



SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Thursday, October 21, 2010

From 9:00 am to 11:30 a.m.

Southwest Florida Regional Planning Council

1st Floor Conference Room

1926 Victoria Avenue

Fort Myers, FL 33901

AGENDA

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.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL – Ms. Nichole Gwinnett

- | | |
|--|---------|
| 1. AGENDA | Page 1 |
| 2. MINUTES OF SEPTEMBER 16, 2010 | Page 7 |
| 3. CONSENT AGENDA | Page 17 |
| a) Intergovernmental Coordination and Review | Page 19 |
| b) Financial Statement for September 30, 2010 & Grant Activity Status Sheet | Page 23 |
| c) 4th Quarter Executive Summary | Page 40 |
| 4. ADMINISTRATIVE ISSUES (Presentations from 9:15 to 10:00 am) | |
| a) 2011 Nominating Committee for Election of Officers – Counsel Liz Donley | Page 44 |
| b) Lower West Coast Watersheds Implementation Committee Report –
Chair Mick Denham | Page 46 |
| c) SWFRPC Appointment to the CHNEP Policy Board– Ms. Liz Donley | Page 60 |
| d) SWFRPC Resolution #2010-06 – Resolution Regarding Southwest Florida Regional
Planning Council Support for Public Acquisition of Edison Farms/AgriPartners
Lands in the Flint Pen Strand Area of Southeast Lee County – Mr. Ken Heatherington | Page 62 |
| 5. REGIONAL ISSUES (Food Planning presentations from 10:00 to 11:15 a.m.) | |
| a) Food System Planning Presentation – Mr. Robert A. Kluson, Ph.D. | Page 66 |
| b) A Regional Food Study Presentation – Ms. Evangeline Van Linkous, AICP | Page 67 |
| c) Legislative Issues and Priorities Report – Mr. Dave Hutchinson | Page 69 |

Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact Ms. Deborah Kooi at the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550 #210; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD. Or email dkooi@swfrpc.org.

6. PUBLIC COMMENTS
7. DIRECTOR'S COMMENTS
8. STATE AGENCIES COMMENTS/REPORTS
9. COUNCIL ATTORNEY'S COMMENTS
10. COUNCIL MEMBERS' COMMENTS
11. ADJOURN

NEXT SWFRPC MEETING DATE
November 18, 2010

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEER - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DCA - Department of Community Affairs

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAW - Florida Administrative Weekly

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NARC - National Association of Regional Councils

NOPC - Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP - State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plans

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)

_____ Agenda
_____ Item

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Minutes

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SEPTEMBER 16, 2010**

The regular meeting of the **Southwest Florida Regional Planning Council** was held on **September 16, 2010** at the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Mick Denham** called the meeting to order at **9:01 a.m.** **Commissioner Carolyn Mason** led an invocation and the Pledge of Allegiance. Senior Administrative Staff Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Councilman Don McCormick, Ms. Andrea Messina, Commissioner Robert Skidmore

Collier County: Councilman Charles Kiester, Commissioner Frank Halas, Commissioner Jim Coletta, Mr. Bob Mulhere, Councilwoman Teresa Heitmann

Glades County: Commissioner Kenneth "Butch" Jones

Hendry County: Commissioner Karson Turner, Mr. Melvin Karau

Lee County: Councilman Mick Denham, Councilman John Spear, Councilman Forrest Banks, Mayor John Sullivan, Ms. Laura Holquist

Sarasota County: Commissioner Carolyn Mason, Councilman Ernie Zavodnyik, Commissioner Tom Jones, Mr. George Mazzarantani

Ex-Officio Members: Ms. Terri Behling for Ms. Dianne Davies - SWFWMD, Mr. Johnny Limbaugh - FDOT, Mr. Phil Flood - SFWMD

MEMBERS ABSENT

Charlotte County: Mr. Alan LeBeau, Commissioner Tricia Duffy

Collier County: None

Glades County: Dr. Edward Elkowitz, Commissioner Paul Beck

Hendry County: Commissioner Tristan Chapman, Mayor Paul Puletti, Mayor Mali Chamness

Lee County: Commissioner Ray Judah, Commissioner Tammy Hall, Mr. Paul Pass, Councilman Tom Babcock

Sarasota County: Commissioner Jon Thaxton, Mr. David Farley

Ex-Officio Membership: Mr. Jon Iglehart - FDEP, Ms. Tammie Nemecek - EDC of Collier County

INTRODUCTIONS

Lee County Commissioner Frank Mann stated that he would be attending the meeting for both Commissioners Judah and Hall.

Chair Denham introduced the following guests: Ms. Diana McGee, US Senator Nelson's Office; and Mr. Michael Pedersen, US Senator George LeMieux's Office; and Ms. Leah Valenti, Congressman Tom Rooney's Office.

AGENDA ITEM #1 AGENDA

The agenda was approved as presented.

AGENDA ITEM #2 MINUTES OF JUNE 17, 2010

Commissioner Mason moved and Mr. Mazzarantani seconded to approve the minutes of June 17, 2010 as presented. The motion carried unanimously.

AGENDA ITEM #3 CONSENT AGENDA

Mr. Mulhere noted that he had a conflict of interest with Consent Agenda Item #3(m) - Collier County Comprehensive Plan Amendments (DCA 10RAEC-1) and will abstain from voting.

Commissioner Turner moved and Commissioner Tom Jones seconded to approve the consent agenda: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statements for June 30th, July 31st and August 31, 2010 & Grant Activity Status Sheet; Agenda Item #3(c) End of Year Budget Amendments; Agenda Item #3(d) 3rd Quarter Executive Summary; Agenda Item #3(e) SWFRPC Fixed Assets Removal; Agenda Item #3(f) Del Prado North Commerce Park DRI - Abandonment; Agenda Item #3(g) Indian Oaks Trade Centre DRI - Abandonment; Agenda Item #3(h) The Fountains DRI - Sufficiency Response Extension Request; Agenda Item #3(i) Timberland & Timburon DRI - NOPC; Agenda Item #3(j) Lee County Comprehensive Plan Amendments (DCA 10-2); Agenda Item #3(k) Lee County Comprehensive Plan Amendment (DCA 10D-1); Agenda Item #3(l) Lee County Comprehensive Plan Amendment (DCA 10D-2); Agenda Item #3(m) Collier County Comprehensive Plan Amendments (DCA 10RAEC-1); Agenda Item #3(n) Charlotte County Comprehensive Plan Amendments (DCA 10-2); Agenda Item #3(o) Sarasota County Comprehensive Plan Amendments (DCA 10-2); Agenda Item #3(p) City of Naples Comprehensive Plan Amendment (DCA 10-1); Agenda Item #3(q) CEDS Annual Update; and Agenda Item #3(r) Glades & Hendry Joint Local Coordinating Board for the Transportation

Disadvantaged Membership Appointments and Certification. The motion carried with Mr. Mulhere abstaining on Agenda Item #3(m) Collier County Comprehensive Plan Amendments (DCA 10RAEC-1).

Chair Denham explained that due to the length of the agenda and the concern of losing a quorum, it has been suggested to move Agenda Item #6(c) up to become the next item of discussion.

**AGENDA ITEM #6(c)
SWFRPC/DCA FY 2010/11 Annual Contract - Mr. Ken Heatherington**

Mr. Heatherington reviewed the item as presented.

Mr. Mulhere moved and Mr. Karau seconded to approve the SWFRPC/DCA FY 2010/11 Annual Contract as presented. The motion passed unanimously.

**AGENDA ITEM #4(a)
Florida Gulf Coast Technology & Research Park DRI - Staff Assessment**

Mr. Trescott of staff gave a PowerPoint presentation on the item as presented.

Councilman Kiester referred to staff's low impact recommendation under stormwater and asked what does staff mean by "low impact." Mr. Trescott referred the question to Mr. James Beever of staff. Mr. Beever explained that it relates to the resolutions that the Council had passed through the Lower West Coast Watersheds Implementation Committee with regards to improved stormwater treatment. Where stormwater is conserved and kept onsite rather than being discharged at the levels which are normally permitted. The applicant has indicated that they do not wish to commit to the higher standards of stormwater treatment. They would prefer to stay with the current standards under what the SFWMD currently utilizes.

Councilman Kiester asked if it is possible that a local government would include the higher standards in their local government order or is it a situation where the SFWMD has already approved the plan and the Council and local government can overrule. Mr. Beever stated that he would have to let SFWMD and Lee County discuss their relationship on this type of activity, but his experience has been that if the local government has a standard, as what has been adopted in Sarasota County, the SFWMD utilizes that standard in their project review. It is his understanding that once an applicant obtains a permit from a water management district you are valid to develop your landscape in that surface water management permit for the period that the permit is valid, but there is always opportunity for renegotiations if all parties are agreeable.

Chair Denham stated that Lee County did support the Council's recommendation on stormwater and Mr. Flood was involved in the preparation of the stormwater resolution by the Lower West Coast Watersheds Implementation Committee.

Mr. Flood explained that the applicant has met the SFWMD's requirements for the stormwater permit, so they are entitled to receive that permit. However, they do need to receive other permits from other entities before they can begin developing the land.

Chair Denham asked if the applicant supports the Council's recommendations. Mr. Wayne Arnold from Grady Minor explained that he is representing the applicant, Benderson Development, and has been continuing a dialog with Lee County staff and there is some language under the Tradeport land use designation which refers to the higher water quality standards. We have been working with staff and as we continue to develop the development order, we are willing to discuss certain aspects of that, but because there is already an existing SFWMD permit we don't feel that we can comply with all aspects of the recommendations from Council staff, because there are already enhanced water quality standards built into the existing permit and there are opportunities that can be utilized as we move forward, i.e. irrigation, grey water use, etc.

Mr. Alvin "Chip" Block, Principal Planner for Lee County Zoning Division explained that he has been making notes of what the Council has been asking for in regards to the low impact for stormwater management and he will return to his office and discuss the issues with Lee County staff, in order to be able to work with Council staff and get a better understanding of what low impact means and see if we can initiate some of those elements. It is our understanding that the applicant would have to submit for a modification to the existing SFWMD permit because of the way the current project is designed. It going to be necessary since the design is different from what was approved under the original SFWMD permit.

Councilwoman Heitmann asked Mr. Flood if it is often that a water management district permit is issued on a DRI before it is presented to the Council. Mr. Flood explained that it is not that uncommon because the applicant can submit their application to a water management district whenever they want to start the time clock.

Councilwoman Heitmann asked Mr. Flood how can these two standards of water quality from the water management district(s) and the Council's Lower West Coast Watershed Implementation Committee be made into one so we don't continue to run into this issue. Mr. Flood explained that SFWMD's staff is aware of the Council's Lower West Coast Watershed Implementation Committee recommendations, but they can't suggest those recommendations as a requirement of the SFWMD's rules. However, there is a Statewide Stormwater Rule which FDEP is currently in the process of developing which would require new developments to have increased water quality and water storage requirements.

Mr. Beaver stated that his recommendation would be that since there is an existing SFWMD permit that we recommend the use of the low impact development water quality stormwater standards and we transmit this recommendation to Lee County.

Commissioner Halas asked if there have been any energy conservation recommendations made for the project. Mr. Trescott explained that there are standard energy conservation measures which the applicant has committed to and also Florida Power and Light has been part of the review process for the project.

Ms. Holquist asked how the additional condition is going to impact the development. Mr. Arnold replied that he really didn't know at this time. They are currently working with Lee County staff on several issues, such as the Tradeport land use designation which has higher water quality standards and which we have to adhere to. We are working with staff to demonstrate that with the

additional preserve areas that we have above what the minimums are under their codes and that we are incorporating many enhanced water quality aspects for this project.

Councilman Kiester moved and Commissioner Mason seconded to approve staff's recommended action: The Southwest Florida Regional Planning Council recommends Conditional Approval of the Florida Gulf Coast Technology and Research Park DRI to be further conditioned on a finding of consistency with the Local Government Comprehensive Plan by the Lee County Board of County Commissioners. Also, include a recommendation for the use of the low impact development water quality stormwater standards and transmit this recommendation to Lee County. The motion carried unanimously.

AGENDA ITEM #4(b)

Jetport/Interstate Commerce Park DRI Substantial Deviation - Staff Assessment

Mr. Trescott of staff gave a PowerPoint presentation on the item as presented.

Councilman McCormick moved and Commissioner Mason seconded to approve staff's recommended action: The Southwest Florida Regional Planning Council recommends Conditional Approval of the Jetport Interstate Commerce Park Substantial Deviation DRI to be further conditioned on a finding of consistency with the Local Government Comprehensive Plan by the Lee County Board of County Commissioners. The motion carried unanimously.

AGENDA ITEM #5(a)

HUD Sustainable Communities Planning Grant Proposal - Ms. Liz Donley

Ms. Donley gave a verbal briefing on the HUD Sustainable Communities Planning Grant proposal which Council's staff submitted on August 23rd.

Mr. Heatherington stated that he is very proud of his grant writing staff and that he recently spoke with a HUD representative and she had indicated that they are currently reviewing approximately 200 grant applications.

Mr. Mulhere stated that he also wanted to complement staff on their efforts with this grant.

AGENDA ITEM #5(b)

PACE Resolution - Mr. Ken Heatherington

Mr. Heatherington reviewed the item as presented.

Commissioner Coletta moved and Commissioner Halas seconded to approve SWFRPC Resolution #2010-05 as presented and also request that each local jurisdiction pass a similar resolution. The motion carried unanimously.

AGENDA ITEM #5(c)
County Administrators, City Managers, and Planning Directors Meeting Report – Mr. Ken Heatherington

Mr. Heatherington reviewed the item as presented.

AGENDA ITEM #5(d)
Legislative Update – Mr. Dave Hutchinson

Mr. Heatherington suggested re-instating the Council’s Legislative Committee to update the Council’s Legislative Position Statement for 2011. He noted that Commissioner Coletta was the Co-Chair of the Committee. Commissioner Coletta noted that Commissioner Turner was also a Co-Chair of the Committee.

Commissioner Turner suggested that staff prepare a list of bullet points and issues that the members need to discuss with their legislative delegation, both on the State and Federal level. Reason being that it is an election cycle and we are going to campaign functions where we are getting personal time which we don’t usually get.

Mr. Heatherington stated that he doesn’t believe that there is going to be too many changes needed to the Council’s Legislative Position Statement from last year.

Mr. Mulhere stated that any opportunity that we can have to be with the legislative delegation and be very well informed on certain issues would be very beneficial and appreciated, but the benefit to us is that they will look to us as a source of information.

The following members volunteered for the Legislative Committee:

- Commissioner Jim Coletta, Collier County BOCC (Co-Chair)
- Commissioner Karson Turner, Hendry County BOCC (Co-Chair)
- Councilman Mick Denham, City of Sanibel
- Councilwoman Teresa Heitmann, City of Naples
- Ms. Laura Holquist, Lee County Governor Appointee

Mr. Heatherington announced that SB360 has been found to be unconstitutional due to the unfunded mandates.

Councilman Zavodnyik stated that a couple of days before SB360 was ruled to be unconstitutional; Senator Bennett indicated that he wished that cities and counties that had filed the lawsuit had spoken to him beforehand. He then said that it had occurred to him that there was a prior question before that “did Senator Bennett speak with the cities and counties throughout the State?” It is his recollection that Senator Bennett didn’t visit the City of Venice to receive any input.

AGENDA ITEM #6(a)
EPA Climate Showcase Grant – Letter of Support for the City of Ft. Myers – Mr. Dave Hutchinson

Mr. Hutchinson reviewed the item as distributed.

AGENDA ITEM #6(b)
Lee Metropolitan Planning Organization (MPO) Staff Services Agreement – Ms. Liz Donley

Ms. Donley gave a verbal update on the status of the Lee County MPO Staff Services Agreement.

AGENDA ITEM #7
PUBLIC COMMENTS

Commissioner Mann gave a history overview of Florida Gulf Coast University (FGCU) and how the Estero Bay Agency for Bay Management (Estero Bay ABM) was formed through a Settlement Agreement. He explained that the Estero Bay ABM is housed within the Council's offices and was originally funded through DCA; however, due to budget cuts the Estero Bay ABM has become unfunded. There are approximately 29 designated appointees and it is an advisory committee to oversee the overall health of Estero Bay, based on the impacts of the wetlands, historic water flows, etc.

Commissioner Mann explained that the signatory agencies (SFWMD, FGCU, and Lee County) of the Settlement Agreement have been asked to participate in the funding, along with the Council on an in-kind basis. He explained that the estimated funding needed is approximately \$10,000. He then suggested to the Council to send a letter to SFWMD, FGCU and Lee County requesting that they also participate at a \$2,500 level annually and also have the Council participate on an in-kind basis, which in essence they are currently doing but carrying the full load.

Mr. Heatherington stated that he will have staff compile the letter and he has had this discussion with FGCU in the past and he applauds the Council for its current action because he feels that it will help in the effort.

Councilman Banks moved and Commissioner Mason seconded to have letters sent to SFWMD, FGCU and Lee County requesting that they dedicate a \$2,500 level annually for funding of the Estero Bay ABM and also have the Council participate on an in-kind basis. The motion carried unanimously.

AGENDA ITEM #8
DIRECTOR'S COMMENTS

Mr. Heatherington announced that Mr. Mazzarantani was elected as FRCA's 2nd Chair of the Policy Board at the recent Policy Committee Meeting.

**AGENDA ITEM #9
STATE AGENCIES COMMENTS/REPORTS**

Mr. Flood announced that the SFWMD will be closing on 26,800 acres of US Sugar land next month with the option to purchase the remaining 153,000 acres within the ten year option. The 26,800 acres consists of two parcels, one in Hendry County and the other in Palm Beach County.

Mr. Flood announced that Hendry County was recognized by the Florida Planning and Zoning Association (FPZA) for their work on developing the Rural Lands Agricultural Study.

Mr. Flood announced that SFWMD's Governing Board passed guidance to staff on adaptive protocols on lake releases and how to make recommendations to the USCOE.

**AGENDA ITEM #10
COUNCIL ATTORNEY'S COMMENTS**

Ms. Donley stated that she had no comments at this time.

**AGENDA ITEM #11
COUNCILMEMBERS' COMMENTS**

Councilman Banks stated that he had to leave early due to the fact that earlier in the month the City of Fort Myers Police Department lost a canine officer, Rosco, in a shooting. At 11:00 a.m. today the City of Fort Myers Police Department will be celebrating his life with full police honors and he would like to thank all of the canine units throughout the State for their service and encourages anyone who gets the chance to go see one of these canine officers at work.

Commissioner Mason stated that at yesterday's Sarasota County BOCC meeting Commissioner Shannon Staub announced her plans to retire at the end of this year.

Chair Denham asked if there will be a special election. Commissioner Mason replied that there will be a special election held in January. Chair Denham asked how long has Commissioner Staub served. Commissioner Mason replied 14 years.

Commissioner Butch Jones announced that Councilman Michael Brantley of the City of Moore Haven passed away from cancer in August and that staff may want to contact the City of Moore Haven have the City Council appoint a replacement.

Ms. Holquist gave an example on how SB360 had helped a project in Ormond Beach which went through the entire process.

Ms. Messina explained that Amendment 8 is going to be on the ballot in November and it is the amendment which asks the voters to approve flexibility with the class size amendment implementation. All of the local school districts are going to be supporting Amendment 8 and she hopes to count on everyone else's support as well.

Councilman McCormick announced that he will be retiring on November 1st since he had lost the primary. He then introduced Ms. Rachel Kesling who will be replacing him on the city council.

**AGENDA ITEM #12
ADJOURN**

The meeting adjourned at 10:22 a.m.

Commissioner Karson Turner, Secretary

The meeting was duly advertised in the September 3, 2010 issue of the **FLORIDA ADMINISTRATIVE WEEKLY**, Volume 36, Number 35.

_____ Agenda
_____ Item

3

Consent Agenda

3

3

CONSENT AGENDA

Agenda Item #3(a) – Intergovernmental Coordination and Review

Approve administrative action on clearinghouse review items.

Agenda Item #3(b) – Financial Statement for September 30, 2010 & Grant Activity Sheets

Approve the financial statement for September 30, 2010 and the grant activity sheets as presented.

Agenda Item #3 (c) – 4th Quarter Executive Summary

Information item.

RECOMMENDED ACTION: Approve consent agenda as presented.

10/2010

_____ Agenda
_____ Item

3a

Intergovernmental
Coordination & Review

3a

3a

Project Review and Coordination Regional Clearinghouse Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning September 1, 2010 and ending September 30, 2010.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.

Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.

Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the State Clearinghouse (Office of Planning and Budgeting) in Tallahassee.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items.

10/2010

ICR Council - 2010

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2010-39	Ms. Michelle Hook	USACOE	Lee County	USACOE - Scoping Notices - Proposed Land Acquisition and Construction of Three New Army Reserve Centers - Leon, Seminole, and Lee Counties, Florida.			Regionally Significant and Consistent
2010-40	Dr. Frank Mazzeo, Jr.	Family Health Centers of Southwest		Family Health Centers of Southwest Florida, Inc. - 2011 Application for Federal Assistance under the Bureau of Primary Health 330 Program.	Health Resources and Services	\$29,272,352.00	Regionally Significant and Consistent

_____ Agenda
_____ Item

3b

Financial Statement

For September 30, 2010 and

Grant Activity Sheets

3b

MONTHLY FINANCIAL CONTENTS
For the month ending September 30, 2010

	Pages
Financial Reports:	
Balance Sheet - Governmental Types and Account Groups	1
Balance Sheet - Assets, Liabilities and Capital	2
Income Statement - Combined	3
This page is a comparison of the budget and actual for the current month as well as the year to date figures. It also includes the net income for both the month and the year to date. The last column of the report reflects the percentage spent of the budget in each expense line as well as the overall total.	
Income statement - Comparison of current year vs. prior year	4
This page is a comparison of the actual figures for the current month and year to date to the previous year's figures. It also includes the net income for both years.	
Explanation of Council's Financial at current month end including:	5
<ul style="list-style-type: none"> - Percentage of Budget Spent for RPC, MPO, and NEP and any predicted expenses as to percentages not within acceptable range. There may be further comments on the breakdown of actual expenses. - Net income at current month end - Graphs showing the distribution of revenues and expenses - Any other notes felt needed at this time 	
Breakdown of actual expenses for the RPC, MPO, NEP including	
<ul style="list-style-type: none"> - percentages and any amendments requested. - Please note that the Budget on the Income Statement on page 3 will not reflect any amendments, if needed, until they are actually approved. 	
Combined RPC/MPO/NEP	6
NEP	7
MPO	8
RPC Total	9
RPC by Project	10
 Grant Activity	
Net Income Statement with a breakdown of monthly recognized revenue	11
Overall view of all Grants (RPC-MPO-NEP)	12
At the request of our auditors, we are also including our latest available bank reconciliation and a general ledger reflecting our other bank balances.	
There are three CDs through Iberia Bank. They are as follows:	
10 months	\$50,000 1.75%
15 months	\$100,000 2.00%
30 months	\$300,000 2.00%
Interest earned to date	\$1,906

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
COMBINED BALANCE SHEET -
GOVERNMENTAL FUND TYPES AND ACCOUNT GROUPS
9/30/2010 (Unaudited)**

	Governmental Fund Types		Account Groups		Totals
	General Fund	Special Revenue Fund	General Fixed Assets	General Long-Term Debt	(Memorandum Only)
ASSETS AND OTHER DEBIT					
Cash and cash equivalents	\$ 109,201	\$ -	\$ -	\$ -	\$ 109,201
Investments	517,956	-	-	-	517,956
Receivables - grants and contracts	-	324,963	-	-	324,963
Receivables - other	(110)	-	-	-	(110)
Due from other funds	-	(223,024)	-	-	(223,024)
Other assets	464	-	-	-	464
Property and equipment, net	-	-	1,578,053	-	1,578,053
Amount to be provided for retirement of general long-term debt	-	-	-	1,316,840	1,316,840
TOTAL ASSETS AND OTHER DEBIT	\$ 627,511	\$ 101,939	\$ 1,578,053	\$ 1,316,840	\$ 3,624,343
LIABILITIES, FUND EQUITY AND OTHER CREDIT					
LIABILITIES					
Accounts payable and accrued expenses	\$ 111,205	\$ -	\$ -	\$ -	\$ 111,205
Retainage payable	49,098	-	-	-	49,098
Due to other governments	-	-	-	-	-
Due to other funds	(223,024)	-	-	-	(223,024)
Deferred revenue - grants and contracts	-	101,939	-	-	101,939
Accrued compensated absences	-	-	-	99,589	99,589
Notes payable	-	-	-	1,217,251	1,217,251
TOTAL LIABILITIES	(62,722)	101,939	-	1,316,840	1,356,057
FUND EQUITY AND OTHER CREDIT					
Investment in general fixed assets	-	-	1,578,053	-	1,578,053
Fund balance					
Reserved, designated	644,000	-	-	-	644,000
Unreserved, undesignated	46,233	-	-	-	46,233
TOTAL FUND EQUITY AND OTHER CREDIT	690,233	-	1,578,053	-	2,268,286
TOTAL LIABILITIES, FUND EQUITY AND OTHER CREDIT	\$ 627,511	\$ 101,939	\$ 1,578,053	\$ 1,316,840	\$ 3,624,343

SWFRPC
Balance Sheet
September 30, 2010

ASSETS

Current Assets		
Cash - Bank of America Oper.	\$	109,001.42
Cash - Iberia		452,220.97
Cash - FL Local Gov't Pool		55,553.94
Cash - FL Gov't Pool-Fund B		10,180.98
Petty Cash		200.00
Accounts Receivable		239,478.03
Accounts Receivable-MPO		85,484.98
Accounts Receivable-RC&D		(110.22)
Bulk Mail Prepaid Postage		464.23
Amount t.b.p. for L.T.L.-Leave		71,257.44
Amnt t.b.p. for L.T.Debt-OPEP		28,332.00
Amount t.b.p. for L.T.Debt		1,217,250.97
		<hr/>
Total Current Assets		2,269,314.74
Property and Equipment		
Property, Furniture & Equip		2,019,710.40
Accumulated Depreciation		(441,657.73)
		<hr/>
Total Property and Equipment		1,578,052.67
		<hr/>
Total Assets	\$	<u><u>3,847,367.41</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Retainage Payable	\$	49,097.89
Deferred Income		101,938.54
Accrued Salary		44,823.00
Accrued Expenses		68,916.42
FSA Payable		(2,864.81)
Accrued Annual Leave		71,257.44
Long Term Debt - OPEB		28,332.00
Long Term Debt - Bank of Am.		1,217,250.97
LEPC Contingency Fund		330.25
		<hr/>
Total Current Liabilities		1,579,081.70
		<hr/>
Total Liabilities		1,579,081.70
Capital		
Fund Balance-Unrestricted		11,718.67
Fund Balance-Restricted		644,000.00
Fund Balance-Fixed Assets		1,578,052.67
Net Income		34,514.37
		<hr/>
Total Capital		2,268,285.71
		<hr/>
Total Liabilities & Capital	\$	<u><u>3,847,367.41</u></u>

SWFRPC
Income Statement
Compared with Budget
For the Twelve Months Ending September 30, 2010

	Current Month Actual	Current Month	Year to Date Actual	Year to Date Budget	% Spent
Revenues					
Total Revenues	445,669.69	364,967	3,635,701.64	4,379,606	83.01
Expenses					
Salaries Expense	232,473.43	142,722	1,720,848.38	1,712,662	100.48
FICA Expense	14,000.14	10,250	123,696.12	123,000	100.57
Retirement Expense	37,327.51	14,667	179,617.38	176,000	102.06
Health Insurance Expense	11,650.66	15,000	165,873.75	180,000	92.15
Unemployment Comp. Expense	0.00	1,240	3,850.00	14,879	25.88
Workers Comp. Expense	446.00	500	4,509.00	6,000	75.15
Grant/Consulting Expense	11,315.00	3,333	33,118.00	40,000	82.80
NEP-Contractual	94,134.10	32,641	368,033.65	391,689	93.96
MPO-Contractual	96,403.13	35,218	415,705.88	422,617	98.36
Audit Services Expense	0.00	3,917	43,116.00	47,000	91.74
Travel Expense	4,245.80	4,533	45,699.68	54,400	84.01
Telephone Expense	2,474.90	1,142	11,953.23	13,700	87.25
Postage / Shipping Expense	1,414.03	2,917	27,939.73	35,000	79.83
Storage Unit Rental	0.00	19	224.00	224	100.00
Equipment Rental Expense	3,657.48	2,933	33,340.73	35,200	94.72
Insurance Expense	0.00	2,841	25,491.96	34,097	74.76
Repair/Maint. Expense	2,009.00	1,667	18,180.46	20,000	90.90
Printing/Reproduction Expense	3,596.94	5,875	52,205.05	70,500	74.05
Utilities (Elec, Water, Gar)	3,089.04	2,083	22,955.44	25,000	91.82
Advertising/Legal Notices Exp	4,824.17	1,504	20,322.39	18,050	112.59
Other Misc. Expense	0.00	292	2,381.61	3,500	68.05
Office Supplies Expense	1,566.74	1,583	18,373.66	19,000	96.70
Computer Related Expense	7,167.95	3,792	44,787.53	45,500	98.43
Publication Expense	216.84	333	1,656.44	4,000	41.41
Prof. Develop./Dues Expense	1,440.00	3,408	36,504.23	40,900	89.25
Meetings/Events Expense	647.23	3,308	22,298.48	39,700	56.17
Capitol Outlay Expense	15,924.89	2,583	21,994.91	31,000	70.95
Capitol Outlay - Building	7,068.54	833	8,758.54	10,000	87.59
Long Term Debt	10,645.92	10,667	127,751.04	128,000	99.81
Reserve for Operations Expense	0.00	53,166	0.00	637,988	0.00
Total Expenses	567,739.44	364,967	3,601,187.27	4,379,606	82.23
Net Income	\$ (122,069.75)	0	\$ 34,514.37	\$ 0	0.00

As stated when submitting Annual Budget:
Both CHNEP and MPO are multi-year budgets - Therefore total budget may appear high
For annual RPC Budget vs. Actual only - see page 9

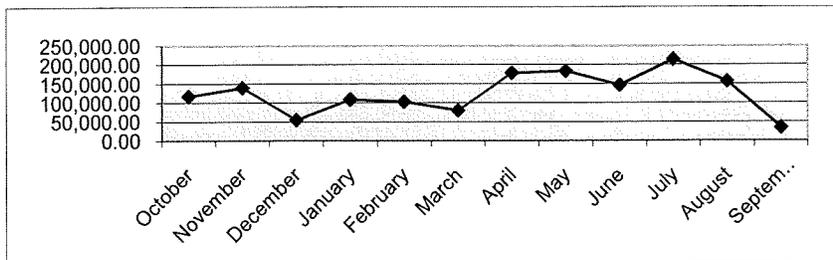
SWFRPC
Income Statement - Two Years
For the Twelve Months Ending September 30, 2010

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
Revenues				
Total Revenues	445,669.69	439,025.13	3,635,701.64	3,631,561.18
Expenses				
Salaries Expense	232,473.43	198,765.08	1,720,848.38	1,715,441.81
FICA Expense	14,000.14	15,013.65	123,696.12	132,873.85
Retirement Expense	37,327.51	33,909.47	179,617.38	185,088.15
Health Insurance Expense	11,650.66	(1,556.69)	165,873.75	177,977.46
Unemployment Comp. Expe	0.00	3,300.00	3,850.00	4,126.54
Workers Comp. Expense	446.00	424.00	4,509.00	5,291.00
Grant/Consulting Expense	11,315.00	1,200.00	33,118.00	125,706.50
NEP-Contractual	94,134.10	144,913.20	368,033.65	464,232.49
MPO-Contractual	96,403.13	73,974.70	415,705.88	183,435.44
Audit Services Expense	0.00	0.00	43,116.00	45,686.00
Travel Expense	4,245.80	5,449.02	45,699.68	46,858.50
Telephone Expense	2,474.90	781.96	11,953.23	8,192.01
Postage / Shipping Expense	1,414.03	15,339.01	27,939.73	37,476.82
Storage Unit Rental	0.00	224.00	224.00	2,912.00
Equipment Rental Expense	3,657.48	(10,903.98)	33,340.73	21,585.41
Insurance Expense	0.00	0.00	25,491.96	29,479.96
Repair/Maint. Expense	2,009.00	2,149.94	18,180.46	24,630.17
Printing/Reproduction Expen	3,596.94	375.00	52,205.05	61,146.54
Utilities (Elec, Water, Gar)	3,089.04	4,781.15	22,955.44	26,088.88
Advertising/Legal Notices Ex	4,824.17	1,695.17	20,322.39	13,349.66
Other Misc. Expense	0.00	25.00	2,381.61	3,402.60
Office Supplies Expense	1,566.74	1,302.17	18,373.66	19,654.33
Computer Related Expense	7,167.95	(8,707.65)	44,787.53	51,630.42
Publication Expense	216.84	0.00	1,656.44	1,624.98
Prof. Develop./Dues Expens	1,440.00	4,995.00	36,504.23	36,136.75
Meetings/Events Expense	647.23	9,091.77	22,298.48	44,678.64
Capitol Outlay Expense	15,924.89	0.00	21,994.91	12,175.28
Capitol Outlay - Building	7,068.54	0.00	8,758.54	5,200.00
Long Term Debt	10,645.92	10,645.92	127,751.04	127,751.04
Total Expenses	567,739.44	507,186.89	3,601,187.27	3,613,833.23
Net Income	\$ (122,069.75)	\$ (68,161.76)	\$ 34,514.37	\$ 17,727.95

The next few pages are a breakdown of actual expenses for each project in Special Revenues as well as in general operations. Included in these pages, as requested, are percentages for each line item and an overall percentage spent by the RPC, NEP, and MPO.

The overall percentage of the Budget spent is 82.23%
 The percentage of the RPC Budget spent is 80.39%
 The percentage of the MPO Budget spent is 86.15%
 The percentage of the NEP Budget spent is 81.59%

For the month ending September 30, 2010 \$34,514 is our net income.

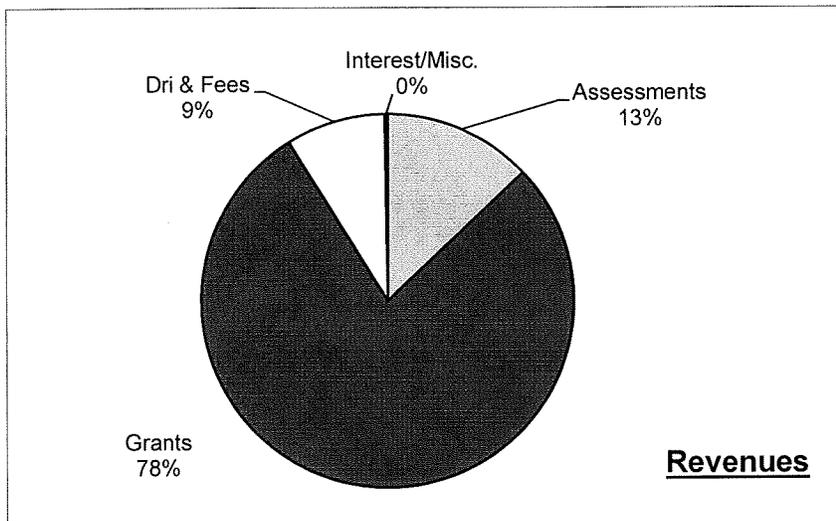


Net Income (unaudited)

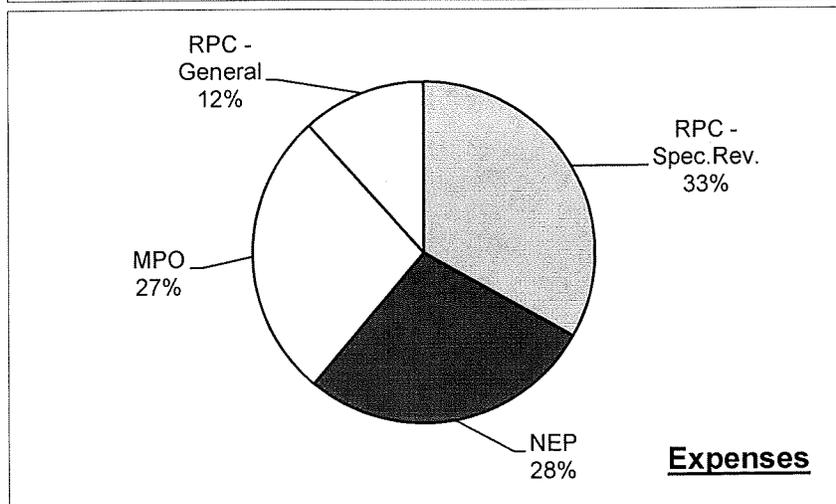
As can be seen in this graph, the net income moves in quarterly cycles.

For the month ending September 30, 2010

Total Revenues	3,635,702
Total Expenses	<u>3,601,187</u>
Net Income	<u><u>34,514</u></u>



<u>Revenues</u>	
Assessments	470,552
Grants	2,843,284
Dri & Fees	311,759
Interest/Misc.	10,107
	<u>3,635,702</u>



<u>Expenses</u>	
RPC - Spec. Rev.	1,193,294
NEP	1,006,876
MPO	981,107
RPC - General	419,911
	<u>3,601,187</u>

RPC-MPO-NEP Combined
Budget vs. Actual

For the month ending September 30, 2010

	Combined Actual	Combined Adopted Budget	Combined Amended Budget	Combined Total Amendments	Combined Amended Budget	Combined VARIABLE	91.67%	Combined Comments
Revenues								
Membership Dues	470,552	470,552	470,552	0	470,552	0	100.00%	
Federal/State/Local Grants	2,843,284	2,333,993	2,500,627	518,439	3,019,066	175,782	94.18%	
Dir/Monitoring Fees	311,759	200,000	200,000	22,000	222,000	-89,759	140.43%	
Interest And Miscellaneous	10,107	30,000	30,000	0	30,000	19,893	33.69%	
Carry Over Fund Balance		637,988	637,988	0	637,988			
Total Income	3,635,702	3,672,533	3,839,167	540,439	4,379,606	105,917	83.01%	
Expenditures								
Direct:								
Salaries	1,720,848	1,677,662	1,677,662	35,000	1,712,662	-8,186	100.48%	
FICA	123,696	122,000	122,000	1,000	123,000	-696	100.57%	
Retirement	179,617	166,000	166,000	10,000	176,000	-3,617	102.06%	
Health Insurance	165,874	180,000	180,000	0	180,000	14,126	92.15%	
Workers Compensation	8,359	8,000	20,879	0	20,879	12,520	40.04%	
Total Personnel	2,198,395	2,153,662	2,166,541	46,000	2,212,541	14,146	99.36%	
Consultant Fees	33,118	40,000	40,000	0	40,000	6,882	82.80%	
NEP Contractual	368,034	121,250	121,250	270,439	391,689	23,655	93.96%	
MPO Contractual	415,706	58,683	222,317	200,300	422,617	6,911	98.36%	
Audit Fees	43,116	47,000	47,000	0	47,000	3,884	91.74%	
Travel	45,700	48,000	48,000	6,400	54,400	8,700	84.01%	
Telephone	11,953	12,700	12,700	1,000	13,700	1,747	87.25%	
Postage	27,940	30,000	29,000	6,000	35,000	7,060	79.83%	
Storage Space Rental	224	3,000	224	0	224	0	100.00%	
Equipment Rental	33,341	35,200	35,200	0	35,200	1,859	94.72%	
Insurance	25,492	35,000	34,097	0	34,097	8,605	74.76%	
Repair/Maintenance	18,180	20,000	20,000	0	20,000	1,820	90.90%	
Printing/Reproduction	52,205	74,500	70,500	0	70,500	18,295	74.05%	
Utilities (Elec, Gas, Water)	22,955	25,000	25,000	0	25,000	2,045	91.82%	
Advertising	20,322	10,050	12,850	5,200	18,050	-2,272	112.59%	
Other Miscellaneous	2,382	2,000	3,500	0	3,500	1,118	68.05%	
Office Supplies	18,374	23,000	23,000	-4,000	19,000	626	96.70%	
Computer Related Expenses	44,788	38,000	38,000	7,500	45,500	712	98.43%	
Publications	1,656	4,000	4,000	0	4,000	2,344	41.41%	
Professional Development	36,504	33,500	39,000	1,900	40,900	4,396	89.25%	
Meetings/Events	22,298	44,000	44,000	-4,300	39,700	17,402	56.17%	
Capital Outlay-Operations	21,995	38,000	27,000	4,000	31,000	9,005	70.95%	
Capital Outlay-Building	8,759	10,000	10,000	0	10,000	1,241	87.59%	
Long Term Debt	127,751	128,000	128,000	0	128,000	249	99.81%	
Allocation of Fringe/Indirect Reserve for Operation Expense		0	0	0	0	0		
		637,988	637,988	0	637,988	637,988		
Total Cash Outlays	3,601,187	3,672,533	3,839,167	540,439	4,379,606	778,419	82.23%	
Net Income/(Loss)	34,514	0	0	0	0	0		

NEP
Budget vs. Actual
For the month ending September 30, 2010

	CHNEP Actual	CHNEP Adopted Budget	NEP Amended Budget	CHNEP Requested Amendments	CHNEP Amended Budget	CHNEP VARIABLE	91.67%	CHNEP Comments
Revenues								
Membership Dues	1,006,876	963,700	963,700	270,439	1,234,139	227,263	81.59%	
Federal/State/Local Grants		0	0		0	0		
Dir/Monitoring Fees		0	0		0	0		
Interest And Miscellaneous		0	0		0	0		
Carry Over Fund Balance		0	0		0	0		
Total Income	1,006,876	963,700	963,700	270,439	1,234,139	227,263		
Expenditures								
Direct:								
Salaries								
FICA								
Retirement								
Health Insurance								
Workers Compensation								
Total Personnel								
Consultant Fees	368,034	121,250	121,250	270,439	391,689	23,655	93.96%	
NEP Contractual	0				0	0		
MPO Contractual	0				0	0		
Audit Fees	14,397	15,000	15,000	2,400	17,400	3,003	82.74%	
Travel	422	700	700		700	278	60.31%	
Telephone	21,696	20,000	20,000	6,000	26,000	4,304	83.45%	
Postage	103	1,000	103		103	0	100.00%	
Storage Space Rental	0	200	200		200	200	0.00%	
Equipment Rental	551	897	897		897	346	61.39%	
Insurance	0				0	0		
Repair/Maintenance	50,368	60,000	60,000		60,000	9,632	83.95%	
Printing/Reproduction	0				0	0		
Utilities (Elec. Gas, Water)	53	550	550		550	497	9.69%	
Advertising	0	500	500		500	500	0.00%	
Other Miscellaneous	2,716	3,000	3,000		3,000	284	90.54%	
Office Supplies	30	4,000	4,000		4,000	3,970	0.75%	
Computer Related Expenses	25	500	500		500	475	5.00%	
Publications	6,901	7,000	7,000	1,900	8,900	1,999	77.53%	
Professional Development	13,774	30,000	30,000	-4,300	25,700	11,926	53.60%	
Meetings/Events	0	15,000	15,000	-6,000	9,000	9,000	0.00%	
Capital Outlay-Operations	0				0	0		
Capital Outlay-Building	0				0	0		
Long Term Debt								
Allocation of Fringe/Indirect	295,495	335,000	335,000		335,000	39,505		
Reserve for Operation Expense								
Total Cash Outlays	1,006,876	963,700	963,700	270,439	1,234,139	227,263	81.59%	
Net Income/(Loss)								

MPO
Budget vs. Actual
For the month ending September 30, 2010

	MPO Actual	MPO Adopted Budget	MPO Amended Budget	MPO Requested Amendments	MPO Amended Budget	MPO VARIABLE	91.67%	MPO Comments
Revenues								
Membership Dues	981,107	0	936,812	0	0	157,705	86.15%	
Federal/State/Local Grants		770,178		202,000	1,138,812			
Dr/Monitoring Fees		0	0		0	0		
Interest And Miscellaneous		0	0		0	0		
Carry Over Fund Balance		0	0		0	0		
Total Income	981,107	770,178	936,812	202,000	1,138,812	157,705		
Expenditures								
Direct:								
Salaries								
FICA								
Retirement								
Health Insurance								
Workers Compensation								
Total Personnel								
Consultant Fees	0				0	0		
NEP Contractual	0				0	0		
MPO Contractual	415,706	58,683	222,317	200,300	422,617	6,911	98.36%	
Audit Fees	0				0	0		
Travel	3,011	8,000	8,000		8,000	4,989	37.64%	
Telephone	751	3,000	3,000		3,000	2,249	25.02%	
Postage	3,694	5,000	5,000		5,000	1,306	73.88%	
Storage Space Rental	0				0	0		
Equipment Rental	0				0	0		
Insurance	0				0	0		
Repair/Maintenance	0				0	0		
Printing/Reproduction	974	6,500	6,500		6,500	5,526	14.99%	
Utilities (Elec, Gas, Water)	0				0	0		
Advertising	17,292	7,500	10,000	4,500	14,500	-2,792	119.25%	
Other Miscellaneous	46	500	500		500	454	9.11%	
Office Supplies	837	5,000	5,000	-4,000	1,000	163	83.70%	
Computer Related Expenses	2,405	2,000	2,000	1,200	3,200	795	75.17%	
Publications	0	1,500	1,500		1,500	1,500	0.00%	
Professional Development	1,093	1,500	2,000		2,000	908	54.63%	
Meetings/Events	676	2,000	2,000		2,000	1,324	33.79%	
Capital Outlay-Operations	2,253	3,000	3,000		3,000	747	75.10%	
Capital Outlay-Building	0				0	0		
Long Term Debt	0				0	0		
Allocation of Fringe/Indirect Reserve for Operation Expense	298,051	365,995	365,995		365,995	67,944		
Total Cash Outlays	981,107	770,178	936,812	202,000	1,138,812	157,705	86.15%	
Net Income/(Loss)								

Regional Planning Council
Budget vs. Actual
For the month ending September 30, 2010

	Total RPC Actual	RPC Adopted Budget	RPC Amended Budget	RPC Requested Amendments	RPC Amended Budget	RPC VARIABLE	91.67%	RPC Comments
Revenues								
Membership Dues	470,552	470,552	470,552		470,552	0	100.00%	
Federal/State/Local Grants	855,301	600,115	600,115	46,000	646,115	-209,186	132.38%	
Drift/Monitoring Fees	311,759	200,000	200,000	22,000	222,000	-89,759	140.43%	
Interest And Miscellaneous	10,107	30,000	30,000		30,000	19,893	33.69%	
Carry Over Fund Balance		637,988	637,988		637,988	637,988	0.00%	
Total Income	1,647,719	1,938,655	1,938,655	68,000	2,006,655	358,936	82.11%	
Expenditures								
Direct:								
Salaries				35,000				
FICA				1,000				
Retirement				10,000				
Health Insurance								
Workers Compensation								
Total Personnel								
Consultant Fees	33,118	40,000	40,000		40,000	6,882	82.80%	
NEP Contractual	0	0	0		0	0		
MPO Contractual	0	0	0		0	0		
Audit Fees	43,116	47,000	47,000		47,000	3,884	91.74%	
Travel	28,292	25,000	25,000	4,000	29,000	708	97.56%	
Telephone	10,780	9,000	9,000	1,000	10,000	-780	107.80%	
Postage	2,549	5,000	4,000		4,000	1,451	63.73%	
Storage Space Rental	121	2,000	121		121	0	100.00%	
Equipment Rental	33,341	35,000	35,000		35,000	1,659	95.26%	
Insurance	24,941	35,000	33,200		33,200	8,259	75.12%	
Repair/Maintenance	18,180	20,000	20,000		20,000	1,820	90.90%	
Printing/Reproduction	863	8,000	4,000		4,000	3,137	21.57%	
Utilities (Elec. Gas, Water)	22,955	25,000	25,000		25,000	2,045	91.82%	
Advertising	2,978	2,000	2,300	700	3,000	22	99.25%	
Other Miscellaneous	2,336	1,000	2,500		2,500	164	93.44%	
Office Supplies	14,821	15,000	15,000		15,000	179	98.80%	
Computer Related Expenses	42,352	32,000	32,000	6,300	38,300	-4,052	110.58%	
Publications	1,631	2,000	2,000		2,000	369	81.57%	
Professional Development	28,511	25,000	30,000		30,000	1,489	95.04%	
Meetings/Events	7,849	12,000	12,000		12,000	4,151	65.40%	
Capital Outlay-Operations	19,742	20,000	9,000	10,000	19,000	-742	103.90%	
Capital Outlay-Building	8,759	10,000	10,000		10,000	1,241	87.59%	
Long Term Debt	127,751	128,000	128,000		128,000	249	99.81%	
Allocation of Fringe/Indirect	-593,546	-700,995	-700,995		-700,995	-107,449	84.67%	
Reserve for Operation Expense		637,988	637,988		637,988	637,988		
Total Cash Outlays	1,613,205	1,938,655	1,938,655	68,000	2,006,655	393,450	80.39%	
Net Income/(Loss)	34,514	0	0	0	0	0		

Regional Planning Council
Budget vs. Actual
For the month ending September 30, 2010

	DCA	HMEP/SQG/ EMERG	Economic Developmt.	Hurricane Evac/Sea Level Rise	TDs	DRIs/ NOPCs	Other Contracts	Total RPC Special Rev.	General	Empl.Bene.	Total RPC General	Total RPC Actual
Revenues												
Membership Dues	249,582	64,871	91,603	36,874	60,189	311,759	352,181	0	470,552		470,552	470,552
Federal/State/Local Grants								855,301				855,301
Dr/Monitoring Fees						311,759		311,759				311,759
Interest And Miscellaneous								0	10,107		10,107	10,107
Carry Over Fund Balance								0			0	0
Total Income	249,582	64,871	91,603	36,874	60,189	311,759	352,181	1,167,060	480,659	0	480,659	1,647,719
Expenditures												
Direct:												
Salaries												
FICA												
Retirement												
Health Insurance												
Workers Compensation												
Total Personnel												
Consultant Fees	0	19,765	0	0	0	0	4,383	24,148	8,970	0	8,970	33,118
NEP Contractual	0	0	0	0	0	0	0	0	0	0	0	0
MPO Contractual	0	0	0	0	0	0	0	0	0	0	0	0
Audit Fees	0	0	0	0	0	0	0	0	43,116	0	43,116	43,116
Travel	1,895	7,281	74	90	0	141	4,760	14,241	14,050	0	14,050	28,292
Telephone	0	0	0	0	0	0	0	0	10,780	0	10,780	10,780
Postage	92	108	138	51	460	65	156	1,070	1,479	0	1,479	2,549
Storage Space Rental	0	0	0	0	0	0	0	0	121	0	121	121
Equipment Rental	0	0	0	0	0	0	0	0	33,341	0	33,341	33,341
Insurance	0	0	0	0	0	0	0	0	24,941	0	24,941	24,941
Repair/Maintenance	0	0	0	0	0	0	0	0	18,180	0	18,180	18,180
Printing/Reproduction	14	105	27	0	118	25	322	611	252	0	252	863
Utilities (Elec, Gas, Water)	0	0	0	0	0	0	0	0	22,955	0	22,955	22,955
Advertising	124	0	0	0	1,781	0	50	1,955	1,022	0	1,022	2,978
Other Miscellaneous	0	0	0	0	0	0	1,624	1,624	712	0	712	2,336
Office Supplies	0	132	0	118	0	0	809	1,058	13,762	0	13,762	14,821
Computer Related Expenses	0	0	0	0	0	0	1,299	1,299	41,053	0	41,053	42,352
Publications	68	0	0	0	0	0	318	386	1,246	0	1,246	1,631
Professional Development	1,555	30	2,350	0	0	0	584	4,519	23,993	0	23,993	28,511
Meetings/Events	0	600	225	0	0	0	5,469	6,295	1,554	0	1,554	7,849
Capital Outlay-Building	0	0	0	0	0	0	3,528	3,528	16,214	0	16,214	19,742
Capital Outlay-Building	0	0	0	0	0	0	0	0	8,759	0	8,759	8,759
Long Term Debt	0	0	0	0	0	0	0	0	127,751	0	127,751	127,751
Allocation of Fringe/Indirect	143,362	22,725	49,709	27,145	32,405	176,241	174,624	626,211	-1,219,757	0	-1,219,757	-593,546
Reserve for Operation Expense												
Total Cash Outlays	259,817	68,612	91,603	48,745	60,241	315,028	349,247	1,193,294	-338,716	758,627	419,911	1,613,205
Net Income/(Loss)												34,514

Southwest Florida Regional Planning Council
For the month ending September 30, 2010

Net Income/Loss Statement

	Prior Period	Amended Budget	Current Period	Current Period as % of Rev/Exp	% Change from Prior Period	% of Budget
Revenue						
DCA - GENERAL	192,543		214,049			
DCA - TITLE III	26,704		35,533			
SALT MARSH LANDS	52,204		55,195			
WETLANDS	170,185		194,654			
ECONOMIC DEVELOP.	79,761		91,603			
HMEP-PLANNING and TRAINING	55,771		55,771			
SQG	9,100		9,100			
TD GLADES/HENDRY	30,335		34,613			
TD LEE	21,608		25,577			
HURRICANE EVACUATION	36,874		36,874			
RTIC REVIEW & TEP	11,248		14,201			
COML-EDICS / FIN-MARC / RDSTF / W-S / EDWARDS	20,881		20,881			
TOD						
CLIMATE VULNERABILITY	42,758		47,379			
CLIMATE RESILIENCY						
PEOPLE, PROSPERITY & PRESERVATION, PG EAR	13,950		19,871			
TOTAL FEDERAL/STATE/LOCAL GRANTS (RPC)	763,922	646,115	855,301	23.5%	12.0%	132.4%
DRIs/NOPCs - DRI MON.	282,168	222,000	311,759	8.6%	10.5%	140.4%
ASSESSMENTS & MISC INC.	478,735	500,552	480,659	13.2%	0.4%	96.0%
CHNEP	847,270	1,234,139	1,006,876	27.7%	18.8%	81.6%
MPO	818,202	1,138,812	981,107	27.0%	19.9%	86.2%
Total Revenue	3,190,297	3,741,618	3,635,702	100.0%	14.0%	97.2%

Operating Expenses (all 3 entities-RPC,MPO,NEP)

Salaries and Fringe (all personnel)	1,902,497	2,212,541	2,198,395	61.0%	15.6%	99.4%
Consultant Fees	21,803	40,000	33,118	0.9%	51.9%	82.8%
NEP Contractual	273,900	391,689	368,034	10.2%	34.4%	94.0%
MPO Contractual	319,303	422,617	415,706	11.5%	30.2%	98.4%
Audit Fees	43,116	47,000	43,116	1.2%	0.0%	91.7%
Travel	41,454	54,400	45,700	1.3%	10.2%	84.0%
Telephone	9,478	13,700	11,953	0.3%	26.1%	87.2%
Postage	26,526	35,000	27,940	0.8%	5.3%	79.8%
Storage Unit Rental	224	224	224	0.0%	0.0%	100.0%
Equipment Rental	29,683	35,200	33,341	0.9%	12.3%	94.7%
Insurance	25,492	34,097	25,492	0.7%	0.0%	74.8%
Repair/Maintenance	17,861	20,000	18,180	0.5%	1.8%	90.9%
Printing/Reproduction	48,608	70,500	52,205	1.4%	7.4%	74.0%
Utilities (Gas,Water, Garb.)	19,866	25,000	22,955	0.6%	15.5%	91.8%
Advertising	15,498	18,050	20,322	0.6%	31.1%	112.6%
Other Miscellaneous	2,382	3,500	2,382	0.1%	0.0%	68.0%
Office Supplies	16,807	19,000	18,374	0.5%	9.3%	96.7%
Computer Related Exps.	37,620	45,500	44,788	1.2%	19.1%	98.4%
Publications	1,440	4,000	1,656	0.0%	15.1%	41.4%
Professional Development	35,767	40,900	36,504	1.0%	2.1%	89.3%
Meetings/Events	21,541	39,700	22,298	0.6%	3.5%	56.2%
Capital Outlay-Operations	6,070	31,000	21,995	0.6%	262.4%	71.0%
Capital Outlay-Building	0	10,000	8,759	0.2%	#DIV/0!	87.6%
Long Term Debt	117,105	128,000	127,751	3.5%	9.1%	99.8%
Total Operating Expenses	3,034,040	3,741,618	3,601,187	100.0%	18.7%	96.2%
Net Income or (loss)	156,257	0	34,514			

OVERALL VIEW OF ESTABLISHED ACTIVE GRANTS INCLUDING MPO AND CHNEP

Agency / Contract #	PROJECT NAME	CDFA/ CSFA	GRANT PERIOD	FEDERAL	STATE	OTHER or MATCH	TOTAL	TOTAL SPENT	BALANCE
DCA 10-DR-BS-13-00-21-009	DCA - GENERAL	52-006	7/1/09 - 6/30/10		221,640		221,640	229,138	-7,498
DCA 10-CP-04-13-00-21-021	DCA - TITLE III	52-006	7/1/09 - 6/30/10		40,909		40,909	43,646	-2,737
DCA 11-DR-CC-13-00-21-009	DCA - GENERAL	52-006	7/1/10 - 6/30/11		221,341		221,341	55,738	165,603
DCA 10-CP-03-13-00-21-087	DCA - TITLE III	52-006	7/1/10 - 6/30/11		40,909		40,909	27,694	13,215
EPA CD95450310	SALT MARSH LANDS	66-456	10/1/09 - 6/30/12	299,725			299,725	55,195	244,530
EPA CD96484907	WETLANDS	66-456	10/1/07 - 12/31/10	470,494			470,494	387,676	82,818
EDA 04-83-06028 (w/match)	ECONOMIC DEVELOP.	11-300	1/1/08 - 12/30/10	179,189	76,795		255,984	181,031	74,953
DEM 09-DT-04-13-00-21-300	HMEP-PLANNING	20-703	10/1/09 - 09/30/10	19,500			19,500	19,761	-261
DEM 09-DT-04-13-00-21-300	HMEP-TRAINING	20-703	10/1/09 - 09/30/10	34,546			34,546	36,666	-2,120
GLADES HW440	SOQ	N/A	10/1/09 - 09/30/10		9,100		9,100	12,185	-3,085
TD APJ53	TD GLADES/HENDRY	55-002	7/1/09 - 6/30/10		35,106		35,106	35,121	-15
TD APJ60	TD LEE	55-002	7/1/09 - 6/30/10		29,576		29,576	29,613	-37
TD AQ064	TD GLADES/HENDRY	55-002	7/1/10 - 6/30/11		35,137		35,137	6,121	29,016
TD AQ055	TD LEE	55-002	7/1/10 - 6/30/11		29,702		29,702	4,623	25,079
07-HS-32-13-00-21-355	HURRICANE EVACUATION	97-039	3/07 - 06/10		264,225		264,225	276,096	-11,871
COLLIER PO # 4500105936	COLLIER LMS	N/A	2009				20,000	34,394	-14,394
GLADES GLADES EMERG.MGMT.	GLADES LMS	N/A	10/08 - 12/09				27,000	27,081	-81
NERPC PO # 142	RTC REVIEW & TEP	N/A	8/31/09 - 6/30/10				27,758	14,809	12,949
NERPC PO # 194/305/334/332	COML-EDICS / FIN-MARC / ROSTF / WIS / EDWARDS	N/A	11/09 - 09/10				170,700	21,955	148,745
LEE PO # 204388 + Spon.	TRANSIT ORIENTED DEV.	N/A	12/09 - 04/10				11,300	11,931	-631
LEE PO # 204715	CLIMATE VULNERABILITY	N/A	01/10 - 03/10				20,000	20,332	-332
LEE PO # 204716	CLIMATE RESILIENCY	N/A	01/10 - 09/10				30,000	16,079	13,921
LOCAL GCCF GRANT # 20092864 PO 42845.	PEOPLE, PROSPERITY & PRESERVATION, PG EAR	N/A	10/1/09 - 12/31/10				40,100	17,267	22,833
EPA CE96457406-4	CHNEP	66-456	10/1/06 - 9/30/10	1,234,139			1,234,139	1,006,876	227,263
FHA/US DOT THRU FDOT 420869-1-14-01-0261 (47)	MPO	20-205	7/1/10 - 6/30/11	824,304			982,357	298,998	683,359
416340-1-14-01-0261 (46)	MPO	20-205	7/1/09 - 6/30/10	1,279,962			1,279,962	1,067,372	212,590
FEE BASED	DRIs/NOPCs - DRI MON.	N/A	Fiscal Year				311,759	315,028	-3,269

The above figures are each grant from **inception** to date. The total spent is that amount over the **life** of the grant.

Not all grants are aligned with our fiscal year. Some are multi-year, some are annual grants, but on a different fiscal year than that of the SWFRPC as indicated in the 'GRANT PERIOD' column.

SWFRPC
Account Reconciliation

As of Aug 31, 2010

101000 - Cash - Bank of America Oper.

Bank Statement Date: August 31, 2010

Filter Criteria includes: Report is printed in Detail Format.

Beginning GL Balance		32,878.10
Add: Cash Receipts		392,725.02
Less: Cash Disbursements		(138,979.89)
Add (Less) Other		<u>(55,556.71)</u>
Ending GL Balance		<u>264,121.93</u>
Ending Bank Balance		265,743.51
Add back deposits in transit		
Total deposits in transit		
(Less) outstanding checks		
	Mar 1, 2010 41644	(44.50)
	Mar 1, 2010 41672	(55.18)
	Jun 1, 2010 41932	(133.20)
	Jun 30, 2010 42022	(51.62)
	Jun 30, 2010 42041	(18.69)
	Jul 29, 2010 42079	(250.00)
	Jul 29, 2010 42081	(250.00)
	Jul 29, 2010 42093	(171.38)
	Aug 20, 2010 42135	(500.68)
	Aug 20, 2010 42143	(91.76)
	Aug 20, 2010 42152	<u>(54.57)</u>
Total outstanding checks		(1,621.58)
Add (Less) Other		
Total other		
Unreconciled difference		<u>0.00</u>
Ending GL Balance		<u><u>264,121.93</u></u>

SWFRPC
General Ledger

For the Period From Aug 1, 2010 to Aug 31, 2010

Filter Criteria includes: 1) IDs from 101002 to 101006B. Report order is by ID. Report is printed with shortened descriptions and in Summary By Period Format.

Account ID Account Description	Date	Trans Description	Debit Amt	Credit Amt	Balance
101002	8/1/10	Beginning Balance			450,000.00
Cash - Iberia		Current Period Change	1,906.48		1,906.48
	8/31/10	Ending Balance			451,906.48
101006	8/1/10	Beginning Balance			54,467.61
Cash - FL Local Gov't Pool		Current Period Change	830.34		830.34
	8/31/10	Ending Balance			55,297.95
101006B	8/1/10	Beginning Balance			10,367.94
Cash - FL Gov't Pool-Fund		Current Period Change	592.26	797.56	-205.30
	8/31/10	Ending Balance			10,162.64

SWFRPC GRANTS SUBMITTED									
Name of Project	SWFRPC Mission Implemented	Funding Source	\$\$ requested for RPC staff	Total Request	Inkind or Match	Total value of project	Date Grant Submitted	Project Award Date/Length of Grant	Lead
Sustainable Broadband Adoption	SWFRPC	NARC/NTIA	\$240,732	\$400,000	\$38,940	\$4,056,544	3/15/2010	6/10 - 8/10 & 18 months	Jennifer & Nichole
Source Reduction Assistance Grant	SWFRPC	EPA	\$27,000		\$0	\$65,000	2/2/2010	TBA	John Gibbons
Mapping Sustainability Indicators in the Western Everglades Using Geospatial and Information Technologies	CHNEP CCMP, SWFRPC SSRP	NSF	\$51,562	?	?	?	Feb-10	TBA/3 years	Liz/ partnership with FGCU/RPC would be sub-contractor
North Spreader Eco-System Management Area	SWFRPC, FSU		\$2,500 per quarter			\$10,000.00		June 2010/2 years	Dave Hutchinson
Coastal Shoreline Stewardship, Education and Outreach	CHNEP	FDEP	\$0	\$29,980.00	\$31,848.00	\$61,828.00		recommended for funding, should know for sure by July 1, 2010	Liz
HUD Sustainable Communities Planning Grant	SWFRPC	HUD, EPA, FDOT	\$2,555,795	\$4,215,037	\$4,183,577.00	\$8,398,614	8/23/2010	TBA/3 years	Liz, Jennifer & Nichole

Name of Project	SWFRPC Mission Implemented	Funding Source	\$\$ requested for RPC staff	Total Request	Inkind or Match	Total value of project	Date Grant Submitted	Project Award Date/Length of Grant	Lead
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Agenda

Item

3c

4th Quarter Executive Summary

3c

3c

Southwest Florida Regional Planning Council Executive Director's Summary Fourth Quarter ending September FY 2010

In the midst of the economic adversity, the Southwest Florida Regional Planning Council continued to work diligently to balance all of our programs. The goal for FY 2009/2010 was to move forward with a sharp eye, have a conservative approach, and to secure the reserve balance for the future of the Southwest Florida Regional Planning Council.

As of September 30, 2010 the overall budget spent was 82.23 %. The goal for the FY 2009/2010 was achieved, resulting in a Net Income (unaudited) for the Southwest Florida Regional Planning Council.

➤ Revenues year to date	\$ 3,635,702
➤ Expenses year to date	\$ 3,601,187
➤ Net Income year to date	\$ 34,514
➤ Reserve balance	\$644,000.00,

SWFRPC staff conducted a wide range of services through grants, contracts and/or interagency agreements this quarter, including assisting the Charlotte Harbor National Estuary Program (CHNEP) and the Lee County Metropolitan Planning Organization (LEE MPO). Grants, contracts and or interagency agreements this quarter include:

- Developments of Regional Impact applicants.
- Technical Assistance to local jurisdictions and other agencies.
- U.S. Environmental Protection Agency:
 - A Watershed Analysis of Permitted Coastal Wetland Impacts and Mitigation Methods within the Charlotte Harbor National Estuary Program Study Area.
 - Climate Change Vulnerability Assessment and Adaptation Opportunities for Salt Marsh Types in Southwest Florida.
- U.S. Economic Development Administration:
 - Economic Development District.

- Florida Department of Community of Affairs:
 - Comprehensive Plan Reviews.
 - Intergovernmental Coordination & Review.
- Florida Division of Emergency Management and U.S. Department of Homeland Security:
 - Statewide Hurricane Evacuation Study.
 - Local Emergency Planning Committee/Hazmat Training.
 - Tactical Interoperability Communications Planning, Training and Exercises.
- Collier, Glades, Hendry and Lee Counties:
 - Local Mitigation Strategies.
 - Climate Change Vulnerability and Resiliency Planning.
- City of Punta Gorda:
 - Evaluation and Appraisal Report and Mobility Planning.

The economic slowdown presented a challenge to the SWFRPC's ability to plan and forecast revenue to meet both the public and staff needs. Staff remained very prudent and sensible this final quarter balancing available revenue with program costs. The Budget Committee of the Southwest Florida Regional Planning Council was actively involved in providing guidance.

_____ Agenda
_____ Item

4

ADMINISTRATIVE
ISSUES

4

4

_____ Agenda
_____ Item

4a

2011 Nominating Committee for
Election of Officers

4a

4a

NOMINATIONS COMMITTEE

Section 29I-1.005 of the Rules of the Southwest Florida Regional Planning Council provides:

- "(1) The regular January monthly meeting shall be the Annual Meeting for conducting business and electing.....officers.
- (2) A Nominating Committee comprised of at least three Council Members, each from a different county, shall be appointed by the Chairman at the regular December meeting of the Council for the purpose of proposing candidates for all offices for the following year."

RECOMMENDED ACTION:

Authorize the Chair to appoint a Nominating Committee.

10/10

_____ Agenda
_____ Item

4b

Lower West Coast Watersheds
Implementation Committee
Report

4b

4b

Lower West Coast Watershed Implementation Committee Report

The Lower West Coast Watershed Implementation Committee (LWCWIC) is reviewing the newest draft of the Model Ordinance for Florida-Friendly Use of Fertilizer on Urban Landscapes (August 2010) and the newest drafts of the Statewide Stormwater Rule and Applicant Handbook.

In addition to rule review the major project of the LWCWIC this year will be implementation of the SWFRPC Stormwater Resolutions in Development of Regional Impact review, Regional Policy Plan review, and assistance to local governments in the EAR process. This will achieve improved water quality, water conservation benefits, energy benefit and habitat enhancements for the Region.

Chairman Denham will discuss the activities and goals for the committee.

**MODEL ORDINANCE FOR
FLORIDA-FRIENDLY USE OF FERTILIZER ON URBAN LANDSCAPES
(AUGUST 2010)**

1. FINDINGS

As a result of impairment to (MUNICIPALITY / COUNTY)'S surface waters caused by excessive nutrients, or, as a result of increasing levels of nitrogen in the surface and/or ground water within the aquifers or springs within the boundaries of (municipality/county), the governing body of (municipality / county) has determined that the use of fertilizers on lands within (municipality / county) creates a risk to contributing to adverse effects on surface and/or ground water. Accordingly, the governing board of (municipality/county) finds that management measures [*Guidance: optional "additional management measures than are otherwise"*] contained in the most recent edition of the "Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008," may be required by this ordinance.

2. PURPOSE AND INTENT

This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of Commercial and Institutional Fertilizer Applicators; establishes training and licensing requirements; establishes a Prohibited Application Period; specifies allowable fertilizer application rates and methods, fertilizer-free zones, low maintenance zones, and exemptions. The Ordinance requires the use of Best Management Practices which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers. These secondary and cumulative effects have been observed in and on (MUNICIPALITY / COUNTY)'s natural and constructed stormwater conveyances, rivers, creeks, canals, springs, lakes, estuaries and other water bodies. [*Guidance: as appropriate*] Collectively, these water bodies are an asset critical to the environmental, recreational, cultural and economic well-being of (MUNICIPALITY / COUNTY) residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, will help improve and maintain water and habitat quality.

3. DEFINITIONS

For this Article, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise.

"Administrator" means the (MUNICIPALITY / COUNTY) Administrator, or an administrative official of (MUNICIPALITY / COUNTY) government designated by the City/County Administrator to administer and enforce the provisions of this Article.

"Application" or "Apply" means the actual physical deposit of fertilizer to turf or landscape plants.

“Applicator” means any Person who applies fertilizer on turf and/or landscape plants in (MUNICIPALITY / COUNTY).

“Board or Governing Board” means the Board of City/County Commissioners of (MUNICIPALITY / COUNTY), Florida.

“Best Management Practices” means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

“Code Enforcement Officer, Official, or Inspector” means any designated employee or agent of (MUNICIPALITY / COUNTY) whose duty it is to enforce codes and ordinances enacted by (MUNICIPALITY / COUNTY).

“Commercial Fertilizer Applicator”, except as provided in 482.1562(9) F.S., means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicator.

“Fertilize,” “Fertilizing,” or “Fertilization” means the act of applying fertilizer to turf, specialized turf, or landscape plants.

“Fertilizer” means any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

“Guaranteed Analysis” means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

“Institutional Applicator” means any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners, managers or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.

“Landscape Plant” means any native or exotic tree, shrub, or groundcover (excluding turf).

“Low Maintenance Zone” means an area a minimum of ten (10) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.

“Person” means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.

“Prohibited Application Period” means the time period during which a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of (CITY/COUNTY), issued by the National Weather Service, or if heavy rain¹ is likely.

“(MUNICIPALITY / COUNTY) Approved Best Management Practices Training Program” means a training program approved per 403.9338 F.S., or any more stringent requirements set forth in this Article that includes the most current version of the Florida Department of Environmental Protection’s “*Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008*,” as revised, and approved by the (MUNICIPALITY / COUNTY) Administrator.

"Saturated soil" means a soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this ordinance, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water. *[Guidance: Some have questioned the enforceability of practical field definitions which should be considered before adoption.]*

“Slow Release,” “Controlled Release,” “Timed Release,” “Slowly Available,” or “Water Insoluble Nitrogen” means nitrogen in a form which delays its availability for plant uptake and use after application, or which extends its availability to the plant longer than a reference rapid or quick release product.

“Turf,” “Sod,” or “Lawn” means a piece of grass-covered soil held together by the roots of the grass.

"Urban landscape" means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants. For the purposes of this section, agriculture has the same meaning as in s. 570.02.

4. APPLICABILITY

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer within the area of (MUNICIPALITY / COUNTY), unless such applicator is specifically exempted by the terms of this Ordinance from the regulatory provisions of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

[Guidance: In 403.9336, the Legislature further finds that local conditions, including variations in the types and quality of water bodies, site-specific soils and geology, and urban or rural densities and

¹ World Meteorological Organization definition of heavy rain: Rainfall greater than or equal to 50 mm (2 inches) in a 24 hour period. <http://severe.worldweather.org/rain/>, and forecast keyword “likely”, http://www.wrh.noaa.gov/sew/MediaGuide/TermsOutlooks_Watches_Warnings.pdf.

characteristics, may necessitate the implementation of additional or more stringent fertilizer management practices at the local government level. Local government may adopt additional or more stringent provisions to the model ordinance as provided in 403.9337(2). However, the local government should consider the disadvantages of confusing jurisdictional differences and should clearly demonstrate they meet the required criteria:

(2) Each county and municipal government located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to s. 403.067, shall, at a minimum, adopt the department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes. A local government may adopt additional or more stringent standards than the model ordinance if the following criteria are met:

- (a) The local government has demonstrated, as part of a comprehensive program to address nonpoint sources of nutrient pollution which is science based, and economically and technically feasible, that additional or more stringent standards than the model ordinance are necessary in order to adequately address urban fertilizer contributions to nonpoint source nutrient loading to a water body.
- (b) The local government documents that it has considered all relevant scientific information, including input from the department, the institute, the Department of Agriculture and Consumer Services, and the University of Florida Institute of Food and Agricultural Sciences, if provided, on the need for additional or more stringent provisions to address fertilizer use as a contributor to water quality degradation. All documentation must become part of the public record before adoption of the additional or more stringent criteria.]

[**Guidance:** Florida Statutes 125.568(3), 166.048(3), 373.185(3), 720.3075(4), and others provide that a local ordinance, deed restriction or covenant may not prohibit or be enforced so as to prohibit any property owner from implementing Florida-friendly landscaping on his or her land or create any requirement or limitation in conflict with any provision of part II of this chapter {373} or a water shortage order, other order, consumptive use permit, or rule adopted or issued pursuant to Chapter 373 part II.]

[**Guidance:** Florida Statutes 482.156 and 482.1562. Neither the Limited Commercial Landscape Maintenance Certification Program nor the Limited Certification for Urban Landscape Commercial Fertilizer Application allows landscape maintenance workers to make any kind of pesticide applications (including weed control and/or weed and feed products) to any turf areas.]

[**Guidance:** Florida Statutes 482.242, and 487.051 (2), F.S. Regulation of pest control businesses and applicators, and of pesticide use, is preempted to the Florida Department of Agriculture and Consumer Services (FDACS and suspected pesticide misuse should be reported to FDACS.

5. TIMING OF FERTILIZER APPLICATION

No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period, or to saturated soils.

[**Guidance:** One of the most controversial issues associated with recent fertilizer ordinances enacted by local governments is the definition of the Prohibited Application Period. Some ordinances have prohibited the application of fertilizer, even slow release formulations, during the summer rainy season, typically June 1 to September 30. The reasoning is that rain occurs frequently, saturating the soil, leading to more runoff. Saturated soils are prone to runoff or leaching with little or no additional water, and pose a higher than normal risk until soil moisture capacity is restored. Fertilizer management is largely about keeping the

nitrogen and/or phosphorus in the root zone where it can be used by plants. Periods of heavy rainfall contribute to leaching, which is washing nutrients out of the root zone, and to runoff, especially in areas with compacted or bare soils and significant slope. Vegetative ground cover is important to minimizing erosion, filtering particulates, and incorporating or promoting the biological transformation of potential pollutants. Many variables influence the relationship between fertilizer rates, vegetation health and nutrient enrichment of surface and ground waters. Accordingly, sound science and carefully reasoned judgment are recommended in determining how to define the Prohibited Application Period.]

6. FERTILIZER FREE ZONES

Fertilizer shall not be applied within ten (10) feet of any pond, stream, watercourse, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, Florida Administrative Code) or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained. If more stringent (MUNICIPALITY / COUNTY) Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. Newly planted turf and/or landscape plants may be fertilized in this Zone only for a sixty (60) day period beginning 30 days after planting if need to allow the plants to become well established. Caution shall be used to prevent direct deposition of nutrients into the water. [**Guidance:** *This zone is a setback to prevent the applicator from inadvertently depositing fertilizer in the water while performing the application. It is not designed as a treatment buffer, and is to be adhered to as a fundamental environmental safety aspect of the applicator's job, regardless of the owner's desires. Some communities have existing residential setbacks of as little as 10 feet from water or seawall. Low maintenance zones, vegetated filter strips, and riparian buffers are strongly encouraged, but such activities are rightly a part of land use planning and may constitute taking if involuntarily applied to built-out properties. Local governments are encouraged to implement these low-impact development practices where feasible.*]

7. LOW MAINTENANCE ZONES

A voluntary ten (10) foot low maintenance zone is strongly recommended, but not mandated, from any pond, stream, water course, lake, wetland or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. If more stringent (MUNICIPALITY / COUNTY) Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. No mowed or cut vegetative material may be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone. [**Guidance:** *Care must be taken to ensure erosion of the surface soil does not occur. Excessive erosion may be a greater pollution hazard than occasional proper applications of fertilizer.*]

8. FERTILIZER CONTENT AND APPLICATION RATES

[**Guidance:** *RULE 5E-1.003(2)(d), F.A.C contains the following provisions for golf courses, parks and athletic fields. As such, no additional specific requirements are included for these types of urban turf. The appropriate Best Management Practices listed below must be followed on such sites for nutrient management activities:*

(d) Fertilizers labeled for sports turf at golf courses, parks and athletic fields shall:

1. Have directions for use not to exceed rates recommended in the document titled SL191 "Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant", dated March 2007, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Soil and Water Science Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611 or the following website: <http://edis.ifas.ufl.edu/SS404>.

2. Have directions for use in accordance with the recommendations in "BMP's for the Enhancement of Environmental Quality on Florida Golf Courses", published by the Florida Department of Environmental Protection, dated January 2007. Copies may be downloaded from <http://www.dep.state.fl.us/water/nonpoint/pubs.htm>.

Note that this does not exempt applicators at these sites from the required basic Green Industry BMP training. Information on this is located at http://fyn.ifas.ufl.edu/professionals/BMP_overview.htm. If other provisions of the ordinance are not appropriate for these sites, such exceptions should be noted.]

(a) Fertilizers applied to turf and/or landscape plants within (MUNICIPALITY / COUNTY) shall be formulated and applied in accordance with requirements and directions provided by Rule 5E-1.003(2), Florida Administrative Code, *Labeling Requirements For Urban Turf Fertilizers*.

(b) Fertilizer containing nitrogen or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first 30 days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevention Plan for that site.

(c) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in (a) above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test. [Guidance: Soil and tissue tests for phosphorus are normally done by UF/IFAS or another accredited laboratory. IFAS recommendations are available from the County Extension service or http://solutionsforyourlife.ufl.edu/lawn_and_garden/]

9. APPLICATION PRACTICES

- a. Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands.
- b. Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces.
- c. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.
- d. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.
- e. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

10. MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER

In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

11. EXEMPTIONS

The provisions set forth above in this Ordinance shall not apply to:

(a) bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14 Florida Statutes;

(b) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;

(c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

[Guidance: Limited waivers for special cases such as botanical gardens, etc. should not be considered as less stringent for the purposes of the model as a minimum requirement.]

12. TRAINING

(a) All commercial and institutional applicators of fertilizer within the (un)incorporated area of (MUNICIPALITY / COUNTY), shall abide by and successfully complete the six-hour training program in the “*Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries*” offered by the Florida Department of Environmental Protection through the University of Florida Extension “Florida-Friendly Landscapes” program, or an approved equivalent.

(b) Private, non-commercial applicators are encouraged to follow the recommendations of the University of Florida IFAS *Florida Yards and Neighborhoods* program when applying fertilizers.

[Guidance: A local government may establish a certification/education program for the institutional or private application of fertilizers indicating the completion of an education program for special local requirements not covered in the above programs. It is up to the local government to set a continuing education or renewal provision for these applicators. Persons with statewide FDACS commercial fertilizer certification cannot be required to submit to additional local testing after obtaining the FDACS certificate..]

13. LICENSING OF COMMERCIAL APPLICATORS

(a) Prior to 1 January 2014, all commercial applicators of fertilizer within the (un)incorporated area of (MUNICIPALITY / COUNTY), shall abide by and successfully complete training and continuing education requirements in the “*Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries*”, offered by the Florida Department of Environmental Protection through the University of Florida IFAS “Florida-

friendly Landscapes” program, or an approved equivalent program, prior to obtaining a (MUNICIPALITY / COUNTY) Local Business Tax Certificate for any category of occupation which may apply any fertilizer to turf and/or landscape plants. Commercial Fertilizer Applicators shall provide proof of completion of the program to the (MUNICIPALITY / COUNTY) Tax Collector’s office within 180 days of the effective date of this ordinance. *[Guidance: The ordinance is prospective only. Occasions may exist for a finite time where pre-existing contract terms mandate practices not in accordance with the BMPs. Such terms should be voided at contract expiration.]*

(b) After 31 December, 2013, all commercial applicators of fertilizer within the (un)incorporated area of (MUNICIPALITY / COUNTY), shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per 5E-14.117(18) F.A.C.

(c) All businesses applying fertilizer to turf and/or landscape plants (including but not limited to residential lawns, golf courses, commercial properties, and multi-family and condominium properties) must ensure that at least one employee has a “Florida-friendly Best Management Practices for Protection of Water Resources by the Green Industries” training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the (Municipality/ County) Tax Collector’s Office. *[Guidance: This is an example of an administrative enforcement mechanism. It may be modified to use other local mechanisms as appropriate].*

14. ENFORCEMENT

[Guidance: Local governments should consider making penalties consistent with their other fines and penalties.]

Funds generated by penalties imposed under this section shall be used by (Municipality/ County) for the administration and enforcement of section 403.9337, Florida Statutes, and the corresponding sections of this ordinance, and to further water conservation and nonpoint pollution prevention activities.



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Statewide Stormwater Treatment Rule Development



To address growing concerns about over-enrichment of Florida's surface waters, ground waters, and springs by nutrients, the Department and the Water Management Districts are developing a statewide stormwater treatment rule. This rule represents a significant step forward in the control of nutrient loadings from stormwater discharges.

A **Technical Advisory Committee** was established to assist the Department and Water Management District staffs in developing the first versions of the draft rule and Applicant's Handbook. The TAC met 10 times between March 2008 and September 2009 and provided invaluable assistance in evolving the first drafts. We will be using this web site and a mailing list to distribute information about the development of the stormwater rule and keep the public informed.

Rule Development Schedule - Revised September 27, 2010

- » TAC meetings March - November 2008
- » Develop revised Applicant's Handbook - December 2008 - June 2009
- » TAC meetings - July - September 2009
- » Develop revised Applicant's Handbook and draft rule - October 2009 - March 2010
- » Post revised AH and draft review on web site - Mid March 2010
- » **Rule workshops - May 2010** [Schedule / Locations / Recordings](#)
- » Comments due by June 18, 2010
- » Identify underdrain filtration and dry detention systems for nutrient removal effectiveness monitoring - July - August 2010
- » Obtain permission to monitor sites - September 2010
- » Conduct monitoring of sites - October 2010 to October 2011
- » Develop revised Applicant's Handbook and draft rule - January - March 2011 (tentative)
- » Post revised Applicant's Handbook and draft rule - April 2011
- » Conduct public workshops - May 2011
- » Comments due - June 2011
- » Rule adoption - no sooner than July 1, 2011, but more likely in Fall 2011
- » **Revised Draft Rule and Applicant's Handbook (March 2010)**
 - » **Draft Rule** Word (84 kb)
 - » **Draft Applicant's Handbook** PDF (16 MB)
 - » **PowerPoint Slides for Public Workshops** PDF (804 kb)
 - » Comments on the March draft rule and Applicant's Handbook will be due by June 18. Please submit comments via email to:
 - » Draft Rule: doug.fry@dep.state.fl.us
 - » Draft Applicant's Handbook: eric.livingston@dep.state.fl.us
 - » [Comments received on March Draft Applicant's Handbook](#)
 - » We are also seeking data and information on other stormwater treatment BMPs that are effective in reducing nutrient loads, especially in HSG C or D soils. Please submit to eric.livingston@dep.state.fl.us.
 - » **Technical Papers and Background Materials**
- » **Background**
- » **Statewide Stormwater Treatment Rule Interested Parties Mailing List Sign-up**
- » **TAC Meetings: agendas, minutes and presentations**
- » **Issue Work Groups**
- » **Links**
 - » [Evaluation of Current Stormwater Design Criteria Within the State of Florida - Final Report 2007](#) (PDF 4.6 mb)
 - » [Urban Stormwater Research Reports](#)
 - » [Urban Stormwater Program Overview](#)
 - » [University of Central Florida Stormwater Management Academy](#)
 - » [Devo Engineering](#)



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Environmental Resource Permitting (ERP) and Sovereign Submerged Lands (SSL) Rules

Statewide Stormwater Treatment Rule Development Documents

TAC Meeting Minutes and Presentations

TAC Meeting Locations and Topics

- » **TAC meeting #10, September 22 - 23**
 - » [Notice of Meeting](#)
 - » [Final Agenda](#)
 - » [Draft Rule and Definitions](#) (752 kb)
 - » [Final report - Wetlands Nutrient Concentrations](#) (1.4 MB)
 - » [Handbook Definitions](#) (75 kb)
 - » [Revised Technical Memo - Vegetation Community Groupings - September 2009](#) (30 kb)
 - » [Revised Chapter 18 Rainwater Harvesting](#) (299 kb)
 - » [Natural Vegetation Runoff Characteristics](#) (33.9 mb)
 - » [Minutes PDF](#) (192 kb)
 - » TAC Comments
 - » [Devo's Comments on Wet Detention](#) (222 kb)
 - » [David Carter Comments](#) (181 kb)
 - » [Comparison of Wet Detention Calculations - Type A Soils](#) (118 kb)
 - » [Comparison of Wet Detention Calculations - Type B Soils](#) (118 kb)
 - » [Comparison of Wet Detention Calculations - Type C Soils](#) (118 kb)
 - » [Comparison of Wet Detention Calculations - Type D Soils](#) (118 kb)
- » **TAC meeting #9, August 18 - 19**
 - » [Notice of Meeting](#)
 - » [Agenda PDF](#) (53 kb)
 - » [Minutes PDF](#) (142 kb)
 - » [Draft Rule](#) (403 kb)
 - » TAC Comments
 - » [Audubon Comment Letter PDF](#) (119 kb)
 - » [Devo Engineering Comments on July 2009 Draft Applicants Handbook \(Version 2\) PDF](#) (127 kb)
 - » [Evaluation of Retention Volumes and Loadings by Devo Engineering Inc.](#) (120 kb)
- » **TAC meeting #8, July 29 - 30**
 - » [Notice of Meeting PDF](#) (43 kb)
 - » [Agenda PDF](#) (60 kb)
 - » [Minutes PDF](#) (181 kb)
 - » [Revised Draft Applicant's Handbook PDF](#) (6 mb)
 - » Technical Memos
 - » [Anomalies in Retention Depths and Removal Efficiencies PDF](#) (145 kb)
 - » [Wet Detention in Series PDF](#) (128 kb)
 - » [Cascading Basins PDF](#) (42 kb)
 - » [CN Memo](#) (25 kb)
 - » [Example Scenarios Analysis and Assumptions PDF](#) (793 kb)
- » **TAC meeting #7, November 12, 2008**
 - » [Notice of Meeting PDF](#) (27 kb)
 - » [Agenda PDF](#) (36 kb)
 - » [Minutes PDF](#) (190 kb)
- » **TAC meeting #6, October 1 & 2, 2008**
 - » [Notice of Meeting PDF](#) (27 kb)
 - » [Agenda PDF](#) (55 kb)
 - » [Minutes PDF](#) (175 kb)
 - » [Wet Detention Systems Presentation PDF](#) (856 kb)
 - » [Legacy Pollutants and Altered Hydrology Issues PDF](#) (525 kb)
 - » [Urban Redevelopment Issues PDF](#) (591 kb)
 - » [Impacts of Natural Communities Monitoring Data PDF](#) (561 kb)
 - » TAC Comments
 - » [Urban Redevelopment & Infill LID Recommendations PDF](#) (128 kb)
 - » [Devo Comments on Redevelopment, Altered Hydrology and Legacy Pollutants PDF](#) (108 kb)
 - » [Devo Comments on Open Swales Design Criteria PDF](#) (67 kb)
 - » [Devo Comments on Wet Detention Design Criteria PDF](#) (132 kb)
- » **TAC Meeting #5, September 15 & 16, 2008**

- » [Notice of Meeting](#) PDF (26 kb)
- » [Agenda](#) PDF (45 kb)
- » [Minutes](#) PDF (364 kb)
- » [Low Impact Design BMPs](#) PDF (288 kb)
- » [Pervious Pavement Systems Presentation](#) PDF (22.4 mb)
- » [Pervious Pavement Design Aid Excel](#) (490 kb)
- » [Pervious Pavement Porosity](#) (132 KB)
- » [Green Roofs](#) PDF (3.0 mb)
- » [Stormwater Reuse](#) PDF (4.6 mb)
- » [Natural Communities Monitoring Project](#) PDF (9.6 mb)
- » [Karst Sensitive/Ground Water Protection Revisited](#)
 - » [Karst Sensitive Area Recommendations](#) PDF (10.4 MB)
 - » [Aquifer Vulnerability](#) PDF (10.4 MB)
- » TAC Comments
 - » [Devo Seereeram Reuse Comments](#) PDF (195 kb)
- » **TAC Meeting #4, July 9, 2008**
 - » [Agenda](#) PDF (34 kb)
 - » [Summary](#) PDF (85 kb)
 - » [Minutes](#) PDF (116 kb)
 - » [Wet Detention Issues Presentation](#) PDF (526 kb)
 - » [Wet Detention Systems Presentation](#) PDF (853 kb)
 - » [Use of Wetlands for Stormwater Treatment Presentation](#) PDF (1.0 mb)
 - » [Methodology List of Issues \(rev 07/08\)](#) PDF (24 kb)
 - » [Karst Sensitive/Ground Water Protection Issue Paper](#) PDF (48 kb)
 - » [Wet Detention Ponds Issue Paper](#) PDF (13 kb)
 - » TAC Comments
 - » [Statewide Stormwater Regulation Development: Conservancy of Southwest Florida](#) PDF (2.6 mb)
 - » [Memo to FDEP on Wet Detention Methodology](#) PDF (67 kb)
 - » [Memo to FDEP on Infiltration Modeling Methodology](#) PDF (113 kb)
 - » [Harper Methodology](#) (270 kb)
 - » [Littoral Zone](#) PDF (167 kb)
- » **TAC meeting #3, May 28, 2008**
 - » [Notice of Meeting](#) PDF (14 kb)
 - » [Agenda](#) PDF (24 kb)
 - » [Detailed Summary](#) PDF (63 kb)
 - » [Minutes](#) PDF (74 kb)
 - » [Statewide Stormwater Treatment Rule TAC Meeting May 28, 2008](#) PDF (90 kb)
 - » [Nitrogen Transport and Transformation Beneath Stormwater Infiltration Basins in Karst Areas, Marion County, Florida](#) PDF (5.3 mb)
 - » [Karst Sensitive Areas & Ground Water Protection](#) PDF (1.7 mb)
 - » [Statewide Stormwater Treatment Rule Methodology List of Issues](#) PDF (12 kb)
 - » [Retention Sinkhole Program](#) Winzip (24 mb)
- » **TAC meeting #2, April 16, 2008**
 - » [Notice of Meeting](#) PDF (11 kb)
 - » [Agenda](#) PDF (23 kb)
 - » [Detailed Summary](#) PDF (59 kb)
 - » [Minutes](#) PDF (90 kb)
 - » TAC Comments
 - » [State-wide Stormwater Treatment Rule Development](#) PDF (435 kb)
- » **TAC meeting #1, March 5, 2008**
 - » [Agenda](#) PDF (23 kb)
 - » [Detailed Summary](#) PDF (176 kb)
 - » [Minutes](#) PDF (114 kb)
 - » [Florida's Statewide Stormwater Treatment Rule - Why?](#) PDF (1.5 mb)
 - » [Stormwater Quality Applicant's Handbook: Unified Rule Draft](#) PDF (2.9 mb)
 - » [Stormwater Quality Applicant's Handbook Presentation](#) PDF (174 kb)
 - » [Sunshine Law Presentation](#) PDF (754 kb)
 - » [Statewide Stormwater Treatment Rule Issues Presentation](#) PDF (77 kb)
 - » [TAC White Paper - Proposed Statewide Stormwater Rule](#) PDF (88 kb)
 - » [FSA Survey of Local Practices Concerning Redevelopment](#) PDF (24 kb)
 - » [DEP Response to EPA \(2/6/08\) Comments on Latest Harper Methodology](#) PDF (33 kb)

Last updated: December 17, 2009

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4c

SWFRPC Appointment to the
CHNEP Policy Board

4c

4c

SWFRPC APPOINTMENT TO THE CHNEP POLICY COMMITTEE

Councilman Don McCormick is currently the Council's appointed representative to the Charlotte Harbor National Estuary Program (CHNEP), since Councilman McCormick will no longer be an elected official as of November 1, 2010, staff is requesting that the Council appoint a new representative to fill his vacancy on the Policy Committee.

RECOMMENDED ACTION: Council appoints a member of the Council as its representative on the CHNEP's Policy Committee.

10/10

_____ Agenda
_____ Item

4d

SWFRPC Resolution #2010-06

4d

4d

SWFRPC RESOLUTION #2010-06

**RESOLUTION REGARDING SOUTHWEST FLORIDA REGIONAL PLANNING
COUNCIL SUPPORT FOR PUBLIC ACQUISITION OF EDISON
FARMS/AGRIPARTNERS LANDS IN THE FLINT PEN STRAND AREA OF
SOUTHEAST LEE COUNTY**

WHEREAS, Edison Farms has been on the State's Florida Forever conservation land acquisition list for decades as part of the Corkscrew Regional Ecosystem Watershed (CREW);

WHEREAS, Edison Farms consists of six sections of predominantly wetlands with interspersed upland islands, totaling approximately 4,000 acres;

WHEREAS, endangered wood storks and Florida panthers have been documented significantly using this area, and habitat is suitable for many other species of wildlife, imperiled and otherwise;

WHEREAS, Edison Farms has been identified by the state-wide Critical Lands and Waters Identification (CLIP) project to include Strategic Habitat Conservation Area (SHCA), Biodiversity Hotspots, Rare Species Habitat Conservation Priorities, Under-Protected Natural Communities, and Ecological Greenways;

WHEREAS, Edison Farms is located entirely within Lee County's Density Reduction/Groundwater Resource Area because of its importance for water supply, flood protection and groundwater recharge;

WHEREAS, the owners of Edison Farms have applied to Lee County's Conservation 20/20 Program and this application is currently under review, having received very high scores in preliminary staff evaluations;

WHEREAS, these 4,000 acres play a regionally significant ecological role in Southwest Florida for water resources and habitat values;

WHEREAS, there are no federal conservation land acquisition programs active in Lee County, unlike in adjacent Western Everglades counties; and

WHEREAS, public acquisition will eliminate land uses such as rock mining and urban development that conflict with important public interests in this location.

NOW, THEREFORE, in consideration of the foregoing facts, the Southwest Florida Regional Planning Council does hereby resolve to support the public acquisition of Edison Farms, with local, state or other funding, for the regional public benefits of protecting and restoring water resource values, regionally significant wetlands and imperiled species habitat, and contributing significantly to the collective public good of the Corkscrew Regional Ecosystem Watershed.

PASSED AND ADOPTED by the Council this 21st day of October, 2010.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Mick Denham, Chair

ATTEST:

Kenneth Heatherington, Executive Director

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REGIONAL ISSUES

5

5

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_____ Item

5a

Food System Planning
Presentation

5a

5a

REGIONAL FOOD SYSTEMS PLANNING

Southwest Florida Regional Planning Council (SWFRPC) Florida/Lee County/Ft. Myers

Today's presentation will focus on feeding ourselves: the business, science and human aspects of **regional food systems** – adapting how we produce, process, package, and transport our food to reduce negative impacts and improve air quality, water and land quality and quantity, health, and social equity. The presentation will explore a broad array of issues and perspectives, share ideas and collectively explore ways to reverse negative trends.

Humankind depends on natural systems to survive, yet the ways we live and gather goods are having a negative effect on the region and planet. We are already facing some serious issues that will worsen over time: increased highway congestion, flooding, extreme weather conditions and competition for clean water and good land.

The Southwest Florida Regional Planning Council (SWFRPC) will host speakers exploring how we can adapt our human networks to reduce and reverse these trends without jeopardizing the needs of future generations.

The presentation will integrate business, health and humanities to explore the ways our human, natural and human-made systems interconnect, and how government policies affect them.

As planners we continue to place our strongest emphasis in the area integrated planning, growth management and community sustainability. By placing an emphasis on growth management we encourage all citizens in all communities to seize upon the opportunity to visualize and formalize their concept of a well-planned, viable lifelong community.

_____ Agenda
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5b

A Regional Food Study

5b

5b

Agenda

Item

5c

Legislative Issues &
Priorities Report

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DRAFT 2011 Legislative Priorities

The Southwest Florida Regional Planning Council (SWFRPC) is a multi-purpose regional entity representing Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties in 1973. The SWFRPC consists of 34 elected officials from local jurisdictions, gubernatorial appointees, and representatives of state agencies, school and water districts.

The SWFRPC supports legislative actions consistent with the agency mission to plan, protect and improve the physical, economic and social environments for the benefit of future generations, and opposes actions which could weaken the ability to effectively implement the Strategic Regional Policy Plan.

Policy priorities and legislative strategies for 2011 focus on six inter-related areas:

Economic Recovery and Economic Development

The SWFRPC supports legislation that:

- Revises statutes and rules to facilitate platted land redevelopment, and strengthens integration of planning related to economic development, transportation, land use, and the environment
- Supports education, economic diversification, high-wage job creation and climate prosperity strategies

Regional Transportation and Infrastructure

The SWFRPC supports legislation that:

- Encourages investment in regionally significant transportation infrastructure, interconnected public transit systems, multi-modal transportation planning, and implementation of context-sensitive and energy-efficient transportation solutions
- Provides for reform in the eminent domain process which reduces time and costs of transportation improvements
- Prevents diversion of the State Transportation Trust Fund and transportation user fees to non-transportation purposes

Natural Resource Issues including Water, Climate and Energy

The SWFRPC supports legislation that:

- Empowers local governments and agencies to integrate water and land use planning
- Develops and implements a strategy that incorporates sustainable alternative energy sources, such as bio-diesel and electric vehicles, for transportation services
- Provides funding for implementing a state comprehensive climate change action plan, energy conservation initiatives and Everglades restoration

Affordable Housing

The SWFRPC supports legislation that:

- Recognizes the continuing need for affordable housing
- Guarantees that the Sadowski Trust Fund be fully funded and allocated solely for affordable housing

Emergency Preparedness

The SWFRPC supports legislation that:

- Invests in evacuation and hazard mitigation planning and traffic incident management through training and fiscal assistance that fosters development of disaster preparedness and recovery strategies

General Government, Growth Management and Community Vitality

The SWFRPC supports legislation that:

- Retains the state's infrastructure concurrency requirements as an essential tool for planning for and managing growth, and recognizes a local jurisdiction's right to implement concurrency provisions that are more restrictive than state law
- Recognizes the need for comprehensive planning and strategic growth management; provides sufficient funding for DCA and Regional Planning Councils to effectively carry out their responsibilities

The Southwest Florida Regional Planning Council opposes:

- Unfunded mandates and legislative or constitutional restrictions on local authority to determine the local tax burden or local financial commitments to services and quality of life
- Changes to statute which create additional exemptions to the Development of Regional Impact (DRI) review process, reduce the overall intergovernmental coordination and review processes, or unilaterally modify existing development orders and associated permits

The Council supports the national policy priorities adopted by National Association of Regional Councils (NARC) and the National Association of Development Organizations (NADO). Statewide policy priorities are coordinated with the Florida Regional Council Association, Florida Association of Counties and Florida League of Cities.