

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
FEBRUARY 18, 2016 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **February 18, 2016** at the new offices of the Southwest Florida Regional Planning Council - 1400 Colonial Boulevard, Suite #1 in Fort Myers, Florida. Chair McCormick called the meeting to order at **9:02 AM**. **Commissioner Mann** then led an invocation and the Pledge of Allegiance. Margaret Wuerstle conducted the roll call and noted that a quorum was present.

MEMBERS PRESENT

Charlotte County: Commissioner Ken Doherty, Councilman Gary Wein, Mr. Don McCormick, Ms. Suzanne Graham

Collier County: Commissioner Tim Nance, Commissioner Penny Taylor, Mr. Bob Mulhere, Councilwoman Teresa Heitmann, Mr. Alan Reynolds

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Julie Wilkins

Lee County: Commissioner Frank Mann, Councilman Forrest Banks, Vice Mayor Mick Denham

Sarasota County: Commissioner Charles Hines, Commissioner Carolyn Mason, Commissioner Cheryl Cook for Mayor Rhonda DiFranco, Mayor Willie Shaw, Councilman Fred Fraize

Ex-Officio: Mr. Phil Flood - SFWMD, Mr. Jon Iglehart -FDEP, Mr. Zach Burch for Ms. Derek Burr- FDOT

MEMBERS ABSENT

Charlotte County: Commissioner Tricia Duffy

Collier County: None

Glades County: Commissioner Weston Pryor, Councilwoman Pat Lucas, Commissioner Tim Stanley

Hendry County: Commissioner Karson Turner, Commissioner Don Davis, Commissioner Sherida Ridgdill, Mr. Mel Karau

Lee County: Commissioner Cecil Pendergrass, Councilman Jim Burch, Mayor Anita Cereceda, Ms. Laura Holquist

Sarasota County: Mr. Felipe Colón

Ex-Officio: Ms. Melissa Dickens – SWFWMD

**AGENDA ITEM #4
PUBLIC COMMENTS**

No public comment was made at this time.

**AGENDA ITEM #5
AGENDA**

Mr. Mulhere suggested for quorum purposes, amending the agenda to have any action items moved up to the beginning of the agenda.

By general consensus the agenda was approved as amended.

**AGENDA ITEM #6
MINUTES OF THE JANUARY 21, 2016 MEETING**

It was noted that both the meeting minutes of both the January 21, 2016 and February 18, 2016 meetings would be presented at the March meeting for approval.

**AGENDA ITEM #9
CONSENT AGENDA**

A motion was made by Mr. Mulhere to approve the consent agenda as presented. The motion was seconded by Commissioner Doherty and passed unanimously.

**AGENDA ITEM #10
REGIONAL IMPACT**

Mr. Trescott presented the following item.

Mr. Mulhere announced that he would be abstaining from voting on Agenda Item #10(a).

**AGENDA ITEM #10(a)
Bretonne Park NOPC**

A motion was made by Commissioner Nance to approve staff's recommendation as presented. The motion was seconded by Commissioner Mann and passed with Mr. Mulhere abstaining.

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

Ms. Wuerstle presented the Director's Report. She first went briefly over the Council's financial report.

Ms. Wuerstle then gave an update on the status of changing banks. She explained that she had been in contact with both Iberia Bank and FineMark Bank. There was one issue that came up with all three banks where they wanted to have each staff to have a separate credit card and those staff members would be required to give their names, birth dates, addresses, etc.; however, she wasn't comfortable with every staff member having a credit card. She said that she had worked with FineMark and they have been able to overcome that issue, they said that the Council could keep their current credit card process where the cards have the Southwest Florida Regional Planning Council name on the card; staff signs the card out and then sign it back in when they return. She said that Iberia Bank also said that they could do the same. Both Iberia and FineMark bank fees are the same, the difference between the two banks is FineMark Bank requires name, address, driver's license, and social security number from anyone (Mr. Perry, Commissioner Mann, Councilman Banks, and Mr. McCormick) that would be signing checks.

Commissioner Mann asked if he was listed as a check signer because he was local. The answer was yes. Commissioner Mann agreed to continue being a check signer and would give the required information to the bank.

After a brief discussion, the members who would be signing checks agreed to give the required information.

Vice-Mayor Denham asked Ms. Wuerstle for clarification that the Council has a history with Iberia Bank. Ms. Wuerstle explained that the Council's Money Market account is with Iberia Bank. However, her concern was Iberia waited until the last minute to agree to the same rules as FineMark. FineMark was a pleasure to work with and they got all of the needed information to her in a quick timeframe.

Ms. Wuerstle asked the members what their preference was for the new bank. Commissioner Mann said that he leaned towards going with FineMark Bank.

AGENDA ITEM #7(a) Open House Question Results

Ms. Wuerstle then gave the summary of the results from the Open House Questionnaire held on January 21, 2016.

Ms. Wuerstle then turned her report over to Councilman Banks who gave an overview of the Counter Terrorism Symposium that was held on February 16 at the Harborside Event Center in Fort Myers.

Councilman Banks explained how impressed he was with the speakers, especially the presentation given on how the hospitals would handle such an event.

Vice-Mayor Denham asked what the turnout at the symposium was. Councilman Banks said there were approximately 85 to 90 attendees.

Commissioner Wilkins noted that she received questions from individuals who she shared the information with about what would be the reason for them to attend, because it seemed geared to law enforcement. She suggested that if there was to be another type of symposium held, that there needs to be some type of description stating why it would be important for people to attend.

Councilman Banks said that Sheriff Scott had stated that law enforcement are not the first responders anymore; but those individuals at the event would be considered the first responders.

Mr. Iglehart said that DEP attended and found the symposium to be very helpful; because basically the agencies defined their roles. DEP took it back to their offices and shared it with their building management on what everyone is supposed to do if such an event occurred.

Ms. Wuerstle asked Mr. Perry to give a brief overview of the latest FRCA Policy Board meeting. Mr. Perry stated he felt there was a very different tone and attitude than what has been felt in the past and that he believed FRCA is starting to come around.

Ms. Wuerstle said she believed there were much more open discussions than what has been in the past and it was apparent there were other members of the Policy Board that agreed with some of the policies that have been brought up at previous meetings. She said she felt it was the most positive meeting that she had attended in her 4 years as being executive director.

Ms. Wuerstle explained that staff had submitted a Promise Zone grant last year for Hendry, Glades and Immokalee. The grant was for a rural designation and there was only going to be one rural designation awarded within the United States. The SWFRPC's application was recognized for its excellence and was designated as a finalist; however, wasn't awarded the designation. She said that staff will be submitting the same type of proposal for this year's round of grants. She then explained the benefits of receiving the designation.

Ms. Wuerstle announced that the Clewiston Revitalization project is underway. The Open House is scheduled to be held on February 25 and 26.

AGENDA ITEM #7(b)
Final MLK Meeting Schedule

Ms. Wuerstle gave an overview of the MLK meeting schedule as noted on the distributed flyers.

Ms. Wuerstle announced that the SWFRPC will be conducting a rail study in coordination with the Lee County MPO. Ms. Pellechio gave an overview of the project. She announced that Lee County MPO Director, Don Scott will be giving a presentation on the project to the Council at its March meeting.

AGENDA ITEM #8
STAFF SUMMARIES

This item was for information purposes only.

**AGENDA ITEM #11
COMMITTEE REPORTS**

**AGENDA ITEM #11(a)
Budget & Finance Committee**

No report was given at this time.

**AGENDA ITEM #11(b)
Economic Development Committee**

Councilman Banks announced that all of the region's economic development directors will be attending a "brown bag lunch" meeting on Friday, February 19, 2016 to discuss issues that they are facing within their jurisdictions.

**AGENDA ITEM #11(c)
Energy & Climate Committee**

Ms. Pellechio presented the item.

Mayor Shaw asked Ms. Pellechio where the City of Sarasota fits in. Ms. Pellechio explained that there are two different categories. The SM3 was required to start with implementation, but the City of Sarasota hasn't adopted any implementation processes. She explained that the City of Sarasota was still eligible to apply for SPARC. She stated that we are encouraging some type of implementation to occur.

Commissioner Wilkins applauded SWFRPC staff for their efforts and support because without their assistance the City of LaBelle wouldn't have done any implementation. She explained that the City of LaBelle didn't adopt an ordinance, but they did adopt the guidelines.

**AGENDA ITEM #11(d)
Estero Bay Agency on Bay Management (EBABM) Committee**

Mr. Beaver presented the item.

A motion was made by Commissioner Mann to accept the ABM's recommendations for their 2016 Slate of Officers as presented. The motion was seconded by Councilman Banks and passed unanimously.

A motion was made by Mayor Shaw to accept the ABM's 2016 Work Plan as presented. The motion was seconded by Councilman Wein and passed unanimously.

**AGENDA ITEM #11(e)
Executive Committee**

No report was given at this time.

AGENDA ITEM #11(f)
Legislative Affairs Committee

No report was given at this time.

AGENDA ITEM #11(g)
Quality of Life & Safety Committee

Mayor Shaw gave the report. He thanked Councilman Banks for his continued assistance on the committee. He explained that through the Florida League of Cities he has been able to get more interest in the model for the High Point process.

Councilman Banks explained he had sent Senator Benaquisto a letter earlier explaining the High Point process and the Senator said that she would like to meet with both he and Mayor Shaw after the legislative session to discuss the High Point concept.

AGENDA ITEM #11(h)
Regional Transportation Committee

No report was given at this time.

AGENDA ITEM #11(i)
Interlocal Agreement/Future of the SWFRPC Committee

No report was given at this time.

AGENDA ITEM #12
NEW BUSINESS

Vice-Mayor Denham referred to the recent Mayors meeting held to discuss the current water issues regarding the releases from Lake Okeechobee. He explained that they discussed how to reduce the releases and add storage from Lake Okeechobee and its impacts on the watershed. As a result, there is now more water being moved south to the Everglades.

Vice-Mayor Denham stated that due to the water releases from the lake, the area will lose the spawning season in the estuary. The spawning season runs from January through to April and it has been recognized by the ACOE that there won't be a spawning season this year and that will have long term effects. He explained that he was referring to the "crops" within the Southwest Florida watershed which consists of blue crab, stone crab, grouper, shrimp, etc. It is very important to understand that the devastation on the estuary will continue even after the water releases are stopped and/or decreased.

Vice-Mayor Denham explained that City of Sanibel Mayor Kevin Ruane suggested at the Mayors meeting having a "water discussion" at every city council meeting. He said City of Sanibel has been doing it for years, but it seemed that the other mayors were surprised. Then many of the other mayors made the decision to have a "water discussion" at their city council meetings.

Vice-Mayor Denham said that he didn't want to create a water committee; however, he would like to have a place on the Council's agenda to have a "water discussion" held at every Council meeting. He said that he would volunteer to give the report on water quality and what actions have been taken.

Chair McCormick stated that he had a SFWMD representative attend the Charlotte County Soil and Water Conservation District to give a presentation on water farming. He explained that it is a pilot program and he believed that it would be of interest to the entire region because anyone who has agriculture interests are interested in such a project and also come up to speed on water farming.

Vice-Mayor Denham noted that Sanibel had a number of BMPs and at the recent Mayors meeting it was asked if Sanibel would share some of their BMPs with the other communities including everything from how they manage the golf courses, fertilizer program, along with the vegetation program. He said Sanibel will be sending out a notice to the other local jurisdictions stating that they would be willing to share their BMPs.

Commissioner Nance stated there was nothing more important than water resource management. He would support having a discussion at each Council meeting. He then said that Collier County was within its own unique basin, but he wasn't saying that Collier County wouldn't support the Council on other concerns. Within Collier County there has been a tremendous amount of work done within the last couple of years to have discussions take place between the county and the municipalities within. Collier County also has a lot of land in public ownership for conservation. The current issues with water quality will have drastic effects throughout the region. Not only is there devastation to the natural environment and coastal communities, the agricultural community also has been devastated by the heavy rainfall. He noted that IFAS was one of the experts on water farming using the detention and retention areas throughout the year to moderate and mitigate big instances.

Mr. Flood referred to the distributed handouts that showed the Caloosahatchee estuary inflows from January 1, 2016 to February 16, 2016. There was also a handout that gave the facts on the historic dry season rainfall during 2015-2016.

Commissioner Doherty asked Mr. Flood how much water was going south. He said that he has also occasionally attended the 16 County Ecosystem Summit. He wanted to know if that group had been informed by the Corps regarding the timeframe, because it was his understanding that the watershed was so enormous that what is being released isn't enough. He wanted to know what the expected timeframe was to get the water down to a stage that would be acceptable.

Mr. Flood said that was the big question. As we have more rainfall the water comes into the lake six times faster than what is being released. Water has been released to the south throughout the dry season due to the expectation of rain, but when you have several additional inches of rain on top of it, all of the storage areas, stormwater treatment areas and the conservation areas are at their capacity. There is water being moved south through the estuaries in Palm Beach, Broward and Dade Counties, but they are very small areas.

Commissioner Doherty asked if there was a design underway to release more water to the south. Mr. Flood explained that there are numerous projects in the works to move water to the south. The SFWMD is working with the congressmen to receive authorization for those projects, i.e., Central Everglades Planning project. There are a couple of projects that are currently under construction and the SFWMD just received authorization from the Feds to move more water through the water conservation areas into the Everglades National Park.

Commissioner Doherty suggested inviting the Colonel from the USACOE in Jacksonville to give a presentation to the Council in order to have a better understanding of what could be done. Vice-Mayor Denham stated that the Mayors and Hendry County Commissioner Karson Turner are currently in Washington to work on projects to move the water south.

Mr. Iglehart stated the following amounts:

- 1,200 cfs of water being discharged to the south
- 7,900 cfs of water coming into Lake Okeechobee
- 10,489 cfs total discharge

He said that half of the discharge is going south at this time.

Vice-Mayor Denham explained that the project to put the Kissimmee River back to its natural flow is nearing completion within the next couple of years, which in turn should mean that the water flowing into the lake is much cleaner. He also said that with the project there are additional water storage areas north of the lake.

Discussion ensued.

Mr. Reynolds stated that he fully supported the Council getting engaged and also establishes a protocol for when and how the Council would be making comments to the media on this subject and also other subjects. He noted that there was a recent article published with a headline “Governor Scotts Plan to divert Okeechobee water to the Everglades defended and criticized” and as he read the story the criticism was attributed to Southwest Florida Regional Planning Council. He then suggested that before anyone member or staff speaks to the press about matters such as this there is a very clear protocol on what and who will be discussing the issue, because at this point, the Council is on record as being recognized as criticizing the governor’s plan. He then said he felt that the record needed to be set straight on the issue.

Chair McCormick asked Mr. Reynolds what he had in mind as a corrective measure, a letter from the Chair or a resolution from the Council. Mr. Reynolds said that the article indicated that the SWFRPC hadn’t taken an official position on the issue, but staff was critical and concerned about the water quality going into the Everglades and that was an issue that hasn’t been addressed. He then said that he didn’t have specific recommendation other than the record needed to be set straight that the Council doesn’t oppose the governor’s plan that is being implemented.

Ms. Wuerstle stated that she had just read the article in question this morning and she felt that the headline was worse than the statement that was included within the article. She explained that she

had spoken to the reporter and she was very open in stating the Council had not had the chance to discuss the issue and she anticipated the Council would be discussing the issue at its February meeting, so there is no official statement made by the SWFRPC. Unfortunately, the reporter didn't get everything correct. However, she did review additional information and what was given was fact, but it wasn't portrayed that way in the article.

Councilman Banks stated that this issue needs to be corrected as soon as possible; he then suggested a letter be sent to the governor with a complete explanation of what was said versus what was printed in the article.

Councilwoman Heitmann said if the Council doesn't contact the governor's office to make sure that the Council's statement of priorities are clear and concise, the Council will no longer have the recognition as being a Council for policies that relates to good water quality and being a leader in educating and also taking initiative. That is where the Council needs to be strong because that is what makes the Council relevant. She also said that there is an enormous amount of people in Collier County that don't understand the relationship with Lake Okeechobee or the lack of relationship and she recommended the Council look at having an education forum for the community. We need to make these policy changes as a community and not be adversarial to the governor, but try to have him see our point of view if his policies don't match ours.

Mr. Beaver explained that he did speak to the reporter in question and, at the request of our executive director, he provided a large amount of factual information. The handouts that have been distributed are either from DEP or SFWMD and upon that information he based his statements to the reporter. He said that within the article it did state that the Southwest Florida Regional Planning Council hadn't taken a position. However, the headline is rather different from the actual information provided. He also noted that unlike previous reporters from the Fort Myers News Press and the Naples Daily News, he did not receive a copy of the article before it was published.

Vice-Mayor Denham stated that he agreed with Councilman Banks' comments that this issue has to do with politics and it is very important that we are very careful what is said to the media. If we want the governor to support RPCs then it is important that we support his efforts.

A motion was made by Councilman Banks to approve having the Chair send a letter to the governor's office to negate the impact of what was published in the article and also send a copy of the letter to the reporter that wrote the article. The RPC needs to be supportive of what everybody else is doing. The motion was seconded by Commissioner Wilkins.

Chair McCormick stated that the letter should state that there was a newspaper article and the headline of that article conveyed an impression that the SWFRPC had taken a position; however, the SWFRPC is steadfast in their belief that all information that was provided was factual information and hasn't taken any action regarding this issue. The SWFRPC supports the governor's efforts regarding water quality issues.

Commissioner Mann stated that he felt it was critically important the letter include a statement that the SWFRPC supports any efforts from the governor to do whatever is possible now under these

extreme circumstances under which we are forced to act upon. The SWFRPC apologizes for any misinformation that was distributed and the Council thanks the governor for his efforts.

Commissioner Wilkins stated she agreed with Commissioner Mann and that the “thank you” needs to be put first within the letter and then the apology.

Chair McCormick agreed with the members’ comments and said he will have the executive director draft the letter and the draft letter would be distributed to the membership for their review and comments.

Commissioner Wilkins asked if the Council wanted to take a position on the issue or by sending the letter to the governor the Council would be taking a position by supporting the governor’s efforts. Chair McCormick said that the nature of the letter is to clearly support the governor.

Mr. Iglehart noted that there were other articles that branched off the article in question that used some of the quotes in the first article to support a totally different effort about potential hazards to the residents who live south of the lake. He suggested creating an Op-Ed to clarify the Council’s mission. The Council is currently characterized as an environmental agency.

The motion passed unanimously.

**AGENDA ITEM #12(a)
SanCap Solar Presentation**

Ms. Pellechio introduced John McCabe, of the J.N. “Ding” Darling National Wildlife Refuge to give a presentation on SanCap.

Mr. McCabe gave a presentation on the SanCap program in Sanibel. Both Sanibel and Captiva had started an effort to place solar panels on rooftops with the assistance from RPC Staff who in turn assisted with introducing him to a consultant in Boston who has been working with him on the development of the program. To date, there have been approximately 200-250 individual locations that have expressed interest in the program and 35 have signed up. There is another 75 locations that are in the process of moving forward. The remaining locations either did not meet the requirements to be able to have solar at their facility or they decided not to participate.

Mr. McCabe explained the refuge is in the process of installing 401 panels that would produce approximately 110 kilowatts of installed generating capacity. He noted that a large supermarket has signed up for the program and the rest of the applicants are individuals. He announced that the program has been very successful, there has been such a big turnout that the enrollment period has been extended for one month.

Mr. McCabe said that one of the lessons learned was to have a separation between commercial and residential. The consultant had recommended using a \$1.00 per watt installed and then we would come up with an average for the program, which drove the costs down by approximately 25 to 28 percent within that neighborhood. However, it does penalize the larger “players”. Another issue is that it includes the architect of the system with the builder and usually the architect and builder are separate.

Mr. McCabe announced there have been 10 facilities that have been installed and others are in the process.

Vice-Mayor Denham asked Mr. McCabe if he had solar at his residence. Mr. McCabe said he has had solar at his residence for approximately 9-10 years. He generates all of the electricity that he uses, along with being a net metering customer of LCEC. He charges his entire house (3,000 square feet) and the electricity needed to charge his two electric cars from the panels on his roof.

Commissioner Wilkins asked Mr. McCabe for clarification on the percentage saved on installation costs for residential. Mr. McCabe said that it is approximately 28 percent cost savings.

Commissioner Wilkins then asked if there was a benefit in purchasing the materials in bulk. Mr. McCabe said yes and explained that an advisory committee had been formed. The members included a builder, a large customer, FGCU Professor Joseph Simmons who has a lot of experience in solar, along with a few individuals from the refuge. The next step was to put out bids and there were four serious contenders. The committee went through the process, cost was a big issue and what equipment was being offered and then a single vendor was selected. The vendor has provided all of the equipment for everyone. He said the benefits are cutting costs for the community and also the vendor's marketing costs were down because the community effort is doing it for them. He then explained the public hearing process.

Mr. McCabe directed the members to the website of www.SanCapSolarConnect.org

**AGENDA ITEM #13
STATE AGENCIES COMMENTS/REPORTS**

FDOT - Mr. Zachery Burch introduced himself.

**AGENDA ITEM #14
COUNCIL ATTORNEY'S COMMENTS**

No comments were made at this time.

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

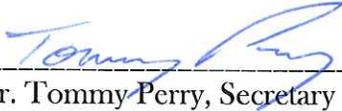
Councilman Fraize stated that it was frightening about the spawning season. He said that it was his second meeting at the Council and the knowledge that is obtained from the both staff and members is immense. It needs to be shared with our local jurisdictions.

Councilman Wein said that he agrees with Councilman Fraize.

Commissioner Wilkins announced the 50th Annual Swamp Cabbage Festival will be held February 27-28.

AGENDA ITEM #16
ADJOURNMENT

The meeting adjourned at 10:45 a.m.



Mr. Tommy Perry, Secretary

The meeting was duly advertised in the February 3, 2016 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 42, Number 22.