

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
JANUARY 16, 2014 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on January 16, 2014 at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. In the absence of Chair Karson Turner, Vice Chair Teresa Heitmann called the meeting to order at 9:03 AM. Commissioner Mann then led an invocation and the Pledge of Allegiance.

Chairwoman Heitmann stated that there were two changes in commissioners on the council: Commissioner Hamman would be replacing Commissioner Manning for Lee County, and Commissioner Hiller would be replacing Commissioner Henning for Collier County.

Administrative Specialist II, Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Chris Constance, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Ms. Suzanne Graham, Mr. Don McCormick

Collier County: Commissioner Tim Nance, Councilwoman Teresa Heitmann

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Commissioner Don Davis, Commissioner Daniel Akin

Lee County: Commissioner Frank Mann, Councilman Forrest Banks, Councilwoman Martha Simons, Councilman Jim Burch

Sarasota County: Commissioner Charles Hines, Commissioner Carolyn Mason, Vice Mayor Willie Shaw, Councilman Kit McKeon, Commissioner Rhonda DiFranco

Ex-Officio Members: Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD, Ms. Carmen Monroy - FDOT

MEMBERS ABSENT

Charlotte County: None

Collier County: Commissioner Georgia Hiller, Mr. Bob Mulhere, Mr. Alan Reynolds

Glades County: Councilwoman Pat Lucas, Commissioner Dennis Griffin, Commissioner Tim Stanley

Hendry County: Mayor Phillip Roland, Mr. Melvin Karau

Lee County: Commissioner Brian Hamman, Vice Mayor Joe Kosinski,
Vice Mayor Doug Congress, Ms. Laura Holquist

Sarasota County: Mr. Felipe Colón

Ex-Officio Membership: Ms. Melissa Dickens – SWFWMD

Ms. Gwinnett announced that there was a quorum.

**AGENDA ITEM #4
PUBLIC COMMENTS**

No public comments were given at this time.

**AGENDA ITEM #5
AGENDA**

Agenda approved by implied consent.

**AGENDA ITEM #6
Minutes of the November 21, 2013 Meeting**

Commissioner Constance requested that the minutes for the November 2013 meeting be amended to include the exact verbiage that he read into the record regarding Agenda Item #9(f), Babcock Ranch MDO DRI – NOPC.

There being no objection, Commissioner Constance moved to approve the minutes of the November 21, 2013, as amended; Mr. Perry seconded the motion. The motion carried unanimously.

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

Ms. Wuerstle presented the item. She stated that the agenda package included the Florida Regional Council Association's 2014 Legislative Agenda and Legislative Guiding Principles and Procedures, which she had distributed for the Council's review. She said that council members Karson Turner, Bob Mulhere, Teresa Heitmann, and Forrest Banks had attended a FRCA retreat in Tallahassee with her, the purpose of which was to discuss the future of FRCA and regional planning councils (RPCs). FRCA will be summarizing the findings of the retreat discussions, and discussing them at its February meeting. One of the big issues discussed was changing the boundaries of the RPCs; one of the rationales for changing the boundaries is to create boundaries that coincide with those of other governmental entities, e.g. water management districts, FDOT, etc. Ms. Wuerstle said that she would report back to Council as discussions on the issues discussed at the retreat evolved.

Ms. Wuerstle reported that work on Council's annual audit had started, and that the audit was progressing much more smoothly this year, since Council's affairs are in much better shape than they had been in prior years; she anticipated that the audit would be finished on time, and that the auditors' report would be completed earlier than last year. She reported that the budget is on target for the present year, and that as of the time of the meeting, Council has received \$182,000 in additional funding above and beyond the amount approved by Council for the current fiscal year.

Ms. Wuerstle said that there were several informational items that staff would present to Council.

Mr. Beever provided an annual report requested by Council regarding the progress of the fertilizer ordinance resolutions that were put together by Council's Lower West Coast Watershed Subcommittee. Mr. Beever reported that all of the Region's coastal communities have adopted a fertilizer ordinance, and that over 85% of them are stricter than the State standard. Mr. Beever stated that he had presented a much more detailed analysis of the information at the recent meeting of the Everglades Coalition; to summarize, he stated that we are seeing measurable decreases in nutrient pollution in both phosphorous and ammonia in the communities that have had the fertilizer ordinances in effect for longer periods of time. Mr. Beever stated that fertilizer ordinances have been adopted by 90 Florida jurisdictions, and that in addition to Florida, 12 other states have adopted statewide fertilizer standards, four of which have local jurisdictions with ordinances. He concluded by stating that we are having good success with the ordinances, and that they are an important tool for local governments to utilize in meeting their basin management action plans.

Ms. Donley presented information on upcoming free workshops on the care and feeding of stormwater lakes and ponds, being sponsored by the Charlotte Harbor National Estuary Program (CHNEP), Lee County Natural Resources Department, the City of Bonita Springs, Conestoga-Rovers & Associates, and the Coccoloba Chapter of the Florida Native Plant Society. The workshops are being provided in part due to the success of a similar workshop held in September; CHNEP hopes to roll out these workshops in 2014-2015 throughout the CHNEP study area, which extends up through Winter Haven; if interested, have staff contact Ms. Donley. The workshops result in improved stormwater quality, which saves money for residents and the State as a whole.

Ms. Donley also reported that CHNEP will be holding its triennial watershed summit March 25-27, 2014, which provides an opportunity for scientists and resource managers in the region to present the findings from their work and get them published in a peer-reviewed journal. Additional information will be provided at the next Council meeting.

Discussion ensued regarding the FRCA retreat. Commissioner Turner commented that after attending the retreat, he wanted to commend Councilwoman Simons for laying the groundwork for the Council to start assessing what needs to happen with FRCA and its lobbyist, Ron Book; he also commended Councilwoman Heitmann and Councilman Banks for making very candid remarks at the retreat. He anticipates that FRCA will produce a report from the retreat saying that FRCA needs to look at justifying their existence, and that reshaping their boundaries will be a top priority for discussion at their next strategic planning session. Commissioner Turner also commended Ms. Wuerstle on her conduct at the retreat, and stated that he was happy that the members of the

SWFRPC had provided a unified front at the retreat, and were the only regional council willing to take a critical look at the present situation, and admit that we need to reinvent ourselves and justify our existence.

Councilwoman Heitmann provided some background data on FRCA for new Council members, explaining that the Council has questioned the role, leadership, and structure of FRCA, including the dual role of executive director and lobbyist. She stated that due to the difficult questions and comments from representatives of the SWFRPC, a valuable discussion ensued.

Councilwoman Heitmann stated that she believes that the representatives of SWFRPC need to submit a letter to FRCA stating what we believe needs to be changed, and that we should make it clear that we believe leadership should come from the bottom up, rather than top-down; i.e., that FRCA should follow the lead of the regional councils.

Councilman Banks commented on the issue of amending regional council boundaries, stating that he did not believe that the issue would receive serious consideration in the near future, due to the imminent elections.

Councilwoman Simons asked Commissioner Turner if he was aware of any interest in Hendry or Glades counties to leave SWFRPC; he responded that he could only speculate that the answer was no, and that speaking for himself, absolutely not.

Councilwoman Simons stated that she believed that the current boundaries of the SWFRPC resulted in a good partnership; Commissioner Turner agreed.

Councilwoman Simons said that she wanted to make a motion that the SWFRPC should leave FRCA, and refrain from paying them the \$20,400 annual dues for membership in FRCA.

Ms. Wuerstle said that Council has received significant financial support from FRCA in the form of work distributed to regional councils through FRCA, and that there could be negative economic consequences if the Council left FRCA on its own. Ms. Wuerstle said that she would prefer not to pull out from FRCA, but rather to continue to engage the members and encourage changes in the organizational structure. Councilwoman Simons withdrew her motion.

Commissioner Constance said that he had questions regarding the boundary change issue. Commissioner Turner said that he agreed with Councilman Banks' prior assessment, and that the redistricting issue was merely an attempt to direct attention away from the lack of results from FRCA. Commissioner Turner also stated he had been very impressed with the performance of Council's executive director at the retreat; she diplomatically listened to all of the comments, refrained from engaging in petty banter, and allowed representatives of SWFRPC to take the lead in pushing for discussion of larger issues.

Commissioner Constance stated that he wants to make sure that Council retains a voice in any future discussions regarding redistricting.

Commissioner Mann thanked the members who had attended the retreat in Tallahassee, and stated that they had opened up a discussion that needed to be continued and finalized. He

encouraged Council to place the matter on its agenda following the next FRCA meeting, so that the issue could be reconsidered after hearing what actions FRCA takes after considering the issues raised at the retreat.

Commissioner Mann observed that he believes Council spends an inordinate amount of time discussing issues associated with process and procedure, and comparatively little time discussing regional issues such as water projects and development projects that have significant regional impacts. If Council has issues with FRCA, and we can't see any benefit accruing from our involvement, he believes that we should deal with it and get out.

AGENDA ITEM #7(a)
FRCA's Legislative Guiding Principles and Procedures

No discussion; informational item only.

AGENDA ITEM #7(b)
FEMA's Response Letter Regarding the Biggert-Waters Act.

Informational item; Council had asked staff to send letters regarding the Biggert-Waters Act; Council received the attached letter from Mr. Edward Connor of FEMA regarding concerns surrounding the implementation of the Biggert-Waters National Flood Insurance Reform Act of 2012.

AGENDA ITEM #8(a)
Grant Activity Sheet

No discussion; informational item only.

Mr. McCormick mentioned that the Energy & Climate Subcommittee had already met to discuss the Solar Ready II grant, and that they are moving ahead with great cooperation from a large number of stakeholders regarding the initiative on solar applications for residential development.

Councilwoman Simons thanked Mr. Beever and Mr. Crawford for their technical assistance; due to their timely assistance, she was able to put together a request for \$50,000 to have the regional planning council work on a restoration project for Spring Creek.

AGENDA ITEM #9
CONSENT AGENDA

Chairwoman Heitmann asked if anyone had a request to pull any consent agenda items.

Ms. Wuerstle said that staff was prepared to make a brief presentation on any agenda item if requested.

Commissioner Nance made a motion to approve the consent agenda; Mr. Perry seconded the motion.

Discussion ensued.

Councilman Burch asked who attended the hazardous material training courses referenced in agenda item #9(e). Mr. Gibbons explained that the Council and the Southwest Florida Local Emergency Planning Committee for Hazardous Materials (LEPC) provide hazardous materials training and assistance to emergency responders and government officials of the region. The first training course referenced in the agenda, the Emergency Planning & Community Right-To-Act (EPCRA) Hazardous Materials Awareness Compliance Course, is targeted at both public and industry employees. The second course, Florida Interoperability Communications Technicians COM-T Training, is targeted at emergency response personnel who handle radio communications; it is a required course for specific certifications. Mr. Gibbons briefly discussed other upcoming trainings he expects to offer in coming months.

Commissioner Mann stated that he believes Council's consent agendas often include items of regional importance that warrant additional discussion. He made a distinction between administrative agendas and consent agendas, clarifying that administrative agendas contained more substantive issues that warranted discussion, and that it is left to staff discretion to decide which items are placed on administrative rather than consent agendas. Commissioner Mann stated that he has recently been involved in discussions at the local government level regarding what characteristics distinguish an item as warranting additional discussion rather than being placed on a consent agenda. He asked staff to consider which agenda items have a regional impact, such as the comp plan amendments on the current agenda, and to place the items on the administrative agenda, provide a brief explanation of the items by staff, and provide an opportunity for Council members to hold a discussion of the regional impact of the items.

Ms. Wuerstle said that staff was prepared to present any items on the consent agenda. Commissioner Mann asked that this be done as a matter of policy and that if an agenda item has any sense of a regional impact, to place it on the administrative agenda and allow for a brief discussion of the item. Chairwoman Heitmann agreed with Commissioner Mann. Councilwoman Simons suggested that due to the complicated nature of planning, staff could conduct a comprehensive planning workshop for members not already familiar with the planning process.

Chairwoman Heitmann called for a vote on the motion on the table; the motion passed unanimously.

AGENDA ITEM #10(a) Estero Bay Agency on Bay Management

Mr. Beever presented the item. He explained the history and purpose of the Estero Bay Agency on Bay Management (ABM), including current activities of the ABM. His presentation was included in the agenda package for the meeting; a brief summary follows.

The ABM is a nonregulatory advisory committee of the SWFRPC; it was established as part of a settlement agreement to settle a lawsuit challenging the placement of the Florida Gulf Coast University. Negotiations over the permit issuance for the Florida Gulf Coast University led to a Settlement Agreement that called for the creation of the Arnold Committee and an assessment of

overall land uses and natural systems, environmental protection and mitigation tools in the Estero Bay watershed. Upon completion of the Assessment and its adoption by the Arnold Committee in October of 1996, the Council established and began providing staff support to the ABM.

The ABM was modeled after the Tampa Bay Agency on Bay Management. Its directive is to make comments and recommendations regarding the management of Estero Bay and its watershed. It collects and maintains data on Estero Bay, it reviews and comments on regulatory activities and issue affecting the watershed.

The ABM benefits the Estero Bay watershed through its review, monitoring, and commenting activities. Through its activities, it has had a positive impact on the Estero Bay area, including improved water quality, habitat, and hydrology, and indirect benefits to the general community. It was at the ABM that the concept of filter marshes had their origin in the Region, and the ABM assisted in the implementation of most of the filter marshes that have been created in the Estero Bay watershed. Recently, an ABM member was involved with designing an award-winning mitigation park project at the Southwest Florida International Airport.¹

The Estero Bay watershed includes the bay itself, and land that extends as far north as the Six-mile Cypress Preserve, east to the Corkscrew Regional Ecosystem Watershed, and south to the Lake Trafford area in Collier County. The ABM has worked on a number of different land use plans, assisting counties and cities, providing professional review services that would have cost local governments considerable amounts of money if they had had to contract for the work. Examples of projects include the DR/GR study and the Lee County Master Mitigation Plan.

Each year, a work plan for the ABM is approved by the SWFRPC. All items on the 2013 work plan have been completed; the 2014 work plan, which will include the next State of the Bay report, will be brought to Council for approval at its next meeting.

The settlement agreement that created the ABM also created the Arnold Committee, which appointed the first members of the ABM. The ABM subsequently developed its own bylaws, which address the selection and appointment of members, and seek to establish a diverse group of persons representing groups from private and public sectors. If a member organization chooses not to continue their membership on the committee, they can resign. Several federal agencies have discontinued their membership as a result of federal cutbacks, and some developers that used to participate discontinued their involvement after the economic downturn.

The ABM has completed three State of the Bay reports; each looks at the condition of the bay in terms of water quality, hydrology, habitat, and a number of other measurements, including tourism and the economic benefits that come from the bay. The ABM also holds periodic conferences that bring together large groups of professionals to discuss subjects related to Estero Bay and other areas of the Region. A list of ABM accomplishments was included in Mr. Beever's presentation in the agenda package.

¹ Church Roberts of Johnson Engineering; the environmental team at Johnson Engineering provided environmental services for the 7,000-acre offsite mitigation park that was created as part of Project Millennium at the Southwest Florida International Airport; the project was the recipient of the Environmental Achievement Award in 2004 presented by the Airport Council North America, and the Florida Airports Council Environmental Award for 2008.

Mr. Beever pointed out that materials regarding the ABM, including organizational documents, meeting minutes, State of the Bay reports, and prior conferences, are available on Council's web site at www.swfrrpc.org/abm.

Mr. Beever concluded by stating that the ABM is fully funded for the next year, thanks to major support from the City of Bonita Springs, as well as the Town of Fort Myers Beach and Florida Gulf Coast University.

Commissioner Mann stated that there was a report in the agenda package from Council's attorney, Mr. McCabe, responding to a question he had posed at Council's last meeting regarding Council's obligations to continue housing the ABM, and who was required to pay for the costs of maintaining the agency.

A discussion over the funding history of the ABM ensued; Mr. Beever clarified that the ABM was originally funded by a small portion of the funds received by the regional planning council from the Florida Department of Community Affairs. This funding continued from 1996 through 2010, at which time state funding for the regional planning councils was eliminated from the state budget. At that time, Council directed staff to solicit voluntary contributions from ABM members to offset the cost of administering the ABM. From 2010 to 2013, Lee County, FDEP, and SFWMD all provided funding for the ABM; in the past year, these agencies have elected not to continue funding for the ABM.

Commissioner Mann stated that Lee County staff is recommending against Lee County being the single county that has a financial obligation to fund the ABM; part of the rationale being that the agency is a nonregulatory advisory agency that comments to regulatory agencies, and there are already a number of other environmental agencies providing comments on projects, from the U.S. Army Corps of Engineers on down to the county and city level. Commissioner Mann stated that the point of the ABM was to look at the impact of the university, and the water flowing to the Estero Bay; he stated that we have now been studying the water quality of Estero Bay for almost 20 years now, and at this time, the university has created most of its footprint, although there will be some additions in the future. Commissioner Mann questioned whether we need the ABM, along with all of the other agencies that are also participating in everything relating to Estero Bay. He pointed out that Mr. McCabe's legal analysis states that the settlement agreement establishing the ABM is silent on both how long it should last and who should fund it, so no party, including Lee County, is obligated to fund the agency. Commissioner Mann hypothesized that given the lack of controlling language in the settlement agreement, it appears to be up to the Council's budget process to determine funding for the ABM, and that Council needs to decide whether it wishes to continue funding the ABM as a committee of the Council.

Commissioner Mann concluded by stating that having heard the presentation by Mr. Beever regarding the history and benefits of the ABM, and having received the analysis from Mr. McCabe of Council's obligations under the settlement agreement, he wished to table the issue until the next Council meeting. At that time, he stated, Council could discuss the issue and decide, collectively, if it wishes to continue supporting the work of the ABM.

Commissioner Mann made a motion to postpone debate on the agenda item, and to have a full and open discussion at the next meeting, after members have had the chance to review and consider the materials presented. Commissioner Nance seconded the motion.

Discussion ensued.

Councilwoman Simons started to engage in further discussion of the merits of the ABM; Commissioner Mann called Point of Order, as the topic was not germane to his motion to postpone discussion to the next meeting.

Chairperson Hietmann called for a vote on the motion on the table; all approved, except for Councilwoman Simons, who objected.

Mr. McCormick requested that staff address two points at the next meeting: (1) who maintains the ABM website, and (2) what the status is of the Tampa Bay Agency on Bay Management, that the Estero Bay ABM was modeled after.

Councilman Banks asked staff to provide an accounting for the ABM at the next meeting.

Councilman Burch asked staff to provide: (1) an inventory of the boards and other interests that are currently dealing with the Estero Bay – who is working on the bay, and where their funding is from; and (2) to state what the council is doing regarding waterways in Cape Coral, and to identify where it is putting all of its efforts.

Commissioner Nance asked that Mr. McCabe be prepared to opine on Council's legal obligations and ramifications.

Councilwoman Simons requested that stakeholders from Bonita Springs, Estero, and other areas affected by the continued existence of the ABM be provided with the opportunity to speak on the issue at the next meeting.

AGENDA ITEM #10(b)

2014 Nominations Committee Report/Election of 2014 SWFRPC Officers

Mr. Flood presented the item. At a meeting on December 17, 2013, Mr. Flood met with the other Nominations Committee members, Commissioner Mann and Commissioner Cook, and agreed to recommend the following slate of officers:

- 2014 Chair – Councilwoman Teresa Heitmann, City of Naples (former Vice Chair)
- 2014 Vice Chair – Mr. Robert Mulhere, Collier County Governor Appointee (former Treasurer)
- 2014 Secretary – Mr. Don McCormick, Charlotte County Governor Appointee
- 2014 Treasurer – Councilman Forrest Banks, City of Fort Myers

Councilman Kit McKeon moved to approve the slate as proposed; Commissioner Nance seconded the motion. The motion received unanimous approval.

Councilman Banks commended Commissioner Turner for his outstanding service as chairman of the Council for the past three years; everyone expressed their agreement with the commendation.

AGENDA ITEM #11(a)
FDEP Surplus Lands Resolution

Mr. McCabe presented the item. He stated that the intent of the resolution was to express the opinion that the specified lands had been purchased with public funds with the intent that they be preserved, and that for the numerous reasons specified in the resolution, they should be retained in public ownership, not listed on the FDEP surplus lands list for potential sale.

Commissioner Mann asked whether the resolution included parcels on Cayo Costa only, or other parcels as well; he expressed his belief that the resolution needed to include any parcels on North Captiva Island as well. It was clarified that the resolution included lands on North Captiva Island.

Commissioner Mann moved to adopt the resolution; Councilman Burch seconded, and the motion received unanimous approval.

Chairwoman Heitmann requested that a cover letter be sent with the resolution to the appropriate party at the Division of State Lands; Commissioner Mann requested that a copy also be sent to the regional legislative delegation, our spokesmen and lobbyists on the issue.

AGENDA ITEM #11(b)
Southwest Florida Research & Education Center Resolution

Mr. McCabe presented the item. Commissioner Nance brought a clerical error to the attention of staff, and proposed a friendly amendment to the resolution for consideration of Council members that would broadening the reach of the resolution by adding another "whereas" clause:

"WHEREAS, the University of Florida is a critical regional portal for all science and technology, including the management of water, environmental, and natural resources for all regional counties and municipalities;"

Commissioner Nance stated that he was proposing an amendment because he is seeking support from all counties and municipalities in the region, since it is a technical institution of critical need that addresses all types of natural resource and technology issues, not just agribusiness; he stated that it is one of the best technology assets we have in the region. Commissioner Nance also stated that he would seek the support of and hope that the final resolution would be sent to the members of the Council, and they would seek similar resolutions from their respective bodies supporting the institution.

Councilman Burch stated that he didn't feel comfortable supporting a change in the resolution that had not been reviewed by his city council, as he could not attest that it would benefit his community. Discussion ensued; alternative language was agreed upon that stated that the Center would benefit the region rather than all counties and municipalities in the regions:

“WHEREAS, the SWFREC is a valuable regional portal providing technology and science regarding the management of water, environmental issues, and natural resources to the region;

Commissioner Davis moved to adopt the resolution as amended; Commissioner Mann seconded; and the motion received unanimous approval.

Commissioner Nance thanked the Council for its support, and requested that Mr. McCabe forward the resolution to member of the Council for consideration by their respective bodies.

AGENDA ITEM #11(c)
Economic Development Initiative of Southwest Florida

Chairwoman Heitmann stated that this item was to have been presented by Ms. Holquist; due to her absence, it would be postponed until the following meeting; when she could be present her report on the initiative.

AGENDA ITEM #12
NEW BUSINESS

Chairwoman Heitmann stated that there was an open request for Council to appoint someone to the Estero Bay Agency on Bay Management (ABM), and that due to her historical knowledge of the ABM; Councilwoman Simons had been nominated to fill the position. Chairwoman Heitmann stated that she was appointing soon-to-be-former Councilwoman Simons to the board as Ms. Simons to represent the Council on the ABM.

Chairwoman Heitmann stated that she was also creating several new committees. The first committee was the Economic Development Committee, and she was appointing Forrest Banks to chair the committee due to his involvement in economic development with the Florida League of Cities and the Southwest Florida Economic Development Alliance. Councilman Banks stated that he has high hopes for the Alliance, which has support from FGCU and the economic development sectors in Collier and Lee counties, and is working on branding that will promote the Southwest Florida region. In addition, Council staff has a grant to develop a business plan for the Alliance.

Councilwoman Simons voiced her opinion that an additional economic development entity would be redundant, given the number of existing economic development entities.

Chairwoman Heitmann asked council members interested in serving on the Economic Development Committee to contact Ms. Wuerstle.

Chairwoman Heitmann next announced the creation of a Transportation Committee, and asked council members interested in serving on the committee to contact Ms. Wuerstle.

Chairwoman Heitmann also announced the creation of the Quality of Life and Safety Committee, and the appointment of Vice Mayor Willie Shaw as the chair of the committee. She explained that the committee was important because if we cannot expect to be successful with economic

development unless we look at all factors affecting our communities, including quality of life and safety.

Vice Mayor Shaw accepted the appointment, and stated that there were many overlapping issues within the region that need to be addressed from the perspective of safety and quality of life. In order to create a region that is attractive to people, with a high quality of life and economic opportunities, people need to feel safe in their communities. In order for this to happen, we need to have the conversations that will bring these issues to the forefront, which is the purpose of this committee.

Chairwoman Heitmann stated that she was pleased to learn that Commissioner DiFranco had volunteered to serve as chair of the Transportation Committee; a somewhat surprised Commissioner DeFranco accepted the nomination.

Chairwoman Heitmann asked Councilman McKeon if he would be willing to serve as chair of the Budget and Finance Committee; Councilman McKeon agreed.

AGENDA ITEM #13 STATE AGENCIES COMMENTS/REPORTS

SFWMD – Mr. Flood stated that the SFWMD Government Board would be holding their February meeting in Fort Myers in the Lee County commission chambers at 9:00 a.m. on February 13th; also, the Corps of Engineers will holding a Caloosahatchee Estuary after action report meeting at the Lee County administration building on January 28th.

FDEP – Mr. Iglehart stated that district directors around the state will be changing places next month, so Sean Hamilton from Pensacola will be representing the SFWMD at the February Council meeting.

FDOT – no report.

AGENDA ITEM #14 COUNCIL ATTORNEY'S COMMENTS

Counsel McCabe stated that he had no comments at this time. Chairwoman Heitmann asked if there would be a meeting of the Legislative Affairs Committee before the February Council meeting, and asked who was on the committee. Mr. McCabe stated that the committee was chaired by Vice Mayor Congress, and members included Commissioner Constance and Mr. McCormick. Mr. McCabe stated that the committee members had agreed to hold meetings as needed, and that he would contact the committee members to ask whether they wished to meet prior to the February Council meeting.

AGENDA ITEM #15 COUNCIL MEMBERS' COMMENTS

Councilman Burch stated that this was his first meeting back after being away for five years, and that things had changed. He stated that if this meeting was a typical meeting, the Council might want to hold a strategic planning session to discuss their purpose and mission.

Chairwoman Heitmann stated that since she had chaired the meeting, she felt obliged to respond to Councilman Burch's comments. She stated that Council was a place where members are free to speak their minds, and welcomed him back to Council.

Councilman Banks state that he believes that Council is making lots of progress.

Mr. McCormick thanked the Council for their confidence in electing him to the board; he then stated that the fertilizer ordinance was the direct result of Mick Denham's efforts, and gave credit for the results to him; finally, he commended Jennifer Pellechio for her hard work on the Energy & Climate Subcommittee.

Commissioner Duffy stated that she believes the Council is in a good place, and commended Chairwoman Heitmann of leading a tough meeting.

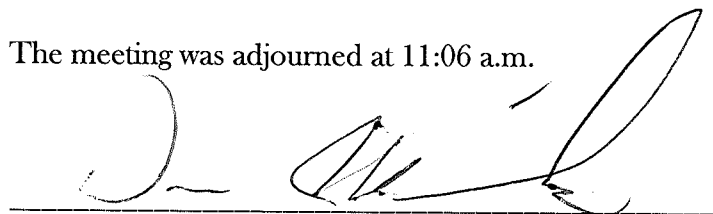
Councilwoman Simons stated that it had been a great time to serve on the Council. She welcomed Councilman Burch back to Council, and commended him for his advocacy work on behalf of his city. She said that they had done a lot of good work, and had gone through some real struggles. She thanked everyone on Council for their willingness to serve, and the executive director and staff of the council for their work. She stated that Council would be well served by Chairwoman Heitmann, whom she had learned to respect during their time together in the League of Cities.

Vice Mayor Shaw stated that he was looking forward to a very productive and prosperous year.

Chairwoman Heitmann thanked Councilwoman Simons for her service, as well as the other Council members, and that she looked forward to the next meeting.

AGENDA ITEM #16 ADJOURNMENT

The meeting was adjourned at 11:06 a.m.

A handwritten signature in black ink, appearing to read 'Don McCormick', written over a horizontal line.

Mr. Don McCormick, Secretary