

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
DECEMBER 15, 2011 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on December 15, 2011 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 9:02 a.m. Commissioner Butch Jones led an invocation and led the Pledge of Allegiance. Administrative Specialist II Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Chris Constance, Councilwoman Rachel Keesling, Ms. Andrea Messina, Mr. Michael Grant

Collier County: Commissioner Jim Coletta, Councilwoman Teresa Heitmann, Mr. Bob Mulhere, Ms. Pat Carroll

Glades County: Commissioner Kenneth "Butch" Jones

Hendry County: Commissioner Karson Turner, Mr. Melvin Karau

Lee County: Councilman Forrest Banks, Vice Mayor Mick Denham, Commissioner Frank Mann, Ms. Laura Holquist, Councilman Joe Kosinski

Sarasota County: Commissioner Christine Robinson, Commissioner Tom Jones, Commissioner Carolyn Mason, Mr. Felipe Colón

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

MEMBERS ABSENT

Charlotte County: Commissioner Tricia Duffy

Collier County: Commissioner Donna Fiala

Glades County: Commissioner Paul Beck, Councilwoman Pat Lucas

Hendry County: Commissioner Al Perry, Commissioner Joseph Miller, Commissioner Daniel Akin

Lee County: Mayor John Sullivan, Commissioner Ray Judah, Councilwoman Martha Simons, Mr. Paul Pass

Sarasota County: Councilman Kit McKeon

Ex-Officio Membership: Ms. Terri Behling – SWFWMD

PUBLIC COMMENTS

Chair Turner recognized that Mr. Don Scott, Director of the Lee County MPO had submitted a public comment request for Agenda Item #6(a) Holiday Season Furlough Discussion. Chair Turner asked Mr. Scott if he could address his comments during that item, Mr. Scott replied yes.

Chair Turner asked if there were any other public comments at that time. No other public comments were made at that time.

AGENDA

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

AGENDA ITEM #6(a) Holiday Season Furlough Discussion

Ms. Donley reviewed the item as presented.

Mr. Don Scott, Director of the Lee County MPO explained that the request which was approved by the Council at its November 16th meeting and also the MPO board consisted of being allowed to work during those two furlough days based on current and upcoming workloads. Obviously, there is a lot going on with the MPO moving to Cape Coral which the MPO is trying to deal with. As was stated last month, the Council would be able to get an additional \$1,761 from indirect costs from the MPO to the RPC during that time period. It was also raised at the last meeting about the possibility of amending the Staff Services Agreement, which was discussed at the MPO Board meeting. The proposed amendment of the Staff Services Agreement is included in the packet. The MPO plans to continue to uphold their end of the agreement through to March 16th and we are asking that the Council keep up their end also. As the end result, we are asking to be able to work remotely during those days. We understand the need to close down the building and in the agenda packet it was mentioned about the necessity of having IT staff available in case there was an emergency during those two days, but he feels that is a chance that we are going to have to take.

Vice Mayor Denham asked Ms. Donley what would be the additional costs for complying with the MPO's request. Ms. Donley replied that the additional costs are not measurable at this time. Complying with the request opens the Council to staff grievances as certain staff is being treated as "special class." From a legal standpoint it is not clear what differentiates staff that provides services to the MPO from those staff that provides services to the CHNEP or the LEPC or to any of the other grant funders within the Council. Vice Mayor Denham stated that in other words there is a possible detrimental impact on the Council. Ms. Donley replied yes.

Vice Mayor Denham asked so why would the Council want to grant the MPO's request. Chair Turner stated that he doesn't believe that the Council would want to open itself up to such a

possible inequitable treatment to all employees. Vice Mayor Denham stated that he doesn't believe that the Council should comply with the MPO's request because it seems to be the wrong decision to make.

Vice Mayor Denham moved and Ms. Messina seconded to not approve the Lee County MPO's request to allow the RPC staff who provide services to the MPO work during the two furlough days.

Commissioner Tom Jones stated that the request goes directly to the separation of the Lee County MPO and the Council. If the MPO was in the financial position to assume all financial responsibility for this action, he believes that they would have simply paid their staff and been done with it, but they didn't. He heard Mr. Scott state that he wanted to uphold his part of the obligation, but what he is referring to is the rent of the facility. He doesn't believe that he is referring to all of the obligations that are incurred by having shared staff. He has seen an offered amendment to the Staff Services Agreement, but that discussion doesn't include at what point the shared staff will become MPO staff and at what point the furlough days, vacation, etc. will be addressed or will these individuals be laid off or will they collect unemployment from the Council, etc. This Council hasn't heard that discussion at all and if the MPO wants to move out of the Council, then the MPO needs to understand that there are financial obligations that they are going to have to assume that other members of the Council are not willing to assume. Sarasota County is not a member of the MPO and we are supporting the shared staff. There is a competitive situation in many cases between the different MPOs. The MPO staff needs to recognize that there is much more to this "move out" than simply the rent/floor space and that is why he is going to support the motion.

Mr. Scott stated that he wasn't just speaking about the rent, but it was also the indirect payments on top of that which includes all of other items. He stated that there will be a point when the staff providing services to the MPO will resign as RPC staff and start as MPO staff. Obviously, the difference of opinion is where the MPO employees (4 staff) approximately 100% of their time is charged to MPO jobs and that is the separation. The MPO's attorney had a different opinion as to how you can go about this issue, obviously when Lee County went and did their furloughs there were certain departments/divisions that were treated differently and that is the way that we were looking at and that was the consideration that he was looking for.

Vice Mayor Denham stated to Mr. Scott that he understands what he is doing and why he is doing it, but he is very troubled by why the Lee County MPO has chosen this particular time, while the Council is going through a significant budget crisis. If the MPO had decided to wait a year or so before moving, in order to allow the Council to get their feet on the ground and get established. The Council needs to look after what the Council needs to do in order to protect itself.

Mr. Grant called to question. The motion carried unanimously.

The motion carried unanimously.

Mr. Limbaugh stated that the MPO chose this time to move due to a monitoring process and discussions between the Council and MPO. There was a request to separate the books and have a different overhead rate established for the MPO, which would allow oversight of MPO funds so

they couldn't be applied to items that were not allowable for federal reimbursement under the MPO program. FDOT asked the Council to establish a different overhead rate to breakout those items which were not eligible for reimbursement and there were several discussions and meetings and it was determined that the Council was either unable or unwilling to make that change/request, which is why the MPO started down the path that it started. It was to make sure that the MPO is in full compliance with the agreement that they have with the Florida Department of Transportation and the Federal Highway Administration.

AGENDA ITEM #6(b)
November 16, 2011 Committee of the Whole Recommendations

Ms. Donley reviewed the item as presented.

Ms. Messina moved and Vice Mayor Denham seconded to approve the Committee of the Whole recommendations for the November 16, 2011 meeting with the exception of Agenda Item #9(a)2 Executive Committee Report regarding the MPO's request that the RPC staff which provide services to the MPO are exempt from the two furlough days. The motion carried unanimously.

AGENDA ITEM #7(a)
November 16, 2011 SWFRPC Meeting Executive Summary

Ms. Donley reviewed the item as presented.

AGENDA ITEM #7(b)
December Staff Activity Summary

Ms. Donley reviewed the item as presented.

AGENDA ITEM #7(c)
FRCA Membership

Ms. Donley reviewed the item as presented.

Commissioner Mann moved and Mr. Grant seconded to appoint Ms. Laura Holquist to the FRCA Policy Board. The motion carried unanimously.

AGENDA ITEM #7(d)
Training Events of Interest

Ms. Donley reviewed the item as presented.

AGENDA ITEM #8
CONSENT AGENDA

Mr. Mulhere stated that he had a conflict of interest on Consent Agenda Item #8(c) - Hacienda Lakes DRI - Development Order Review and needed to abstain from voting.

Commissioner Tom Jones moved and Councilman Banks seconded to recommend approval of the balance of the consent agenda: Agenda Item #8(a) Intergovernmental Coordination and Review; Agenda Item #8(b) Financial Statement for November 30, 2011 & Grant Activity Status Sheets; Agenda Item #8(c) Hacienda Lakes DRI - Development Order Review; Agenda Item #8(d) Pelican Landing DRI - Notice of Proposed Change; Agenda Item #8(e) Heron Creek DRI - Notice of Proposed Change; Agenda Item #8(f) Southwest Florida Hazardous Materials Awareness Week - January 22-28, 2012; Agenda Item #8(g) Glades County Comprehensive Plan Amendment (DCA 11-2ESR); Agenda Item #8(h) Charlotte County Comprehensive Plan Amendment (DEO 11-3ESR); and Agenda Item #8(i) SWFRPC Fixed Assets Removal. The motion carried with Mr. Mulhere abstaining from Agenda Item #8(c).

AGENDA ITEM #9(a)
2012 Nominations Committee

Chair Turner appointed the following members to the 2012 Nominating Committee:

- Commissioner Jim Coletta, Collier County BOCC
- Mr. Michael Grant, Charlotte County Governor Appointee
- Commissioner Kenneth "Butch" Jones, Glades County BOCC
- Councilman Forrest Banks, City of Fort Myers

(Commissioner Chris Constance arrived at 9:25 a.m.)

Ms. Donley announced that staff will send out a Doodle poll to the Nominating Committee with dates and times and the meeting can be held by conference call.

AGENDA ITEM #9(b) 1
Executive Committee/Executive Director Candidate Finalist

Chair Turner gave a brief overview of the interview process and announced that both the Executive Committee and Executive Director Search Committee selected and recommends Ms. Margaret Wuerstle to be the new Executive Director for the SWFRPC. He announced that Ms. Wuerstle has accepted the position based on the negotiations which were a very seamless negotiation process and her start date is February 1, 2012. Ms. Wuerstle will be attending the January 19, 2012 Council meeting and will be present in the Council's offices for the majority of the week of January 16th.

Mr. Mulhere stated that he noticed that the contract called for weekly payroll and he suggested the possibility of cost savings of going to a bi-weekly accounting system. He then stated that her payroll should be the same as the rest of the staff. Chair Turner clarified that all staff is paid on a weekly basis. If the Council wishes to see what the cost savings would be to switch over to a bi-weekly payroll, then he recommends that the Budget and Finance Committee review that issue.

Mr. Mulhere stated that if the contract states that Ms. Wuerstle is to be paid weekly then if the Council changes over to bi-weekly for the rest of the staff, Ms. Wuerstle's contract would either stay weekly or need to be amended. He suggests that her contract states "in accordance to the same schedule as the RPC staff" then it doesn't need to be amended in the future if needed.

Mr. Mulhere stated that it was a great process and thanked everyone for their hard work and efforts. He feels that we ended up with a very strong candidate.

Chair Turner thanked staff for their hard work. He also thanked Search Committee Chair, Mr. Grant for his efforts.

AGENDA ITEM #9(b) 2 **Executive Director Search Committee**

Mr. Grant gave an overview of the search process.

Mr. Mulhere moved and Commissioner Mason seconded to approve Ms. Margaret Wuerstle as the new SWFRPC Executive Director with the contract that has been agreed upon.

Commissioner Mann asked what were Ms. Wuerstle total salary package and also her moving expenses. Chair Turner replied that the salary which was agreed upon is a base salary of \$112,000 and moving expenses is \$7,000. Ms. Donley explained that the health, vacation, and retirement benefits are the same as all current staff. So there are no escalators or additional compensation. Commissioner Mann asked what is that benefit package estimated to be. Chair Turner replied that it is being estimated at \$21,000.

Chair Turner asked what the cost savings between Ms. Wuerstle's salary and the former Executive Director's salary are. Ms. Doyle replied that Mr. Heatherington's benefit package paid out at \$66,000 and the total direct costs for seven months for the current fiscal year budget for Ms. Wuerstle comes to \$21,725.

Councilman Banks asked for clarification that Ms. Wuerstle's current salary is \$106,000. Chair Turner replied yes.

Vice Mayor Denham asked what the contractual arrangements are. Chair Turner replied that the contractual arrangement is a one year contract, quarterly reviews, the quarterly reviews will be performed by the Executive Committee, and at any given time if there is dismissal without cause there would be a four week severance that would be implemented.

Commissioner Tom Jones stated that he feels that it is a very favorable contract and it gets the Council off on the right foot. Ms. Wuerstle is a published author and he feels that she is the type of person that the Council needs to move the Council forward.

Ms. Holquist stated that Ms. Wuerstle is also a professor and teaches at two universities and she has tremendous amount of grant experience.

The motion carried unanimously.

Mr. Grant moved and Commissioner Mason seconded to dissolve the Executive Director Search Committee. The motion carried unanimously.

AGENDA ITEM #9(b) 3
Budget & Finance Committee

Ms. Donley stated that there was a meeting/conference call held on December 5, 2011 where Vice Mayor Denham participated by conference call. During the committee meeting there was discussions about the possibility about the need for additional changes or reallocations of staff in the future. Now there is a new Executive Director on board, Ms. Wuerstle has already started these conversations with her by asking for additional information about staff, what we do, resumes, job descriptions, and she has made it clear that she plans on hitting the ground running and we should not be surprised if there are changes in the staff at the Council in moving forward.

Vice Mayor Denham stated that the discussion was that there shouldn't be any more staff changes until the new Executive Director arrived.

Chair Turner asked the Council if any more significant and/or minor staff changes should be allowed between now and February 1st upon which the new Executive Director starts.

Commissioner Mason moved and Vice Mayor Denham seconded to leave any significant and/or minor staff changes up to the discretion of the new Executive Director. The motion carried unanimously.

Chair Turner noted that Ms. Donley was appointed as the Interim Executive Director until December 31st and since Ms. Wuerstle will not be starting until February 1st, official action should be taken to extend Ms. Donley as Interim Executive Director until February 1st.

Mr. Grant moved and Commissioner Coletta seconded to have Ms. Liz Donley remain Interim Executive Director until February 1, 2012. The motion carried unanimously.

Vice Mayor Denham thanked Ms. Donley for an outstanding job which she has done.

Chair Turner stated with the new Executive Director's salary and benefits, the search process, etc. the Council allocated \$400,000. He requested the Budget and Finance Committee to review the issue that there was \$400,000 set aside and we spent \$120,905 for the complete process, including salary and benefits. He wants the Committee to review how to disburse the remaining funds and also keep the Council's coffers strong, because he feels that the next legislative session can be detrimental to the Council's funding streams.

AGENDA ITEM #9(b) 4
Regional Watersheds Committee

Vice Mayor Denham gave a verbal report. He requested that the Council approve the Committee draft a letter for the Chair's signature on the fertilizer pre-emption to go out before the next Council meeting.

Mr. Mulhere moved and Commissioner Constance seconded to approve the Committee draft a letter for the Chair's signature on House Bill 421 and Senate Bill 604.

Commissioner Constance stated that the Council needs to specifically look at Committee assignments and schedules, because there are still some things that are going to come up prior to the Session starting January 10th. He believes that we still need to be extremely aggressive and proactive, because they really don't understand how it is really going to affect us. They don't understand how it is going to cripple agriculture. So what you have to do is change the angle of the argument; yes, it is important for local control and; yes, it is fouls our water, our tourism, and our quality of life. But what has to be underscored is if the FDEP comes down and tests our water and says you have a problem, they are not going to sit back and figure out where the problem is. FDEP is going to tell everyone within the entire watershed to cut your nitrogen in half and that will have a resounding effect on agriculture. So we need go to the agriculture industry and say "you don't understand what these guys downstream are going to do to you. You don't think it affects you, but it does." He believes that once they get the agriculture industry onboard, then we are going to have the group behind us that we are going to need to push this forward and defeat the bill.

Chair Turner suggested to Commissioner Constance that he become a member of the Council's Legislative Affairs Committee.

Vice Mayor Denham stated that there has already been legislation passed called TMDL, which is going to enforce sometime in the future local communities from getting their water quality correct. All that we are trying to do with the various issues on water quality is try to protect ourselves with the only tools that we have, so that when we enforce these particular laws, we don't have to have an enormous amount of money expended by our local communities to get the water quality issues correct. This is more of a preventive maintenance issue.

The motion carried unanimously.

AGENDA ITEM #9(b) 5
Legislative Affairs

Commissioner Coletta reviewed the item as presented.

Commissioner Coletta moved and Commissioner Mann seconded to endorse the Council's 2012 Legislative Priorities as presented.

Ms. Messina stated that having been a committee member of the Legislative Committee in the past, you have really have "brought it in and focused it" and she appreciates it because before it was somewhat unyielding and difficult to even remember if we have a position on that or not.

Chair Turner stated that as a member of the Committee he concurs with Ms. Messina's comments. The committee was adamant about not going up to Tallahassee with a "laundry list" of items and there was no clear and concise direction of what was being asked of them.

Ms. Holquist referred to the first priority which refers to the six pillars and asked where it came from. Commissioner Coletta replied that he serves on the committee regarding the six pillars and it consists of a number of community leaders throughout Florida that have been collaborating now for over a year and have been coming up with an economic plan which will move Florida forward; but it has to be done both through the legislature and the local businesses in order to get where we need to be. It is pretty dynamic and is well underway and will be continuing for at least another year. It is coming up with a great direction that has involved the entire State of Florida. Nothing has been done on this level before; it is not regional, but statewide.

Ms. Holquist noted that there was a statewide meeting held after Thanksgiving in Clearwater and they brought 120 leaders within Florida together, both she and Dr. Lisa Beever of staff participated and now they are bringing the process locally to the different regions throughout the state. In working with FGCU, we have scheduled it to come to Southwest Florida on March 6th at FGCU. The details are still being finalized, but we would like to have the Council help sponsor the effort along with FGCU. The deadline for having the Strategic Plan completed is in April. The basics were completed within the one day session, so now there needs to be a vision, objectives and action steps/strategies which need to be created.

Ms. Holquist then suggested if the Strategic Committee could work with staff to do the coordination on that effort. Chair Turner stated that he feels that it is imperative that the Strategic Committee does work with staff in regards to bringing in the six pillars and having the Council embrace it, because as the Council moves forward he feels that it will be part of the Council's justification of staying in existence and relevance to the region.

Commissioner Mann thanked the committee for their work; he then asked what is the next step with the Council's 2012 Legislative Priorities. In the past, some of our own lead legislative delegation members from Southwest Florida had actually supported some of the Council's priorities and embraced the bills and/or sponsored the bills that we didn't like. So what is the Council's proactive position?

Chair Turner explained that in the past, Commissioner Coletta had put together a legislative action group who went to Tallahassee and went door-to-door and met with each of legislators. Commissioner Mann asked did anyone single out the Committee Chairs and Committee Members where these bills are going to end up to let them know that there is a group of an additional 40 elected public officials in Southwest Florida that feel strongly about those bills. Chair Turner replied yes.

Commissioner Coletta explained that it is a process which we go through every year and we do have some effect. We have never interacted with the legislative body and had no effect.

Commissioner Mann stated that he is the legislative liaison for the Lee County Commission and the Lee County BOCC embraces most of the issues which are listed on the Council's legislative priorities, so he would like to have the Lee County BOCC considered as a partner. Commissioner Coletta explained that generally the committee plans their efforts around the Florida Association of Counties Legislative Day.

Vice Mayor Denham explained that on the priority that he has particularly been focusing on, Item #3, he has met with one-on-one with all of the local legislative delegates and they all have committed to support the local ordinance. In addition to that, as a representative of the Council, he is putting out a number of suggestions and requests to a variety of what he believes legislative chairs, committee chairs that could help the Council.

Commissioner Coletta stated that it would help the effort if the Council could manufacture a news release, because most of the citizens don't know what the Council is and it wouldn't hurt to let the communities know that the Council is looking out for their best interest and that these are our objectives for the coming year. Vice Mayor Denham stated that he supports Commissioner Coletta's suggestion.

Chair Turner asked Ms. Holquist in a strategic sense to create a "bullet item" that a newsletter should be done on a monthly basis and have it placed under the marketing of the Council.

Ms. Holquist stated that we need two news releases, one for the new executive director and the other for marketing the Council. She then suggested that they could be combined in one, along with the fertilizer pre-emption.

Chair Turner said that he would like to have the new releases sent to the Executive Committee prior to it be released.

Councilwoman Heitmann noted that Mr. David Hutchinson used to be the staff liaison for the Legislative Affairs Committee and Ms. Donley had spoken to Mr. David Crawford and he has agreed to now be the staff liaison for the committee.

Ms. Holquist noted that there can only be 100-120 leaders from the six county region for the Statewide Plan meeting on March 6th and so it is by invitation only which could become an issue. The group has to represent every area of a county (non-profits, businesses, government, education, etc.).

The motion carried unanimously.

Councilwoman Heitmann asked Ms. Holquist what is the Council's role in the March 6th meeting. Chair Turner explained that he believes that Ms. Holquist hopes that the Council will work with FGCU and be the lead agency in hosting the event. It would be wonderful for the Council from a marketing and relevant standpoint. In that processes, understanding that this is shaping the communities of your region as you see evolving, this is basically the discussion that is going to incur.

Ms. Holquist explained that the meeting will be dealing with the State plan and getting input for the plan. It does appear that the State is asking the RPCs to take a leading role. It does appear that the State has accepted the RPCs to be the vehicle to make this happen. She then suggested that the Regional Strategy Committee come up with a process.

Chair Turner asked if staff should attend other meetings throughout the state to see how the process unfolds. Ms. Holquist suggested that instead of getting into the details to have the Strategy Committee go into the details.

Councilman Banks asked who is heading up this effort. Ms. Holquist replied the Florida Department of Economic Opportunity. They have a statutory requirement to put a plan in place within five years.

The following members volunteered to serve on the Strategy Committee:

- Councilwoman Teresa Heitmann, City of Naples
- Vice Mayor Mick Denham, City of Sanibel
- Mr. Michael Grant, Charlotte County Governor Appointee
- Commissioner Tom Jones, City of North Port
- Councilman Forrest Banks, City of Fort Myers
- Mr. Bob Mulhere, Collier County Governor Appointee

AGENDA ITEM #10 DIRECTOR'S COMMENTS

Ms. Donley thanked both the Search Committee and Executive Committee for their efforts in hiring the new Executive Director.

AGENDA ITEM #11 STATE AGENCIES COMMENTS/REPORTS

FDEP - FDEP has been reaching out to all of the county's economic development councils and the word is starting to get out that FDEP is starting to work with property owners and trying to get tenants in and work on some of the construction.

SFWMD -There is a new planning process which the Corps of Engineers has kicked off to develop the next generation of Everglades Restoration projects. The process is called the Central Everglades Planning Process and it is designed to stream the Corps planning process from a six year timeframe down to a two year timeframe as the local response for the Comprehensive Everglades Restoration Plan that the SFWMD is working with Corp for the next 18 months to do some outreach and try to develop some additional projects to move the water to the south. It is all about moving more water to south and limiting the discharges to the estuaries. It is going to utilize the CERP Plan which was developed in 1999 and it is just going to focus on using lands in public ownership. The Corps has scheduled a public meeting tonight in Clewiston at the John Boy Auditorium.

Ms. Holquist explained that the meeting will be dealing with the State plan and getting input for the plan. It does appear that the State is asking the RPCs to take a leading role. It does appear that the State has accepted the RPCs to be the vehicle to make this happen. She then suggested that the Regional Strategy Committee come up with a process.

Chair Turner asked if staff should attend other meetings throughout the state to see how the process unfolds. Ms. Holquist suggested that instead of getting into the details to have the Strategy Committee go into the details.

Councilman Banks asked who is heading up this effort. Ms. Holquist replied the Florida Department of Economic Opportunity. They have a statutory requirement to put a plan in place within five years.

The following members volunteered to serve on the Strategy Committee:

- Councilwoman Teresa Heitmann, City of Naples
- Vice Mayor Mick Denham, City of Sanibel
- Mr. Michael Grant, Charlotte County Governor Appointee
- Commissioner Tom Jones, City of North Port
- Councilman Forrest Banks, City of Fort Myers
- Mr. Bob Mulhere, Collier County Governor Appointee

AGENDA ITEM #10 DIRECTOR'S COMMENTS

Ms. Donley thanked both the Search Committee and Executive Committee for their efforts in hiring the new Executive Director.

AGENDA ITEM #11 STATE AGENCIES COMMENTS/REPORTS

FDEP - FDEP has been reaching out to all of the county's economic development councils and the word is starting to get out that FDEP is starting to work with property owners and trying to get tenants in and work on some of the construction.

SFWMD - There is a new planning process which the Corps of Engineers has kicked off to develop the next generation of Everglades Restoration projects. The process is called the Central Everglades Planning Process and it is designed to streamline the Corps planning process from a six year timeframe down to a two year timeframe. As the local sponsor for the Comprehensive Everglades Restoration Plan, the SFWMD is working with the Corp for the next 18 months to do some outreach to develop some additional projects to move the water to the south. It is all about moving more water to south and limiting the discharges to the estuaries. It is going to utilize the CERP Plan which was developed in 1999 and it is going to focus on using lands in public ownership. The Corps has scheduled a public meeting tonight in Clewiston at the John Boy Auditorium.

**AGENDA ITEM #12
COUNCIL ATTORNEY'S COMMENTS**

Legal Counsel Donley recognized both Mr. Mathew Spielman from Congressman Mack's office and Ms. Diana McGee from US Senator Nelson's office as being in attendance.

**AGENDA ITEM #13
COUNCIL MEMBERS' COMMENTS**

Commissioner Tom Jones announced that he had distributed an invitation to a ceremony for a dedication of a street for one of North Port's former commissioners, Rue Berryman. Mr. Berryman was a member of the Council for eight years and was the Chair in 2005. His wife requested that all of the members of the Council be invited to the dedication. The street will be named "Rue S. Berryman Memorial Road".

Commissioner Tom Jones also announced that he is looking forward to the participation from the City of Sarasota. They have on their agenda to appoint a representative to the RPC and the City of North Port wants to help them and facilitate their membership in any way.

Ms. Carroll stated that the regional school boards have been meeting with the superintendents and one of the focuses have been the Board of Education and economic development. We are focusing more on workforce, prayer education and STEM education. She feels that there are going to be some ramped up partnerships with other local government agencies as businesses and partnerships change in the momentum of education from becoming its education isolated bubble to a true partnership for regional development.

Councilwoman Keesling thanked both the Search and Executive Committee for their efforts.

Vice Mayor Denham stated that over the past many years the provision for water storage and water storage projects have been very much in favor of the east coast. Mr. Dan DeLisi has worked very hard and has got budgeted in the SFWMD's budget \$19 million to purchase storage projects for the west side of Lake Okeechobee. This is important because should there be a hurricane or a major storm and there is a requirement for a major release of water then there will be a place for it to go other than down the Caloosahatchee River. He doesn't believe that the projects have been identified.

Mr. Flood noted that one project has been identified and will be constructed before the end of the fiscal year.

Ms. Holquist noted that it is both Ms. Messina's and Ms. Carroll's last meeting on the Council. She said that both have brought a lot to the Council over the years.

Councilman Banks stated that over the year he feels that we have recognized that what we have is of a value and next year is going to be an exciting year.

Mr. Karau wished everyone a Merry Christmas and Happy New Year.

Ms. Messina stated that she has learned a lot during her tenure on the Council and asked if when anyone is in Tallahassee that they stop in at the Florida School Board Association to say hello because that is where she will be spending most of her time.

Commissioner Constance stated that in carrying our legislative priorities around with us is a great idea. Also, when things in the legislature are coming forward that affect those priorities knowing who those committee members are and not just handing off that bullet point list just to our legislators, but helping them in explaining that not only are these the priorities, but they are committees and these are legislators, do you know any of these people. Ask for their help. Help bridge that gap, because it helps start the conversation.

Commissioner Butch Jones announced that there was a December 6th press release which announced that an Americas Gateway Logistics Center will be opening in Glades County. It is a 4,700 acre development with a possible expansion of 2,000 acres and it will create between 300-500 jobs and at its build out there will be 33 million of warehouse space. The site has already been environmentally approved.


Mr. Mulhere wished everyone Happy Holidays.

Councilwoman Heitmann thanked Chair Turner for his leadership over the last six months. She encouraged the Council to stay strong because she feels that the Council has a great future ahead.

Chair Turner stated that he is excited to see what the future holds.

**AGENDA ITEM #14
ADJOURN**

The meeting adjourned at 10:31 a.m.



Commissioner Tom Jones, Secretary

The meeting was duly advertised in the December 2, 2011 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 37, Number 48.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Mulhere, Robert J.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Southwest Florida Regional Planning Council</i>	
MAILING ADDRESS <i>PO Box 1367 Collier</i>		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 <i>REC</i>	
CITY <i>Marco Island</i>	COUNTY <i>FL 34146</i>	NAME OF POLITICAL SUBDIVISION: <i>State of Florida</i>	
DATE ON WHICH VOTE OCCURRED <i>December 15, 2011</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. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

- You should 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.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Robert J. Mulhane, hereby disclose that on December 15, ²⁰¹¹19:

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

☐ inured to my special private gain; or

☒ inured to the special gain of Indecisive, Hacienda Lakes, LLC, by whom I am retained.

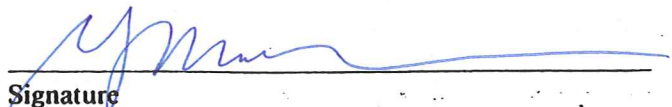
(b) The measure before my agency and the nature of my interest in the measure is as follows:

Item 8 (c) Hacienda Lakes DRI Development OLDS - I am a paid consultant on this project and therefore abstained from voting on this item

Date Filed

01/19/2012

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.