

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
DECEMBER 15, 2016 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **December 15, 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 **9:02 AM**. **Mayor Shaw** then led an invocation and the Pledge of Allegiance. Ms. Margaret Wuerstle conducted the roll call and noted that a quorum was not present. A quorum was reached later in the meeting, before any official actions took place.

MEMBERS PRESENT

Charlotte County: Commissioner Ken Doherty, Councilwoman Lynne Matthews, Mr. Don McCormick

Collier County: Commissioner Penny Taylor, Councilman Reg Buxton, Mr. Alan Reynolds

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Commissioner Julie Wilkins,

Lee County: Commissioner Cecil Pendergrass, Councilman Jim Burch, Councilman Forrest Banks, Councilman Greg DeWitt, Vice-Mayor Mick Denham, Councilmember Jim Wilson

Sarasota County: Mayor Willie Shaw, Councilman Fred Fraize, Commissioner Debbie McDowell

Ex-Officio: Mr. Jon Iglehart-FDEP, Mr. Phil Flood - SFWMD,
Ms. Sarah Catala- FDOT

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Mr. Bob Mulhere

Glades County: Commissioner Weston Pryor, Councilwoman Pat Lucas

Hendry County: Commissioner Sherida Ridgill, Mr. Mel Karau

Lee County: Commissioner Frank Mann, Councilwoman Anita Cereceda, Ms. Laura Holquist

Sarasota County: Commissioner Charles Hines, Mr. Felipe Colón

Ex-Officio: Ms. Tara Poulton - SWFWMD

**AGENDA ITEM #4
PUBLIC COMMENTS**

No public comments were made at this time.

**AGENDA ITEM #5
AGENDA**

Chair McCormick requested that the Director's Report be presented at the beginning of the meeting, due to a lack of quorum.

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

Ms. Wuerstle presented the report. She noted that the Council ended fiscal year 2016 with an unaudited surplus of \$20,000-22,000. She then presented the October financials and added that the budget gap has already been closed through roughly \$320,000 of additional grant money since the budget was adopted. Ms. Wuerstle explained that the final amendments to the FY 2016 budget needed to be approved once a quorum is reached. The 2016 budget was amended to reflect additional revenues brought in throughout the year.

She added that the service agreement for the audit for the years 2017, 2018, and 2019 also needed to be approved. She explained that Tuscan & Company, P.A. has been a great help to the Council over a long period of time. Commissioner Doherty asked about the competitiveness of the pricing. Ms. Wuerstle explained that the cost of the SWFRPC's audit has been high compared to other RPCs. Some RPCs ranged from \$15,000-\$20,000 while the SWFRPC's was around \$31,000. However, Ms. Wuerstle noted that Tuscan & Company, P.A. provides more services than a typical audit and the SWFRPC's audit has come back clean for the last four years due to their help.

At this point a quorum was reached.

A motion was made by Vice-Mayor Denham to approve the audit agreement as presented. The motion was seconded by Mr. Perry and passed unanimously.

A motion was made by Mr. Perry to approve the budget amendments as presented. The motion was seconded by Commissioner Doherty and passed unanimously.

Ms. Wuerstle announced that it was time for the Council to appoint a nominating committee for the 2017 Executive Board. Chair McCormick appointed Commissioner Mann, Mayor Shaw, and Vice-Mayor Denham. It was decided that the committee would meet over a conference call next week.

Ms. Wuerstle gave a report on previous week's FRCA meetings. She was advised to be very careful when requesting funding from the State Legislature this year and stated that FRCA will not request any funding this year. This information caused Ms. Wuerstle to reconsider the Council's legislative priorities and she advised the Council to drop the Economic Opportunity Map from the RPC's priorities this year. She has also been working with various State agencies regarding the Promise Zone. They suggested that she meet with the other agencies and educate them on the Promise Zone and seek support that way, rather than amending the RAO statutes to support the Promise Zone. Commissioner Wilkins explained that any non-recurring funding submitted to the Senate needs to be submitted as a single bill along with a detailed six page form. Commissioner Doherty stated that the State deficit is rumored to be between \$500m and \$1b and even preexisting programs will not be a given this year. Vice-Mayor Denham asked if any grants currently under development could be affected. Ms. Wuerstle could not think of any and stated that she was told that the budget may not be ready until June or July. Chair McCormick concluded that the potential costs of asking for funding would outweigh any possible benefits.

A motion was made by Commissioner Wilkins to withdraw the SWFRPC's legislative priorities. The motion was seconded by Vice-Mayor Denham and passed unanimously.

AGENDA ITEM #6 MINUTES OF THE OCTOBER 20, 2016 MEETING

A motion was made by Councilman Banks and seconded by Commissioner Doherty to approve the minutes of the October 20, 2016 meeting. The motion passed unanimously.

AGENDA ITEM #7 DIRECTOR'S REPORT

Ms. Wuerstle announced that staff is submitting an application for a brownfields grant and a resolution needed to be approved by the Council. Mr. Jason Stoltzfus gave a brief overview of the project.

A motion was made by Mr. Reynolds to approve the resolution as presented. The motion was seconded by Commissioner Doherty and passed unanimously.

Ms. Wuerstle reminded the Council about the Florida Chamber Foundation meeting on January 11, 2017 from 9:00 a.m. to 1:00 p.m. at Hodges University. This meeting will provide input for the update of the State's Economic Development Plan. She encouraged the members to put the meeting on their calendars and also to invite those individuals who they felt would be able to contribute to updating the plan. Additionally, the Council's CEDS plan is due for a major update in September 2017 and this meeting will provide input that will help with that update. DEO will also be developing their own Economic Development Strategy and all three plans need to come together.

AGENDA ITEM #11(j)
Water Quality and Water Resources Management
Presentation by Mr. Phil Flood and Mr. Thomas Perry

Mr. Perry led the discussion. He reintroduced the position paper that has been discussed at previous meetings and explained that Mr. Flood would be giving a presentation on the IDS (Integrated Delivery Schedule) and the two items that are in the proposed priorities.

Mr. Flood gave the presentation on the IDS. The Water Quality and Water Resources Management Committee proposes that the Council support the IDS. Vice-Mayor Denham stressed that this project does not alleviate flow from Lake Okeechobee, this project will allow water to flow to the estuaries during the dry season, and freshwater is an issue that is often overlooked. Councilman Burch thanked Mr. Perry for preparing the resolution. He is okay with this proposal as long as it does not conflict or contradict with the recently signed compact by 16 counties and the Now or Neverglades resolution that was signed by over 40,000 people. He states that the issue of water going south cannot be ignored and he cannot support this resolution unless he can be assured that it does not conflict with any of those other plans. Mr. Perry explained that the resolution is consistent with the white paper previously review by the Council, the resolutions passed by Lee County and the City of Fort Myers, and the compact mentioned by Councilman Burch. He had not reviewed the other items so he could not comment on those. Councilman Burch stated that he could not vote on the resolution since it has not been reviewed for consistency with the Now or Neverglades resolution.

Mr. Flood concluded his presentation. Commissioner Doherty asked if the projects in the resolution are consistent with the IDS and Mr. Flood confirmed that they were. He also clarified that all of the projects on the presented IDS slide will enhance water flows to the south and to the estuaries and the projects shown in white are projects in the planning phase.

Commissioner Wilkins was concerned that this plan is more focused on the needs of SWFL's coastal counties than the needs of the inland counties. Mr. Perry explained that focusing on the coastal communities would attract more attention from legislators and added that he is from an inland county. He also stressed the importance of finding a balance of addressing the needs of everyone within SWFL and he believed they had done that. Vice-Mayor Denham, as a member of the Florida League of Cities, had Home Rule concerns for the communities south of Lake Okeechobee. Commissioner Taylor agreed with Commissioner Wilkins. She believed that the Council needed to take a broader stance to address the needs of all of our communities. She acknowledged the importance of the tax base of the coastal counties, but pointed out that the agriculture industry in the inland counties will be a major factor in the region's growth as well. She would like to see the inland communities addressed without detracting from the proposed strategies for the coastal counties. Vice-Mayor Denham stated that nothing is broader than the IDS. Mr. Perry reiterated that he lives in Glades County and works in Hendry County and he believed that the needs of those counties are met by the resolution. Mr. Flood added that there are water quality components in the IDS. Commissioner Taylor and Commissioner Wilkins recognize that the IDS addresses these concerns, however they would like to see the issues more explicitly

stated within the plan. Vice-Mayor Denham explained that the economic issues associated with the water issues are very contentious and he worked to avoid addressing that topic in the resolution.

Chair McCormick commented that this is an issue that needs to be approached incrementally, this is a good step that addresses the needs of a lot of people, and he is sympathetic to the needs of the inland communities. He acknowledged that this step is not a cure-all and that the next step would be to address the needs of Glades and Hendry Counties. Councilman Burch agreed that this is a contentious issue and stated that the resolution provides a general direction to support the IDS. He agrees with Chair McCormick that incrementally the Council has to do something, he sees this as a do-no-harm step, and Mr. Flood has convinced him to support this resolution.

A motion was made by Councilman Banks to approve the resolution as presented. The motion was seconded by Vice-Mayor Denham. The motion passed 14-1.

Councilman Banks commented that the City of Fort Myers adopted Lee County's resolution due to lack of expertise by the City's staff. He does not believe that the Council's staff has this expertise either. He does see the Water Management District and the US Army Corp of Engineers as allies in this issue. He stated that having technical ability is necessary to publicly discuss these issues and the City and Council does not have that.

**AGENDA ITEM #9
CONSENT AGENDA**

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

**AGENDA ITEM #10
REGIONAL IMPACT**

Mr. Dan Trescott presented the following item:

**AGENDA ITEM #10(a)
Tern Bay NOPC**

Mr. Trescott presented the item.

Commissioner Doherty commented that Charlotte County staff are good to go on this and he would like to move for approval. Vice-Mayor Denham questioned the reduction of affordable housing, adding that this is an area of concern for the region. Mr. Trescott stated that he and the Charlotte County staff worked with the applicant to have the 10% affordable housing requirement added and he is satisfied with this result. He agreed that affordable housing is an area that has been somewhat more lenient recently. Vice-Denham stated that 10 years ago the Council would not have approved this and the region does not have enough affordable housing. He explained that the City of Sanibel has 90 homes designated for affordable housing in their small, affluent society and he is very proud of that accomplishment. He does not believe that the region has the will to do

something about the affordable housing issue. Mr. Trescott agreed that something needed to be done about affordable housing. Councilman Banks asked for more information on the City of Sanibel's affordable housing program. Vice-Mayor Denham explained that this program is supported by the City, HUD, and fundraising within the community. They are rented and equity share homes and if a resident exceeds a certain income level they are asked to leave. The City provides the land on a 100 year lease and the homes are of equal quality to the homes that can be found throughout the City. Renters include school teachers, police officers, and interns.

Mr. Trescott stressed that the application proposed to eliminate the Tern Bay affordable housing requirement entirely and he feels good about having the 10% requirement added back in. He explained the DRI affordable housing rules that are still in place. Commissioner Pendergrass asked about the Council's authority to enforce changes to a proposal. Mr. Trescott explained that the Council can make recommendations, but no longer has appeal authority. He was able to get the affordable housing requirement put back in to this DRI with the help of Charlotte County. Commissioner Pendergrass added that Lee County has affordable housing communities in Lehigh and Dunbar. Commissioner Turner commented that this problem is becoming an epidemic throughout the southern portion of the State and affordable housing cannot be limited to just being located in particular neighborhoods. It must be County-wide. Hendry County is having problems recruiting teachers and law enforcement officers and it's his understanding that this problem is multiplied in larger population areas. Chair McCormick, as a Charlotte County resident, applauded his County Commissioners and staff for fighting to keep this requirement.

A motion was made by Commissioner Doherty and seconded by Commissioner Pendergrass to approve staff's recommendation. The motion passed 11-4.

AGENDA ITEM #11 COMMITTEE REPORTS

AGENDA ITEM #11(a) Budget & Finance Committee

Ms. Wuerstle presented the September and October 2016 Financials.

A motion was made by Mr. Perry and seconded by Commissioner Doherty to approve the September and October 2016 financials as presented. The motion passed unanimously.

AGENDA ITEM #11(b) Economic Development Committee

Councilman Banks encouraged everyone to come out to the Florida Chamber meeting in January. Ms. Wuerstle added that on December 21, a CEDS Committee meeting will be held to begin the CEDS update process.

AGENDA ITEM #11(c) Energy & Climate Committee

No report was given at this time.

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

No report was given at this time.

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 noted that the committee has lost several of its members in the recent elections. Mr. Perry suggested that the Nominating Committee suggest nominations for all of the Council's committees in addition to 2017 officer elections. The Council and Mayor Shaw agreed.

AGENDA ITEM #11(h)
Regional Transportation Committee

Ms. Wuerstle gave an update on the Regional Transportation Plan process. She stated that there is a meeting scheduled for January 5th with the MPO Directors and the Executive Board of the SWFRPC..

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

Councilman Burch congratulated Ms. Wuerstle on her efforts for the Promise Zone. He then asked Ms. Wuerstle to report on the survey that was sent out in regards to the Interlocal Agreement. Ms. Wuerstle stated that the survey was sent out to 122 elected officials and 33 responded. The survey presented options for how the Council membership should be constructed. The majority of the responses thus far proposed to leave the practice as is. She encouraged everyone to have their boards fill out the survey.

The concern is that some counties would be allowed more total votes under the current structure because some counties have more municipal seats than others. An alternative would be for each county to have 2 county seats and 1 municipality seat per county. However, the Council would lose several participating municipalities under this scenario. Commissioner Taylor clarified that the

issue of revenue and who pays is also an important Interlocal Agreement issue as well as the voting issue. She believed that the voting needs to be distributed equally throughout the region. Mr. Perry added that the Council's gubernatorial appointee seats are weighted based on county population. He also added that the Council has not had an issue with larger counties with more municipal seats ganging up on the smaller counties and that more participation is better than less participation. He concluded that the Council constructed "as is" has worked. Councilman Burch ended the conversation by stating that the committee will continue to work on this issue.

**AGENDA ITEM #12
NEW BUSINESS**

None

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

FDEP - Mr. Iglehart stated that FDEP has issued the intent to issue Mosaic's 18,000 acre mining development in DeSoto County.

SFWMD - Mr. Flood stated that he had nothing to report.

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

No report was given at this time.

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

Commissioner Doherty stated that Charlotte County has had there committee assignments. Commissioner Doherty will continue to serve on the Council along with Commissioner Joe Tiseo. He also wished everyone a merry Christmas and happy New Year

Chair McCormick introduced two new Council members: Councilmember Lynne Matthews from the City of Punta Gorda and Councilmember Jim Wilson from the Village of Estero.

Vice-Mayor Denham stated that he will be out of town the month of January and would like to have a conference call for the Nomination Committee next week.

Mayor Shaw wished everyone the best that the holiday season has to offer and hoped they stay safe.

Commissioner Taylor stated that Commissioner Bill McDaniel will be filling the County's vacancy on the Council next year. She thanked Chair McCormick for his exemplary work and fairness this year and wished everyone happy holidays and merry Christmas.

Councilman Burch also wished everyone happy holidays and added that meetings like this show the value of the SWFRPC. He is proud of everyone involved and thanked Vice-Mayor Denham and Chair McCormick for their hard work and leadership.

Commissioner Pendergrass stated that he and Commissioner Mann will continue to be the County's liaisons for the RPC and is looking forward to a good year in 2017.

Councilmember Matthews wished a merry Christmas and happy holidays to all.

Councilman Banks wished happy holidays to all. He asked everyone to remember where we were a year ago when the RPC was moving into its new building and all of the hard work involved. He thanked Ms. Wuerstle and the RPC staff for their hard work throughout the year.

**AGENDA ITEM #16
ADJOURNMENT**

The meeting adjourned at 10:37 a.m.

Councilman Forrest Banks, Secretary

The meeting was duly advertised in the December 5, 2016 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 42, Number 234.