITION
September 30, 2021

Page 5 of 65

	<u>Governmental Activities</u>
ASSETS	
Current assets:	
Cash and cash equivalents	\$ 185,435
Investments	145,944
Due from other governments	154,304
Receivables - contracts and other	31,030
Deposits and other	<u>4,734</u>
Total current assets	<u>521,447</u>
Noncurrent assets:	
Capital assets:	
Depreciable furniture and fixtures, equipment and vehicles (net of \$43,026 accumulated depreciation)	<u>-</u>
Total noncurrent assets	<u>-</u>
 TOTAL ASSETS	 <u>521,447</u>
 DEFERRED OUTFLOWS OF RESOURCES	 <u>155,552</u>
LIABILITIES	
Current liabilities:	
Accounts payable and accrued expenses	54,325
Unearned revenue	47,531
Current portion of long-term obligations	<u>-</u>
Total current liabilities	101,856
Noncurrent liabilities:	
Noncurrent portion of long-term obligations	229,495
Commitments and Contingencies	<u>-</u>
 TOTAL LIABILITIES	 <u>331,351</u>
 DEFERRED INFLOWS OF RESOURCES	 <u>471,715</u>
 NET POSITION	
Net investment in capital assets	-
Restricted	-
Unrestricted	<u>(126,067)</u>
 TOTAL NET POSITION (DEFICIT)	 <u><u>\$ (126,067)</u></u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF ACTIVITIES
Year Ended September 30, 2021

Page 6 of 65

	Governmental Activities
EXPENSES	
Governmental Activities	
Project Planning:	
Personnel services	\$ 254,906
Operating expenses	444,021
Depreciation	694
Interest and fiscal charges	-
TOTAL EXPENSES - GOVERNMENTAL ACTIVITIES	699,621
PROGRAM REVENUES	
Charges for services:	
Assessments and fees	68,708
Contracts, local grants and events	138,427
Operating grants and contributions	599,958
TOTAL PROGRAM REVENUES	807,093
NET PROGRAM REVENUES (EXPENSES)	107,472
GENERAL REVENUES (LOSS)	
Loss on disposition of capital assets	-
Interest and miscellaneous	5,211
TOTAL GENERAL REVENUES (LOSS)	5,211
INCREASE (DECREASE) IN NET POSITION	112,683
NET POSITION (DEFICIT) - Beginning of the year	(238,750)
NET POSITION (DEFICIT) - End of the year	\$ (126,067)

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
BALANCE SHEET - GOVERNMENTAL FUND
September 30, 2021

Page 7 of 65

	General Fund	Total Governmental Fund
ASSETS		
Cash and cash equivalents	\$ 185,435	\$ 185,435
Investments	145,944	145,944
Due from other governments	154,304	154,304
Receivables - contracts and other	31,030	31,030
Deposits and other	4,734	4,734
	<u>4,734</u>	<u>4,734</u>
TOTAL ASSETS	<u>\$ 521,447</u>	<u>\$ 521,447</u>
LIABILITIES AND FUND BALANCE		
LIABILITIES		
Accounts payable and accrued expenses	\$ 54,325	\$ 54,325
Due to other governments	-	-
Unearned revenue	47,531	47,531
	<u>47,531</u>	<u>47,531</u>
TOTAL LIABILITIES	<u>101,856</u>	<u>101,856</u>
FUND BALANCE		
Nonspendable	-	-
Restricted	-	-
Assigned	419,591	419,591
Unassigned	-	-
	<u>-</u>	<u>-</u>
TOTAL FUND BALANCE	<u>419,591</u>	<u>419,591</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>\$ 521,447</u>	<u>\$ 521,447</u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL
FUND TO THE STATEMENT OF NET POSITION
September 30, 2021

Page 8 of 65

	<u>Amount</u>	
Total fund balance for governmental funds	\$ 419,591	
Amounts reported for governmental activities in the Statement of Net Position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds.		
Capital assets being depreciated:		
Furniture and fixtures, equipment and vehicles	43,026	
Less accumulated depreciation	<u>(43,026)</u>	
		-
Deferred outflows and deferred inflows are applied to future periods and, therefore, are not reported in the governmental funds.		
Deferred outflows related to pensions	151,172	
Deferred outflows related to OPEB	<u>4,380</u>	
		155,552
Deferred inflows related to pensions	<u>(471,715)</u>	
		(471,715)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds.		
Net pension liability - FRS	(90,981)	
Net pension liability - HIS	(88,977)	
Compensated absences	(41,305)	
Net OPEB liability	<u>(8,232)</u>	
		<u>(229,495)</u>
Total net position (deficit) of governmental activities		<u><u>\$ (126,067)</u></u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE - GOVERNMENTAL FUND
Year Ended September 30, 2021

Page 9 of 65

	General Fund	Total Governmental Fund
REVENUES		
Federal and state grants	\$ 599,958	\$ 599,958
Contracts, local grants and events	138,427	138,427
County and city assessments	51,593	51,593
NOPC & DRI fees	16,865	16,865
DRI monitoring fees	250	250
Interest and miscellaneous	5,211	5,211
TOTAL REVENUES	812,304	812,304
EXPENDITURES		
Current		
Personnel services	377,569	377,569
Operating expenditures	444,021	444,021
Capital outlay	-	-
Debt service	-	-
TOTAL EXPENDITURES	821,590	821,590
EXCESS OF REVENUES		
OVER (UNDER) EXPENDITURES	(9,286)	(9,286)
OTHER FINANCING SOURCES (USES)		
Operating transfers in	-	-
Operating transfers out	-	-
TOTAL OTHER FINANCING		
SOURCES (USES)	-	-
NET CHANGE IN FUND BALANCE	(9,286)	(9,286)
FUND BALANCE - Beginning of the year	428,877	428,877
FUND BALANCE - End of the year	\$ 419,591	\$ 419,591

The accompanying notes are an integral part of this statement.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RECONCILIATION OF THE STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUND TO THE STATEMENT
OF ACTIVITIES**

Page 10 of 65

Year Ended September 30, 2021

	<u>Amount</u>
Net change (revenues and other financing sources (uses) in excess (under) of expenditures) in fund balance - total governmental funds	\$ (9,286)
The increase (decrease) in net position reported for governmental activities in the Statement of Activities is different because:	
Governmental funds report capital outlays as expenditures.	
However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.	
Plus: expenditures for capital assets	-
Less: current year depreciation	(694)
Less: proceeds from disposition of capital assets	-
Less: loss on disposition of capital assets	-
	<u>(694)</u>
Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds.	
(Increase) decrease in net pension liability - FRS	359,538
(Increase) decrease in net pension liability - HIS	16,468
Increase (decrease) in deferred outflow - Pensions	(9,591)
(Increase) decrease in deferred inflow - Pensions	(248,291)
Net decrease (increase) in compensated absences	(6,592)
Net (increase) decrease in net OPEB liability	8,478
Increase (decrease) in deferred outflow - OPEB	<u>2,653</u>
	<u>122,663</u>
Increase (decrease) in net position of governmental activities	<u>\$ 112,683</u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 11 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

Southwest Florida Regional Planning Council (the "Council") is a governmental agency, created on November 8, 1973 via interlocal agreements as provided by Florida Statutes, Chapters 163.01 and 163.02, as amended, to assist other governmental and private agencies in the planning of projects in the Southwest Florida area under Florida Statutes, Chapter 186.504. The Council acts as a regional planning agency and exercises its rights and duties pursuant to Florida Statutes Chapters 23, 160, 163, 186 and 380. By Florida Statute, the Council's principal member entities consist of Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties, although certain cities within these counties are participating entities. The Council's Board Members are appointed per statutory requirement. By Florida Statute the Council is funded through member assessments determined by interlocal agreement, various fees, and multiple federal, state, and local grants and contracts. Five (5) of the six (6) of the Council's member counties have ceased paying the annual assessments which has resulted in the Council likely ceasing operations on or before September 30, 2023. See further discussion in Note O.

Specifically, the Council's mission is:

1. To make the most efficient use of its powers to promote cooperation for mutual advantage 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 its six county region;
2. To serve as a regional coordinator for the local governmental units comprising the region;
3. To exchange information on and review programs of regional concerns;
4. To promote communication between the local governments for the conservation and compatible development of the Southwest region;
5. To cooperate with Federal, State, and local government and non-government agencies to accomplish regional objectives; and
6. To do all things authorized for a Regional Planning Agency under Chapters 163, 186 and 380 of the Florida Statutes and other applicable Florida, Federal, State, and local laws, rules, and regulations.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 12 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Summary of Significant Accounting Policies

The following is a summary of the significant accounting policies used in the preparation of these basic financial statements.

The basic financial statements of the Council are comprised of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to the financial statements

Reporting Entity

The Council has adopted Governmental Accounting Standards Board (GASB) Statement Number 14, "Financial Reporting Entity" (GASB 14), as amended by GASB Statement Number 39, "Determining Whether Certain Organizations Are Component Units" (GASB 39) and GASB Statement Number 61, "The Financial Reporting Entity: Omnibus - An Amendment of GASB Statements No. 14 and No. 34" (GASB 61). These Statements require the financial statements of the Council (the primary government) to include its component units, if any. A component unit is a legally separate organization for which the elected officials of the primary government are financially accountable. Based on the criteria established in GASB Statement 14, as amended, there are no component units included or required to be included in the Council's financial statements.

The Council assisted in the creation and establishment of Southwest Florida Resource Conservation and Development Council, Inc. ("Conservation"), an independent Florida not-for-profit corporation. Conservation's mission is to develop a resource conservation plan for its service area, as well as to act as a clearinghouse for other conservation groups and efforts.

The Council provides no direct support to Conservation and does not have authority to exercise economic control over Conservation. The Council, however, provides Conservation with bookkeeping services free of charge. The Council cannot appoint or remove the Board members of Conservation. Therefore, Conservation is not considered a component unit of the Council, and its financial activity is not included within these financial statements.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 13 of 65

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Government-wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the activities of the Council and do not emphasize fund types. These governmental activities comprise the primary government. General governmental and intergovernmental revenues support the governmental activities. The purpose of the government-wide financial statements is to allow the user to be able to determine if the Council is in a better or worse financial position than the prior year.

Government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement 33, "Accounting and Financial Reporting for Nonexchange Transactions."

Amounts paid to acquire capital assets are capitalized as assets in the government-wide financial statements, rather than reported as expenditures. Proceeds of long-term debt are recorded as liabilities in the government-wide financial statements, rather than as other financing sources. Amounts paid to reduce long-term indebtedness of the reporting government are reported as a reduction of the related liability in the government-wide financial statements, rather than as expenditures.

The statement of activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function, and 2) grants and contributions that are restricted to meeting the operational or capital improvements of a particular function. Taxes and other items not properly included among program revenues are reported instead as general revenues.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 14 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Government-wide Financial Statements, continued

Program revenues are considered to be revenues generated by services performed and/or by fees charged such as dues, assessments, fees, and operating grants and contracts.

Fund Financial Statements

The Council adheres to GASB Number 54, "Fund Balance Reporting and Governmental Fund Type Definitions," that required a change in the reporting format of fund balances in the governmental fund statements.

The accounts of the Council are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity or retained earnings, revenues, and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled. Fund financial statements for the Council's governmental funds are presented after the government-wide financial statements. These statements display information about major funds individually and nonmajor funds, in aggregate, for governmental funds.

Governmental Funds

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collected within the current period or soon enough thereafter to pay liabilities of the current period.

The Council's major funds are presented in separate columns on the governmental fund financial statements. The definition of a major fund is one that meets certain criteria set forth in GASB Statement Number 34, "Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments". The funds that do not meet the criteria of a major fund are considered non-major funds and are combined into a single column on the governmental fund financial statements.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported in separate columns on the fund financial statements.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 15 of 65

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Measurement Focus and Basis of Accounting

Basis of accounting refers to when revenues and expenditures, or expenses, are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period and soon enough thereafter to pay liabilities of the current period. For this purpose, the Council considers tax revenues to be available if they are collected within sixty days of the end of the current fiscal period.

Revenues susceptible to accrual are interest on investments and intergovernmental revenues. Interest on invested funds is recognized when earned. Intergovernmental revenues that are reimbursements for specific purposes or projects are recognized when all eligibility requirements are met.

Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred. Exceptions to this general rule include: (1) principal and interest on the long-term debt, if any, which is recognized when due; and (2) expenditures are generally not divided between years by the recording of prepaid expenditures.

When both restricted and unrestricted resources are available for use, it is the Council's policy to use restricted resources first, then unrestricted resources as they are needed.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 16 of 65

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Measurement Focus and Basis of Accounting, continued

The Council adheres to the provisions of Government Accounting Standards Board Statement No. 68 "Accounting and Financial Reporting for Pensions" (GASB 68), which requires the Council to report its proportionate share of the actuarially determined net pension liability of defined benefit plans in the statement of net position, in the Council's financial statements. The Council participates in the FRS defined benefit pension plan and the HIS defined benefit plan administered by the Florida Department of Management Services, Division of Retirement.

Non-current Government Assets/Liabilities

GASB 34 requires non-current governmental assets, such as land and buildings, and non-current governmental liabilities, such as notes payable and capital leases to be reported in the governmental activities column in the government-wide Statement of Net Position.

Major Funds

The Council reports the following major governmental fund:

The General Fund is the Council's primary operating fund. It accounts for all financial resources of the Council.

Budgetary Information

The Council has elected to report budgetary comparison of major funds as required supplementary information (RSI).

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 17 of 65

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Investments

The Council adheres to the requirements of Governmental Accounting Standards Board (GASB) Statement Number 31, "Accounting and Financial Reporting for Certain Investments and for External Investment Pools," in which all investments are reported at fair value, with the exception of the Local Government Surplus Funds Investment Pool Trust Fund (State Board of Administration), an external 2a7-like investment pool. The Local Government Surplus Funds Investment Pool Trust Fund's shares are stated at amortized cost (otherwise known as fluctuating net asset value or "NAV"), which approximates fair value.

Investments, including restricted investments (if any), may consist of the State of Florida Local Government Surplus Funds Trust Fund and Certificates of Deposit held at local depositories.

Capital Assets

Capital assets, which include furniture and fixtures, equipment, and vehicles, are reported in the government-wide financial statements in the Statement of Net Position.

The Council follows a capitalization policy which calls for capitalization of all fixed assets that have a cost or donated value of \$1,000 or more and have a useful life in excess of one year.

All capital assets are valued at historical cost, or estimated historical cost if actual historical cost is not available. Donated capital assets are valued at their estimated fair market value on the date donated. Public domain (infrastructure) capital assets consisting of certain improvements other than building, including curbs, gutters, and drainage systems, are not capitalized, as the Council generally does not acquire such assets. No debt-related interest expense is capitalized as part of capital assets in accordance with GASB Statement Number 34.

Maintenance, repairs, and minor renovations are not capitalized. The acquisition of land and construction projects utilizing resources received from Federal and State agencies are capitalized when the related expenditure is incurred.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 18 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Capital Assets, continued

Expenditures that materially increase values, change capacities, or extend useful lives are capitalized. Upon sale or retirement, the cost is eliminated from the respective accounts.

Expenditures for capital assets are recorded in the fund statements as current expenditures. However, such expenditures are not reflected as expenditures in the government-wide statements, but rather are capitalized and depreciated.

Depreciable capital assets are depreciated using the straight-line method over the following estimated useful lives:

<u>Asset</u>	<u>Years</u>
Improvements Other Than Buildings	7-15
Furniture & Fixtures	7
Equipment	3-7
Vehicles	3

Budgets and Budgetary Accounting

The Council has adopted an annual budget for the General Fund.

The Council follows these procedures in establishing budgetary data for the General Fund.

1. During the summer of each year but no later than August 15, the Council management submits to the Board a proposed operating budget for the fiscal year commencing on October 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain public comments.
3. The budget is adopted by approval of the Board Members no later than August 15 each year.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 19 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Budgets and Budgetary Accounting, continued

4. The budget for the General Fund is, generally, adopted on a basis consistent with accounting principles generally accepted in the United States of America.
5. Budget transfers can be made throughout the year between expenditure accounts by approval of the Board Members. The level of control for appropriations is exercised at the fund level.
6. Budget amounts, as shown in these basic financial statements, are as originally adopted or as amended by the Board Members.
7. Appropriations lapse at year-end.
8. The Board Members approved one budget amendment to decrease total ~~budgeted revenues and expenditures~~ by \$338,500 during the fiscal year ended September 30, 2021.

Encumbrances

Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is not employed by the Council because it is, at present, not necessary to assure effective budgetary control or to facilitate effective cash planning and control.

Compensated Absences

The Council's employees accumulate leave based on various criteria including the number of years of continuous service and job classification.

Leave which is requested and approved prior to the day in which it is taken by the employee (vacation) shall be considered to be scheduled leave. At September 30, 2021 any scheduled leave accrued above 160 hours shall be used or forfeited except for the Executive Director which is limited to 240 hours. Any employee who is separated from the Council staff by layoff, resignation, death, disability, or other cause shall be paid for the number of working hours of unused scheduled (vacation) leave accrued, not to exceed 160 hours.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 20 of 65

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Compensated Absences, continued

Leave not requested/approved prior to the day it is taken (sick time) shall be considered unscheduled. Unscheduled leave may be accumulated to a total of 200 hours. There is no reimbursement for unscheduled leave accrual at the time of an employee's termination from the Council and therefore, not accrued.

Due From Other Governments

No allowances for losses on uncollectible accounts has been recorded since the Council considers all amounts to be fully collectible.

Management Estimates

The preparation of the basic financial statements in conformity with accounting principles generally accepted in the United States of America requires the Council to make estimates and assumptions that affect the reported amounts of assets, liabilities, fund equity, and disclosure of contingent assets and liabilities at the date of the basic financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

Net Position

In the government-wide financial statements no net assets have been identified as restricted. Restricted net assets are those net assets that have constraints as to their use externally imposed by creditors, through debt covenants, by grantors, or by law.

Fund Balances

The governmental fund financial statements the Council maintains include nonspendable, assigned, and unassigned fund balances. Nonspendable balances are those that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. Criteria include items that are not expected to be converted into cash, for example prepaid expenses and deposits.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 21 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Fund Balances, continued

The Council's assigned balances are a result of the Council's Board approval of actions prior to October 1, 2020. The Council's intent and policy is to maintain a minimum assigned fund balance level between four (4) to six (6) months of prior year total expenditures. This assigned fund balance will serve as the Council's operational and capital reserve as well as its disaster reserve. At September 30, 2021, the entire fund balance is classified as assigned since the balance is less than the Council's minimum target fund balance. Any use of the fund balance requires the Council's Board approval.

Pensions

In the government-wide statement of net position, liabilities are recognized for the Council's proportionate share of each pension plan's net pension liability. For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Florida Retirement System (FRS) and the Health Insurance Subsidy (HIS) defined benefit plan and additions to/deductions from fiduciary net position have been determined on the same basis as they are reported by the Plans. For this purpose, benefit payments, (including refunds of employees contributions) are recognized when due and payable in accordance with the benefit terms.

The Council's retirement plans and related amounts are described in a subsequent note.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position reports a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to future periods and so will not be recognized as an outflow of resources (expense/expenditure) until then. The deferred amount on pensions and OPEB is reported in the government-wide statement of net position. The deferred outflows of resources related to pensions and OPEB are discussed in a subsequent note.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 22 of 65

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Deferred Outflows/Inflows of Resources, continued

In addition to liabilities, the statement of net position reports a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time. The deferred amount on pensions and OPEB is reported only in the government-wide statement of net position. A deferred amount on pension results from the difference in the expected and actual amounts of experience, earnings, and contributions. This amount is deferred and amortized over the service life of all employees that are provided with pensions and OPEB through these plans except earnings which are amortized over five to seven years.

Subsequent Events

Subsequent events have been evaluated through January 25, 2022, which is the date the financial statements were available to be issued.

NOTE B - CASH AND CASH EQUIVALENTS

Cash was \$185,435, including cash on hand of \$200 and restricted cash of \$47,531 (unearned revenue) at September 30, 2021.

Deposits

The Council's deposit policy allows deposits to be held in demand deposits and money market accounts. All Council depositories are institutions designated as qualified depositories by the State Treasurer at September 30, 2021.

The Council's deposits consist of the following at September 30, 2021:

	Bank Balance	Carrying Amount
Depository Accounts	\$ 209,804	\$ 185,235

These deposits were entirely covered by federal depository insurance or by collateral pursuant to the Public Depository Security Act (Florida Statute 280) of the State of Florida. Bank balances approximate market value. Depository accounts are fully insured and/or collateralized.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 23 of 65

NOTE C - INVESTMENTS

Florida Statutes and the Council's investment policy authorize investments in the Local Government Surplus Funds Trust Fund (SBA) administered by the State Board of Administration, and certificates of deposit held in financial institutions.

At September 30, 2021, the Council's investments consist of the following:

	Cost Basis	Fair Value (NAV)/ Carrying Amount
<u>General Fund</u>		
Local Government Surplus Trust Fund (SBA)		
Fund "A" (Florida PRIME)	\$ 145,944	\$ 145,944
<u>Total Investments</u>	<u>\$ 145,944</u>	<u>\$ 145,944</u>

The Local Government Surplus Funds Trust Fund (Florida PRIME (formerly Fund "A")) is an external 2a7-like investment pool, administered by the Florida State Board of Administration. The Local Government Surplus Funds Investment Pool Trust Fund is not categorized as it is not evidenced by securities that exist in physical or book entry form. The Local Government Surplus Trust Funds Investment Pool's shares are stated at amortized cost (NAV), which approximates fair value. These investments are subject to the risk that the market value of an investment, collateral protecting a deposit or securities underlying a repurchase agreement, will decline. The Council's investment in the Fund represented less than 1% of the Fund's total investments. Investments held in the Fund include, but are not limited to, short-term federal agency obligations, treasury bills, repurchase agreements and commercial paper. These short-term investments are stated at cost, which approximates market. Investment income is recognized as earned and is allocated to participants of the Fund based on their equity participation.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 24 of 65

NOTE C - INVESTMENTS, CONTINUED

At September 30, 2021, the Council reported SBA investments of \$145,944 for amounts held in Florida PRIME. Florida PRIME carried a credit rating of AAAM by Standard and Poors and had a weighted average days to maturity (WAM) of 49 days at September 30, 2021. The weighted average life (WAL) of Florida PRIME at September 30, 2021 was 64 days. Rule 2a7 allows funds to use amortized cost to maintain a constant NAV of \$1.00 per share. Accordingly, the Council's investment in Florida PRIME is reported at the account balance (pooled shares), which is considered fair value.

The Council adheres to GASB Statement No. 79 which requires the following disclosures related to its Florida PRIME investment:

Redemption Gates: Chapter 218.409(8)(a), Florida Statutes, states that "The principal, and any part thereof, of each account constituting the trust fund is subject to a payment at any time from the moneys in the trust fund. However, the Executive Director of the fund may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the Board can invest moneys entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the Trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council and the Participant Local Government Advisory Council. The Trustees shall convene an emergency meeting as soon as practicable from the time the Executive Director has instituted such measures to review the necessity of those measures. If the Trustees are unable to convene an emergency meeting before the expiration of the 48-hour moratorium on the contributions and withdrawals, the Executive Director may extend the moratorium until the Trustees are able to meet to review the necessity for the moratorium. If the Trustees agree with such measures, the Trustees shall vote to continue the measures for up to an additional 15 days. The Trustees must convene and vote to continue any such measures before the expiration of the time limit set, but in no case may the time limit set by the Trustees exceed 15 days."

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 25 of 65

NOTE C - INVESTMENTS, CONTINUED

Liquidity Fees: Florida Statute 218.409(4) provides authority for the SBA to impose penalties for early withdrawal, subject to disclosures in the enrollment materials of the amount and purpose of such fees. At September 30, 2021, no such disclosure has been made.

Redemption Fees: As of September 30, 2021, there were no redemption fees (gates) or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100 percent of their account value.

Fair Value: The carrying value of cash, cash equivalents, and investments held by the Council is reported at amortized cost which approximates fair value.

Foreign Currency: Florida PRIME was not exposed to foreign currency risk during the period October 1, 2020 to September 30, 2021.

Securities Lending: Florida PRIME did not participate in securities lending program during the period October 1, 2020 through September 30, 2021.

Separate financial statements for Florida PRIME are available from Florida PRIME as of and for the year ended June 30, 2021.

NOTE D - DUE FROM OTHER GOVERNMENTS

Due from other governments-grants receivable consisted of the following at September 30, 2021:

	<u>Amount</u>
<u>Federal</u>	
U.S. Economic Development Administration - Planning	\$ 35,000
U.S. Economic Development Administration - CARES Act	90,277
<u>Other</u>	
Clewiston	<u>29,027</u>
Total due from other governments	<u>\$ 154,304</u>

The due from other governments grants receivable balances as of September 30, 2021, are considered by management to be fully collectible.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 26 of 65

NOTE E - CAPITAL ASSETS ACTIVITY

The following is a summary of changes in capital assets activity for the year ended September 30, 2021:

	Balance October 1 2020	Increases/ Additions	Decreases/ Deletions	Adjustments/ Reclassifications	Balance September 30 2021
Capital Assets					
Being Depreciated:					
Furniture & Fixtures	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	43,026	-	-	-	43,026
Vehicles	-	-	-	-	-
Total Capital Assets					
Being Depreciated	43,026	-	-	-	43,026
Less Accumulated Depreciation:					
Furniture & Fixtures	-	-	-	-	-
Equipment	(42,332)	(694)	-	-	(43,026)
Vehicles	-	-	-	-	-
Total Accumulated Depreciation	(42,332)	(694)	-	-	(43,026)
Total Capital Assets Being Depreciated, Net	694	(694)	-	-	-
Capital Assets, Net	\$ 694	\$ (694)	\$ -	\$ -	-
Related debt					-
Net investment in capital assets					\$ -

Depreciation expense was charged to the following functions during the year ended September 30, 2021:

	Amount
General Government	\$ 694
Total Depreciation Expense	\$ 694

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 27 of 65

NOTE F - UNEARNED REVENUE

Unearned revenue (by type) consisted of the following at September 30, 2021:

	<u>Amount</u>
Grants	\$ 45,483
DRI's & NOPC's	<u>2,048</u>
	<u>\$ 47,531</u> (1)
(1) offset by restricted cash	

NOTE G - LONG-TERM LIABILITIES

The following is a summary of changes in long-term liabilities for the year ended September 30, 2021:

	Balance October 1 2020	Additions	Retirements / Adjustments	Balance September 30 2021	Amounts Due Within One Year
Net Pension Liability - FRS	\$ 450,519	\$ -	\$ (359,538)	\$ 90,981	\$ -
Net Pension Liability - HIS	105,445	-	(16,468)	88,977	-
Compensated absences	34,713	6,592	-	41,305	-
Net OPEB liability	<u>16,710</u>	<u>-</u>	<u>(8,478)</u>	<u>8,232</u>	<u>-</u>
	<u>\$ 607,387</u>	<u>\$ 6,592</u>	<u>\$ (384,484)</u>	<u>\$ 229,495</u>	<u>\$ -</u>

The following is a summary of the long-term liabilities at September 30, 2021:

	<u>Amount</u>
Net pension obligation - FRS pension plan. This amount is actuarially determined through calculation based upon the audited financial statements of the Florida FRS Plan.	\$ 90,981
Net pension obligation - HIS plan. This amount is actuarially determined through calculation based upon the audited financial statements of the Florida FRS Plan.	88,977
Non-current portion of compensated absences. Employees of the Council are entitled to paid scheduled (vacation) leave based on length of service and job classification.	41,305
Net OPEB liability - actuarially determined - GASB No. 75.	<u>8,232</u>
	<u>\$ 229,495</u>

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 28 of 65

NOTE H - OPERATING LEASE COMMITMENTS

The Council leases certain copiers and office space under agreements classified as operating leases. Lease expense was \$4,792 for the year ended September 30, 2021.

The lease for office space was terminated on September 30, 2020. The Council now receives donated office space from a third party not-for-profit organization. The value of the rent received is not recorded as the amounts are determined to be immaterial.

Future minimum lease payments under the copier lease is as follows:

Years Ending September 30	Amount
2022	\$ 2,786
2023	2,786
2024	464
	<u>\$ 6,036</u>

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN

General Information about the Florida Retirement System

The Florida Retirement System ("FRS") was created in Chapter 121, Florida Statutes. The FRS was created to provide a defined benefit pension plan ("Pension Plan") for participating public employees. All Council employees are participants in the Statewide Florida Retirement System (FRS) under authority of Article X, Section 14 of the State Constitution and Florida Statutes, Chapters 112 and 121. The FRS was amended in 1998 to add the Deferred Retirement Option Program ("DROP") under the defined benefit plan and amended in 2000 to provide an integrated defined contribution plan alternative to the defined benefit plan for FRS members effective July 1, 2002. This integrated defined contribution pension plan is the FRS Investment Plan. Chapter 112, Florida Statutes, established the Retiree Health Insurance Subsidy (HIS) Program, a separate cost-sharing, multiple-employer defined benefit pension plan to assist retired members of any State-administered retirement system in paying the costs of health insurance.

Essentially all regular employees of the Council are eligible to enroll as members of the State-administered FRS. Provisions relating to the FRS are established by Chapters 121 and 122, Florida Statutes; Chapter 112, Part IV, Florida Statutes; Chapter 238, Florida Statutes; and Florida Retirement System Rules, Chapter 60S, Florida

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 29 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

General Information about the Florida Retirement System, continued

Administrative Code; wherein eligibility, contributions, and benefits are defined and described in detail. Such provisions may be amended at any time by further action from the Florida Legislature. The FRS is a single retirement system administered by the Florida Department of Management Services, Division of Retirement, and consists of two cost-sharing, multiple-employer defined benefit plans (Pension and HIS Plans) and other nonintegrated programs. A comprehensive annual financial report of the FRS, which includes its financial statements, required supplementary information, actuarial report, and other relevant information dated June 30, 2021, is available from the Florida Department of Management Services' Website (www.dms.myflorida.com).

The Council's total pension credit, \$(56,536) for the year ended September 30, 2021, is recorded in the government-wide financial statements. Total Council retirement actual contribution expenditures were \$61,588, \$45,416 and \$48,097 for the years ended September 30, 2021, 2020 and 2019, respectively. The Council contributed 100% of the required contributions.

FRS Pension Plan

Plan Description. The FRS Pension Plan ("Plan") is a cost-sharing, multiple-employer defined benefit pension plan, with a Deferred Retirement Option Program (DROP) for eligible employees. The general classes of membership are as follows:

Regular Class - Members of the FRS who do not qualify for membership in the other classes.

Senior Management Service Class (SMSC) - Members in senior management level positions.

Special Risk Class - Members who are employed as law enforcement officers and meet the criteria to qualify for this class.

Elected Officials - Members who are elected by the voters within the District boundaries.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 30 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

Employees enrolled in the Plan prior to July 1, 2011, vest at six years of creditable service and employees enrolled in the Plan on or after July 1, 2011, vest at eight years of creditable service. All vested members, enrolled prior to July 1, 2011, are eligible for normal retirement benefits at age 62 or at any age after 30 years of service, except for those members classified as special risk who are eligible for normal retirement benefits at age 55 or at any age after 25 years of service. All members enrolled in the Plan on or after July 1, 2011, once vested, are eligible for normal retirement benefits at age 65 or any time after 33 years of creditable service, except for members classified as special risk who are eligible for normal retirement benefits at age 60 or at any age after 30 years of service. Members of both Plans (Pension and HIS) may include up to 4 years of credit for military service toward creditable service. The Plan also includes an early retirement provision; however, there is a benefit reduction for each year a member retires before his or her normal retirement date. The Plan provides retirement, disability, death benefits, and annual cost of living adjustments to eligible participants.

DROP, subject to provisions of Section 121.091, Florida Statutes, permits employees eligible for normal retirement under the Plan to defer receipt of monthly benefit payments while continuing employment with an FRS employer. An employee may participate in DROP for a period not to exceed 60 months after electing to participate. During the period of DROP participation, deferred monthly benefits are held in the FRS Trust Fund and accrue interest. The net pension liability does not include amounts for DROP participants, as these members are considered retired and are not accruing additional pension benefits.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 31 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

Benefits Provided. Benefits under the Plan are computed on the basis of age, and/or years of service, average final compensation, and credit service. Credit for each year of service is expressed as a percentage of the average final compensation. For members initially enrolled before July 1, 2011, the average final compensation is the average of the five highest fiscal years' earnings; for the members initially enrolled on or after July 1, 2011, the average final compensation is the average of the eight highest fiscal years' earnings. The total percentage value of the benefit received is determined by calculating the total value of all service, which is based on retirement plan and/or the class to which the member belonged when the service credit was earned. Members are eligible for in-line-of-duty or regular disability and survivors' benefits. The following chart shows the percentage value of each year of service credit earned:

<u>Class, Initial Enrollment, and Retirement Age/Years of Service</u>	<u>%Value</u>
Regular Class and elected members initially enrolled before July 1, 2011	
Retirement up to age 62, or up to 30 years of service	1.60
Retirement at age 63 or with 31 years of service	1.63
Retirement at age 64 or with 32 years of service	1.65
Retirement at age 65 or with 33 or more years of service	1.68
Regular Class and elected members initially enrolled on or after July 1, 2011	
Retirement up to age 65 or up to 33 years of service	1.60
Retirement at age 66 or with 34 years of service	1.63
Retirement at age 67 or with 35 years of service	1.65
Retirement at age 68 or with 36 or more years of service	1.68
Special Risk Regular	
Service from December 1, 1970 through September 30, 1974	2.00
Service on or after October 1, 1974	3.00
Senior Management Service Class	2.00
Elected Officers' Class	3.00

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 32 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

As provided in Section 121.101, Florida Statutes, if the member is initially enrolled in the FRS before July 1, 2011, and all service credit was accrued before July 1, 2011, the annual cost-of-living adjustment is 3 percent per year. If the member is initially enrolled before July 1, 2011, and has service credit on or after July 1, 2011, there is an individually calculated cost-of-living adjustment. The annual cost-of-living adjustment is a proportion of 3 percent determined by dividing the sum of the pre-July 2011 service credit by the total service credit at retirement multiplied by 3 percent. Plan members initially enrolled on or after July 1, 2011, will not have a cost-of-living adjustment after retirement.

Contributions. The Florida Legislature establishes contribution rates for participating employers and employees. Contribution rates during the year ended September 30, 2021 were as follows:

Class	Percent of Gross Salary*		
	Employee	Employer (1)	Employer (3)
Florida Retirement System, Regular	3.00	10.00	10.82
Florida Retirement System, Senior Management Service	3.00	27.29	29.01
Florida Retirement System, Special Risk	3.00	24.45	25.89
Deferred Retirement Option Program - Applicable to Members from All of the Above Classes	0.00	16.98	18.34
Florida Retirement System, Reemployed Retiree	(2)	N/A	N/A
Florida Retirement System, Elected Official	3.00	49.18	51.42

Notes:

- (1) Employer rates include 1.66 percent for the post employment health insurance subsidy. Also, employer rates, other than for DROP participants, include .06 percent for administrative costs for the Investment Plan. Rates for 7/1/20 - 6/30/21.
- (2) Contribution rates are dependent upon retirement class in which reemployed.
- (3) Employer rates include 1.66 percent for the post employment health insurance subsidy. Also, employer rates, other than for DROP participants, include .06 percent for administrative costs for the Investment Plan. Rates for 7/1/21 - 6/30/22.

* As defined by the Plan.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 33 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

Pension Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to the Pension Plan. At September 30, 2021, the Council reported a net pension liability of \$90,981 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2020. The Council's proportionate share of the net pension liability was based on the Council's 2020-21 fiscal year contributions relative to the total 2020-21 fiscal year contributions of all participating members. At September 30, 2021, the Council's proportionate share was .001204425 percent, which was an increase of .000164962 percent from its proportionate share measure as of September 30, 2020.

For the year ended September 30, 2021, the Council recognized FRS pension credit of \$(48,056). In addition, the Council reported deferred outflows of resources and deferred inflows of resources related to the pension from the following sources at September 30, 2021:

<u>Description</u>	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 15,594	\$ -
Change of assumptions	62,255	-
Net difference between projected and actual earnings on pension plan investments	-	317,408
Changes in proportion and differences between Council contributions and proportionate share of contributions	44,021	74,118
Council contributions subsequent to the measurement date	<u>13,360</u>	<u>-</u>
Total	<u>\$ 135,230</u>	<u>\$ 391,526</u>

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 34 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

The deferred outflows of resources related to the FRS pension, totaling \$13,360 resulting from Council contributions subsequent to the measurement date, will be recognized as a reduction on the net pension liability in the year ended September 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to the pension will be recognized in pension expense over the remaining service period of 5.7 years as follows:

<u>Fiscal Years Ending September 30</u>	<u>Amount</u>
2022	\$ (69,192)
2023	(69,192)
2024	(69,192)
2025	(69,192)
2026	10,160
Thereafter	(3,048)
Total	<u>\$ (269,656)</u>

Actuarial Assumptions. The total pension liability in the July 1, 2020, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Valuation date	July 1, 2020
Measurement date	June 30, 2021
Inflation	2.40 percent
Real payroll growth	0.85 percent
Salary increases	3.25 percent, average, including inflation
Investment rate of return	6.80 percent, net of pension plan investment expense, including inflation
Actuarial cost method	Individual entry age

Mortality rates were based on the Generational PUB-2010 with Projection Scale MP-2018.

The actuarial assumptions used in the July 1, 2020, valuation were based on the results of an actuarial experience study for the period July 1, 2013 through June 30, 2018.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 35 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

The long-term expected rate of return on pension plan investments was not based on historical returns, but instead is based on a forward-looking capital market economic model. The allocation policy's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. The target allocation and best estimates of arithmetic and geometric real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation (1)	Annual Arithmetic Return	Compound Annual (Geometric) Return	Standard Deviation
Cash	1.0%	2.1%	2.1%	1.1%
Fixed income	20.0%	3.8%	3.7%	3.3%
Global equity	54.2%	8.2%	6.7%	17.8%
Real estate (property)	10.3%	7.1%	6.2%	13.8%
Private equity	10.8%	11.7%	8.5%	26.4%
Strategic investments	3.7%	5.7%	5.4%	8.4%
Total	<u>100%</u>			
Assumed inflation - Mean		2.40%		1.20%

(1) As outlined in the Plan's investment policy

Money-Weighted Rate of Return. The annual money-weighted rate of return on the FRS Pension Plan investments was 30.41% for the Plan year ended June 30, 2021.

Discount Rate. The discount rate used to measure the total pension liability was reduced to 6.80 percent from 6.90 percent in the prior year. The Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the long-term expected rate of return.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 36 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS Pension Plan, continued

Sensitivity of the District's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate. The following presents the Council's proportionate share of the net pension liability calculated using the discount rate of 6.80 percent which was reduced from 6.90%, as well as what the Council's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.80 percent) or 1-percentage-point higher (7.80 percent) than the current rate:

	1% Decrease (5.80%)	Current Discount Rate (6.80%)	1% Increase (7.80%)
Council's proportionate share of the net pension liability	\$ 406,871	\$ 90,981	\$ (173,069)

Pension Plan Fiduciary Net Position. Detailed information about pension plan's fiduciary net position is available in the separately issued FRS Pension Plan and Other State Administered Systems Comprehensive Annual Financial Report (FRS CAFR) dated June 30, 2021.

The FRS CAFR and actuarial reports may also be obtained by contacting the Division of Retirement at:

Department of Management Services
 Division of Retirement
 Bureau of Research and Member Communications
 P.O. Box 9000
 Tallahassee, FL 32315-9000
 850-488-5706 or toll free at 877-377-1737

http://www.dms.myflorida.com/workforce_operations/retirement/publications

Payables to the Pension Plan. At September 30, 2021, the Council reported a payable of \$176 for the outstanding amount of contributions in the pension plan required for the year ended September 30, 2021.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 37 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

HIS Plan

Plan Description. The Health Insurance Subsidy Plan ("HIS Plan") is a cost-sharing, multiple-employer defined benefit pension plan established under Section 112.363, Florida Statutes. The benefit is a monthly payment to assist retirees of State-administered retirement systems in paying their health insurance costs and is administered by the Division of Retirement within the Florida Department of Management Services.

Benefits Provided. For the year ended September 30, 2021, eligible retirees and beneficiaries received a monthly HIS payment equal to the number of years of creditable service completed at the time of retirement multiplied by \$5. The payments are at least \$30 but not more than \$150 per month, pursuant to Section 112.363, Florida Statutes. To be eligible to receive a HIS Plan benefit, a retiree under a State-administered retirement system must provide proof of health insurance coverage, which can include Medicare.

Contributions. The HIS Plan is funded by required contributions from FRS participating employers as set by the Florida Legislature. Employer contributions are a percentage of gross compensation for all active FRS members. For the year ended September 30, 2021, the contribution rate ranged between 1.66 percent and 1.66 percent of payroll pursuant to Section 112.363, Florida Statutes. The Council contributed 100 percent of its statutorily required contributions for the current and preceding three years. HIS Plan contributions are deposited in a separate trust fund from which HIS payments are authorized. HIS Plan benefits are not guaranteed and are subject to annual legislative appropriation. In the event the legislative appropriation or available funds fail to provide full subsidy benefits to all participants, benefits may be reduced or cancelled.

Pension Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to the HIS Plan. At September 30, 2021, the Council reported a HIS net pension liability of \$88,977 for its proportionate share of the net HIS Plan's net pension liability. The net pension liability was measured as of June 30, 2021, and the total pension liability was used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2020. The Council's proportionate share of the net HIS liability was based on the District's 2020-21 fiscal year contributions relative to the total 2020-21 fiscal

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 38 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

HIS Plan, continued

year contributions of all participating members. At September 30, 2021, the Council's proportionate share was .000725367 percent, which was a decrease of .000138241 percent from its proportionate share measured as of June 30, 2020.

For the fiscal year ended September 30, 2021, the Council recognized HIS expense (income) of \$8,480. In addition, the Council reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

<u>Description</u>	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 2,977	\$ 37
Change of assumptions	6,990	3,666
Net difference between projected and actual earnings on pension plan investments	93	-
Changes in proportion and differences between Council contributions and proportionate share of contributions	4,819	76,486
Council contributions subsequent to the measurement date	<u>1,063</u>	<u>-</u>
Total	<u>\$ 15,942</u>	<u>\$ 80,189</u>

The deferred outflows of resources related to HIS, totaling \$1,063, resulting from Council contributions subsequent to the measurement date, will be recognized as a reduction on the net pension liability in the year ended September 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense of the remaining service period of 6.4 years as follows:

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 39 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

HIS Plan, continued

Fiscal Years Ending September 30	Amount
2022	\$ 12,090
2023	12,090
2024	12,090
2025	12,090
2026	12,113
Thereafter	4,837
Total	<u>\$ 65,310</u>

Actuarial Assumptions. The total pension liability in the July 1, 2020, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40 percent
Real Payroll Growth	0.85 percent
Salary Increases	3.25 percent, average, including inflation
Municipal Bond Rate	2.16 percent
Actuarial Cost Method	Individual entry age

Mortality rates were based on the Generational PUB-2010 with Projected Scale MP-2018.

Because the HIS Plan is funded on a pay-as-you-go basis, no experience study has been completed for this plan.

Discount Rate. The discount rate used to measure the total HIS liability was decreased from 2.21% to 2.16%. In general, the discount rate for calculating the total HIS liability is equal to the single rate equivalent to discounting at the long-term expected rate of return for benefit payments prior to the projected depletion date. Because the HIS benefit is essentially funded on a pay-as-you-go basis, the depletion date is considered to be immediate, and the single equivalent discount rate is equal to the municipal bond rate selected by the plan sponsor. The Bond Buyer General Obligation 20-Bond Municipal Bond Index was adopted as the applicable municipal bond index.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 40 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

HIS Plan, continued

Sensitivity of the District's Proportionate Share of the Net HIS Liability to Changes in the Discount Rate. The following presents the Council's proportionate share of the net HIS liability calculated using the discount rate of 2.16 percent, as well as what the Council's proportionate share of the net HIS liability would be if it were calculated using a discount rate that is 1-percentage-point lower (1.16 percent) or 1-percentage-point higher (3.16 percent) than the current rate:

	1%	Current	1%
	Decrease	Discount Rate	Increase
	(1.16%)	(2.16%)	(3.16%)
Council's proportionate share of the net HIS liability	\$ 102,866	\$ 88,977	\$ 77,598

Pension Plan Fiduciary Net Position. Detailed information about the HIS plan's fiduciary net position is available in the separately issued FRS Pension Plan and Other State Administered Comprehensive Annual Financial Report (FRS CAFR) dated June 30, 2021.

The FRS CAFR and actuarial reports may also be obtained by contacting the Division of Retirement at:

Department of Management Services
 Division of Retirement
 Bureau of Research and Member Communications
 P.O. Box 9000
 Tallahassee, FL 32315-9000
 850-488-5706 or toll free at 877-377-1737

http://www.dms.myflorida.com/workforce_operations/retirement/publications

Payables to the Pension Plan. At September 30, 2021 the Council reported a payable of \$31 for the outstanding amount of contributions to the HIS plan required for the fiscal year ended September 30, 2021.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 41 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS - Defined Contribution Pension Plan

The SBA administers the defined contribution plan officially titled the FRS Investment Plan (Investment Plan). The Investment Plan is reported in the SBA's annual financial statements and in the State of Florida Comprehensive Annual Financial Report.

As provided in Section 121.4501, Florida Statutes, eligible FRS members may elect to participate in the Investment Plan in lieu of the FRS defined benefit plan. Council employees participating in DROP are not eligible to participate in the Investment Plan. Employer and employee contributions, including amounts contributed to individual member's accounts, are defined by law, but the ultimate benefit depends in part on the performance of investment funds. Benefit terms, including contribution requirements, for the Investment Plan are established and may be amended by the Florida Legislature. The Investment Plan is funded with the same employer and employee contribution rates that are based on salary and membership class (Regular Class, Elected County Officers, etc.) as the FRS defined benefit plan. Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices. Costs of administering the plan, including FRS Financial Guidance Program, are funded through an employer contribution of 0.06 percent of payroll and by forfeited benefits of plan members. Allocations to the investment member's accounts during the 2020-21 fiscal year were as follows:

Class	Percent of Gross Salary*		
	Employee	Employer (1)	Employer (3)
Florida Retirement System, Regular	3.00	10.00	10.82
Florida Retirement System, Senior Management Service	3.00	27.29	29.01
Florida Retirement System, Special Risk	3.00	24.45	25.89
Deferred Retirement Option Program - Applicable to Members from All of the Above Classes	0.00	16.98	18.34
Florida Retirement System, Reemployed Retiree	(2)	N/A	N/A
Florida Retirement System, Elected Official	3.00	49.18	51.42

Notes:

- (1) Employer rates include 1.66 percent for the post employment health insurance subsidy. Also, employer rates, other than for DROP participants, include .06 percent for administrative costs for the Investment Plan. Rates for 7/1/20 - 6/30/21.
- (2) Contribution rates are dependent upon retirement class in which reemployed.
- (3) Employer rates include 1.66 percent for the post employment health insurance subsidy. Also, employer rates, other than for DROP participants, include .06 percent for administrative costs for the Investment Plan. Rates for 7/1/21 - 6/30/22.

* As defined by the Plan.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 42 of 65

NOTE I - RETIREMENT PLAN - DEFINED BENEFIT PENSION PLAN, CONTINUED

FRS - Defined Contribution Pension Plan, continued

For all membership classes, employees are immediately vested in their own contributions and are vested after 1 year of service for employer contributions and investment earnings. If an accumulated benefit obligation for service credit originally earned under the FRS Pension Plan is transferred to the Investment Plan, the member must have the years of service required for FRS Pension Plan vesting (including the service credit represented by the transferred funds) to be vested for these funds and the earnings on the funds. Nonvested employer contributions are placed in a suspense account for up to 5 years. If the employee returns to FRS-covered employment within the 5-year period, the employee will regain control over their account. If the employee does not return within the 5 year period, the employee will forfeit the accumulated account balance. For the fiscal year ended September 30, 2021, the information for the amount of forfeitures was unavailable from the SBA; however, management believes that these amounts, if any, would be immaterial to the Council.

After termination and applying to receive benefits, the member may rollover vested funds to another qualified plan, structure a periodic payment under the Investment Plan, receive a lump-sum distribution, leave the funds invested for future distribution, or any combination of these options. Disability coverage is provided; the member may either transfer the account balance to the FRS Pension Plan when approved for disability retirement to receive guaranteed lifetime monthly benefits under the FRS Pension Plan, or remain in the Investment Plan and rely upon that account balance for retirement income.

The Council's Investment Plan pension expense totaled \$36,008 for the fiscal year ended September 30, 2021 and is included as part of total FRS contributions.

Payables to the Investment Plan. At September 30, 2021, the Council reported a payable of \$0 for the outstanding amount of contributions to the Plan required for the fiscal year ended September 30, 2021.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 43 of 65

NOTE J - COMMITMENTS/CONTINGENCIES

Grants

The Council is currently receiving, and has received in the past, grants which are subject to special compliance audits by the grantor agency. The grantor agency may at times disallow expenditure amounts associated with a contract based on the outcome of an audit. These amounts would constitute a contingent liability of the Council. The Council has not, as of September 30, 2021, been notified of any existing contingent liabilities related to prior grants or the grants currently in process. The Council has not had any special compliance audits conducted by grantor agencies or any disallowed costs during the year ended September 30, 2021. The management of the Council does not believe contingent liabilities, if any exist, to be material.

NOTE K - ECONOMIC DEPENDENCE

The Council's operations are substantially dependent on the receipt of revenue from grantor and contract agencies as well as Florida Statute mandated member assessments. Loss of these funds and/or large decreases in this type of funding would have a material effect on the financial position of the Council and a negative impact on overall operations. For the fiscal year ended September 30, 2021, approximately 97% of total revenue is attributable to funds received from grantor and contract agencies and assessments.

NOTE L - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB)

Plan Description

The Council's single employer defined benefit OPEB Plan provides the opportunity to obtain health insurance, pharmacy, dental and vision benefits to its retired employees and their dependents. The year ended September 30, 2018 was the Council's transition year and as such, the Council implemented GASB No. 75 "Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions". GASB No. 75 requires the Council to annually its actuarially determined total OPEB liability.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 44 of 65

NOTE L - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS
(OPEB), CONTINUED

Plan Description, continued

All retired full-time employees are eligible for OPEB benefits if actively employed by the Council immediately before retirement. As of September 30, 2021, there were zero (0) retirees eligible to receive benefits. At September 30, 2021, there were three (3) active Council employees. The benefits are provided both with contractual or labor agreements. The benefits may require contribution from the retirees, depending on certain specified criteria and, in particular, length of creditable employment. The minimum retirement age is 62. The minimum years of service requirement is 8 years.

The retiree's premiums for these benefits totaled \$0 during the year ended September 30, 2021, of which the Council paid \$0.

Funding Policy

The Council's OPEB benefits are unfunded. The retiree is eligible for benefits under the Council's health, pharmacy dental and vision plan, but is obligated to reimburse the Council for 100% of the cost of the retiree's health coverage. As such, the Council has no ultimate obligation (explicit subsidy) for the retiree's health insurance premium. The Council acts as agent for the retiree on a pay-as-you-go basis and recognizes expenditures at the time the premiums are due. The Council does, however, incur the cost of premium rate being increased on its active employees due to providing coverage to its retirees (implicit subsidy). The Council has not determined if a separate trust fund or equivalent arrangement will be established into which the Council would make contributions to advance-fund the obligation. Therefore, no separate financial statement is issued. All required disclosures are presented herein. The Plan's measurement date was September 30, 2020 for the October 1, 2020 - September 30, 2021 reporting period.

The retiree pays 100% of the retiree health only coverage less the FRS health insurance subsidy (HIS) reimbursement amount until age 65. The retiree may purchase dependent coverage through the Council. At age 65 the retiree then must move to Medicare but may continue to purchase dental and vision coverage through the Council. The Council finances the benefits on a pay-as-you-go basis and recognizes expenditures at the time the premiums are due.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 45 of 65

**NOTE L - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS
(OPEB), CONTINUED**

Funding Policy, continued

The Council subsidizes the premium rates paid by retirees by allowing them to participate at blended premium rates for both active and retired employees. These rates provide an implicit subsidy for retirees because, on an actuarial basis, retiree claims are expected to result in higher costs to the plan on average than those of active employees.

The projection of future benefit payments for an ongoing plan involves estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and plan members) and include types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

At September 30, 2021, the Council's Net OPEB Liability of \$8,232 was measured as of September 30, 2020 and was determined by an actuarial valuation as of that date using the alternate measurement method. The change from the prior year was immaterial and therefore not recorded. The following actuarial assumptions and other inputs were applied to all periods included in the measurement:

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 46 of 65

NOTE L - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB), CONTINUED

Actuarial Methods and Assumptions, continued

The following simplifying assumptions were made:

Mortality - Life expectancies were based on Pub-2010 Mortality Tables projected to the valuation date using scale AA.

Annual healthcare cost trend using the Society of Actuaries Long-Run Medical Cost Trend Model baseline assumptions with an initial rate of 7.5% per year trending to 4.0% by 2075. Years to ultimate 56.

Turnover - Non-group-specific age-based turnover data from GASB Statement 45 were used as the basis for assigning active members a probability of remaining employed until the assumed retirement age and for developing an expected future working lifetime assumption for purposes of allocating to periods the present value of total benefits paid.

Amortization Period: Rolling 20 year amortization

Funding Method: entry age cost method (level percent of payroll)

The discount rate was (3.58% for 2021) (4.18% for 2020) (4.18% for 2019) (3.64% for 2018) and was based on the 20 Year Municipal Bond Rate with AA/Aa or higher.

Retirement Rate	100% at age 58
Inflation Rate	2.50%
Salary Increases	2.50%
Discount Rate	3.58%

The FRS salary scale was used

Participation percentage: 25%

The actuarial assumptions used in the September 30, 2020 valuation were based on results of an actuarial experience study performed for the FRS Retirement Plan.

The rationales for selecting each of the assumptions used in the financial accounting valuation and for the assumptions changes summarized above are to best reflect the current market conditions and recent plan experience.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 47 of 65

NOTE L - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS
(OPEB), CONTINUED

Changes in the Net OPEB Liability

	<u>Amount</u>
Balance at September 30, 2020	\$ 16,710
Changes for the Year:	
Service Cost	289
Interest Cost on Total OPEB Liability	674
Change in Benefit Terms	-
Difference Between Expected and Actual Experience	(6,213)
Changes in Assumptions	(1,501)
Benefit Payments	<u>(1,727)</u>
Net Changes	<u>(8,478)</u>
Balance at September 30, 2021	<u>\$ 8,232</u>

The following presents the net OPEB liability of the Council as well as what the Council's net OPEB liability would be if it were calculated using a discount rate that is 1 percent higher or 1 percent lower than the current discount rate.

	1% Decrease	Current Rate	1% Increase
	<u>2.58%</u>	<u>3.58%</u>	<u>4.58%</u>
Net OPEB Liability	\$ 9,802	\$ 8,232	\$ 7,001

The following presents the net OPEB liability of the Council as well as what the Council's net OPEB liability would be if it were calculated using healthcare trend rates that are 1 percent higher or 1 percent lower than the current healthcare trend rate.

	1% Decrease	Healthcare Trend Rate	1% Increase
	<u>3.00-6.50%</u>	<u>4.00-7.50%</u>	<u>5.00-8.50%</u>
Net OPEB Liability	\$ 6,910	\$ 8,232	\$ 9,926

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 48 of 65

NOTE L - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS
(OPEB), CONTINUED

Changes in the Net OPEB Liability, continued

For the year ended September 30, 2021, the Council recognized OPEB expense (revenue) credit of \$3,051. At September 30, 2021, the Council reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources*	Deferred Inflows of Resources*
Differences Between Expected and		
Actual Experience	\$ -	\$ -
Changes in Assumptions	-	-
Net difference between projected		
and actual earnings	-	-
Employer contribution subsequent		
to measurement date	4,380	-
Total	<u>\$ 4,380</u>	<u>\$ -</u>

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

	Amount*
	\$ -
	-
	-
	-
	-
Total Thereafter	<u>4,380</u>
	<u>\$ 4,380</u>

*Per GASB No. 75 paragraph 43(a) since the Council used the alternative measurement method the effects of assumptions are recognized immediately. As such, since the Plan holds no assets their deferred inflows/outflows are zero except employer contribution.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 49 of 65

NOTE M - RISK MANAGEMENT

The Council is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees, and natural disasters.

Insurance programs for general/professional liability, automobile, and property are through commercial insurance carriers. The Council retains the risk of loss, on insured claims, up to a deductible amount (depending on the type of loss) with the risk of loss in excess of this amount transferred to the insurance carrier. The Council is third party insured for employee health as well as workers' compensation. There were no claims paid in excess of insurance coverage during the past three (3) fiscal years.

NOTE N - FUND BALANCE

Fund balance was classified for the following purposes at September 30, 2021:

Assigned fund balance - General Fund	Amount
Operating reserves	\$ 419,591
	<u>\$ 419,591</u>

NOTE O - CONTINGENCY

During the year ended September 30, 2018, the Council was informed by Sarasota, Lee and Charlotte Counties as well as two (2) cities of their respective intent to withdraw financial support from the Council. The Council estimated the financial effect of such withdrawal to be approximately \$350,000 of unrestricted revenue annually.

During the year ended September 30, 2021, and through the date of this report all Counties except one have withdrawn their funding as have certain participating cities. As a result there is substantial doubt the Council will continue operations on or before September 30, 2023.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2021

Page 50 of 65

NOTE P - COVID 19

In early March 2020, the World Health Organization classified the coronavirus outbreak "COVID-19" as a global pandemic, and it, unfortunately, continues to spread. Business continuity, including supply chains and consumer demand across a broad range of industries and countries, have been severely impacted, as governments and their citizens take significant and unprecedented measures to mitigate the consequences of the pandemic. On April 1, 2020, Florida Governor, Ron DeSantis ordered all Floridians to stay home, to lock down the State against the Coronavirus. Most governmental activity was cancelled and/or severely limited.

The Council has adapted its operations to accommodate the current environment. However, the full impact of the COVID-19 outbreak continues to evolve as of the date of this report. This pandemic has adversely affected global economic activity and greatly contributed to instability in financial markets. Management is actively monitoring the local situation on its financial condition, liquidity, operations, donors, industry, and workforce. Given the daily evolution of COVID-19 and the global and local responses to curb its spread, the Council is not able to estimate the future effects of COVID-19 on its results of operation, financial condition, or liquidity for fiscal year 2021-22.

**REQUIRED SUPPLEMENTARY
INFORMATION
OTHER THAN MD&A**

DRAFT

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET-AND ACTUAL - GENERAL FUND -
SUMMARY STATEMENT
Year Ended September 30, 2021

Page 51 of 65

	General Fund			
	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
REVENUES				
Federal and state grants	\$ 445,257	\$ 599,958	\$ 599,958	\$ -
Contracts, local grants and events	10,500	158,508	138,427	(20,081)
County and city assessments	51,593	51,593	51,593	-
DRI fees	-	-	16,865	16,865
DRI monitoring fees	-	-	250	250
Interest and miscellaneous	3,000	2,009	5,211	3,202
Reserve	214,625	-	-	-
Fund balance carryforward	854,470	428,877	-	(428,877)
TOTAL REVENUES	<u>1,579,445</u>	<u>1,240,945</u>	<u>812,304</u>	<u>(428,641)</u>
EXPENDITURES				
Current				
Personnel services	362,418	377,663	377,569	94
Operating expenditures	1,217,027	863,282	444,021	419,261
Capital outlay	-	-	-	-
Debt service	-	-	-	-
TOTAL EXPENDITURES	<u>1,579,445</u>	<u>1,240,945</u>	<u>821,590</u>	<u>419,355</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	<u>-</u>	<u>-</u>	<u>(9,286)</u>	<u>(9,286)</u>
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	-	-	-
Operating transfers out	-	-	-	-
TOTAL OTHER FINANCING SOURCES (USES)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
NET CHANGE IN FUND BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>(9,286)</u>	<u>\$ (9,286)</u>
FUND BALANCE, October 1, 2020			<u>428,877</u>	
FUND BALANCE, September 30, 2021			<u>\$ 419,591</u>	

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND -
DETAILED STATEMENT
Year Ended September 30, 2021

Page 52 of 65

	General Fund			
	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
REVENUES				
Federal and state grants	\$ 445,257	\$ 599,958	\$ 599,958	\$ -
Contracts, local grants and events	10,500	158,508	138,427	(20,081)
County and city assessments	51,593	51,593	51,593	-
DRI fees	-	-	16,865	16,865
DRI monitoring fees	-	-	250	250
Interest and miscellaneous	3,000	2,009	5,211	3,202
Reserve	214,625	-	-	-
Fund balance carryforward	854,470	428,877	-	(428,877)
TOTAL REVENUES	1,579,445	1,240,945	812,304	(428,641)

EXPENDITURES

Current

Personnel services				
Salaries	261,747	254,290	254,290	-
Fringe benefits:				
FICA	20,024	19,281	19,281	-
Retirement	40,396	61,682	61,588	94
Health insurance	39,005	39,826	39,826	-
Severance	-	-	-	-
Workers compensation/unemployment	1,246	2,584	2,584	-
Total personnel services	362,418	377,663	377,569	94

Operating expenditures

Professional fees:

Legal fees	-	-	-	-
Consultant fees	41,000	11,361	11,681	(320)
Grant/Consulting expense	220,913	336,386	370,800	(34,414)
Audit fees	24,000	26,500	26,500	-
Telephone, rent, supplies, etc:				
Office supplies	1,000	754	754	-
Equipment rental	4,596	4,792	4,792	-
Building rental	-	-	-	-
Repairs and maintenance	-	-	-	-
Telephone	800	2,563	2,658	(95)

Miscellaneous and insurance:

Insurance	5,275	6,175	6,175	-
Other miscellaneous	-	565	180	385
Computer supplies and graphics	11,000	18,057	18,395	(338)
Professional development/meetings:				
Professional development/dues	300	259	259	-
Meetings/events	1,000	170	170	-

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND -
DETAILED STATEMENT, CONTINUED
Year Ended September 30, 2020

Page 53 of 65

	General Fund			Variance Favorable (Unfavorable)
	Original Budget	Final Budget	Actual	
Operating expenditures (continued)				
Travel	22,000	93	93	-
Postage	400	43	43	-
Printing/reproduction	1,500	1,795	1,795	-
Utilities	2,064	-	-	-
Advertising/legal notices	800	(478)	(478)	-
Moving expense	-	-	-	-
Bank service charge	-	204	204	-
Amount to be reserved for A/C	-	-	-	-
Reserves - operations	880,379	454,043	-	454,043
Total operating expenditures	1,217,027	863,282	444,021	419,261
Capital outlay				
Capital purchases	-	-	-	-
Allocation of indirect expenditures	-	-	-	-
Total capital outlay	-	-	-	-
Debt service				
Principal retirement	-	-	-	-
Interest and fiscal charges	-	-	-	-
Allocation of indirect expenditures	-	-	-	-
Total debt service	-	-	-	-
TOTAL EXPENDITURES	1,579,445	1,240,945	821,590	419,355
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	-	-	(9,286)	(9,286)
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	-	-	-
Operating transfers out	-	-	-	-
TOTAL OTHER FINANCING SOURCES (USES)	-	-	-	-
NET CHANGE IN FUND BALANCE	\$ -	\$ -	(9,286)	\$ (9,286)
FUND BALANCE, October 1, 2020			428,877	
FUND BALANCE, September 30, 2021			\$ 419,591	

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF COUNCIL'S PROPORTIONATE SHARE OF THE NET
PENSION LIABILITY - FLORIDA RETIREMENT SYSTEM (FRS) PENSION
PLAN (1)

	2021	2020	2019	2018
Council's proportion of the net pension liability	0.001204425%	0.001039463%	0.001287928%	0.001406368%
Council's proportionate share of the net pension liability	\$ 90,981	\$ 450,519	\$ 443,544	\$ 423,605
Council's covered-employee payroll	\$ 254,290	\$ 285,968	\$ 365,980	\$ 486,876
Council's proportionate share of the net pension liability as a percentage of its covered-employee payroll	35.78%	157.54%	121.19%	87.00%
Plan fiduciary net position as a percentage of the total pension liability	96.40%	78.85%	82.61%	84.26%

Notes: (1) The amounts presented for each fiscal year were determined as of September 30.

SCHEDULE OF COUNCIL CONTRIBUTIONS -
FLORIDA RETIREMENT SYSTEM (FRS) PENSION PLAN (1)

	2021	2020	2019	2018
Contractually required contribution	\$ 52,350	\$ 37,695	\$ 38,478	\$ 45,435
Contributions in relation to the contractually required contribution	52,350	37,695	38,478	45,435
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -
Council's covered-employee payroll	\$ 254,290	\$ 285,968	\$ 365,980	\$ 486,876
Contributions as a percentage of covered-employee payroll	20.59%	13.18%	10.51%	9.33%

Notes: (1) The amounts presented for each fiscal year were determined as of September 30.

GASB 68 requires information for 10 years. However, until a full 10-year trend is compiled, governments should present information for only those years for which information is available.

Page 54 of 65

2017	2016	2015	2014
0.001383839%	0.017879380%	0.002458057%	0.003334835%
\$ 409,330	\$ 451,456	\$ 317,491	\$ 203,474
\$ 421,146	\$ 463,600	\$ 596,412	\$ 978,831
97.19%	97.38%	53.23%	20.79%
83.89%	84.88%	92.00%	96.09%

2017	2016	2015	2014
\$ 38,956	\$ 55,506	\$ 49,187	\$ 84,553
38,956	55,506	49,187	84,553
\$ -	\$ -	\$ -	\$ -
\$ 421,146	\$ 463,600	\$ 596,412	\$ 978,831
9.25%	11.97%	8.25%	8.64%

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF COUNCIL'S PROPORTIONATE SHARE OF THE NET
PENSION LIABILITY - HEALTH INSURANCE SUBSIDY (HIS) PENSION
PLAN (1)**

	2021	2020	2019	2018
Council's proportion of the net pension liability	0.000725367%	0.000863608%	0.001269934%	0.001424372%
Council's proportionate share of the net pension liability	\$ 88,977	\$ 105,445	\$ 138,401	\$ 150,757
Council's covered-employee payroll	\$ 254,290	\$ 285,968	\$ 365,980	\$ 486,876
Council's proportionate share of the net pension liability as a percentage of its covered-employee payroll	34.99%	36.87%	37.82%	30.96%
Plan fiduciary net position as a percentage of the total pension liability	3.56%	3.00%	2.63%	2.15%

Notes: (1) The amounts presented for each fiscal year were determined as of September 30.

**SCHEDULE OF COUNCIL CONTRIBUTIONS -
HEALTH INSURANCE SUBSIDY (HIS) PENSION PLAN (1)**

	2021	2020	2019	2018
Contractually required contribution	\$ 9,238	\$ 7,721	\$ 9,619	\$ 11,359
Contributions in relation to the contractually required contribution	9,238	7,721	9,619	11,359
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -
Council's covered-employee payroll	\$ 254,290	\$ 285,968	\$ 365,980	\$ 486,876
Contributions as a percentage of covered-employee payroll	3.63%	2.70%	2.63%	2.33%

Notes: (1) The amounts presented for each fiscal year were determined as of September 30.

GASB 68 requires information for 10 years. However, until a full 10-year trend is compiled, governments should present information for only those years for which information is available.

Page 55 of 65

2017	2016	2015	2014
0.001317335%	0.001573392%	0.002434150%	0.003320373%
\$ 140,856	\$ 183,372	\$ 248,245	\$ 310,463
\$ 421,146	\$ 463,600	\$ 596,412	\$ 978,831
33.45%	39.55%	41.62%	31.72%
1.64%	0.97%	0.50%	0.99%

2017	2016	2015	2014
\$ 10,356	\$ 4,521	\$ 14,527	\$ 17,441
10,356	4,521	14,527	17,441
\$ -	\$ -	\$ -	\$ -
\$ 421,146	\$ 463,600	\$ 596,412	\$ 978,831
2.46%	0.98%	2.44%	1.78%

NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
September 30, 2021

Changes of Assumptions

Actuarial assumptions for both cost-sharing defined benefit plans are reviewed annually by the Florida Retirement System Actuarial Assumptions Conference. The FRS Pension Plan has a valuation performed annually. The HIS Program has a valuation performed biennially that is updated for GASB reporting in the year a valuation is not performed. The most recent experience study for the FRS Pension Plan was for the period July 1, 2013 through June 30, 2018. Because the HIS Program is funded on a pay-as-you-go basis, no experience study has been completed for that program. The actuarial assumptions that determined the total pension liability for the HIS Program were based on certain results of the most recent experience study for the FRS Pension Plan.

The total pension liability for each cost-sharing defined benefit plan was determined using the individual entry age actuarial cost method. Inflation increases for both plans is assumed at 2.40%. Payroll growth, including inflation, for both plans is assumed at 3.25%. Both the discount rate and the long-term expected rate of return used for FRS Pension Plan investments remained unchanged at 6.80%. The Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the long-term expected rate of return.

Because the HIS Program uses a pay-as-you-go funding structure, a municipal bond rate was decreased from 2.21% to 2.16% to determine the total pension liability for the program (Bond Buyer General Obligation 20-Bond Municipal Bond Index). Mortality assumptions for both plans were based on the Generational PUB-2010 with Projection Scale MP-2018.

Florida Retirement System Pension Plan

There were changes in actuarial assumptions. As of June 30, 2021, the inflation rate assumption remained at 2.4 percent, the real payroll growth assumption remained at 0.85 percent, and the overall payroll growth rate assumption remained at 3.25 percent. The long-term expected rate of return remained unchanged at 6.80 percent.

Health Insurance Subsidy Pension Plan

The municipal rate used to determine total pension liability decreased from 2.21 percent to 2.16 percent.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
September 30, 2021

Page 57 of 65

Pension Expense and Deferred Outflows/Inflows of Resources

In accordance with GASB 68, paragraphs 54 and 71, changes in the net pension liability are recognized in pension expense in the current measurement period, except as indicated below. For each of the following, a portion is recognized in pension expense in the current reporting period, and the balance is amortized as deferred outflows or deferred inflows of resources using a systematic and rational method over a closed period, as defined below:

- Differences between expected and actual experience with regard to economic and demographic factors - amortized over the average expected remaining service life of all employees that are provided with pensions through the pension plan (active and inactive employees)
- Changes of assumptions or other inputs - amortized over the average expected remaining service life of all employees that are provided with pensions through the pension plan (active and inactive employees)
- Changes in proportion and differences between contributions and proportionate share of contributions - amortized over the average expected remaining service life of all employees that are provided with pensions through the pension plan (active and inactive employees)
- Differences between expected and actual earnings on pension plan investments - amortized over five years

Employer contributions to the pension plans from employers are not included in collective pension expense. However, employee contributions are used to reduce pension expense.

The average expected remaining service life of all employees provided with pensions through the pension plans at June 30, 2021, was reduced from 5.9 years (FY 20) to 5.7 years (FY 21) for FRS and 7.2 years (FY 20) to 6.4 years for (FY21) for HIS.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF CHANGES IN THE NET OPEB LIABILITY AND
RELATED RATIOS GASB 75

Page 58 of 65

Changes in Employer's Net OPEB Liability and Related Ratios as of September 30:

Net OPEB Liability	2021	2020	2019	2018
Service Cost	\$ 289	\$ -	\$ 526	\$ 513
Interest Cost on Total OPEB Liability	674	-	1,008	911
Changes in Benefit Terms	-	-	-	-
Differences Between Expected and Actual Experience	(6,213)	-	(6,521)	-
Changes in Assumptions	(1,501)	-	(4,520)	(1,729)
Benefit Payments	(1,727)	-	(1,875)	(1,728)
Net Change in net OPEB Liability	(8,478)	-	(11,382)	(2,033)
Net OPEB Liability - Beginning of Year	16,710	16,710	28,092	30,125
Net OPEB Liability - End of Year	<u>\$ 8,232</u>	<u>\$ 16,710</u>	<u>\$ 16,710</u>	<u>\$ 28,092</u>

NOTE: Information for FY 2017 and earlier is not available.

Plan Fiduciary Net Position as of September 30:

	2021	2020	2019	2018
Contributions - Employer	\$ 1,727	\$ -	\$ 1,875	\$ 1,728
Net Investment Income	-	-	-	-
Benefit Payments	(1,727)	-	(1,875)	(1,728)
Administrative Expense	-	-	-	-
Net Change in Fiduciary Net Position	-	-	-	-
Fiduciary Net Position - Beginning of Year	-	-	-	-
Fiduciary Net Position - End of Year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Net OPEB Liability	\$ 8,232	\$ 16,710	\$ 16,710	\$ 28,092
Fiduciary Net Position as a % of Net OPEB Liability	0.00%	0.00%	0.00%	0.00%
Covered-Employee Payroll	\$254,290	\$285,968	\$387,712	\$431,145
Net OPEB Liability as a % of Payroll	3.25%	5.84%	4.31%	6.52%

NOTE: Information for FY 2017 and earlier is not available.

Notes to the Schedule:

Benefit Changes	None
Changes of Assumptions	The discount rate was changed as follows:
9/30/17	3.06%
9/30/18	3.64%
9/30/19	4.18%
9/30/20	4.18%
9/30/21	3.58%

Population covered by Plan: 4 active 0 retired

Plan has no specific trust established. \$0 assigned for OPEB.

ADDITIONAL REPORTS

DRAFT

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL
CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF BASIC
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

Executive Committee and Council Members
Southwest Florida Regional Planning Council
P.O. Box 60933
Fort Myers, Florida 33906-6933

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, the basic financial statements of the governmental activities and each major fund of Southwest Florida Regional Planning Council (the "Council") as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the Council's basic financial statements as listed in the table of contents and have issued our report thereon dated January 25, 2022.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Council's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. Accordingly, we do not express an opinion on the effectiveness of the Council's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Council's financial statements will not be prevented, or detected and

corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined previously. However, material weaknesses may exist that have not been identified.

Further, we did, however, note a certain other matter that we have reported in our Report to Management dated January 25, 2022.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Southwest Florida Regional Planning Council's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards in our Report to Management dated January 25, 2022.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Council's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Council's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
January 25, 2022

**INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE
WITH SECTION 218.415, FLORIDA STATUTES**

Executive Committee and Council Members
Southwest Florida Regional Planning Council
P.O. Box 60933
Fort Myers, Florida 33906-6933

We have examined Southwest Florida Regional Planning Council's compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2021. Management is responsible for Southwest Florida Regional Planning Council's compliance with those requirements. Our responsibility is to express an opinion on Southwest Florida Regional Planning Council's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about Southwest Florida Regional Planning Council's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on Southwest Florida Regional Planning Council's compliance with specified requirements.

In our opinion, Southwest Florida Regional Planning Council complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2021.

This report is intended solely for the information and use of the Southwest Florida Regional Planning Council and the Auditor General, State of Florida, and is not intended to be and should not be used by anyone other than these specified parties.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
January 25, 2022

INDEPENDENT AUDITOR'S REPORT TO MANAGEMENT

Executive Committee and Council Members
Southwest Florida Regional Planning Council
P.O. Box 60933
Fort Myers, Florida 33906-6933

We have audited the accompanying basic financial statements of Southwest Florida Regional Planning Council (the "Council") as of and for the year ended September 30, 2021 and have issued our report thereon dated January 25, 2022.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America and Chapter 10.550, Rules of the Florida Auditor General. We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of the Financial Statements Performed in Accordance with Government Auditing Standards and Chapter 10.550, Rules of the Florida Auditor General. Disclosures in those reports, which are dated January 25, 2022, should be considered in conjunction with this report to management.

Additionally, our audit was conducted in accordance with Chapter 10.550, Rules of the Auditor General, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter includes the following information, which is not included in the aforementioned auditor's reports:

- Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There was a financially significant prior year comment. The financial condition of the Council is continuing to deteriorate therefore a going concern paragraph has been included in the Auditor's Report.
- Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. A prior year recommendation was noted to improve financial management. The financial condition of the Council is continuing to deteriorate therefore a going concern paragraph has been included in the Auditor's Report.

- Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have an effect on the financial statements that is less than material but more than inconsequential. In connection with our audit, we did not have any such findings.
- Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in the management letter, unless disclosed in the notes to the financial statements. The Council discloses this information in the notes to the financial statements.
- Section 10.554(1)(i)5.a., Rules of the Auditor General, requires a statement be included as to whether or not the local government entity has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that this item is not applicable to the Council.
- Pursuant to Sections 10.554(1)(i)5.b. and 10.556(7), Rules of the Auditor General, we applied financial condition assessment procedures pursuant to rule 10.556(8). It is management's responsibility to monitor the Council's financial condition, and our financial condition assessment was based in part on representations made by management and the review of the financial information provided by the same. In connection with our audit, we did note a deteriorating financial condition that resulted in the inclusion of a going concern paragraph in the Auditor's Report.
- Pursuant to Section 10.554(1)(i)5b.2, Rules of the Auditor General, if a deteriorating financial condition(s) is noted then a statement is so required along with the conditions causing the auditor to make such a conclusion. We did note a deteriorating financial condition that resulted in the inclusion of a going concern paragraph in the Auditor's Report and comment 2017-2 within this letter.
- Pursuant to Section 10.554(1)(i)5.c., Rules of the Auditor General, requires a statement indicating a failure, if any, of a component unit Special District to provide financial information necessary to a proper reporting of the component unit within the audited financial statements of this entity (F.S. Section 218.39(3)(b)). There are no known component special districts required to report within these financial statements.
- Pursuant to Section 10.554(1)(i)6, Rules of the Auditor General, requires disclosure of certain unaudited data. See Exhibit 2.

- Pursuant to Section 10.554(1)(i)7, Rules of the Auditor General, requires an independent special district that imposes ad valorem taxes to disclose certain related unaudited data. See Exhibit 2.
- Section 10.554(1)8, Rules of the Auditor General, requires an independent special district that imposes a non-ad valorem special assessment to disclose certain unaudited data. See Exhibit 2.
- Section 10.556(10)(a), Rules of the Auditor General, requires that the scope of our audit to determine the Council's compliance with the provisions of Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit, we determined that the Council complied with Section 218.415, Florida Statutes as reported in our Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes dated January 25, 2022, included herein.

PRIOR YEAR COMMENTS:

2017-2 The Board has a Fiduciary Responsibility to the Regional Planning Council

As the Board of the Regional Planning Council, per Florida Statute Section 186.505(8) (9) and (12) there is a duty of care to act in the best interest on the Regional Planning Council. While debate may exist as to the entity's mission and role, the entity is, nevertheless, created by Statute Section 186.504 and acts as an independent governmental entity under Florida Law. Its Board members are charged with all the responsibility typically assigned by Statute to a governmental entity.

As such, we recommend the Board seek all available means to satisfactorily address the issue of funding the Council in a sustainable manner.

FY 2018 Addendum

During the fiscal year ended September 30, 2018, Lee, Charlotte and Sarasota Counties as well as the City of Cape Coral and the City of Sanibel gave their notice to discontinue their respective contribution (Interlocal Agreement Section 23.019). Subsequent to year end, Hendry County gave notice to discontinue funding the Council and Collier County stopped paying their contribution without notice. The amount of lost unrestricted revenue approximates \$350,000 annually.

FY 2019 Addendum

Substantially all of the Council's member entities have resolved to cease paying the annual assessments which is resulting in the Council likely ceasing operations on or about September 30, 2021. See further discussion in Note O.

FY 2020 Addendum

Five (5) of the six (6) of the Council's member counties have ceased paying their annual member assessments. This accounts for approximately \$475,000 of annual unrestricted revenue loss. The Council continues to apply for and receive grant revenue. This revenue, however, does not provide sufficient unrestricted revenue to sustain administrative operations. Such costs are being funded through the use of fund balance. Therefore, there is substantial doubt the Council can sustain regular operations which will likely result in the Council ceasing operation on or before September 30, 2023.

FY 2021 Addendum

In order to stay in operation the Council has continued to secure alternative revenue sources which consisted mostly of grant funds, however, the grant funds do not appear sufficient to sustain administrative operations. In addition, the Council has slashed operating costs partly by keeping a small amount of staff; this has resulted in being short staffed and due to COVID and project deadlines, foregoing vacation hours. We recommend that the Board approves the vacation hours or set a cap if the compensated absences continue to accumulate.

CURRENT YEAR COMMENTS:

No financially significant comments noted.

Pursuant to Chapter 119, Florida Statutes, this management letter is a public record and its distribution is not limited. Auditing standards generally accepted in the United States of America require us to indicate that this letter is intended solely for the information and use of the Board of Commissioners, management, the Auditor General of the State of Florida and other federal and state agencies. This report is not intended to be and should not be used by anyone other than these specified parties.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
January 25, 2022

EXHIBIT 1

DRAFT

EXHIBIT 2

DRAFT

EXHIBIT 2

Page 1

**UNAUDITED
COMPLIANCE WITH REPORTING REQUIRED BY:**

Auditor General Rule 10.554(1)(i)6

For a dependent special district or an independent special district, or a local government entity that includes the information of a dependent special district as provided in Section 218.39(3)(a), Florida Statutes, the following specific information provided by management (with explanatory verbiage that the auditor provides no assurance on the information:

- a. The total number of council employees compensated in the last pay period of the council's fiscal year being reported (see information required in Section 218.32(1)(e)2.a., Florida Statutes). 3.
- b. The total number of independent contractors to whom nonemployee compensation was paid in the last month of the council's fiscal year being reported (see information required in Section 218.32(1)(e)2.b., Florida Statutes). 3.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency (see information required in Section 218.32(1)(e)2.c., Florida Statutes). (Total wage compensation for the fiscal year being audited) \$254,290.
- d. All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency (see information required in Section 218.32(1)(e)2.d., Florida Statutes). (Amounts paid that would be reported on a Form 1099 for FYE) \$108,312
- e. Each construction project with a total cost of at least \$65,000 approved by the council that was scheduled to begin on or after October 1 of the fiscal year being reported, together with the total expenditures for such project (see information required in Section 218.32(1)(e)2.e., Florida Statutes). N/A.
- f. A budget variance report based on the budget adopted under section 189.016(4), Florida Statutes, before the beginning of the fiscal year reported if the council amends a final adopted budget under Section 189.016(6), Florida Statutes (see information required in Section 218.32(1)(e)3., Florida Statutes). If there were amendments then include budget variance (original budget vs. actual at FYE). See attached page 3.

Auditor General Rule 10.554(1)(i)7

For an independent special council that imposes ad valorem taxes, the following specific information provided by management (with explanatory verbiage that the auditor provides no assurance on the information): (see information required in Section 218.32(1)(e)4., Florida Statutes).

- a. The millage rate or rates imposed by the Council. N/A.
- b. The current year gross amount of ad valorem taxes collected by or on behalf of the Council. \$0.
- c. The total amount of outstanding bonds issued by the council and terms of such bonds. \$0.

Auditor General Rule 10.554(1)(i)8

For an independent special council that imposes non-ad valorem special assessments, the following specific information provided by management (with explanatory verbiage that the auditor provides no assurance on the information): (see information required in Section 218.32(1)(e)5., Florida Statutes).

- a. The rate or rates of such assessment imposed by the Council. .30/capita.*
- b. The total amount of special assessments collected by or on behalf of the Council. \$51,593.
- c. The total amount of outstanding bonds issued by the council and the terms of such bonds. N/A.

- * This assessment is per FS Chapter 186 and assessed to member Counties. 5 of 6 member Counties have elected to not pay the assessment levied.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
ORIGINAL BUDGET vs. ACTUAL COMPARISON REPORT - UNAUDITED -
GENERAL FUND
Year Ended September 30, 2021

	General Fund		
	Original Budget	Actual	Variance Favorable (Unfavorable)
REVENUES			
Federal and state grants	\$ 445,257	\$ 599,958	\$ 154,701
Contracts, local grants and events	10,500	138,427	127,927
County and city assessments	51,593	51,593	-
DRI fees	-	16,865	16,865
DRI monitoring fees	-	250	250
Interest and miscellaneous	3,000	5,211	2,211
Reserve	214,625	-	(214,625)
Fund balance carryforward	854,470	-	(854,470)
TOTAL REVENUES	1,579,445	812,304	(767,141)
EXPENDITURES			
Current			
Personnel services	362,418	377,569	(15,151)
Operating expenditures	1,217,027	444,021	773,006
Capital outlay	-	-	-
Debt service	-	-	-
TOTAL EXPENDITURES	1,579,445	821,590	757,855
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	-	(9,286)	(9,286)
OTHER FINANCING SOURCES (USES)			
Operating transfers in	-	-	-
Operating transfers out	-	-	-
TOTAL OTHER FINANCING SOURCES (USES)	-	-	-
NET CHANGE IN FUND BALANCE	\$ -	(9,286)	\$ (9,286)
FUND BALANCE, October 1, 2020		428,877	
FUND BALANCE, September 30, 2021		\$ 419,591	

The accompanying notes are an integral part of this statement.

_____Agenda

_____Item

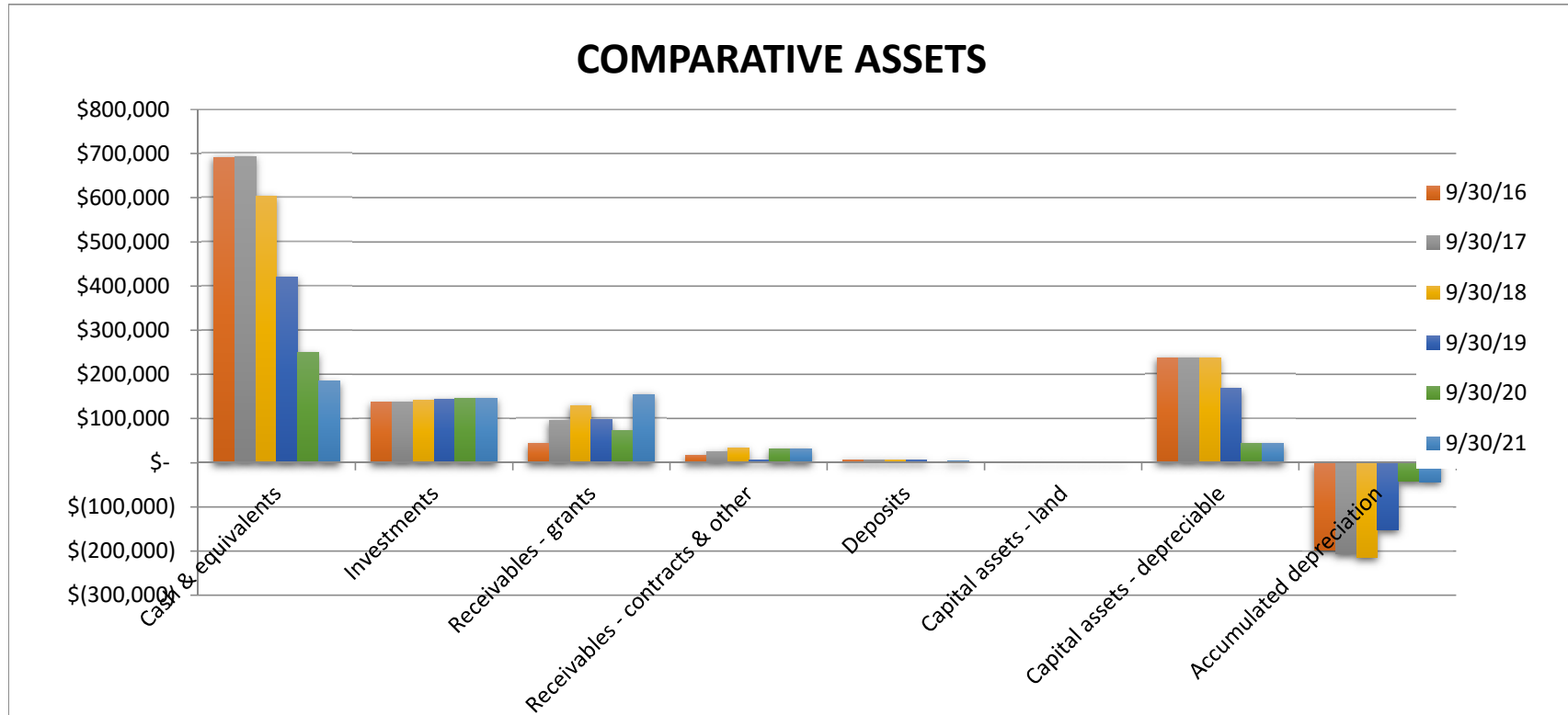
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Audit Charts & Graphs

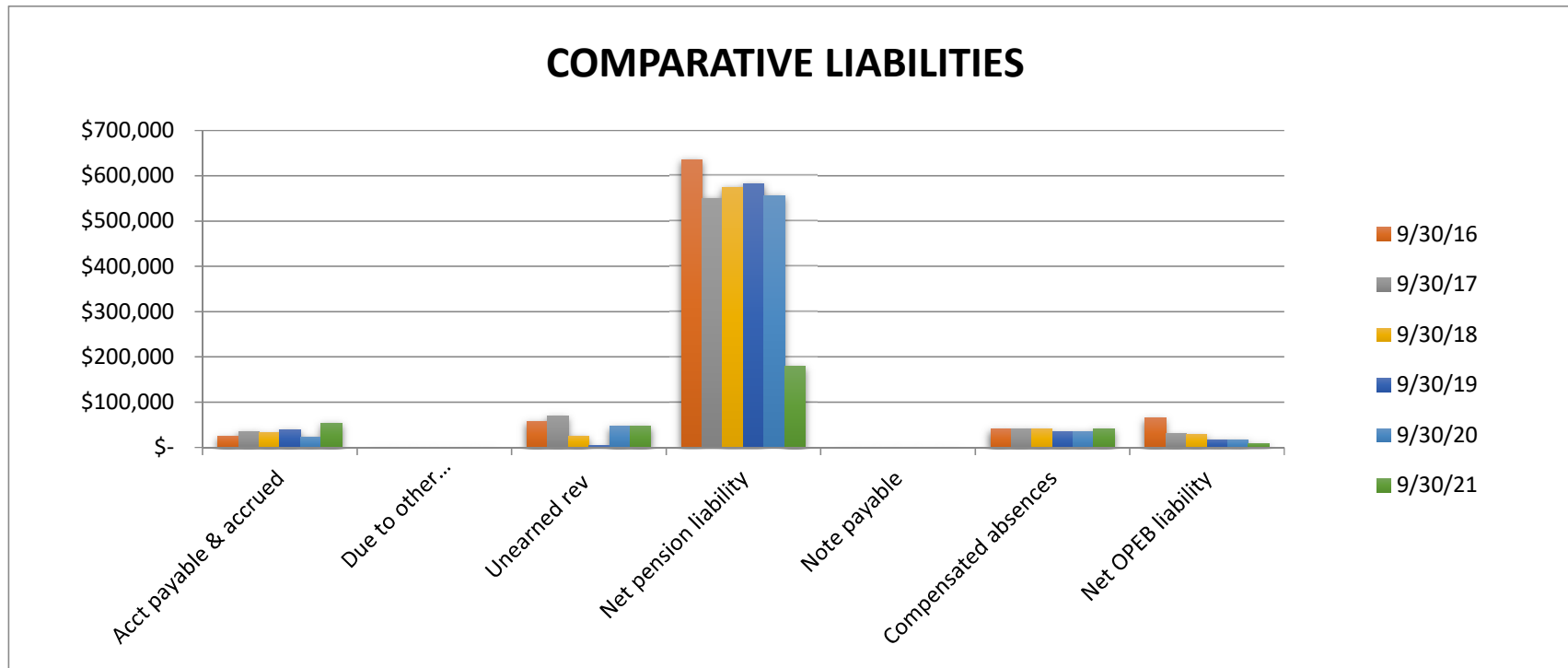
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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
GRAPH - COMPARATIVE SUMMARY OF ASSETS
(GOVERNMENT-WIDE STATEMENTS)
September 30, 2016, 2017, 2018, 2019, 2020 & 2021



	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	9/30/21	Increase (Decrease)	% Inc (Dec)
Cash & equivalents	\$ 691,932	\$ 692,312	\$ 603,015	\$ 421,164	\$ 249,126	\$ 185,435	\$ (63,691)	-26%
Investments	136,302	137,782	140,425	144,009	145,717	145,944	227	0%
Receivables - grants	43,253	95,270	129,024	96,899	72,086	154,304	82,218	114%
Receivables - contracts & other	16,614	24,976	33,380	6,000	31,562	31,030	(532)	-2%
Deposits	6,381	6,381	6,381	6,381	-	4,734	4,734	100%
Capital assets - land	-	-	-	-	-	-	-	N/A
Capital assets - depreciable	237,171	237,171	237,171	167,948	43,026	43,026	-	0%
Accumulated depreciation	(197,202)	(205,790)	(213,610)	(152,154)	(42,332)	(43,026)	(694)	2%
Total Assets	\$ 934,451	\$ 988,102	\$ 935,786	\$ 690,247	\$ 499,185	\$ 521,447	\$ 22,262	4%

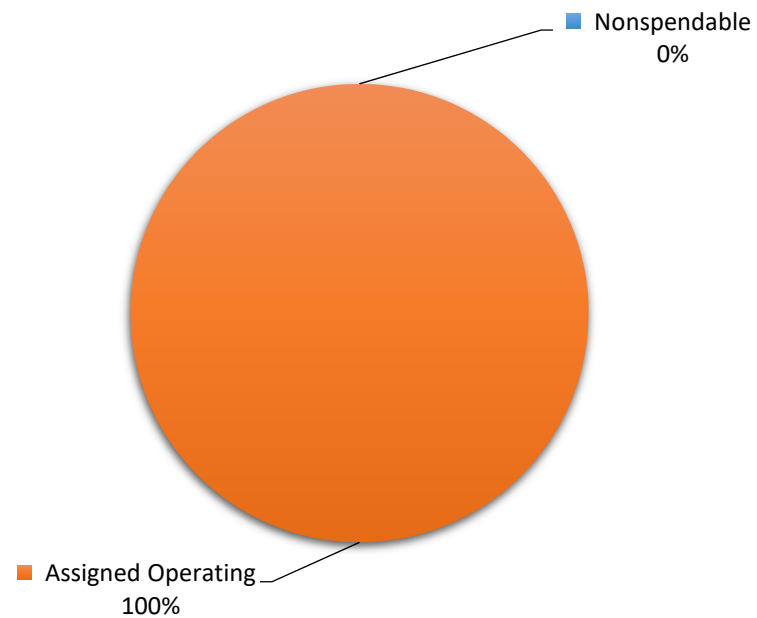
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
GRAPH - COMPARATIVE SUMMARY OF LIABILITIES
(GOVERNMENT-WIDE STATEMENTS)
September 30, 2016, 2017, 2018, 2019, 2020 & 2021



LIABILITIES	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	9/30/21	Increase (Decrease)	% Inc (Dec)
Acct payable & accrued	\$ 24,564	\$ 35,388	\$ 32,107	\$ 39,267	\$ 23,492	\$ 54,325	\$ 30,833	131%
Due to other governments	-	-	-	-	-	-	-	N/A
Unearned rev	58,139	68,955	25,648	3,772	46,122	47,531	1,409	3%
Net pension liability	634,828	550,186	574,362	581,945	555,964	179,958	(376,006)	-68%
Note payable	-	-	-	-	-	-	-	N/A
Compensated absences	40,634	40,634	40,634	34,713	34,713	41,305	6,592	19%
Net OPEB liability	65,074	30,125	28,092	16,710	16,710	8,232	(8,478)	-51%
Total Liabilities	\$ 823,239	\$ 725,288	\$ 700,843	\$ 676,407	\$ 677,001	\$ 331,351	\$ (345,650)	-51%

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
GRAPH - FUND BALANCE MIX
(FUND BASIS STATEMENTS)
September 30, 2021

FUND BALANCE SUMMARY



Nonspendable
Assigned Operating

9/30/21	
\$	-
	419,591
\$	419,591

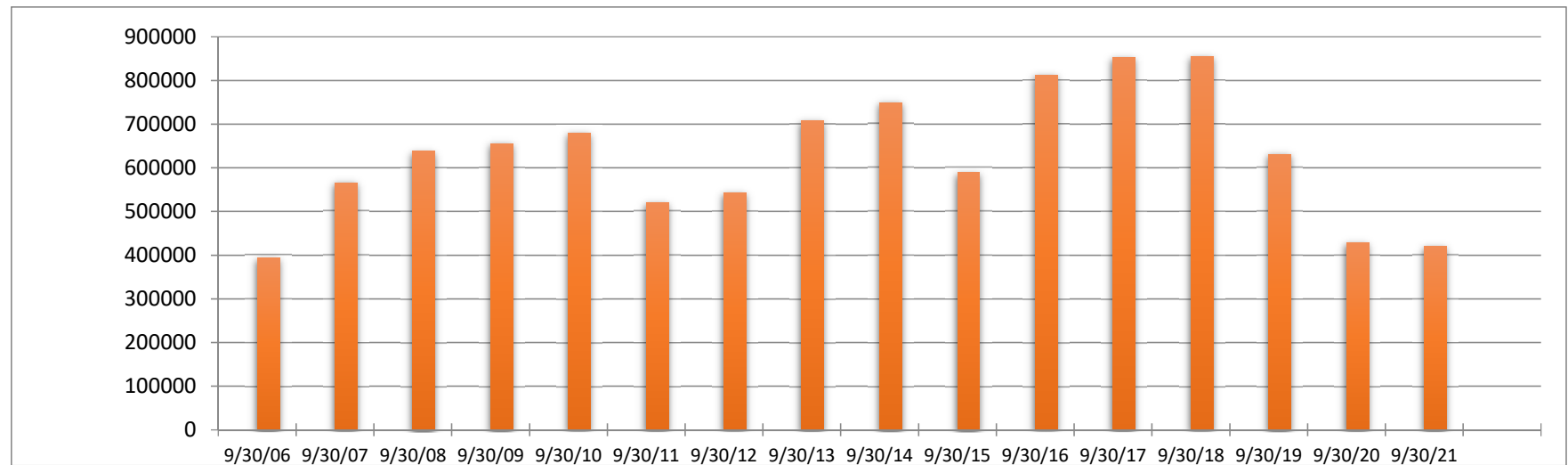
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

GRAPH - COMPARATIVE FUND BALANCE

(FUND BASIS STATEMENTS)

September 30, 2006 - September 30, 2021

COMPARATIVE FUND BALANCE

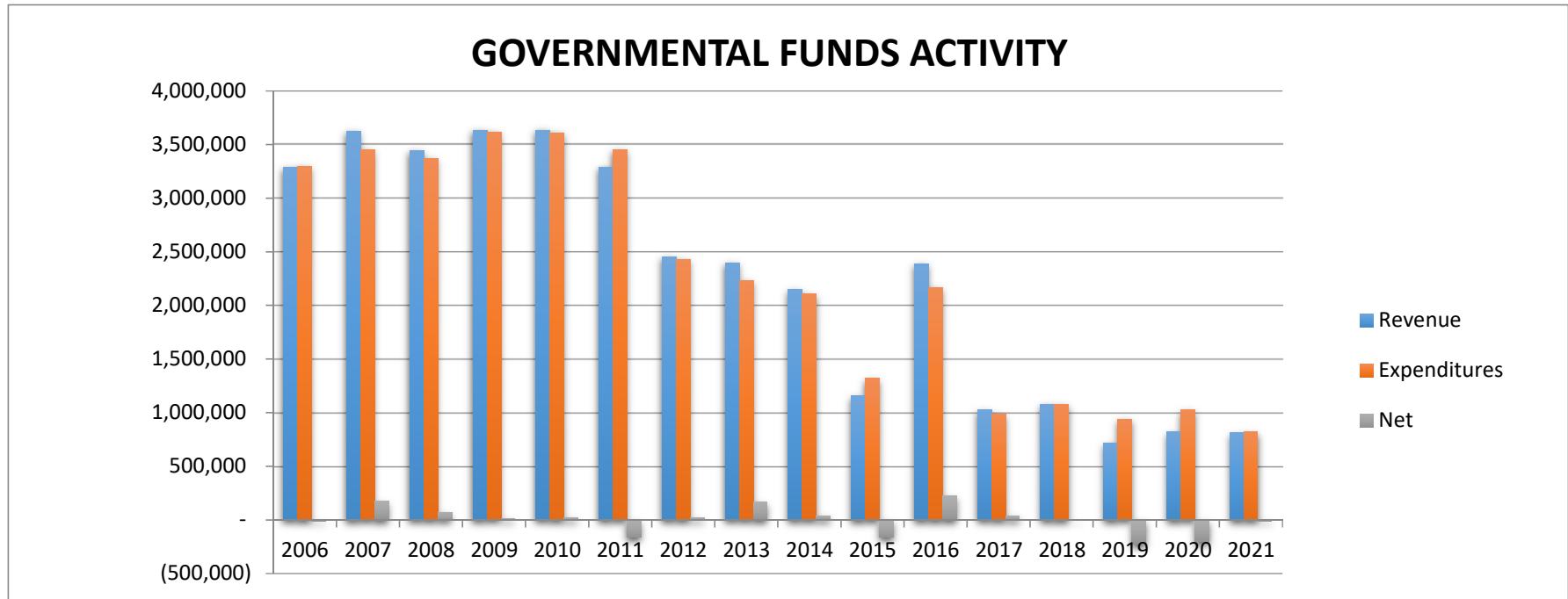


	Fund Balance	Increase (Decrease)	% Annual Inc (Dec)
9/30/06	\$ 392,965	\$ -	
9/30/07	565,843	172,878	44%
9/30/08	637,988	72,145	13%
9/30/09	655,716	17,728	3%
9/30/10	680,090	24,374	4%
9/30/11	519,868	(160,222)	-24%
9/30/12	542,977	23,109	4%
9/30/13	708,484	165,507	30%
9/30/14	748,896	40,412	6%
9/30/15	588,437	(160,459)	-21%
9/30/16	811,779	223,342	38%
9/30/17	852,378	40,599	5%
9/30/18	854,470	2,092	0%
9/30/19	631,414	(223,056)	-26%
9/30/20	428,877	(202,537)	-32%
9/30/21	419,591	(9,286)	-2%

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

GRAPH - COMPARATIVE SUMMARY OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (FUND BASIS STATEMENTS) - ALL FUNDS

Fiscal Years Ended September 30, 2006 - September 30, 2021



Fiscal Yr	Revenue	Expenditures	Net
2006	3,282,874	3,293,955	\$ (11,081)
2007	3,620,972	3,448,094	172,878
2008	3,439,973	3,367,828	72,145
2009	3,631,561	3,613,833	17,728
2010	3,633,853	3,609,479	24,374
2011	3,288,138	3,448,360	(160,222)
2012	2,453,411	2,430,302	23,109 ***
2013	2,397,441	2,231,934	165,507
2014	2,145,900	2,105,488	40,412
2015	1,157,034	1,317,493	(160,459) *
2016	2,388,620	2,165,278	223,342 ****
2017	1,025,345	984,746	40,599
2018	1,080,206	1,078,114	2,092
2019	719,149	942,205	(223,056)
2020	821,515	1,024,052	(202,537)
2021	812,304	821,590	(9,286)

* NEP departed 10/1/14

**** includes sale of building

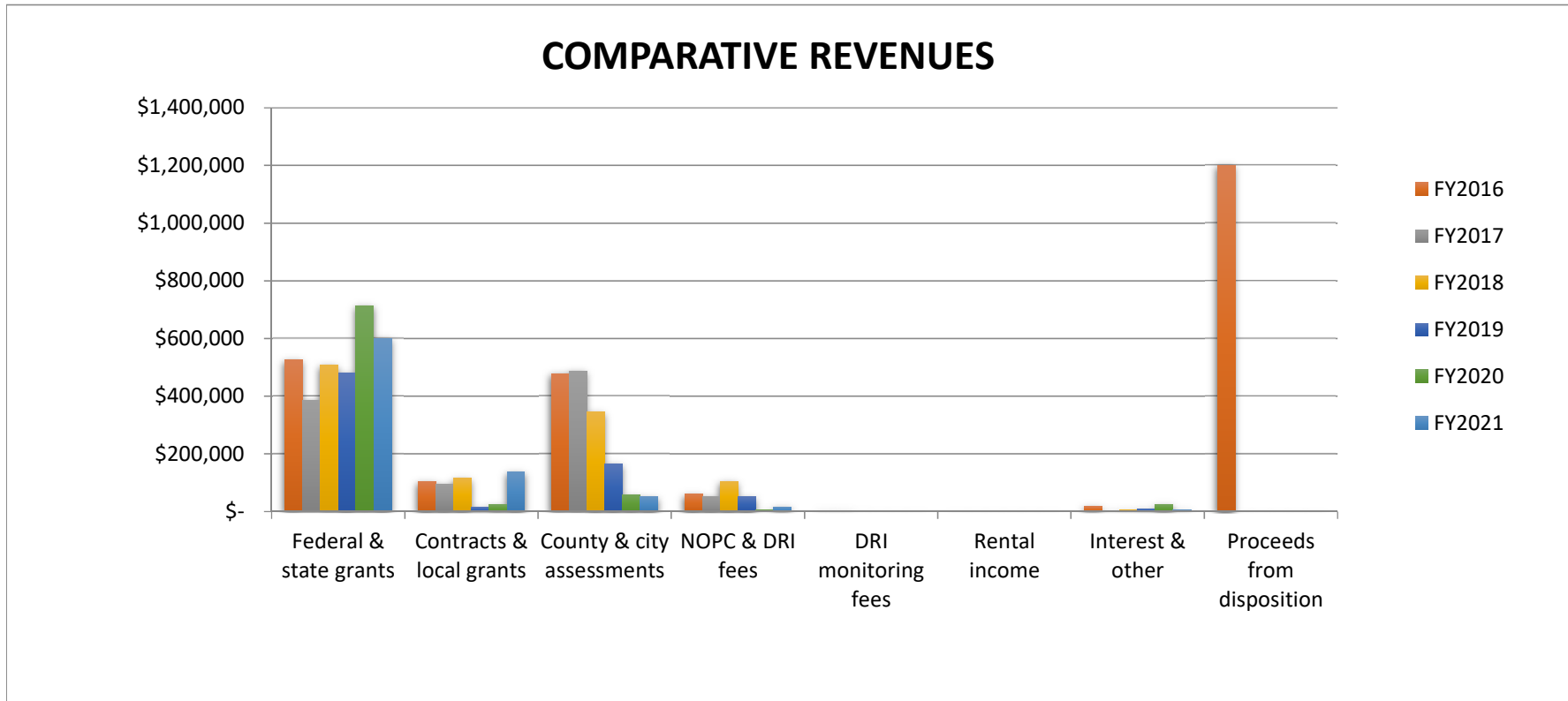
*** MPO departed

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

GRAPH - COMPARATIVE SUMMARY OF REVENUES

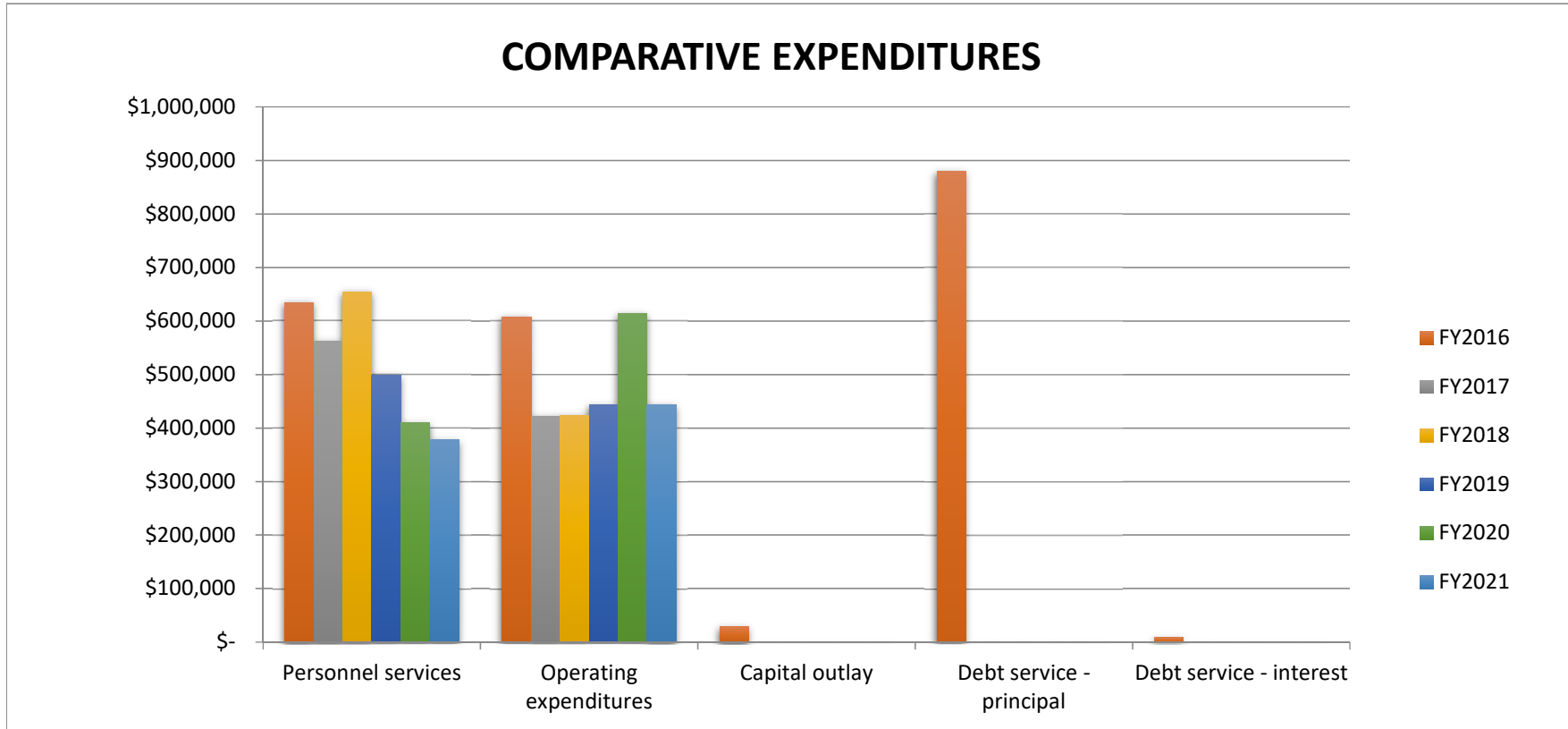
(FUND BASIS STATEMENTS) - ALL FUNDS

Fiscal Years Ended September 30, 2016, 2017, 2018, 2019, 2020 & 2021



	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	Increase (Decrease)	% Inc (Dec)
Federal & state grants	\$ 525,450	\$ 384,471	\$ 507,177	\$ 480,039	\$ 712,720	\$ 599,958	\$ (112,762)	-16%
Contracts & local grants	105,045	96,158	116,151	14,900	22,912	138,427	115,515	504%
County & city assessments	477,790	485,955	344,643	165,053	57,613	51,593	(6,020)	-10%
NOPC & DRI fees	60,121	52,531	104,738	50,445	4,858	16,865	12,007	247%
DRI monitoring fees	2,750	2,950	1,500	-	-	250	250	100%
Rental income	-	-	-	-	-	-	-	N/A
Interest & other	17,464	3,280	5,997	8,712	23,412	5,211	(18,201)	-78%
Proceeds from disposition	1,200,000	-	-	-	-	-	-	N/A
Total Revenues	\$ 2,388,620	\$ 1,025,345	\$ 1,080,206	\$ 719,149	\$ 821,515	\$ 812,304	\$ (9,211)	-1%

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
GRAPH - COMPARATIVE SUMMARY OF EXPENDITURES
(FUND BASIS STATEMENTS) - ALL FUNDS
Fiscal Years Ended September 30, 2016, 2017, 2018, 2019, 2020 & 2021



	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	Increase (Decrease)	% Inc (Dec)
Personnel services	\$ 634,928	\$ 562,033	\$ 654,181	\$ 498,699	\$ 409,901	\$ 377,569	\$ (32,332)	-8%
Operating expenditures	608,250	422,713	423,933	443,506	614,151	444,021	(170,130)	-28%
Capital outlay	29,568	-	-	-	-	-	-	N/A
Debt service - principal	879,263	-	-	-	-	-	-	N/A
Debt service - interest	8,294	-	-	-	-	-	-	N/A
Total Expenses	\$ 2,160,303	\$ 984,746	\$ 1,078,114	\$ 942,205	\$ 1,024,052	\$ 821,590	\$ (202,462)	-20%

Agenda
Item

8

8

Discussion Items

8

--- Agenda --- Item

8a

8a

Inland Port Discussion
Freight Rail Resolution
– Ms. Tracy Whirls

8a

SWFRPC Resolution #2022-01

A RESOLUTION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO EXPEDITE THE PROCESS FOR ADVANCING THE CONCEPT OF A NEW FREIGHT RAIL ROUTE ALONG U.S. HIGHWAY 27 MULTIMODAL CORRIDOR BETWEEN PORTMIAMI AND THE I-4 CORRIDOR

WHEREAS, U.S. Highway 27 has long been identified by the Florida Department of Transportation and several regional transportation planning organizations and providers as an important future corridor between Miami and Orlando critical for improving Florida's global competitiveness, economic development and multimodal mobility opportunities, and safety; and

WHEREAS, advancing the project would provide several important regional benefits, including:

1. Reducing freight traffic through the population centers of the coast between Ft. Pierce and Miami; 2) Freeing up capacity on the FEC for commuter passenger trains; 3) Diverting truck traffic from U.S. Highway 27, I-95, and the Turnpike; 4) Supporting economic development and job creation for the distressed communities along the south, east, and west sides of Lake Okeechobee; and 5) Providing transportation without triggering sprawl.

WHEREAS, the Southwest Florida Regional Planning Council wish to urge the Florida Department of Transportation to expedite the process for transforming U.S. Highway 27 into a new multimodal corridor, including a new freight rail line between PortMiami and the I-4 corridor.

NOW, THEREFORE, BE IT RESOLVED by the Southwest Florida Regional Planning Council, that:

The Council request that the Florida Department of Transportation expedite the process to advance the concept, leading to inclusion of scheduled funding to undertake a Project Development and Environment study and construction for the U.S. Highway 27 Multimodal Corridor which, at a minimum, should examine an alternate freight rail project between PortMiami and the I-4 Corridor.

This Resolution shall take effect immediately upon adoption.

DULY ADOPTED this 17th day of March, 2022.

Attest:

SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL

SEAL

Margaret Wuerstle, Executive Director

Don McCormick, Chair

Subject to Modifications



MEMORANDUM

To: Council Members

AGENDA ITEM 14

From: Staff

Date: October 12, 2018 Joint Council Meeting

Subject: U.S. Highway 27 Multi-Modal Corridor Project Update and Resolution of Support – Thomas J. Lanahan, Deputy Executive Director, Treasure Coast Regional Planning Council

Introduction

The purpose of this item is to provide the Councils with: 1) information related to prior planning efforts and current discussions about an alternative freight rail route using the U.S. Highway 27 corridor and beyond to link Miami and Orlando; and 2) an opportunity to execute a joint resolution urging Florida Department of Transportation (FDOT) to expedite the process for transforming U.S. Highway 27 into a new multimodal corridor, including a new freight rail line from Miami to Orlando and beyond

Background and Analysis

In 2013, FDOT completed a Planning and Conceptual Engineering (PACE) study regarding utilization of the U.S. Highway 27 corridor between Miami and Lake Okeechobee to accommodate rail in addition to the current roadway. The study identified that a number of factors would drive the need for adding the rail mode:

1. A desire to shift existing freight rail traffic from the east coast to the new corridor
2. Increased intermodal traffic at PortMiami
3. Shifting freight from trucks to rail to improve efficiency, reduce congestion, and achieve environmental benefits
4. The construction of new Intermodal Logistics Center(s) (ILC) near Lake Okeechobee

A number of routes were studied and the most feasible was identified as connecting with the Florida East Coast Railway (FEC) west of Hialeah, running along U.S. Highway 27 to South Bay, and connecting to the existing South Central Florida Express (SCXF) / FEC tracks which run along the south side of the lake. To the west, the SCXF tracks connect to CSX tracks in Sebring, and to the east the tracks connect with the FEC mainline in Ft. Pierce. The study estimated the cost of adding

Subject to Modifications

railroad tracks to a project to widen the U.S. Highway 27 roadway to be an additional approximately \$490 million and concluded that there are no fatal engineering or environmental flaws in the concept and that it is feasible.

On February 28, 2017, Council staff convened a meeting of representatives of Martin County, the Port of Palm Beach, the Palm Beach Metropolitan Planning Organization, the FEC Railway, and other interested parties to revisit the results of the study and explore the possibilities of running railroad tracks along U.S. Highway 27 between Miami, South Bay, and beyond to Orlando. The group learned that such a route could: 1) serve to relieve congestion at the three ports in southeast Florida (PortMiami, Port Everglades, and Port of Palm Beach – all served by FEC), which may reach a crisis point in 10 years; 2) allow the diversion of up to 80 percent of the freight traffic off of the coastal route of the FEC; and 3) improve the efficiency of freight movements into and out of the entire southeast portion of the state. The group also learned that FEC would be willing to undertake the construction of the line, if funding was provided, and that they would be willing to operate the line. Because of the controlled access nature of rail, it would be able to provide freight transportation without triggering urban sprawl as often happens with roadway expansion. There was a consensus that the idea is worth pursuing and that a stakeholder group should be constituted similar to what FDOT has done with the U.S. Highway 27 corridor north of Lake Okeechobee.

Since then, Council staff have conducted additional stakeholder meetings with similar findings. These included presentations to Council on April 21, 2017 and July 21, 2017; a meeting held at the South Florida Regional Planning Council (SFRPC) offices on June 12, 2017; and presentations to various existing stakeholder groups such as the Treasure Coast Comprehensive Economic Development Strategy Committee on July 13, 2017; MPO Advisory Council Freight Committee and Governing Board on July 19, 2017; the Palm Beach County BDB Logistics Task Force on September 6, 2017; the Miami-Dade TPO Freight Technical Advisory Committee on October 11, 2017; joint meeting of the TCRPC and SFRPC on October 20, 2017; Martin County Commission on October 24, 2017; and the Regional Transportation Technical Advisory Committee of the Southeast Florida Transportation Council on December 13, 2017.

Current Overview

Recognizing regional interest in the concept, FDOT's Central Office began an effort in late 2017 to collect all of the U.S. Highway 27 studies done to date; examine relevant Strategic Regional Policy Plans, Comprehensive Economic Development Strategies, and Intermodal Logistics Center studies; and gather existing physical conditions information. A project-specific website has been set up at www.us27florida.com. The collected information will be used to support policy choices in coordination with the affected FDOT Districts (I, IV, V, and VI). Council staff met with FDOT and their consultants in March 2018 to review early data and impress on the study team the importance of looking at transportation challenges in the entire southeastern peninsula of Florida.

As of now, the extensive background and existing conditions study including dedicated aerial mapping is nearly complete. The next step for FDOT's Central Office is to meet with staff of each District to seek input on next steps on if, what, and how to advance a new freight corridor between Miami and Orlando utilizing FDOT's general transportation network evaluation framework of Conservation, Countryside, Centers, and Corridors.

Conclusion

The project would have a positive impact regionally because of these potential benefits:

1. Reducing freight traffic through the population centers of the coast between Ft. Pierce and Miami
2. Freeing up capacity on the FEC for commuter passenger trains
3. Diverting truck traffic from U.S. Highway 27, I-95, and the Turnpike
4. Supporting economic development and job creation for the distressed communities along the south, east, and west sides of Lake Okeechobee
5. Providing transportation without triggering sprawl

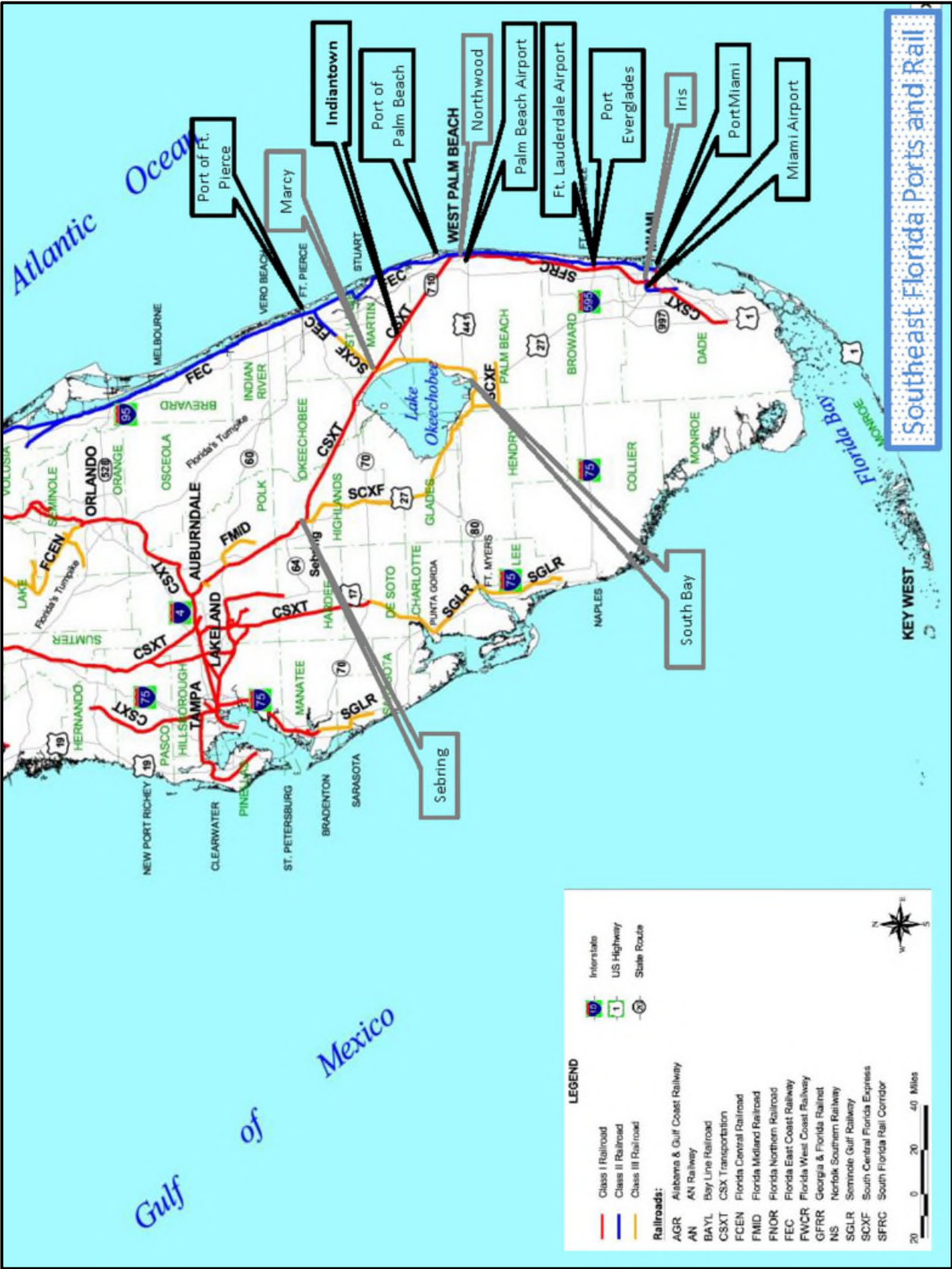
FDOT should, therefore, be encouraged to expedite the process to advance the concept, leading to inclusion of scheduled funding to undertake a Project Development and Environment study and construction for the U.S. Highway 27 Multimodal Corridor. This, at a minimum, should examine an alternate freight rail project between PortMiami and the I-4 Corridor.

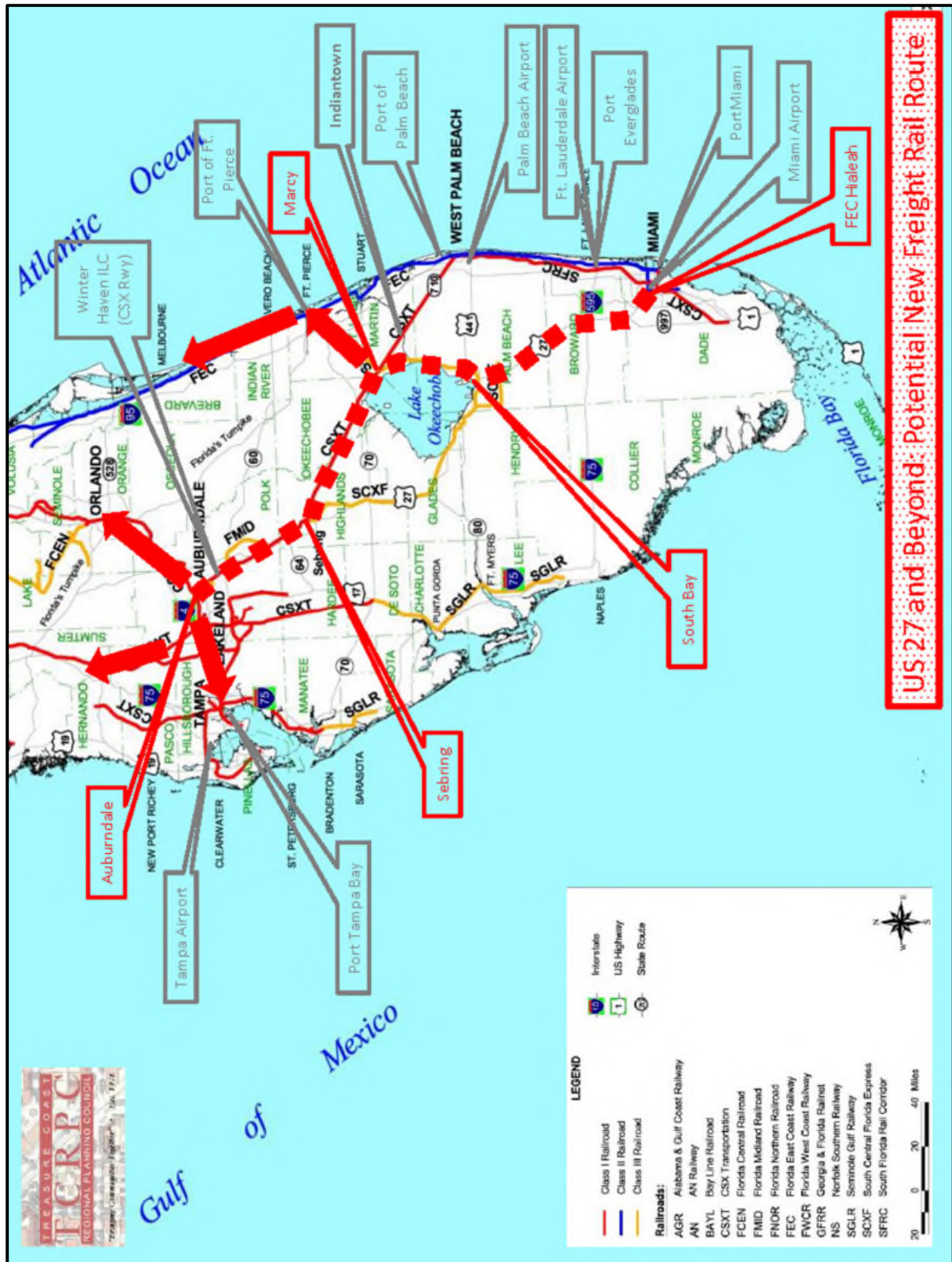
Recommendation

Authorize the chairs of the Treasure Coast and South Florida regional planning councils to sign and transmit the attached joint resolution encouraging the Florida Department of Transportation to expedite the process for advancing the concept of a new freight route along U.S. Highway 27, including undertaking a Project Development and Environment study for the U.S. Highway 27 Multimodal Corridor which, at a minimum, examines an alternate freight rail project between PortMiami and the I-4 Corridor.

Attachments

Regional Map







RESOLUTION TCSF #18-05

A JOINT RESOLUTION OF THE SOUTH FLORIDA AND TREASURE COAST REGIONAL PLANNING COUNCILS REPRESENTING THE LOCAL GOVERNMENTS OF MONROE, MIAMI-DADE, BROWARD, PALM BEACH, MARTIN, ST. LUCIE AND INDIAN RIVER COUNTIES, FLORIDA, URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO EXPEDITE THE PROCESS FOR ADVANCING THE CONCEPT OF A NEW FREIGHT RAIL ROUTE ALONG U.S. HIGHWAY 27 MULTIMODAL CORRIDOR BETWEEN PORTMIAMI AND THE I-4 CORRIDOR

WHEREAS, U.S. Highway 27 has long been identified by the Florida Department of Transportation and several regional transportation planning organizations and providers as an important future corridor between Miami and Orlando critical for improving Florida's global competitiveness, economic development and multimodal mobility opportunities, and safety; and

WHEREAS, advancing the project would provide several important regional benefits, including:

1. Reducing freight traffic through the population centers of the coast between Ft. Pierce and Miami; 2) Freeing up capacity on the FEC for commuter passenger trains; 3) Diverting truck traffic from U.S. Highway 27, I-95, and the Turnpike; 4) Supporting economic development and job creation for the distressed communities along the south, east, and west sides of Lake Okeechobee; and 5) Providing transportation without triggering sprawl.

WHEREAS, the South Florida and Treasure Coast regional planning councils wish to urge the Florida Department of Transportation to expedite the process for transforming U.S. Highway 27 into a new multimodal corridor, including a new freight rail line between PortMiami and the I-4 corridor.

NOW, THEREFORE, BE IT RESOLVED JOINTLY BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL AND THE TREASURE COAST REGIONAL PLANNING COUNCIL THAT:

The Councils request that the Florida Department of Transportation expedite the process to advance the concept, leading to inclusion of scheduled funding to undertake a Project Development and Environment study and construction for the U.S. Highway 27 Multimodal Corridor which, at a minimum, should examine an alternate freight rail project between PortMiami and the I-4 Corridor.

DULY ADOPTED by the South Florida and Treasure Coast Regional Planning Councils this 12th day of October, 2018.

Frank Caplan
Chair, SFRPC

Reece J. Parrish
Chair, TCRPC

--- Agenda --- Item

8b

8b

5 Year CEDS Update
– Ms. Tracy Whirls

8b

--- Agenda --- Item

8c

8c

Organization Structure
Discussion – Councilman
McDaniel

8c

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

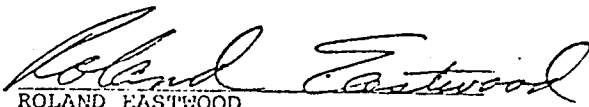
By /S/ R. H. WHAN
Chairman

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: William J. Reagan

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: Clifford L. Lenzel

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: Jerry L. Beck

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF GLADES COUNTY, FLORIDA

By: Vernon L. Lister

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: Charlotte R. Fitzsimmons

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF
HENDRY COUNTY, FLORIDA

By: Donald C. Pratt

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: Betty L. LaCasse

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: K. L. Steele

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: R. H. Hackney Jr.

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: Jerry D. Dwyer

Chairman

Date: Oct 31, 1980

APPROVED AS TO FORM

By: Thomas M. Brundette

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 ¾ 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 COMMISSIONERS

Chairman

COLLIER COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Chairman

GLADES COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Chairman

HENDRY COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Chairman

LEE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Chairman

SARASOTA COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Chairman

EXHIBIT E REPLACEMENT BYLAWS of the SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL



TABLE OF CONTENTS

SECTION	Page
1. Organization	1
2. Powers and Duties	1
3. Membership	2
4. Officers, Term of Office and Standing Committees	2
5. Executive Director	3
6. General Information	4
7. Public Records	4
8. Public Meetings	4

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

_____ Agenda	
_____ Item	
	9

9

Director's Report

9



EXECUTIVE DIRECTOR'S REPORT: March 17, 2022

Mission Statement:

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

1. Management / Operations

- a. Audit for FY 20-21 – Jeff Tuscan

2. Resource Development and Capacity Building

- Florida Conversations on President Biden's Two-Year Priorities
- Update on EDA Cares Act, Economic Recovery
 - Working on identifying funding to implement the Inland Port Project
- Update on Resiliency Strategy for Local Food Systems
- SWFRPC Mailing Address
 - New Address: P.O. Box 60933, Ft. Myers FL, 33906
 - Phone: 844-988-8244
- Promise Zone Grants (as of January 2022) See Attached Document
 - Awarded: \$4,206,324.25
 - Pending: \$16,917,565
 - Denied: \$9,998,163.46
 - Underdevelopment: Seeking grants for the SWFL Enterprise Center- Incubator Program
- FRCA Updates
 - Annual Report
 - January Monthly Report
 - February Monthly Report

3. Second Quarter: January 2022 to March 2022

- 2020 - 2021 RPC Meeting schedule

Grants in Promise Zone

March 7, 2022

1. **Awarded** (8/17/17): \$30,000- DEO 2018 Agriculture Sustainability for small to mid-sized growers in Promise Zone. Awarded to the SWFRPC
2. **Awarded** (2019) \$24,000 to Lee County Housing Development Corp. for Comprehensive Housing Counseling to residents including Immokalee residents from HUD.
3. **Awarded** (5/7/2018): \$30,000 DEO for food safety plans for small to mid-sized growers. Awarded to the SWFRPC
4. **Awarded** (8/08/18): \$206,545 - EDA Disaster Supplemental - for Development of new markets for small to mid-sized growers, branding and marketing campaign. Awarded to the SWFRPC
5. **Awarded** (4/25/18): \$600,000 - EPA Brownfield assessment grant in Promise Zone. Awarded to the SWFRPC
6. **Awarded** \$24,921 - HUD Comprehensive Housing Counseling Grant to the Home Ownership Resource Center of Lee County
7. **Awarded** \$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
8. **Awarded** \$100,000 over 2 years for a Food Policy Council Coordinator from NACo
9. **Awarded** (submitted 2/3/2020; awarded 7/2/2020) \$125,000 - Legal Aid Society The **Education & Outreach Initiative (EOI) Project – General Component** will explain to the general public and local housing providers what “equal opportunity in housing” means and what housing providers need to do to comply with the Fair Housing Act. All services will be provided and available to residents of the FHIP service area which includes Hendry, Martin, Okeechobee, Palm Beach, and St. Lucie Counties. Grant period June 1, 2021 to May 31, 2022.
10. **Awarded**: (7/21/2020) \$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.

11. **Awarded:** (4/7/2020) \$175,000 requested but \$160,432 was awarded Clewiston Water from Master Plan from Florida Fish and Wildlife Conservation Commission – Boating Improvement Program.
12. **Awarded:** \$350,000 An application was submitted in partnership with the University of Florida IFAS to the Department of Economic Opportunity CDBG-Mitigation Planning program requesting \$390,000 to develop a Resiliency Strategy for Local Food Systems in Southwest Florida. (Deadline 7/30/2020)
13. **Awarded:** \$3000 grant from CHNEP for Rebekah Harp to do the design work for their calendar
14. **Awarded:** SWFRPC, IFAS, Blue Zones, TREC submitted a \$752,426.25 USDA – Regional Food System Partnerships Program grant to implement the trademarked SWFL Fresh Choose Local Choose Fresh regional brand to showcase SWFL food producers and their products through multiple marketing platforms. The brand will support the development of new markets for farmers, increase public knowledge of healthy, local food sources, and connect food producers to consumers. The Collier County Blue Zones provided a 16.9% match of \$108,926.25.
15. Pending: \$500,000 EPA Grants for Brownfield Assessment in Glades County
16. Pending: 10/14/201 The Affordable Homeownership Foundation, Inc. submitted a grant for housing counseling to HUD
17. Pending (10/14/2021) Lee County Housing Development Corp. submitted a grant to HUD for Comprehensive Housing Counseling to residents including Immokalee residents.
18. Pending: DRI-RR, Inc., a non-profit dedicated to providing rural communities with the skills and knowledge needed to revitalize submitted a grand to USDA Rural Business Development Grant Program in cooperation with Florida Main Street to offer services to four Florida communities, one of which is LaBelle, in order to provide each community with a Development Readiness Initiative (DRI) training and a Revitalization Roadmap at no cost to them.
19. Pending: (3/2021) \$11,000 The DRI training is a day-long on-site training created to help communities understand how COVID-19 has impacted their community and identify the available resources that each community can leverage. Through this training, the community will be able to identify a strategy for the creation of a locally-based economy that will support the quality of life necessary to retain families and professionals. Our end goal is to provide each community with the training and tools necessary to become

proactive with private development, encouraging the right types of development and attracting necessary services. Additionally, the training will help identify what is necessary to master the Duration, Intensity, Rate, and Timing (DIRT) of development, utilizing private development to fulfill necessary and desired community amenities or services. Furthermore, the Revitalization Roadmap is a hybrid downtown and strategic plan, offering a set of implementable recommendations that will catalyze downtown revitalization. The final product is graphically rich and broken down into similar groups like the National Main Street Center's four-step approach to revitalization. The overall roadmap process will encourage the unification of residents' voices and rally support for improvements by all residents.

20. Pending (9/13/2021) \$13,874,000 Prepared and submitted an application for the City of Clewiston for the DEO CDBG- MIT- GIP Round II to make upgrades to the City's wastewater treatment facility and expand the WWTP capacity. 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. 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.
21. Pending: Submitted:(9/14/2021) \$2,067,935 Prepared and submitted and an application to the Florida Department of Economic Opportunity Rebuild Florida CDBG-Mit- GIP Round II 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. 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.
22. Pending (6/4/2020) \$125,000 request by Legal Aid Society of Palm Beach County, Inc for Hendry County from the Fair Housing Initiatives Program Education and Outreach initiative through HUD. (["The Fair Housing Project at Legal Aid is applying for an Education & Outreach Grant from HUD for the fiscal year 2022-23 in the amount of \\$125,000."](#))
23. Pending: 9/25/2020 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.
24. Denied (6/17/19) \$1,000,000: Perkins Innovation and Modernization Grant program for Collier County Schools. The project title is Professional Careers in the New Economy (PCNE). PCNE will focus on two of CCPS's highest-need schools: Immokalee Middle and Immokalee High schools. The goal of the project is to better prepare students for success in the workforce.

25. Denied (6/25/2019) Housing Authority of the City of Ft. Myers. The grant will provide funds for housing counseling advise to tenants and homeowners with respect to property maintenance, financial management and literacy.
26. Denied (6/4/2019) Goodwill Industries for The SWFL MicroEnterprise Institute will (if funding is secured through the SBA Program for Investment in Microentrepreneurs grant) counsel and provide training for approximately 150 – 180 participants in ten – twelve courses delivered to residents of Lee, Charlotte, Hendry, Glades and Collier counties.
27. Denied (5/30/2019) Seminole Tribble of Florida - If awarded this grant through the HUD IHGB program, the Native Learning Center will be providing technical assistance and training to all Native American Housing Authorities including the Mikasuki and any other resident Tribes within your region.
28. Denied (6/26/2019) HUD Comprehensive Housing Counseling Grant to the Affordable Homeownership Foundation Inc.
29. Denied (6/26/2020) \$176,000; FL Dept of Ag & Consumer Services Southwest Florida Fresh-Specialty Crop grant program for funding to market the “SWFL Fresh” brand.
30. Denied (3/2/2020) \$1,455,815 Building Resilient Kid: SAMHSA for Media campaign to address underaged alcohol, marijuana and substance/opioid use.
31. Denied: (6/5/20) \$45,921.46 DEO Community Planning Technical assistance Grant for a septic to sewer conversion study
32. Denied (4/24/2020) \$425,000 request by Legal Aid Society of Palm Beach County, Inc for Hendry County from the Fair Housing Initiatives Program Education and Outreach initiative (\$125,000) and Private Enforcement Initiative - Multi-Year Funding Component(\$300,000) to teach and disseminate information on Fair Housing
33. Denied: 4/1/2021 CDC Addiction and Recovery Grant for Media Campaign to prevent kids from first time use. In partnership with Drug Free Lee and Drug Free Collier: \$50,000
34. Denied: \$45,000 submitted to DEO for Community Planning Technical Assistance Grant (CPTA) for a strategic Plan for upgrades to Ortona Indian Mound Park in Glades County.
35. Denied: Submitted:(6/30/2020) \$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. 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.

36. Denied: 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. The City will be requesting \$682,000 in funding from the program.
37. Denied: Submitted (6/30/2020) \$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. 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.
38. Denied: 2/2021 FL Dept. Of Agriculture- Specialty Crop, SWFL Fresh Choose Local Choose Fresh Marketing Project requesting \$207,000.
39. Denied: 01/2022 \$460,000 EDA ARPA BBBRC for Phase I: Developing an Inland Port system in Rural Southern Florida.

Awarded: \$4,206,324.25

Pending: \$16,917,565

Denied: \$9,998,163.46

Underdevelopment: NA

Aw+D1:28 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Pending		DEO-CDBG-MIT-GIP Round II	Margaret Wuerstle	City of Clewiston WWTP Upgrades and Expansion	9/17/2021	9/13/2021			\$13,874,000	\$200,000				NA
Pending		DEO CDBG-MIT-GIP Round II Infrastructure	Margaret Wuerstle	City of Clewiston Harden transmission and distribution line	9/17/2020	9/14/2021			\$2,067,935	\$98,000				NA
Pending		EPA Brownfields assessment	Tracy Whirls	Gades County Brownfield Assessment	12/1/2021	1/30/2021			\$500,000	\$20,000				NA
YES		USDA - US Dept. of Agriculture	Asmaa Odeh	SWFL Fresh Chosse Local Choose Fresh	7/6/2021	7/6/2021	Nov-21		\$752,426	\$58,500				
YES		CHMEP	Rebekah Harp	Calendar Design			6/25/2021		\$3,000	\$3,000				
YES		DEO RRDG	M Wuerstle	FHERO 2021 Regional Rural Development Grant		1/21/2021			\$126,160	\$7,000				NA
YES		DEO CDBG-MIT Planning	Margaret Wuerstle	A Resiliency Strategy for Local Food Systems in SW Florida	7/30/2020	7/27/2020			\$390,000	\$115,000				NA
YES		FL Fish and Wildlife Conservation Commission - Boating Improvement Program (FBIP)	M. Moorhouse & M. Wuerstle	Clewiston Waterfront Master Plan	4/7/2020	4/3/2020			\$175,000	\$25,000				NA
YES		CHNEP	M. Moorhouse & M. Wuerstle	EBABM Website expansion	7/24/2020	7/24/2020			\$5,049	\$3,000				\$2,049
YES		EDA - US Economic Development Administration	M. Wuerstle	SWFL Recovery & Resiliency Plan	7/21/2020	7/21/2020			\$400,000	\$360,000				NA
Yes	3421	EDA - US Economic Development Administration	C.J. Kammerer	FY20-22 EDA CEDS Planning Grant	11/14/2019	11/13/2019			\$300,000.00	\$210,000.00	1/1/2020	12/31/2022	Submitted	\$90,000.00
Yes		DEO - FL Dept. of Economic Opportunity	C.J. Kammerer	FHERO 2019-20 RDG Grant		11/13/2019			\$97,500.00	\$6,000.00			Submitted	\$0.00
Yes	3724	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY19-20 Collier_Lee Hazard Analysis			8/1/2019	8/1/2019	\$19,251.00	\$19,251.00	7/1/2019	6/30/2020	In Progress	\$0.00
Yes	3181	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY19-20 LEPC Agreement			7/29/2019		\$80,000.00	\$80,000.00	7/1/2019	6/30/2020	In Progress	\$0.00
Yes		USDA - US Dept. of Agriculture	Margaret Wueratle	Promise Zone Economic Development Plan Technical Assistance	4/5/2019	4/4/2019			\$0.00	\$0.00			In Progress	\$0.00
Yes	3305	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Food Safety Plans for SWFL Small-Midsized Growers	5/7/2018	5/4/2018	9/7/2018		\$30,000.00	\$30,000.00			In Progress	
Yes	3424	EDA - US Economic Development Administration	Margaret Wuerstle	Regional Sustainability Implementation Study for SWFL Small to Mid-Sized		5/8/2018	8/9/2018	8/13/2018	\$258,182.00	\$61,545.00			In Progress	\$51,637.00
Yes	3680	EPA - US Environmental Protection Agency	C.J. Kammerer	Brownfields Assesment	11/16/2017	11/16/2017	4/25/2018		\$600,000.00	\$40,000.00	10/1/2018	9/30/2021	In Progress	
Yes	4101	Glades County	Margaret Wuerstle	Glades County SQG 2017-2022				6/6/2017	\$22,500.00	\$22,500.00	6/6/2017	6/6/2022	In Progress	
Yes	3900	USDA - US Dept. of Agriculture	Margaret Wuerstle	Rural Promise Zone Designation			5/1/2016		\$0.00	\$0.00			In Progress	
Yes	3420	EDA - US Economic Development Administration	C.J. Kammerer	FY17-19 EDA Planning Grant			1/1/2017		\$300,000.00	\$210,000.00	1/1/2017	12/31/2019	Completed	\$90,000.00
Yes	3422	EDA - US Economic Development Administration	Jim Beever	SWFL Disaster Recovery Coordinator		10/31/2017			\$250,000.00	\$200,000.00	1/1/2018	12/31/2019	Completed	\$50,000.00
Yes	3205	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY18-19 HMEP Agreement					\$62,164.00	\$2,889.20	10/1/2018	9/30/2019	Completed	
Yes	4007	DEO - FL Dept. of Economic Opportunity	C.J. Kammerer	FHERO 2018 RDG Grant		9/11/2018	9/17/2018		\$82,300.00	\$6,000.00	9/17/2018	9/17/2019	Completed	

Aw+D1:28 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Yes	3180	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY18-19 LEPC Agreement			8/14/2018		\$80,000.00	\$80,000.00	7/1/2018	6/30/2019	Completed	
Yes	3723	DEM - FL Div. of Emergency Management	Margaret Wuerstle	FY18-19 Collier_Lee Hazard Analysis			7/31/2018	8/27/2018	\$19,615.00	\$19,615.00	9/1/2018	5/15/2019	Completed	
Yes	3676	EPA - US Environmental Protection Agency	Jim Beever	Master Wetland Mitigation Strategy			11/3/2016	11/3/2016	\$220,000.00	\$220,000.00	10/1/2016	12/31/2018	Completed	\$10,000.00
Yes	3204	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY17-18 HMEP Agreement			10/1/2017		\$65,161.00	\$65,161.00	10/1/2017	9/30/2018	Completed	
Yes	3178	DEM - FL Div. of Emergency Management	Sean McCabe	FY17-18 LEPC Agreement	7/1/2017	7/18/2017			\$80,000.00	\$80,000.00	7/1/2017	6/30/2018	Completed	
Yes	3722	DEM - FL Div. of Emergency Management	Tim Walker	FY17-18 Collier_Lee Hazard Analysis			7/19/2017	9/13/2017	\$20,844.00	\$20,844.00	7/1/2017	6/30/2018	Completed	
Yes	4005	DEO - FL Dept. of Economic Opportunity	C.J. Kammerer	2017 FHERO RDG Grant		2/16/2017			\$79,744.00	\$6,000.00		4/30/2018	Completed	
Yes		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Regional Strategy for Agriculture Sustainability	6/30/2017		8/17/2017		\$30,000.00	\$30,000.00			Completed	
Yes	4212	City of Bonita Springs	Jim Beever	City of Bonita Springs Flood Reduction Project			10/4/2017		\$50,000.00	\$50,000.00	10/4/2017	12/31/2017	Completed	
Yes	3730	SFRPC	C.J. Kammerer	Train the Trainers					\$10,000.00	\$10,000.00	1/1/2016	3/31/2017	Completed	
Yes	4211	Sarasota County	Jim Beever	Sarasota Climate Change Adaptation Plan					\$20,000.00	\$20,000.00	10/1/2016	5/30/2017	Completed	
Yes	4210	City of Cape Coral	Jim Beever	Cape Coral Climate Change Resiliency Strategy					\$15,000.00	\$15,000.00		6/30/2017	Completed	
Yes	3304	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	DEO - Labelle Tourism Marketing					\$20,000.00	\$20,000.00	1/1/2017	5/30/2017	Completed	
Yes	3203	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY16-17 HMEP Grant	10/1/2016	10/1/2016	10/1/2016	10/1/2016	\$60,349.00	\$60,349.00	10/1/2016	12/31/2017	Completed	
Yes	4004	Hendry County	Margaret Wuerstle	Clewiston RGBD Grant TA					\$3,000.00	\$3,000.00			Completed	
Yes	4006	USDA - US Dept. of Agriculture	Margaret Wuerstle	City of Clewiston - Utilities Relocation -- Grant Writing Services	9/8/2017	9/13/2017	8/10/2017	8/10/2017	\$3,000.00	\$3,000.00	8/10/2017	9/13/2017	Completed	
Yes	3525-12	Glades County	Tim Walker	Glades County Small Quantity Generators (SQG)				5/17/2012	\$3,900.00	\$3,900.00	5/17/2012	5/16/2017	Completed	\$0.00
Yes	3414	EDA - US Economic Development Administration	Margaret Wuerstle	EDA Planning Grant	1/22/2013	12/18/2013	4/18/2014	4/21/14	\$270,000.00	\$189,000.00	1/1/2014	12/31/2016	Completed	\$81,000.00
Yes	3177	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY16-17 LEPC Agreement	6/30/2016	4/6/2016	7/1/2016		\$59,000.00	\$59,000.00	7/1/2016	6/30/2017	Completed	\$0.00
Yes	3399	CTD - FL Commission for the Transportation Disadvantaged	Nichole Gwinnett	FY16-17 TD Planning Agreement		5/19/2016	7/1/2016		\$38,575.00	\$38,575.00	7/1/2016	6/30/2017	Completed	\$0.00
Yes	3721	DEM - FL Div. of Emergency Management	Tim Walker	Collier County Hazard Analysis - FY16-17					\$8,054.00	\$8,054.00	7/1/2016	6/30/2017	Completed	\$0.00
Yes	3302	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	DEO - City of Fort Myers - MLK Corridor	5/31/2015	5/1/2015		11/17/2015	\$30,000.00	\$30,000.00	1/1/2016	7/30/2016	Completed	
Yes	3534	City of Bonita Springs	Jim Beever	City of Bonita Springs - Spring Creek Restoration Plan	7/1/2014	7/1/2014	8/11/2014	8/11/2014	\$50,000.00	\$50,000.00	8/11/2014		Completed	
Yes	3201	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 HMEP Planning	9/28/2015	9/28/2015	9/28/2015	9/28/2015	\$15,500.00	\$15,500.00	10/1/2015	9/30/2016	Completed	
Yes	3419	Charlotte County	Margaret Wuerstle	DEO - Charlotte County			3/30/2016	3/30/2016	\$500.00	\$500.00			Completed	

Aw+D1:28 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Yes	3170	DOE - US Dept. of Energy	Rebekah Harp	Solar Ready II		3/22/2013	7/18/2013		\$140,000.00	\$90,000.00	7/1/2013	1/1/2016	Completed	\$50,000.00
Yes	3673	EPA - US Environmental Protection Agency	Jim Beever	A Unified Conservation Easement Mapping and Database for the State of Florida	4/15/2013	4/8/2013	6/3/2013		\$294,496.00	\$148,996.00	10/1/2013	9/30/2015	Completed	\$145,500.00
Yes	3674	EPA/CHNEP - Charlotte Harbor National Estuary	Jim Beever	Mangrove Loss Project	4/4/2014	4/4/2014	12/19/2014		\$243,324.00	\$60,000.00	12/1/2014	9/30/2016	Completed	
Yes	3397	CTD - FL Commission for the Transportation	Nichole Gwinnett	Glades-Hendry TD Planning Agreement FY2014-15			5/16/2014		\$38,573.00	\$38,573.00	7/1/2014	6/30/2015	Completed	\$0.00
Yes	3725	Visit Florida	Tim Walker	OUR CREATIVE ECONOMY Marketing	2/9/2015	2/9/2015	6/25/2015	6/26/2015	\$5,000.00	\$2,500.00	7/1/2015	6/15/2016	Completed	\$2,500.00
Yes	3164	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning				2/4/2015	\$22,000.00	\$22,000.00	10/1/2014	9/30/2015	Completed	\$0.00
Yes	3675	EPA - US Environmental Protection Agency	Jim Beever	Developing a Method to Use Ecosystem Services to	5/15/2015	5/5/2015	9/29/2015	9/29/2015	\$234,071.00	\$174,071.00	10/1/2015	9/30/2016	Completed	\$60,000.00
Yes	3171	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 LEPC Agreement	6/30/2015	5/15/2015	6/11/2015	6/11/2015	\$48,000.00	\$48,000.00	7/1/2015	6/30/2016	Completed	\$0.00
Yes	3398	CTD - FL Commission for the Transportation	Nichole Gwinnett	FY15-16 Glades-Hendry TD Agreement	6/30/2015	6/1/2015	7/1/2015	7/1/2015	\$38,573.00	\$38,753.00	7/1/2015	6/30/2016	Completed	\$0.00
Yes	3202	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning Grant Modification			9/11/2015		\$50,000.00	\$50,000.00	10/1/2015	12/15/2015	Completed	\$0.00
Yes	3173	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 HMEP Training Contract	10/1/2015	9/30/2015	9/28/2015	9/28/2015	\$58,422.00	\$58,422.00	10/1/2015	9/30/2016	Completed	\$0.00
Yes	3418	Collier County	Rebekah Harp	Marketing & Data Research					\$1,200.00	\$1,200.00	12/4/2015	1/29/2016	Completed	
Yes	3176	DOE - US Dept. of Energy	Rebekah Harp	NARC - SM3 - 2016 Data Surveys			2/11/2016		\$1,000.00	\$1,000.00	2/1/2016	3/31/2016	Completed	
Yes	3005	Collier County	Margaret Wuerstle	Collier County EDC - USDA Grant Application			3/15/2016	3/22/2016	\$3,000.00	\$3,000.00	3/23/2016	3/31/2016	Completed	

Aw+D1:28 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Yes	3301	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Clewiston Mainstreet Revitalization			12/8/2015		\$30,000.00	\$30,000.00	12/14/2015	6/30/2016	Completed	
Yes	3303	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	DEO - MPO Rail Study						\$39,000.00	10/7/2015	5/31/2016	Completed	
Yes	4002	NEFRC - Northeast Florida Regional Council	Tim Walker	2016 SRESP Update					\$14,200.00	\$14,200.00	4/28/2016	7/19/2016	Completed	
Yes	4003	Rural Neighborhoods	Tim Walker	Rural Neighborhoods Mapping					\$750.00	\$750.00	6/1/2016	6/30/2016	Completed	
Yes	3720	DEM - FL Div. of Emergency Management	Tim Walker	Collier Hazard Analysis FY15-16					\$9,693.00	\$9,693.00	7/1/2015	6/30/2016	Completed	
Yes	3520	TBRPC - Tampa Bay Regional Planning Council	Rebekah Harp	2016 Disaster Planning Guide					\$4,000.00	\$4,000.00	2/1/2016	4/30/2016	Completed	
Yes	3006	SWFEC - Southwest Florida Enterprise Center	Margaret Wuerstle	SWFEC PRIME - Grant Application/Technical Assistance					\$5,000.00	\$5,000.00	5/1/2016	5/30/2016	Completed	
Yes	3004	NARC - National Association of Regional Councils	Rebekah Harp	MARC Travel SRII					\$379.58	\$379.58	10/1/2015	5/31/2016	Completed	
Yes	4001	Collier County	Margaret Wuerstle	Collier County EDA TA					\$5,000.00	\$5,000.00	4/18/2016	5/30/2016	Completed	
Yes	6200	FDEP - FL Dept. of Environmental Protection	Margaret Wuerstle	2016 Brownfields Event					\$6,887.61	\$6,887.61	4/1/2016	10/30/2016	Completed	
No		EDA - US Economic Development Administration	Margaret Wuerstle/Tra cy Whirls	ARPA- BBB Regional Chanllenge- Developing an Inland Port System in rural southern Florida	10/19/2021	10/19/2021			\$460,000	\$133,000				NA
NO		FL Dept. Of Agriculture- Specially Crops	M Wuerstle	SWFL Fresh Coose Local Choose Fresh	2/5/2021	2/2/2021	Denied 10/7/2021		\$207,000	\$99,000				NA
No		DEO CDBG-MIT Critical Facility Harding	McKensie Moorehouse	City of Clewiston transmission lines insulators replacement	6/30/2020	6/29/2020			\$143,306	\$15,000				NA
no		SAMHSA - Substance Abuse and Mental Health Services Administration	Margaret Wuerstle	Building Resilient Kids	3/6/2020	3/2/2020			\$1,455,815	\$200,000				NA
No		Bill & Melinda Gates Foundation	Katelyn Kubasik	Opioid Epidemic Think Tank Summit		11/12/2019			\$75,000.00	\$75,000.00			Submitted	\$0.00
No		Norman Foundation	Margaret Wuerstle	Food Policy Council		11/22/2019			\$100,000	\$60,000				NA
No		Bureau of Justice Assistance	Katelyn Kubasik	Data-Driven Responses to Emerging Drug Threats			10/1/2019		\$543,772.00	\$293,772.00			Denied	\$0.00
NO		Charles M. and Mary D. Grant Foundation	Katelyn Kubasik	SWFL Harm Reduction: Take-Home Naloxone Project		4/30/2019	9/1/2019		\$38,000.00	\$10,000.00			Denied	\$0.00
No		City of Naples	Jim Beever	City of Naples Climate Resiliency Project			9/26/2019		\$25,000.00	\$25,000.00			Denied	\$0.00
No		SAMHSA - Substance Abuse and Mental Health Services Administration	Katelyn Kubasik	Building Resilient Kids	3/29/2019	3/27/2019	8/29/2019		\$1,453,315.00	\$197,815.00	9/30/2019	9/29/2024	Denied	\$0.00
No		DEO - FL Dept. of Economic Opportunity	Jim Beever	Updating the 2009 Comprehensive SWFL / Charlotte Harbor Climate Change Vulnerability Assessment		5/7/2019			\$40,075.00	\$40,075.00	1/1/2020	5/29/2020	Denied	\$0.00
No		DEO - FL Dept. of Economic Opportunity	Katelyn Kubasik	SWFL Opioid Resource Guide		5/7/2019			\$40,007.00	\$40,007.00	12/1/2019	5/31/2020	Denied	\$0.00
No		FDEP - FL Dept. of Environmental Protection	Jim Beever	Ecosystem Services- Aquatic Preserves Valuation		5/1/2018			\$90,000.00	\$90,000.00			Denied	
No		EPA - US Environmental Protection Agency	Jim Beever	WPDG- CHNEP Wetland Connectivity		5/8/2018			\$204,120.00	\$145,246.00			Denied	

Aw+D1:Z8 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
No		DEO - FL Dept. of Economic Opportunity	Tim Walker	Storm Surge Evac Routes & Shelters Interactive GIS Web Map	5/7/2018	5/4/2018	9/7/2018		\$35,000.00	\$35,000.00			Denied	
No		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Affordable Housing Directory of Resources	5/7/2018	5/1/2018	9/7/2018		\$40,000.00	\$40,000.00			Denied	
No		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	SWFL Opioid Resource Guide	5/7/2018	5/1/2018	9/7/2018		\$40,000.00	\$40,000.00			Denied	
No		Bloomberg Philanthropies	Margaret Wuerstle	Bloomburg - City of Bonita Springs Mitigation	10/20/2017	10/19/2017			\$1,000,000.00	\$60,000.00			Denied	
No		SWFL Community Foundation	Margaret Wuerstle	Community Impact Grants - MLK Corridor	11/3/2017	11/2/2017			\$50,000.00				Denied	
No		DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Economic Opportunity Map		4/27/2016	6/28/2016		\$40,000.00				Denied	
		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Florida Ocean Alliance		5/2/2016	6/28/2016		\$28,000.00				Denied	
No		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Clewiston Downtown District Facade Program		5/2/2016	6/28/2016		\$30,000.00				Denied	
No		AETNA	Jason Stoltzfus	Cultivating Healthy Communities	4/15/2016	4/13/2016			\$100,000.00	\$100,000.00			Denied	
No		EPA - US Environmental Protection Agency	Jason Stoltzfus	2016 Brownfield Assessment		12/18/2015			\$280,000.00	\$46,900.00			Denied	
No		USDA - US Dept. of Agriculture	Margaret Wuerstle	Mobile Market: A Nutritional Oasis for Food Markets of SWFL	3/31/2014	3/31/2014	10/1/2014		\$599,549.00	\$298,605.00	10/1/2014	9/30/2017	Denied	
No		EDA - US Economic Development Administration	Rebekah Harp	Mote Marine Programming	8/31/2012	8/31/2012	8/31/2012		\$270,000.00	\$189,000.00	1/1/2014	12/31/2016	Denied	\$81,000.00
No		USDA - US Dept. of Agriculture	Nichole Gwinnett	Opportunity Buy Program Coordinator	4/23/2013	4/23/2013	11/20/2013		\$99,667.00	\$15,000.00	11/1/2013	10/31/2015	Denied	\$53,621.00

MONTHLY ACTIVITY REPORT: January 2022

RESOURCE DEVELOPMENT/CAPACITY BUILDING and OUTREACH

- Organized and distributed the January 2022 Florida Regional Councils Association (FRCA) Newsletter, *FRCA Forward*. Updated the FRCA website and Facebook page.
- Updated the email lists for and maintain the email listserv for approximately 2,350 individuals who receive *FRCA Forward*.
- Maintained and updated the FRCA website: www.flregionalcouncils.org.
- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, organized, participated in or attended the following meetings and shared information:
 - Economic Impact Dashboard Training hosted by the Apalachee RPC
 - Rural Economic Development Initiative Meeting hosted by Department of Economic Opportunity
 - Resiliency Collaborative Forum hosted by The Nature Conservancy
- Compiled the October – December quarterly report to the Department of Economic Opportunity on economic activities in each regional planning council area.
- Arranged for sponsorship of and attended the 3rd Annual Rural Counties Days which took place January 26-27, 2022, in Tallahassee.
- Arranged for sponsorship of the Policy and Planning Workshop hosted by the Florida Chapter of the American Planning Association scheduled for February 10-11, 2022, virtually.

ASSOCIATION MANAGEMENT

- Participated with the January FRCA Executive Directors Advisory Committee (EDAC) and the Winter Policy Board Forum held virtually.
- Prepared for the February and March EDAC and Partners Meetings.
- Organized and hosted FRCA Policy Board Working Group Meeting on Building Inspections legislation.
- Continued to coordinate logistics for the 2022 meeting and conference schedule.
- Distributed the FRCA Bill Report, grant opportunities and information of interest from local, state and national organizations.

MONTHLY ACTIVITY REPORT: February 2022

RESOURCE DEVELOPMENT/CAPACITY BUILDING and OUTREACH

- Organized and distributed the January 2022 Florida Regional Councils Association (FRCA) Newsletter, *FRCA Forward*. Updated the FRCA website and Facebook page.
- Updated the email lists for and maintain the email listserv for approximately 2,350 individuals who receive *FRCA Forward*.
- Maintained and updated the FRCA website: www.flregionalcouncils.org.
- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, organized, participated in or attended the following meetings and webinars:
 - Florida Resilient Coastlines Program Quarterly Forum hosted by the Department of Environmental Protection
 - Policy and Planning Workshop hosted by the Florida Chapter of the American Planning Association
 - BRIDGES: Building Regional Readiness for Investment & Growth in the South
 - Rural Economic Development Initiative Meeting hosted by Department of Economic Opportunity
 - Florida Division of Emergency Management Meeting on the F-ROC Program

ASSOCIATION MANAGEMENT

- Hosted the February FRCA Executive Directors Advisory Committee (EDAC) and Executive Committee meeting and prepared for the March EDAC Meeting.
- Coordinated sponsorship of the annual Florida Association of County Conference scheduled for June 28-30, 2022, in Orlando.
- Continued to coordinate logistics for the 2022 meeting and conference schedule.
- Coordinated with the FRCA lobbyist and distributed the FRCA Bill Report
- Distributed grant opportunities and information of interest from local, state and national organizations.

--- Agenda --- Item

9a

9a

Update on Cares Act

9a

--- Agenda --- Item

9b

9b

Update on Resiliency Strategy
for Local Food Systems

9b

Agenda Item

9c

9c

Meeting Location for March 17,
2022

9c

NEW MEETING SCHEDULE FY 21-22

18

NOVEMBER

2021

- Workshop to determine items to be address for the year 2022

20

JANUARY

2022

- Election of Officers
- Speaker on subject determined at workshop

17

MARCH

2022

- Speaker on subject determined at workshop

16

JUNE

2022

- Audit Report
- Budget & Workplan
- Speaker on subject determined at workshop

15

SEPTEMBER

2022

- Host Major Event

Agenda Item

10

SWFRPC Committee Reports

10

10

Agenda

Item

10a

Executive Committee

10a

10a

Agenda Item

10b

Quality of Life & Safety
Committee

10b

10b

Agenda

Item

11

11

New Business

11

Agenda Item

12

12

State Agency Comments/
Reports

12

_____Agenda
_____Item

13

13

Council Member Comments

13

Agenda Item

14

14

Adjourn

14