



# COUNCIL MEETING AGENDA

**February 22, 2024**

**1:00pm – 3:00pm**

## In Person and Virtual Meeting

**LOCATION: SFWMD Office, 2301 McGregor Blvd., Ft. Myers Florida 33901**

### ***Join Zoom Meeting:***

<https://us06web.zoom.us/j/91588729954?pwd=OVerTVNQVVpRZjQrY1Jab1dpMDBPUT09>

**Join by phone:** 1-929-205-6099

**Meeting ID:** 915 8872 9954

**Passcode:** 082520

### ***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.*

<b>1</b>	<b>INVOCATION</b>	
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Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (844) 988-8244; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.



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**14      ADJOURN**

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**UPCOMING SWFRPC MEETING DATE:**  
**March 21, 2024**

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

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## SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

### OFFICERS

Mr. Donald McCormick, Chair	Councilman Fred Burson, Vice-Chair
Commissioner Bill McDaniel, Secretary	(Vacant), Treasurer

### CHARLOTTE COUNTY

### COLLIER COUNTY

Commissioner Joe Tiseo, Charlotte BCC	Commissioner Bill McDaniel, Collier BCC
Commissioner Ken Doherty, Charlotte BCC	Commissioner Rick LoCastro, Collier BCC
Councilwoman Dr. Deborah Lux, City of Punta Gorda	Councilman Raymond Christman, City of Naples
Mr. Donald McCormick, Governor Appointee	(City of Marco Island Vacancy)
(Governor Appointee Vacancy)	(Governor Appointee Vacancy)
	(Governor Appointee Vacancy)

### GLADES COUNTY

### HENDRY COUNTY

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

### LEE COUNTY

### SARASOTA COUNTY

Commissioner Ray Sandelli, Lee BCC	Commissioner Ron Cutsinger, Sarasota BCC
Commissioner Cecil Pendergrass, Lee BCC	(Sarasota BCC Vacancy)
Councilman Fred Burson, City of Fort Myers	Mayor Erik Arroyo, City of Sarasota
Mayor Dan Allers, Town of Fort Myers Beach	Councilman Ron Smith, City of Venice
Councilman Jesse Purdon, City of Bonita Springs	(Governor Appointee Vacancy)
(Governor Appointee Vacancy)	(Governor Appointee Vacancy)
(Governor Appointee Vacancy)	

### EX-OFFICIO MEMBERS

(Vacant), FDEP	Keith Robbins, FDOT
Phil Flood, SFWMD	(Vacant) SWFWMD

### STAFF

Margaret Wuerstle, Executive Director
Rebekah Harp, Deputy Director/Business Operations Manager
Charity Franks, LEPC Coordinator/VISTA Program Coordinator
Asmaa Odeh, Project Director
Julie Bankston – Vista
Catherine Peralta - Vista
Gillian Cardec - Vista



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## Regional Planning Council Functions and Programs

March 4, 2011

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



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

## **SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS**

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

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

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

BLID - Binding Letter of DRI Status

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

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

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

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

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DEO - Department of Economic Opportunity

DEP - Department of Environmental Protection

DO - Development Order

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

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAR - Florida Administrative Register (formerly Florida Administrative Weekly)

FCTS - Florida Coordinated Transportation System

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

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

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

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NADO – National Association of Development Organizations

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFI – Request for Invitation

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

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

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plan

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)

Agenda

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Minutes

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# Agenda Item

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Minutes of the January 18, 2024  
Council/Executive Committee  
Meeting

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**MINUTES OF THE  
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
January 18, 2024, MEETING**

The virtual zoom meeting of the Southwest Florida Regional Planning Council's Executive Board was held on January 18, 2024. Governor Appointee and Council Chair, Mr. Don McCormick called the meeting to order at 9:00 a.m. There was a quorum of the Executive Committee present.

**BOARD MEMBERS PRESENT**

**Charlotte County:** Mr. Don McCormick – Chair, Councilwoman Dr. Debi Lux

**Collier County:** Commissioner Bill McDaniel

**Glades County:** None

**Hendry County:** Mr. Mel Karau (zoom)

**Lee County:** None

**Sarasota County:** None

**Ex-Officio Members:** Mr. Phil Flood, SFWMD

**OTHERS PRESENT**

Ms. Margaret Wuerstle - Executive Director, SWFRPC

Ms. Rebekah Harp – SWFRPC

Mr. Jaha Cummings – SWFRPC

Ms. Julie Bankston – SWFRPC Vista

Ms. Asmaa Odeh – SWFRPC – (zoom)

Ms. Catherine Peralta – SWFRPC Vista - (zoom)



**AGENDA ITEM #6(a)**  
**MINUTES OF THE SEPTEMBER 21, 2023, COUNCIL/EXECUTIVE MEETING**

Chairman Donald McCormick offered a motion to approve the minutes of the September 21, 2023, Council/Executive Committee meeting. Commissioner Bill McDaniel seconded the motion to approve the minutes of the September 21, 2023, Council/Executive Committee meeting. The motion was approved unanimously.

**AGENDA ITEM #7(a)**  
**FINANCIALS: September 2023 Financials**

**AGENDA ITEM #7(b)**  
**FINANCIALS: FY22-23 Fiscal Year End Closeout Budget Amendment**

Commissioner Bill McDaniel offered a motion to approve the September financials and the FY22-23 Fiscal Year End Budget Amendment. Chairman Donald McCormick seconded the motion to approve the September financials and the FY22-23 Fiscal Year End Budget Amendment. The motion was approved unanimously.

**AGENDA ITEM #8**  
**CONSENT AGENDA**  
**Relevancy Discussion**

**Discussed under the Director's Report Agenda Item.**

**AGENDA ITEM #9**  
**DIRECTORS REPORT**

Ms. Margaret Wuerstle provided a brief update on the USDA Regional Agriculture SWFL Fresh Marketing Plan. Ms. Wuerstle explained that the USDA grant was a result of a few grants that were awarded to the SWFRPC after Hurricane Irma where the growers lost a lot of their crops. DEO funded a study with the small to mid-size growers to understand what would make them more resilient. From that study EDA stepped in and asked what needed to be funded from that plan and the growers said they needed a brand for SW Florida. EDA funded a study for the SWFRPC to develop a brand, which is the "SWFL Fresh, Choose Local, Choose Fresh." During the grant COVID hit which held back the huge marketing kickoff event. Then USDA funded the marketing piece to get the tag line and logo out to the public. Ms. Wuerstle turned it over to Mr. Jaha Cummings to further explain the marketing. Mr. Cummings explained that there was a need for a bigger profile, which now we have billboards in every county in the region as well as Television and radio commercials starting this month and will continue for six months. We have NBC, ABC, Wink, CW, several radio stations, social media and also on Lee Pitts Live. We

have them going a few times a day for the next few months. Examples of billboards were displayed, and the television commercial was played for the members. Ms. Wuerstle explained that there is also a website that lists all of the growers along with recipes, what's in season, and where all of the farmer's markets are located. Ms. Harp provided the website address of [swflfresh.com](http://swflfresh.com) as requested by Councilwoman Lux. Ms. Wuerstle continued to explain that the tag line and logo is trademarked. Ms. Wuerstle clarified for Commissioner McDaniel that Blue Zones match was not a 50% match, and that Blue Zones provided a \$106,000 match. Ms. Wuerstle explained that this is a huge grant and that in addition to the billboards and commercial, we have stickers for produce, t-shirts, hats, and grocery totes which are passed out at local farmers markets that staff attends in getting the word out. Councilwoman Debi Lux suggested a booth at the Taste of Punta Gorda on March 3<sup>rd</sup>.

Ms. Wuerstle explained that there is a second food grant through the State CDBG mitigation to address food insecurity. Ms. Wuerstle continued to explain that staff has been working on this grant for a few years looking at what are the resources and assets that we have here in SW Florida and what are the gaps and what is needed to get the food out. Initially, the idea of having a physical food hub was what we thought the solution was. However, we have heard from the small to mid-size growers that they don't need to be constricted by a physical location and that they would benefit more by having a virtual food hub and marketplace. Staff has been looking for funding for a virtual food hub. We recently put in for an EDA grant, which we were just notified that we were not awarded. Asmaa Odeh explained that USDA – FDACS awarded 400 million across the US consisting of a mix of both brick and mortar and virtual food hubs. The Southeast Region of the award covers Florida and Georgia, and we are hoping that we will have the opportunity to work with them.

Ms. Wuerstle introduced Ms. Julie Bankston, who is a VISTA volunteer with ACT (Abuse Counseling & Treatment). Ms. Bankston explained the mission of ACT is to provide safe and confidential services of victims of domestic violence, sexual assault and human trafficking in Lee, Hendry, and Glades County. Ms. Bankston explained that all the services are free. ACT provides a 24-hour hotline, shelter for those in need, legal services for families, children and single parents, counseling, and community education. Ms. Bankston stated that her role is a community educator to help explain and educate the community that through their eyes and ears the community helps those that might be experiencing abuse or trafficking. Florida ranks #3 in the US for human trafficking, #1 is California and #2 is Texas, which is why it is critical for the community to keep their eyes and ears open. Ms. Bankston announced that ACT is holding a fundraising event on February 3<sup>rd</sup> called the Power of the Purse and to remember that ACT services are all free.

Commissioner McDaniel asked Ms. Bankston to please be sure to provide her information to him and his office. Commissioner McDaniel explained that he is a huge advocate of non-duplication of services and that he is aware of efforts in Collier County relating to human trafficking and asked Ms. Bankston to share with him what she is working on so that he can share with those working on human trafficking for a more efficient collaboration.

Ms. Wuerstle provided a few updates on the recovery and resiliency projects and grants that the SWFRPC's is currently working on:

Recovery and Resiliency Projects

- AWARDED: \$78,000 Grant for Marco Island Vulnerability Assessment
- AWARDED: \$75,000 Grant for Master Plan for Shrimp Industry and Working Waterfront
- SUBMITTED: \$500,000 NOAA Grant for Shrimp Industry to rebuild docks lost in Hurricane Ian
- NOT AWARDED: \$37,205,000 NOAA grant submitted to rebuild resilient docks for Shrimp Fishing industry.
- SUBMITTED: \$16,000,000 grant for the City of Clewiston WWTP grant to EDA Disaster Supplemental for upgrades and improvements.
- NOT AWARDED: \$562,856 Grant submitted to EDA Disaster Supplemental for a Food System Resiliency Plan Virtual Food Hub.
- NOT AWARDED: \$487,392 Grant to EDA for Glades County Recomplete Strategy.

Ms. Wuerstle wanted to let everyone know that FRCA is in the process of incorporating as a non-profit. EDA explained to FRCA that if they received a non-profit designation, then FRCA could directly apply for EDA funding.

Lastly, Ms. Wuerstle discussed that the letter to the Governor was submitted by email and by certified mail and that we have not heard any response.

Commissioner McDaniel asked if there were any responses from other members of the Council? Ms. Wuerstle responded that there were no other responses. Commissioner McDaniel asked Mr. McCormick if he had read the package that was sent out to the Governor and the members of the Council? Mr. McCormick responded yes that he read the package.

Commissioner McDaniel explained that he was the member that requested the letter to be sent to the governor and asked for a reconstitution and recharter of our organization so there is a chance of survival. Commissioner McDaniel explained that the financials show that this is a sinking ship. The letter that was sent to the Governor, as interpreted by the Collier County attorney, was asking for permission to sue the counties to pay their fees. Commissioner McDaniel continued to explain that this wasn't what he asked for. The motion that Commissioner McDaniel made, specifically said to ask the Governor for a recharter and reconstitution. Commissioner McDaniel said he got lost in the letter and all the information

that was included and that he was disappointed. He continued to explain that he was dealing with personal issues during the time the letter was generated.

**Commissioner Bill McDaniel offered a motion to generate a one-page letter to the Governor asking for a reconstitution and a recharter of our organization with a separate document of the draft of the MOU and by-laws that was already developed.**

Commissioner McDaniel continued to explain that the Collier County Attorney's interpretation of the letter was that that RPC was looking for permission from the Governor to sue its members.

Ms. Wuerstle responded that the letter certainly did not say that nor was that our intent. Mr. McCormick added that as the management that signed the letter, he certainly was not signing a document that I thought was asking for legal action. He plead innocent to the charge. Mr. McCormick apologized for taking a different direction then what was intended by Commissioner McDaniel.

Commissioner McDaniel continued to express that the SWFRPC is a sinking ship, and that this organization cannot survive on grant funding and administration fees. A shift must occur. We have tried for years to reorganize and reconstitute this organization. You cannot continue to do what you've always done and expect different results. A simple answer is that the Governor can wave his magic wand and make this all happen and then we take back by statute, by law, the organizations that are part of the SWFRPC to engage them and bring them back in.

**Commissioner Bill McDaniel offered a motion to generate a one-page letter to the Governor asking for a reconstitution and a recharter of our organization under the lines of the draft constitution, amendments, and by-laws.**

Ms. Wuerstle added that she would draft the letter and send it to Commissioner McDaniel for review before it goes out. Commissioner McDaniel agreed that he was ok with that if the Chairman, Mr. McCormick was also ok with that and to also send the letter to Mr. McCormick. Mr. McCormick agreed and explained that with the one-page letter the Governor's office with hopefully respond and not ignore.

Commissioner McDaniel explained that the information that was sent to the Governor was so voluminous and that one of the reasons, he suspects, that we are not getting any responses from our colleagues that are supposedly serving on this board is that their council came up with the same opinion of the letter that was sent to the Governor, which is, give us the authority to force these people to pay. That is not the goal here. The goal is to engage the members of the council and have an organization that functions and then reduce the fee structure down so that there is a reoccurring revenue source, and we are not living off one time grant fees that are not a reoccurring revenue source, so that the sustainability of our organization can stay in place. That is the goal.

Ms. Wuerstle clarified with Commissioner McDaniel, that he wanted to include the draft MOU and by-laws. Commissioner McDaniel confirmed and continued to provide background on DCA and the authority the RPC used to have. When the authority went away, this organization continued to operate under the old by-laws, which we are probably supposed to, dragging people in to give reports to an organization that has no authority. We are just an advisory organization at best.

Mr. McCormick responded that we have an authority that has been ignored and that the authority is that we provide two things, we provide an audit, and we provide a source of revenue. Unfortunately, our source of revenue has been negatively impacted but in terms of things like applying for grants for all these things, we have an authority granted by the state legislature, as far as he knows, has never been rescinded. However, we have independently endured people saying that we do not have a revenue source that doesn't exist and that we only have the requirement to exist as an organization and not to fund the organization. Mr. McCormick believes that the one-page letter is a good idea at this point and would like to send the letter. He believes that there is a real need in the Southwest Florida area for this to be a functioning group that no one can replace.

Commissioner McDaniel responded that no one disagrees, the problem is your leaving an end on that legal authority to charge the membership, that's not part of the discussion. The discussion needs to be recharter, reconstitute, and reorganize the organization. Then come back with a fee structure. Commissioner McDaniel continued to explain the miscommunication of the letter.

Commissioner McDaniel explained that this is a statutorily created organization that could have phenomenal benefits for the community, but it can't as we are currently operating. It has the legal authority to apply for grants and do all the good things as a statutorily created organization, but it can't function with the current set of by-laws and constitution that we currently have. The current by-laws still dictate that the RPC bring in the developers to present to this organization for approval along with comp plan amendments. It has all the old irrelevant circumstances that were law back in the day when the Department of Community Affairs was in existence. Commissioner McDaniel continued to explain the history behind the disbandment of DCA. Commissioner McDaniel explained that this organization never amended its rules after the legislation changed.

Ms. Wuerstle clarified that we do not bring comp plans for approval. The only thing we bring to you for approval are amendments to the DRIs, and we are still required to do that. Ms.

Wuerstle also asked for clarification on what to send to the Governor. Ms. Wuerstle listed the draft MOU, that you (Commissioner McDaniel) and I worked on attached to the letter. Commissioner responded, yes as a separate document, with a one-page document asking for a recharter, reconstitute, and reorganize of the RPC and McDaniel reiterated the draft by-laws and constitution that you and I and this organization looked at and gave opinions on over two or three years ago.

Commissioner McDaniel would like to go over the letter during the next meeting and asked if the meetings are quarterly. Ms. Wuerstle responded that the meetings are back to monthly, and the next meeting is scheduled for February 15th.

Commissioner McDaniel would like to review a draft along with the Chair before it goes out to the public and try to get it to the Governor before the end of this session which is the end of February. We can wait until the next meeting to get the letter approved before it is sent off and he has no problem with the Executive Committee reviewing the form and format and asks if Mr. Phil Flood would also like to weigh in. Mr. Flood responded that he would be happy to take a look.

Commissioner McDaniel would like to shoot for a deadline of the end of January to get the draft letter out to himself, Chair Don McCormick, and Mr. Phil Flood for review. Commissioner McDaniel explains that once he and Don ratifies the document then it can be disseminated to the rest of the council and then it can go to the Governors office.

Ms. Wuerstle agrees with the deadline.

Mr. McCormick would like the letter to be on the agenda for the February meeting so that all participating members can see what we are trying to accomplish.

Commissioner McDaniel would like to get the letter to Governor DeSantis before the end of the session in hopes to have a discussion and catch the Governor in his office in February when McDaniel goes back to Tallahassee.

Commissioner McDaniel explained that he is willing to make a special trip to Tallahassee to explain what the thought process is and what we are looking to do and how we are looking for rectification. Commissioner McDaniel clarified that he will go through Collier County's lobbyist and get a meeting with the Governor's office for the discussion.

**AGENDA ITEM #10  
COMMITTEE REPORTS**

No Committee Reports were given.

**AGENDA ITEM #10(a)  
EXECUTIVE COMMITTEE**

There was no update given.

**AGENDA ITEM #10(b)  
QUALITY OF LIFE & SAFETY COMMITTEE**

There was no update given.

**AGENDA ITEM #11  
NEW BUSINESS**

No new business was discussed.

**AGENDA ITEM #12  
STATE AGENCIES COMMENTS/REPORTS**

Mr. Phil Flood provided a few updates on the reservoir, appropriations subcommittee budget and funding requests.

**AGENDA ITEM #13  
COUNCIL MEMBERS' COMMENTS**

Commissioner McDaniel provided a brief update regarding hurricane Ian storm surge of the beaches and inland flooding and how dredging could be an optimal solution for storm surge. Commissioner McDaniel also provided an update that he was successful during his last trip to Tallahassee in December, in getting the Collier County Veterans Nursing Home moving forward currently in this cycle with a potential of groundbreaking in 2026-2027.

Commissioner Dr. Debi Lux added that in the City of Punta Gorda are all canals and they still have issues with flooding. She respectfully disagrees that dredging is the answer but agrees that mangroves are huge with it. Commissioner Lux explained that she has been doing research and suggested reaching out to the Charlotte Harbor Environmental Center and asked if everyone was aware of the oyster study that helps clean the water when talking about the salt water. The second thing Commissioner Lux mentioned is that as the founder of Lee-Collier Honor Flight she would like to thank you for finding the extra funding and help for our veterans

which is a huge deal. Commissioner Lux stated that she is new to this and thanked everyone for having her.

**AGENDA ITEM #14  
ADJOURN**

The meeting adjourned at 9:59 a.m.

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Don McCormick, Chairman

**The meeting was duly advertised in the January 8, 2024, issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 50, Number 05.**



Agenda

Item

7

7

Financials

7

# Agenda Item

7a

7a

October, November, December  
Financials

7a

\_\_\_\_\_Agenda

\_\_\_\_\_Item

7b

7b

FY22-23 Year End Clouseout  
Budget Amendment

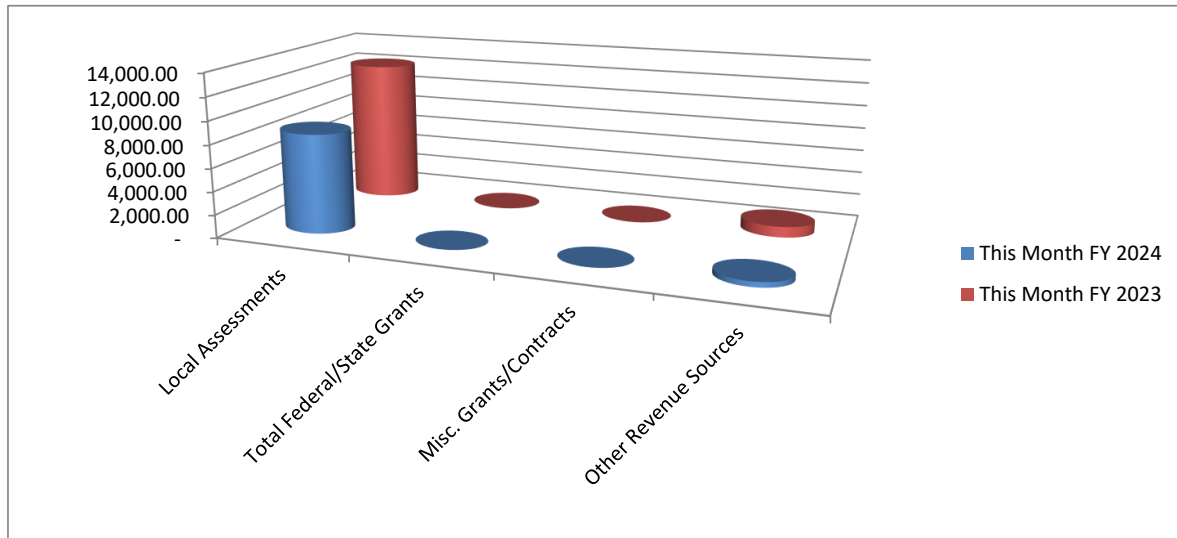
7b

## 2023 - 2024 Workplan & Budget Financial Snapshot Oct-23

### Revenues

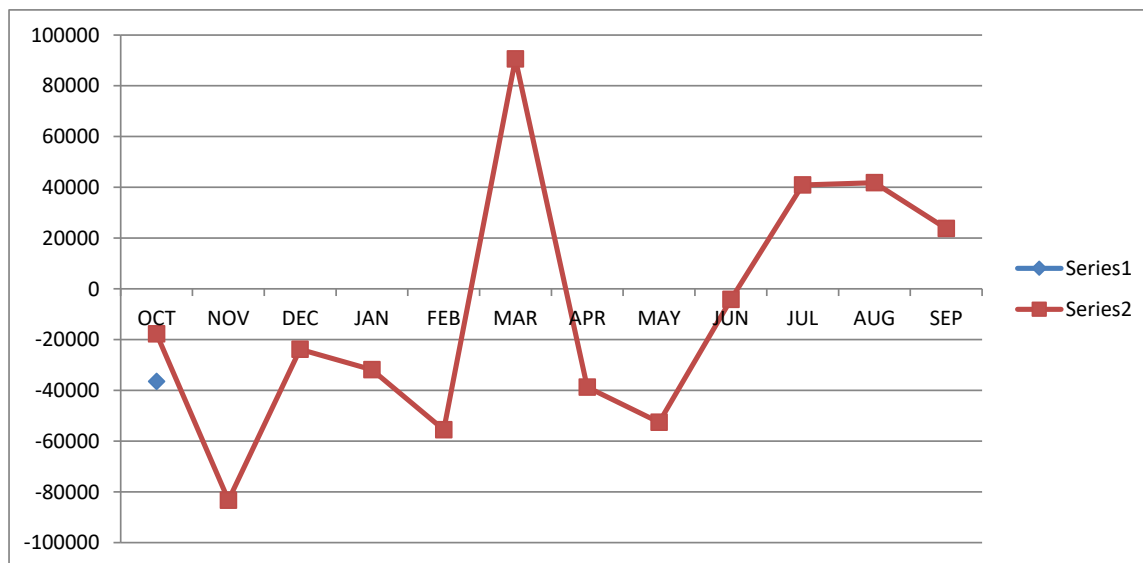
Local Assessments  
Total Federal/State Grants  
Misc. Grants/Contracts  
Other Revenue Sources

**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 (\$36,496) Unaudited**

SWFRPC  
Detail of Reserve  
As of October 31, 2023

***Cash and Cash Equivalents:***

Petty Cash	\$	200
FineMark Operating Funds		<u>135,134</u>
<b><i>Total Cash and Cash Equivalents</i></b>	\$	135,334

***Investments:***

FineMark Money Market	\$	6,259
Local government Surplus Trust Fund Investment Pool (Fund A)		<u>89,607</u>
<b><i>Total Investments</i></b>	\$	95,866

Total Reserves	\$	<u><u>231,200</u></u>
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**SWFRPC INCOME STATEMENT  
COMPARED WITH BUDGET  
FOR THE ONE MONTH ENDING OCTOBER 31, 2023**

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
<b>REVENUES</b>					
<b>LOCAL ASSESSMENTS</b>					
GLADES COUNTY	921	921	3,682	25%	\$ 2,762
CITY OF FORT MYERS	7,257	7,257	29,027	25%	\$ 21,770
TOWN OF FORT MYERS BEACH INC	419	419	1,677	25%	\$ 1,258
<b>TOTAL LOCAL ASSESSMENTS</b>	<b>\$ 8,597</b>	<b>\$ 8,597</b>	<b>\$ 34,386</b>	<b>25%</b>	<b>\$ 25,790</b>
<b>FEDERAL / STATE GRANTS</b>					
DEM - LEPC 22/23	-	-		0%	\$ -
DEM - LEPC 23/24	-	-	77,000	0%	\$ 77,000
DEM - HMEP 22/25	-	-	61,006	0%	\$ 61,006
DEM - Lee/Collier Hazard Analysis 22/23	-	-	9,510	0%	\$ 9,510
EDA - CEDS Planning 23-25	-	-	70,000	0%	\$ 70,000
EDA - Disaster Recovery Coordinator Ian	-	-	128,735	0%	\$ 128,735
FDEP - Marco Island Vulnerability	-	-	78,000	0%	\$ 78,000
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
EPA - Brownfields	-	-	166,667	0%	\$ 166,667
USDA - Regional Food Systems - USDA	-	-	250,809	0%	\$ 250,809
Vista Supervisor	-	-	20,000	0%	\$ 20,000
Promise Zone	-	-	-	N/A	\$ -
<b>TOTAL FEDERAL / STATE GRANTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,036,727</b>	<b>0%</b>	<b>\$ 1,036,727</b>
<b>MISC. GRANTS / CONTRACTS/CONTRACTUAL</b>					
CHNEP Calendar 2024	-	-	-	N/A	\$ -
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
<b>TOTAL MISC. GRANTS/CONTRACTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 11,500</b>	<b>0%</b>	<b>\$ 11,500</b>
<b>DRIS/NOPCS/MONITORING</b>					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	-	\$ -	N/A	-
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>
<b>Program Development (Unsecured Grants/Contract)</b>					
*Program Development (Unsecured)	-	-	-	100%	\$ -
<b>TOTAL PROGRAM DEVELOPMENT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>OTHER REVENUE SOURCES</b>					
Misc. Income	1	1	400	0%	\$ 399
INTEREST INCOME - Money Market	440	440	800	55%	\$ 360
Fund A Investment Income	-	-	800	0%	\$ 800

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
<b>TOTAL OTHER REVENUE SOURCES</b>	\$ 441	\$ 441	\$ 2,000	22%	\$ 1,559
<i>Fund Balance</i>	\$ -	\$ -			
<b>TOTAL REVENUES</b>	<b>\$ 9,037</b>	<b>\$ 9,037</b>	<b>\$ 1,084,613</b>	<b>1%</b>	<b>\$ 1,075,576</b>

## EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 19,200	\$ 19,200	\$ 249,600	8%	\$ 230,400
FICA EXPENSE	1,459	1,459	19,094	8%	\$ 17,635
RETIREMENT EXPENSE	5,914	5,914	76,987	8%	\$ 71,073
HEALTH INSURANCE EXPENSE	3,012	3,012	37,511	8%	\$ 34,499
WORKERS COMP. EXPENSE	281	281	1,064	26%	\$ 783
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
<b>TOTAL PERSONNEL EXPENSES</b>	<b>\$ 29,866</b>	<b>\$ 29,866</b>	<b>\$ 384,256</b>	<b>8%</b>	<b>\$ 354,390</b>
OPERATIONAL EXPENSES					
CONSULTANTS	\$ -	\$ -	\$ 143,700	0%	\$ 143,700
GRANT/CONSULTING EXPENSE	10,023	10,023	537,229	2%	\$ 527,206
AUDIT SERVICES EXPENSE	1,000	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	226	226	1,000	23%	\$ 774
TELEPHONE EXPENSE	138	138	1,488	9%	\$ 1,350
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	-	-	-	N/A	\$ -
INSURANCE EXPENSE	165	165	6,580	3%	\$ 6,415
PRINTING/REPRODUCTION EXPENSE	-	-	1,000	0%	\$ 1,000
ADVERTISING/LEGAL NOTICES EXP	2,256	2,256	1,600	141%	\$ (656)
OTHER MISC. EXPENSE	-	-	500	0%	\$ 500
BANK SERVICE CHARGES	112	112	800	N/A	\$ 688
OFFICE SUPPLIES EXPENSE	190	190	1,000	19%	\$ 810
COMPUTER RELATED EXPENSE	747	747	22,671	3%	\$ 21,924
DUES AND MEMBERSHIP	811	811	3,059	27%	\$ 2,248
MEETINGS/EVENTS EXPENSE	-	-	2,000	0%	\$ 2,000
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
<b>FUND BALANCE</b>			<b>\$ 453,577</b>		
<b>OPERATIONAL EXP.</b>	<b>\$ 15,668</b>	<b>\$ 15,668</b>	<b>\$ 1,201,204</b>	<b>1%</b>	<b>\$ 731,959</b>

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,201,204		
TOTAL CASH OUTLAY	\$ 45,534	\$ 45,534	\$ 1,585,460		\$ 1,086,349
NET INCOME (LOSS)	<u>\$ (36,496)</u>	<u>\$ (36,496)</u>			



SWFRPC  
Balance Sheet  
October 31, 2023

ASSETS

Current Assets		
Cash - Florida Prime	\$	89,607.20
Cash - FineMark Oper.		135,133.92
Cash - FineMark MM		6,258.60
Petty Cash		200.00
Accounts Receivable		76,911.51
Accounts Receivable-RC&D		(61.25)
Transfer of Funds		30.00
		<hr/>
Total Current Assets		308,079.98
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>357,618.45</u></u>

LIABILITIES AND CAPITAL

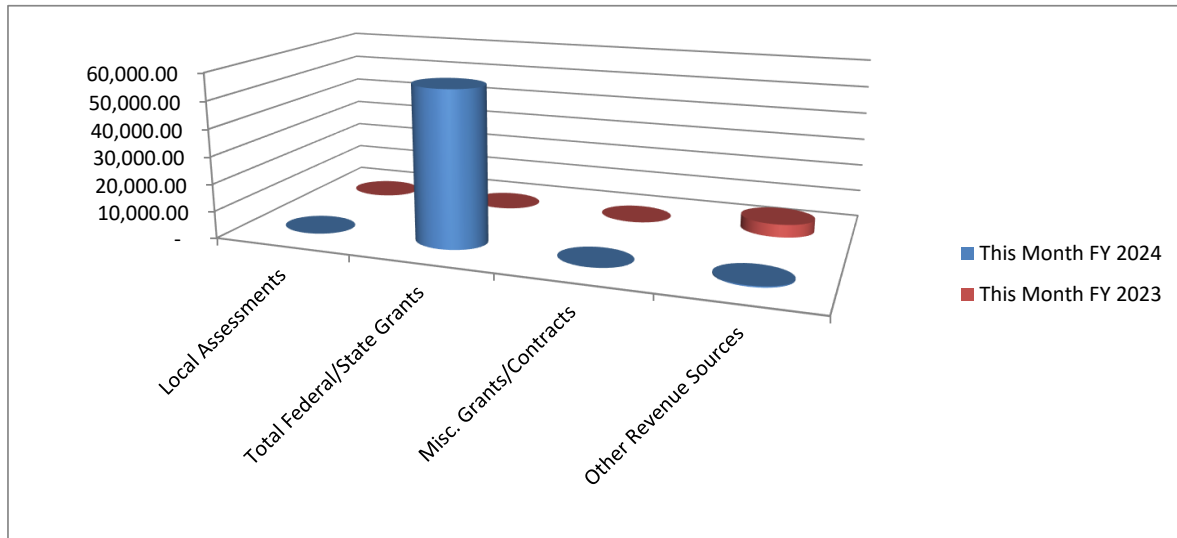
Current Liabilities		
Accounts Payable	\$	3,814.46
FICA Taxes Payable		1,126.12
Federal W/H Tax Payable		(2,628.24)
United way Payable		322.00
Deferred Compensation Payable		75.00
FSA Payable		(1,422.35)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		1,592.24
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		51,129.68
Capital		
Fund Balance-Unassigned		(171,014.72)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(36,496.25)
		<hr/>
Total Capital		306,488.77
		<hr/>
Total Liabilities & Capital	\$	<u><u>357,618.45</u></u>

## 2023 - 2024 Workplan & Budget Financial Snapshot Nov-23

### Revenues

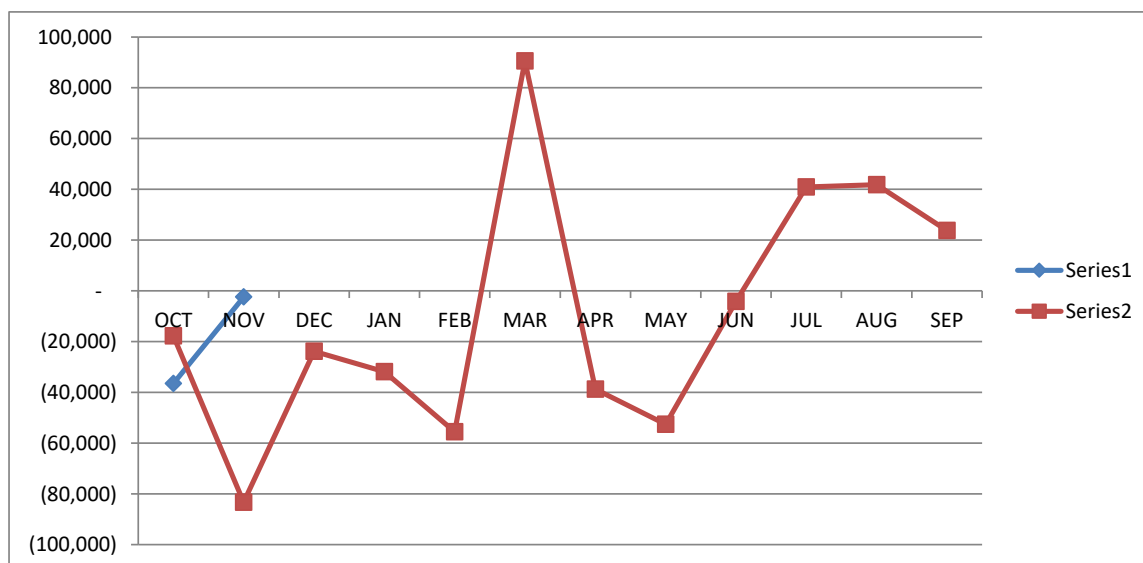
Local Assessments  
Total Federal/State Grants  
Misc. Grants/Contracts  
Other Revenue Sources

**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 (\$38,932) Unaudited**

SWFRPC  
Detail of Reserve  
As of November 30, 2023

***Cash and Cash Equivalents:***

Petty Cash	\$	200
FineMark Operating Funds		<u>153,617</u>
<b><i>Total Cash and Cash Equivalents</i></b>	\$	153,817

***Investments:***

FineMark Money Market	\$	6,260
Local government Surplus Trust Fund Investment Pool (Fund A)		<u>90,023</u>
<b><i>Total Investments</i></b>	\$	96,282

Total Reserves	\$	<u><u>250,099</u></u>
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**SWFRPC INCOME STATEMENT  
COMPARED WITH BUDGET  
FOR THE ONE MONTH ENDING NOVEMBER 30, 2023**

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
<b>REVENUES</b>					
<b>LOCAL ASSESSMENTS</b>					
GLADES COUNTY	-	921	3,682	25%	\$ 2,762
CITY OF FORT MYERS	-	7,257	29,027	25%	\$ 21,770
TOWN OF FORT MYERS BEACH INC	-	419	1,677	25%	\$ 1,258
<b>TOTAL LOCAL ASSESSMENTS</b>	<b>\$ -</b>	<b>\$ 8,597</b>	<b>\$ 34,386</b>	<b>25%</b>	<b>\$ 25,790</b>
<b>FEDERAL / STATE GRANTS</b>					
DEM - LEPC 22/23	-	-	-	0%	\$ -
DEM - LEPC 23/24	10,780	10,780	77,000	14%	\$ 66,220
DEM - HMEP 22/25	-	-	61,006	0%	\$ 61,006
DEM - Lee/Collier Hazard Analysis 22/23	-	-	9,510	0%	\$ 9,510
EDA - CEDS Planning 23-25	-	-	70,000	0%	\$ 70,000
EDA - Disaster Recovery Coordinator Ian	-	-	128,735	0%	\$ 128,735
FDEP - Marco Island Vulnerability	-	-	78,000	0%	\$ 78,000
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
EPA - Brownfields	-	-	166,667	0%	\$ 166,667
USDA - Regional Food Systems - USDA	45,900	45,900	250,809	18%	\$ 204,909
Vista Supervisor	-	-	20,000	0%	\$ 20,000
Promise Zone	-	-	-	N/A	\$ -
<b>TOTAL FEDERAL / STATE GRANTS</b>	<b>\$ 56,680</b>	<b>\$ 56,680</b>	<b>\$ 1,036,727</b>	<b>5%</b>	<b>\$ 980,047</b>
<b>MISC. GRANTS / CONTRACTS/CONTRACTUAL</b>					
CHNEP Calendar 2024	-	-	-	N/A	\$ -
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
<b>TOTAL MISC. GRANTS/CONTRACTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 11,500</b>	<b>0%</b>	<b>\$ 11,500</b>
<b>DRIS/NOPCS/MONITORING</b>					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	-	\$ -	N/A	-
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>
<b>Program Development (Unsecured Grants/Contract)</b>					
*Program Development (Unsecured)	-	-	-	100%	\$ -
<b>TOTAL PROGRAM DEVELOPMENT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>OTHER REVENUE SOURCES</b>					
Misc. Income	1	2	400	1%	\$ 398
INTEREST INCOME - Money Market	415	855	800	107%	\$ (55)
Fund A Investment Income	-	-	800	0%	\$ 800

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
<b>TOTAL OTHER REVENUE SOURCES</b>	\$ 416	\$ 857	\$ 2,000	43%	\$ 1,143
<i>Fund Balance</i>	\$ -	\$ -			
<b>TOTAL REVENUES</b>	<b>\$ 57,097</b>	<b>\$ 66,134</b>	<b>\$ 1,084,613</b>	<b>6%</b>	<b>\$ 1,018,479</b>

## EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 24,000	\$ 43,200	\$ 249,600	17%	\$ 206,400
FICA EXPENSE	1,823	3,282	19,094	17%	\$ 15,812
RETIREMENT EXPENSE	5,770	11,684	76,987	15%	\$ 65,303
HEALTH INSURANCE EXPENSE	2,500	5,512	37,511	15%	\$ 31,999
WORKERS COMP. EXPENSE	93	374	1,064	35%	\$ 690
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
<b>TOTAL PERSONNEL EXPENSES</b>	<b>\$ 34,186</b>	<b>\$ 64,052</b>	<b>\$ 384,256</b>	<b>17%</b>	<b>\$ 320,204</b>
OPERATIONAL EXPENSES					
CONSULTANTS	\$ -	\$ -	\$ 143,700	0%	\$ 143,700
GRANT/CONSULTING EXPENSE	10,770	20,793	537,229	4%	\$ 516,436
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	195	421	1,000	42%	\$ 579
TELEPHONE EXPENSE	138	276	1,488	19%	\$ 1,212
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	-	-	-	N/A	\$ -
INSURANCE EXPENSE	82	247	6,580	4%	\$ 6,333
PRINTING/REPRODUCTION EXPENSE	-	-	1,000	0%	\$ 1,000
ADVERTISING/LEGAL NOTICES EXP	13,150	15,406	1,600	963%	\$ (13,806)
OTHER MISC. EXPENSE	-	-	500	0%	\$ 500
BANK SERVICE CHARGES	111	222	800	N/A	\$ 578
OFFICE SUPPLIES EXPENSE	190	379	1,000	38%	\$ 621
COMPUTER RELATED EXPENSE	711	1,457	22,671	6%	\$ 21,214
DUES AND MEMBERSHIP	-	811	3,059	27%	\$ 2,248
MEETINGS/EVENTS EXPENSE	-	-	2,000	0%	\$ 2,000
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
FUND BALANCE			\$ 453,577		
<b>OPERATIONAL EXP.</b>	<b>\$ 25,346</b>	<b>\$ 41,014</b>	<b>\$ 1,201,204</b>	<b>3%</b>	<b>\$ 706,613</b>

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,201,204		
TOTAL CASH OUTLAY	\$ 59,532	\$ 105,066	\$ 1,585,460		\$ 1,026,817
NET INCOME (LOSS)	<u>\$ (2,435)</u>	<u>\$ (38,932)</u>			

SWFRPC  
Balance Sheet  
November 30, 2023

ASSETS

Current Assets		
Cash - Florida Prime	\$	89,607.20
Cash - FineMark Oper.		153,616.90
Cash - FineMark MM		6,259.63
Petty Cash		200.00
Accounts Receivable		63,524.95
Accounts Receivable-RC&D		(61.25)
Transfer of Funds		30.00
		<hr/>
Total Current Assets		313,177.43
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>362,715.90</u></u>

LIABILITIES AND CAPITAL

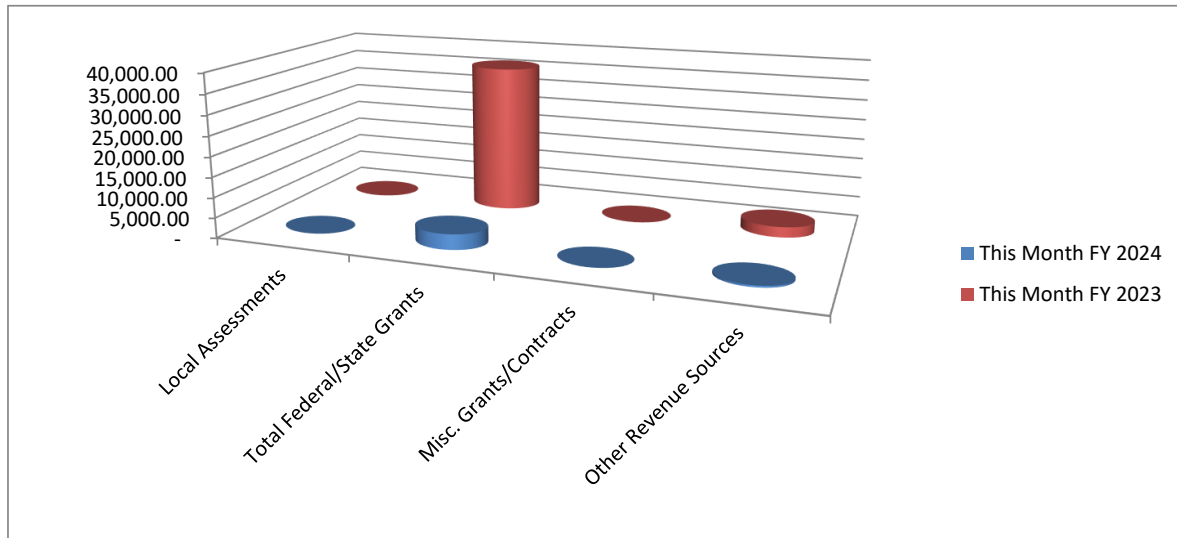
Current Liabilities		
Accounts Payable	\$	11,814.46
FICA Taxes Payable		1,126.17
Federal W/H Tax Payable		(2,628.24)
United way Payable		322.00
Deferred Compensation Payable		(25.00)
FSA Payable		(1,374.25)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		9,540.39
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		59,077.83
Capital		
Fund Balance-Unassigned		(171,014.72)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(39,346.95)
		<hr/>
Total Capital		303,638.07
		<hr/>
Total Liabilities & Capital	\$	<u><u>362,715.90</u></u>

## 2023 - 2024 Workplan & Budget Financial Snapshot Dec-23

### Revenues

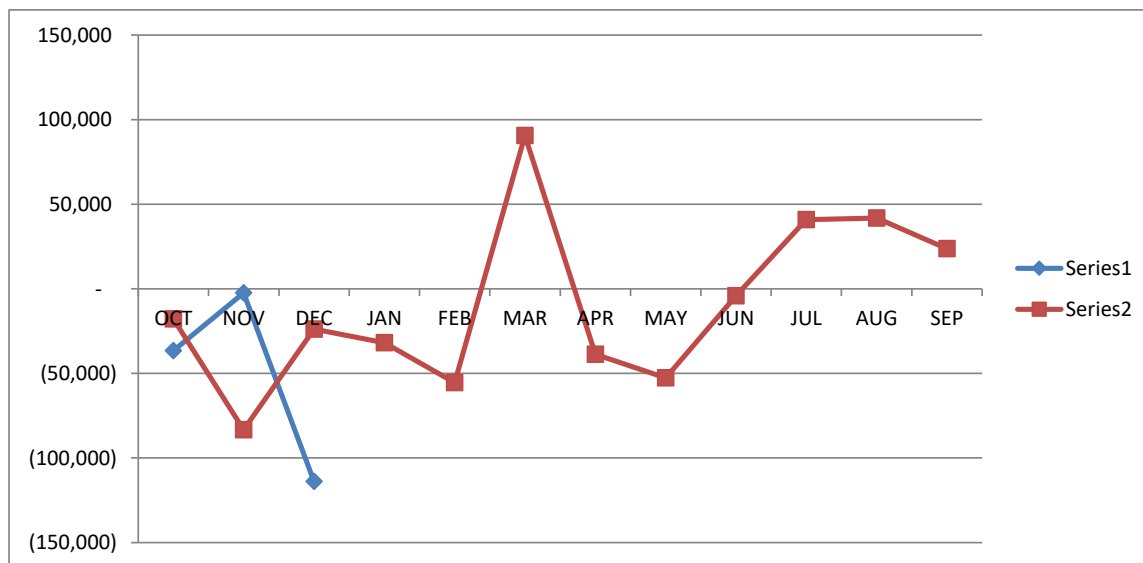
Local Assessments  
Total Federal/State Grants  
Misc. Grants/Contracts  
Other Revenue Sources

**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 (\$152,849) Unaudited**



SWFRPC  
Detail of Reserve  
As of December 31, 2023

***Cash and Cash Equivalents:***

Petty Cash	\$	200
FineMark Operating Funds		<u>35,186</u>
<b><i>Total Cash and Cash Equivalents</i></b>	\$	35,386

***Investments:***

FineMark Money Market	\$	6,261
Local government Surplus Trust Fund Investment Pool (Fund A)		<u>90,451</u>
<b><i>Total Investments</i></b>	\$	96,711

Total Reserves	\$	<u><u>132,098</u></u>
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**SWFRPC INCOME STATEMENT  
COMPARED WITH BUDGET  
FOR THE ONE MONTH ENDING DECEMBER 31, 2023**

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
<b>REVENUES</b>					
<b>LOCAL ASSESSMENTS</b>					
GLADES COUNTY	-	921	3,682	25%	\$ 2,762
CITY OF FORT MYERS	-	7,257	29,027	25%	\$ 21,770
TOWN OF FORT MYERS BEACH INC	-	419	1,677	25%	\$ 1,258
<b>TOTAL LOCAL ASSESSMENTS</b>	<b>\$ -</b>	<b>\$ 8,597</b>	<b>\$ 34,386</b>	<b>25%</b>	<b>\$ 25,790</b>
<b>FEDERAL / STATE GRANTS</b>					
DEM - LEPC 22/23	-	-	-	0%	\$ -
DEM - LEPC 23/24	-	10,780	77,000	14%	\$ 66,220
DEM - HMEP 22/25	-	-	61,006	0%	\$ 61,006
DEM - Lee/Collier Hazard Analysis 23/24	3,803	3,803	9,510	40%	\$ 5,707
EDA - CEDS Planning 23-25	-	-	70,000	0%	\$ 70,000
EDA - Disaster Recovery Coordinator Ian	-	-	128,735	0%	\$ 128,735
FDEP - Marco Island Vulnerability	-	-	78,000	0%	\$ 78,000
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
EPA - Brownfields	-	-	166,667	0%	\$ 166,667
USDA - Regional Food Systems - USDA	-	45,900	250,809	18%	\$ 204,909
Vista Supervisor	-	-	20,000	0%	\$ 20,000
Promise Zone	-	-	-	N/A	\$ -
<b>TOTAL FEDERAL / STATE GRANTS</b>	<b>\$ 3,803</b>	<b>\$ 60,483</b>	<b>\$ 1,036,727</b>	<b>6%</b>	<b>\$ 976,244</b>
<b>MISC. GRANTS / CONTRACTS/CONTRACTUAL</b>					
CHNEP Calendar 2024	-	-	-	N/A	\$ -
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
<b>TOTAL MISC. GRANTS/CONTRACTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 11,500</b>	<b>0%</b>	<b>\$ 11,500</b>
<b>DRIS/NOPCS/MONITORING</b>					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	-	\$ -	N/A	-
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>
<b>Program Development (Unsecured Grants/Contract)</b>					
*Program Development (Unsecured)	-	-	-	100%	\$ -
<b>TOTAL PROGRAM DEVELOPMENT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>OTHER REVENUE SOURCES</b>					
Misc. Income	1	3	400	1%	\$ 397
INTEREST INCOME - Money Market	428	1,283	800	160%	\$ (483)
Fund A Investment Income	-	-	800	0%	\$ 800

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
<b>TOTAL OTHER REVENUE SOURCES</b>	\$ 429	\$ 1,287	\$ 2,000	64%	\$ 714
<i>Fund Balance</i>	\$ -	\$ -			
<b>TOTAL REVENUES</b>	<b>\$ 4,232</b>	<b>\$ 70,366</b>	<b>\$ 1,084,613</b>	<b>6%</b>	<b>\$ 1,014,247</b>

## EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 19,200	\$ 62,400	\$ 249,600	25%	\$ 187,200
FICA EXPENSE	1,459	4,741	19,094	25%	\$ 14,353
RETIREMENT EXPENSE	7,537	19,221	76,987	25%	\$ 57,766
HEALTH INSURANCE EXPENSE	3,321	8,833	37,511	24%	\$ 28,678
WORKERS COMP. EXPENSE	93	467	1,064	44%	\$ 597
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
<b>TOTAL PERSONNEL EXPENSES</b>	<b>\$ 31,610</b>	<b>\$ 95,662</b>	<b>\$ 384,256</b>	<b>25%</b>	<b>288,594</b>
OPERATIONAL EXPENSES					
CONSULTANTS	\$ -	\$ -	\$ 143,700	0%	\$ 143,700
GRANT/CONSULTING EXPENSE	58,915	79,708	537,229	15%	\$ 457,521
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	1,674	2,095	1,000	210%	\$ (1,095)
TELEPHONE EXPENSE	139	415	1,488	28%	\$ 1,073
POSTAGE / SHIPPING EXPENSE	14	14	-	N/A	\$ (14)
EQUIPMENT RENTAL EXPENSE	-	-	-	N/A	\$ -
INSURANCE EXPENSE	5,858	6,105	6,580	93%	\$ 475
PRINTING/REPRODUCTION EXPENSE	333	333	1,000	33%	\$ 667
ADVERTISING/LEGAL NOTICES EXP	18,600	34,006	1,600	2125%	\$ (32,406)
OTHER MISC. EXPENSE	-	-	500	0%	\$ 500
BANK SERVICE CHARGES	84	306	800	N/A	\$ 494
OFFICE SUPPLIES EXPENSE	190	569	1,000	57%	\$ 431
COMPUTER RELATED EXPENSE	733	2,190	22,671	10%	\$ 20,481
DUES AND MEMBERSHIP	-	811	3,059	27%	\$ 2,248
MEETINGS/EVENTS EXPENSE	-	-	2,000	0%	\$ 2,000
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -
FUND BALANCE			\$ 453,577		
<b>OPERATIONAL EXP.</b>	<b>\$ 86,540</b>	<b>\$ 127,553</b>	<b>\$ 1,201,204</b>	<b>11%</b>	<b>620,074</b>

	Current Month	Year to Date A	FY 23-24 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,201,204		
TOTAL CASH OUTLAY	\$ 118,149	\$ 223,215	\$ 1,585,460		\$ 908,668
NET INCOME (LOSS)	<u>\$ (113,917)</u>	<u>\$ (152,849)</u>			

SWFRPC  
Balance Sheet  
December 31, 2023

ASSETS

Current Assets		
Cash - Florida Prime	\$	90,450.77
Cash - FineMark Oper.		35,186.22
Cash - FineMark MM		6,260.69
Petty Cash		200.00
Accounts Receivable		56,547.51
Accounts Receivable-RC&D		(61.25)
Transfer of Funds		30.00
		<hr/>
Total Current Assets		188,613.94
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>238,152.41</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
FICA Taxes Payable		1,126.21
Federal W/H Tax Payable		(2,628.24)
United way Payable		322.00
Deferred Compensation Payable		75.00
FSA Payable		(1,335.77)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		(1,521.09)
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		48,016.35
Capital		
Fund Balance-Unassigned		(171,014.72)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(152,848.96)
		<hr/>
Total Capital		190,136.06
		<hr/>
Total Liabilities & Capital	\$	<u><u>238,152.41</u></u>

_____ Agenda	
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Consent Agenda	
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Directors Report		9
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## EXECUTIVE DIRECTOR'S REPORT: February 22, 2024

### **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. Revised Letter to Governor DeSantis
- b. Replacement Interlocal Agreement
- c. Replacement By-Laws
- d. Letter from FRCA to Executive Committee
- e. FRCA Updates – see attached
- f. Recovery and Resiliency Projects
  - \$78,000 Grant **awarded** for Marco Island Vulnerability Assessment
  - \$75,000 Grant **awarded** for Master Plan for Shrimp Industry and Working Waterfront
  - \$500,000 NOAA Grant **Pending** for Shrimp Industry to build resilient docks
  - **Denied**\$562,856 Grant submitted to EDA Disaster Supplemental for a Food System Resiliency Plan Virtual Food Hub
  - **Pending**\$16,161,602 Clewiston WWTP grant to EDA Disaster Supplemental for upgrades and improvements.
  - **Denied**\$487,392 Grant submitted to EDA for Glades County Recomplete Strategy
  - Provided CEDS certification letters for projects for federal grants

### **2. Resource Development and Capacity Building**

- Promise Zone Grants (as of December 2023) See Attached Document
  - Awarded: \$5,306,160.25
  - Pending: \$18,335,160
  - Denied: \$25,940,098.50
  - Underdevelopment: NA

### **3. Second Quarter : January to March 2024**

- Next RPC Meeting March 21, 2024





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

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## MONTHLY ACTIVITY REPORT: January 2024

### **RESOURCE DEVELOPMENT/CAPACITY BUILDING and OUTREACH**

- Collected articles for the January *FRCA Forward Newsletter*.
- Updated and maintained the email listserv for approximately 2,350 individuals who receive *FRCA Forward*.
- Updated the FRCA website with the 2022-23 FRCA Annual Report available at <http://www.flregionalcouncils.org/resources/annualreports/>
- 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:
  - Florida Defense Support Task Force Meeting hosted by FloridaCommerce,
  - 2040/2070 Agriculture Webinar,
  - Climate Pollution Reduction Grant Coordination Meetings hosted by The Nature Conservancy, and;
  - Affordable Housing Legislative Webinar hosted by the Florida Housing Coalition,
- Compiled the October – December quarterly report on activities in each regional planning council area.

### **ASSOCIATION MANAGEMENT**

- Hosted and participated in the January FRCA Executive Directors Advisory Committee (EDAC) and the Winter Policy Board meetings held in Tallahassee. Guest presenters included the Florida Department of Commerce.
- Developed and distributed the 2024 FRCA Bill Report.
- Worked to develop Articles of Incorporation for the Association.
- Continued to coordinate logistics for the 2024 meeting and conference schedule.
- Shared, grant opportunities and information of interest from local, state and national organizations.

## Grants in Promise Zone

December 7, 2023

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. **Awarded:** \$500,000 EPA Grants for Brownfield Assessment in Glades County from July 1, 2022 to September 30, 2026
16. **Awarded:** (10/20/2021) EDA grant for \$321,836 for Disaster Recovery Coordinator to help Small to mid-sized growers and small and minority owned businesses access disaster recovery funds following Hurricane Ian
17. **Awarded:** (2/14/23) FDEP grant for \$78, 000 for a Vulnerability Assessment for Marco Island
18. **Awarded** (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.”)
19. **Awarded** (6/1/2023) DEO Planning Grant for a master plan for the properties owned by the Shrimp Industry, (\$75,000)
20. **Pending:**(10/23/2023) EDA Disaster Supplemental Grant for upgrades and improvements to the Clewiston WWTP (\$16,161,602)

21. Pending: resilient docks (11/21/2023) NOAA grant for Shrimp Industry to build
22. Pending (7/17/2023) EDA Disaster Supplemental grant for Food Resiliency Planning and Virtual Food HUB. Co Applicants with FGCU (\$600,000)
23. Pending: (3/11/23) FDEO Rural Infrastructure Program for \$300,000 for a stand-by generator at the WWTP.
24. Pending ( 10/5/23) Submitted a \$487,391 EDA Recompete Pilot Program Grant to develop a Strategy to alleviate persistent economic distress and support long-term comprehensive economic development and job creation in Glades County.
25. Denied (10/14/2021) Lee County Housing Development Corp. submitted a grant to HUD for Comprehensive Housing Counseling to residents including Immokalee residents.
26. Denied: DRI-RR, Inc., a non-profit dedicated to providing rural communities with the skills and knowledge needed to revitalize submitted a grant 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.
27. Denied: (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.

28. Denied: 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.
29. 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.
30. 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.
31. 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.
32. Denied (5/30/2019) Seminole Tribe 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.
33. Denied: (10/14/2021) The Affordable Homeownership Foundation, Inc. submitted a grant for housing counseling to HUD
34. Denied: (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.
35. Denied: 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.

36. Denied (6/26/2019) HUD Comprehensive Housing Counseling Grant to the Affordable Homeownership Foundation Inc.
37. 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.
38. Denied (3/2/2020) \$1,455,815 Building Resilient Kid: SAMHSA for Media campaign to address underaged alcohol, marijuana and substance/opioid use.
39. Denied: (6/5/20) \$45,921.46 DEO Community Planning Technical assistance Grant for a septic to sewer conversion study
40. 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
41. 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
42. 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.
43. 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.
44. 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.
45. 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.

46. Denied: 2/2021 FL Dept. Of Agriculture- Specialty Crop, SWFL Fresh Choose Local Choose Fresh Marketing Project requesting \$207,000.

47. Denied: 01/2022 \$460,000 EDA ARPA BBBRC for Phase I: Developing an Inland Port system in Rural Southern Florida.

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Awarded: \$5,306,160.25

Pending: \$18,335,160

Denied: \$25,940,098.50

Underdevelopment: NA

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Revised Letter to Governor  
DeSantis

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January , 2024

Office of Governor Ron DeSantis  
State of Florida  
The Capitol  
400 S, Monroe Street  
Tallahassee, Florida 32399-0001

RE: Assistance Needed for the Southwest Florida Regional Planning Council

Honorable Governor DeSantis:

The leadership of the Southwest Florida Regional Planning Council (SWFRPC) is requesting that you reconstitute, reorganize and recharter the SWFRPC as outlined in the attached draft Memorandum of Understanding and the draft By-Laws.

We urgently need your assistance if we are to continue our efforts in Southwest Florida. Thank you for your assistance in this matter. Should you need any additional information, please contact me at 914-916-1162 or [fdmcc39@gmail.com](mailto:fdmcc39@gmail.com).

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Sincerely,

Don McCormick  
Chairman  
Southwest Florida Regional Planning Council

\_\_\_\_\_Agenda  
\_\_\_\_\_Item

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Replacement By-Laws

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# **REPLACEMENT BYLAWS**

of the  
**SOUTHWEST FLORIDA REGIONAL PLANNING  
COUNCIL**

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### **1. ORGANIZATION**

The name of the agency shall be the Southwest Florida Regional Planning Council. It is a regional planning council formed in November 1973 under the authority of Chapter 160, Florida Statutes, as a voluntary association of local governments of the counties and municipalities which comprise the Region, namely, the counties of Charlotte, Collier, Hendry, Glades, Lee and Sarasota. The regional boundaries are those defined as Comprehensive Planning District IX as specified by rule by the Executive Office of the Governor pursuant to 27E-1.002, F.A.C.

### **2. POWERS AND DUTIES**

The Council shall have the following powers and duties prescribed and granted by Chapter 186.505(1) through (25), Florida Statutes, and as they may be amended from time to time.

### 3. MEMBERSHIP

The Council shall consist of twenty-seven (24) voting members. A voting member shall represent each Principal member unit of the Council as described in the following.

- a. Two voting members from each member county shall be a member of that county's Board of County Commissioners and appointed by that Board. If an alternate is assigned on the annual appointment form, the alternate must also be a county elected official.
- b. One voting member from each member county shall be a Mayor, a City Commission or Council member, or other elected municipal official from one of the local general-purpose governments in the county, appointed by the Board of County Commissioners from the respective County.
- c. There shall be six (6) voting members appointed by the Governor, subject to confirmation by the Florida Senate. One (1) member who is a resident of that county shall represent each County.
- e. **Ex-officio Members:** There may be (1) non-voting ex-officio member from the South Florida Water Management District (SFWMD), from the Southwest Florida Water Management District (SWFWMD) from the Florida Department of Transportation (FDOT), from the Florida Department of Environmental Protection (FDEP), and a representative nominated by the Florida Department of Economic Opportunity (FDEO).

### 4. OFFICERS, TERM OF OFFICE AND STANDING COMMITTEES

- a. **Officers:** The Council shall elect from its membership, a Chairman, a Vice-Chairman a Secretary and a Treasurer. The Chairman shall preside over regular and special meetings of the Council. The Chairman may also represent and speak for the Council at other official meetings and functions. The Vice-Chairman shall assume duties of the Chairman on request of the Chairman or in the absence of the Chairman.
- b. **Terms of Office:** The Chairman, Vice Chairman, Secretary and Treasurer shall be elected annually. All officers are limited to two consecutive two-year terms.
- c. **Elections:** The election of the Chairman, Vice Chairman and other officers as may be created or appointed by the Council shall be at the January meeting of the calendar year every year. Installation shall follow immediately.

- d. **Standing Committees:** The Council may establish such standing committees, as it may deem appropriate to the efficient pursuit of its duties and responsibilities. Members of all committees shall be appointed by the Chairman and shall serve at his or her discretion. Ad hoc and special committees may be appointed and dissolved by the Chairman with the approval of the Council. The following committee is hereby established as a standing committee.
  - 1. **Executive Committee:** Duties of the Executive Committee shall be to represent and act on behalf of the Council between regular meetings, on personnel relations and regulations, budget control, and on contractual relationships with individuals, agencies and firms. The Committee may meet in lieu of the regular Council meeting and shall have the authority to conduct Council business. Membership shall be composed of the Chairman, Vice Chairman, Secretary, Treasurer, and Past Chairman.

## 5. EXECUTIVE DIRECTOR

- a. The Executive Director of the Southwest Florida Regional Planning Council shall be selected by the Executive Committee and shall be appointed by a majority of those Council members present and voting at an official meeting of the Council at which an appointment is being considered. Compensation for the Executive Director shall be set and adjusted from time to time by the Executive Committee and ratified by the Full Council.
- b. The Executive Director shall be appointed for an indefinite term to continue for such time as both parties find the association to be satisfactory. Neither party shall terminate the period of employment with less than sixty (60) days written notice, unless the other party waives the rights to such notice. The Council retains the right to remove the Executive Director from office for just cause without notice or compensation in the event of fraud, dishonesty, or criminal actions and may suspend said Executive Director pending investigation and hearings on charges before the Council.
- c. The Executive Director shall operate the Regional Planning Agency with the concurrence of the Council, and shall report at each meeting of the Council on the progress, problems and status of the approved programs. The duties and the limits of his or her authority shall, from time to time, be prescribed by the Council and shall include, but not be limited to the following:
  - 1. Recruit, employ, set compensation, and train and direct all authorized staff personnel in accordance with the annual budget as approved by the Council.

2. Approve all expenditures and account for all budgeted funds.
3. Prepare all budgets for Council review and approval.
4. Negotiate for all available funding from local, state and/or federal or private sources.
5. Conduct such research, planning and economic development programs as will benefit the member governments as approved by the Council.
6. Coordinate the programs of all departments to insure maximum benefit and minimum costs.

## **6. GENERAL INFORMATION**

The mailing address of the Southwest Florida Regional Planning Office is P.O. Box 60933, Ft. Myers, Florida 33906.

## **7. PUBLIC RECORDS**

Any and all Council correspondence, reports, publications, memoranda and other documents are public records and thus open for public inspection during office hours.

The Council maintains a list of publications available and the cost per document. Individuals using the Council's copying machine are charged a set per page fee. Any person may purchase documents. Local general-purpose governments within the region shall be charged only the direct cost of production and are not subject to regular cost schedules.

## **8. PUBLIC MEETINGS**

The Council normally meets every other month on the third Thursday of the month at 9:00 a.m. Eastern Time. The date and time of regular meetings may change for the convenience of the Council. The Chairman or any two Executive Committee members may call Executive Committee meetings. The Council and Executive Committee meetings shall be conducted pursuant to Roberts Rules of Order Revised.

- a. **Quorum:** Half of the voting members shall constitute a quorum. For purposes of establishing a quorum, the following rules shall apply. (1) Vacant seats on the Council shall not count as a “voting member”. (2) Any member who has been reasonably notified by the appointing body and is unresponsive, shall not count as a “voting member”. In the event that a quorum is not present, a majority of the voting members present may reschedule and adjourn the meeting.

A quorum for the Executive Committee will consist of three (3) voting members. During circumstances that require immediate action, the Executive Committee may conduct its business via teleconference.

- b. **Annual Meeting:** The regular January meeting shall be known as the Annual Meeting and shall be for the purpose of installing the Chairman, Vice-Chairman, Secretary and Treasurer, and conducting other business as may come before the membership.
- c. **Notice:** The general public is cordially invited to all Council meetings and proceedings. Notice of these meetings is published at least seven (7) days prior thereto in the Florida Administrative Register. In addition, notice is mailed to all Council members and to anyone who has requested notice.

Adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2020 at the Council’s Board Meeting.

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Chair, Southwest Florida Regional Planning Council

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# Agenda

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## Item

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Replacement Inter Local  
Agreement

9c



# REPLACEMENT INTERLOCAL

CREATING

THE

SOUTHWEST FLORIDA REGIONAL COUNCIL

EFFECTIVE XXXX, XXXX

AMENDED AND RESTATED  
INTERLOCAL AGREEMENT  
CREATING THE SOUTHWEST FLORIDA  
REGIONAL COUNCIL

THIS AMENDED AND RESTATED AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, pursuant to authority of Section 163.01, Florida Statutes, by and between:

CHARLOTTE COUNTY  
COLLIER COUNTY  
GLADES COUNTY  
HENDRY COUNTY  
LEE COUNTY  
and  
SARASOTA COUNTY

WITNESSETH:

WHEREAS, The Florida Interlocal Cooperation Act of 1969, Section 163.01 et seq., Florida Statutes, permits local government units to make the most efficient use of their powers by enabling them to cooperate with other localities on the basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, this Agreement replaces the Interlocal Agreement entered on November 8, 1973, as amended June 6, 1974, as amended June 27, 1974, as amended February 5, 1976, and as amended October 28, 1980 by and among the parties to this agreement pursuant to which the Southwest Florida Regional Planning Council was originally created; and

WHEREAS, the Florida Regional Planning Council Act, Section 186.501, Florida Statutes, mandates the creation of a Regional Planning Council in each of the several comprehensive planning districts of the state; and,

WHEREAS, Section 186.512(1)(h), Florida Statutes, and the Executive Office of the Governor have designated that the Southwest Florida Regional Planning Council and Comprehensive Planning District IX shall be comprised of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota; and

WHEREAS, the declared purpose of the Florida Regional Planning Council Act is to establish a common system of regional planning councils for areawide coordination and related cooperative activities of federal, state and local governments and ensure a broad-based regional organization that can provide a truly regional perspective enhancing the ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries; and

WHEREAS, it is the desire of the parties hereto to establish a regional council to serve in an advisory capacity to the constituent local governments and

WHEREAS, the parties hereto desire to make the most efficient use of their powers to cooperate for mutual advantage in conducting the regional planning process

and for providing coordination and cooperation within the Southwest Florida region;  
and,

WHEREAS, the Community Planning Act, Chapter 163, Part II Florida Statutes assigns to regional planning agencies the responsibility to determine the relationship and effect of a local government's plan or element thereof to or on the strategic regional policy plan and extra jurisdictional impacts; and,

WHEREAS, Governor's Executive Orders 83-150 and Presidential Executive Order 82-12372, designates the comprehensive regional planning agencies as areawide clearinghouses responsible for review and coordination regarding certain Federal programs; and,

WHEREAS, Regional Planning Councils are statutorily assigned various duties and responsibilities in Chapter 129, 163, 186, 258, 260, 288, 339, 380, 403, 420 and 1013, Florida Statutes and other applicable federal, state and local laws.

NOW, THEREFORE, for and in consideration of mutual promises, covenants, benefits to accrue from conduct of a regional planning process, and agreements herein contained and set forth, the member counties to hereby establish, pursuant to the authority of Section 163.01 and Section 186.501, Florida Statutes, the Southwest Florida Regional Planning Council located in Comprehensive Planning District IX consisting of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota, hereinafter referred to as the Council, a separate legal entity, and do further delegate such powers as are specified herein and agree as follows:

1. Purpose.

The purposes of this agreement are:

- (a) To provide local governments with a means of exercising the rights, duties and powers of a regional planning council as defined in Chapter 186, Florida Statutes and other applicable federal, state and local laws.
- (b) To provide a means for conducting the regional planning process.
- (c) To provide regional coordination for local governments in the Southwest Florida region.
- (d) To act in an advisory capacity to exchange, interchange, and review the various programs referred to it which are of regional concern.
- (e) To promote communication among local governments in the region and the identification and resolution of common regional-scale problems.
- (f) To cooperate with Federal, State, local, and non-governmental agencies and citizens to ensure the orderly and harmonious coordination of Federal, State, and local planning and development programs in order to insure the orderly, and balanced growth and development of this region, consistent with protection of the natural resources and environment of the region, and to promote safety, welfare and to enhance the quality of life of the residents of the region.

- (g) To encourage and promote communications between neighboring regional planning districts in attempt to ensure compatibility in development and long-range planning goals.
- (h) To establish an organization that will promote areawide coordination and related cooperative activities of federal, state and local governments, ensuring a broad based-regional organization that can provide a truly regional perspective and enhance that ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries.
- (i) To establish an organization to carry out the duties, functions and activities that are to the mutual advantage of one or more of the local governments within Southwest Florida.

2. Definitions.

- (a) Appointed Representative – a voting member of the Council.
- (b) Comprehensive Planning Districts – the geographic areas within the State specified by the Executive Office of the Governor, and/or by statute.
- (c) Strategic Regional Policy Plan – a plan prepared pursuant to Section 186.507 Florida Statutes and containing goals and policies that address, at a minimum, affordable housing, economic development, emergency preparedness, natural resources of regional significance and regional transportation and that may address any other subject

that relates to the particular needs and circumstances of the comprehensive planning district as determined by the regional planning council. Regional plans shall identify and address significant regional resources and facilities. Regional plans shall be consistent with the State Comprehensive Plan.

- (d) Contribution – any monies received by the Council from a member county or otherwise.
- (e) Council – the Southwest Florida Regional Planning Council.
- (f) Elected Official – a member of the governing body of a municipality or county or a county elected official chosen by the governing body.
- (g) Federal or Federal Government – the government of the United States or any department, commission, agency, or other instrumentalities thereof.
- (h) Governing body – the Board of County Commissioners or City/Town Council/Commission of any member county.
- (i) Local General Purpose Government – any municipality or county created pursuant to the authority granted under ss. 1 and 2, Article VIII of the Florida Constitution.
- (j) Member County – any county within the Southwest Florida Comprehensive Planning District IX.
- (k) Municipality – any incorporated municipality located within a member county.

(l) Principal Member Units – shall be the Charlotte, Collier, Glades, Hendry, Lee and Sarasota Boards of County Commissioners.

3. Effective Date, Duration, Amendment, Withdrawal, and Termination.

(a) The effective creation date of the Council is November 8, 1973.

(b) This agreement shall continue in effect until terminated as provided in Section 3.e.

(c) Any amendments to this agreement shall be in writing and set forth an effective date. To put into effect any amendment, each member county shall adopt, by a majority vote of its governing body, a resolution authorizing its chairman or chief elected official to execute the amendment.

(d) Termination may only occur concurrent with a subsequent Interlocal Agreement being adopted due to the requirement of Section 186.512(1)(h), Florida Statutes, and the Executive Office of the Governor's designation of Southwest Florida Regional Planning Council and Comprehensive Planning District IX shall be comprised of the counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota.

(e) In the case of a complete termination of this agreement, the non-Federal matching contribution required to match any approved Federal or State grant shall be firm. The project shall be completed, and the required reports and accounting shall be completed.

4. Membership, Voting and Term.



- (a) Membership of the Council shall be provided pursuant to 186.504 Florida Statutes, as amended from time to time.
- (b) A regional planning council shall be created in each of the several comprehensive planning districts of the state. Only one agency shall exercise the responsibilities granted herein within the geographic boundaries of any one comprehensive planning district.
- (c) Membership on the regional planning council shall be as follows:
  - (1) Representatives appointed by each of the member counties in the geographic area covered by the regional planning council.
    - (1.1) There shall be two elected officials appointed from each of the member counties.
  - (2) Representatives from other member local general-purpose governments in the geographic area covered by the regional planning council.
    - (2.1) Each county shall decide which of cities, towns and or villages will be voting members of the regional planning council.
  - (3) Representatives appointed by the Governor from the geographic area covered by the regional planning council, including an elected school board member from the geographic area covered by the regional planning council, to be nominated by the Florida School Board Association.
  - (4) Not less than two-thirds of the representatives serving as voting members on the governing bodies of such regional planning councils shall be

elected officials of local general-purpose governments chosen by the cities and counties of the region, provided each county shall have at least one vote.

(5) The remaining one-third of the voting members on the governing board shall be appointed by the Governor, to include one elected school board member, subject to confirmation by the Senate, and shall reside in the region. No two appointees of the Governor shall have their places of residence in the same county until each county within the region is represented by a Governor's appointee to the governing board.

(6) Nothing contained in this section shall deny to local governing bodies or the Governor the option of appointing either locally elected officials or lay citizens provided at least two-thirds of the governing body of the regional planning council is composed of locally elected officials.

(7) In addition to voting members appointed pursuant to paragraph (2)(c), the Governor shall appoint the following ex officio nonvoting members to each regional planning council:

- (i) A representative of the Department of Transportation.
- (ii) A representative of the Department of Environmental Protection.
- (iii) A representative nominated by the Department of Economic Opportunity.
- (iv) A representative of the appropriate water management district or districts.

(8) The Governor may also appoint ex officio nonvoting members representing appropriate metropolitan planning organizations and regional water supply authorities.

(d) Nothing contained in this act shall be construed to mandate municipal government membership or participation in a regional planning council. However, each county shall be a member of the regional planning council created within the comprehensive planning district encompassing the county.

(e) The existing regional planning council in each of the several comprehensive planning districts shall be designated as the regional planning council specified under subsections (1)-(5), provided the council agrees to meet the membership criteria specified therein and is a regional planning council organized under either s. 163.01 or s. 163.02 or ss. 186.501-186.515.

(f) The names of all the appointed representatives shall be recorded in the Council minutes.

- i. Each Board Member shall have an equal vote, which shall be one (1) vote for each Board Member. The basic term of office for appointed representatives of the Council shall be set by the respective appointing authority. All representatives shall serve until a replacement is appointed by the appropriate appointing authority or until written resignation is received by the Council.

## 5. Officers.

The officers of the Council shall consist of:

- (a) A Chairman, who shall be responsible for overseeing the working organization of the Council, for seeing that all policies of the Council are carried out, and for presiding over all Council meeting. The Chairman or a designated representative shall be ex officio member of all subsidiary committees and boards.
- (b) A Vice-Chairman who shall preside in the Chairman's absence or inability to act. The Vice-Chairman shall perform such other functions as the Council may from time to time assign.
- (c) A Secretary, who shall be responsible for correspondence of the Council, approve minutes of the meetings, be custodian of the records, keep the roll of all members and discharge other duties as may be assigned by the Chairman or the members
- (d) A Treasurer, who shall supervise the financial affairs of the Council and perform such other duties as may be assigned.
- (e) The officers shall be elected at the annual meeting of the Regional Planning Council and shall hold office for a term of one (1) year or until their respective successor(s) are elected and qualified.
- (f) An Executive Committee, consisting of the Chairman, immediate past Chairman, Vice Chairman, Secretary, Treasurer shall be established to act for the Council when necessary to meet any emergency or to deal with any matters when it would be

impossible or inconvenient to convene a meeting of the full Council.

6. Meetings.

- (a) The annual election of officers shall occur in a timely manner, so the terms of officers may commence with their installation at the January meeting.
- (b) Regular meetings shall be held on the days and times established by the Council.
- (c) Special meetings shall be called by the Chairman either at his/her discretion or when she/he is requested by at least three (3) appointed representatives, none of which may be from the same member county; provided adequate notice shall be given to all appointed representatives stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (d) The place and time of each meeting shall be determined by the membership prior to the adjournment of the previous meeting. In the absence of such determination, the time and place of the meeting(s) shall be determined by the Chairman.
- (e) All meetings of the Council shall be open to the public.
- (f) A quorum at any meeting shall consist of at least one-half of all voting members. When a quorum has been established, a

majority of those present and voting may take action on all matters presented at the meeting. Each member shall vote on each question presented to the Council except in the event he disqualifies himself. Proxy voting is prohibited.

(g) The Secretary or his/her designee shall keep minutes of each meeting and distribute a copy thereof to each member county.

7. Finances.

(a) The work year and fiscal year of the Council shall be twelve (12) months beginning the first day of October and ending the thirtieth day of September.

(b) On or before August 15th of each year, the Council shall adopt an annual budget and certify a copy thereof to the Clerk or authorized recipient of the governing body of each member county. Each member county shall include in its annual budget and provide to the Council funds in an amount sufficient to fund its proportionate share of the Council's adopted budget, which bears the same ratio to the total budget as the population of each member unit bears to the total population of the region, all as determined annually by official population forecasts by the state of Florida for the year preceding each budget determination.

- i. Each municipal government having a voting seat on the Council shall provide its proportionate share of funds based on population.
  - ii. Each member county shall pay the full assessment to the regional planning council. Each County will collect the proportionate share of assessments for cities, towns and villages within each county that are voting members of the regional planning council.
- (c) Contributions for each fiscal year shall be payable in four equal installments. Payments shall be made within thirty (30) days from receipt of invoicing. The contribution of each member county shall be fifteen cents (15 cents) per capita of the population of the member county according to the most recent available determination under Section 186.901 Florida Statutes.
- (d) Each member county who does not remit the contribution amounts in accordance with Section 7(c) above shall lose all voting privileges until payment is made.

## 8. Powers

The Council shall have the right to receive and accept in furtherance of its function; gifts, grants, assistance funds, bequeaths, and services from Federal, State and local governments or their agencies and from private and community sources, and to expend therefrom such sums of money

as shall be deemed necessary from time to time for the attainment of its objectives in accordance with all applicable laws. Pursuant to Chapter 186.505 F.S. the Council shall have all powers granted herein including:

- (a) To adopt rules of procedure for the regulation of its affairs and the conduct of its business and to appoint from among its members a chair to serve annually; however, such chair may be subject to reelection.
- (b) To adopt an official name and seal.
- (c) To maintain an office at such place or places within the comprehensive planning district as it may designate.
- (d) To employ and to compensate such personnel, consultants, and technical and professional assistants as it deems necessary to exercise the powers and perform the duties set forth in this act.
- (e) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act.
- (f) To hold public hearings and sponsor public forums in any part of the regional area whenever the council deems it necessary or useful in the execution of its other functions.
- (g) To sue and be sued in its own name.
- (h) To accept and receive, in furtherance of its functions, funds, grants, and services from the Federal Government or its agencies; from departments, agencies, and instrumentalities of state, municipal, or local government; or from private or civic sources. Each regional planning council shall render an accounting of the receipt and disbursement of all funds received by it, pursuant to the federal Older Americans Act, to the Legislature no later than March 1 of each year.



- (i) To receive and expend such sums of money as shall be from time to time appropriated for its use by any county or municipality when approved by the council and to act as an agency to receive and expend federal funds for planning.
- (j) To act in an advisory capacity to the constituent local governments in regional, metropolitan, county, and municipal planning matters.
- (k) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for emergency management as defined in s. 252.34.
- (l) To fix and collect membership dues, rents, or fees when appropriate.
- (m) To acquire, own, hold in custody, operate, maintain, lease, or sell real or personal property.
- (n) To dispose of any property acquired through the execution of an interlocal agreement under s. 163.01.
- (o) To accept gifts, grants, assistance, funds, or bequests.
- (p) To conduct studies of the resources of the region.
- (q) To participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities.
- (r) To select and appoint such advisory bodies as the council may find appropriate for the conduct of its activities.
- (s) To enter into contracts to provide, at cost, such services related to its responsibilities as may be requested by local governments within the region and which the council finds feasible to perform.
- (t) To provide technical assistance to local governments on growth management matters.

- (u) To perform a coordinating function among other regional entities relating to preparation and assurance of regular review of the strategic regional policy plan, with the entities to be coordinated determined by the topics addressed in the strategic regional policy plan.
- (v) To coordinate land development and transportation policies in a manner that fosters regionwide transportation systems.
- (w) To review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans.
- (x) To use personnel, consultants, or technical or professional assistants of the council to help local governments within the geographic area covered by the council conduct economic development activities.
- (y) To provide consulting services to a private developer or landowner for a project, if not serving in a review capacity in the future, except that statutorily mandated services may be provided by the regional planning council regardless of its review role.

## 9. Rules of Procedure

See attached Replacement By-laws

## 10. Immunity

All of the privileges and immunities from liability and exemptions from laws, ordinance and rules which apply to the activity of the officials, officers, agents or employees of the members shall apply to the officials,

officers, agents of employees of the Council when performing their respective functions and duties under the provisions of this Agreement.

11. Limited Liability

Except as provided in Section 3(e) and Section 7 herein, no member shall in any manner be obligated to pay any debts, obligations or liabilities arising as a result of any actions of the Council, the representatives of any other agents, employees, officers or officials of the Council to have any authority or power to otherwise obligate the members in any manner.

12. Severability.

If any provision of this agreement or the application of such provisions to any person or circumstance shall be invalid, such invalidity shall not affect other provisions or applications of this agreement which can be given effect without invalid provisions or applications, and to this end the provisions of this agreement are declared severable.

13. Signatories.

It is expressly understood that the terms and conditions of this agreement shall be effective between and among those parties signatory hereto; and that the validity, force and effect to their agreement shall not be affected by one or more of the parties named herein not joining in this agreement any other provisions of this agreement to the contrary notwithstanding.

IN THE WITNESS WHEREOF, the parties have officially adopted and caused this amended and restated agreement to be executed and their signature to be affixed by their respective Chairman or Chief Elected Official as of the day and year first above written.

Execution of parties follows on next page.

CHARLOTTE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISIONERS

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Chairman

COLLIER COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISIONERS

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Chairman

GLADES COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISIONERS

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Chairman

HENDRY COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

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Chairman

LEE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

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Chairman

SARASOTA COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

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Chairman

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# Agenda

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## Item

9d

9d

Letter from FRCA to the  
Executive Committee

9d



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

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January 30, 2024

Executive Committee Members

Southwest Florida Regional Planning Council

Honorable Donald McCormick, Charlotte County, Chair

Honorable Fred Burson, City of Fort Myers, Vice Chair

Honorable Bill McDaniel, Collier County, Secretary

RE: Florida Statute Chapter 186 – State and Regional Planning

Dear Executive Committee Members:

During a recent meeting of the Executive Directors of Florida's Regional Planning Councils, it was discussed that the Executive Committee Members of the Southwest Florida Regional Planning Council (SWFRPC) are following up on the letter to the Governor dated November 2, 2023, with a second letter requesting the Governor's assistance to reconstitute, reorganize, and recharter the structure of the SWFRPC. Section 505 of Chapter 186 of the Florida Statutes gives authority to each regional planning council to adopt their own rules of procedure and regulate their own affairs and the conduct of their business. Similar to many of the regional planning councils, SWFRPC has an interlocal agreement entered into by each county in the region that regulates your affairs and to which the State is not a party.

There is not a historic precedent for the Governor to intervene in the organization of the regional planning councils. We are concerned there may be unintended and adverse consequences for not only SWFRPC, but all regional planning councils, should SWFRPC invite the Governor to intervene in the independent operations of the regional planning councils as established by Florida Statute.

We respectfully request the Executive Committee delay the sending of any additional correspondence and welcome the opportunity to discuss this matter with you and explore opportunities to be of assistance. The Florida Regional Councils Association invites you to attend a properly noticed, virtual meeting with the Executive Directors and Legal Counsels of the Central Florida, South Florida, and Tampa Bay Regional Planning Councils. We can discuss options and procedures available to the Executive Committee and Board Members of the SWFRPC regarding your desire to reconstitute, reorganize, and recharter the structure of the SWFRPC.



Please let me know at your earliest convenience and I will arrange a meeting for those able to participate. Thank you in advance for your time and consideration of this request. Do not hesitate to contact me if you have any questions and I look forward to hearing from you soon.

Sincerely,

*Denise Imbler*

Denise Imbler, Association Director  
Florida Regional Councils Association

cc: The Honorable Steve Geller, Chair, South Florida RPC  
Samuel Goren, Legal Counsel, South Florida RPC  
Don Conn, Legal Counsel, Tampa Bay RPC

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Quality of Life & Safety  
Committee

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Adjourn

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