

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MAY 19, 2016 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **May 19, 2016** at the 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 **9:03 AM**. **Mayor Shaw** then led an invocation and the Pledge of Allegiance. Nichole Gwinnett conducted the roll call and noted that a quorum was present.

MEMBERS PRESENT

Charlotte County: Commissioner Tricia Duffy, Commissioner Ken Doherty, Councilman Gary Wein, Mr. Don McCormick

Collier County: Commissioner Penny Taylor, Councilman Rex Buxton, Mr. Bob Mulhere

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Commissioner Julie Wilkins, Mr. Mel Karau

Lee County: Commissioner Frank Mann, Commissioner Cecil Pendergrass, Councilman Forrest Banks, Vice-Mayor Mick Denham, Councilman Greg DeWitt

Sarasota County: Commissioner Christine Robinson for Commissioner Carolyn Mason, Mayor Willie Shaw, Councilman Fred Fraize

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

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Commissioner Tim Nance, Mr. Alan Reynolds

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

Hendry County: Commissioner Don Davis, Commissioner Sherida Ridgill

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

Sarasota County: Commissioner Charles Hines, Vice-Mayor Rhonda DiFranco, Mr. Felipe Colón

Ex-Officio: Ms. Tara Poulton - SWFWMD

**AGENDA ITEM #5
AGENDA**

Chair McCormick requested that the items under Agenda Item #10 Regional Impact be moved up to the beginning of the agenda.

By general consensus the items under Agenda Item #10 Regional Impact were moved up to become the first item for discussion.

**AGENDA ITEM #10(a)
Palmer Ranch MDO NOPC**

Mr. Trescott presented the item.

A motion was made by Mayor Shaw to approve staff's recommendations as presented. The motion was seconded by Mr. Mulhere and carried unanimously.

**AGENDA ITEM #10(b)
The Commons NOPC**

Mr. Trescott presented the item.

Vice-Mayor Denham asked how storm water would be managed for the site. Mr. Trescott stated that the storm water system is already in place and permitted in line with the South Florida Water Management District requirements. Mr. Mulhere highlighted a conservation tract along the Gordon River that was missing from the displayed map. Any future development will have to amend the existing storm water plan. Mr. Flood confirmed that the site was permitted by the SFWMD's criteria.

Mr. Mulhere stated he would be abstaining from voting on the item due to conflict of interest.

A motion was made by Commissioner Duffy to approve staff's recommendations as presented. The motion was seconded by Mr. Perry and carried with one abstention.

**AGENDA ITEM #4
PUBLIC COMMENTS**

No public comment was made at this time.

**AGENDA ITEM #5
AGENDA**

Chair McCormick requested a motion to approve the amended agenda.

Motion was made by Commissioner Mann to approve the amended agenda. The motion was seconded by Mr. Mulhere and carried unanimously.

**AGENDA ITEM #6
MINUTES OF THE MARCH 17, 2016 & APRIL 21, 2016 MEETINGS**

As noted, the minutes from the March 17, 2016 and April 21, 2016 meetings are to be presented at the June meeting.

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

Ms. Wuerstle presented the report, which included the April financials. She also reviewed the following:

**AGENDA ITEM #7(a)
Budget Amendments**

Ms. Wuerstle presented the proposed budget amendments.

Motion was made by Mr. Mulhere to approve the budget amendments. The motion was seconded by Commissioner Duffy and carried unanimously.

**AGENDA ITEM #7(b)
Audit**

Mr. Tuscan presented the FY 14-15 Audit. The audit ended with an “unmodified” opinion, which is the highest level of opinion.

Councilman Wein expressed concern with the impacts of an economic downturn on the cities’ and counties’ pension liability. Mr. Tuscan explained that these massive swings are supposed to be amortized under the new laws. FRS was 92% funded at the end of 2015.

Councilman Banks asked about the negative pension liability. Mr. Tuscan stated that it is \$565,000. Mr. Mulhere clarified that this figure isn’t just the pension liability.

Councilman Fraize inquired about the Civil Retirement System and asked if there has been any discussion of moving into a 401k plan. Mr. Tuscan explained that this was discussed during the market crash. Commissioner Pendergrass suggested that new employees be placed into a 401k plan instead of FRS. He also inquired about the savings on utilities with the new location. Ms. Wuerstle explained that there will be savings and the amended budget will be presented at the June meeting.

Commissioner Wilkins pointed out a typo in the audit report.

Motion was made by Commissioner Doherty to approve the audit. The motion was seconded by Commissioner Mann and carried unanimously.

AGENDA ITEM #7(c)
Proposed Agenda for SWFRPC Water Seminar (Workshop)

Ms. Wuerstle introduced the draft agenda. Mr. Perry further explained the reasoning behind the agenda and that the symposium will explain the white paper, a list of acronyms, and the Integrated Delivery Schedule.

Vice-Mayor Denham explained why the speakers were chosen, that this would be more of a workshop, and no public comment would be taken. Vice-Mayor Denham stated that the goal is to collectively agree on a strategy and a message for the region. Commissioner Duffy believes this is a good start and requested that Dr. Brian LaPointe from Florida Atlantic University, Representative Matt Caldwell, and the U.S. Army Corps of Engineers be added as speakers. Commissioner Doherty agreed that the Army Corps should be added. Councilman Banks suggested the speakers list is too Sanibel heavy.

Commissioner Doherty agreed and suggested that the regulatory agencies such as the Water Management Districts, FDEP, and the Army Corps take lead on this symposium. Vice-Mayor Denham wanted to move forward with Lee County's strategic plan. Commissioner Duffy believes that the purpose of the water workshop was to gather more information and clear up any misinformation. Commissioner Duffy did not agree with everything in the strategic plan and could not vote to approve it by Regional Planning Council.

Commissioner Robinson added that under State law, if any decisions are made then there must be public comment taken. Ms. Nightingale said she would look at this issue and report back. Mr. Perry added that the workshop would not result in a vote or a decision. A decision would have to be made at a subsequent meeting.

Commissioner Mann explained that the goal was to come to a consensus as an RPC. Commissioner Turner agreed with Commissioner Mann and suggested that the RPC decide on a short list of priorities. He also explained that excluding public comment was a time saving measure. Commissioner Doherty explained that he cannot vote on the strategic plan without comment and analysis from the previously mentioned regulatory agencies and the meeting may be longer than four hours. The choosing of the speakers was a collaborative effort between Vice-Mayor Denham and Mr. Perry. Councilman Wein added that the RPC needed to act with high quality and with consensus to showcase our relevancy.

Vice-Mayor Denham believed that the RPC needed to start with a baseline and then change and build on it. Chair McCormick sees the meeting as an incremental step.

Ms. Wuerstle wanted clarification on the scope of the meeting. Vice-Mayor Denham explained that this was to be for SWFRPC members and possibly members of nearby RPCs. Commissioner Mann and Vice-Mayor Denham agreed that no progress would be made if the meeting went beyond the RPC. Councilman Banks agreed with the plan that the Lee County Board of County Commissioners approved. Mr. Perry wanted everyone to leave the meeting with a clear

understanding of the issues and everything involved. Chair McCormick wanted a united message from the RPC so that we can all present the same message to State and Federal legislators. Commissioner Duffy stated that this meeting must contain public comment. She also adds that Charlotte and Sarasota Counties have different needs than Lee County. Vice-Mayor Denham clarified that the strategic plan is an approach and not a solution. Commissioner Duffy reiterated that she would like Dr. LaPointe to be a speaker and that this discussion needs to be neutral. Commissioner Mann states that in order to effectively lobby in DC, we need a united, consistent message.

A discussion ensued on when and where the meeting would take place. The meeting is now targeting for September 22 at the Charlotte Harbor Event Center, which was offered at no cost.

Commissioner Wilkins questioned whether it is a good idea to invite the public and tell them that they can't participate. Mr. Mulhere suggested placing public comment at the end, providing public comment forms, and limiting public comment to a minute. Vice-Mayor Denham sees the public being very unruly and disruptive. Commissioner Robinson believes that it is not proper to take action without public comment. Mr. Iglehart explained that FDEP public comment is limited to three minutes.

Commissioner Duffy questioned whether this is a regional issue or just a Lee-Collier issue. Vice-Mayor Denham announced that he is backing out of this issue. Mr. Mulhere explained that this is clearly a regional issue. The issue involves at least four of our counties and we should all be concerned about water quality. Councilman Wein stated that the purpose of the RPC is to come together for issues such as this even though it may affect certain jurisdictions more than others.

Ms. Wuerstle will move forward with this information and redraft the agenda. Commissioner Wilkins and several other members thanked Vice-Mayor Denham for his work on this issue.

AGENDA ITEM #8 STAFF SUMMARIES

This item was for information purposes only.

AGENDA ITEM #9 CONSENT AGENDA

AGENDA ITEM #9(f) Village of Estero Comp Plan Amendment DEO 16-1ESR

Ms. Burr addressed FDOT's concerns on purchasing the rail corridor.

AGENDA ITEM #9(d) 2016 Glades-Hendry TDSP Annual Update

Commissioner Wilkins had a correction on the list of schools.

Motion was made by Mr. Mulhere to approve the consent agenda with a change to Item 9(d). The motion was seconded by Councilman Banks and carried unanimously.

**AGENDA ITEM #10
COMMITTEE REPORTS**

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

Ms. Wuerstle stated the financial statement and budget amendments were addressed under the Directors Comments.

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

Ms. Pellechio presented a report on the RPC's status as an Economic Development District and the CEDS plan.

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

Ms. Pellechio presented on the SolSmart program.

Commissioner Duffy added an update on Babcock Ranch's solar power efforts with FPL.

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

Mr. Beaver presented an update on the EBABM and the resurgence of sea grass.

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

Chair McCormick stated he had no report 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 mentioned that the 4th Annual SWFL Brownfield Symposium will take place on June 8-9 in Sarasota.

AGENDA ITEM #11(h)
Regional Transportation Committee

Councilman Banks gave the report on a potential regional transportation plan.

Commissioner Doherty stated that he had a similar discussion with Secretary Hattaway.

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

Commissioner Mann requested an update.

Ms. Wuerstle presented the options for the assessments and explained the current status of the State statutes and interlocal agreements. She then asked for the cities and counties to take a position on which option they would prefer. County Manager Mr. Desjarlais believes that the Lee County BOCC has taken a position. They do not support the counties paying for the cities and would like the cities to pay. Commissioner Pendergrass would like to have these options discussed by the Lee County BOCC.

A conversation ensued about the State statutes vs. the interlocal agreements. Commissioner Doherty asked for a letter including all of the options to be distributed to the counties and cities.

Mr. Loveland with the Lee County Community Development Dept. explained Lee County's unique position in this matter. Commissioner Pendergrass has asked his county attorney to review the statutes and the bylaws. Ms. Wuerstle asked Lee County to determine which city they would like to have the free seat.

AGENDA ITEM #11(j)
Water Quality & Water Resources Management

No report was given at this time.

AGENDA ITEM #12
NEW BUSINESS

None

AGENDA ITEM #13
STATE AGENCIES COMMENTS/REPORTS

FDEP - Mr. Iglehart announced the Annual Brownfields Symposium will be held on June 8 & 9 in Sarasota.

FDOT -Ms. Burr announced that the diverging diamond in Sarasota is ongoing and will be completed in 2017.

SFWMD - Mr. Flood announced the SFWMD Governing Board will be meeting in Lee County on June 9.

SWFWMD - No report.

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

No report was given at this time.

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

Councilman Fraize wanted to emphasize the importance of the resurgence of sea grass.

Councilman Wein was also excited about the increase in sea grass levels.

Mayor Shaw also saw the meeting on sea grass to be very productive.

Commissioner Mann called out a News Press headline stating "fishing is better than ever".

Vice-Mayor Denham announced that his grandson qualified for the final of the NCAA Golf Tournament

**AGENDA ITEM #15
ADJOURNMENT**

The meeting adjourned at 11:10 a.m.



Mr. Tommy Perry, Secretary

The meeting was duly advertised in the May 4, 2016 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 42, Number 87.