

**MINUTES OF THE  
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
JUNE 19, 2014 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on June 19, 2014 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. Chairwoman Teresa Heitmann called the meeting to order at 9:01 AM and then led an invocation and the Pledge of Allegiance. Administrative Specialist II, Nichole Gwinnett conducted the roll call.

**MEMBERS PRESENT**

**Charlotte County:** Councilwoman Nancy Prafke, Mr. Don McCormick

**Collier County:** Commissioner Georgia Hiller, Councilwoman Teresa Heitmann, Mr. Bob Mulhere, Mr. Alan Reynolds

**Glades County:** Mr. Thomas Perry

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

**Lee County:** Commissioner Frank Mann, Councilman Forrest Banks, Councilman Jim Burch, Vice Mayor Doug Congress, Ms. Laura Holquist

**Sarasota County:** Commissioner Charles Hines, Commissioner Carolyn Mason, Commissioner Cheryl Cook for Commissioner Rhonda DiFranco, Mayor Willie Shaw, Councilman Kit McKeon

**Ex-Officio Members:** Ms. Melissa Dickens - SWFWMD

**MEMBERS ABSENT**

**Charlotte County:** Commissioner Chris Constance, Commissioner Tricia Duffy, Ms. Suzanne Graham

**Collier County:** Commissioner Tim Nance

**Glades County:** Commissioner Donna Storter-Long, Councilwoman Pat Lucas, Commissioner Russell Echols

**Hendry County:** Commissioner Karson Turner, Mayor Phillip Roland, Commissioner Daniel Akin

**Lee County:** Commissioner Brian Hamman, Mayor Anita Cereceda

**Sarasota County:** Mr. Felipe Colón

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

Ms. Gwinnett announced that there was a quorum.

**AGENDA ITEM #4  
PUBLIC COMMENTS**

There were no public comments made at this time.

**AGENDA ITEM #5  
AGENDA**

Ms. Wuerstle suggested moving up the items which required an action to the beginning of the agenda for quorum purposes.

Councilman Burch made a motion to approve the agenda as presented and the motion was seconded by Mr. McCormick. The motion carried unanimously.

**AGENDA ITEM #6  
Minutes of the April 17, 2014 & May 15, 2014 Meetings**

A motion was made by Vice Mayor Congress to approve the minutes of the April 17, 2014 and May 15, 2014 meetings. The motion was seconded by Mayor Shaw and carried unanimously.

Chair Heitmann thanked Commissioner Mann for being the Pro-Temp Chair for the May SWFRPC meeting. She then announced that Agenda Items 9 and 10 will be moved up on the agenda for their action.

**AGENDA ITEM #9  
CONSENT AGENDA**

Mr. McCormick made a motion to approve the consent agenda; Mayor Shaw seconded the motion.

Ms. Wuerstle noted that Ms. Doyle had brought an issue to her attention on the financial statements. Compared to last year at this time, the Council was in the negative by \$35,000 and this year the Council is in the black by \$82,000.

The motion carried unanimously.

**AGENDA ITEM #10  
REGIONAL IMPACT**

Mr. Crawford gave a PowerPoint presentation on the following items.

**AGENDA ITEM #10(a)**  
**Sarasota County Comprehensive Plan Amendment (DEO 14-7ER)**

A motion was made by Commissioner Hines to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County. The motion was seconded by Commissioner Mason.

Mr. Reynolds noted that he will be abstaining from voting on both Items #10(a) and 10(b).

The motion carried with Mr. Reynolds abstaining.

**AGENDA ITEM #10(b)**  
**Palmer Ranch Increment XVI DRI - Development Order Review**

A motion was made by Commissioner Davis to accept the development order as rendered. Notify the Florida Department of Economic Opportunity and Sarasota County. The motion was seconded by Commissioner Hines.

Councilman Burch stated that these two items are good examples of why the RPCs should be funded by the State and not have the Governor line item veto their funding. He said that he felt that Governor needs to be educated on what the RPCs do.

The motion carried with Mr. Reynolds abstaining.

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

Ms. Wuerstle presented the item. She announced that the August Council meeting had been moved from its original date of August 21 to August 14 in order to have the Council take action on its FY 2014/15 Workplan and Budget. She explained that it was essential that there be a quorum present to approve the budget.

Ms. Wuerstle stated that Commissioner Mann had requested information on the ramifications of not adopting the Council's budget by August 15th. Counsel McCabe researched the issue.

Counsel McCabe explained that the Council was required to adopt its annual budget by August 15th as stated within the Council's Interlocal Agreement, as well as Rule 29I-1.007(1). He said that it would be a good thing for the Council to follow its interlocal agreement regulations and rules; however, if the Council wasn't able to approve its budget by August 15th, it wouldn't have any effect on the Council's operations since its fiscal year is from October 1 through September 30.

Ms. Wuerstle announced that Mr. David Crawford of staff will be retiring in February and stated that she has hired Mr. Jay McLeod to train with Mr. Crawford in order to have a smooth transition.

Ms. Wuerstle also announced that she recently promoted Ms. Jennifer Pellechio to Deputy Director.

Ms. Wuerstle then gave an update on FRCA's MOU.

Commissioner Mann explained that all elected officials are required to take an annual ethics exam and stated that any ethics issues within the RPCs are totally duplicative of what all members have to do annually in accordance to the law. Ms. Wuerstle stated that she believed it was discussed within the initial conversation regarding the code of ethics and that was why all of the "shall" were changed to "should". She said that she would prefer that it remain as a guiding document and not a directive on how the RPCs operate.

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

Ms. Wuerstle presented the item. She announced that the Council did not receive the EDA designation for a manufacturing community.

Vice-Mayor Congress asked Ms. Wuerstle if she could give an update on the business plan for the regional economic development entity (Alliance). Ms. Wuerstle explained that the business plan has been completed and submitted to Lee County, who in turn accepted the document and submitted it to DEO.

#### **AGENDA ITEM #11(a) SWFWMD Conservation Strategies Presentation**

Ms. Melissa Dickens gave a presentation on SWFWMD's conservation strategies.

Commissioner Cook explained that Taylor Ranch had been recently sold and she had met with the attorneys representing the new owners. Their intention is to build over 11,000 residences over a few decades. She recently attended a meeting on Sarasota County's 2050 Plan and her extreme concern is if there is going to be enough water to sustain such growth. Ms. Dickens explained that the SWFWMD's regional water supply planning efforts project 20 years into the future and there are actually projections that go out further. The District tries to meet some of the increased demand not only through groundwater, but also through the development of alternative water supplies and then conservation.

Commissioner Mann referred to the rebate program for water-saving toilets and asked how the program worked. Ms. Dickens explained that the District partners with local governments within the district through their cooperative funding program. If a local government approaches the District with a cost effective program that will show a specific savings, and it meets the District's cooperative funding criteria, the District will provide a portion of funding towards the project.

Commissioner Mann asked if the rebate funding for the program comes directly from the District's ad valorem budget. Ms. Dickens stated that she wasn't aware of the funding source for the program.

Commissioner Mann asked if any of the other WMD's throughout the State have a similar program because it is a nice incentive. Ms. Dickens said that she didn't have the answer to that question. Commissioner Mann asked how the program is funded. Ms. Dickens explained that the District funds a portion of the program and either the local government or utility would fund the remaining portion. It is her understanding that the District doesn't usually give the full rebate on the price of a toilet.

Vice-Mayor Congress clarified that the local government has to be approved prior to any individual taking advantage of the program. Ms. Dickens said that was correct.

Commissioner Mann asked Ms. Dickens if she had any information on the commercial toilet program. Ms. Dickens explained that there are options for commercial.

Councilman Burch noted that Cape Coral has a highly acclaimed reuse system. There is a debate in Cape Coral with people not changing the times for watering their lawns.

Councilwoman Prafke explained that on IFAS's website there is a lot of information regarding lawns and water irrigation.

Chair Heitmann asked Ms. Dickens who was the point of contact for the program. Ms. Dickens explained that for the southern portion of the District it is Tara Polton, who is the Government Affairs Program Manager. The Conservation Project Manager is Jay Hoecker.

Mr. Perry asked Ms. Wuerstle when Ms. Dickens sends the contact information that she also contacts Mr. Phil Flood of the SFWMD and obtains the same information and then forwards it to all of the members at the same time.

Discussion ensued regarding to the process of the program.

#### **AGENDA ITEM #11(b) "Our Creative Economy" Presentation**

Both Ms. Jennifer Pellechio and Mr. Tim Walker gave a presentation on the SWFRPC's project called "Our Creative Economy".

Ms. Wuerstle emphasized that this project was a pilot project.

Ms. Pellechio encouraged everyone to go to the SWFRPC's website and try out the new mobile application.

Chair Heitmann stated that there may be some procedures that the Council would like to follow-up on when the executive director meets with the cities and counties. She then suggested staff give presentations to the individual cities and counties by asking to be placed on their agenda in order to broaden the knowledge. She then asked if there is an "app" or working towards having an "app" for the region.

Ms. Pellechio explained to Chair Heitmann that the portion of the project she was referring to was the portion that staff is currently having issues with; however, they are working towards an implementation. The issue is that the funding runs out and staff is trying figure out how to take the next step in order to have both the public and constituents made aware of the project.

Ms. Wuerstle explained that staff has an idea for a program on how to get the word out by working with the various art alliances and agencies. Staff was considering a passport program which would encourage people to go out with the passport and get it stamped at the various locations and once the passport has been filled there would be a prize given out.

Ms. Pellechio explained to Chair Heitmann that from a technology standpoint “apps” are very costly. We use the word “app” because people are accustomed to it. As staff was working with the various partners on the project, it was determined that the website, as long it was interactive, was better and more cost effective than an “app” itself.

#### **AGENDA ITEM #12(a) Budget & Finance Committee Report**

Chair Heitmann gave the committee report. She announced that the Council closed last year’s budget with \$160,000 in reserves and this year the budget will close with approximately \$50,000 in reserves. The committee will continue to work on the challenges before the Council, such as the increases in the retirement costs that the legislature passed. The Council will be putting in 7% instead of 3% and the Council’s healthcare insurance will be increasing as expected, so the Council will be looking towards reductions in order to have another successful year.

Chair Heitmann thanked Ms. Wuerstle for efforts in keeping the budget balanced. Ms. Wuerstle stated that she really needs to give the credit to Nancy Doyle who did a fantastic job in pulling the budget together.

Ms. Wuerstle then introduced Sarah Cordell, who has taken over the CPA practice from her father, Wally Cordell, who recently passed away. Chair Heitmann welcomed Sarah and also gave her condolences on behalf of the Council for the passing of her father.

Chair Heitmann thanked Ms. Doyle for her efforts and welcomed her back.

Mr. McCormick asked Chair Heitmann if it would be appropriate at this time to announce that it is official that the Charlotte Harbor National Estuary Program (CHNEP) will be moving to the City of Punta Gorda. He then asked what kind of impact it will have on the Council’s finances. Ms. Wuerstle explained that staff has been watching the budget and pulling the financials together for the upcoming budget year and the CHNEP has not been included in those documents. We are confident that the budget can be balanced and still be stable throughout the coming year. She would encourage the CHNEP to meet with her and Ms. Doyle to develop an exit strategy in order to make a smooth transition.

Councilwoman Prafke announced that the Punta Gorda City Council made the final approval to have the CHNEP located within the city’s offices at their most recent meeting. The city is excited to welcome the CHNEP to Punta Gorda. She stated that it wasn’t an anti-RPC issue at all, but

strictly a “right fit” for the CHNEP. The city is looking forward to being the CHNEP’s host agency and hope to see the CHNEP continue to flourish. She announced that October 1, 2014 is the when the CHNEP will be officially operating under the City of Punta Gorda.

Councilman McKeon thanked Chair Heitmann for presenting the committee’s report.

**AGENDA ITEM #12(b)**  
**Economic Development Committee**

Ms. Pellechio gave the committee report. She explained that the committee reviewed and agreed to move both the business plan and policies and procedures manual forward.

Chair Heitmann thanked everyone for their efforts and supports.

**AGENDA ITEM #12(c)**  
**Energy & Climate Committee**

Mr. McCormick gave the committee report. He explained that the committee was currently in the process of working on the Solar Ready II project where one of the goals was bringing the solar initiatives to everyone. Local governments are required to start integrating solar practices into the zoning codes. He emphasized the importance for everyone to participate in the survey which is located online because there are gaps which need to be filled in order to meet the requirements of the grant.

Chair Heitmann asked Mr. McCormick to read off which local governments did not submit their report. Mr. McCormick announced the following:

- City of Punta Gorda
- City of Everglades City
- City of Marco Island
- Collier County
- City of Moore Haven
- Glades County
- City of Clewiston
- Hendry County
- City of Sanibel
- Town of Longboat Key
- City of Sarasota
- City of Venice

**AGENDA ITEM #12(d)**  
**Estero Bay Agency on Bay Management Committee**

No report was given; the information was included in the packet.

**AGENDA ITEM #12(e)**  
**Executive Committee**

No report was given.

**AGENDA ITEM #12(f)**  
**Legislative Affairs Committee**

Vice Mayor Congress gave the committee report. He announced that the governor line-item vetoed the RPC funding within the State's budget, so the RPCs will not be receiving any funding from the State. The committee met just prior to today's Council meeting and part of the discussion was to find out why the governor keeps line-item vetoing the RPCs funding. The committee decided to draft a letter to the governor from all of the RPCs and actually invite him to attend an RPC meeting so he can understand the value the RPCs provide.

Vice-Mayor Congress continued with his report and noted that the committee decided to send a letter to the SFWMD, executed by the five mayors in Lee County (City of Fort Myers, Town of Fort Myers Beach, City of Sanibel, City of Cape Coral and the City of Bonita Springs) to take a look at adaptive protocols that allows the natural systems to receive enough water.

Commissioner Cook indicated that she met with a House member from Bradenton and he indicated that the governor was looking to "disassemble" the water management districts and bring everything into Tallahassee. She asked if anyone else had heard anything about it. Both Vice-Mayor Congress and Ms. Dickens stated that they did not hear anything with respect to that issue.

Councilman Burch said that he didn't know anything about it, but it appeared to be the rumor within the first year when they were asked to draw down their reserves, but he thought that it went away.

Ms. Dickens explained that the governor's office has worked very closely with the District in streamlining many of the processes. There has been a collaborative effort in trying to get consistency throughout the WMDs. She noted that she had heard the rumor in the past but not recently.

Discussion ensued regarding the algae bill.

**AGENDA ITEM #12(g)**  
**Quality of Life & Safety Committee**

Mayor Shaw said that he didn't have a report to give; however, the committee is scheduled to meet immediately following today's Council meeting.

Chair Heitmann asked Mayor Shaw if he knew who didn't submit a survey. Mayor Shaw gave a brief report of who did submit a survey.



Chair Heitmann stated that she was going to recommend that the committee make a big effort in finding members within the communities to serve on the committee. It is going to take a regional effort to address the regional issues when it comes to crime and safety and how it affects the quality of life within those communities.

Discussion ensued.

**AGENDA ITEM #12(h)**  
**Regional Transportation Committee**

Ms. Wuerstle gave the committee report. She noted that the committee reviewed the Veterans Transportation Strategy and the recently submitted TIGER Planning Grant.

Chair Heitmann announced that you don't have to be a member of the RPC in order to be a member on the one of the Council's committees.

**AGENDA ITEM #13**  
**NEW BUSINESS**

No new business was discussed at this time.

**AGENDA ITEM #14**  
**STATE AGENCIES COMMENTS/REPORTS**

SWFWMD - Ms. Dickens said that she will send the information on the Cooperative Funding schedule to staff so they can distribute to the members.

**AGENDA ITEM #15**  
**COUNCIL ATTORNEY'S COMMENTS**

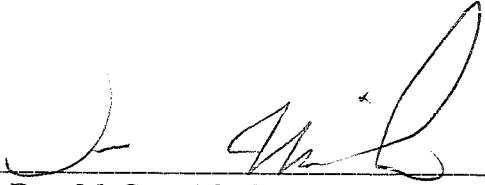
No report was given at this time.

**AGENDA ITEM #16**  
**COUNCIL MEMBERS' COMMENTS**

Councilwoman Prafke noted that she had distributed a copy of the new Punta Gorda brochure. It was a volunteer effort and the printing was paid for by a 501(c) 3.

**AGENDA ITEM #17**  
**ADJOURNMENT**

The meeting was adjourned.



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Mr. Don McCormick, Secretary

The meeting was duly advertised in the June 9, 2014 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 40, Number 111.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>REYNOLDS - ALAN - DAVID</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>SOUTHWEST FLA REGIONAL PLANNING COMMISSION</b>	
MAILING ADDRESS <b>3200 BAILEY LN.</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY	
CITY <b>NAPLES</b>	COUNTY <b>COLLIER</b>	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED <b>JUNE 19, 2014</b>		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, ALAN REYNOLDS, hereby disclose that on JUNE 17, 2014, 20\_\_:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- \_\_\_ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- \_\_\_ inured to the special gain or loss of my relative, \_\_\_\_\_;
- \_\_\_ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- \_\_\_ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Please refer to attachment.

June 18, 2014  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

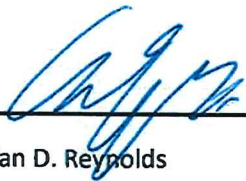
DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Alan D. Reynolds, hereby disclose that on June 19, 2014, certain matters will come before the Southwest Florida Regional Planning Council, as Agenda Items 10a), and 10b).

The owner of the subject property and/or applicant is a client of Stantec Consulting Services, Inc., my employer, and Stantec is providing consulting services for the project.

As such, I will be abstaining from voting on and participating in any discussions relative to these matters.

Respectfully,



Alan D. Reynolds



Date