

**MINUTES OF THE  
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
SEPTEMBER 18, 2014 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on September 18, 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 9:00 AM and Mayor Willie Shaw then led an invocation and the Pledge of Allegiance. SWFRPC Planner 1/Grants Coordinator, Nichole Gwinnett conducted the roll call.

**MEMBERS PRESENT**

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

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

**Glades County:** Commissioner Crystal Drake, Commissioner Donna Storter-Long (9:12 a.m.), Mr. Thomas Perry

**Hendry County:** Commissioner Don Davis

**Lee County:** Commissioner Frank Mann (9:10 a.m.), Commissioner Brian Hamman, Councilman Forrest Banks, Councilman Jim Burch, Vice Mayor Doug Congress

**Sarasota County:** Commissioner Carolyn Mason (9:12 a.m.), Commissioner Rhonda DiFranco, Mayor Willie Shaw, Councilman Kit McKeon

**Ex-Officio:** Mr. Lawrence Massey for Ms. Carmen Monroy - FDOT, Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD

**MEMBERS ABSENT**

**Charlotte County:** Ms. Suzanne Graham

**Collier County:** Commissioner Georgia Hiller, Commissioner Tim Nance

**Glades County:** Councilwoman Pat Lucas, Commissioner Russell Echols

**Hendry County:** Commissioner Karson Turner, Mayor Phillip Roland, Commissioner Daniel Akin, Mr. Melvin Karau

**Lee County:** Mayor Anita Cereceda, Ms. Laura Holquist

**Sarasota County:** Commissioner Charles Hines, Mr. Felipe Colón

Ex-Officio: Ms. Melissa Dickens – SWFWMD

Ms. Gwinnett announced that there wasn't a quorum present at that time. She stated that Commissioner Mann was going to be 10-15 minutes late arriving. The Council at this time decided to move forward with the non-action items.

#### **AGENDA ITEM #4 PUBLIC COMMENTS**

There were no public comments made at this time.

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

Ms. Wuerstle presented the item. She announced that a receptionist had been hired along with three part-time contract grant writers. She said that staff is in a good position to help all of their cities and counties in writing and submitting grants.

Ms. Wuerstle also announced that Rebekah Harp had created a new logo for the SWFRPC. The tag line "Big Issues Real Solutions" was also chosen by staff.

At this time Commissioner Mann arrived at the meeting (9:10 a.m.) which made a quorum.

A motion was made by Vice-Mayor Congress to approve the SWFRPC's new logo and tag line as presented. The motion was seconded by Mr. Mulhere and carried unanimously.

Also, both Commissioner Donna Storter-Long and Commissioner Carolyn Mason joined the meeting by conference phone at 9:12 a.m.

Ms. Wuerstle gave a brief overview of the most recent FRCA meeting. Mr. Mulhere stated that obviously the SWFRPC wasn't the only RPC who had concerns as it related to keeping FRCA focused on serving the RPCs as opposed to the RPCs serving them. He felt that they got the message.

Chair Heitmann thanked Mr. Mulhere for his efforts at FRCA. She then asked Ms. Wuerstle when the new FRCA board members are chosen. She stated that she will be getting off the board shortly. Ms. Wuerstle said that it could happen anytime; as the responsibilities change at the RPC, they will be changed at FRCA.

#### **AGENDA ITEM #5 AGENDA**

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

**AGENDA ITEM #6**  
**Minutes of the June 19, 2014 & August 14, 2014 Meetings**

Mr. Perry made a motion to approve the minutes of the June 19, 2014 and August 14, 2014 meetings as presented and the motion was seconded by Councilman Burch. The motion carried unanimously.

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

This item was for information purposes only.

Chair Heitmann stated to the members if they weren't seeking staff's help with seeking grants, to please do so. It is being offered to the local cities and counties as a service from staff and we really should be working in partnership with staff.

**AGENDA ITEM #9**  
**CONSENT AGENDA**

A motion was made by Commissioner Mann to approve the consent agenda; Councilman Burch seconded the motion and the motion carried unanimously.

**AGENDA ITEM #10**  
**REGIONAL IMPACT**

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

**AGENDA ITEM #10(a)**  
**Collier County Comprehensive Plan Amendment - DEO 14-4ESR**

A motion was made by Mr. Reynolds to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and Collier County. The motion was seconded by Mr. Mulhere. The motion carried unanimously.

**AGENDA ITEM #10(b)**  
**City of Bonita Springs Comprehensive Plan Amendment (Coconut Village - Estero Marina) - DEO 14-2ESR**

Mr. Mulhere asked if the project was approved by the City of Bonita Springs and Mr. McLeod stated that it had been.

A motion was made by Commissioner Mann to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and the City of Bonita Springs. The motion was seconded by Mr. Mulhere and carried unanimously.

**AGENDA ITEM #10(c)**  
**Palmer Ranch AIDA Increment XXII-9A – Questionnaire Checklist**

Mr. Reynolds noted that he would be abstaining from both Items #10(c) and 10(d).

A motion was made by Commissioner Manson to approve the questionnaire checklist as presented. The motion was seconded by Mayor Shaw. The motion carried with Mr. Reynolds abstaining.

**AGENDA ITEM #10(d)**  
**Palmer Ranch AIDA Increment XXIII-9B – Questionnaire Checklist**

A motion was made by Commissioner Manson to approve the questionnaire checklist as presented. The motion was seconded by Mayor Shaw. The motion carried with Mr. Reynolds abstaining.

**AGENDA ITEM #10(e)**  
**Miromar Lakes DRI – Development Order Review**

A motion was made by Commissioner Mann to accept the development order as rendered and forward the review to Lee County and the Florida Department of Economic Opportunity. The motion was seconded by Councilman Burch and carried unanimously.

**AGENDA ITEM #11(a)**  
**Comprehensive Economic Development Strategy (CEDS) Annual Update**

Ms. Pellechio presented the item, but first she asked everyone to look at distributed flyer for the Southwest Florida Security Showcase and Expo. Mr. Mulhere asked Ms. Pellechio if the counties and cities were aware of the event. Ms. Pellechio said that they were because they have partnered with the SWFRPC to put on the showcase and expo. Currently, the Lee County Clerk's office is the lead, along with the City of Cape Coral. Then there is the IT Consortium which is made up of all of the counties.

Councilman McKeon asked if Sarasota County fit. Ms. Pellechio explained that since they are within the region, Sarasota County did fit. When the Broadband Plan was created there wasn't enough federal funds to reach out to Sarasota County, but they were engaged in the process. They were at the table throughout the entire effort.

Councilwoman Prafke asked if the flyer was up on the SWFRPC's website. Ms. Pellechio said it was located on the homepage.

Commissioner Storter-Long announced that on July 26 the Glades County Training Center broke ground, but it wasn't listed in the CEDS document.

Mr. Mulhere asked about the funding that was recently approved by the State for the FGCU I-Hub. Ms. Pellechio explained that the I-Hub was included in the CEDS update on page 7.

A motion was made by Mr. Mulhere to authorize staff to submit the report to the Economic Development Administration. The motion was seconded by Councilman McKeon and carried unanimously.

Ms. Wuerstle asked Ms. Pellechio to comment on the new grant that was just received. Ms. Pellechio explained that EDA awarded the SWFRPC a grant in the amount of \$58,000 to conduct a manufacturing analysis. The project consists of creating a website and linking manufacturers throughout the region, specifically medical manufacturers. The SWFRPC is working in collaboration with the TBRPC who has done an in-depth cluster analysis on the medical manufacturing throughout their region.

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

Councilman McKeon gave the committee report. He announced that it was expected that the Council would conclude their fiscal year with a budget surplus of approximately \$100,000.

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

Councilman Banks gave the committee report. He stated that the committee assisted with creating the Business Plan for the Alliance, which staff did an outstanding job. He then stated that Ms. Pellechio is a force to be reckoned with in the economic development field.

Ms. Wuerstle announced that Ms. Pellechio was about to finish her economic development training and will be taking her economic development certification exam in December.

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

Mr. McCormick gave the committee report. He announced that a two-day training was currently being held and the second session was scheduled immediately following today's Council meeting. The purpose of the training was to try to standardize the zoning regulations and building ordinances for solar. He explained that a letter of commitment is needed from the local jurisdictions. Also, the best management policies (BMPs) needed to be adopted.

Councilman Burch asked if the project was focusing on residential or commercial. Mr. McCormick stated that it is primarily for residential.

At this time, staff presented the SolarReady Florida video.

Mr. Mulhere said that he expected that there would be some minor permitting issues for local governments, such as hurricanes, electric systems, etc. He then asked if there was an active lobbying effort. Ms. Pellechio encouraged him to stay for the second session and the consultants would be able to answer that question.

Councilman McKeon stated that he will gather Venice's solar information and report back to the Council at its October meeting.

Commissioner Mann stated that within the video a statement was made about bringing all of the local government agencies together that have inconsistent regulations and rules, along with the private sector. He said that the private sector are the experts on solar and they would be much better suited to administer such regulations and rules than the government agencies. He would like to see more private sector input and participation.

Mr. McCormick explained that the private sector has been very involved.

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

Mr. Beever gave the committee report.

**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 explained that the committee was currently prioritizing the priorities for the upcoming delegation meetings.

Councilman Banks asked if staff will be giving presentations to the legislative delegation. Vice-Mayor Congress said there will be presentations given, same as last year. Over the course of this month, the committee will develop their specific priorities and they would also like to hear from the local governments. Councilman Banks said that they needed to find out when the delegation meetings are being held and get on their agenda. Vice Mayor Congress said that staff is working on obtaining all of the delegation meeting schedules and he will bring that information to the Council's October meeting.

Commissioner Mann stated that he was Lee County's representative on the 16 County Coalition - 10 county resolution- who recently met and adopted their legislative priorities which are all water related, because that is what the coalition is all about (Okeechobee, Clewiston, etc.). All of their priorities have to do with funding. The SWFRPC could dovetail with them, it would make a 1-2 punch on the same congressmen and legislators. Vice-Mayor Congress explained that Mr. Flood had mentioned that and he will provide the committee with that information.

Commissioner Storter-Long stated that the Glades County Legislative Delegation meeting was scheduled for October 3 and all of the paperwork had to be submitted by September 24.

Vice-Mayor Congress asked the members to forward their legislative priorities to Mr. McCabe.

Commissioner Constance noted that Charlotte County's legislative delegation meeting will be held in December. On Tuesday, Charlotte County's state lobbyist will be meeting with the BCC at their workshop to go over their priorities. He felt that the legislative delegation meetings can become like a "carnival" and a lot of ideas and issues seem to get lost. He said that he felt that the process needs to start much earlier and work with those cities and counties and not worry about the legislative delegation meetings. Also, the new Speaker of the House is not in favor of local fertilizer ordinances, so we need to be very prepared for the next session to defend the local fertilizer ordinances.

Vice-Mayor Congress said that the local fertilizer ordinances were on everyone's radar every year. It is also something that will be incorporated into our water policy.

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

Mayor Shaw gave the committee report. He stated that he would like to have more participation from the region and he plans to address that issue at the committee's next meeting on October 16.

Chair Heitmann reiterated the importance of the committee.

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

Ms. Wuerstle gave the committee report. She announced that the SWFRPC's proposal for the TIGER Planning Grant was not awarded, but staff will keep on pursuing it and will submit the next cycle.

Councilman Banks stated that he has been in discussions with FDOT about putting together a regional transportation plan.

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

Councilman Banks stated that with being the SWFRPC's Treasurer there is check signing duties and there were two checks for him to sign which had very large amounts and he didn't feel comfortable enough to sign them without the Council addressing them. He asked Ms. Wuerstle to explain what the checks were for. Ms. Wuerstle explained that both checks were for the Charlotte National Estuary Program (CHNEP) projects. The CHNEP will be moving to the City of Punta Gorda, who will become the CHNEP's new host agency. The CHNEP has been closing many contracts out and she had reviewed the back-up materials for both checks and felt comfortable in processing those checks. The CHNEP just wants to have a clean slate for when they move to the City of Punta Gorda.

Commissioner Mann thanked Councilman Banks for bringing up that issue since he is also one of the SWFRPC's check signers. He then asked where those funds came from to pay those projects. Ms. Wuerstle explained that the funds came out of the CHNEP's project funds and grant programs.

A motion was made by Commissioner Mann to approve the two CHNEP expenditures as presented. The motion was seconded by Mr. Perry and carried unanimously.

Chair Heitmann suggested that staff contact Nicole Johnson at the Conservancy of Southwest Florida to give a presentation on the economic benefits of conservation lands to the Council at a future meeting.

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

SFWMD - Mr. Flood announced that the Governor and Cabinet will be making a decision on the acquisition of 600+ acres of land in Charlotte County, known as the Charlotte Flatwoods. The project will be utilized specifically for assisting FDOT with their storm water and mediation projects.

FDEP - Mr. Iglehart announced that the Deep Horizon (RESTORE) funds are starting to funnel down.

FDOT - Mr. Massey addressed Councilman Banks' comment on creating a regional transportation plan and stated that the project falls under his area of expertise and he would be happy to assist. Councilman Banks said that he spoke to Jennifer Stolz at the Bartow office. Mr. Massey then introduced FDOT's new Strategic Intermodal System Growth Management Coordinator for District One, Sara Catella.

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

No report was given at this time.

A motion was made by Mr. McCormick to add the following public comments to the agenda. The motion was seconded by Councilman Burch and carried unanimously.

#### **AGENDA ITEM #4(a) PUBLIC COMMENTS**

Mr. Pete Quasius, on behalf of Audubon of the Western Everglades, stated that many of the conservationists and supporting groups support the acquisition of the Charlotte Flatwoods. It would significantly enhance many coastal habitats and encouraged everyone to send a letter of support to the governor.

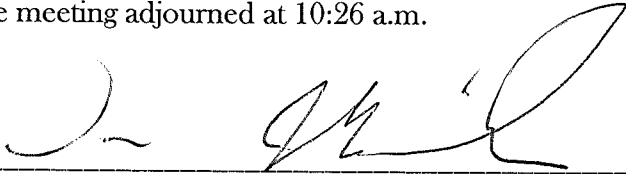


**AGENDA ITEM #16  
COUNCIL MEMBERS' COMMENTS**

Councilman McKeon stated that the Manasota League of Cities has a FPL representative who announced that FPL will be bringing into Florida a third natural gas line to ensure that there is adequate natural gas supply on a regular basis.

**AGENDA ITEM #17  
ADJOURNMENT**

The meeting adjourned at 10:26 a.m.

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

Mr. Don McCormick, Secretary

The meeting was duly advertised in the September 4, 2014 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 40, Number 172.

REQUEST FOR PLACEMENT ON AGENDA  
OF THE  
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Name:

(Please Print)

Organization (if any):

Address:

Agenda Item Number:

Amount of Time Requesting:

Signature

Date

# 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>SWFRPC</b>	
MAILING ADDRESS <b>1390 DISPREY AVE</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>9/18/2014</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 SEPT 18, 20 14:

(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.)

9/18/2014  
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 September 18, 2014, certain matters came before the Southwest Florida Regional Planning Council, as Agenda Items 10(c) and 10 (d), both related to Palmer Ranch AIDA.

The owners of the subject properties and/or applicants are a client of Stantec Consulting Services, Inc., my employer, and Stantec is providing consulting services for the project.

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

Respectfully,



Alan D. Reynolds

9/18/2014.

Date