

**MINUTES OF THE
JOINT MEETING OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL AND
THE SEMINOLE TRIBE OF FLORIDA
MAY 21, 2009**

The regular meeting of the Southwest Florida Regional Planning Council was held on May 21, 2009 at the Big Cypress Indian Reservation, Administration Building, and 3rd Floor in Clewiston, Florida. Vice Chairman Mick Denham called the meeting to order at 10:35 a.m. Tribal Chairman Mitchell Cypress led the Prayer and the Pledge of Allegiance. Senior Administrative Staff Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Councilman Don McCormick, Ms. Andrea Messina

Collier County: Commissioner Jim Coletta, Commissioner Frank Halas, Councilwoman Teresa Heitmann

Glades County: Dr. Edward Elkowitz

Hendry County: Commissioner Tristan Chapman, Mayor Paul Puletti, Mr. Melvin Karau, Mayor Mali Chamness, Commissioner Karson Turner

Lee County: Commissioner Ray Judah, Mayor Mick Denham, Councilman Tom Babcock, Councilman John Spear

Sarasota County: Commissioner Jon Thaxton, Councilman Ernie Zavodnyik, Mr. George Mazzarantani

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

MEMBERS ABSENT

Charlotte County: Commissioner Tricia Duffy, Commissioner Robert Skidmore, Mr. Alan LeBeau

Collier County: Councilman Charles Kiester, Ms. Laura Holquist

Glades County: Councilman Michael Brantley, Commissioner Paul Beck, Commissioner Kenneth "Butch" Jones

Hendry County: None

Lee County: Commissioner Tammy Hall, Mayor Jim Humphrey, Mayor Jim Burch

Sarasota County: Commissioner Carolyn Mason, Mr. David Farley, Commissioner Tom Jones

Ex-Officio Membership: Mr. Johnny Limbaugh - FDOT, Ms. Dianne Davies - SWFWMD, Ms. Tammie Nemecek - EDC of Collier County

Due to the absence of Chairman Humphrey, Vice Chairman Denham was acting Chairman.

**AGENDA ITEM #1
AGENDA**

No changes were made to the agenda.

**AGENDA ITEM #2
MINUTES OF APRIL 16, 2009**

Commissioner Judah moved and Ms. Messina seconded to approve the minutes of April 16, 2009. The motion carried unanimously.

**AGENDA ITEM #3
CONSENT AGENDA**

Ms. Messina moved and Commissioner Judah seconded to approve the consent agenda: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for April 30, 2009; Agenda Item #3(c) 2009-2010 Glades & Hendry Transportation Disadvantaged Planning Grant Application; and Agenda Item #3(d) FRCA Policy Board Appointment. The motion carried unanimously.

AGENDA ITEM #4

Joint Meeting of the Southwest Florida Regional Planning Council & Seminole Tribe of Florida

Chairman Mitchell Cypress of the Seminole Tribe of Florida gave an overview of the Seminole Tribe and its activities. He then introduced Ms. Marsha Green as the Tribal Counsel.

Ms. Marsha Green gave a brief background of herself that she was a Tribal Court Judge for five years and 20 years before that she served a number of Tribal Nations throughout the country as their attorney.

Chairman Cypress then introduced Ms. Jackie Booth as the Tribe's Community Relations Officer for Big Cypress.

Chairman Cypress asked Ms. Green to explain why there are two entities within the Seminole Tribe.

Ms. Green explained that under the Seminole Constitution the Tribal Council was created 51 years ago that has authority similar to the State Legislature and there is also the corporate board which is also comprised of elected members that has certain economic powers and responsibilities for economic development. The Board has more jurisdictions, which President Richard Bowers can explain, over the cattle operations, citrus operation and she believes that at one point in time declined to participate in the gaming business and that is why it is part of the Tribal Council.

President Richard Bowers thanked Commissioner Turner for inviting the SWFRPC to the Big Cypress Indian Reservation and stated that he felt that it was a great opportunity for everyone to get to know each other and he invites everyone back. Today is where we work together and get to know each other because we are in Florida and he feels that the more every one can work together the better it will be.

Commissioner Coletta explained that the Council had given direction to staff to approach the Seminole Tribe in regards to having a representative on the SWFRPC. He explained that the SWFRPC is an advisory board which covers the Southwest Florida Region. He would like to extend the invitation once again.

Vice Chairman Denham thanked President Bowers for inviting the SWFRPC to Big Cypress and it is an honor for the SWFRPC to be here and he agrees that it is an opportunity for improvement and become good neighbors and he looks forward to working with the Tribal Council and Board of Directors.

Chairman Cypress introduced Brighton/Tampa Representative Roger Smith.

Representative Smith thanked the SWFRPC for coming out to Big Cypress and getting together to work with the Seminole Tribe. He looks forward to starting a good relationship with the SWFRPC.

Mr. Heatherington noted that on the SWFRPC's website www.swfrpc.org there is a link to the Seminole Tribe's website www.seminoletribe.com.

Mr. Paul Bowers stated that he has been a representative for 10 years and was just recently re-elected back onto the Tribal Council and he welcomed the SWFRPC to Big Cypress. He also noted the he went to school with Commissioner Turner's father.

Vice Chairman Denham stated that in regards to Commissioner Coletta's suggestion about having a representative from the Seminole Tribe on the Council is that a proposition that the Council should consider. Mr. Heatherington stated that it is a proposition that the Council should consider and staff has been working with on arranging to have a celebration of Southwestern Native Cultures including the Seminole and Miccosukee.

AGENDA ITEM #5 PUBLIC COMMENTS

No public comments were made at this time.

**AGENDA ITEM #6
DIRECTOR'S COMMENTS**

Mr. Heatherington thanked Mayor Chamness for her participation at the meeting. He also thanked the members for making such a commitment for today's meeting.

**AGENDA ITEM #7
STATE AGENCIES COMMENTS/REPORTS**

SFWMD - Mr. Flood announced that at their last meeting the Governing Board approved a 73,000 acre purchase from US Sugar in order to continue Everglades Restoration efforts.

Commissioner Judah asked Mr. Flood to expand on the meeting which took place in Clewiston in regards to the Inland Port facility; because he feels that with the purchase of the 73,000 acres from US Sugar there was no intent to ignore the potential economic growth for both Hendry and Glades Counties.

Mayor Chamness explained that there were approximately 200 residents which filled the John Boy Auditorium because many of them heard about the intermodal logistics center out in the Glades region and the Port of Palm Beach, Hillard Brothers, along with Hendry were invited and made presentations about why the Hendry County is so good. Both Glades and Palm Beach Counties have good sites also, but because where the Hendry County site is located it is a regional approach. It was explained what the logistics center would look like and the future impact of jobs (20,000 jobs over the next 20-30 years). We looked at a 50 year window and our concern when the SFWMD and US Sugar signed a contract back in December, is we felt that we were headed for economic devastation in the Glades region because of the ripple effect of having those 1,700 jobs lost over the next 10-15 years and then also the ripple effect over 10,000 jobs. So not that we didn't want to see Everglades Restoration, but we believed that economic restoration was a very critical component of the purchase of the SFWMD and the Board of Directors of the SFWMD heard our requests for an economic transition plan. We have been working with SFWMD and FDEP Secretary Sole to ensure that some infrastructure comes into play over the next 3-7 years, but nevertheless, once the economic engine of US Sugar is no longer operating in our area it would mean economic devastation without starting right now as we speak today to ensure the future. So the meeting in Clewiston was set and there was an agenda and we wanted to make sure that the Clewiston, Hendry and Glades public and elected officials all the way from Pahokee to Moore Haven and City of LaBelle Mayor Paul Puletti was present to hear the possibilities for the region. Taking into account that we are looking at our area as a critical area and a component for Everglades Restoration, but we believe that there is common ground and that we can work together not only for the future for the Everglades but also for the Glades.

Mr. Flood stated that the Council had passed a resolution in support of the Inland Port facility to be located within the region and felt that it should be located outside the Everglades Agricultural Area (EAA). He noted that the environmental community showed up in mass numbers to the meeting in Clewiston to force their message which the Port of Palm Beach and communities heard that the environmental groups did not want to see the Inland Port located within the EAA or

anywhere that would obstruct the Everglades Restoration. He noted that they stopped short of endorsing the Hendry County site, everyone stated that they liked what they saw but they needed to wait until the formal proposal came through. It was a very good presentation and they acknowledged that there were very little environmental constraints on the site (8,500 acres with only 400 acres of wetlands), outside of panther habitat and it is outside of the EAA. It is within striking distance of both coasts, main corridors (SR80 and US27), rail spur already exist onsite and there is also an airport.

Commissioner Chapman stated that the top priority for the Hendry County BOCC, in addition to getting the Inland Port, is to four lane SR80 to US27 (approximately 22 miles). He explained that he is on the FHREDI Board and found out that SR80 is listed as being their third priority. He noted that during a discussion with FDOT's Secretary it was discussed that at the intersection of SR80 and US27 from 2004 to 2008 there has been eight deaths and 65 accidents. He feels that they are mainly due to it going from two to four lanes. He then asked for the Council's support in making that project a high priority. He also noted that the FDOT's Secretary stated that the SR80 project is only third on the list.

Mayor Chamness noted that SR80 is a hurricane evacuation route for Lee County and when Alligator Alley was recently closed due to the recent fires the two lane portion of SR80 was bumper-to-bumper.

Commissioner Chapman stated that there was just another head-on collision last week with a fatality.

Dr. Elkowitz asked Commissioner Chapman if he was looking for a motion to be made from the Council. Commissioner Chapman replied yes, to make it the highest priority possible.

Dr. Elkowitz stated that as a representative of Glades County and since it affects Glades County he would make a recommendation that the Council support the widening of SR80.

Dr. Elkowitz moved and Commissioner Halas seconded to have the Council support the four-laneing of SR80 for the remaining 22 miles between LaBelle and US27 as a top priority for the region.

Ms. Messina asked if this action is something that the Council needs to do today or if a resolution might have a stronger input.

Vice Chairman Denham stated that he was going to ask if there were any other actions relative to the Inland Port and/or SR80.

Commissioner Judah stated that he would hope that the recommendation would go to the Lee County MPO in order to receive feedback from the Technical Advisory Committee and the Citizens Advisory Committee because we are talking about a statewide road transportation network that has a lot of priorities and he isn't sure what the other two are that has the potential of being bumped with the action taken by the Council today. He fully supports the reasons and merits for moving forward with the widening of SR80, he would just like to see how it interplays with the rest of the transportation priorities.

Commissioner Coletta stated that he agrees with Commissioner Judah and he would like to have FDOT's input to see what kind of rebounding affect it would have.

Mr. Mazzarantani stated that the Florida House Transportation and Infrastructure Committees are working on the five year Highway Route Observation Bills and within the next two weeks the respective Congressmen are placing language within those bills supporting what they call high priority requests. He feels that this project fits those parameters, so he would suggest that if the Council deems it important and it would be very helpful to both Glades and Hendry Counties for the Council to move ahead with its support of the project and forward it to Congressman Connie Mack.

Mayor Puletti stated that SR80 is a high priority for safety and evacuation reasons, but if we are also going to address the Inland Port issue, there is also an airport that might need to be studied along with additional rail concerns that might need to be addressed. He suggested having a comprehensive endorsement instead of addressing the issues on an individual basis.

Vice Chairman Denham suggested having a discussion on the various activities associated with the Inland Port and the infrastructure around it at the June Council meeting.

Dr. Elkowitz stated that he feels that it may be more appropriate but it is only going to delay this recommendation and the project will stay as the third priority and Mr. Mazzarantani had pointed out that time is critical at this point.

Commissioner Judah explained that he is concerned with what the ramifications will be.

Commissioner Halas stated that his concern is if we pass up the opportunity to get funded at this point in time then what is the next sequence of events that we would be able to obtain funding for this project.

Councilman McCormick suggested to authorize the Chairman to sign a letter to the effect that SR80 is a concern that has been brought before this Council. These particular concerns have been outlined and would like priority treatment within the current round of funding and the second round of funding within 13 months will be the Stimulus Transportation Funds that are going to go back in the "hopper" because there is going to be over \$250 million of Florida fund that won't make the filing deadline for our location.

Commissioner Chapman stated that he feels that the Council should do both, but also give some thought to overall what are the priorities because he doesn't know of any other organization that will give more clout and more weight when the Secretary of Transportation says this is our top priority because of the eight deaths and 65 accidents at one intersection, but it is not the top priority of some of the regional planning councils and that doesn't help your case.

The motion passed with a vote of 9-8.

Mayor Chamness asked that copies be sent to the SFWMD Governing Board, FDEP Secretary Michael Sole, and FDOT Secretary Stephanie Kopelousos. She explained that by placing it as a priority it will help the communities in the economic transition even though the Inland Port is a possibility over the next several years, for the next three years the widening of SR80 is critical.

**AGENDA ITEM #8
COUNCIL ATTORNEY'S COMMENTS**

Counsel Donley announced that on May 14th the Council's new amended rules were officially adopted.

**AGENDA ITEM #9
COUNCIL MEMBERS' COMMENTS**

Mr. Mazzarantani announced that he was recently reappointed for a second term to the Council by the Governor and looks forward to working with the Council.

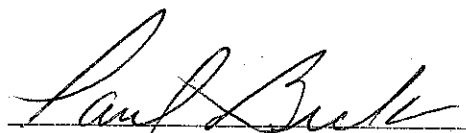
Dr. Elkowitz thanked the Council for its support on the SR80 issue and he then announced that he was recently reappointed for a second term to the Council by the Governor and looks forward to working with the Council.

Councilman McCormick announced that he had attended a Stimulus Summit in Orlando and FDOT has \$635 million and the over 200,000 municipalities and counties have obligated about 87% of their \$200 million and people in counties less than 200,000 or communities less than 20,000, 4.5% of their \$316 million has been obligated at this time. There is going to be a lot of money that is going to go back into the "hopper" in March of 2010 and nobody is predicting how bad it is going to be. Small communities and counties are not going to proceed to get it in time. He emphasized to alert staff to get the money where it belongs.

Commissioner Chapman thanked the Council for its support on the SR80 project. He explained that there is currently two miles that is east of LaBelle of SR80 that is currently being worked on which was originally a \$20 million project and then it came in at \$7 million so the Hendry County BOCC requested that the extra \$14 million be used to widen SR80 and FDOT turned the request down. Hendry County received federal funding in amount of \$6 million and spent \$7 million, so they spent \$1 million more and the rest of it got swept into an account.

**AGENDA ITEM #10
ADJOURN**

The meeting adjourned at 11:25 a.m.



Commissioner Paul Beck, Secretary

The meeting was duly advertised in the May 1, 2009 issue of the **FLORIDA ADMINISTRATIVE WEEKLY**, Volume 35, Number 17.