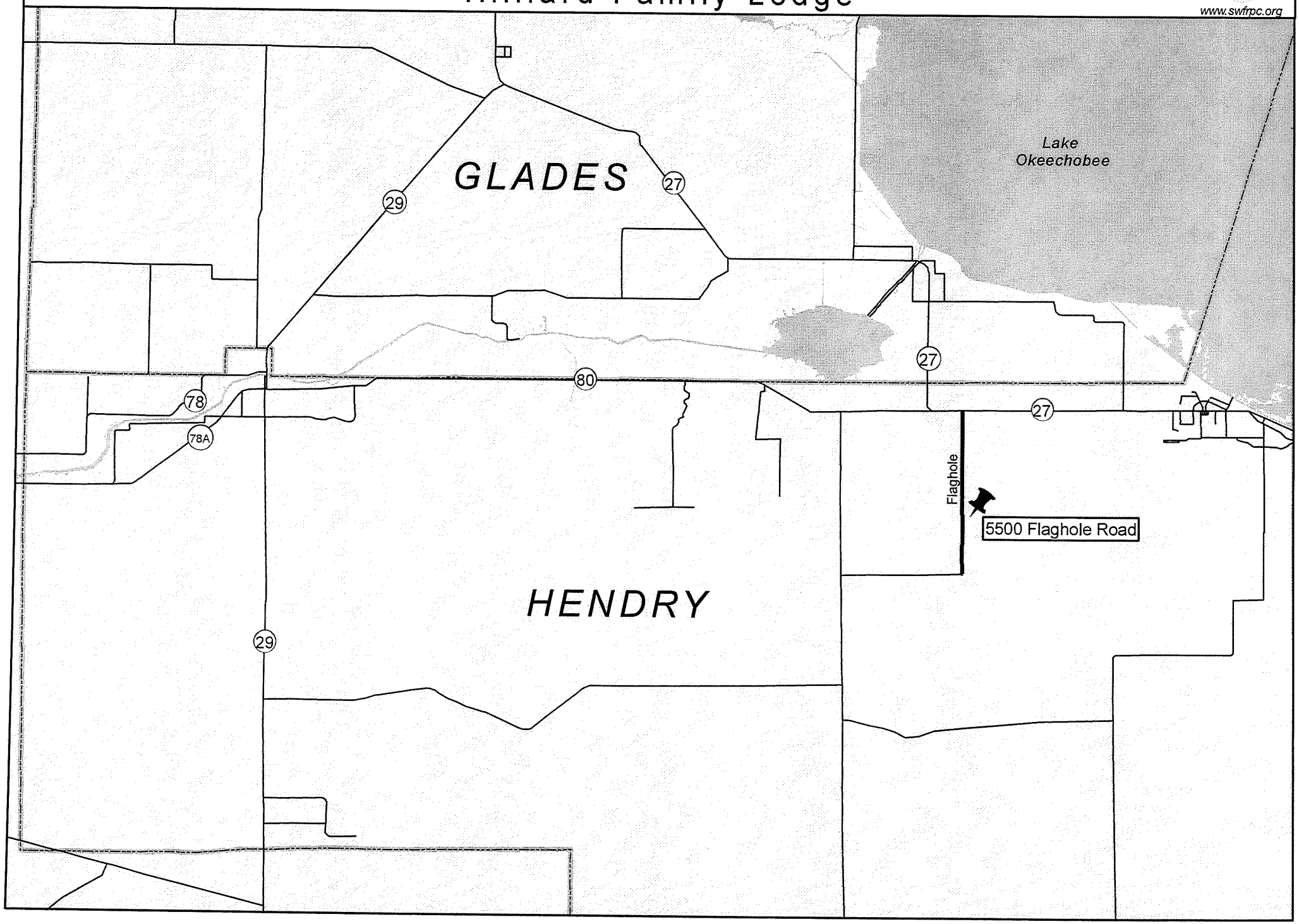
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LEADERSHIP CHALLENGE WORKSHOP
AUGUST 20, 2009

HILLIARD FAMILY LODGE
5250 Flaghole Road
Clewiston, FL 33440
(863) 983-5111

8:30 a.m.	Continental Breakfast	
9:00 a.m.	Welcome and Introductions	Host & Participants
9:15 a.m.	2008 SWFRPC Retreat Minutes	Ken Heatherington
9:20 a.m.	Art of Possibility Exercise	Betsy Allen, Gaining Results Chief Change Officer
10:30 a.m.	Review of SWFRPC's Strategic Business Plan	
	& Strategic Financial Plan	Ken Heatherington
11:00 a.m.	29I Bylaws	Liz Donley
11:30 a.m.	2010 Strategies & Programs	Ken Heatherington
12:00 p.m.	Lunch	
12:30 p.m.	Intermodal Logistics Center Presentation	Dr. Richard Woodruff
		Tommy Perry
1:30 p.m.	Inland Port Sites Tour	

2009 SWFRPC RETREAT
Hilliard Family Lodge



COUNCIL RETREAT 2009 MEMBERSHIP CONTACT LIST	
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2008 SWFRPC RETREAT MINUTES

2008 SWFRPC RETREAT
MINUTES

Babcock Cypress Lodge
July 17, 2008

Members

Jon Iglehart, FDEP
Councilman John Spear, City of Bonita Springs
Alan LeBeau, Charlotte County Governor Appointee
Andrea Messina, Charlotte County Governor Appointee
Councilman Chuck Kiester, City of Marco Island
Commissioner Jim Blucher, City of North Port
Mayor Jim Humphrey, City of Fort Myers
Commissioner Jim Coletta, Collier County BOCC
Commissioner Adam Cummings, Charlotte County BOCC
Dianne Davies, SWFWMD
Janet Watermeier, Watermeier Consulting & Property Services

Facilitators

Tim Center, Collins Center
Jon DeVries, Collins Center

Staff

Ken Heatherington, Executive Director
Liz Donley, Legal Counsel
Dave Hutchinson, Planning Director
Deborah Kooi, Administrative Services Manager
Nichole Gwinnett, Administrative Services Specialist

CALL TO ORDER

Mr. Center called the meeting to order at 9:15 a.m.

Casey gave an historic overview of the Babcock Ranch and the Babcock family.

Mr. Center gave a brief overview of the efforts of the preservation of the Babcock Ranch and then asked for each of the attendees to introduce themselves and also to give their favorite place in Florida and in the world.

Commissioner Coletta stated that he didn't see anything for affordable housing under sustainable communities. He explained that the Council doesn't really have a concrete matrix to use to be able to advise an applicant/developer of a DRI of how to address affordable housing.

Chairman Messina stated that the Council also compiles their opinion to the specific DRI, which makes it not consistent.

Mr. Center stated that he would add an affordable housing matrix to creating sustainable and livable communities.

Mr. Heatherington suggested adding Mayor Denham's water quality and quantity issues and identify some of the outcomes.

Mr. Center reviewed the following issues:

ISSUES	POSITIVES	CONCERNS
Staff	Members have a great degree of confidence in the staff and Executive Director. Staff is very professional.	Some members stated that they feel that staff doesn't hold to their guns and they are not sharing with the Council exactly what they think and if they do, they don't stick with it or raise an objection. Because of the professionalism of staff, they should exercise that professionalism and let the Council know in a meaningful way when things are going against the grain and to be constructive in that type of observation and sharing that with you as a whole Council.
Proud of Your Planning	Keeping the plan current and maintained.	You don't feel like you have totally followed through on the plan.
Committed to the Process	The members are committed to the work of the Council and the communities.	Some of the members are not committed to staying through the meetings.
Committees	Members like the Council committees (i.e. Lower West Coast Watersheds Subcommittee).	Need to re-convene old committees (Transportation and Affordable Housing). Especially the Affordable Housing Committee and establish a goal.

Mr. Center stated that the following are issues of continued concern:

- Regional Visioning
- Planning
- Commitment
- Funding
- Meetings (location, travel, rotation, and technology)

Mr. Heatherington asked Mr. Center if when he interviewed the members was the issue of technology discussed and possibly creating a new committee to address those issues. Mr. Center replied no.

Commissioner Coletta asked Mr. Heatherington if the committee would include such issues as "virtual" government and the use of less office space and having staff work out of their homes. Mr. Heatherington replied yes and explained that it is very expensive, especially when there isn't that kind of resources available. He suggested forming a Technology Committee to review those types of issues on how the Council is going to evolve and embrace technology in order to have less travel by having video conferencing, and the possibility of moving the monthly meetings around the region.

Mr. LeBeau stated that he agrees with moving the monthly meetings around the region.

Ms. Watermeier stated that she agrees with forming a Technology Committee, because she feels that if the Council doesn't move forward with that issue then everything will bypass us and we are not going be ready to go when the time comes. As far as moving around the region with the monthly meetings, is that you don't always get a core group, but just people from that particular area. Also, you will run into a quorum issue, because people will say that they will travel but when the time comes they won't. They like having a "common ground" to go to. She stated that she would be more apt to participate on a committee if she was able to video conference in from her desk rather if she had to drive to a meeting. She then stated that she will volunteer to participate on the Technology Committee.

Commissioner Coletta stated that he would also volunteer to serve on the Technology Committee. He explained that he has been trying to get his board to approve that Collier County staff would be able to work at home, since he doesn't see the need for his staff to be in the office except when he is there for meetings. He would like to have the committee look into virtual government for all municipalities and counties.

Mayor Humphrey stated that one of the issues that Mr. Center had noted was that the members needed to honor the time and stay through the meetings and he feels that it is a very important issue. He then said that a subtitle for that would be reviewing the agenda and prioritizing the items in order to make the agenda work better.

Commissioner Coletta noted that in order to cut costs, all members should be going to paperless agenda packets.

Chairman Messina explained that she had Ms. Gwinnett conduct an estimate on what the Council has been saving on those members who have gone paperless and it was estimated to be approximately $600.

Ms. Watermeier stated that would be an issue for the Technology Committee to discuss and try to find a solution as to how to provide access to the agenda packet for all members, even those who don't have a laptop to bring to the meeting.

Commissioner Coletta stated that he would like to schedule one of the Council meetings to be held at Ave Maria University and possibly arrange to provide transportation from Charlotte/Lee Counties to the University.

Commissioner Cummings suggested that the Technology Committee also discuss the following issues: wireless, video taping meetings and public access.

The following members volunteered to participate on the Technology Committee:

- Commissioner Adam Cummings, Charlotte County BOCC
- Ms. Andrea Messina, Charlotte County Governor Appointee
- Ms. Janet Watermeier, Watermeier Consulting & Property Services
- Commissioner Jim Coletta, Collier County BOCC

Mr. DeVries stated that he attended the Gulf Coast Community board meetings and they hold a governance meeting on rules and regulations and suggested that the Council may want to hold such a meeting for their members.

Both Chairman Messina and Ms. Watermeier agreed.

Mr. Center reviewed the threats and opportunities:

THREATS	OPPORTUNITES
- Governance - Budgets - Growth - Sustainability	- Leadership - Taxation - Smart - Sustainability
- Sugar - Infrastructure - Climate	- Vision - CLUTE (DOT) - Transportation

Ms. Watermeier explained that if there was the correct plan in-place and it would build the right consensus, then she believes that DOT would fund DCH's share because she has been on the Transportation Commission and has been working that angle. Also for DEP, if you can get those three partners together then you have built that funnel to the State to help expand where things are going.

Mr. Hutchinson explained that he has had discussions with FDOT about getting the same level of support that FDOT had given to myregion.org, and they had indicated that at a minimum they can provide some in-kind support through Cambridge Systematics. Also, they gave a $25,000 contribution annually for three years for direct support.

Mr. Iglehart explained that the FDEP South District already had to commit three of their staff, the Tallahassee Office had to commit five of their staff, and the Southeast District (West Palm Office) has also committed staff in order to have the waste issues completed by October and reported to the Governor.

Mr. Heatherington explained that another way that it is being approached through the private sector is through the Chamber of Southwest Florida, who created the Leadership Foundation, and is trying to engage the business community in a regional visioning exercise in a November conference which will follow-up on the Council's October conference.

Ms. Watermeier stated that you need to involve the large land owners also and also the all of the other chambers. She believes that the Council needs to be "convener," but not the lead player. The other players need to include the chambers, environmental organizations, land owners, foundations, etc.

Mr. Center asked the members what they want to have accomplished within a year.

Mayor Humphrey stated that he would like to see the Council accomplish by combining the resources (i.e. FGCU, chambers, etc.).

2009 GOALS	
PRIORITIES	**INTERNALLY**
Affordable Housing	- Common/Goal - What is the internal vision
Regional Visioning (Convener/Facilitator) - Consolidate - RPC Be The Convener - Funding Partners - Summation (Best Practices & Studies) - Chambers/Government - Website (www.swflvision.com) - Timeline	

Commissioner Cummings suggested taking the maps and applying the local and state laws to the maps, because this would start the conversation and would provide a technical step.

Mr. Iglehart asked how are these goals going to be reached (i.e. full Council, subcommittee).

Ms. Watermeier suggested forming another committee of members who would be interested in obtaining those goals.

Mayor Humphrey stated that he agreed with Ms. Watermeier's suggestion.

Commissioner Blucher asked if the local government's staff be involved in the process. Mr. Heatherington replied yes.

Commissioner Coletta suggested convening a "summit" with everyone.

Ms. Watermeier stated that there needs to be coordination between the solutions with the chambers and Council annual meetings so there is no duplication.

Chairman Messina stated that if we take on a more of a leadership role then she believes that it would increase membership participation.

Ms. Watermeier stated that she feels that too many people/members looks at the RPC as a government entity.

Ms. Davies explained that the SWFWMD was one of the financial sponsors for one day for myregion.org because it was the only real visioning effort for overall planning at the time, but since she is a member of the Council, the SWFWMD can be part of this effort as well.

Councilman Kiester asked if the DRIs, comprehensive plan amendments, etc. should be handled in a different manner on the agenda so members don't have to sit and listen to applicant's representatives and staff go back-n-forth for a length of time and then end up having members leave.

Mayor Humphrey stated that was his idea of having the agenda prioritized.

Commissioner Cummings stated that the local governments need to obtain local control in order to obtain these goals (funding levels, growth management decisions, etc.).

Commissioner Coletta stated what a better way to gain local control than by bringing all the local entities together.

Mr. Center reviewed the affordable housing issue:

AFFORDABLE HOUSING
- Prioritize
- Projected Need
- Define (low – medium income)
- Capture (location)

Mr. Heatherington explained that there isn't any funding available for affordable housing. The funds that the RPC uses are DCA funds and they usually run out before the fiscal year ends.

Commissioner Cummings stated that due to the lack of resources, he believes that the most important thing that can be done for affordable housing over the course next year is prioritizing where we want to direct our efforts for affordable housing.

Ms. Watermeier stated that she believes that if all of the local governments get together they could find solutions to certain funding issues. She stated that approximately two years ago, Mr. Center suggested that someone figure out how we deal with health insurance costs on a county/city wide basis with this large pool and the money from that could actually be a funding resource. She believes that it would solve our funding issues and would save money for everyone.

Mayor Humphrey stated that he had stated it on the Council, but also to the citizens/taxpayers that Lee County pays over $100 million each year in health insurance and the City of Fort Myers hired a consultant which conducted a study and it showed that if all of the government entities (City of Fort Myers, Lee County Government, Lee County Sheriff, Fire Districts, etc.) got together and created a pool it would save approximately 8-14% in health insurance costs. He then said; let's give the RPC $1 million in commission if they could accomplish this task, because it would end up saving everyone in the end.

Mayor Humphrey reviewed the City of Fort Myers affordable housing situation.

REVENUE/FUNDING
Provide Services to Local Governments
Economies at Scale - Health Care ----- Enterprise Programs - Consolidation

Ms. Watermeier announced that she had committed to Representative Grant; she would donate 10 hours per week, over the next year of her time to help get a regional visioning issue up. Those 10 hours are free of charge and they can be used in anyway needed, because she believes that it is so critical of where we are going in the future.

The meeting adjourned at 12:20 p.m.

Southwest Florida
REGIONAL PLANNING COUNCIL

Planning, Protecting and Improving for our future generations.
SERVING CHARLOTTE, COLLIER, GLADES, HENDRY, LEE AND SARASOTA COUNTIES SINCE 1973

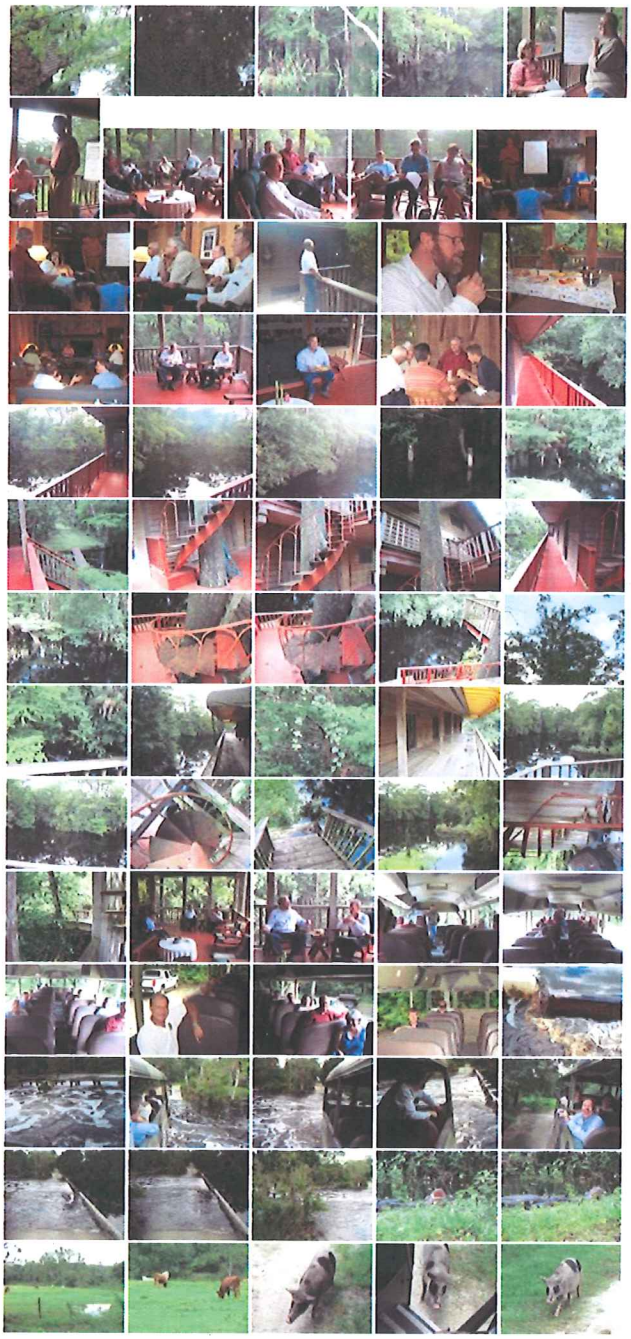
1926 Victoria Ave :: Fort Myers FL 33901 :: Phone: 239.338.2550 :: Fax: 239.338.2560

Committees
Agency on Bay Management
Community Housing Subcommittee
Local Emergency Planning Committee
Lower West Coast Watersheds Subcommittee
Resource Conservation and Development Council
News Room
Documentation
Press Releases
Recognition
Spotlight
David Burr Tribute
Resources
Growth Management
Library
Links of Interest
Maps/GIS
Get Involved

Spotlight

Southwest Florida Regional Planning Council Presents highlights of meetings and/or events. Click on a thumbnail to enlarge the picture. Hover over the right or left side of the enlarged picture frame to navigate to the next or previous picture.

July 18, 2008 - Council Retreat at Babcock Ranch.



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Review of SWFRPC's Strategic Business Plan & Strategic Financial Plan

Southwest Florida Regional Planning Council
Strategic and Business Plan
From Vision to Action
Fiscal Year 08

Section 1. Introduction and Overview

The strategic and business plan represents a system-wide effort, and is a milestone for the Southwest Florida Regional Planning Council. It will serve as our compass, guiding our direction into the future that is filled with possibilities. We are on a threshold of a new future that is filled with hope, opportunities, and ever-expanding horizons. Along with this there are many changes that will challenge the Council to move in new directions. We have a vision. We have a plan in place. And now we must make the commitment to turn our vision into action.

Our strategic and business planning environment must support the Region's Strategic Initiatives and sustain the desired outcomes. The Councils defined outcomes, objectives and key activities illustrate our linkage. For each outcome, we have defined measurable, time-certain objectives to track and evaluate our performance.
We will mark our progress in achieving our outcomes through demonstrations of performance measures.

The path taken for establishing the strategic and business plan are presented below:

- Define vision statement
- Validate a mission statement.
- Identify major stakeholder and customer groupings.
- Conduct SWOT analysis.
- Establish our values.
- Identify key result areas of focus.
- Identify strategic outcomes.
- Prepare objectives.
- Determine key activities
- Identify performance/ outcome measures.
- Document the strategic and business plan.
- Review and approve the strategic and business plan.

Section 2. Vision Statement.

Vision guides the direction and forms a framework from which choices will be made of the Southwest Florida Regional Planning Council. The purpose of the business plan is to embrace this vision.

Vision Statement

"To be the #1 example that comes to mind when people want to learn about the 'best of the best' collaborative partnerships between performance-based communities around the world, based on: the high expectations of our customers, our equally high standards for customer service, and a long-term commitment to sustainable, principle-centered relationships."

Section 3. Mission Statement

Missions define the core purpose of the organization – why it exists. Effective mission statements inspire change, are long-term in nature, and are easily understood and communicated. The mission statement will act to focus and align staff, with the Council, and with the Region initiatives.

Mission Statement

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share ... for the benefit of our future generations.

Section 4. Identify Major Stakeholder and Customer Groupings.

The strategic plan is organized around major stakeholders, their current and future requirements and the Planning Council's (SWFRPC's) current and future requirements. Identified stakeholders included:

- Local governments – 16 Cities and 6 Counties
- Region's Citizens
- Homeowner Associations
- Children and Students
- Non-profit Organizations
- State and Federal Agencies
- Business community
- Developers
- Landowners
- Chamber of Commerce
- Agricultural industry
- Tourists
- Travelers
- Emergency agencies
- Academia
- Advisory Committee
- Healthcare agencies

Section 5. SWOT Analysis

An important step of this strategic and business planning process includes a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis to formulate this plan. It includes input from a broad cross-section of individuals, both internal and external to the organization. The ideas and responses of participants were recorded, and the results consolidated and used extensively in the planning process.

STRENGTHS

- Well-known brand name
- High ranking in the industry
- Economies of scale
- Committed employees
- External communication
- Factual data collection
- Strong working relationships with business partners
- Engaged Planning Council
- Diverse background

WEAKNESSES

- Lack of strategic direction
- Limited financial resources
- Weak spending on R&D
- Internal political problems
- Weak market public image
- Reactive planning
- Lack of tested performance measures
- Increased backlog of projects
- Lack of defined roles and responsibilities for processes
- Need for improved technology for data collection

OPPORTUNITIES

- Rapid market growth
- Changing customer needs / tastes
- Economic boom
- New technology
- Demographic shifts
- Seeking other firm alliances
- Process development
- Partnerships – internal / external
- Distribution/communication of information
- Expand public support
- Relationship building with customers
- Data sharing
- Technology for distribution / communication of information
- Marketing strategies
- Expand resource base
- Flexible staffing opportunities
- Staff development
- Collocation of resources

THREATS

- Rapid market growth
- Increased government regulation
- Economic downturn
- Annexations
- Budget constraints
- Change in customer needs
- Federal / State / Local mandates
- Changes in Federal / State laws
- Disengaged community
- Silent majority overruled by vocal minority

Section 6. Values

Our ten guiding principles for conducting the Council's business as adopted by the SWFRPC on _____

Reciprocal Relationships
Through the Council's shared and cooperative interchange of ideas and actions we achieve mutual benefits for both our respective individual jurisdictions and the region as a whole.

Stewardship
We lead others in steering the region toward a more healthy and sustainable future by promoting the protection and improvement of the physical, economic and social characteristics of the region.

Accountability
We, as holders and appointees of public offices, are individually and collectively responsible and answerable to our communities for our decisions and actions. We conduct the Council's business in accordance with the highest professional and ethical standards.

Honesty and Integrity
We communicate and act truthfully, and with fairness, acknowledging mistakes, keeping commitments, and avoiding silence when it may be misleading. We make the right decisions for the region in the long-term, even when such may be unpopular in the short-term.

Excellence

We seek to be exceptional by being "our" best. We endeavor to collectively perform better tomorrow than we did yesterday.

Innovation
We strive to be creative in introducing new ideas and identifying solutions in dealing with the region's physical, economic and social challenges.

Cooperation and Teamwork
While the Council recognizes the importance of our members' independent thoughts and strong personal convictions, we also recognize that our goals are better accomplished through a collaborative team approach. We endeavor to consistently act to achieve our agreed-upon objectives, with respect for our fellow Council members and the sometimes competing interests of their jurisdictions' leadership, while acting in a mutually supportive manner.

Responsiveness
We seek and are receptive to input from the public and local governmental agencies, in terms of their suggestions, appeals and efforts and we strive to react to their requests in an open-minded, timely, and communicative manner.

Quality
As regional partners, we strive to identify priorities, develop forward-thinking public policies and implement exceptional collaborative strategies to preserve valued resources and ensure the positive attributes of life for the citizens of Southwest Florida.

Knowledgeable and Effective Leadership
We are familiar with and have an excellent understanding of the challenges facing the region and possess the expertise to make sound judgments in planning for the future and solving the region's problems.

Section 7. Outcomes / Objectives / Key Activities

Wnston Churchill once remarked, "We must take change by the hand or it will take us by the throat." The usiness planning process represents a proactive approach by Planning Council to "take change by the hand." Thee Planning Council identified four major outcomes areas, with a number of objectives and key activities within each area. This is our plan of action (Appendix A).

Section 8. Measurement Areas

The business plan establishes the objectives, which is decomposed into outcome and performance measures. Measurement data for collection are based on the status and effectiveness of the key activities. Our spreadsheet and the Linkage Tables (Appendix B) are attached and provide specific measurement data collected.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Strategic Planning Survey

The Southwest Florida Regional Planning Council mission is to plan, protect and improve the region's physical, economic and social environment for future generations.

In preparation for the Council meeting scheduled for July 17th at Babcock Ranch, Council members are asked to reflect on the accomplishments of the organization and the opportunities before it. Your answers will be treated confidentially. This should take about 10 minutes to complete.

The cumulative responses will permit us to focus on shared values as we develop a short-term strategic plan for the coming year. Thank you in advance for completing and returning this survey before Thursday, July 10, 2008.

Please send the completed survey to Tim Center at tcenter@collinscenter.org or by faxing it 850/219.0491.

1. In the last three years, what do you consider to be the SWFRPC's three most **successful programs, events or initiatives** that have helped the Council **fulfill its mission in the region**?
2. What were the key factors that made those programs or events successful?
3. In the last three years, what do you consider to be the SWFRPC's three most **significant failures or setbacks** that prevented the Council from fulfilling its mission?

v. 7.3.08 AM

4. What are the key factors that contributed to these failures or setbacks?
5. What **opportunities** exist in Florida do you think we should seize in an effort to better fulfill our mission?
6. What **threats** to the Council's mission exist in Florida do you think the SWFRPC should monitor and confront?
7. If you could change one thing that the Council does (*e.g.*, add a program or initiative, eliminate a practice or program, do more or less of something), what would it be?
Yes or No:
1. Do the recent changes to the agenda format help the Council meetings operate more effectively and efficiently? ☐ *Yes* ☐ *No*
2. Specifically, has the Administrative Agenda been of value? ☐ *Yes* ☐ *No*
3. Have the issues addressed and the presentations made by the "Time Certain" speakers been appropriate? ☐ *Yes* ☐ *No*
4. Are the "Time Certain" speakers given too much time to present?

☐ *Yes* ☐ *No*
5. What speakers or subject matter would you like to see during the 2009 meetings?

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS SURVEY DOCUMENT AND FOR YOUR SERVICE TO THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL.

SWFRPC
Strategic Planning Budget
Y/E 9/30/09

Revenues:		
Assessments	464,696	
Grants	802,809	
DRIs	200,000	
Interest	30,000	
MPO/NEP Support	716,995	
	2,214,500	**2,214,500**
Expenses:		
Resource Development:		
Local	262,348	
Grant Support	430,197	
	692,545	692,545
Creative Solutions		
Tech	80,000	
Web	156,248	
Prof.Devel.	39,500	
Marketing	11,050	
	286,798	286,798
Sustainable Communities:		
Tasks	771,951	
Local	116,174	
	888,125	888,125
Partnership:		
Tasks	230,857	
Local	116,174	
	347,031	347,031
		2,214,500

SWFRPC
Strategic Planning Actual
For the month ending July 31, 2009

Revenues:		
Assessments	464,696	
Grants	672,489	
DRIs	259,065	
Interest	8,992	
MPO/NEP Support	570,345	
	1,975,588	**1,975,588**
Expenses:		
Resource Development:		
Local	205,263	
Grant Support	213,167	
	418,430	418,430
Creative Solutions		
Tech	68,737	
Web	82,728	
Prof.Devel.	29,461	
Marketing	10,976	
	191,901	191,901
Sustainable Communities:		
Tasks	733,665	
Local	172,655	
	906,320	906,320
Partnership:		
Tasks	226,787	
Local	110,755	
	337,543	337,543
		1,854,193

SWFRPC
Strategic Planning Budget
Y/E 9/30/10

Revenues:		
Assessments	470,552	
Grants	600,115	
DRIs	200,000	
Interest	30,000	
Fringe/ID Allocation	700,995	
	2,001,662	**2,001,662**

Expenses:		
Resource Development:		
Local	235,276	
Grant Support	420,597	
Interest	30,000	
	685,873	685,873
Creative Solutions		
Tech	52,000	
Web	184,848	
Prof.Devel.	33,500	
Marketing	10,050	
	280,398	280,398
Sustainable Communities:		
Tasks	618,785	
Local	117,638	
	736,423	736,423
Partnership:		
Tasks	181,330	
Local	117,638	
	298,968	298,968
		2,001,662

Agenda Item #

ANNUAL BUDGET FY 2009/2010

Management Judgement and Report

In accordance with the Council's rules, the annual budget recommendations for the fiscal year beginning October 1, 2009 and ending September 30, 2010, are hereby presented for Council consideration.

The Budget is being presented as part of a 5 year plan as per the recommendation of the Auditors. The Budget reflects the distribution between the three main entities - The RPC, MPO, and NEP. Also included are the Calculation of the Indirect/Fringe Rates and the Capital Assets policies for your information.

RPC revenues and expenditures are consistent and reflect a conservative appraisal of ongoing and forecasted activities. Expenditure programs include various Grants/Contracts as awarded, monitoring and reviewing DRIs, continued reimbursable support for MPO and the CHNEP, and various local plan review activities.

On April 1, 2009, the Executive Committee met to review this budget:
Discussion was held regarding salary, reserves, and sources of replacement income. The Committee agreed with staff recommendations that there should be no cost of living or merit increases. Reserves should continue to increase rather then be used at this time. Additional sources of income will be researched and, as they become available, the budget will be amended to reflect the changes.
Line items of Health, Retirement, MPO and NEP Contractual were to be reviewed by staff and reported back to the committee.

Health insurance - Retirees have dropped off our plan and it is anticipated that this will keep our premium in the same current range. In the past few years, we have kept our rate increases low by adjusting coverages. However, if premiums increased sufficiently, we may offer 2 plans to our employees. If they opted to keep the better coverage, they would contribute to the premium.
Retirement - is based on salaries, with no increase in salaries or anticipated increase in retirement rates, there should be no sufficient increase. The plan funding status from FRS states that funds are quaranteed and are 106% funded as indicated by the 2007-08 Annual Investment Report.

The RPC reflects a 10% decrease in the annual budget. There are no cost of living or merit increases included nor are there any vacant positions or salary adjustments included. Other decreases include researching more economical vendors and an overall cut in spending.
As submitted by the Program Managers, the CHNEP budget reflects a 19% decrease and the MPO budget reflects a 18% decrease from the prior year. Both these budgets are multi-year budgets. The decreases are mainly due to a reduction in their contractual lines. NEP has cut two projects resulting in a reduction of $119,500. MPO will be adding any 'carry-over' funds from their 2008-2009 budget and will amend the 2009-2010 budget to include the carry over as well as additional grant funding.

Please take note that review and adoption of the Annual Budget must be completed by August 15th of each year according to the Interlocal Agreement of the SWFRPC.

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

REVENUE SOURCES

October 1, 2009 through September 30, 2010

GENERAL REVENUES		SPECIAL REVENUES	
INTEREST	30,000	FED/STATE/OTHER	2,333,993
ASSESSMENTS	470,552	DRIs/NOPCs	200,000
	500,552		2,533,993
TOTAL REVENUES	**3,034,545**	**Prior Year Fund Balance**	**637,988**

MEMBER	POPULATION	ASSESSMENT
Charlotte	165,781	49,734.30
Collier	332,854	99,856.20
Glades	11,323	3,396.90
Hendry	41,216	12,364.80
Lee	623,725	187,117.50
Sarasota	393,608	118,082.40
TOTAL ASSESSMENTS	1,568,507	470,552.10
INTEREST AND MISC.		30,000.00
TOTAL GENERAL REVENUES	**1,568,507**	**500,552.10**

SPECIAL REVENUES	FEDERAL/STATE	DRI	OTHER	TOTAL
DCA - GENERAL AND OTHER	125,000			125,000
DCA - TITLE III	40,909			40,909
HMEP/SQG/DISASTER PROGS.	52,546		20,000	72,546
ECONOMIC DEVELOPMENT	53,000		10,000	63,000
TDs	64,000			64,000
OTHER (Wetlands/Misc.Grants)	156,667		77,994	234,660
FEDERAL/STATE/OTHER	492,122		107,994	600,115
DRIs/NOPCs		200,000		200,000
RPC SPECIAL REVENUES	492,122	200,000	107,994	800,115
MPO	697,800		72,378	770,178
CHNEP	481,850		481,850	963,700
TOTAL SPECIAL REVENUES	**1,671,772**	**200,000**	**662,222**	**2,533,993**

* Assessments based upon official Bureau of Business and Economic Research population estimates. Assessments are estimated at 30 cents/capita as provided for in the Council's Interlocal Agreement, adopted November 8, 1973.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
PROPOSED BUDGET
OCTOBER 1, 2009 TO SEPTEMBER 30, 2010

	GENERAL	RPC Special Revenues	Total RPC	MPO	NEP	TOTAL BUDGET
Revenues						
Assessments	470,552		470,552			470,552
Federal/State/Local Grants		600,115	600,115	770,178	963,700	2,333,993
Dri/Monitoring Fees		200,000	200,000			200,000
Interest/Misc	30,000		30,000			30,000
Carry Over Fund Balance*	637,988		637,988			637,988
Total Income	1,138,540	800,115	1,938,655	770,178	963,700	3,672,533
Expenditures						
Direct:						
Salaries	547,662	480,000	1,027,662	300,000	350,000	1,677,662
FICA	122,000		122,000			122,000
Retirement	166,000		166,000			166,000
Health Insurance	180,000		180,000			180,000
Workers Compensation	8,000		8,000			8,000
Legal Fees	0		0			0
Consultant Fees	10,000	30,000	40,000	0		40,000
NEP Contractual	0		0		121,250	121,250
MPO Contractual	0		0	58,683		58,683
Audit Fees	47,000		47,000			47,000
Travel	19,000	6,000	25,000	8,000	15,000	48,000
Telephone	8,000	1,000	9,000	3,000	700	12,700
Postage	2,500	2,500	5,000	5,000	20,000	30,000
Storage Unit Rental	2,000		2,000		1,000	3,000
Equipment Rental	35,000		35,000		200	35,200
Insurance	35,000		35,000			35,000
Repair/Maint. (Grounds/Bldg/Equip)	20,000		20,000			20,000
Printing/Reproduction	4,000	4,000	8,000	6,500	60,000	74,500
Utilities (Elec, water, garb)	25,000		25,000			25,000
Advertising	1,500	500	2,000	7,500	550	10,050
Other Miscelleanous	500	500	1,000	500	500	2,000
Office Supplies	12,000	3,000	15,000	5,000	3,000	23,000
Computer Related Expenses	27,000	5,000	32,000	2,000	4,000	38,000
Publications	2,000		2,000	1,500	500	4,000
Professional Development	15,000	10,000	25,000	1,500	7,000	33,500
Meetings/Events	8,000	4,000	12,000	2,000	30,000	44,000
Capital Outlay-Operations	15,000	5,000	20,000	3,000	15,000	38,000
Capital Outlay-Building	0	10,000	10,000			10,000
Long Term Debt	0	128,000	128,000			128,000
Allocation of Fringe/Indirect**	-1,225,995	525,000	-700,995	365,995	335,000	0
Reserve for Operations Expense*	637,988		637,988			637,988
Total Cash Outlays	724,155	1,214,500	1,938,655	770,178	963,700	3,672,533
Anticipated Net Income			0			0
Non-Cash Expense:						
Depreciation	60,000		60,000			60,000
Total Expenses	784,155	1,214,500	1,998,655	770,178	963,700	3,732,533

***See note #2** - As per the Auditors, the Fund Balance must be shown as 'carry over fund balance' in the revenue portion and as 'reserve for operations' in the expense portion of the budget.

****See note #4** - The Indirect rate prorates the overhead expenses incurred by the RPC over each active project/agency. This is accomplished by a reallocation of the expenses from General to Special Revenue. These expenses include, but are not limited to, facility costs, office supplies, and support staff.

SWFRPC-MPO-CHNEP COMBINED
OCT. 1, 2009 - Sept. 30, 2010 BUDGET

	Year End			Current	Amended	Proposed
	Actual Y/E 9/30/06	Actual Y/E 9/30/07	Actual Y/E 9/30/08	YTD ACTUAL at 3/31/09	Budget Y/E 9/30/09	Budget Y/E 9/30/10
Revenues						
Assessments	400,558	417,257	450,432	244,611	464,696	470,552
Federal/State/Local Grants	2,489,138	2,555,796	2,528,329	1,205,964	2,944,854	2,333,993
Dri/Monitoring Fees	158,747	284,734	423,587	165,049	200,000	200,000
Interest/Misc	35,671	25,086	37,625	40,501	30,000	30,000
Carry Over Fund Balance	404,045	392,967	565,843		637,988	637,988
Total Income	3,488,159	3,675,841	4,005,816	1,656,126	4,277,538	3,672,533
Expenditures						
Direct:						
Salaries	1,367,904	1,450,523	1,620,636	797,497	1,757,000	1,677,662
FICA	101,908	108,529	121,301	63,695	122,000	122,000
Retirement	104,468	122,376	165,357	75,801	170,000	166,000
Health Insurance	125,715	147,890	171,950	106,944	210,000	180,000
Workers Compensation	9,532	8,510	7,247	4,146	10,000	8,000
Legal Fees	7,500	358	0	0	0	0
Consultant Fees	414,415	148,515	59,109	61,970	85,000	40,000
NEP Contractual	324,113	432,164	380,741	128,191	240,000	121,250
MPO Contractual	4,345	132,679	144,238	4,700	290,000	58,683
Audit Fees	37,865	44,707	49,039	45,686	50,000	47,000
Travel	37,265	50,399	45,866	25,045	59,500	48,000
Telephone	7,804	10,417	9,855	4,397	14,500	12,700
Postage	23,245	32,069	26,175	18,690	35,000	30,000
Storage Unit Rental	2,429	2,398	2,266	1,568	3,000	3,000
Equipment Rental	40,293	36,323	31,602	18,446	35,200	35,200
Insurance	25,168	27,752	31,056	25,767	35,000	35,000
Repair/Maint. (Grounds/Bldg/Equip)	33,913	18,657	24,925	11,502	25,000	20,000
Printing/Reproduction	51,585	96,315	93,275	29,957	81,500	74,500
Utilities (Elec, water, garb)	17,288	24,447	23,053	9,748	30,000	25,000
Advertising	2,707	4,833	13,893	6,508	14,850	10,050
Other Miscelleanous	3,725	2,654	1,735	1,266	5,000	2,000
Office Supplies	17,564	23,450	27,367	9,085	28,000	23,000
Computer Related Expenses	32,651	52,926	52,880	38,619	56,000	38,000
Publications	8,265	3,877	2,302	647	3,700	4,000
Professional Development	33,447	35,443	45,665	24,160	39,500	33,500
Meetings/Events	50,946	18,169	39,242	28,797	55,800	44,000
Capital Outlay-Operations	6,375	41,455	41,853	1,278	48,000	38,000
Capital Outlay-Building	212,443	88,369	7,450	0	8,000	10,000
Long Term Debt (Building Loan)	127,751	127,751	127,751	63,876	128,000	128,000
Allocation of Fringe/Indirect				0	0	0
Reserve for Operations Expense	404,045	392,967	565,843	0	637,988	637,988
Total Cash Outlays	3,636,674	3,686,922	3,933,671	1,607,985	4,277,538	3,672,533
Net Income/(Loss)	-148,515	-11,081	72,145	48,141	0	0
Non-Cash Expenses:						
Depreciation	58,778	61,653	61,653		60,000	60,000
Total Expenses	3,291,407	3,355,608	3,995,324	1,607,985	4,337,538	3,732,533

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
OCT. 1, 2009 - Sept. 30, 2010 BUDGET

	Year End			Current	Amended	Proposed
	RPC Actual Y/E 9/30/06	RPC Actual Y/E 9/30/07	RPC Actual Y/E 9/30/08	RPC YTD ACTUAL at 3/31/09	RPC Budget Y/E 9/30/09	RPC Budget Y/E 9/30/10
Revenues						
Assessments	417,257	431,470	450,432	244,611	464,696	470,552
Federal/State/Local Grants	688,901	733,606	698,361	410,172	802,809	600,115
Dri/Monitoring Fees	284,734	356,254	423,587	165,049	200,000	200,000
Interest/Misc	25,086	44,308	37,625	40,501	30,000	30,000
Carry Over Fund Balance	404,045	392,967	565,843	0	637,988	637,988
Total Income	1,820,024	1,958,605	2,175,848	860,334	2,135,493	1,938,655
Expenditures						
Direct:						
Salaries	979,631	1,052,973	1,135,505	551,979	1,082,000	1,027,662
FICA	108,529	115,139	121,301	63,695	122,000	122,000
Retirement	122,376	160,037	165,357	75,801	170,000	166,000
Health Insurance	147,890	166,521	171,950	106,944	210,000	180,000
Workers Compensation	8,510	7,950	7,247	4,146	10,000	8,000
Legal Fees	185	185	0	0	0	
Consultant Fees	97,854	58,825	59,109	61,970	85,000	40,000
NEP Contractual		0	0	0	0	
MPO Contractual		0	0	0	0	
Audit Fees	44,707	39,000	49,039	45,686	50,000	47,000
Travel	20,601	24,213	27,075	12,737	30,000	25,000
Telephone	8,691	8,884	8,455	3,837	10,000	9,000
Postage	23,173	12,604	1,453	583	5,000	5,000
Storage Unit Rental	1,443	1,492	1,376	847	2,000	2,000
Equipment Rental	36,323	34,900	31,602	18,316	35,000	35,000
Insurance	27,752	33,093	31,056	25,767	35,000	35,000
Repair/Maint. (Grounds/Bldg/Equip)	18,657	19,972	24,925	11,502	25,000	20,000
Printing/Reproduction	34,078	1,252	8,080	-2,012	15,000	8,000
Utilities (Elec, water, garb)	24,447	24,424	23,053	9,748	30,000	25,000
Advertising	1,789	836	1,603	2,951	6,800	2,000
Other Miscelleanous	2,409	1,044	1,285	1,213	4,000	1,000
Office Supplies	19,384	15,534	20,861	6,635	20,000	15,000
Computer Related Expenses	40,539	34,348	50,649	36,764	50,000	32,000
Publications	1,308	1,419	1,877	647	1,700	2,000
Professional Development	25,771	28,143	38,465	22,986	30,000	25,000
Meetings/Events	11,442	13,094	10,612	7,924	20,000	12,000
Capital Outlay-Operations	28,085	12,939	41,853	0	30,000	20,000
Capital Outlay-Building	88,369	21,742	7,450	0	8,000	10,000
Long Term Debt (Building Loan)	127,751	127,751	127,751	63,876	128,000	128,000
Allocation of Fringe/Indirect	-624,637	-625,554	-631,128	-322,348	-716,995	-700,995
Reserve for Operations Expense	404,045	392,967	565,843	0	637,988	637,988
Total Cash Outlays	1,831,102	1,785,727	2,103,703	812,193	2,135,493	1,938,655
Net Income/(Loss)	-11,079	172,878	72,145	48,141	0	0
Non-Cash Expenses:						
Depreciation	58,778	68,421	68,769		60,000	60,000
Total Expenses	1,747,100	1,837,495	2,172,472	812,193	2,195,493	1,998,655

METROPOLITAN PLANNING ORGANIZATION
OCT. 1, 2009 - Sept. 30, 2010 BUDGET

	Year End			Current	Amended	Proposed
	MPO Actual Y/E 9/30/06	MPO Actual Y/E 9/30/07	MPO Actual Y/E 9/30/08	MPO YTD ACTUAL at 3/31/09	MPO Budget Y/E 9/30/09	MPO Budget Y/E 9/30/10
Revenues						
Assessments						
Federal/State/Local Grants	771,053	708,808	734,313	263,477	942,495	770,178
Dri/Monitoring Fees						
Interest/Misc						
Carry Over Fund Balance						
Total Income	771,053	708,808	734,313	263,477	942,495	770,178
Expenditures						
Direct:						
Salaries	238,563	207,369	240,924	109,193	280,000	300,000
FICA	0	0	0	0	0	
Retirement	0	0	0	0	0	
Health Insurance	0	0	0	0	0	
Workers Compensation	0	0	0	0	0	
Legal Fees	173	0	0	0	0	
Consultant Fees	50,661	0	0	0	0	
NEP Contractual	0	0	0	0	0	
MPO Contractual	132,679	208,969	144,238	4,700	290,000	58,683
Audit Fees	0	0	0	0	0	
Travel	4,877	6,954	3,394	818	8,000	8,000
Telephone	663	2,316	856	375	3,000	3,000
Postage	2,030	1,114	4,814	-30	5,000	5,000
Storage Unit Rental	0	0	0	0	0	
Equipment Rental	0	0	0	0	0	
Insurance	0	0	0	0	0	
Repair/Maint. (Grounds/Bldg/Equip)	0	0	0	0	0	
Printing/Reproduction	4,693	5,807	3,783	518	6,500	6,500
Utilities (Elec, water, garb)	0	0	0	0	0	
Advertising	2,767	5,845	11,768	3,557	7,500	7,500
Other Miscelleanous	245	0	447	28	500	500
Office Supplies	3,302	4,660	2,367	337	5,000	5,000
Computer Related Expenses	8,490	115	516	0	2,000	2,000
Publications	2,092	985	0	0	1,500	1,500
Professional Development	2,191	350	1,012	324	1,500	1,500
Meetings/Events	1,174	357	443	250	2,000	2,000
Capital Outlay-Operations	0	6,673	0	0	3,000	3,000
Capital Outlay-Building	0	0	0	0	0	
Long Term Debt (Building Loan)	0	0	0	0	0	
Allocation of Fringe/Indirect	316,454	257,292	319,750	143,407	326,995	365,995
Reserve for Operations Expense						
Total Cash Outlays	771,053	708,808	734,313	263,477	942,495	770,178
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	771,054	708,808	734,313	263,477	942,495	770,178

CHARLOTTE HARBOR NEP
OCT. 1, 2009 - Sept. 30, 2010 BUDGET

	Year End			Current	Amended	Proposed
	CHNEP - Actual Y/E 9/30/06	CHNEP - Actual Y/E 9/30/07	CHNEP - Actual Y/E 9/30/08	NEP YTD ACTUAL at 3/31/09	CHNEP - Budget Y/E 9/30/09	CHNEP - Budget Y/E 9/30/10
Revenues						
Assessments						
Federal/State/Local Grants	1,095,845	1,300,873	1,095,655	532,315	1,199,550	963,700
Dri/Monitoring Fees						
Interest/Misc						
Carry Over Fund Balance						
Total Income	1,095,845	1,300,873	1,095,655	532,315	1,199,550	963,700
Expenditures						
Direct:						
Salaries	232,328	296,807	244,207	136,326	395,000	350,000
FICA	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Health Insurance	0	0	0	0	0	0
Workers Compensation	0	0	0	0	0	0
Legal Fees	0	0	0	0	0	0
Consultant Fees	0	0	0	0	0	0
NEP Contractual	432,164	515,184	380,741	128,191	240,000	121,250
MPO Contractual	0	0	0	0	0	0
Audit Fees	0	0	0	0	0	0
Travel	24,921	19,907	15,397	11,489	21,500	15,000
Telephone	1,062	658	544	184	1,500	700
Postage	6,866	7,374	19,908	18,138	25,000	20,000
Storage Unit Rental	955	750	890	721	1,000	1,000
Equipment Rental	0	0	0	130	200	200
Insurance	0	0	0	0	0	0
Repair/Maint. (Grounds/Bldg/Equip)	0	0	0	0	0	0
Printing/Reproduction	57,545	34,093	81,412	31,451	60,000	60,000
Utilities (Elec, water, garb)	0	0	0	0	0	0
Advertising	278	259	521	0	550	550
Other Miscelleanous	0	0	3	25	500	500
Office Supplies	764	3,090	4,139	2,113	3,000	3,000
Computer Related Expenses	3,897	5,112	1,714	1,855	4,000	4,000
Publications	477	184	425	0	500	500
Professional Development	7,482	6,049	6,188	850	8,000	7,000
Meetings/Events	5,553	31,287	28,187	20,623	33,800	30,000
Capital Outlay-Operations	13,370	11,857	0	1,278	15,000	15,000
Capital Outlay-Building	0	0	0	0	0	0
Long Term Debt (Building Loan)			0	0	0	0
Allocation of Fringe/Indirect	308,183	368,261	311,378	178,940	390,000	335,000
Reserve for Operations Expense						
Total Cash Outlays	1,095,845	1,300,873	1,095,655	532,315	1,199,550	963,700
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	1,095,845	1,300,873	1,095,655	532,315	1,199,550	963,700

SWFRPC-MPO-CHNEP COMBINED
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted Budget Y/E 9/30/09	**Budget Y/E 9/30/10**	5 Year Plan Budget Plan Y/E 9/30/11	Budget Plan Y/E 9/30/12	Budget Plan Y/E 9/30/13	Budget Plan Y/E 9/30/14
Revenues						
Assessments	464,696	**470,552**	489,374	508,949	529,307	550,479
Federal/State/Local Grants	2,944,854	**2,333,993**	2,480,000	2,541,000	2,715,000	2,767,000
Dri/Monitoring Fees	200,000	**200,000**	200,000	200,000	250,000	250,000
Interest/Misc	30,000	**30,000**	30,000	30,000	30,000	30,000
Carry Over-Fund Balance	637,988	**637,988**	638,000	638,000	638,000	638,000
Total Income	4,277,538	**3,672,533**	3,837,374	3,917,949	4,162,307	4,235,479
Expenditures						
Direct:						
Salaries	1,757,000	**1,677,662**	1,720,965	1,765,476	1,821,922	1,880,183
FICA	122,000	**122,000**	123,000	123,000	125,000	125,000
Retirement	170,000	**166,000**	170,000	170,000	175,000	175,000
Health Insurance	210,000	**180,000**	200,000	210,000	220,000	225,000
Workers Compensation	10,000	**8,000**	8,000	8,000	8,000	8,000
Legal Fees	0	**0**	0	0	0	0
Consultant Fees	85,000	**40,000**	40,000	40,000	40,000	40,000
NEP Contractual	240,000	**121,250**	125,424	129,499	134,285	137,621
MPO Contractual	290,000	**58,683**	101,410	101,039	101,896	101,012
Audit Fees	50,000	**47,000**	48,000	48,000	49,000	49,000
Travel	59,500	**48,000**	53,000	53,000	56,000	56,000
Telephone	14,500	**12,700**	10,200	10,300	11,300	11,300
Postage	35,000	**30,000**	33,000	34,000	36,000	37,000
Storage Unit Rental	3,000	**3,000**	3,000	3,000	3,000	3,000
Equipment Rental	35,200	**35,200**	35,000	36,000	37,000	38,000
Insurance	35,000	**35,000**	35,000	35,000	35,000	35,000
Repair/Maint. (Grounds/Bldg/Equip)	25,000	**20,000**	20,000	20,500	21,000	21,500
Printing/Reproduction	81,500	**74,500**	63,000	64,000	64,500	65,000
Utilities (Elec, water, garb)	30,000	**25,000**	25,000	27,000	29,000	31,000
Advertising	14,850	**10,050**	11,200	11,200	11,750	11,750
Other Miscelleanous	5,000	**2,000**	2,000	2,000	2,050	2,050
Office Supplies	28,000	**23,000**	25,000	27,000	27,000	28,000
Computer Related Expenses	56,000	**38,000**	39,500	39,700	43,000	43,000
Publications	3,700	**4,000**	6,600	6,600	8,100	8,100
Professional Development	39,500	**33,500**	39,000	41,100	41,600	44,600
Meetings/Events	55,800	**44,000**	53,000	53,000	55,000	56,000
Capital Outlay-Operations	48,000	**38,000**	28,000	28,000	35,500	35,500
Capital Outlay-Building	8,000	**10,000**	20,000	20,000	20,000	20,000
Long Term Debt (Building Loan)	128,000	**128,000**	128,000	128,000	128,000	128,000
Allocation of Fringe/Indirect						
Reserve for Operations Expense	637,988	**637,988**	638,000	638,000	638,000	638,000
Total Cash Outlays	4,277,538	**3,672,533**	3,804,299	3,872,414	3,977,902	4,053,616
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation	60,000	**60,000**	60,000	60,000	60,000	60,000
Total Expenses	4,337,538	**3,732,533**	3,864,299	3,932,414	4,037,902	4,113,616

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted	5 Year Plan				
	RPC Budget Y/E 9/30/09	**RPC Budget Y/E 9/30/10**	RPC Budget Y/E 9/30/11	RPC Budget Y/E 9/30/12	RPC Budget Y/E 9/30/13	RPC Budget Y/E 9/30/14
Revenues						
Assessments	464,696	**470,552**	489,374	508,949	529,307	550,479
Federal/State/Local Grants	802,809	**600,115**	600,000	600,000	700,000	700,000
Dri/Monitoring Fees	200,000	**200,000**	200,000	200,000	250,000	250,000
Interest/Misc	30,000	**30,000**	30,000	30,000	30,000	30,000
Carry Over-Fund Balance	637,988	**637,988**	638,000	638,000	638,000	638,000
Total Income	2,135,493	**1,938,655**	1,957,374	1,976,949	2,147,307	2,168,479
Expenditures						
Direct:						
Salaries	1,082,000	**1,027,662**	1,048,215	1,069,180	1,101,255	1,134,293
FICA	122,000	**122,000**	123,000	123,000	125,000	125,000
Retirement	170,000	**166,000**	170,000	170,000	175,000	175,000
Health Insurance	210,000	**180,000**	200,000	210,000	220,000	225,000
Workers Compensation	10,000	**8,000**	8,000	8,000	8,000	8,000
Legal Fees	0	**0**				
Consultant Fees	85,000	**40,000**	40,000	40,000	40,000	40,000
NEP Contractual	0	**0**				
MPO Contractual	0	**0**				
Audit Fees	50,000	**47,000**	48,000	48,000	49,000	49,000
Travel	30,000	**25,000**	25,000	25,000	26,000	26,000
Telephone	10,000	**9,000**	9,000	9,000	9,500	9,500
Postage	5,000	**5,000**	5,000	5,000	7,000	7,000
Storage Unit Rental	2,000	**2,000**	2,000	2,000	2,000	2,000
Equipment Rental	35,000	**35,000**	35,000	36,000	37,000	38,000
Insurance	35,000	**35,000**	35,000	35,000	35,000	35,000
Repair/Maint. (Grounds/Bldg/Equip)	25,000	**20,000**	20,000	20,500	21,000	21,500
Printing/Reproduction	15,000	**8,000**	8,000	8,000	8,000	8,000
Utilities (Elec, water, garb)	30,000	**25,000**	25,000	27,000	29,000	31,000
Advertising	6,800	**2,000**	3,000	3,000	3,000	3,000
Other Miscelleanous	4,000	**1,000**	1,000	1,000	1,000	1,000
Office Supplies	20,000	**15,000**	17,000	19,000	19,000	20,000
Computer Related Expenses	50,000	**32,000**	32,000	32,000	35,000	35,000
Publications	1,700	**2,000**	5,000	5,000	6,000	6,000
Professional Development	30,000	**25,000**	30,000	32,000	32,000	35,000
Meetings/Events	20,000	**12,000**	20,000	20,000	21,000	21,000
Capital Outlay-Operations	30,000	**20,000**	20,000	20,000	22,000	22,000
Capital Outlay-Building	8,000	**10,000**	20,000	20,000	20,000	20,000
Long Term Debt (Building Loan)	128,000	**128,000**	128,000	128,000	128,000	128,000
Allocation of Fringe/Indirect	-716,995	**-700,995**	-790,916	-822,266	-854,853	-876,676
Reserve for Operations Expense	637,988	**637,988**	638,000	638,000	638,000	638,000
Total Cash Outlays	2,135,493	**1,938,655**	1,924,299	1,931,414	1,962,902	1,986,616
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation	60,000	**60,000**	60,000	60,000	60,000	60,000
Total Expenses	2,195,493	**1,998,655**	1,984,299	1,991,414	2,022,902	2,046,616

METROPOLITAN PLANNING ORGANIZATION
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted	5 Year Plan				
	MPO Budget Y/E 9/30/09	**MPO Budget Y/E 9/30/10**	MPO PL/Local Budget Plan Y/E 9/30/11	MPO PL/Local Budget Plan Y/E 9/30/12	MPO PL/Local Budget Plan Y/E 9/30/13	MPO PL/Local Budget Plan Y/E 9/30/14
Revenues						
Assessments						
Federal/State/Local Grants	942,495	**770,178**	821,000	830,000	835,000	837,000
Dri/Monitoring Fees						
Interest/Misc						
Carry Over-Fund Balance						
Total Income	942,495	**770,178**	821,000	830,000	835,000	837,000
Expenditures						
Direct:						
Salaries	280,000	**300,000**	310,500	321,368	332,615	344,257
FICA	0	**0**				
Retirement	0	**0**				
Health Insurance	0	**0**				
Workers Compensation	0	**0**				
Legal Fees	0	**0**				
Consultant Fees	0	**0**				
NEP Contractual	0	**0**				
MPO Contractual	290,000	**58,683**	101,410	101,039	101,896	101,012
Audit Fees	0	**0**				
Travel	8,000	**8,000**	8,000	8,000	8,000	8,000
Telephone	3,000	**3,000**	200	300	300	300
Postage	5,000	**5,000**	8,000	9,000	9,000	10,000
Storage Unit Rental	0	**0**				
Equipment Rental	0	**0**				
Insurance	0	**0**				
Repair/Maint. (Grounds/Bldg/Equip)	0	**0**				
Printing/Reproduction	6,500	**6,500**	5,000	6,000	6,500	7,000
Utilities (Elec, water, garb)	0	**0**				
Advertising	7,500	**7,500**	7,500	7,500	8,000	8,000
Other Miscelleanous	500	**500**	500	500	500	500
Office Supplies	5,000	**5,000**	5,000	5,000	5,000	5,000
Computer Related Expenses	2,000	**2,000**	2,000	2,000	2,000	2,000
Publications	1,500	**1,500**	1,500	1,500	2,000	2,000
Professional Development	1,500	**1,500**	1,500	1,600	1,600	1,600
Meetings/Events	2,000	**2,000**	3,000	3,000	3,500	4,000
Capital Outlay-Operations	3,000	**3,000**	3,000	3,000	3,500	3,500
Capital Outlay-Building	0	**0**				
Long Term Debt (Building Loan)	0	**0**				
Allocation of Fringe/Indirect	326,995	**365,995**	363,890	360,193	350,589	339,831
Reserve for Operations Expense						
Total Cash Outlays	942,495	**770,178**	821,000	830,000	835,000	837,000
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	942,495	**770,178**	821,000	830,000	835,000	837,001

CHARLOTTE HARBOR NEP
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2009 TO SEPTEMBER 30, 2013

	Adopted CHNEP - Budget Y/E 9/30/09	**CHNEP - Budget Y/E 9/30/10**	5 Year Plan CHNEP - Budget Plan Y/E 9/30/11	CHNEP - Budget Plan Y/E 9/30/12	CHNEP - Budget Plan Y/E 9/30/13	CHNEP - Budget Plan Y/E 9/30/14
Revenues						
Assessments						
Federal/State/Local Grants	1,199,550	**963,700**	1,059,000	1,111,000	1,180,000	1,230,000
Dri/Monitoring Fees						
Interest/Misc						
Carry Over-Fund Balance						
Total Income	1,199,550	**963,700**	1,059,000	1,111,000	1,180,000	1,230,000
Expenditures						
Direct:						
Salaries	395,000	**350,000**	362,250	374,929	388,051	401,633
FICA	0	**0**				
Retirement	0	**0**				
Health Insurance	0	**0**				
Workers Compensation	0	**0**				
Legal Fees	0	**0**				
Consultant Fees	0	**0**				
NEP Contractual	240,000	**121,250**	125,424	129,499	134,285	137,621
MPO Contractual	0	**0**				
Audit Fees	0	**0**				
Travel	21,500	**15,000**	20,000	20,000	22,000	22,000
Telephone	1,500	**700**	1,000	1,000	1,500	1,500
Postage	25,000	**20,000**	20,000	20,000	20,000	20,000
Storage Unit Rental	1,000	**1,000**	1,000	1,000	1,000	1,000
Equipment Rental	200	**200**				
Insurance	0	**0**				
Repair/Maint. (Grounds/Bldg/Equip)	0	**0**				
Printing/Reproduction	60,000	**60,000**	50,000	50,000	50,000	50,000
Utilities (Elec, water, garb)	0	**0**				
Advertising	550	**550**	700	700	750	750
Other Miscelleanous	500	**500**	500	500	550	550
Office Supplies	3,000	**3,000**	3,000	3,000	3,000	3,000
Computer Related Expenses	4,000	**4,000**	5,500	5,700	6,000	6,000
Publications	500	**500**	100	100	100	100
Professional Development	8,000	**7,000**	7,500	7,500	8,000	8,000
Meetings/Events	33,800	**30,000**	30,000	30,000	30,500	31,000
Capital Outlay-Operations	15,000	**15,000**	5,000	5,000	10,000	10,000
Capital Outlay-Building	0	**0**				
Long Term Debt (Building Loan)	0	**0**				
Allocation of Fringe/Indirect	390,000	**335,000**	427,026	462,073	504,264	536,845
Reserve for Operations Expense						
Total Cash Outlays	1,199,550	**963,700**	1,059,000	1,111,000	1,180,000	1,230,000
Net Income/(Loss)						
Non-Cash Expenses:						
Depreciation						
Total Expenses	1,199,550	**963,700**	1,059,001	1,111,001	1,180,000	1,230,000

Facts to be noted for this Annual Budget

1 Included in Employee Benefits Salaries are sick, vacation, and holiday pay. Provision is also included for adjustments (ie: merit increase, reclass, etc.) In the event of any adjustments, transfers can be made to the corresponding project within the same expense line. As always, transfers between Expense Lines will require a Budget Amendment.

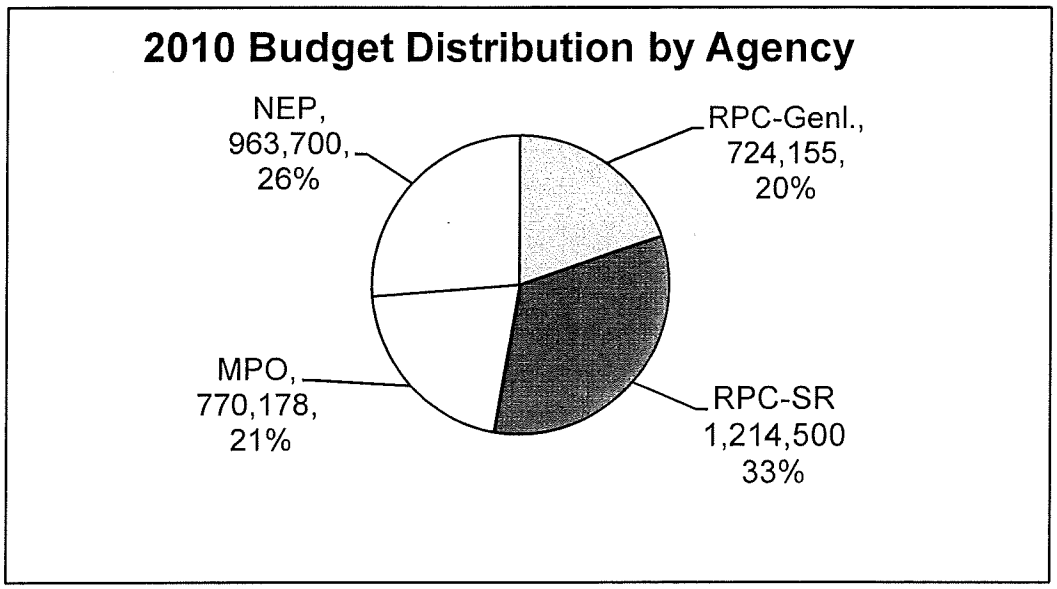
2 As per the Auditors, the Fund Balance must be shown in the Budget as 'carry over fund balance' in the revenue portion and as 'reserve for operations' in the expense portion of the Budget.

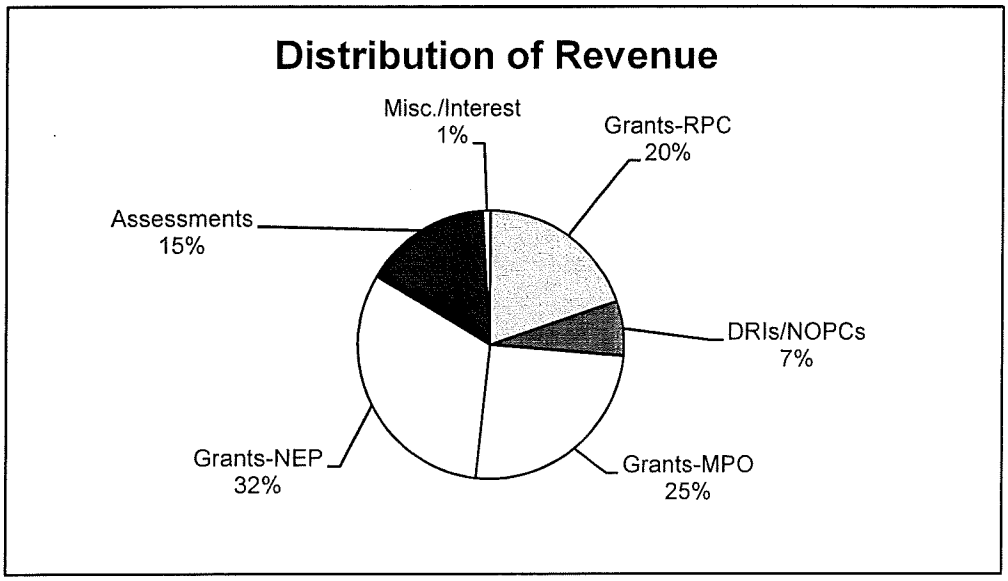
3 It has been recommended by the auditors that the Council designate a portion of the fund balance for emergencies. In that regard, $550,200 was been appropriated thus far and the reserved fund balance will be increased each year until our goal of a six month reserve is met.

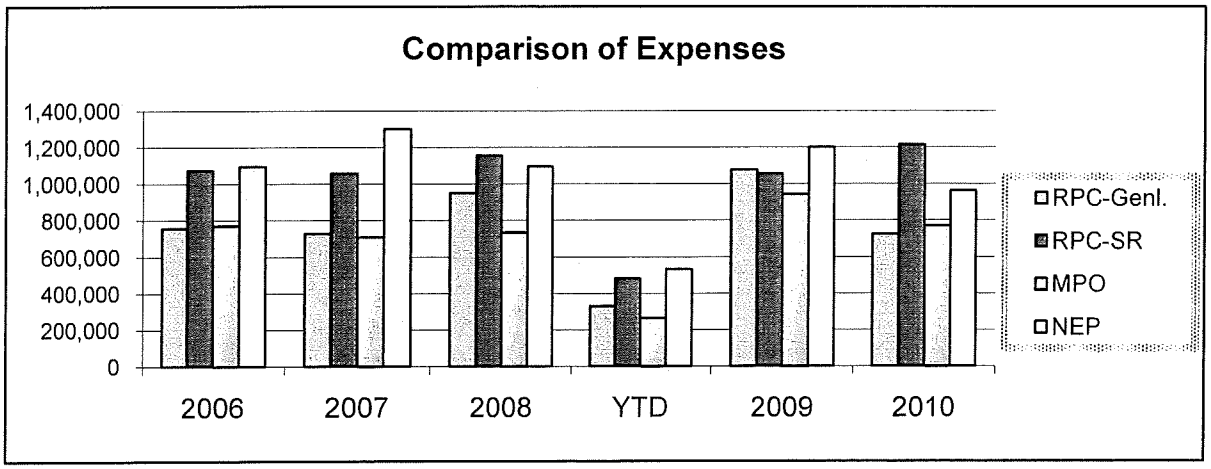
4 Fringe and Indirect reimbursed by MPO and NEP grants are shown as reallocation from Council since their budgets are separated from the RPC budget. A copy of the Calculation of the Indirect/Fringe Rates policy approved by the Council is attached. The Indirect rate prorates the overhead incurred by the RPC over each active project/agency. These expenses include, but are not limited to, facility costs, office supplies, and support staff.

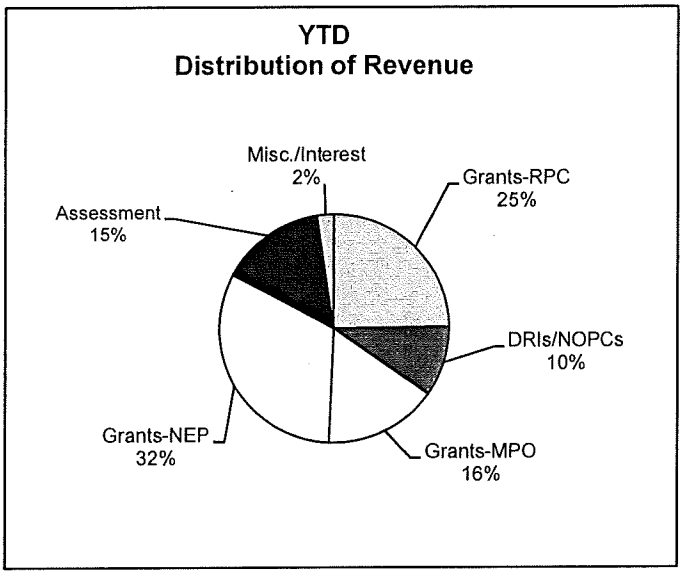
Fringe/Indirect Rates for 5 years:

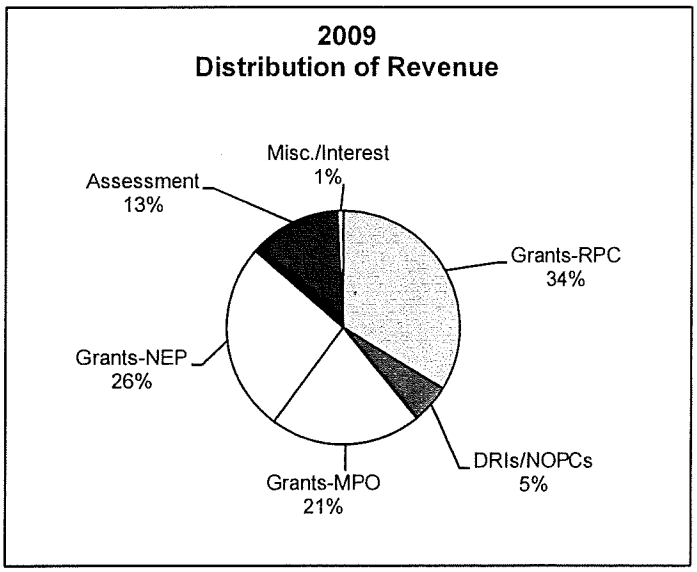
2009-10 Fringe Provisional Rate	49%
2009-10 Indirect Provisional Rate	84%
2008-09 Fringe Provisional Rate	49%
2008-09 Indirect Provisional Rate	82%
2007-08 Fringe Actual Rate	45%
2007-08 Indirect Actual Rate	83%
2006-07 Fringe Actual Rate	46%
2006-07 Indirect Actual Rate	78%
2005-06 Fringe Actual Rate	43%
2005-06 Indirect Actual Rate	90%

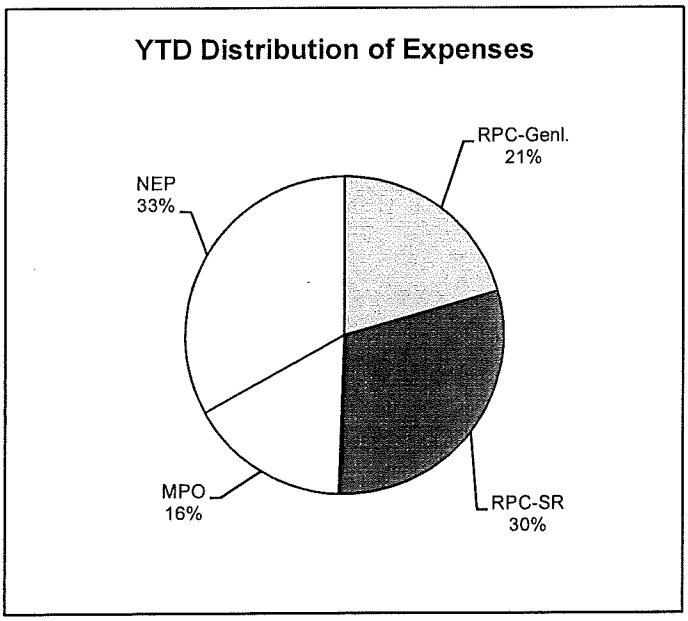

2010 Budget Distribution by Agency
NEP, 963,700, 26%
RPC-Genl., 724,155, 20%
MPO, 770,178, 21%
RPC-SR 1,214,500 33%

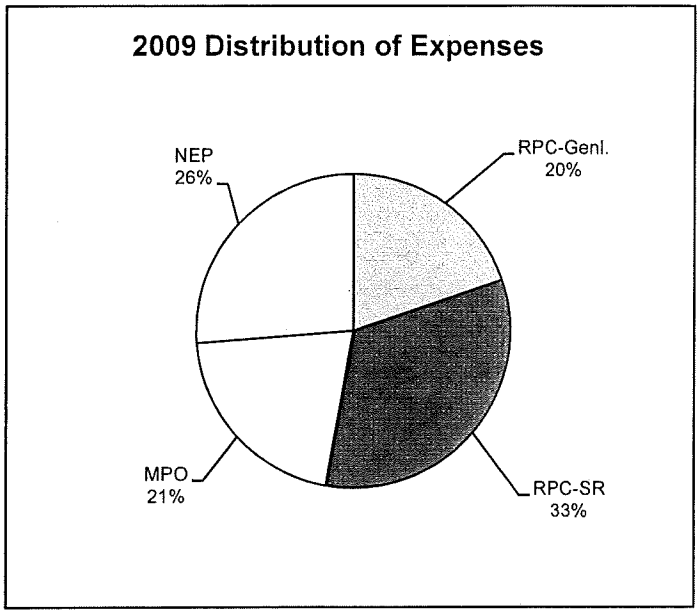

Distribution of Revenue
Misc./Interest 1%
Grants-RPC 20%
Assessments 15%
DRIs/NOPCs 7%
Grants-NEP 32%
Grants-MPO 25%


Comparison of Expenses
1,400,000
1,200,000
1,000,000
800,000
600,000
400,000
200,000
0
2006
2007
2008
YTD
2009
2010
RPC-Genl.
RPC-SR
MPO
NEP


YTD
Distribution of Revenue
Misc./Interest
2%
Grants-RPC
25%
Assessment
15%
DRIs/NOPCs
10%
Grants-NEP
32%
Grants-MPO
16%


2009
Distribution of Revenue
Misc./Interest
1%
Assessment
13%
Grants-RPC
34%
Grants-NEP
26%
DRIs/NOPCs
5%
Grants-MPO
21%


YTD Distribution of Expenses
RPC-Genl.
21%
NEP
33%
MPO
16%
RPC-SR
30%


2009 Distribution of Expenses
NEP
26%
RPC-Genl.
20%
MPO
21%
RPC-SR
33%

Calculation of Fringe and Indirect Rates

Source:

CCAS Indirect Cost Rate **(http://www.ccas.com/cgovcon.htm)**
CCAS produces and supports financial and government project accounting software

Frequently Asked Questions (FAQs) about Indirect Costs from
The Division of Financial Advisory Services
(http://ocm.od.nih.gov/dfas/faqindirectcosts.htm)

What is the difference between a direct cost and an indirect cost?

A direct cost is any cost that can be easily identified with a specific project (grant/contract): e.g., Salaries and Wages, Materials & Supplies, Subcontracts, Consultants.

An indirect cost is any cost that cannot be easily identified (or it would not be cost effective to identify) to a specific project, but identified with two or more final cost objectives. There are three types of indirect costs:

Fringe Benefits: services or benefits provided to employees, e.g., Health Insurance, Payroll Taxes, Pension Contribution, Paid Absences, etc

Overhead: indirect costs associated with the performance of a project, e.g., Facility Costs (rent, heat, electricity, etc.), General Laboratory Supplies, office supplies, etc.

G&A: indirect costs associated with the overall management of an organization, e.g., President's Office, Human Resources Office, Accounting Office, etc.

Determining an Indirect-Cost Rate

An indirect-cost rate is simply the ratio of indirect costs to some base or activity (that is, direct labor costs, labor hours, number of employees, space footage or total direct costs).

We will use the ratio of indirect costs (excluding fringe) to direct labor costs to determine the actual indirect rate. (Overhead and G&A)

The ratio of total fringe benefits to total salaries will be used to determine the actual fringe rate. (Fringe Benefits)

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

CAPITAL ASSETS POLICY

Conforming to the requirements of GASB 34, we are formally setting the following guidelines for fixed assets capitalization and depreciation:

Assets will be capitalized at $1,000 and above according to Florida Statue, Chapter 274.

These assets will be inventoried using the Peachtree Fixed Assets Program.

The depreciation method will be straight-line, full month.

Useful life ranges are as follows:
- Buildings – 45 years
- Improvements other than buildings – 15 years
- Computer Equipment – 3 years
- Furniture and Fixtures – 7 years
- Vehicles and Equipment – 5 years

This policy is effective as of October 1, 2004.
Any assets previously inventoried under $1,000 shall be removed from the inventory list and that list submitted along with this policy.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
COMPUTER DISPOSAL POLICY

Effective Date: December 14, 2007

Policy Statement:
All Council-owned electronic equipment, including but not limited to, computers, monitors, faxes, copy machines, cell phones, and personal digital appliances (PDAs) with a printed circuit board that the Network Administrator has deemed to be surplus or non-usable shall be disposed of in a manner that is consistent with Federal, state and local statutes and regulations, with recycling being the preferred method. All equipment identified as surplus shall be recycled by the Council's selected and approved vendor list. In addition, all surplus computers or servers that contain hard drives shall be wiped clean or shall be destroyed by magnetic degaussing.

If equipment is recycle/disposed through the Lee County Government Solid Waste Division there is a fee which is subject to change.

Responsibility:
The administration of the recycling program shall be under the Network Administrator and the Executive Director. The Network Administrator identifies equipment as surplus to the needs for the Council, the Executive Director, reviews, and approves these declarations and brings the matter before the Council for final approval.

Action:
The initial action is the Network Administrator presents the Executive Director a list of surplus equipment. This list depicts: purchase date, current capital value, and reason for designation as surplus and recommended method of disposal. Once a list is approved by the Executive Director, it is placed on the Council's Agenda in the Administrative Items section for final approval.

Possible methods of disposal include: in-house auction of equipment, donation to other agencies, recycling, disposal or any other method deemed to be consistent with the purpose and mission of the Council.

SWFRPC Adopted By-Laws

SWFRPC ADOPTED BY-LAWS

29I-1.001 Name and Scope.

The name of this agency is the Southwest Florida Regional Planning Council (SWFRPC, or "Council"), a voluntary association of counties and cities formed as of November 8, 1973, under the laws of Florida and comprising the 9th Comprehensive Regional Planning District as provided for by the Florida Statutes.

Rulemaking Authority 186.502, 186.504(6), 186.505(2) FS. Law Implemented 186.504 FS. History–New 2-9-76, Formerly 29I-1.01, Amended 5-14-09.

29I-1.002 Purpose.

(1) Purpose. The purposes of the Southwest Florida Regional Planning Council shall be:

(a) To provide a means to permit local governmental units to make the most efficient use of their powers to cooperate for mutual advantages in order to provide services and facilities that will accord best with geographic, economic, social, land use, transportation, public safety resources and other factors influencing the needs and development of local communities within Planning District No. 9;

(b) To serve as a regional coordinator for the local governmental units comprising the planning district;

(c) To exchange information on and review programs of region concerns;

(d) To promote communication between the local governments for the conservation and compatible development of the Southwest Region;

(e) To cooperate with Federal, State and local government and non-government agencies to accomplish regional objectives; and

(f) To do all things authorized for a Regional Planning Agency under Chapters 163, 186 and 380, F.S., and other applicable Florida, Federal and Local Laws, rules and regulations.

(2) Mission. It is the mission of the Council:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share for the benefit of our future generations.

Rulemaking Authority 186.505(1) *FS. Law Implemented* 186.502 *FS. History–New 2-9-76, Amended 7-18-82, Formerly 29I-1.02, Amended 5-7-92, 5-14-09.*

29I-1.003 Staff Functions; General Description.

The Council shall appoint an Executive Director who shall have the responsibility for the general management of the affairs of the Council, subject to the governing laws of the State and such regulations as may be adopted by the Council.

(1) The Executive Director shall annually prepare a budget for the Council and transmit the Council's budget request to the member governmental units.

(2) The Executive Director shall be responsible for the general management of the Council's office, for assisting the Secretary of the Council in the recording and maintenance of Council minutes and other documents of record, for any moneys received on behalf of the Council, for the keeping of financial statements in such form and in accordance with such procedures as shall be required by the Treasurer.

(3) The Executive Director may appoint and discharge any employee or subordinates in accordance with the policies of the Council and applicable Federal and Florida Statutes and regulations, and shall fix compensation within such limits as may be provided by the approved Council budget.

(4) The Executive Director may make agreements on behalf of the Council in performing the duties entrusted to him/her and shall attest all necessary instruments.

Rulemaking Authority 186.505(1), 186.505(4) FS. Law Implemented 186.505 FS. History–New 2-9-76, Formerly 29I-1.03, Amended 5-7-92, 5-14-09.

29I-1.004 Council Membership and Appointments, Term of Service, Vacancies, Removal from Office.

(1) Membership and Appointments.

(a) The Council shall include the Counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota, each of which shall be represented on the Council by two voting representatives appointed by their respective Board of County Commissioners.

(b) All municipalities within each county shall select one representative of one of the municipalities within the county who will be a voting representative.

(c) Further, each city has the option to be a member local government and to appoint one representative from the city's governing board; cities taking this option shall not participate in the process in (b) above.

(d) The representative(s) to the Council from each member local government shall be the elected chief representative of said local government or a member of its governing body chosen by such body to be its representative.

(e) Changes in membership provisions shall require a two thirds vote of the members.

(2) Terms of Service.

(a) Council members shall serve, and may be reappointed, at the pleasure of the appointing authority for terms not to exceed 3 years.

(b) Member governments may appoint alternate representative(s) to the Council. Alternate representative(s) shall be the chief elected official of said local government or a member of its governing body chosen by such body to be its alternate representative.

(3) Vacancies.

Any vacancy shall be filled for the unexpired term in the same manner as the initial appointment.

(4) Removal from Service.

Should a Council member have three consecutive unexplained absences from regular Council meetings, the Council shall so advise the appropriate appointing authority and request another appointment. Voting representatives will continue to occupy their offices until the Council is notified in writing of their replacement.

Rulemaking Authority 186.502, 186.505(1) FS. Law Implemented 186.504 FS. History–New 2-9-76, Amended 2-20-77, 7-18-82, Formerly 29I-1.04, Amended 5-4-88, 3-1-95, 5-14-09.

29I-1.005 Officers, Term, Duties, Committees.

(1) The regular January monthly meeting shall include electing from the regular membership officers with duties as follows:

(a) Chair – The Chair shall be the Chief Executive Officer, responsible for executing contracts for the Council, for overseeing the organization of the work of the Council, for seeing that all policy decisions of the Council are carried out, and for such other executive level functions as the Council shall assign. Except as provided for elsewhere, the Chair shall serve as a non-voting member of each advisory committee.

(b) Vice-Chair – The Vice-Chair shall act for the Chair in his/her absence, or in the event of the Chair's inability to act, perform all the functions of the Chair.

(c) Secretary – The Secretary shall conduct the correspondence of the Council, keep and distribute the minutes of the meetings, be custodian of the records and seal, keep the roll of all members, and discharge such other duties as may be assigned by the Chair or the members. The Executive Director shall serve as deputy to the Secretary.

(d) Treasurer – The Treasurer shall supervise the financial affairs of the Council, including recommending designation of checking and savings account depositories, and perform such other duties as usually pertain to that office. Except as provided for elsewhere, each negotiable check or warrant shall bear the signature of the Treasurer.

(2) Each officer so elected shall serve one (1) year or until re-elected or a successor is elected.

(3) A Nominating Committee comprised of at least three (3) Council members, each from a different County shall be appointed by the Chair at the regular December meeting of the Council for the purpose of proposing candidates for all offices for the following year. Additional nominations may be made by any Council member at the January monthly meeting. Newly elected officers shall be declared to be installed following their election at the January monthly meeting and shall assume the duties of office upon adjournment of said meeting.

(4) Standing and Special Committees.

The Council is empowered to designate and appoint standing committees, study groups, boards, and consultants consisting of members or non-members as the Council determines are essential or desirable to carry out its policies and objectives. The Council is empowered to direct the Executive Director to assign staff to support such standing committees, study groups, boards and

consultants to carry out the Council's policies and objectives. The Chair may appoint such special Advisory Committees consisting of members or non-members as he/she deems necessary or expedient to assist the Council and staff from time to time. Standing Committee members shall serve for terms of one (1) year. Special advisory committee members shall serve for the same period as the appointing Chair. All Committee actions shall be advisory only to the Council. The Council may, however, delegate certain specific administrative and review prerogatives to a committee in order to expedite the Council's work.

Rulemaking Authority 186.505 FS. Law Implemented 186.505 FS. History–New 2-9-76, Amended 2-20-77, Formerly 29I-1.05, Amended 5-14-09.

29I-1.006 Conduct of Meetings.

(1) The Council shall hold regular monthly meetings at a time and place to be determined by the membership prior to adjournment of the previous meeting or by the Chair in the absence of such determination. A monthly meeting may be waived by a majority of the Council. Business to have been conducted at the waived meeting shall be considered at the next successive monthly meeting.

(2) Special meetings of the Council may be called by the Chair at his/her discretion or when requested by six (6) voting members.

(3) Voting.

(a) Council members must be present to vote. A quorum shall consist of a majority of the total voting membership of the Council, representing at least four (4) of the Counties. When a quorum is present, a majority of those present may take action on matters properly presented at the meeting. Members present shall vote on each question presented to the Council unless they disqualify themselves. Business shall be transacted only at regular or special called meetings and shall be duly recorded in the minutes thereof.

(b) As permitted by Florida Statutes, Council members are present at a meeting when participating through interactive video and telephone systems.

(4) Minutes.

(a) The Council shall record minutes of its proceedings and official actions in the office of the Council.

(b) The minutes of prior meetings approved by a majority of the members present, shall become the official minutes.

(c) Each resolution shall be signed by the presiding officer at the meeting and by the Executive Director and entered in the minutes.

(5) Rules of Debate.

(a) Chair Participation: The presiding Chair shall not be deprived of any rights and privileges of a Council member by reason of being the presiding Chair, but may move or second a motion only after the gavel has been passed to the Vice-Chair or another member of the Council.

(b) Form of Address: Members shall address only the presiding officer for recognition; shall confine themselves to the question under debate; and shall avoid personalities and indecorous language.

(c) The Question: Upon the closing of debate the Chair shall call the question by voice or roll call vote. Members may give a brief statement or file a written explanation of their vote.

(6) Amending the Agenda.

If a subject is not on the Agenda it may be added by motion and a majority vote that the subject should not be delayed until the next meeting.

(7) DRI Recommendations.

(a) When the Council is considering the recommendations it shall make to a local government, the Council, in addition to its normal staff presentation, shall allow limited presentations by the following: the developer; the adjacent or contiguous city and county involved; technical consultants to the Council; and members of the public, who shall be required to submit a "Request to Speak" form. The applicant may request additional time for presentation. The Chair may limit or restrict the time available for any presentation. Any Council member may ask the developer, or any person present, specific questions concerning specific issues of the proposed development.

(b) The Council may close debate by a majority vote of the members present.

(8) Voting shall be by voice, but members shall have their votes recorded in the minutes if they so desire. A roll call vote shall be held upon proper motion. All other questions of procedure shall be governed by Robert's Rules of Order, Revised.

(9) Staff memoranda and committee resolutions, minutes and reports are prepared for the purpose of providing the Council with the basic information it requires to make decisions. Such staff memoranda and committee resolutions, minutes and reports are advisory only and not final actions or conclusions of the Council itself. The Council shall release all such data to the chief executive officer of each member governmental unit upon his request.

(10) All official meetings of the Council shall be open to the public as required by Florida Sunshine Laws, Chapter 286, F.S., and shall meet the requirements of the applicable sections of the Florida Administrative Procedures Act, Chapter 120, F.S. The Council shall give seven (7) days notice of meetings and workshops, in addition to any other notices as required by Florida Statutes.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505 FS. History–New 2-9-76, Amended 2-20-77, 7-18-82, Formerly 29I-1.06, Amended 5-7-92, 5-14-09.

29I-1.007 Budget and Finances.

(1) The Council shall cause to be prepared and shall adopt on or before August 15 of each year a budget for the development and implementation of the planning and development programs by such means and through such agencies as the Council shall determine and shall certify a copy thereof to the Clerk of the governing body of each local government that is a member established through (a) and (c) of subsectrion 29I-1.004(1), F.A.C., above. Upon approval thereof by the governing body each member local government shall include in its annual budget and cause the levy of a millage sufficient to produce the amount necessary to fund its proportionate share of the Council's total budget for the District, which, beyond minimums for individual membership established by the Council, bears the same ratio to the total budget as the population of each member unit bears to the total population of the District, all as determined annually by official population forecasts by the state of Florida for the year preceding each budget determination.

(2) The fiscal year of the Council shall commence on the first day of October of each year and end on the last day of September of the following year.

(3) The Council shall have the right to receive and accept in furtherance of its functions, funds, grants and services from Federal, State and Local Governments or their agencies and from private and community sources, and to expend therefrom such sums of money as shall be deemed necessary from time to time for the attainment of its objectives.

(4) Services Charges. The Council may establish fees for its services reasonably related to the general cost of providing such service including but not limited to the processing of Applications for Developments of Regional Impact.

(5) The Council shall maintain bank accounts, including, but not limited to, checking and savings accounts, and to do those things generally authorized by law for such public authorities.

(6) Designation of Authorized Fiscal Signatures. Each check or warrant issued by the Council shall be co-signed by one of two designated Council officers and by one of two designated Council employees in the following manner:

(a) Authorized Council Officers. Treasurer, or in his absence, a voting member designated by the Council.

(b) Authorized Council Employees. Executive Director, or in his absence, the Director of Planning, shall verify that budgeting provisions have been made therefor, and that quid pro quo has been received and shall have the check or warrant prepared.

All such Officers or Employees of the Council to whom authority to receive and disburse funds has been delegated shall be sufficiently bonded under a general fidelity bond to be paid by the Council.

(7) The Council shall prepare or cause to be prepared annually a report of its activities for the preceding fiscal year, to include an independently audited financial statement. The annual report shall be officially presented to the Council at its Annual Meeting.

(8) Council members shall receive no compensation for their services but shall be reimbursed for travel expenses incurred while engaged in specific, authorized activities on behalf of the Council.

Specific Authority 120.53(1) FS. Law Implemented 120.53(1), 186.502, 163.01 FS. History–New 2-9-76, Amended 7-18-82, Formerly 29I-1.07, Amended 5-4-88.

29I-1.008 Responsibilities and Authority.

The Council shall exercise all powers granted to regional planning councils, or regional planning agencies by Section 186.505 F.S., and by its Interlocal Agreement dated, November 8, 1973, amended October 28, 1980, incorporated by reference and available from the Council.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.502 FS. History–New 2-9-76, Amended 7-18-82, Formerly 29I-1.08, Amended 5-7-92, 5-14-09.

29I-1.009 Amendments.

These rules shall be amended by a majority vote of the Council. All proposed amendments shall be voted on at a regular meeting, the call of which meeting shall have included notice of the proposed amendment, and which shall have been duly advertised in accordance with the provisions of Chapter 120, Florida Statutes.

Specific Authority 120.53(1) FS. Law Implemented 120.53(1), 163.01 FS. History–New 2-9-76, 2-20-77, Formerly 29I-1.09.

29I-1.010 Information Requests.

(1) The principal office of the Southwest Florida Regional Planning Council is located at 1926 Victoria Avenue, Fort Myers, Florida 33901-3414. The office hours are Monday through Friday, from 8:00 a.m. to 5:00 p.m. All official forms, publications or documents of the Council are available for public inspection at the Council's principal office during regular business hours.

(2) All information requests are fulfilled in compliance with the Florida Public Records Law, Chapter 119, F.S.

(3) Copies of the Council's forms, publications and official documents prepared for public dissemination are available as follows:

(a) Public agencies, defined as those organizations representing the public; government agencies situated in the State of Florida receive Council publications at no charge.

(b) Private organizations situated in Florida and all parties outside of Florida can receive Council publications at cost.

(c) Publications out of print or singular documents are available for inspection at its principal office. Persons wishing photocopies may receive same at cost.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505 FS. History–New 2-9-76, Formerly 29I-1.10, Amended 5-14-09.

29I-4.001 DRI Review Process.

(1) The DRI Review Process incorporates the following Council practices and procedures in conjunction with the required guidelines, reviews, reports, recommendations, and time limitations imposed by Chapter 380, F.S. The Southwest Florida Regional Planning Council (SWFRPC) has been charged by the State with the responsibility of reviewing Developments of Regional Impact (DRI's) as defined and authorized by Chapter 380, F.S. The SWFRPC is responsible for State Region 9, encompassing the Counties of Charlotte, Collier, Glades, Hendry, Lee and Sarasota.

(2) By law, the SWFRPC has 50 days in which to review an Application for Development Approval (ADA) after receiving notice that the legislative body of the local government will hold a DRI Public Hearing. However, the local government cannot schedule a DRI Public Hearing until it has received a letter from the SWFRPC indicating that the application is sufficient for review or that the SWFRPC has received notification from the developer that the additional requested information will not be supplied.

(3) Upon receiving a DRI-ADA, the SWFRPC has 30 calendar days in which to determine the sufficiency of the information provided. In order to provide an applicant with reasonable assurance that ADA will be acceptable, all information requested must be in the ADA. If the information in an ADA is determined by the SWFRPC to be insufficient, the applicant and the local government will be notified, in writing, of any information desired. If additional information is requested, the applicant has two options:

(a) To provide a letter within five working days of the receipt of the statement, requesting additional information, stating that the additional information will be provided to the SWFRPC and the local government. The applicant may choose to supply some of the requested information and decline, in writing, to provide the balance.

(b) To notify the SWFRPC that the requested additional information will not be provided. In this case, the SWFRPC may find it necessary to recommend that the ADA be denied for lack of information.

(4) Within 30 calendar days after receipt of such additional information, the SWFRPC shall review it following procedures specified in (3)(a) and (b) above and may request only that information needed to clarify such additional information or to answer new questions raised by, or directly related to, such additional information.

(5) If an applicant does not provide the information requested by the SWFRPC within 120 days of its request, the application shall be considered withdrawn. The SWFRPC Executive Director, at his discretion, may grant an additional 45 day extension, upon formal written request for an extension by the applicant. Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension.

Any such extension shall be based upon the complexity, availability of data and additional analysis caused by a time extension and any unnecessary hardships upon the developer.

(6) If the application is sufficient or if the developer has notified the SWFRPC that the additional requested information will not be provided, the SWFRPC, within 10 days of finding the application sufficient or receipt of notice from the applicant, will notify the local government and the applicant in writing. The local government is then required to set a DRI Public Hearing date at its next scheduled meeting. The notice of Public Hearing must be published at least 60 days in advance of the Hearing. The DRI Public Hearing date should be at least 10 days after the SWFRPC's meeting at which the DRI Assessment Report is officially adopted.

(7) The receipt of the local government notice of a DRI Public Hearing by the SWFRPC initiates the statutorily provided 50-day review period within which the Council must prepare and transmit a DRI Assessment Report to the local government. To eliminate the possibility of having to set up special Council meeting dates, the local government and the SWFRPC must coordinate the transmittal of the notice of the DRI Public Hearing so it is received by the SWFRPC no less than 45 days before the Council meeting at which the DRI Assessment Report would be officially adopted by the Council.

(8) After the DRI Public Hearing is held, the local government has 30 days to issue a Development Order. However, a time extension may be requested by the applicant. During the DRI Public Hearing, the local governments must consider the report and recommendations of the SWFRPC. The Development Order should approve, approve with conditions or deny the DRI. The Development Order should address all the regional issues raised by the SWFRPC indicating how these issues have or have not been resolved.

(9) Certified copies of the Development Orders shall be sent by the local government to the state land planning agency, the SWFRPC, and the applicant. Upon receipt of a copy of the Development Order to the state land planning agency, the SWFRPC, the owner, and the developer, a 45 day period begins during which appeals may be initiated. Three parties may appeal a Development Order: the landowner, the developer, or the state land planning agency. No development permit should be issued by the local government during this 45 day period. Should an appeal take place, no development permit should be issued by the local

government until the appeal is adjudicated. An appeal is made to the Land and Water Adjudicatory Commission. Decisions of the Commission are subject to judicial review under Chapter 120, F.S.

(10) The Council will review substantial deviation determinations made by local government on approved DRI Development Orders. The Council will assist the state land planning agency in monitoring the progress of the development and its compliance with the terms of the approved development. The Council will notify local governments if the required annual report is not received from the developer.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History–New 2-9-76, Amended 2-20-77, 9-26-77, 7-18-82, Formerly 29I-4.01, Amended 7-27-86, 2-19-92, 5-14-09.

29I-4.003 Procedures for Filing an ADA.

(1) An Application for Development Approval (ADA) may be received at any time by the SWFRPC. Before filing an ADA, the applicant shall contact the SWFRPC to arrange for a preapplication conference. During this conference, SWFRPC shall provide the applicant information about the DRI Process and the use of preapplication conferences to identify the appropriate listed regional issues and coordinate appropriate state, district, and local agency requirements.

(2) If during a preapplication meeting, the applicant states that any question(s) from the ADA appear unnecessary for a DRI and requests such question(s) be eliminated, the SWFRPC shall review the arguments of the applicant and then draft a written agreement for the elimination of any question(s) it deems unnecessary. If the SWFRPC determines during sufficiency review of a DRI that elimination of any ADA question(s) was based upon erroneous information, the question shall be immediately reinstated.

(3) The applicant must send a "Letter of Intent" to the Council at least one week prior to the submission of the DRI-ADA. All DRI communication and requests should be directed to:

Executive Director

Southwest Florida Regional Planning Council

(Please contact the agency for appropriate mailing address)

(4) At various intervals in the DRI Review Process, the Council's staff and the developer/owner, or a representative, may meet to discuss information deficiencies of the ADA and regional issues identified in the ADA. These meetings will be used to establish communication with the applicant and to seek appropriate measures to changes in the ADA necessary to resolve the regional issues prior to final review of the ADA by the Council.

(5) State, regional, and local governmental agencies will be invited to participate in the DRI Review process. Comments or reports on a particular DRI provided by such agencies will be included in the report of the staff to the Council.

(6) Standards used in review of DRI projects shall be as specified within SWFRPC rules and Regional Comprehensive Policy Plans. The SWFRPC shall also consider other appropriate Federal, State and Local Government Standards and Policies during the review of DRI projects.

Specific Authority 120.53(1), 163.01, 186.505 FS. Law Implemented 120.53(1), 163.01, 186.505, 380.06, 380.07 FS. History–New 2-9-76, Amended 2-20-77, 7-18-82, Formerly 29I-4.03, Amended 7-27-86, 2-19-92.

29I-4.004 DRI-ADA Form.

(1) An application for development approval shall be submitted using the state land planning agency official ADA forms specified within Rule 9J-2.010, F.A.C. Form RPM-BSP-ADA-1, Development of Regional Impact Application for Development Approval under Section 380.06, F.S., effective 11/90, hereby incorporated by reference, shall be used and may be obtained from the SWFRPC. Each question shall be fully answered. The Standard ADA form is subject to clarification to reflect specific regional concerns and to clarify the intent and response necessary to specific questions or parts of questions. Such supplemental questions shall be provided to the applicant at the preapplication meeting.

(2) Applications are required to be submitted on 8 1/2 x 11 inch paper. Digital files and geo-referenced data may also be required. Each question must be repeated in the application text with the answer following.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History–New 2-9-76 Amended 2-20-77, 7-18-82, Formerly 29I-4.04, Amended 7-27-86, 2-19-92, 5-14-09.

29I-4.005 DRI-ADA Submission.

Copies of the completed ADA shall be submitted to the local government on the same date submitted to the SWFRPC. A minimum of 20 copies shall be submitted to the SWFRPC. Additional copies may be requested based on the number of regional review agencies expected to participate in the review process.

Specific Authority 120.53(1), 163.01, 186.505 FS. Law Implemented 120.53(1), 163.01, 186.505, 380.06, 380.07 FS. History–New 2-9-76, Amended 1-3-77, 2-20-77, 7-18-82, Formerly 29I-4.05, Amended 7-27-86, 2-19-92.

29I-4.006 Request for DRI Review.

The applicant must complete and deliver with the application for development approval (ADA) a "SWFRPC receipt and review fee agreement for review of developments of regional impact," (eff. 7/2006 available from Southwest Florida Regional Planning Council).

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505, 380.06 FS. History–New 2-9-76, Amended 2-20-77, Formerly 29I-4.06, Amended 2-19-92, 5-14-09.

29I-4.007 DRI Review Fee.

The DRI review fee for each DRI application, Florida Quality Development application, substantial deviation application, substantial deviation determination, supplemental plans and reviews identified in a development order requiring regional review or approval and review of each annual report are governed by the provisions of Rule 9J-2.0252, F.A.C. (DRI Review Fee Rule).

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06, 380.07 FS. History–New 8-19-76, Amended 2-20-77, 7-18-82, Formerly 29I-4.07, Amended 7-27-86, 9-20-88, 2-19-92, 5-14-09.

29I-4.009 Conceptual Agency Review.

In order to facilitate the planning and preparation of permit applications for projects that undergo development-of-regional-impact review, and in order to coordinate the information required to issue such permits a developer may elect to request conceptual agency review pursuant to Section 380.06, F.S., either concurrently with development-of-regional-impact review and comprehensive plan amendments, if applicable, or subsequent to a preapplication conference. The developer should notify the SWFRPC and appropriate review agencies of his intent to request Conceptual Agency Review at the pre-application conference.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07 FS. History–New 7-27-86.

29I-4.010 Downtown Development Authorities.

(1) A downtown development authority may submit a development-of-regional-impact application for development approval pursuant to Section 380.06, F.S. The area described in the application may consist of any or all of the land over which a downtown development authority has the power described in Section 380.031(5), F.S. For the purposes of this subsection, a downtown development authority shall be considered the developer whether or not the development will be undertaken by the downtown development authority.

(2) In addition to information required by the development-of-regional-impact application, the application for development approval submitted by a downtown development authority shall specify the total amount of development planned for each land use category.

Specific Authority 120.53, 163.01, 186.505, FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07, FS. History–New 7-27-86.

29I-4.011 Areawide Development of Regional Impact.

(1) An authorized developer may submit an areawide development of regional impact to be reviewed pursuant to the procedures and standards set forth in Section 380.06, F.S. The areawide development-of-regional-impact review shall include an area wide development plan in addition to any other information required by rule pursuant to Section 380.06, F.S., and the information required in the state land planning agency official ADA form.

(2) Prior to filing an Areawide DRI, the authorized developer shall submit a petition to the local government, the SWFRPC, and the state land planning agency requesting authorization to submit an Areawide ADA. Such petition shall include proof that timely, actual notice has been provided by the petitioner to each person owning land within the proposed areawide development plan. This

notice shall be in addition to other notice of public hearings as required by Section 380.06, F.S.

(3) Criteria used by the SWFRPC for evaluating a petition shall include, but not be limited to:

(a) Whether the developer is financially capable of processing the application for development approval through final approval pursuant to this section.

(b) Whether the defined planning area and anticipated development therein appear to be of a character, magnitude, and location that a proposed areawide development plan would be in the public interest. Any public interest determination under this criterion is preliminary and not binding on the state land planning agency, the SWFRPC, or local government.

(4) The local government shall submit any order which approves the petition, or approves the petition with conditions, to the petitioner, to all owners of property within the defined planning area, to the SWFRPC, and to the state land planning agency, within 30 days after the order becomes effective.

(5) The petitioner, an owner of property within the defined planning area, or the state land planning agency may appeal the decision of the local government to the Florida Land and Water Adjudicatory Commission by filing a notice of appeal with the Commission. The procedures established in Section 380.07, F.S., shall be followed for such an appeal.

(6) In reviewing an application for a proposed areawide development of regional impact, the SWFRPC shall evaluate the following criteria, in addition to any other criteria set forth in this rule:

(a) Whether the developer has demonstrated its legal, financial, and administrative ability to perform any commitments it has made in the application for a proposed areawide development of regional impact.

(b) Whether the developer has demonstrated that all property owners within the defined planning area consent or do not object to the proposed areawide development of regional impact.

(c) Whether the area and the anticipated development are consistent with the applicable, local, regional, and state comprehensive plans and any state land development plan.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History–New 7-27-86, Amended 5-14-09.

29I-4.012 Florida's Quality Developments Program.

(1) An authorized developer may file an application under the Florida's Quality Developments program pursuant to Section 380.061, F.S. The developer shall submit the application to the state land planning agency, the SWFRPC, and the appropriate local government for review. The review shall be conducted under the time limits and procedures set forth in Section 120.60, F.S., except that the 90-day time limit shall cease to run when all three entities reviewing the project have notified the applicant of their decision on whether the development should be designated under this program.

(2) Criteria used by the SWFRPC for review of an application submitted under this program shall be as specified within Section 380.06, F.S.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History–New 7-27-86, Amended 5-14-09.

29I-4.013 Review of Amendments to Development Orders.

(1) The developer shall submit, simultaneously, to the local government, the SWFRPC, and the state land planning agency, the request for approval of a proposed change to a previously approved development of regional impact. The form for this submission shall be as prescribed by rule of the Department of Community Affairs.

(2) The SWFRPC shall review the proposed change and may, in its discretion and within 30 days of submittal by the developer of the request for approval of a change, advise the local government of its intention to participate at the public hearing before the local government.

(3) The decision of the local government to approve, with or without conditions, or to deny the proposed change that the developer asserts does not require further review, shall be subject to the appeal provisions of Section 380.07, F.S.

(4) If a proposed change requires further development-of-regional-impact review pursuant to this section, the review shall be conducted subject to the following additional conditions:

(a) The development-of-regional-impact review conducted by the SWFRPC shall address only those issues raised by the proposed change except as provided in paragraph (b).

(b) The SWFRPC shall consider, and recommend whether to approve, approve with conditions, or deny the proposed change as it relates to the entire development.

(c) If the SWFRPC determines that the proposed change as it related to the entire development should be approved, any new conditions in the amendment to the development order recommended by the SWFRPC shall address only those issues raised by the proposed change.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History–New 7-27-86, Amended 5-14-09.

29I-4.0081 Master Development Approval Alternative Review Procedure.

(1) If a proposed development is planned for development over an extended period of time, the developer may follow an alternative development of regional impact review procedure by filing an application for master development approval of the project and agree to present subsequent increments of the development for preconstruction review. This alternative procedure shall follow development of regional impact procedures established by statute and rule but shall not be used for the optional coordinated review process. The developer shall consult with the local government and the SWFRPC regarding information to be provided; the timing of review of phases, increments, or issues related to regional impacts of the proposed development; and any other considerations that must be addressed in the application for master development approval and the agreement required by Section 380.06, F.S. The agreement shall be entered into by the developer, the SWFRPC, and the local government having jurisdiction before the application for master development approval is filed.

(2) In determining sufficiency of information contained in an application for master development approval, the SWFRPC shall give consideration to: the adequacy and availability of sufficient, reliable information; the necessity of subsequent review of phases, increments, or issues related to regional impacts; additional information which may be required in subsequent incremental applications; and issues which could result in the denial of an incremental application.

(3) Prior to adoption of the master plan development order by the local government, the SWFRPC board shall review the draft development order and, if appropriate, related agreements, at a regularly scheduled board meeting, to ensure that the requirements of Section 380.06, F.S., are met.

(4) The review of subsequent incremental applications shall be as prescribed in Section 380.06, F.S. Substantial changes in conditions underlying the approval of the master development order was based are to be construed to mean changed conditions or inaccurate information that creates a reasonable likelihood of additional adverse regional impact or any other regional impact not previously reviewed by the regional planning agency.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07, FS. History–New 7-27-86.

29I-4.0081 Master Development Approval Alternative Review Procedure.

(1) If a proposed development is planned for development over an extended period of time, the developer may follow an alternative development of regional impact review procedure by filing an application for master development approval of the project and agree to present subsequent increments of the development for preconstruction review. This alternative procedure shall follow development of regional impact procedures established by statute and rule but shall not be used for the optional coordinated review process. The developer shall consult with the local government and the SWFRPC regarding information to be provided; the timing of review of phases, increments, or issues related to regional impacts of the proposed development; and any other considerations that must be addressed in the application for master development approval and the agreement required by Section 380.06, F.S. The agreement shall be entered into by the developer, the SWFRPC, and the local government having jurisdiction before the application for master development approval is filed.

(2) In determining sufficiency of information contained in an application for master development approval, the SWFRPC shall give consideration to: the adequacy and availability of sufficient, reliable information; the necessity of subsequent review of phases, increments, or issues related to regional impacts; additional information which may be required in subsequent incremental applications; and issues which could result in the denial of an incremental application.

(3) Prior to adoption of the master plan development order by the local government, the SWFRPC board shall review the draft development order and, if appropriate, related agreements, at a regularly scheduled board meeting, to ensure that the requirements of Section 380.06, F.S., are met.

(4) The review of subsequent incremental applications shall be as prescribed in Section 380.06, F.S. Substantial changes in conditions underlying the approval of the master development order was based are to be construed to mean changed conditions or inaccurate information that creates a reasonable likelihood of additional adverse regional impact or any other regional impact not previously reviewed by the regional planning agency.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505, 380.06, 380.07, FS. History–New 7-27-86.

29I-5.001 General.

(1) The Southwest Florida Regional Planning Council was designated as the are awide clearinghouse pursuant to United States Office of Management and Budget Circular A-95 for substate District Nine on May 17, 1974.

(2) The Council's Clearinghouse Review function addresses projects requiring review under OMB Circular A-95 as well as U.S. Army Corps of Engineers/Department of Environmental Regulation Permits, Environmental Impact Statements, Florida Highway Projects, and Coast Guard Permits.

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History–New 9-5-78, Amended 10-15-78, Formerly 29I-5.01.

29I-5.002 Classification of Projects.

(1) Because of the high volume of Clearinghouse reviews, and the desire of the Council to provide more detailed analysis of those projects of regional significance, without duly burdening those applications of a local nature, a classification system is employed. All applications are classified as either a) Projects of Regional Significance, b) Projects of Less Than Regional Significance.

(2) Projects of Regional Significance include:

(a) All federally assisted projects or programs of organizations or agencies having multi-jurisdictional responsibility within all or part of the Region.

(b) All applications for comprehensive planning and management grants.

(c) All applications for projects which cross county boundaries, impact two or more counties, or projects of significant multi-jurisdictional impact.

(d) All applications for projects which approach the DRI threshold.

(e) All Environmental Impact Statements.

(f) All Proposals with a significant water quality impact on the Council's 208 study area.

(g) Any project which, due to its unique aspects, has regional significance.

(3) Projects of Less Than Regional Significance.

All applications NOT determined to be of Regional Significance are considered Projects of Less Than Regional Significance.

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History–New 9-5-78, Amended 10-15-78, Formerly 29I-5.02.

29I-5.003 Review Criteria.

(1) Projects of Regional Significance.

In reviewing Projects of Regional Significance, the following criteria is generally used in whole or in part:

(a) Project's consistency with adopted regional and local goals, objectives and policies.

(b) The need for the project and whether it duplicates an existing program.

(c) Appropriateness of the proposed funding levels and its project costs.

(d) Accuracy of data utilized; appropriateness of methodology, and the completeness of the proposal.

(e) The project's potential for air, noise and water pollution.

(f) The potential impact on historic/archeologic sites, wildlife habitats and sensitive ecosystems.

(g) The potential for increased surface water runoff and/or erosion.

(h) The accessibility to adequate infrastructure.

(i) The location of project in relation to those it will serve.

(j) If the project is located in the coastal zone, the project's compatibility with the State's Coastal Zone Management Program.

(k) The impact of traffic generated by the project.

(l) The effects on energy resource supply and demand.

(m) The project's potential secondary impacts including impacts on neighboring communities.

(n) The potential displacement of people, housing or business.

(o) The project's relationship to flood plain.

(2) Projects of Less than Regional Significance.

In reviewing Projects of Less Than Regional Significance, consistency with adopted regional and local goals, objectives and policies is assessed.

Rulemaking Authority 186.505(1) FS. Law Implemented 380.06 FS. History–New 9-5-78, Amended 10-15-78, Formerly 29I-5.03, Amended 5-14-09.

29I-5.004 Review Procedures.

All projects and programs which are reviewed by the Council are processed as follows:

(1) Receipt of Project.

When a proposal (Notification of Intent, Pre-Application, Permit Application, EIS, etc.) is received, it is date stamped, logged in and assigned a file number by the A-95 Coordinator. The Council has thirty (30) days to complete its Clearinghouse review of a project.

(2) Emergency Situations.

There are emergency situations when the Council will accept projects for Clearinghouse review with less than thirty (30) days remaining to review the project. The Council will work closely with the applicant to ensure that potential funding is not jeopardized. Review will commence when the documents are in a draft stage. Before the applicant is notified in writing of the Clearinghouse comments, however, the Council requires that the application in its final form be officially transmitted to it.

(3) Local Government Comment.

The A-95 Coordinator solicits comment from the local governments and other agencies whose interests might be affected. These letters indicate a deadline for comments. Comments received from local government or other agencies will either be included in the Council's comments or attached to them. If no comment is received by this date, it is presumed that the project or program is not inconsistent with local plans.

(4) Staff Action.

Each project or program is screened by the Council staff to determine if it is a new application or a continuation/modification of an existing program. The staff member then determines if the project is of regional significance and applies the appropriate review criteria.

(5) Staff Recommendations.

Utilizing the classification system and respective review criteria, described previously, each project is identified to be within one of four categories as follows:

(a) Less than Regional Significance – Consistent with goals, objectives and policies,

(b) Less than Regional Significance – Not consistent with goals, objectives and policies,

(c) Regional Significance – Consistent with goals, objectives and policies,

(d) Regional Significance – Not consistent with goals, objectives and policies.

When initial staff review determines that a proposal of regional significance does not appear consistent with regional goals, objectives and policies, every effort is made with the applicant to resolve the issues. This includes requesting additional information, meeting with the applicant, or discussing the issues with local government or other commenting agencies. If the issues are resolved through this effort, the project is recategorized.

The identification of the projects as to category, along with all analysis and comments, constitutes the staff's recommended action. Prior to each Council meeting, a report is prepared identifying the staff's recommended action for all Clearinghouse projects received during the previous month.

(6) Council Action.

Unless prevented by extenuating circumstances, the Council shall approve or disapprove the staff's recommended action for the Clearinghouse projects received during the previous month. Due to their importance, staff recommendations regarding Projects of Regional Significance that are not consistent with Regional and local goals, objectives, and policies shall be considered by the Council on an individual basis.

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History–New 9-5-78, Amended 10-15-78, Formerly 29I-5.04.

29I-5.005 Review Procedure – Graphic Presentation.

SEE FLORIDA ADMINISTRATIVE CODE FOR "REVIEW PROCEDURE - GRAPHIC PRESENTATION"

Specific Authority 163.01, 120.53(1) FS. Law Implemented 163.01, 120.53(1) FS. History–New 9-5-78, Amended 10-15-78, Formerly 29I-5.05.

29I-6.002 Strategic Regional Policy Plan.

There is hereby adopted, for the Southwest Florida Region, the Strategic Regional Policy Plan for the Southwest Florida Regional Planning Council, August 2001, which is incorporated herein by reference and copies of which are kept at the Council office at: 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917. Copies are also available at our website: www.swfrpc.org/publctns.htm.

VOLUME TWO: GOALS, STRATEGIES, AND ACTIONS.

Specific Authority 186.508(1) FS. Law Implemented 120.53(1) FS. History–New 10-23-95, Amended 7-3-02.

29I-7.001 Purpose.

(1) The purpose of this rule is to establish a voluntary regional dispute resolution process (RDRP) to reconcile differences on planning, growth management, and other issues among local governments, regional agencies and private interests. The process consists of seven components: (a) process initiation (initiation and response letters), (b) settlement meetings, (c) pre-initiation meeting, (d) situation assessment, (e) mediation, (f) advisory decision-making, and (g) reference to other dispute resolution processes (judicial, administrative, or arbitration proceedings). Components (a) and (b) are required while components (c), (d), (e), (f), and (g) are optional.

(2) The intent of the RDRP is to provide a flexible process to reconcile differences on planning and growth management issues that will clearly identify and resolve problems as early as possible; utilize the procedures in a low-to-high cost sequence; allow flexibility in the order in which the procedures are used; provide for the appropriate involvement of affected and responsible parties; and provide as much process certainty as possible.

(3) The RDRP may to be used to resolve disputes involving extrajurisdictional impacts as provided for in the intergovernmental coordination elements of local comprehensive plans, as required by Section 163.3177, F.S.; inconsistencies between port master plans and local comprehensive plans, as required by Section 163.3178, F.S.; the siting of community residential homes, as required by Section 419.001(5), F.S.; and any other matters covered by statutes which reference the RDRP.

(4) The RDRP shall not be used to address disputes involving environmental permits or other regulatory matters unless all the parties involved agree to initiate use of the RDRP.

(5) The RDRP does not replace local processes and is not intended to be used by parties dissatisfied with the appropriate application of local rules and regulations.

(6) Use of the RDRP shall not alter the right of a jurisdiction, organization, group, or individual to judicial or administrative determination of any issues if that entity is entitled to such a determination under statutory or common law.

(7) Participation in the RDRP as a named party or in any other capacity does not convey or limit intervenor status in any judicial or administrative proceedings.

(8) All named parties who agree to participate in this process commit to a good faith effort to resolve problems or disputes.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.002 Definitions.

(1) "Situation assessment" is a procedure of information collection that may involve review of documents, interviews, and an assessment meeting leading to a written or oral report identifying the issues in dispute, the stakeholders, the information needed before a decision can be made, and a recommendation for appropriate dispute resolution procedures. This procedure is sometimes referred to as "fact finding."

(2) "Pre-initiation meeting" is a meeting which provides the opportunity for a party to discuss with the RPC staff the suitability of the RDRP for resolution of a dispute before formal initiation of the RDRP.

(3) "Facilitation" is a procedure in which the facilitator helps the parties to design and follow a meeting agenda and assists the parties to communicate more effectively throughout the process. The facilitator has no authority to make or recommend a decision.

(4) "Mediation" is a procedure in which a neutral party assists disputing parties in a negotiation process to explore their interests, develop and evaluate options, and reach a mutually acceptable agreement without prescribing a resolution. A mediator (who may take more control of the process than a facilitator) usually works in more complex cases in which a dispute is more clearly defined.

(5) "Advisory decision-making" is a procedure aimed at enhancing the effectiveness of negotiations and helping parties more realistically evaluate their negotiation positions. This procedure may include fact-finding, neutral evaluation, or advisory arbitration in which a neutral party or panel listens to the facts and arguments presented by the parties and renders a non-binding advisory decision.

(6) "Jurisdiction" is any local government or regional agency, including any special district, authority, or school board.

(7) "Named party" is any jurisdiction, organization, group, or individual who is named in an initiation letter, including the initiating jurisdiction, or any jurisdiction, organization, group, or individual who is permitted by the named parties to participate in settlement of a dispute pursuant to subsections 29I-7.003(1), (2), and (3), F.A.C. Being a "named party" in the RDRP does not convey or limit standing in any judicial or administrative proceeding.

(8) "Representative" is an individual who is given guidance and authority to act, to the extent possible, by a named party in a RDRP case. Subsection 29I-7.003(4), F.A.C., sets forth the process for designation of a representative.

(9) "Initiation letter" is a letter from a jurisdiction that formally identifies a dispute, asks named parties to engage in this process to resolve the dispute, and, at a minimum, requests the named parties to attend the initial settlement meeting. Rule 29I-7.010, F.A.C., specifies what must be included in an initiation letter.

(10) "Response letter" is a letter that formally notifies the initiator and other named parties that a party is willing to participate in the RDRP and, at a minimum, attend at least one settlement meeting. Subsection 29I-7.010(3), F.A.C., specifies what must be included in a response letter.

(11) "Settlement agreements" may be voluntarily approved by the individual or governing body authorized to bind the named party. Agreements may take the form of memorandums of understanding, contracts, interlocal agreements, or some other form mutually agreed to by the signatory parties or as required by law. A settlement may be agreed to by some or all of the named parties.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.003 Participation.

(1) Named parties shall automatically be allowed to participate. Other jurisdictions, public or private organizations, groups, or individuals may be suggested by a named party in response letters or during RDRP meetings. Any such entity or individual may also submit a petition to participate. In any case, such an entity or individual may become a named party if agreed to by a two-thirds majority of the participating named parties, except as provided for in subsection 29I-7.003(3), F.A.C. Fee allocation agreements will be amended as appropriate.

(2) All initiation and response letters that are made in accordance with intergovernmental coordination elements of local government comprehensive plans shall list only affected local government jurisdictions as named parties. The named parties, at the initial settlement meeting or at subsequent RDRP meetings, may add public or private named parties by mutual agreement of all the current named parties.

(3) Other jurisdictions, public or private organizations, groups or individuals seeking to become named parties shall submit to the Regional Planning Council (RPC) staff a written petition to participate, including reasons for the request and information required in subsection 29I-7.010(2), F.A.C. Such jurisdictions, organizations, groups, or individuals shall become named parties if agreed to by a two-thirds majority of the named parties, prior to or during RDRP meetings, except as pursuant to subsection 29I-7.003(2), F.A.C. Named parties who do not respond within 21 days of the date of the initiation letter may not participate in the RDRP unless they submit a petition for participation.

(4) Each of the jurisdictions, organizations, groups, or individuals participating as a named party in this process shall designate a representative, in writing, or be represented by the chief executive officer. Such a representative shall have authority to act, to the maximum extent feasible, and shall have responsibility to represent that party's interest in this process and to maintain communications with that party throughout the process. Jurisdictions are encouraged to designate a representative to participate in this process in advance of initiating or receiving a request.

(5) Individuals or organizations who can provide information and technical assistance useful in the resolution of the dispute may be invited by a named party or the presiding neutral to attend meetings under this process. The parties, by agreement, or the presiding neutral shall determine when and under what circumstances such individuals or entities may be invited. Invited parties may provide input as agreed by the named parties or the presiding neutral.

(6) All communications by a named party called for in this process shall be submitted to all other named parties and the RPC staff in writing.

(7) Any named party may withdraw from participation in dispute resolution under this process upon written notice to all other named parties and the RPC staff.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.004 Costs.

(1) There shall be no charge for processing a RDRP initiation request and facilitation of the initial settlement meeting. The SWFRPC shall be compensated for situation assessments, facilitation of additional settlement meetings, mediation, technical assistance, and other staff services at its standard rate or as negotiated by the parties. Outside professional neutrals shall be compensated at their standard rate or as negotiated by the parties.

(2) The costs of administration, settlement meetings, mediation, or advisory decision-making shall be split equally between the parties or as otherwise agreed. The agreed upon cost allocation shall be documented in a written fee agreement.

(3) Jurisdictions formally adopting this process shall establish budgeting procedures for paying the cost of participation in this process.

Rulemaking Authority 186.505(1) FS. Law Implemented 186.505(5), 186.505(19) FS. History–New 4-12-94, Amended 5-14-09.

29I-7.005 Time Frames.

(1) The initial settlement meeting shall be scheduled and held within 30 days of the date of receipt of the initiation letter at a time and place convenient to the named parties.

(2) Additional settlement meetings, mediation, or advisory decision-making shall be completed within 45 days of the date of the conclusion of the initial settlement meeting.

(3) All time frames specified or agreed to in this process may be altered by mutual agreement of the named parties.

(4) The parties may, by agreement, utilize procedures in the RDRP in any order.

(5) Where necessary to allow this process to be carried out effectively, named parties should consider deferring or seeking stays of judicial or administrative proceedings.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.006 Administrative Protocols.

The Regional Planning Council is authorized to write and adopt such administrative procedures as are necessary to implement this rule. These may address staff and Council roles, procedures for situation assessment and the selection of neutrals, development of consumer guides, or other matters. Where required pursuant to Chapter 120.52, F.S., policies and guidelines should be adopted as rules.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.007 Public Notice, Records, and Confidentiality.

(1) Named parties should consider the provision of appropriate opportunities for public input at each step in this process. This could include the submission of comments on issues, alternative solutions, and the impacts of proposed agreements.

(2) Applicable public notice and public records requirements shall be observed as required by Chapters 119 and 120, F.S.

(3) Participants in these procedures agree by their participation that no comments, meeting records, or written or oral offers of settlement shall be offered by them as evidence in a subsequent judicial or administrative action.

(4) To the extent permitted by law, mediation under this process will be governed by the confidentiality provisions of Chapter 44, F.S., and other applicable law.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.008 Pre-Initiation Meeting.

A jurisdiction, organization, group, or individual contemplating initiation of this process may request an informal pre-initiation meeting with the RPC staff in order to ascertain whether the potential dispute would be appropriate for this process. The Regional Planning Council at the next regularly scheduled or emergency meeting shall authorize the staff to act as appropriate pursuant to Rules 29I-7.009, .010, .011, .012, .013, and .014, F.A.C.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.009 Situation Assessment.

(1) A jurisdiction, organization, group, or individual may request that the RPC staff or other neutral perform a situation assessment at any time, before or after initiation of the process.

(2) The situation assessment may involve examination of documents, interviews, and assessment meetings and shall recommend issues to be addressed, parties that may participate, appropriate resolution procedures, and a proposed schedule.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.010 Initiation of the Process by Jurisdictions.

(1) This process is initiated by an initiation letter from the representative of the governing body of a jurisdiction, other than a regional planning council, to the named parties as provided for in subsections 29I-7.003(1) and (2), F.A.C., and to the RPC staff. The initiation letter must be accompanied by a resolution of the governing body authorizing initiation or by a copy of a written authorization for the representative to initiate a request to use the RDRP process.

(2) Such an initiation letter shall identify the issues to be discussed, named parties to be involved in the dispute resolution process, the initiating party's representative and others who will attend, and a brief history of the dispute indicating why it is appropriate for this process.

(3) Named parties shall send a response letter to the RPC staff and all other named parties confirming their willingness to participate in a settlement meeting within twenty-one (21) days of receipt of the initiation letter. This response letter shall include any additional issues and potential named parties that the respondent wishes considered, as well as a brief history of the dispute and a description of the situation from the respondent's point of view.

(4) Upon receipt of a request, the RPC staff shall assess the interest of the RPC in the case. If the RPC is a named party or sees itself as a potential party, it shall notify the named parties of the nature of its interest and ascertain whether the parties desire an outside facilitator for the initial settlement meeting.

(5) The RPC may not initiate the RDRP but may recommend that a potential dispute is suitable for this process and transmit its recommendation to potential parties who may, at their discretion, initiate the RDRP.

(6) The RPC staff shall schedule a meeting at the most convenient time within thirty (30) days of the date of the receipt of the initiation request, unless the named parties agree otherwise.

(7) In the event that a dispute involves jurisdictions under two or more Regional Planning Councils, the process adopted by the Regional Planning Council of the initiating jurisdiction shall govern, unless the named parties agree otherwise.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.011 Requests to Initiate Submitted by Others.

(1) Private interests may ask any jurisdiction to initiate the process.

(2) Any public or private organization, group, or individual may request that the RPC recommend use of this process to address a potential dispute in accordance with subsection 29I-7.010(5), F.A.C. Such a request shall be submitted in writing and shall include the information required for an initiation letter in subsection 29I-7.010(2), F.A.C.

(3) After reviewing the material submitted by, and consulting with, the requesting organization, group, or individual, the RPC staff will conduct a situation assessment and prepare a written report. The Council at the next regularly scheduled or emergency meeting, shall act to amend, reject, or affirm the recommendations of its staff.

(4) If the RPC determines that the potential dispute is suitable for the process, it shall transmit that determination in writing to the potential parties, as agreed upon by the RPC and the requesting organization, group, or individual. The determination may include a recommendation that one or more of the jurisdictions among the potential parties initiate the procedure. The RPC may also suggest that other resolution processes be considered.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.012 Settlement Meetings.

(1) Settlement meetings shall, at a minimum, be attended by the properly designated representatives of the named parties.

(2) Settlement meetings shall be facilitated by an RPC staff member or other neutral facilitator acceptable to the parties and shall be held at a time and place acceptable to the parties within 30 days after the date of the receipt of the initiation request, unless

the named parties agree otherwise.

(3) At the settlement meeting, the parties shall consider the addition of named parties, consider guidelines for participation, identify the issues to be addressed, present their concerns and constraints, explore options for a solution, and seek agreement.

(4) The parties shall submit a settlement meeting report in accordance with subsection 29I-7.015(4), F.A.C., of this process.

(5) If an agreed-upon settlement meeting is not held or a settlement meeting produces no agreement to proceed to additional settlement meetings, mediation, or advisory decision-making, any party who has agreed to participate in this procedure may withdraw or may proceed to a joint meeting of governing bodies pursuant to Chapter 164, F.S., litigation, an administrative hearing, or arbitration, as appropriate.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.013 Mediation.

(1) If two or more named parties submit a request for formal mediation to the RPC, the RPC shall assist them to select and retain a mediator or the named parties may request that the RPC select a mediator. An informal mediation may be administered by the staff of the Regional Planning Council or a member of the Regional Planning Council.

(2) All formal mediations shall be mediated by a mediator who understands Florida growth management issues, has mediation experience, and is acceptable to the parties. Parties may consider mediators who are on the Florida Growth Management Conflict Resolution Consortium rosters or any other mutually acceptable mediator. Mediators shall be guided by the Standards of Professional Conduct, Florida Rules of Civil Procedure, Rule 10, Part II, Section 020-150, F.S.

(3) The parties shall submit a mediation report in accordance with subsection 29I-7.015(4), F.A.C., of this process.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.014 Advisory Decision-Making.

(1) If two or more of the named parties submit a request for advisory decision-making to the Regional Planning Council,

(a) The RPC shall assist the parties to select and retain an appropriate neutral;

(b) The parties may request that the RPC make the selection; or

(c) The parties may request the RPC to provide an advisory opinion at a regularly scheduled or emergency meeting. Parties serving on the Regional Planning Council may excuse themselves from voting on advisories which directly address their jurisdiction.

(2) A neutral handling a dispute must understand Florida growth management issues, have appropriate experience, and be acceptable to the parties.

(3) The parties shall submit an advisory decision-making report in accordance with subsection 29I-7.015(4), F.A.C., of this process at the conclusion.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.015 Settlement Agreements and Reports.

(1) The form of all settlements reached through this process shall be determined by the named parties, and may include interlocal agreements, concurrent resolutions, memoranda of understanding, plan amendments, deed restrictions, or other forms as appropriate.

(2) Agreements signed by designated representatives may be in the form of recommendations to formal bodies and subject to their formal approval.

(3) Agreements may be reached by two or more parties even if all of the named parties do not agree or do not sign a formal agreement.

(4) After settlement meetings, mediation, or advisory decision-making under this process, the named parties shall submit a joint report to the RPC which shall, at a minimum, include

(a) An identification of the issues discussed and copies of any agreement reached;

(b) A list of potentially affected or involved jurisdictions, organizations, groups, or individuals (including those which may not be named parties);

(c) A time frame for starting and ending informal negotiations, additional settlement meetings, mediation, advisory decision-making, joint meetings of elected bodies, administrative hearings, or litigation;

(d) Any additional RPC assistance requested;

(e) A written fee allocation agreement to cover the costs of agreed-upon RDRP procedures;

(f) A description of responsibilities and schedules for implementation and enforcement of agreements reached; and,

(g) Any statements that any named party wishes to include.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

29I-7.016 Other Dispute Resolution Processes.

(1) The RDRP is a voluntary opportunity for parties to negotiate a mutual agreement. It may be used before, in parallel with, or after judicial or administrative proceedings.

(2) When appropriate, parties may obtain a stay of judicial or administrative proceedings to provide time for RDRP negotiations.

(3) Use of the RDRP shall not alter the right of a jurisdiction, organization, group, or individual to a judicial or administrative determination of any issue if that entity or person is entitled to such a determination under statutory or common law.

(4) Participation in the RDRP as a named party or in any other capacity does not convey or limit intervenor status or standing in any judicial or administrative proceedings.

(5) In addition to the Regional Dispute Resolution Process authorized by Section 186.509, F.S., parties may consider the applicability of other resolution processes within Florida statutes, including the following: Intergovernmental Coordination Element, Sections 163.3177(5)(h)1. and 2., F.S.; Port Master Plans, Section 163.3178, F.S.; Community Residential Homes, Section 419.001(5), F.S.; Cross Acceptance Negotiation Process, Section 186.505(22), F.S.; Location of Spoil Sites, Section 380.32(14), F.S.; Administrative Procedures Act, Chapter 120, F.S.; Florida Governmental Cooperation Act, Chapter 164, F.S.; and Mediation Alternatives to Judicial Action, Chapter 44, F.S.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 4-12-94.

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