

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOVEMBER 21, 2013 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on November 21, 2013 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 9:03 AM. Commissioner Mann then 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 Nancy Prafke, Ms. Suzanne Graham, Mr. Don McCormick

Collier County: Commissioner Tim Nance, Mr. Bob Mulhere, Mr. Alan Reynolds

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Commissioner Don Davis

Lee County: Commissioner Frank Mann, Commissioner John Manning, Vice Mayor Joe Kosinski, Vice Mayor Doug Congress, Councilman Jim Burch and alternate Councilman Rick Williams, Ms. Laura Holquist

Sarasota County: Commissioner Charles Hines, Councilman Kit McKeon, Commissioner Cheryl Cook for Commissioner Tom Jones

Ex-Officio Members: Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD, Ms. Melissa Dickens - SWFWMD

MEMBERS ABSENT

Charlotte County: None

Collier County: Commissioner Tom Henning, Councilwoman Teresa Heitmann

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

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

Lee County: Councilman Forrest Banks, Councilwoman Martha Simons

Sarasota County: Commissioner Carolyn Mason, Vice Mayor Willie Shaw, Mr. Felipe Colón

Ex-Officio Membership: Ms. Carmen Monroy - FDOT

INTRODUCTIONS

Chair Turner welcomed the following new members to the Council.

1. Commissioner John Manning - Lee County BCC
2. Councilman Jim Burch - City of Cape Coral
3. Councilman Rick Williams - City of Cape Coral (alternate)
4. Councilwoman Nancy Prafke - City of Punta Gorda
5. Mr. Don McCormick - Charlotte County Governor Appointee
6. Ms. Suzanne Graham - Charlotte County Governor Appointee

Chair Turner also welcomed Diana McGee from US Senator Nelson's office.

AGENDA ITEM #4 PUBLIC COMMENTS

No public comments were given at this time.

AGENDA ITEM #5 AGENDA

Commissioner Manning made a motion to approve the agenda as presented and Councilman Burch seconded the motion. The motion carried unanimously.

AGENDA ITEM #6 Minutes of the October 17, 2013 Meeting

Commissioner Nance made a motion to approve the minutes of the October 17, 2013 Meeting and Commissioner Manning seconded the motion. The motion carried unanimously.

AGENDA ITEM #7(a) December 19, 2013 SWFRPC Board Meeting Discussion

Ms. Wuerstle presented the item. She asked the members that since the December 19 meeting was so close to the holidays if they would like to cancel the meeting.

A motion was made by Commissioner Davis to cancel the SWFRPC's December 19, 2013 board meeting. The motion was seconded by Commissioner Manning.

Mr. Mulhere asked Ms. Wuerstle if there were any items with important timeframe issues that may be affected by the cancellation of the December 19 SWFRPC board meeting. Ms. Wuerstle noted that with the anticipation of the cancellation of the December meeting, staff had moved up a couple of items to this month's agenda.

The motion carried unanimously.

AGENDA ITEM #7(b)
2014 Nominations Committee Discussion

Ms. Wuerstle explained that with the cancellation of the December SWFRPC meeting, the Council needed to appoint a Nominations Committee to select the slate of officers for 2014.

Chair Turner appointed the following members to the Nominations Committee.

1. Commissioner Frank Mann - Lee County BCC
2. Mr. Phil Flood - SFWMD
3. Commissioner Cheryl Cook - City of North Port

AGENDA ITEM #7(c)
FY14 NEA Our Town Grant Application Discussion

Ms. Wuerstle gave an overview of the grant application. She then explained that she was requesting a commitment in the form of a letter from the Council of \$60,000 (\$5,000 per county) over a two year period which would come out of the Council's local funds.

Chair Turner stated that he felt that this was another area where the Council was going to justify its existence with its economic development platform.

Councilman Burch explained that he wanted clarification that all of its benefits get disbursed throughout the region so it would be the knowledge obtained that would make it a successful project.

A motion was made by Mr. Mulhere to have the Council direct staff to draft a letter for the Chair's signature in support of the FY14 NEA Our Town Grant Application. The motion was seconded by Councilman McKeon. The motion passed unanimously.

AGENDA ITEM #7
DIRECTOR'S COMMENTS

Ms. Wuerstle presented the item. She explained that there was a need to re-establish the Council's Energy and Climate Committee in order to fulfill a requirement for the Solar Ready II grant that was recently awarded.

The following members volunteered to participate on the subcommittee.

1. Ms. Melissa Dickens - SWFWMD
2. Mr. Don McCormick - Charlotte County Governor Appointee
3. Mr. Phil Flood - SFWMD
4. Mr. Alan Reynolds - Collier County Governor Appointee

Ms. Wuerstle presented and distributed a proclamation from FRCA declaring April 17, 2014 as Military Family and Community Covenant Day. FRCA was requesting support from all of the RPCs.

A motion was made by Commissioner Constance to approve FRCA's Proclamation declaring April 17, 2014 as Military Family and Community Covenant Day. The motion was seconded by Mr. Mulhere. The motion passed unanimously.

AGENDA ITEM #8(a)
Grant Activity Sheet

The grant activity sheet was presented in the packet as an information item.

AGENDA ITEM #9
CONSENT AGENDA

Commissioner Mann pulled Consent Agenda Items #9(f) Babcock Ranch MDO DRI - NOPC and 9(g) Babcock Ranch IDO DRI - NOPC for discussion purposes.

Councilman Burch pulled Consent Agenda Item #9(c) Sarasota County Comprehensive Plan Amendment (DEO 13-1ESR) for discussion purposes.

Commissioner Manning made a motion to approve the balance of the consent agenda: Agenda Item #9(a) Intergovernmental Coordination and Review; Agenda Item #9(b) Financial Statement for October 31, 2013; Agenda Item #9(d) City of LaBelle Comprehensive Plan Amendment (DEO 13-2ESR); and Agenda Item #9(e) Coconut Point DRI - NOPC. Vice Mayor Congress seconded the motion and the motion passed unanimously.

AGENDA ITEM #9(c)
Sarasota County Comprehensive Plan Amendment (DEO 13-1ESR)

Mr. Crawford presented the item.

Councilman Burch stated that Mr. Crawford answered his question in his presentation.

A motion was made by Mr. Mulhere to approve staff comments and authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County. The motion was seconded by Mr. McCormick. The motion passed unanimously.

AGENDA ITEM #9(f)
Babcock Ranch MDO DRI - NOPC

Commissioner Mann stated that he usually always took the opportunity to make a comment on the Babcock Ranch Community. He then explained that he is still very concerned about the impacts to Lee County's roadways, i.e. SR31, and the Wilson Pigott Bridge on SR31, and the infrastructure in Lee County. He said that he just wanted everyone to be cognizant of what had happened in the past as the project moves forward.

Mr. David Crawford of staff gave a background overview of the Babcock Ranch project for the new members of the Council, he then presented both items, Agenda Item #9(f) Babcock Ranch MDO DRI - NOPC and Agenda Item #9(g) Babcock Ranch IDO DRI - NOPC.

Commissioner Constance gave Charlotte County's evaluation of the project (see attachment).

Commissioner Mann asked Mr. Crawford if there were any changes to the access to SR31. Mr. Crawford explained that there weren't any changes made regarding the access to SR31.

A motion was made by Commissioner Mann to approve staff recommendations for both Agenda Item #9(f) Babcock Ranch MDO DRI - NOPC and Agenda Item #9(g) Babcock Ranch IDO DRI - NOPC as presented. The motion was seconded by Commissioner Constance.

Commissioner Duffy thanked Commissioner Mann for his comments. She then said that she wanted to assure everyone that the development would make everyone happy, including all of Lee County's residents because the development will provide jobs. She stated that she would provide Commissioner Mann with the transportation plans in order to make him feel more comfortable. The citizens of Lee County will not be expected to pay for the transportation improvements.

Commissioner Mann thanked Charlotte County for the way the current discussion had been handled.

Mr. Reynolds stated that he needed to abstain from voting on the two items.

Mr. Sam Lee of Lee County's Division of Natural Resources asked if the proposed changes addressed flood, runoff and environmental sensitive areas of the Babcock Ranch Community. Mr. Crawford explained that the MDO assessed the entire project and the impacts of the entire project as it went through the DRI process. The 992 acres were analyzed through the MDO.

Commissioner Mann asked if there was any further review required by the SFWMD. Mr. Crawford explained that the applicant is required to obtain their water management permits for each segment of the project.

Chair Turner asked Mr. Lee if he was presenting on behalf of Lee County's Division of Natural Resources. Mr. Lee replied that he was. Both Commissioner Duffy and Commissioner Manning stated it was inappropriate. Commissioner Manning noted that he had requested the Chair ask Mr. Lee the question.

Mr. Perry stated that he needed to abstain from voting on the two items.

Councilman Burch stated that he assumed with Commissioner Duffy's comments regarding the creation of Lee County jobs, Charlotte County would take a provincial stance with the development of the property and request that local preference be given. Commissioner Duffy stated that Charlotte County has a local preference, but it doesn't apply to this project. Commissioner Constance noted that part of Charlotte County's preference includes both Lee and Sarasota Counties, but local preference is regional.

Ms. Graham stated that she needed to abstain from voting on the two items.

The motion passed with Mr. Reynolds, Mr. Perry and Ms. Graham abstaining.

AGENDA ITEM #10(a)
SWFRPC & CHNEP Relationship as it pertains to the Charlotte Harbor NEP Water Atlas
Implementation Project

Dr. Beever presented the item.

Commissioner Constance asked Dr. Beever if it was safe to say during the inception of the CHNEP in 1995 the SWFRPC supported the CHNEP and now during these lean development times it has been the CHNEP grant funding, that supported RPC staff time. Dr. Beever explained that the CHNEP has always paid an indirect expense.

Ms. Wuerstle stated that she believed that the original intention was the CHNEP would be a stand-alone entity that funded itself. Dr. Beever said that was correct.

Commissioner Mann requested a copy of the slide illustrating the spike involving the Ceitus Boat Lift.

Commissioner Manning stated that Lee County is very heavily involved within the nutrient pollution debate and then asked Dr. Beever if the CHNEP had stopped the discussion or debate process and where the county goes from here. He wanted to know if the county was going to be regulated by the federal government who has ineffective data that doesn't match what the reality on the ground. Dr. Beever explained that she believed that the federal government took a lite touch to it. When FDEP establishes TMDLs it is based on recent data in the five-year cycle. When FDEP determined that there is no impairment in a water body, it comes under the 1998 Descent Decree that EPA has had with Earth Justice. They are obligated by law to establish a total maximum daily load.

Commissioner Manning asked Mr. Iglehart if FDEP was involved with EPA in the determination of TMDLs. Mr. Iglehart explained that the group was originally located within regulatory FDEP, but they have now split off into a separate branch under the Secretary and they work directly with EPA. The head of the group used to work for EPA. Commissioner Manning asked if the counties' interest was being upheld to the best extent possible. Mr. Iglehart said that he believed they were.

Councilman Burch asked Dr. Beever about the boundary limits of the study. Dr. Beever responded by saying that it includes the CHNEP's seven county study area.

The CHNEP's 2014 Calendar was distributed at this time and Dr. Beever gave an overview of some of the upcoming CHNEP events.

Commissioner Constance requested that a policy be created where PowerPoint presentations are included within the agenda packets. Ms. Wuerstle explained that it could be done; however, it would slow the process down due to timeframes and schedules. She noted that handouts can be distributed at the meeting without having to change the current schedule.

Commissioner Constance requested that if there was no way of meeting the deadline to have paper copies made available at the meeting.

Vice Mayor Congress suggested sending the information out as "supplemental information" and once the item(s) have been finalized to send out the information by email. Ms. Wuerstle agreed.

Ms. Holquist suggested that in order to save paper, just send out notification to the members and have it available on the Council's website.

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

The latest meeting minutes were presented in the packet as an information item.

AGENDA ITEM #10(c)
Solar Friendly BMPs for the Solar Ready II Grant

Ms. Pellechio presented the item.

AGENDA ITEM #10(d)
SWFRPC Legislative Affairs Committee Report

Vice Mayor Congress presented the item.

Commissioner Cook referred to the discussion on the FEMA maps and said that she was under the impression that Governor Scott recently asked the Feds to defer any decisions on the Biggert Waters Act. Vice Mayor Congress explained that the RPC's legislative priorities are requesting to have the brakes put on regarding this issue until the study is completed.

Commissioner Constance noted that he recently attended the FAC Legislative meeting and one of the items that caught his attention was the fact that since its inception Florida gave close to \$17 billion to the National Flood Insurance program and only have taken approximately \$3.7 billion out of the program. Florida is currently supplementing 37% of the National Flood Insurance Program. If we are policing ourselves properly and we are paying in way more than what we are taking out and the system is falling apart, maybe the idea is to just self-insure within the State of Florida.

Discussion ensued on the issue of self-insure.

Chair Turner suggested adding an agriculture component to the 2015 legislative priorities.

Commissioner Constance requested clarification of the Council's legislative priority process. Chair Turner explained the Council discusses various legislative issues throughout the year. The Council's Legislative Committee is comprised of members of the Council who discusses those particular issues and makes a recommendation to the Council of the legislative priorities.

Commissioner Constance asked what happens when cities and counties submit their legislative priorities to staff. Ms. Wuerstle explained that staff had sent out requests to all Council members requesting a list of their legislative priorities/issues. Then staff compiles the issues received and brings them back to the subcommittee for their input. The Council and subcommittee stated that they didn't want any more than three items.

Discussion ensued.

Commissioner Duffy said that there was one issue that could be done as a region in a positive manner, the Consultants Competitive Negotiation Act (CCNA). She explained that municipalities were not allowed to take into consideration costs and fees as a factor in the bidding process. She noted that Charlotte County feels that is very important and wants it changed.

Commissioner Constance stated that the Council's legislative priorities needed to be updated on a regular basis. He said that it also will need to be done on the city and county level based upon the legislative calendar.

Mr. Mulhere suggested creating a legislative platform that would be more "general" in nature and would focus on regional issues with respect to the legislature's actions on those issues.

Vice Mayor Congress stated that he agreed with Mr. Mulhere's comments. He said that he believed that the process was fluid, but needed time tables and cut off dates.

Commissioner Duffy recommended inviting the legislators to a Council meeting. Ms. Wuerstle stated that staff will work on it; however, staff did send out invitations in the recent past and only one legislator RSVP'd and then the meeting they had chosen was cancelled.

Commissioner Nance stated that he would like to discuss a companion item regarding the Southwest Florida Research and Education Center. He explained that agriculture industry members have made a movement to reform the old Southwest Florida Ag Council. He recently attended a reorganization meeting along with Commissioner Turner. The large land owners throughout the region are discussing action that needs to be taken to support the budget amendment that would be necessary to continue to fund the research center. Across the Southwest Florida Region there is between a \$6-7 billion impact and the research center is the region's best and only portal to the University of Florida, which doesn't only support active agriculture industries, but also the natural resources, water management and economic development interests.

Commissioner Nance said that it was requested to bring the request to the RPC to ask for each of the board of county commissioners and municipalities consider of adopting a resolution in support of the budget amendment in order to support the research and education center moving forward. This request is being made because it will take a legislative budget amendment to deal with what is being requested, including a \$4.9 million enhancement project.

A motion was made by Commissioner Nance to direct staff to work together with Commissioner Turner to draft a resolution in support of a budgetary amendment to support the research and education center, in addition to placing it on the legislative priorities list. The motion was seconded by Commissioner Manning.

Councilman Burch asked for clarification and Commissioner Nance explained the issue.

The motion passed unanimously.

A motion was made by Vice Mayor Congress to accept the SWFRPC's legislative priorities as presented. The motion was seconded by Commissioner Cook.

Commissioner Constance asked what the issue cutoff dates are. Vice Mayor Congress explained that it was the committee's goal to obtain consensus from the Council to move forward with having staff present them accordingly. He then said that he didn't see why the list couldn't continually evolve.

Commissioner Constance explained that the Small County Coalition for Lobbyists set up principals, priorities and policy statements. He said that the SWFRPC needs to determine their policy statement, three priorities and also a list of policy statements.

The motion passed unanimously.

AGENDA ITEM #11(a) FDEP Surplus Lands Background and Update

Mr. Iglehart presented the item.

Commissioner Mann explained that Lee County had already passed a resolution opposed to having the Cayo Costa parcels on the surplus list. He then asked if the SWFRPC had taken a position on any of the parcels. Chair Turner explained that the Council discussed drafting a letter at their October meeting; however, the Council decided to have more information presented before making a recommendation. Commissioner Mann suggested having the items placed on the January agenda in order to draft a resolution.

Mr. Perry suggested that staff present any reason(s) that those parcels should not be on the list.

AGENDA ITEM #11(b) Broadband Presentation

The Broadband project video was shown at this time.

Ms. Pellechio gave an overview of the project.

Mr. John Honker of Magellan Advisors presented the Broadband Plan.

Ms. Pellechio explained that the Broadband committees had recommended that the SWFRPC endorse the plan and also support the plan at local jurisdiction implementation. She announced that the Bonita Springs Chamber of Commerce published an article on the Broadband Plan along with sending the information out by press releases. She said that due to the lack of a quorum currently, she entertains any questions.

Chair Turner asked why broadband is being driven by government and not by public enterprise. Mr. Honker explained that it is driven by both and that is because if you are not in downtown Miami, Orlando or Tampa those types of services are not available, which is a supply and demand issue. Southwest Florida is less urbanized than those communities and as a result there is lower demand and there is less investment from the private sector in these areas. The government's role is not to compete with the private sector, but to utilize their public assets where possible in order to help the private sector access those communities.

Mr. Perry asked what the action items were. Mr. Honker explained that the action items are to positively impact education and adoption in Southwest Florida of broadband services. Mr. Perry stated that is a concept, not an action plan. Mr. Honker explained that the goals of the strategic plan lay out what the strategic goals are and as a follow-up the local governments look at the implementation plan.

AGENDA ITEM #12 NEW BUSINESS

Ms. Holquist announced that on November 8 there was a forum held for the Economic Development Initiative of Southwest Florida and requested that the Economic Development Initiative of Southwest Florida be placed on the Council's January agenda for discussion. She also noted that the website is scheduled to be launched in January and it has a five county area represented (Lee, Collier, Hendry, Glades and Charlotte), while to date the Initiative had only included Lee and Collier Counties. They are at a point to creating an entity to manage the website and data repository. It is an outreach program to bring businesses to Southwest Florida.

AGENDA ITEM #13 STATE AGENCIES COMMENTS/REPORTS

SWFWMD - Ms. Dickens announced that staff was currently reviewing their cooperative funding initiative applications and are making the preliminary recommendations at the beginning of December. The first internal ranking meeting will be held in January. There will be two public meetings held in the spring in each region to discuss the cooperative funding.

AGENDA ITEM #14 COUNCIL ATTORNEY'S COMMENTS

Counsel McCabe stated that he had no comments at this time.

AGENDA ITEM #15 COUNCIL MEMBERS' COMMENTS

Mr. McCormick thanked Mr. McCabe for his presentation at Charlotte County's Legislative Delegation meeting.

Commissioner Mann gave a general overview of the ABM, he then asked that now that FGCU is nearly completed why does the ABM still exist and why should Lee County continue to pay

when other stakeholders do not contribute. He asked if staff could review the nature of the settlement agreement which created the ABM and does the obligation continue for life and if it is not funded then what is the obligation. He said that he feels that it is a duplicative effort.

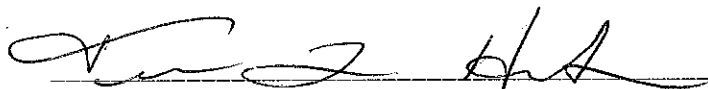
Councilman Burch asked who were the parties in the settlement agreement. If it is between Lee County and the SFWMD, then he feels that both Lee County and SFWMD should be renewing their contracts. Commissioner Mann said that he wasn't sure if the agreement was required to be renewed.

Mr. Beever noted that the ABM's Settlement Agreement was located on the SWFRPC's website.

Commissioner Mann requested that it be discussed by the Council and also have a legal opinion as to the obligation.

**AGENDA ITEM #16
ADJOURNMENT**

The meeting was adjourned at 11:52 a.m.

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

Commissioner Tom Jones, Secretary

The meeting was duly advertised in the November 4, 2013 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 39, Number 215.

RPC Talking Points for Babcock

(1) Affordable Housing Requirements (Page 10-15 in the MDO and Page 10 in the IDO):

The applicant (Babcock Ranch Community) worked with staff from the Department of Economic Opportunity (DEO) to complete a revision to the Affordable Housing requirements within the Master Development Order (MDO) and Increment I Development Order (IDO). The language is based on the DEO's interpretation of Rule 73C-40.048, Adequate Housing Uniform Standard Rule. The DEO and the applicant reached an agreement on the revised requirements, which are included in the new documents.

- o *1.5 million square foot of non-residential construction*

DEO staff researched Affordable Housing requirements set forth in all approved DRIs within the Southwest Florida Region. They concluded that the trigger point for development of a Determination of Adequate Housing Need analysis falls between 1 million and 6 million commercial square feet, which is between 20% and 30% of the total approved commercial square footage within the DRIs. On the basis of this information, both parties agreed to use 1.5 million square feet of non-residential construction as Babcock's trigger point. This is approximately 25% of the maximum non-residential square footage approved for the Babcock DRI. The required 1.5 million square feet non-residential construction includes commercial, light industrial, professional office, and governmental and civic uses because all of these uses will create employment opportunities.

- o *Babcock Ranch Community Affordable Housing Advisory Council (BRCAHAC)*

The purpose of creating the Advisory Council was to manage Affordable Housing within the Babcock Ranch Community. The new set of conditions for Affordable Housing within the Master Development Order identifies when affordable housing will be required, what type of methodology will be utilized to conduct the Determination of Adequate Housing Need analysis, and what kinds of affordable housing must occur within the development should a need be established. It also requires the methodology to be approved by the County and DEO. Babcock has expressed their intent to remove the Advisory Council requirement. The Advisory Council is made up of two developer appointees and one County representative.

- o *Workforce Housing*

Rule 73C-40.048, Adequate Housing Uniform Standard Rule, does not set a requirement for the amount of affordable housing that can be workforce housing. DEO classifies low income housing in three tiers. In order to retain a variety of affordable housing options within the Babcock DRI, the proposed revisions require that a maximum of twenty-five percent of the affordable housing units can be workforce housing, unless the housing study determines there is no significant

need for the very-low, low and moderate income households. The housing study is required to be performed before the first increment of residential development can be approved (subdivision or site plan application).

(2) School Concurrency:

The Babcock DRI must meet the school concurrency requirements. School Concurrency is required by Smart Charlotte's Future Land Use Element and Public School Facilities Element, the Interlocal Agreement for Coordinated Planning and School Concurrency, and Article XIV of the Charlotte County Land Development Code. School Concurrency is triggered by a subdivision or site plan application, although planning level review can occur prior to development applications being submitted. The School Board would like the developer to prepare for school concurrency earlier in the process but it is the developer's choice and as of now, Babcock is choosing to wait.

(3) Initial Internal Capture Rate of 22%

FLU Policy 6.4.28 set the initial Internal Capture rate of 22% for this project. Conditions within the Master Development Order require the Babcock developers to provide a periodic update at least every five years of the Master Traffic Study and use the most current, validated FDOT D1 District-wide model in effect at the time of the commencement of the Master Traffic Study Update. Internal capture rate is to be reevaluated at the time of the update.

(4) Flexibility of the Development:

- o The applicant added an additional 992 acres to the Increment I development in order to increase flexibility in community planning alternatives for the project.
- o The applicant reduced the amount of non-residential development required to be built in Increment I because of concerns that without adequate residential units in place, many commercial uses are bound to fail.

Supporting information regarding Point (3)

Future Land Use Element of the Smart Charlotte 2050 Comprehensive Plan

FLU Policy 6.4.28: Internal Capture Rate

Using mixed use planning and a compact urban form, including commercial, office, industrial and institutional uses, contemplated herein, the internal capture rate ("ICR") for vehicle trips shall be maximized, with a targeted internal capture rate of between 50% - 70%. However, analysis of transportation impacts will initially assume a 22% ICR for the BCMDO and the first Application for Incremental Development Approval (AIDA), subject to adjustment upward or downward in each subsequent increment of the DRI process, and will therefore provide an evaluation of which off-site transportation improvements are required under this scenario. Transportation models shall be generated using a unified model which includes traffic in Lee and Charlotte Counties. As development within the BROD occurs, the ICR will be monitored, utilizing and reconciling Charlotte County and Lee County data, and the required off-site transportation improvements will be adjusted so that the required improvements are commensurate with any actual measured ICR, or as may be adjusted.

REQUEST FOR PLACEMENT ON AGENDA
OF THE

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Name:

Sam Lee

(Please Print)

Organization (if any):

Lee County Dev of Nat Res

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 REYNOLDS - ALAN - DAVID		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE SWFRPC	
MAILING ADDRESS 3200 BAILEY LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY NAPLES	COUNTY COLLIER	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED Nov 21, 2013		NAME OF POLITICAL SUBDIVISION:	
		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 D. REYNOLDS, hereby disclose that on NOV. 21, 2013:

(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 SEE ATTACHED)

11/21/13
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.

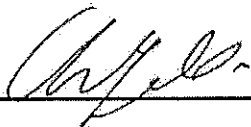
DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Alan D. Reynolds, hereby disclose that on November 21, 2013, a DRI Notice of Proposed Change for Babcock Ranch DRI/MDO will come before the Southwest Florida Regional Planning Council, as Consent Agenda Item 9 f) and 9 g)

The owner of the subject property 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

11/21/13

Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Perry Thomas Carter Jr</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>SWFRPC</i>	
MAILING ADDRESS <i>Post Office Box 1029</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Clewiston</i>	COUNTY <i>Glades</i>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>Nov 21, 2013</i>		NAME OF POLITICAL SUBDIVISION: <i>SWFRPC</i>	
		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, Thomas Carter Perry Jr, hereby disclose that on Nov 21, 20 13:

(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 James D English 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:

Agenda Items 9th Babcock Ranch MDO DRI-NOPC and 9th Babcock Ranch IDO DRI-NOPC

Mr English is opposed to the project and has retained my services to assist him in opposing the project.

Nov 21, 2013
Date Filed

Thomas Carter Perry Jr
Signature

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