

**MINUTES OF THE  
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
JANUARY 17, 2013 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on January 17, 2013 at the offices of the Southwest Florida Regional Planning Council – 1<sup>st</sup> Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chair Karson Turner called the meeting to order at 9:01 a.m. Chair Turner led an invocation and the Pledge of Allegiance. Administrative Specialist II, Nichole Gwinnett conducted the roll call.

**MEMBERS PRESENT**

**Charlotte County:** Commissioner Chris Constance, Commissioner Tricia Duffy, Vice Mayor Rachel Keesling

**Collier County:** Councilwoman Teresa Heitmann, Mr. Bob Mulhere

**Glades County:** Commissioner Dennis Griffin, Mr. Thomas Perry

**Hendry County:** Commissioner Karson Turner, Commissioner Don Davis, Mr. Melvin Karau

**Lee County:** Commissioner Frank Mann, Commissioner Tammy Hall, Councilman Forrest Banks, Councilman Chris Chulakes-Leetz, Vice Mayor Mick Denham, Councilman Joe Kosinski, Ms. Laura Holquist

**Sarasota County:** Commissioner Carolyn Mason, Commissioner Charles Hines, Commissioner Rhonda DiFranco for Commissioner Tom Jones, Councilman Kit McKeon, Commissioner Willie Shaw, Mr. Felipe Colón

**Ex-Officio Members:** Mr. Johnny Limbaugh – FDOT, Ms. Tara Poulton – SWFWMD, Mr. Phil Flood – SFWMD, Mr. Jon Iglehart – FDEP

**MEMBERS ABSENT**

**Charlotte County:** None

**Collier County:** Commissioner Tom Henning, Commissioner Tim Nance, Mr. Alan Reynolds

**Glades County:** Commissioner Tim Stanley, Councilwoman Pat Lucas

**Hendry County:** Commissioner Daniel Akin

**Lee County:** Councilwoman Martha Simons

**Sarasota County:** None

Ex-Officio Membership:      None

**AGENDA ITEM #4  
PUBLIC COMMENTS**

No public comments were made at this time.

**AGENDA ITEM #5  
AGENDA**

Mr. Karau made a motion to approve the agenda as presented and Councilman Kosinski seconded the motion. The motion carried unanimously.

**AGENDA ITEM #6  
Minutes of the December 13, 2012 Meeting**

Councilman Banks made a motion to approve the minutes of the December 13, 2012 Meeting and Vice Mayor Denham seconded the motion. The motion carried unanimously.

**AGENDA ITEM #7  
DIRECTOR'S COMMENTS**

Ms. Wuerstle presented the item. She addressed the following items:

- DEO Contract & Ad Hoc Committee
- Legislative Priorities

**AGENDA ITEM #8(a)  
Grant Activity Sheet**

The grant activity sheet are presented in the packet as an information item.

**AGENDA ITEM #9  
CONSENT AGENDA**

Mr. Mulhere moved and Commissioner Mann seconded to recommend approval of the consent agenda: Agenda Item #9(a) Intergovernmental Coordination and Review; Agenda Item #9(b) Financial Statements for November 30, 2012 and December 31, 2012; Agenda Item #9(c) City of Sanibel Comprehensive Plan Amendments (DEO 13-1ER); and Agenda Item #9(d) Palmer Ranch Increment XXI DRI - Development Order Review. The motion carried unanimously.

#### **AGENDA ITEM #8(b)**

##### **Estimating and Forecasting Ecosystem Services within Pine Island Sound, and on Sanibel and Captiva, North Captiva, Cayo Costa and Useppa Islands – Mr. Jim Beever**

Mr. Beever gave a PowerPoint presentation.

Councilman McKeon asked if it took into account the opposite side of the build out from 2012 to 2030, because he is assuming that there is some beneficial economic impact to the development side from the tax base or the liability. Does it balance it or does it really focus on what we are losing through the economic value of the watershed? Mr. Beever explained that it was focused on the ecosystem services values, so any landscape which provides anything in terms of provisioning services, such as if the lawn is making oxygen and it is absorbing nutrients and taking care of erosion. It is all accounted for, but it doesn't do anything for the tax base. Tax base is a different evaluation system and it doesn't do assessments on externalized incomes, but it does include a large part of these values which come from tourism. One of the reasons that our beaches are valued so highly is because how much people are willing to pay from Southwest Florida, Florida, United State and around the world to visit the Florida beaches and that is what gives them the high evaluation.

Vice Mayor Denham asked where the build out information came from. Mr. Beever explained that it was retrieved from the City of Sanibel's Comprehensive Plan and also Lee County's Comprehensive Plan.

Mr. Perry stated that in the first 20 years the value goes from \$7 million to \$5 million and then within the next 30 years the value goes from \$5 million to \$4 million due to sea level rise. Does that mean that sea level rise was a positive, which set off some of the decline from development or was it a negative. Mr. Beever explained that sea level rise was a net negative. He explained that it was approximately a \$1 billion negative. Mr. Perry asked which had more impact the sea level rise or the development. Mr. Beever explained that with the way the scenarios were constructed, they did the development and then added the sea level rise along with the development. There wasn't a run done with just sea level rise without any additional developments since the partners didn't anticipate that the development would cease while we were waiting for sea level rise to occur.

Commissioner Constance asked if it was solely based on tourism. Mr. Beever explained that it was principally based on tourism, but there are many more factors that go into it, such as things that accounts for oxygen, storm surge protection, cleaning of nutrients to improve water quality, etc. There is basically a range of 30 different ecosystem services accumulated into the one value for each habitat. However, we don't have real estate values accumulated into it because they are fluid and also they are not ecosystem services value.

#### **AGENDA ITEM #10(b)**

##### **RESTORE Act – Commissioner Chris Constance**

Commissioner Constance gave a verbal presentation.

Vice Mayor Denham asked when it would be concluded. Commissioner Constance explained that it has not been decided on what BP is going to pay. There have been settlements on the criminal activity, but this has not been decided and the range is somewhere between \$4-20 billion.

Vice Mayor Denham stated that one of the processes will be deciding the allocations for the counties. Commissioner Constance explained that the process is such that the counties get approximately 35% of the funding and also 7% of the total amount goes to each of the five states. That 7% has been figured out. Then 25% of that is coming to the 15 coastal counties and 75% is going to the eight worst affected counties. All the other monies are really multi-state pots which haven't been decided at this time.

Commissioner Duffy asked Commissioner Constance which county was holding out. Commissioner Constance explained that there were two counties holding out: Collier and Franklin Counties. However, he believed that Collier had voted in favor of joining the consortium.

Commissioner Hall noted that Franklin County is still holding out.

#### **AGENDA ITEM #10(c)** **Regional Health Issues – Commissioner Chris Constance**

Commissioner Constance gave a verbal presentation.

Chair Turner stated that in Hendry County the health department was doing a fair amount of primary care and its emergency room on the eastern part of the county had an overwhelming amount of attendance and it was all related to primary care issues. With the Federally Qualified Health Center (FQHC) and also with the Affordable Health Care Act, there are a lot of questions on how it is going to shake out. He said that it seems that both the State of Florida and Feds are trying to push the costs away from them and onto the local governments.

Mr. Karau asked Commissioner Constance how many doctors are currently in the program. Commissioner Constance explained that there are two full-time physicians and probably a half dozen or more who rotate in and out at the clinic. Then there are dozens of physicians who treat the patients on a case basis.

Commissioner Duffy noted how successful the program has been for the past five years and as a result another clinic has been opened in Englewood.

Councilwoman Heitmann asked how the neighborhood clinics are funded. Commissioner Constance explained that some are funded through grants. However, in order to receive grant funding the clinic must charge a fee. Also, they have run into issues with finding a partner in order to apply for the grants.

Mr. Mulhere explained that the Collier County health clinic does charge a small fee, but he wasn't sure if they were a designated FQHC, but he could see some benefits to that designation.

#### **AGENDA ITEM #11(a)** **2013 Election of Officers/Nominating Committee Report**

Mr. Mulhere gave the Nominating Committee report. The Nominating Committee's recommendation was as follows:

To recommend the current officers be slated for a second term as the 2013 Officers:

Commissioner Karson Turner, Hendry County BOCC - Chair  
Councilwoman Teresa Heitmann, City of Naples - Vice Chair  
Commissioner Tom Jones, City of North Port - Secretary  
Mr. Robert "Bob" Mulhere, Collier County Governor Appointee - Treasurer

Commissioner Constance made a motion to accept the Nominating Committee's recommendation in keeping the current slate of officers and close the nominations. Mr. Perry seconded the motion. The motion carried unanimously.

#### **AGENDA ITEM #11(b)1 Budget & Finance Committee**

Councilwoman Heitmann presented the item. She announced that the Budget and Finance Committee is scheduled to meet on Monday, January 28 at 10:00 a.m. Topics of discussion include:

1. 6.5% increase to Worker's Compensation
2. FY 2012 Audit
3. Update to the 501(c)3
4. DOE Contract Award (\$50,000)
5. Energy Assurance Grant (\$25,000)

Councilwoman Heitmann asked for further clarification on the Energy Assurance Grant. Ms. Wuerstle asked for Ms. Pellechio of staff to speak on the details of the grant.

Ms. Pellechio gave a brief overview on the Energy Assurance Grant.

Ms. Wuerstle noted that there are additional revenue from grants that have been awarded and weren't included in the budget.

Councilwoman Heitmann noted that one of FRCA's legislative priorities is to restore funding to the RPCs.

#### **AGENDA ITEM #11(b)2 Executive Committee**

Chair Turner deferred the presentation of the item to Ms. Wuerstle. Ms. Wuerstle noted that the Executive Committee primarily discussed the need for its legislative priorities and following the meeting she compiled priorities received from various cities and counties, which were distributed within the Director's Report.

Chair Turner asked for volunteers to serve on the Council's Legislative Committee.

Vice Mayor Denham stated that there only needs to be three principal items.

Mr. Mulhere noted that for the past two years the funding for the RPCs has been part of the budget which the legislature had proposed; however, the Governor is the one who has cut the funding for the RPCs out of the budget. He stated that we still need to lobby to have it placed within the budget, but we also need to lobby at the executive level.

Commissioner Constance stated that he agreed with Vice Mayor Denham's suggestion on having a cover sheet listing the Council's three legislative priorities, but he felt that it is still important to have a back-up document with the Council's policy statements behind it (i.e. FAC document).

Commissioner Shaw stated that the last three issues are the City of Sarasota's suggestions and since they are already on the Florida League of Cities priorities list, he would be willing to withdraw those three issues from the Council's list in order to decrease the list for consideration. Chair Turner thanked Commissioner Shaw for his consideration.

Vice Mayor Denham asked Chair Turner about the next steps. Chair Turner stated that he would like to ask the members who are interested in the Council's legislative priority process and going to Tallahassee to lobby on behalf of the Council to volunteer to serve on the Council's Legislative Committee. The Committee would be convened within the first two weeks of February where the Committee would review the priorities and narrow them down to 3-5 priorities.

Mr. Mulhere asked when the members would go to Tallahassee. Chair Turner explained that in the past couple of years, due to budgetary constraints, when he goes to Tallahassee as a Hendry County representative he has taken the issues of the RPC and piggy-backed them on with visits.

Vice Mayor Denham explained that the RPC's priorities usually just got added on to that city's or county's priorities.

Ms. Holquist referred to the second item on the list and asked if someone could specify to what projects it was referring to. Ms. Wuerstle explained it was from the vital projects list of the CEDS and that two projects stood out: a Regional Transportation Plan for the six county region and the Airglades Air Park runway expansion. She then explained that Ms. Donley noted that the legislature wouldn't be accepting funding requests for projects.

Ms. Holquist volunteered to serve on the Legislative Committee.

Councilman Banks volunteered to serve on the Legislative Committee. He then explained that all of the telecommunications and utility companies have lobbied together to deal with the fees which they pay the cities. He said that he wasn't sure about the impact on the counties.

Ms. Holquist suggested having a presentation on the issues for the Legislative Committee. Chair Turner agreed and stated that if anyone felt strongly that an issue should be part of the Council's 3-5 priorities then they should be prepared to give a presentation.

Councilwoman Heitmann stated that FRCA has stated that they will actively seek opportunities to support proposals that are consistent with the strategies and policies in recognition or membership of regional planning councils. FRCA, if possible, actively support legislative proposals and positions of Florida Association of Counties and the Florida League of Cities.

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

##### **Major Regional Transportation Initiatives Presentation - Mr. Hugh Pascoe**

Mr. Pascoe gave a PowerPoint presentation.

Ms. Holquist asked how the project was funded. Mr. Pascoe explained that all of the MPOs put in a portion of their PL allocation into the Chairs Coordinating Committee (CCC). We have a target of spending approximately 10% of our overall federal funding, which are called the PL "Planning" funds, into regional coordination. The CCC has been around since 2007. It was created by the legislature and that is also when both Sarasota and Polk Counties were brought in, so it is a self funded process.

Ms. Holquist stated that the CCC was legislatively created for regional coordination. Mr. Pascoe stated that was correct along with the alignment of the boundaries. They align with TBARTA, Tampa Bay Partnership and the only outlier would be Polk County, which is not part of TBARTA.

Vice Mayor Keesling asked Mr. Pascoe to explain the managed lane system? Mr. Pascoe explained that there are various different models. There are just high occupancy lanes, high occupancy toll lanes, but overall it is a "special use lane". One of the reasons is that it has the potential to bring revenue along with it because it has the potential for tolling also. The lane can be limited to two or three person carpools. He said that FDOT has a philosophy that if you are going to create lanes, particularly within urban areas, they are probably going to be managed lanes. One of the important components is if there is going to be bus rapid transit or freeway express transit, it can be placed on the managed lanes to get better travel time and then try to draw the choice riders into that corridor.

Vice Mayor Keesling asked if a managed lane system currently exists within the Southwest Florida area. Mr. Limbaugh explained that a managed lane system is currently being used over in the Miami-Fort Lauderdale area on I-95. It is a toll based structure with variable prices and the idea of a managed lane system is to be able to manage the lane and the capacity of the lane. The toll starts relatively low when no one is using it, such as five to ten cents to get into the lane, but as it starts filling up the toll ratchets up in order to maintain a certain speed on the travel lane. The goal is to keep the managed lane flowing at a constant rate of speed.

Vice Mayor Denham stated that he attended a similar presentation which covered the entire State of Florida and he noted that there was very little attention given to the cross-state travel between the east and west coast. He said that US-27 has been a very important issue for the west coast and there hasn't been any mention of any projects for cross-state travel. From an economic viewpoint with ports being generated on the east coast it is a considerable economic viability for the west coast, especially for the inland counties. He expressed that it needs to be a priority.

Chair Turner explained that Hendry County has worked with the Collins Center out of Tallahassee and have identified funds that are associated with it. If an east-west corridor is not developed, we are essentially “left out in the cold to defend for ourselves”. It is a disadvantage on a number of levels; not only on getting goods out, but getting humans and goods back into the system, is one thing that we focused on.

Mr. Mulhere stated that the improvements or capacity to an alternative to the I-4 corridor, regardless of some distance is going to relieve some of the pressure on I-4, because it is a project that never goes away.

Councilman Banks stated that it is not Mr. Pascoe’s job to put Southwest Florida’s projects on his map. His job is to raise money to fund his projects, but guess where that money is coming from. He then explained that the last regional effort to get anything done within Southwest Florida was done by a group called SWFTI. SWFTI got I-75 six laned. When the project began it wasn’t on FDOT’s 20 Year Work Program.

Chair Turner stated that the SWFRPC had supported a couple of projects (SR80/US27 intersection), but he agreed that Southwest Florida is a donor area and it needs to be more active at the table. Mr. Limbaugh has attended Hendry County BOCC meetings on several occasions and there were funds available for the expansion of the SR80/US27 corridor, but because Hendry County didn’t have the proper plans in place the funds went elsewhere.

Commissioner Constance stated that the presentation dealt with the West Central Region and this is the Southwest Florida Region, even though it included Sarasota County. He explained that you really needed to look at the whole southwest corridor down to Collier County and it is critical to understand that I-75 needs to be six-laned all the way down. Currently, there is an hour glass effect going on from Sarasota County to Charlotte County. He agreed with the comments regarding SR80/US27, because in Charlotte County there is CR74, which magically becomes SR74 when it crosses the Glades County line, but we need to look at more cross-state traffic other than I-4 and Alligator Alley because it is not going to stay that way and it is going to start stressing out the circular system around the state instead of unloading it by having those cross trails.

Ms. Holquist stated that earlier in the meeting there was a discussion on legislative priorities and one of the ideas was a Regional Transportation Plan. She then asked what the cost of the study was. Mr. Pascoe stated that he couldn’t give an amount at this time.

Mr. Limbaugh explained that the CCC is composed of the MPOs, planning staff, Districts One and Seven who provide technical support to the committee’s district wide consultants to help with the planning and coordination. All of the MPOs contribute a portion of the federal PL funds to the overall process in order to come up with this coordinated long range plan. It is very similar to what SWFTI did years ago of bringing everyone together, so when the question was asked what was the top priority, CCC had their top priority which that whole area agreed. If you come to Southwest Florida, each county has their top priority. Southwest Florida is making those steps towards such coordination with the interlocal agreements between the Lee and Charlotte MPOs, the Charlotte and Sarasota-Manatee MPOs and the Lee and Collier MPOs, but there is still nothing bringing in the rural counties and they are not synched.



Mr. Pascoe explained that TBARTA provides administrative services for the CCC, but by having that interconnection it gets one region working together with another group. The biggest complaint is that we have had too many groups looking at this. One of the reasons that we have the initiative going on is to obtain a unified list.

Mr. Mulhere stated that this process could be used as a model for the Southwest Florida Region.

**AGENDA ITEM #11(c)3**  
**Estero Bay Agency on Bay Management (ABM)**

Mr. Beever presented the item.

Councilman McKeon made a motion to approve the ABM's 2013 Work Plan and the slate of officers as presented. Ms. Holquist seconded the motion. The motion carried unanimously.

Mr. Beever noted that a member and alternate needed to be appointed to the ABM as the Council's representative.

Councilman Banks made a motion to nominate Vice Mayor Mick Denham as the Council's representative to the ABM. Commissioner Constance seconded the motion. The motion carried with one opposed.

Commissioner Mann made a motion to nominate Councilman Banks as the Council's alternate representative to the ABM. Mr. Mulhere seconded the motion. The motion carried unanimously.

**AGENDA ITEM #12**  
**NEW BUSINESS**

Ms. Wuerstle gave an overview of the recent FRCA meeting. She noted that one issue which was brought up by Mr. Jim Murley was that FRCA keeps lobbying the governor for funding instead of looking for models where the RPCs can reinvent themselves. It was disappointing how he was just "cut off at the knees" on the issue. She said that she agrees with Mr. Murley that the RPCs should be looking at different models and alternatives and discussing what the RPCs can do besides requesting funding year after year.

Vice Mayor Denham stated that the Policy Board meeting was mostly information. His only complaint was that there wasn't enough opportunity for general discussion on issues.

Commissioner Constance stated that since FRCA works for the individual RPCs, then why can't they develop their own initiatives and if they gain traction with other RPCs then that is great. He then asked if the SWFRPC needed FRCA's stamp of approval on anything. Ms. Wuerstle responded that the SWFRPC did not need FRCA's stamp of approval on any issue.

Councilwoman Heitmann stated that she believed that it is a leadership issue.

Vice Mayor Denham stated that he felt that it is a “Florida ole boys club” who gets together on a regular basis. He said that he still has his concerns with the FRCA organization.

Ms. Holquist announced that she had been working on the Regional Economic Development Initiative for Southwest Florida. She said that a presentation was given from Florida Power and Light (FPL) and they stated that they were allowed \$3 million to promote economic development for the State of Florida.

Councilwoman Heitmann asked why FPL was coordinating the economic development initiative. Ms. Holquist explained that FPL wasn’t coordinating the initiative; they were just providing the resources.

Ms. Holquist asked where FPL obtained the \$3 million. Mr. Mulhere explained that FPL had just received a rate increase and now they are choosing how to spend that money.

### **AGENDA ITEM #13 STATE AGENCIES COMMENTS/REPORTS**

SFWMD – Mr. Flood announced that SFWMD had two initiatives which they are moving forward with: Caloosahatchee Visioning and the Land Assessment Evaluations.

Commissioner Mann referred to Agenda Item #11(b)3 Estero Bay Agency on Bay Management and it had stated that Lee County was one of the many sponsors who had paid their annual dues and FGCU had also paid their annual dues, but neither the SFWMD or the FDEP have paid their annual dues. As a result, the ABM/Council would be coming up \$5,000 short on its budget this year. He then asked both Mr. Flood and Mr. Iglehart if the ABM could expect to receive their dues from their agencies.

Mr. Flood stated that he has stated in the past that the SFWMD has declined to fund the ABM. The SFWMD agreed to fund the ABM one year with the agreement that it would be for only that one year.

Mr. Iglehart explained that within the original Settlement Agreement for the ABM, FDEP was listed as an attendee and not as a partner. The Settlement Agreement actually directed the funding come from the SWFRPC.

Commissioner Mann stated that the SWFRPC has now looked at Lee County and FGCU for funding.

FDEP – Mr. Iglehart announced that FDEP has reorganized its regulatory boundaries. The end result is that Sarasota and DeSoto Counties are now located in the South District Office jurisdiction.

SFWMD – Ms. Tara Poulton introduced herself as the new government affairs program manager for the SFWMD.

**AGENDA ITEM #14  
COUNCIL ATTORNEY'S COMMENTS**

No comments were made at this time.

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

Commissioner Constance stated that he will be starting the discussion of a coordinating council of the MPOs at his next MPO meeting.

Councilman Banks stated that we need to contact the FDOT District Secretary to keep the District office intact.

**AGENDA ITEM #16  
ADJOURN**

The meeting adjourned at 10:52 a.m.

  
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Commissioner Tom Jones, Secretary

The meeting was duly advertised in the January 3, 2013 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 39, Number 02.