

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
APRIL 19, 2012 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **April 19, 2012** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Karson Turner** called the meeting to order at 9:08 a.m. and then **Councilman Banks** 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, Councilwoman Rachel Keesling

Collier County: Commissioner Jim Coletta, Councilwoman Teresa Heitmann, Mr. Bob Mulhere, Mr. Alan Reynolds

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Karson Turner

Lee County: Commissioner Ray Judah, Commissioner Frank Mann, Councilman Forrest Banks, Councilman Chris Chulakas-Leetz, Councilman Joe Kosinski, Ms. Laura Holquist

Sarasota County: Commissioner Christine Robinson, Commissioner Tom Jones, Councilman Kit McKeon, Commissioner Willie Shaw

Ex-Officio Members: Mr. Johnny Limbaugh - FDOT, Ms. Maya Burke - SWFWMD

MEMBERS ABSENT

Charlotte County: None

Collier County: Commissioner Donna Fiala

Glades County: Commissioner Kenneth "Butch" Jones, Commissioner Robert Giesler, Councilwoman Pat Lucas

Hendry County: Commissioner Daniel Akin, Commissioner Al Perry, Commissioner Joseph Miller, Mr. Melvin Karau

Lee County: Vice Mayor Mick Denham, Councilwoman Martha Simons, Mr. Paul Pass

Sarasota County: Commissioner Carolyn Mason, Mr. Felipe Colón

Ex-Officio Membership: Mr. Phil Flood – SFWMD, Mr. Jon Iglehart – FDEP

**AGENDA ITEM #4
PUBLIC COMMENTS**

No public comments were made at this time.

**AGENDA ITEM #5
AGENDA**

Commissioner Tom Jones moved and Commissioner Mann seconded to approve the agenda as presented. The motion carried unanimously.

**AGENDA ITEM #6
Minutes of the March 15, 2012 Meeting**

Commissioner Constance noted he had a change on page 12 in the last sentence of the minutes to change the word from “core” to “court”.

Commissioner Judah moved and Commissioner Mann seconded to approve the minutes of the March 15, 2012 Meeting as amended. The motion carried unanimously.

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

Ms. Wuerstle noted that a report was distributed. She then announced that the Governor had vetoed the funding for the regional planning councils. She stated that she would be taking the necessary action to ensure that the current year’s budget will be able to be closed and also will submit a balanced budget for next year.

Ms. Wuerstle explained that staff is currently working on two grants: Rural Jobs Accelerator Grant with Glades County and the other is in partnership with Lee Tran on a Veterans Transportation Community Initiative. She then stated that Mr. David Crawford will be giving a brief presentation on the background of Florida’s planning process and she would then give an update on the upcoming CEDS Workshops.

Commissioner Constance asked the amount of the State funding that was not approved. Ms. Wuerstle replied that the Council would have received approximately \$220,000 in State funding and replaced that if the Governor would not have vetoed the funding, it would have closed the budget gap for this year’s budget and balanced next year’s budget.

Councilman Chulakas-Leetz asked what percentage of the overall budget was the State funding. Ms. Wuerstle replied that the current budget is \$3 million and next year’s budget is \$2.7 million. Ms. Yell stated that it is approximately 16%.

Staff Planner, Mr. David Crawford gave a PowerPoint presentation on the State mandated planning processes.

Ms. Wuerstle gave a brief overview of the Comprehensive Economic Development Strategy (CEDS) document, workshops and process.

Commissioner Constance stated that it appears that the Council is getting away from the actual “regional planning” growth and development and getting more into economic development. He then asked if there has been any thought to bring together the Economic Development Directors under the Council and conduct an economic summit. Ms. Wuerstle asked that Ms. Jennifer Pellechio of staff speak on that issue. She also noted that there is a CEDS Working Committee exists with all of the Economic Development Directors as members.

Ms. Pellechio explained that staff does work with all of the Economic Development Directors and they all have been engaged. The directors are excited about the revision of the CEDS document and they also have been assisting with the arrangements for the CEDS workshops.

Commissioner Constance stated that everyone in the room was working towards a common goal. He stated that he sees too often a “player” comes to the area and picks us off and works us against each other in order to try to get the best deal. He felt that if everyone is in a room and plans a strategy together, then it would make it harder for private groups to come in and “play us against one another”.

Ms. Holquist stated that there is a regional group of leaders at FGCU that are working strongly towards creating a regional economic development entity and has two summits planned within the next three months.

Councilwoman Heitmann asked for an update on the Collier County event. Mr. Reynolds announced that the Naples Chamber of Commerce is hosting an event on Monday, April 23rd at Hodges University in Naples. The forum will be putting together a comparative assessment of the counties across the State of Florida for best practices and economic development. He then said that he is hoping to use that information to arrive at a new economic development program for Collier County.

Councilwoman Heitmann asked if anyone was working with the Council on that project. Mr. Reynolds replied that there probably hasn’t been much work to date because they were still not sure what it would look like in Collier County. He stated that they felt that we needed to get the plan together first before interacting on a regional basis. He also stated that they were paying attention to the work that was being done on both the regional and state level in order to get everyone working under the six pillars framework. He felt that was a critical component, because it gave everyone a common frame of reference, common language and a way to organize their efforts.

AGENDA ITEM #8(a)
March 15, 2012 SWFRPC Meeting Executive Summary

The meeting executive summary is presented in the packet as an information item.

AGENDA ITEM #8(b)
Grant Activity Sheets

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

AGENDA ITEM #8(c)
Charlotte Harbor National Estuary Program (CHNEP) Events

Ms. Liz Donley, Deputy Director of the Charlotte Harbor National Estuary Program (CHNEP) gave a verbal presentation on the events of the CHNEP.

AGENDA ITEM #8(d)
SWFRPC & CHNEP Landscaping Project

Ms. Liz Donley, Deputy Director of the Charlotte Harbor National Estuary Program (CHNEP) gave a verbal presentation on the conservation landscaping around the Council's property.

AGENDA ITEM #8(e)
TNC CHNEP Oyster Restoration Plan

Ms. Judy Ott, Environmental Scientist for the CHNEP gave a PowerPoint presentation on the CHNEP's Oyster Restoration Plan.

Commissioner Mann gave a historic perspective of why oyster restoration was so important. He remembered approximately 60 years ago when there were piles of oysters 60 feet tall and 200 feet long along the Caloosahatchee River, because people used to go out with barges and drag lines and scrape up the live oysters and then stack them up and let them dry out along the shore. He noted that hundreds of miles of roadways, particularly driveways, were made of oyster shell.

Councilwoman Keesling asked if volunteers were used for the restoration project. Ms. Ott explained that the idea was to come up with a variety of options for designs for restoration projects, which would require different partners. Some would involve volunteers, but almost all of them would have to involve a research institute, such as SCCF or FGCU to help coordinate the volunteers. The idea is to make sure that the projects are well designed and placed.

Commissioner Judah stated that the reason that the regional planning councils are important from the regional planning perspective is multi-faceted. One reason has to do with managing our critical water resources. Up until recently, the SFWMD was not providing for minimum flows from Lake Okeechobee down the Caloosahatchee River and just recently the SFWMD decided to release 2,000 cubic feet per second to help wash out some of the blue green algae that built up and closed down the Olga Water Treatment Plant, because it impacted the taste and odor of the water. The releases may address the blue green algae, which created health warnings within the river, but it didn't address the salinity issue. He noted that a lot of oysters have been lost along with oyster habitat due to the higher saline conditions in excess of 10 parts per thousand.

Commissioner Judah asked Ms. Ott if the CHNEP gets involved with coordinating with the SFWMD to educate them as to the salinity gradient to protect not only existing but restored oyster

habitat. Ms. Ott explained that there is the Southwest Florida Oyster Working Group which is going to help us in reviewing parts of the plan to make sure that it is technically accurate and some of the members are from both the SFWMD and SWFWMD and they also participate on the CHNEP's Technical Advisory Committee and Management and Policy Committees. The process does a certain amount of education, but there is always more to be done.

Ms. Burke noted that the SWFWMD is very much aware of the importance of the low salinity habitat, so when the SWFWMD established slow impulses for the fresh water rivers it was a big concern.

Ms. Holquist stated that this was a long-term goal for resolving this issue and it is perfect to fall into the growth leadership and infrastructure pillar within the six pillars program and would fit perfectly into the economic development plan.

AGENDA ITEM #9 CONSENT AGENDA

Mr. Reynolds noted that he had a conflict of interest on Agenda Item #9(c) Hendry County Comprehensive Plan Amendments (DEO 12-1ESR) and needed to abstain from voting on the item.

Mr. Perry noted that he had a conflict of interest on Agenda Item #9(c) Hendry County Comprehensive Plan Amendments (DEO 12-1ESR) and needed to abstain from voting on the item.

Councilman Chulakas-Leetz moved and Commissioner Constance seconded to recommend approval of the consent agenda: Agenda Item #9(a) Intergovernmental Coordination and Review; Agenda Item #9(b) Financial Statement for March 31, 2012; Agenda Item #9(c) Hendry County Comprehensive Plan Amendments (DEO 12-1ESR); Agenda Item #9(d) North Port Gardens DRI - Development Order Review; Agenda Item #9(e) Gateway DRI - Development Order Amendment Review; Agenda Item #9(f) Pelican Preserve DRI - Development Order Amendment Review; Agenda Item #9(g) Pelican Landing DRI - Development Order Amendment Review; Agenda Item #9(h) Sarasota County Interstate Business Center DRI - Development Order Amendment Review; Agenda Item #9(i) Required "Enhanced Biennial" Rule Review; and Agenda Item #9(j) SWFRPC Fixed Assets Removal. The motion carried with Mr. Reynolds and Mr. Perry abstaining from voting on Agenda Item #9(c).

AGENDA ITEM #10(a)1 Budget & Finance Committee

Ms. Wuerstle gave a verbal summary of what had been discussed at the Committee meeting.

AGENDA ITEM #10(a)2 Executive Committee

Ms. Wuerstle gave a verbal summary of what had been discussed at the Committee meeting.

Commissioner Judah asked for clarification on whether the Executive Committee has the final decision regarding North Port Gardens DRI issue or if the full Council makes the final decision. It was his understanding that there is a \$50,000 threshold where the Executive Director can make decisions on personnel, supplies, materials, etc., which he fully supports. But he did not support the policy issue with regards to adjusting a fee that is normally part of a DRI and having the decision made by the Executive Committee. He had questions on whether or not the Council needs to be the body that affirms or ratifies what is really to be a recommendation by the Executive Committee. He wanted to make sure that this was not a precedent setting decision for future DRIs. He felt that the decision should have been made by the full Council and not by the Executive Committee, because this issue has tremendous implications.

Ms. Donley stated that it may be better to describe this action as a “reallocation of staff hours” and not as a “reduction of the DRI fee”. There was a review of staff hours, work product and level of effort. The decision was that the staff hours were better allocated to other billing numbers and because of that, this DRI would then experience a reduction in staff hours that had been billed to it so that would reduce the overall invoice. She stated that she would agree with Commissioner Judah that this was not a precedent and that it was a very unique situation and she believed that the Council had taken actions since June so that this situation would not occur again.

Commissioner Judah stated that he was comfortable with Ms. Donley’s approach. He then stated that if such a similar issue goes before the Executive Committee again if the Executive Committee would be able to make the final decision or would it go before the full Council.

Commissioner Turner stated that the Executive Committee would be making a recommendation to the full Council.

Councilman McKeon stated that he liked the way Ms. Donley explained the issue, but sometimes the minutes are the reality of the situation and asked that the minutes are modified to reflect Ms. Donley’s statement.

AGENDA ITEM #10(a)3 Legislative Affairs Committee

Commissioner Turner asked if the onslaught from the legislature is going to happen every year or whether this was “death by 1,000 cuts”.

Commissioner Judah stated that it was “death by 1,000 cuts” and it was going to happen every year.

Commissioner Mann stated that he didn’t believe that anyone knows completely the answer to the question because it is in the legislature’s hands. He had heard several legislators explaining what happened in the recent session. One of their goals was to do everything possible not to increase revenues from any source. That meant that they were going to have to live within their means. There was a \$4 billion shortfall and everybody was going to take a hit. So with that attitude prevailing presumably for the future, he felt that we could anticipate, if the revenues continue to decrease, the regional planning councils would continue to take a hit, Medicare took a hit along with many other items. Very few things went up this year. If the economy slowly continues to

revive itself then he expects that is when the hits will cease. He then said that he doesn't believe that the RPCs were singled out by the legislature.

Commissioner Turner asked Commissioner Mann if he felt that the legislature was giving the RPCs their marching orders and trying to get rid of RPCs. Commissioner Mann noted that major modifications were made to the former Department of Community Affairs (DCA) which is now the Department of Economic Opportunity (DEO) and felt that the worst was behind us. He said that he didn't feel that the RPCs were under some sort of incremental attack from the legislature.

Commissioner Judah stated that the legislature had already shown that their disdain of growth management. They had completely eliminated growth management legislation in the state growth management act. They have completely eliminated the Department of Community Affairs and renamed it the Department of Economic Opportunity. They are not in support of regional planning as evidenced by eliminating funding for regional planning councils. This is not just a passing issue with the legislature, but a concerted effort to absolutely derail statewide planning, as well as to eliminate the resources for planning efforts and open it up that the State of Florida is "for sale".

Councilman Banks stated that he felt that many of the legislators don't know what the regional planning councils do and they don't have a good education on the value of the RPCs. It is up to us throughout the next year to say to them that the RPCs need some help.

Commissioner Constance stated that he felt what had happened is that the legislature sees any kind of planning as forestalling jobs. The legislature is looking for jobs and economic growth and if the RPCs can transform themselves very rapidly into a jobs or economic development machine, then the RPCs will be placed on the map and will be something that the legislature wants and hopefully will be willing to fund. Then once the economy rolls back around in three to five years, the roles reverse again and the RPCs go back to what they had been.

Commissioner Duffy stated that she agreed with Commissioner Constance's comments. She then noted that she had a meeting with Senator Benacquisto and she asked the Senator if she would be willing to attend a Council meeting and the Senator said that she would be happy to.

Commissioner Duffy suggested inviting all the other Southwest Florida Senators and Representatives to a Council meeting. She then stated that we need to keep in contact with our legislators.

Commissioner Coletta stated that he agreed with Commissioner Duffy's suggestion about keeping in contact with the legislators. He noted that the Council had made attempts in the past to invite the legislators to Council meetings and he felt that those attempts should be renewed.

Commissioner Mann suggested taking some affirmative action in sending an invitation to Senator Benacquisto to attend a Council meeting with specific subject matter such as "How does she view the future role of regional planning councils."

Commissioner Turner stated that he had a discussion with Representative Grimsley who stated that she would also be willing to attend a Council meeting. He then suggested contacting Representative Hudson.

Commissioner Tom Jones explained that the path which he has taken has been with the press. He encouraged all of the members to get the word out about the value of the regional planning council through the press.

Councilman McKeon asked if the Council had a marketing document. A summary document which gave a history and explained why the RPC was important would be very useful, especially for a legislator.

Ms. Wuerstle explained that the Council does have a flyer that available to the general public. However, staff is currently in the process of developing a briefing document which will be completed next month for the New Member Orientation.

Councilman McKeon stated that he would like to have a copy of the New Member Orientation booklet so he can give it to the Venice City Council.

Commissioner Constance stated that he felt that would be very productive to have the Southwest Florida Representatives and Senators on a schedule to attend a Council meeting so we can find out what they know about the regional planning councils and use it as an educational tool to get them to understand who we are, who we represent, what the goals are and try to understand what their mindset is.

AGENDA ITEM #10(a)4 Regional Strategy Committee

Ms. Holquist stated that over the past six months there has been discussion on how the region looks at the regional planning council as a land use planning organization. We have been trying to move the effort of regional planning and environmental planning and really removing the focus of land use planning.

Discussion ensued

Ms. Holquist asked the Council if everyone was in agreement that they wanted the Council to move forward in developing a regional plan and playing a vital role for the region in accountability measures and having a scorecard.

Commissioner Judah asked if it was in the absence of land use planning. Ms. Holquist replied no.

Ms. Holquist explained that we don't want the public to see the Council as a land use planning organization, but as regional planning organization that includes components of environmental planning and land use planning.

It was the general consensus of the Council to move forward with the regional plan.

Mr. Reynolds stated that as a new member of Council, he fully supports Ms. Holquist. He felt that it is essential to keep the Council relevant within the State of Florida, because priorities have changed and the Council has an opportunity to align this organization with the priorities that exist today in the State of Florida. He felt that it was the Council's responsibility as the only organization within Southwest Florida which draws leadership from both the public and private sector, to undertake this type of planning process. Southwest Florida is the only region within the State that has not fully engaged in creating that type of a regional plan.

Mr. Reynolds said that he agreed with inviting the legislators to the Council meetings, because he felt that they need to hear from us and we need to hear from them on where everyone is heading.

Commissioner Turner explained that the Legislative Affairs Committee had developed a process for any issue that needed to go before the full Council, especially if it needed a letter or endorsement. The Committee would review and discuss the issue prior to having the issue go before the Council. This would streamline the meeting process and allow the Council to hold a quorum and be respectful of everyone's time. He asked the members if they were in agreement with the process.

It was the general consensus of the Council to implement the process.

**AGENDA ITEM #10(a)5
Regional Watersheds Committee**

The Committee report was presented in the packet as an information item.

**AGENDA ITEM #10(a)6
Estero Bay Agency on Bay Management**

The Committee report was presented in the packet as an information item.

**AGENDA ITEM #10(b)
Legislative Issues Update**

Ms. Donley stated that the legislative issues were discussed under the Legislative Affairs Committee report.

**AGENDA ITEM #11
NEW BUSINESS**

Ms. Wuerstle announced that Mr. Reynolds noted that he would like to become a member of the Regional Strategy Committee. Commissioner Turner appointed Mr. Reynolds to the Regional Strategy Committee.

Commissioner Turner also appointed Mr. Pete Quasius and Mr. Ron Hamel to the Regional Strategy Committee.

AGENDA ITEM #12
STATE AGENCIES COMMENTS/REPORTS

SWFWMD – Ms. Burke announced that the SWFWMD’s Regional Cooperative Funding Initiative meeting for the Sarasota, Manatee and Charlotte areas was being held.

AGENDA ITEM #13
COUNCIL ATTORNEY’S COMMENTS

Counsel Donley announced that April 20th was the Council’s legal extern’s last day and he had done a great job and was very helpful and she was hoping to pursue a legal extern for the fall.

Commissioner Turner stated that legal extern in Hendry County had been great.

AGENDA ITEM #14
COUNCIL MEMBERS’ COMMENTS

Commissioner Coletta announced the groundbreaking for Arthrex at Ave Maria University. It will produce over 500 construction jobs over the next year and then over a period of time it will produce 500 regular manufacturing jobs. He thanked Mr. Reynolds for setting the matrix down for the Rural Land Stewardship Program in Collier County which made it all possible.

Commissioner Duffy announced that Charlotte County has an opening for an Assistant County Attorney.

Councilwoman Keesling stated that if anyone had extended bicycle routes within their cities or counties and had contact information, she would be very appreciative. The City of Punta Gorda has a citizen movement and they are going to try to work with Charlotte County to do extended bicycle routes (30, 60 and 90 miles) around the area and they are looking for help with the project. She then thanked Ms. Wuerstle for coming to meet with her in Punta Gorda, it was a very informative meeting. She announced that at the May 2nd City Council meeting, the City Council will be reviewing the draft fertilizer ordinance for the City of Punta Gorda.

Mr. Reynolds stated that it is an honor to be a member of the Council. He also noted that Mr. Ron Hamel was the Chair of the citizens committee who created the Rural Lands Stewardship Program in Collier County and also was Chair of the UF process.

Commissioner Mann touched on the passing of Dr. John DeGrove. He was the former head of the Department of Community Affairs and he had “huge heavy footprints” in everything that is being done today that the legislature hadn’t taken away.

Commissioner Constance stated that he was serious about inviting the legislators to the Council meetings, because they answer to us and our constituents.

Councilman Banks asked if the Executive Committee could work on the schedule for inviting the legislators. Commissioner Turner replied that he felt that the Executive Committee could come

up with a schedule. Councilman Banks stated that he agreed with Commissioner Mann's suggestion that they be given a subject or direction and a set time. Commissioner Turner agreed.

Councilman McKeon stated that it would be equally important for us to reach out to them in order to set the stage.

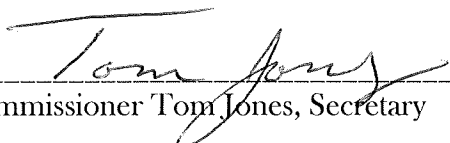
Discussion ensued on the process of inviting the legislators.

Councilman McKeon stated that it seems that the real issue was educating the legislators on the who and what of the regional planning council.

Commissioner Mann stated that he felt that what should be done is ask the legislators for their thoughts on the existing role of the regional planning councils and their future. He then suggested having it go before either the Executive Committee or staff to work on and invite someone to the May meeting and also invite both Representative Williams and Senator Benacquisto, because one of them will probably show up. Representative Williams has been on the water management board and Chair of the Natural Resources Committee. Senator Benacquisto is the current Chair of the Economic Development Committee and a powerhouse on appropriations.

**AGENDA ITEM #15
ADJOURN**

The meeting adjourned at 10:43 a.m.



Commissioner Tom Jones, Secretary

The meeting was duly advertised in the April 6, 2012 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 38, Number 14.