



SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

**Thursday, June 16, 2011
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 – Mrs. Nichole Gwinnett

PUBLIC COMMENTS

- | | |
|--|-----------------|
| 1. AGENDA | Page 1 |
| 2. MINUTES OF MAY 19, 2011 | Page 9 |
| 3. CONSENT AGENDA | Page 19 |
| a) Intergovernmental Coordination and Review | Page 24 |
| b) Financial Statement for May 31, 2011 & Grant Activity Status Sheet | Page 29 |
| c) SWFRPC/SWF LEPC Scheduled Hazardous Materials Training | Page 46 |
| d) Glades County Comprehensive Plan Amendments (DCA 11-1) | Page 53 |
| e) Acceptance of the 2011-12 Transportation Disadvantaged Planning Grant Funds | Page 68 |
| f) FL Broadband Planning Project Grant Application | Page 72 |
| g) Tuscany Reserve DRI – NOPC | Page 74 |
| h) Hancock Creek Commerce Park DRI – Abandonment | Page 79 |
|
 | |
| 4. ADMINISTRATIVE ISSUES (9:15 a.m. to 9:45 a.m.) | |
| a) SWFRPC Committee Reports | |
| 1. Budget & Finance Committee - Commissioner Carolyn Mason | Page 80 |
| 2. Estero Bay Agency on Bay Management – Commissioner Brian Bigelow | Page 82 |
| 3. Legislative Affairs Committee – Commissioner Karson Turner | Page 96 |
| 4. Regional Watersheds Committee – Vice Mayor Mick Denham | Page 98 |
| 5. Executive Committee – Chair Chuck Kiester | Page 102 |
| b) SWFRPC Annual Budget FY 2011/12 – Ms. Janice Yell | Page 104 |

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.

5. **DEVELOPMENTS OF REGIONAL IMPACT STAFF ASSESSMENTS (9:45 to 10:45 a.m.)**
 - a) Hacienda Lakes (a.k.a. Toll Rattlesnake) DRI **Page 120**
 - b) North Port Gardens DRI **Page 121**

6. **REGIONAL ISSUES (10:45 to 11:15 a.m.)**
 - a) Community Collaborative Initiative Issues – **Mr. Dave Hutchinson** **Page 123**
 - b) Presentation of the Final SRPP for DCA Transmittal – **Mr. David Crawford** **Page 126**
 - c) Legislative Summary Report – **Mr. Dave Hutchinson** **Page 128**

7. **DIRECTOR'S COMMENTS**
8. **STATE AGENCIES COMMENTS/REPORTS**
9. **COUNCIL ATTORNEY'S COMMENTS**
10. **COUNCIL MEMBERS' COMMENTS**
11. **ADJOURN AT 11:30 A.M.**

NEXT SWFRPC MEETING DATE: September 15, 2011

NOTES:

- **The SWFRPC's Regional Watersheds Committee is scheduled to meet prior to the Council meeting at 8:00 a.m. in the 2nd floor meeting room.**

- **The SWFRPC's Executive Committee is scheduled to meet prior to the Council meeting at 8:00 a.m.**

- **Due to Budget Workshops/Hearings and Summer Vacations both the July 21, 2011 and August 18, 2011 SWFRPC Board Meetings are cancelled.**

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 ext. #210; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD. Or email dkooi@swfrpc.org.



Apalachee • Central Florida
 East Central Florida • North Central Florida
 Northeast Florida • South Florida • Southwest Florida
 Tampa Bay • Treasure Coast • West Florida • Withlacoochee

104 West Jefferson Street, Tallahassee, FL 32301-1713 • 850.224.3427

Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

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

2

Minutes

2

2

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MAY 19, 2011**

The regular meeting of the **Southwest Florida Regional Planning Council** was held on **May 19, 2011** at the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Chuck Kiester** called the meeting to order at **9:00 a.m.** **Commissioner Butch Jones** led an invocation and **Commissioner Carolyn Mason** led the Pledge of Allegiance. Administrative Staff Specialist Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Tricia Duffy, Mr. Michael Grant

Collier County: Councilman Charles Kiester, Councilwoman Teresa Heitmann, Mr. Bob Mulhere

Glades County: Commissioner Kenneth “Butch” Jones, Ms. Shannon Hall

Hendry County: Commissioner Karson Turner, Commissioner Tristan Chapman, Commissioner Daniel Akin

Lee County: Commissioner Frank Mann, Mayor John Sullivan, Commissioner Brian Bigelow, Councilwoman Martha Simons, Councilman Forrest Banks, Ms. Laura Holquist

Sarasota County: Commissioner Christine Robinson, Commissioner Tom Jones, Mr. Felipe Colón, Commissioner Carolyn Mason

Ex-Officio Members: Ms. Dianne Davies - SWFWMD, Mr. Phil Flood - SFWMD, Mr. Jon Iglehart - FDEP

MEMBERS ABSENT

Charlotte County: Commissioner Robert Skidmore, Councilwoman Rachel Keesling, Ms. Andrea Messina

Collier County: Commissioner Jim Coletta, Commissioner Donna Fiala, Ms. Pat Carroll

Glades County: Commissioner Paul Beck, Councilwoman Pat Lucas

Hendry County: Commissioner Joseph Miller, Mr. Melvin Karau

Lee County: Councilman Mick Denham, Mr. Paul Pass

Sarasota County: Councilman Kit McKeon, Mr. George Mazzarantani

Ex-Officio Membership: Mr. Johnny Limbaugh - FDOT, Ms. Tammie Nemecek - EDC of Collier County

INTRODUCTIONS

Mr. Heatherington introduced the following guests:

- Mr. Mike Brennan, Regional Director for U.S. Senator Marco Rubio
- Ms. Leah Valenti, Deputy District Director for Congressman Tom Rooney
- Mr. Greg Gilman, Director, Hendry County EDC

PUBLIC COMMENTS

No public comments were made at this time.

AGENDA ITEM #1 AGENDA

Commissioner Tom Jones moved and Commissioner Turner seconded to approve the agenda as presented. The motion carried unanimously.

AGENDA ITEM #2 MINUTES OF MARCH 17, 2011 & APRIL 21, 2011

Commissioner Turner moved and Mayor Sullivan seconded to approve the minutes of March 17, 2011 and April 21, 2011. The motion carried unanimously.

AGENDA ITEM #3 CONSENT AGENDA

Commissioner Tom Jones moved and Mr. Mulhere seconded to approve the consent agenda: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for April 30, 2011 & Grant Activity Status Sheet; Agenda Item #3(c) Glades-Hendry TDSP; Agenda Item #3(d) Member Appointments and Certification for the Glades and Hendry County Joint LCB for the Transportation Disadvantaged; Agenda Item #3(e) Town of Longboat Key Comprehensive Plan Amendments (DCA 11-2); Agenda Item #3(f) Collier County Comprehensive Plan Amendments (DCA 11-1); Agenda Item #3(g) University Town Center (aka Sarasota Interstate Park of Commerce) DRI - NOPC; Agenda Item #3(h) Hazardous Waste Operations and Emergency Response/Hazardous Materials Awareness Level/Refresher Training; and Agenda Item #3(i) Funding Agreement Between Sarasota County and the SWFRPC on behalf of the

Charlotte Harbor National Estuary Program (CHNEP) for FYs 2011-2013. The motion carried unanimously.

**AGENDA ITEM #4
SOUTH LABELLE VILLAGE DRI - STAFF ASSESSMENT**

Mr. Jason Utley of staff gave a PowerPoint presentation.

Commissioner Chapman moved and Commissioner Turner seconded to approve staff's recommended action: The Southwest Florida Regional Planning Council recommends Conditional Approval of the South LaBelle DRI to be further conditioned on a finding of consistency with the local government comprehensive plan by the City of LaBelle City Commissioners.

Commissioner Bigelow asked Mr. Utley if this development is considered sprawl. Mr. Utley explained that the applicant has proposed a 30 percent capture and has agreed to focus on bicycling and walking activities. They want to make sure that the residents use alternative modes of transportation to the maximum extent possible. He doesn't believe that it is sprawl.

The motion carried with two opposed.

**AGENDA ITEM #5(a)1
Budget & Finance Committee - Commissioner Carolyn Mason**

Commissioner Mason announced the next meeting has been scheduled for May 23rd at 10:30 a.m. where the committee will be reviewing the Council's annual budget for FY 2011/12.

**AGENDA ITEM #5(a)2
Estero Bay Agency on Bay Management (EBABM) - Mr. James Beever**

Mr. James Beever of staff presented this item as contained within the agenda packet.

Councilman Banks asked Mr. Beever how the recent State's budget cuts is going to affect the Estero Bay Aquatic Preserve Office. Ms. Donley explained that the current State budget has the office staying open with State staff, but the OPS positions which were staff that were hired with no benefits (temporary/full-time) will not be funded. The Aquatic Preserve management staff is dealing with the situation on how they are going to handle taking care of Estero Bay; because even though the office is going to be open, the budget available to do all of the regular functions is not going to be there.

AGENDA ITEM #5(a)4
Regional Watersheds Committee - Mr. James Beever

Mr. James Beever of staff presented this item as contained within the agenda packet. He noted that the Fertilizer Pre-emption Bill (HB 457/SB 606) did not pass in the legislature. There was a pre-emption on sales of fertilizer that was combined into the Agriculture Bill 7215. Local governments can still place sale restrictions as long as it is done up to and before July 1, 2011.

Mr. Beever noted that Charlotte County is in the process of amending their Fertilizer Ordinance and Hendry County had adopted their Fertilizer Ordinance.

Mr. Beever announced that the septic tank rules did not make it through the legislative session.

AGENDA ITEM #5(a)3
Legislative Affairs Committee - Commissioner Karson Turner

Commissioner Turner stated that he commended the legislature on how they made the cuts.

Commissioner Mann stated that he would like to refer back to the septic tank legislation, where approximately a year ago the legislature passed an expansive measure that stated local governments are going to be in the “septic tank regulation business.” They subsequently extended the implementation date of that so that they could make changes to the language. So did the whole bill die in the legislature? What is the legislature’s position on the septic tank legislation today?

Commissioner Turner explained that the legislature did not repeal anything at this time. They did get into committee and determined which regions they would like to have the inspections occur, because this was more of an issue having to deal with the natural springs in the northern part of the State. Commissioner Mann stated that it surprises him, because that is not what he previously heard. Earlier, Lee County was impacted because of Lehigh Acres with their upwards of 10,000 septic tanks. He was not aware of the geographic realignment of the bill which would only apply to certain parts of the State and he doesn’t understand how the Legislature could single those areas out.

AGENDA ITEM #5(a)5
Executive Committee - Chair Chuck Kiester

Chair Kiester reviewed the item as presented and distributed items.

Counsel Donley stated that previously the Council had approved the establishment of the following committees:

1. Executive Committee
2. Budget & Finance
3. Legislative Affairs
4. Regional Watersheds

She explained that the revised resolution, pursuant to Rule 29I.005(4), establishes those subcommittees as standing committees which would exist from year to year. She explained the reason for the resolution, as opposed to a change to the Council's rule, is that the State is still under somewhat of a moratorium of rule changes put forward from the Governor; so this is a way the Council could move forward with enacting these changes to the way the Council does business without going through the rule change process.

Councilman Banks moved and Mr. Grant seconded to approve SWFRPC Resolution #2011-01 – Resolution Regarding Southwest Florida Regional Planning Council to Establish Standing Committees.

Commissioner Bigelow stated that with the statement within the resolution, under the Executive Committee, “immediate past Chair”, may become problematic if that individual is no longer an elected official or a member of the Council. Counsel Donley explained that the reason for placing the immediate past Chair was to assist with history and continuity.

Commissioner Bigelow stated that he noticed that the Estero Bay Agency on Bay Management was not listed as one of the Council's standing committees. Counsel Donley explained that the reason that the ABM was not listed as one of the standing committees was because it was not established through the Council's rules; it was established through a Settlement Agreement.

The motion carried unanimously.

**AGENDA ITEM #6(a)
Community Collaborative Initiative Issues – Mr. Ken Heatherington**

Mr. Heatherington reviewed the item.

Commissioner Chapman stated that agriculture is the second economic drive in Florida next to tourism. He stated that making the distinction between small and large farmers would be a mistake. We need to be all inclusive because if you really want to have some output from the conference and some substance, you really want to have all farmers involved.

Councilwoman Simons announced that the City of Bonita Springs is looking into expanding their agricultural uses because they are looking at a long-term sustainability plan for the city. Rising fuel costs are going to lead us into having more farms closer to our urban areas, so the city is looking into urban farming.

Commissioner Turner stated that he agrees with the August date being too soon for the conference. Also, there is no need to make a division between the large and small farmer. He feels that we need to be proactive on how the moderator understands that the small farmer has a very hard time attending a conference. They need to have a lot of time to prepare and it needs to be built around their growing season, which is very difficult to do. The small farmers' perspective on any conference where a regulatory agency is going to be speaking and mentoring them on what

they are to be doing to better meet the mandates on what they already need to swallow bitterly makes it a bit of a non-starter for attendance sometimes.

Commissioner Turner stated that the Hendry County Economic Development Council and US Sugar Corporation held the first Ag Expo this in conjunction with the annual equipment auction.

AGENDA ITEM #6(b)
SWFRPC Strategic Regional Policy Plan (SRPP) Presentation – Mr. David Crawford

Mr. Crawford gave a PowerPoint presentation on the item.

Commissioner Bigelow expressed his concerns in regards to transportation and what it means for the future.

Councilwoman Simons stated that when she hears multi-modal transportation, she thinks of rail and she would like to see a push on rail and mono-rail.

Mr. Grant stated that he appreciates the conversation regarding transportation; however, where is the money going to come from for rail other than from the residents that live within those communities. It is not self sustaining now and it probably won't be for the long-term future.

Mr. Mulhere explained that there are ways to incentive the use of transit so that it is used more by those that have no other choice. These include incentives by employers and also promoting more electronic access to the office.

Councilwoman Simons stated that the rail will be paid for by long-term planning by placing development around those lines. If you have density around rail lines, then those are the people that will use it.

Mayor Sullivan stated that freight rail could be a real "shot in the arm" for the economy, because you can move product in and out of the area at a much cheaper price. At the same time, in other places they use freight rail to subsidize passenger rail which is always a losing proposition.

Ms. Holquist asked Mr. Crawford if he had to make any kind of assumption within the plan as to when there would be a market recovery and moving on from the recession which we are currently in. Mr. Crawford explained that the SRPP EAR doesn't currently make such a projection because that takes a much longer term view. The Economic element within the plan echoes the Chamber's six pillars concept.

AGENDA ITEM #6(c)
2010 Annual Report – Mr. Ken Heatherington

Mr. Heatherington reviewed the item briefly and then introduced Ms. Rebekah Harp of staff who produced the Council's Annual Report.

Ms. Harp explained that she changed the layout of the report and also added photos of the members. She noted that she listed the Council's accomplishments and updates. All of the photographs that were included in the report were taken by Ms. Whitney Grey of staff.

Ms. Pellechio noted that the Annual Report is located on the Council's website both on the homepage and also under publications.

AGENDA ITEM #6(d)
Legislative Summary Report – Mr. David Hutchinson

Mr. David Hutchinson of staff reviewed the item as contained within the agenda packet and distributed handouts.

Ms. Holquist stated that there is a bill for sunseting the Century Commission in two years. The purpose of the Century Commission was to deal with growth management issues. In two years the Century Commission was planning on putting together a strategic plan, but with the current budget constraints and also what is happening with the Department of Community Affairs there is a great concern that the Commission will not be able to complete the plan. The Commission is meeting in two weeks to determine how to move forward, either to look into private funding sources in order to complete the plan or to focus on other issues for the next two years. The Commission has been working very closely with Chamber and the six pillars and it is real important that if you haven't started within your municipalities or counties, looking at the six pillars and incorporating it is something that is almost standardized throughout the State now.

Mr. Heatherington noted the Energy Enterprise Zone and the Sarasota County EEZ which did pass. Mr. Hutchinson explained that some of the new incentives may have passed but the project is still at the county level. Commissioner Robinson explained that the property has not been officially designated. However, with the legislative incentives and now with the county stepping forward with some financial incentives maybe the project will start moving forward.

Councilwoman Simons announced that the Dog Track gambling did not pass.

AGENDA ITEM #6
DIRECTOR'S COMMENTS

Mr. Heatherington announced that he will not be in attendance at the June meeting.

Chair Kiester noted that there is some concern that there will be a quorum issue for the June meeting. There are three very important issues on the agenda for June and he asks that everyone tries to attend the meeting.

Mr. Heatherington noted that the three items are: Council's Annual Budget, Hacinda Lakes (a.k.a. Toll Rattlesnake) DRI – Staff Assessment, and North Port Gardens DRI – Staff Assessment.

Counsel Donley explained that the Council does not have a proxy process; however, the Council can meet its quorum by electronic participation.

**AGENDA ITEM #7
STATE AGENCIES COMMENTS/REPORTS**

SFWMD - Mr. Flood announced that are five new Governing Board members have been appointed along with a new Executive Director. He also announced that anyone in the Lake Okeechobee service area will be moving up to Phase 3 Water Restrictions.

Councilwoman Simons suggested sending a letter to the five new Governing Board members and new Executive Director stating that the Council looks forward to continuing their successful partnership.

SWFWMD - Ms. Davies announced that the SWFWMD is still in the Phase 1 water shortage.

FDEP - Mr. Iglehart announced that on Tuesday the Florida Cabinet approved Moonshine Marsh Island project in Glades County which also part of the Seven Mile Linear Park. What this did was shifted the board's moratorium on island development to specific projects.

**AGENDA ITEM #8
COUNCIL ATTORNEY'S COMMENTS**

Counsel Donley announced that HUD has announced that they will be releasing the Sustainability Communities Grant RFP again this year, which the Council had applied for last year's grant and was debriefed on what they could have done better. So as a region staff is getting ready to apply for this year's grant. Staff is in the process of putting together a two page abstract.

Counsel Donley announced that the Gulf Coast Ecosystem Restoration Task Force was formed by a Presidential Executive Order and has a meeting periodically throughout the Gulf Region. They are going to be meeting June 1st in Pensacola and at that time they will be taking additional comments about the concerns that Floridians have about the restoration of the Gulf. In addition, they are taking online comments and she strongly urges everyone to be involved because this is restoration of the entire Gulf of Mexico and not just those parts that were affected by the oil spill.

**AGENDA ITEM #9
COUNCILMEMBERS' COMMENTS**

Commissioner Tom Jones asked that everyone remember our veterans for the Memorial Day holiday.

**AGENDA ITEM #10
ADJOURN**

The meeting adjourned at 10:45 a.m.

Councilwoman Teresa Heitmann, Secretary

The meeting was duly advertised in the May 6, 2011 issue of the **FLORIDA ADMINISTRATIVE WEEKLY**, Volume 37, Number 18.

_____ Agenda
_____ Item

3

Consent Agenda

3

3

CONSENT AGENDA SUMMARY

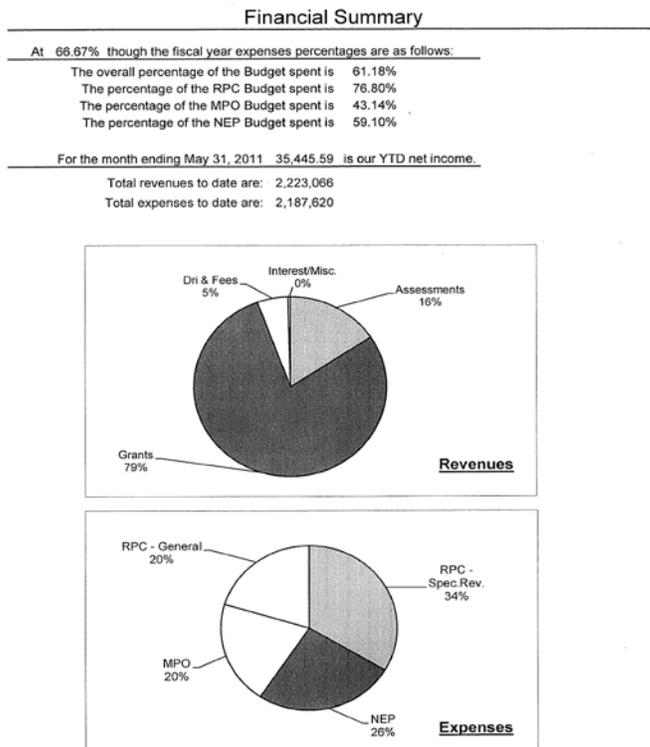
Agenda Item #3(a) – Intergovernmental Coordination and Review

Staff reviewed five proposals through the clearinghouse review process for the month of May. Two of the projects were transit oriented proposals. One project consisted of the 2010 Draft Campus Master Plan for Florida Gulf Coast University (FGCU). One was an economic development program for Immokalee, and the last one was LCEC’s Five Year Plan for location of electrical substations. Staff found all five projects to be “Regionally Significant and Consistent” with the SWFRPC’s Strategic Regional Policy Plan (SRPP).

RECOMMENDED ACTION:

Approve the administrative action on the Clearinghouse Review items.

Agenda Item #3(b) – Financial Statement for May 31, 2011 & Grant Activity Sheet



RECOMMENDED ACTION:

Approve the financial statement for May 31, 2011 and the grant activity sheets.

Agenda Item #3 (c) – SWFRPC/SWF LEPC Scheduled Hazardous Materials Training

At the present time, three courses are approved for delivery, two of which, are awareness level training, and the other course is operational level. The courses are:

Hazardous Waste Operations and Emergency Response/Hazardous Materials Awareness Level/Refresher Training

This course meets the requirements outlined in OSHA 29 CFR 1910.120 for 8 (eight) hours of annual refresher training for workers at hazardous waste sites. Moreover, this course is designed for general site workers who remove hazardous waste or who are exposed or potentially exposed to hazardous substances or health hazards. This course is designed as an annual refresher for those certified either in 40 hr or 24 hr HAZWOPER. Upon successful completion of the course, the participant will receive a certificate of completion.

8-hour Foam/Ethanol Training

The Foam/Ethanol course is hands-on training involving the application of foam agents during fire situations. Moreover, firefighters will learn the various techniques and the dos and don'ts of foam application, along with the hazards requiring fixed foam protection.

RECOMMENDED ACTION:

For information only.

Agenda Item #3(d) – Glades County Comprehensive Plan Amendments (DCA 11-1)

This proposed amendment is an applicant initiated request to change the Glades County Future Land Use Map (FLUM) land use designation on a 48-acre parcel from the existing designation of “Residential General” to a new designation of “Agriculture Open.” The subject parcel is located on Crescent Avenue in the Hidden Lakes Ranch subdivision in Muse just north of the City of LaBelle.

The current FLUM land use designations adjacent to the north, west and south of the property is Residential and Agriculture Residential to the east. It is the intent of the applicant to utilize the property for mining sand for construction uses in the area. There are two similar fill pits located just south of the subject site. These mines appear to be completed and not currently in operation.

This requested amendment impacts less than 50 acres and is not regionally significant. The project will reduce residential development outside the urban core of LaBelle and will not significantly impact the long-term residential development in the surrounding area. Surrounding lands while approved for residential development are vacant and not currently developed. There could be some compatibility issues associated with the mining activities, but Council staff believes that they will be temporary and would deal mainly with trucking the mined materials off the site. There are no other development issues identified in the County staff report and the proposed mining will not produce any significant impacts to regional resources and could add to future habitat for wading birds and other species along the edges of the resultant lake.

Council staff therefore found that the requested amendment is consistent with the SRPP in that the proposed mining activity will increase future habitat, reduce long-term impacts on the future roadway network by reducing truck travel lengths, provide a needed resource for future construction projects in the region, and provide jobs in Glades County.

RECOMMENDED ACTIONS:

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and Glades County.

Agenda Item #3(e) – Acceptance of the 2011-12 Transportation Disadvantaged Planning Grant Funds

Pursuant to Rule 41-2.014(2), *Florida Administrative Code*, the Southwest Florida Regional Planning Council, the Designated Official Planning Agency for the Joint Service Area of Glades and Hendry Counties, receives planning related grant funds to undertake their responsibilities outlined in Chapter 427, *Florida Statutes*. These planning grant funds include staff support to the Glades-Hendry Joint Local Coordinating Board for the Transportation Disadvantaged.

The planning grant year for FY 2011/2012 runs from July 1, 2011 to June 30, 2012 and the planning grant allocation is \$35,139. The Planning Agency subsequently enters into a Transportation Disadvantaged Trust Fund Grant Agreement with the Florida Commission for the Transportation Disadvantaged.

RECOMMENDED ACTION:

Therefore, the Planning Agency is requesting the SWFRPC to authorize the Chairman to execute SWFRPC Resolution No. 2011-02 to authorize the SWFRPC's Executive Director to enter into a Transportation Disadvantaged Trust Fund Grant Agreement.

Agenda Item #3(f) – FL Broadband Planning Project Grant Application

TBRPC will administer the Florida Broadband Planning Project. However, the project is a collaborative effort of TBRPC, the Central Florida Regional Planning Council (CFRPC), and the Southwest Florida Regional Planning Council (SWFRPC). Staff proposes to enter into separate contracts with CFRPC and SWFRPC for each of those RPCs to provide staff and work products necessary for project completion.

Project funding for CFRPC is \$491,200 with \$122,800 required in matching funds. Funding for SWFRPC is \$308,800 with an additional \$77,200 in matching funds. TBRPC will receive \$190,000 with \$47,500 in matching funds.

RECOMMENDED ACTION: Authorize the Chair to sign the contract when administered.

Agenda Item #3(g) – Tuscany Reserve DRI – NOPC

Proposed Changes

The change would extend the buildout date by four (4) years and three hundred sixty –four (364) days until January 24, 2017. The change also removes the reference to a repealed PUD Zoning ordinance for the property, renames the DRI to Tuscany Reserve to make it consistent with the existing PUD Ordinance name, changes the report filing requirement from annual to biennial and lists the successor developer of the DRI as KE Tuscany Reserve Properties, LLC, a Delaware limited liability company.

RECOMMENDED ACTIONS:

Notify Collier County, the Florida Department of Community Affairs and the applicant that the proposed changes do not create additional regional impacts. Render a codified Development Order. Request that Collier County provide a copy of the development order amendment, and any related materials, to the Council in order to ensure that the development order amendment is consistent with the Notice of Proposed Change.

Agenda Item #3(h) – Hancock Creek Commerce Park DRI - Abandonment

To be presented at a later date.

RECOMMENDED ACTION:

RECOMMENDED ACTION: Approve consent agenda as presented.

_____ 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 May 1, 2011 and ending May 31, 2011.

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.

6/2011

ICR Council - 2011

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2011-16	Ms. Carmen Monroy	Lee County Transit	Lee County	FY 2011 USC 5317 New Freedom Grant - FL-57-X019 Amendment.	Federal Transit Administration	\$416,939.00	Regionally Significant and Consistent
2011-17	Ms. Carmen Monroy	Lee County Transit	Lee County	Lee County Transit - FY 2011 USC 5316 Job Access Reverse Commute Grant FL-37-x045-01 Amendment	Federal Transit Administration	\$504,102.00	Regionally Significant and Consistent
2011-18	Mr. Barrett Genson	Florida Gulf Coast University	Lee County	Florida Gulf Coast University - FGCU 2010 Draft Campus Master Plan.			Regionally Significant and Consistent
2011-19	Mrs. Penny Phillippi	Community Redevelopment Agency	Collier County	Community Redevelopment Agency - Immokalee - Economic Development Program designed to accelerate the growth and success of entrepreneurial enterprises by providing business support, resources, services and technical assistance in Immokalee, Collier County, Florida.	USDA, Rural Development	\$219,040.00	Regionally Significant and Consistent
2011-20	Mr. Clark Hawkins	Lee County Electric Cooperative, Inc.	Region	LCEC Five-Year Plan for Locations of Electrical Substations 2011-2016.			Regionally Significant and Consistent

Review in Progress

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2011-14			Collier County	FDEP - Bureau of Mining and Minerals Regulation - Drilling Application for BreitBurn Florida LLC Permit No. 416AHL.			Review in Progress
2011-15			Collier County	RAI #1 for Collier Bay Entrance Channel Maintenance Dredging.			Review in Progress

_____ Agenda
_____ Item

3b

Financial Statement
For May 31, 2011 and
Grant Activity Sheet

3b

Financial Summary

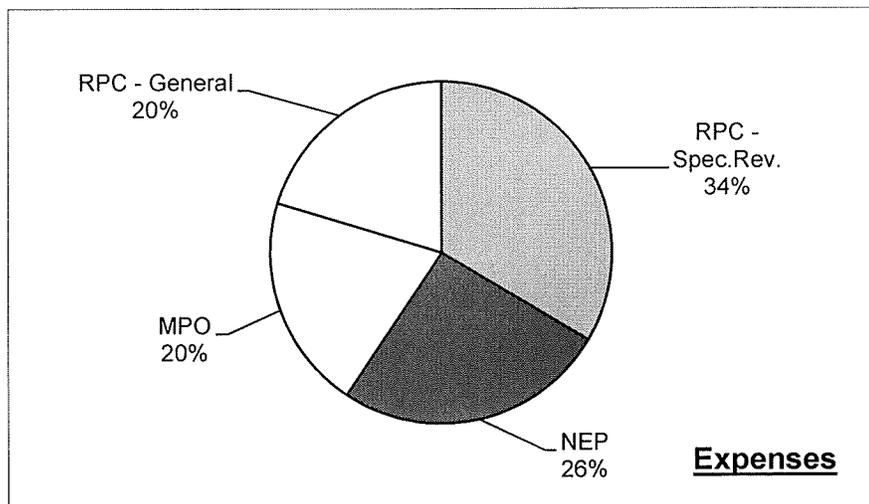
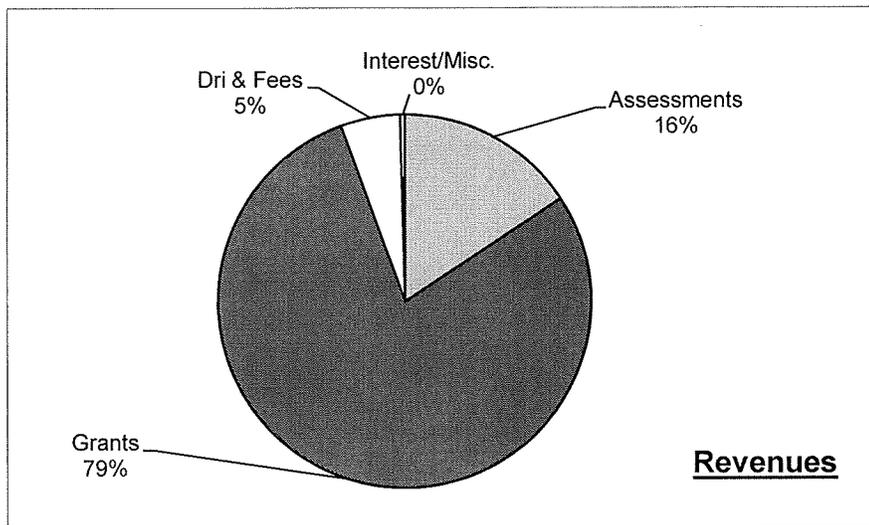
At 66.67% though the fiscal year expenses percentages are as follows:

The overall percentage of the Budget spent is	61.18%
The percentage of the RPC Budget spent is	76.80%
The percentage of the MPO Budget spent is	43.14%
The percentage of the NEP Budget spent is	59.10%

For the month ending May 31, 2011 35,445.59 is our YTD net income.

Total revenues to date are: 2,223,066

Total expenses to date are: 2,187,620



MONTHLY FINANCIAL CONTENTS
For the month ending May 31, 2011

	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
- Percentage of Budget Spent for RPC, MPO, and NEP	
- 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	
- 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
Actual Totals	7
RPC by Project	8
Grant Activity	
Net Income Statement with a breakdown of monthly recognized revenue	9
Overall view of all Grants (RPC-MPO-NEP)	10

At the request of our auditors, we are also including a bank reconciliation for the most recent month and a general ledger reflecting our other bank balances.

There are three CDs through Iberia Bank. They are as follows:

15 months	\$100,000	2.00%
30 months	\$300,000	2.00%
Interest earned to date	\$5,968	

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
COMBINED BALANCE SHEET -
GOVERNMENTAL FUND TYPES AND ACCOUNT GROUPS
May-11**

	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	\$ 274,084	\$ -	\$ -	\$ -	\$ 274,084
Investments	523,814	-	-	-	523,814
Receivables - grants and contracts	-	436,163	-	-	436,163
Receivables - other	3,200	-	-	-	3,200
Due from other funds	-	22,663	-	-	22,663
Other assets	904	-	-	-	904
Property and equipment, net	-	-	1,588,012	-	1,588,012
Amount to be provided for retirement of general long-term debt	-	-	-	1,284,981	1,284,981
TOTAL ASSETS AND OTHER DEBIT	\$ 802,002	\$ 458,826	\$ 1,588,012	\$ 1,284,981	\$ 4,133,821
LIABILITIES, FUND EQUITY AND OTHER CREDIT					
LIABILITIES					
Accounts payable and accrued expenses	\$ 856	\$ -	\$ -	\$ -	\$ 856
Retainage payable	62,946	-	-	-	62,946
Due to other governments	-	-	-	-	-
Due to other funds	22,663	-	-	-	22,663
Deferred revenue - grants and contracts	-	458,826	-	-	458,826
Accrued compensated absences	-	-	-	107,458	107,458
Notes payable	-	-	-	1,177,523	1,177,523
TOTAL LIABILITIES	86,465	458,826	-	1,284,981	1,830,272
FUND EQUITY AND OTHER CREDIT					
Investment in general fixed assets	-	-	1,588,012	-	1,588,012
Fund balance					
Reserved, designated	644,000	-	-	-	644,000
Unreserved, undesignated	71,537	-	-	-	71,537
TOTAL FUND EQUITY AND OTHER CREDIT	715,537	-	1,588,012	-	2,303,549
TOTAL LIABILITIES, FUND EQUITY AND OTHER CREDIT	\$ 802,002	\$ 458,826	\$ 1,588,012	\$ 1,284,981	\$ 4,133,821

SWFRPC
Balance Sheet
May 31, 2011

ASSETS

Current Assets		
Cash - Bank of America Oper.	\$	273,884.23
Cash - Iberia CDs		405,967.64
Cash - FL Local Gov't Pool		107,592.34
Cash - FL Gov't Pool-Fund B		10,254.43
Petty Cash		200.00
Accounts Receivable		328,211.37
Accounts Receivable-MPO		107,951.81
Bulk Mail Prepaid Postage		903.73
Amount t.b.p. for L.T.L.-Leave		79,125.53
FSA Deposit		3,200.00
Amt t.b.p. for L.T.Debt-OPEP		28,332.00
Amount t.b.p. for L.T.Debt		1,177,523.36
		<hr/>
Total Current Assets		2,523,146.44
Property and Equipment		
Property, Furniture & Equip	2,029,003.19	
Accumulated Depreciation	(440,991.63)	
		<hr/>
Total Property and Equipment		1,588,011.56
		<hr/>
Total Assets	\$	<u>4,111,158.00</u>

LIABILITIES AND CAPITAL

Current Liabilities		
Retainage Payable	\$	62,946.19
Deferred Income		458,826.37
United way Payable		550.55
Accrued Annual Leave		79,125.53
Long Term Debt - OPEB		28,332.00
Long Term Debt - Bank of Am.		1,177,523.36
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		1,807,609.25
		<hr/>
Total Liabilities		1,807,609.25
Capital		
Fund Balance-Unrestricted	36,091.62	
Fund Balance-Restricted	644,000.00	
Fund Balance-Fixed Assets	1,588,011.56	
Net Income	35,445.57	
		<hr/>
Total Capital		2,303,548.75
		<hr/>
Total Liabilities & Capital	\$	<u>4,111,158.00</u>

SWFRPC
Income Statement
Compared with Budget
For the Eight Months Ending May 31, 2011

	Current Month Actual	Current Month	Year to Date Actual	Year to Date Budget	% Spent
Revenues					
Total Revenues	236,363.21	354,641	2,223,065.62	4,255,690	52.24
Expenses					
Salaries Expense	131,627.90	142,167	1,070,716.04	1,706,000	62.76
FICA Expense	7,245.37	10,833	65,067.29	130,000	50.05
Retirement Expense	15,274.55	15,108	109,584.26	181,300	60.44
Health Insurance Expense	14,762.48	15,000	134,973.95	180,000	74.99
Unemployment Comp. Expense	0.00	417	4,067.51	5,000	81.35
Workers Comp. Expense	729.00	417	3,242.00	5,000	64.84
Grant/Consulting Expense	15,907.58	3,333	46,133.00	40,000	115.33
NEP-Contractual	52,923.00	14,500	141,314.33	174,000	81.22
MPO-Contractual	22,514.38	37,667	138,759.01	452,000	30.70
Audit Services Expense	0.00	3,917	42,220.00	47,000	89.83
Travel Expense	3,989.91	6,250	24,823.96	75,000	33.10
Telephone Expense	1,600.10	729	8,952.28	8,750	102.31
Postage / Shipping Expense	664.83	2,333	16,178.90	28,000	57.78
Equipment Rental Expense	3,990.73	2,683	23,922.60	32,200	74.29
Insurance Expense	429.51	2,767	18,298.35	33,200	55.12
Repair/Maint. Expense	1,370.00	2,083	12,963.88	25,000	51.86
Printing/Reproduction Expense	5,308.65	7,792	72,745.28	93,500	77.80
Utilities (Elec, Water, Gar)	2,086.07	2,333	15,199.71	28,000	54.28
Advertising/Legal Notices Exp	3,935.98	1,088	11,542.63	13,050	88.45
Other Misc. Expense	450.00	375	1,728.22	4,500	38.40
Office Supplies Expense	2,651.87	1,542	12,655.38	18,500	68.41
Computer Related Expense	3,626.10	3,250	36,004.55	39,000	92.32
Publication Expense	42.95	317	1,960.78	3,800	51.60
Prof. Develop./Dues Expense	279.00	2,833	30,500.00	34,000	89.71
Meetings/Events Expense	8,270.41	4,650	52,420.79	55,800	93.94
Capital Outlay Expense	1,164.26	2,083	6,477.99	25,000	25.91
Capital Outlay - Building	0.00	833	0.00	10,000	0.00
Long Term Debt	10,645.92	10,667	85,167.36	128,000	66.54
Reserve for Operations Expense	0.00	56,674	0.00	680,090	0.00
Total Expenses	311,490.55	354,641	2,187,620.05	4,255,690	51.40
Net Income	\$ (75,127.34)	0	\$ 35,445.57	\$ 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

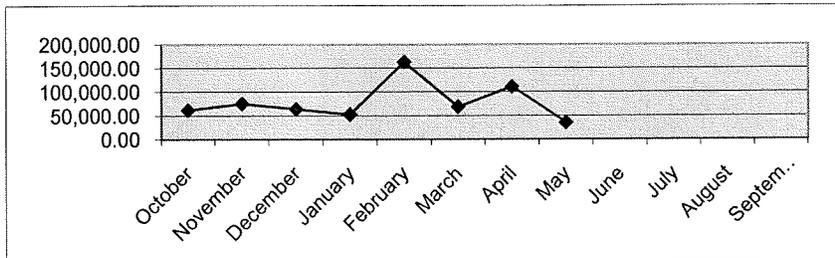
SWFRPC
Income Statement - Two Years
For the Eight Months Ending May 31, 2011

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
Revenues				
Total Revenues	236,363.21	259,776.34	2,223,065.62	2,344,586.13
Expenses				
Salaries Expense	131,627.90	129,965.26	1,070,716.04	1,066,499.01
FICA Expense	7,245.37	9,660.50	65,067.29	78,364.38
Retirement Expense	15,274.55	13,424.64	109,584.26	97,339.32
Health Insurance Expense	14,762.48	12,762.72	134,973.95	124,853.51
Unemployment Comp. Expe	0.00	0.00	4,067.51	3,850.00
Workers Comp. Expense	729.00	150.00	3,242.00	3,118.00
Grant/Consulting Expense	15,907.58	449.40	46,133.00	16,470.00
NEP-Contractual	52,923.00	10,670.55	141,314.33	153,690.30
MPO-Contractual	22,514.38	41,472.32	138,759.01	204,891.89
Audit Services Expense	0.00	0.00	42,220.00	43,116.00
Travel Expense	3,989.91	1,049.29	24,823.96	27,923.60
Telephone Expense	1,600.10	343.80	8,952.28	5,825.33
Postage / Shipping Expense	664.83	338.84	16,178.90	23,271.37
Storage Unit Rental	0.00	0.00	0.00	224.00
Equipment Rental Expense	3,990.73	2,651.00	23,922.60	21,865.26
Insurance Expense	429.51	428.24	18,298.35	21,992.39
Repair/Maint. Expense	1,370.00	2,196.40	12,963.88	11,934.75
Printing/Reproduction Expen	5,308.65	3,254.12	72,745.28	47,218.05
Utilities (Elec, Water, Gar)	2,086.07	1,943.09	15,199.71	13,062.44
Advertising/Legal Notices Ex	3,935.98	5,146.87	11,542.63	12,287.68
Other Misc. Expense	450.00	0.00	1,728.22	1,863.91
Office Supplies Expense	2,651.87	2,188.60	12,655.38	13,190.27
Computer Related Expense	3,626.10	1,945.20	36,004.55	25,334.52
Publication Expense	42.95	0.00	1,960.78	770.10
Prof. Develop./Dues Expens	279.00	268.00	30,500.00	32,573.73
Meetings/Events Expense	8,270.41	2,892.46	52,420.79	18,799.53
Capital Outlay Expense	1,164.26	0.00	6,477.99	6,070.02
Long Term Debt	10,645.92	10,645.92	85,167.36	85,167.36
Total Expenses	311,490.55	253,847.22	2,187,620.05	2,161,566.72
Net Income	\$ (75,127.34)	\$ 5,929.12	\$ 35,445.57	\$ 183,019.41

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 61.18%
 The percentage of the RPC Budget spent is 76.80%
 The percentage of the MPO Budget spent is 43.14%
 The percentage of the NEP Budget spent is 59.10%

For the month ending May 31, 2011 \$35,446 is our net income.

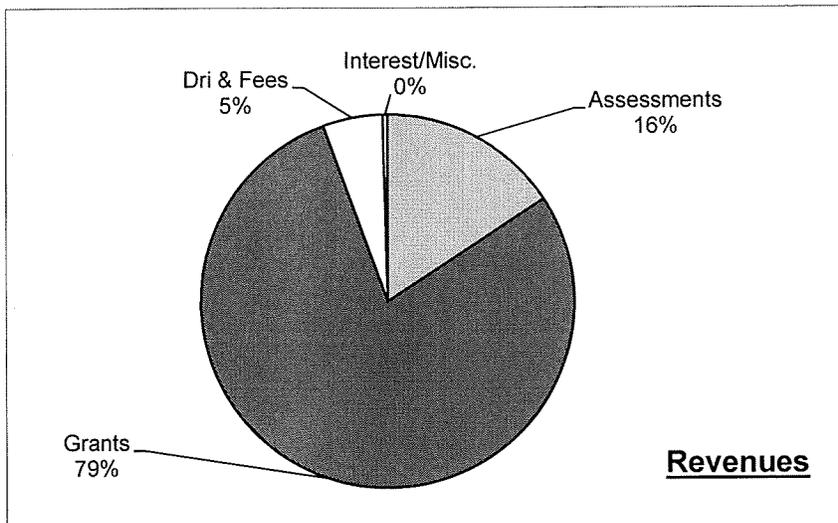


Net Income (unaudited)

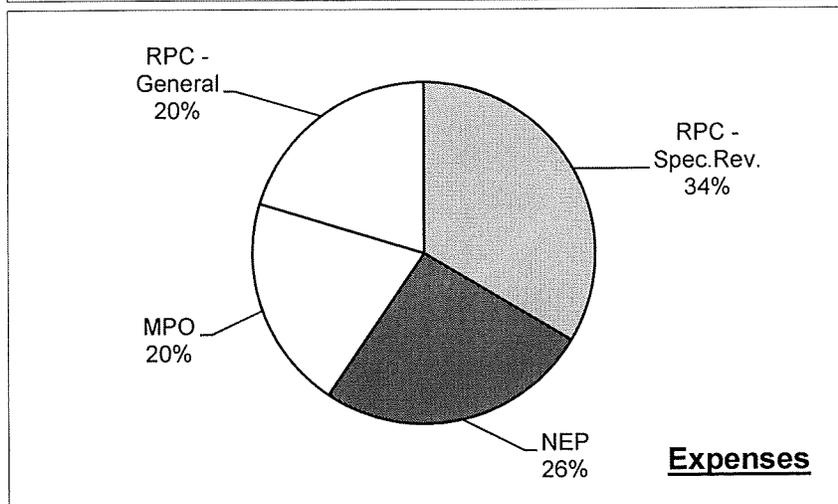
As can be seen in this graph, the net income moves in quarterly cycles.

For the month ending May 31, 2011

Total Revenues	2,223,066
Total Expenses	<u>2,187,620</u>
Net Income	<u><u>35,446</u></u>



<u>Revenues</u>	
Assessments	350,001
Grants	1,749,607
Dri & Fees	114,346
Interest/Misc.	9,111
	<u>2,223,066</u>



<u>Expenses</u>	
RPC - Spec.Rev.	794,669
NEP	612,739
MPO	480,606
RPC - General	480,606
	<u>2,187,620</u>

RPC-MPO-NEP Combined
Budget vs. Actual
For the month ending May 31, 2011

	Combined Actual	Combined Adopted Budget	Combined Total YTD Amendments	Combined Amended Budget	Combined VARIABLE	66.67%
Revenues						
Membership Dues	350,001	466,669	0	466,669	116,668	75.00%
Federal/State/Local Grants	1,749,607	2,878,931	0	2,878,931	1,129,324	60.77%
Dri/Monitoring Fees	114,346	200,000	0	200,000	85,654	57.17%
Interest And Miscellaneous	9,111	30,000	0	30,000	20,889	30.37%
Carry Over Fund Balance		655,716	24,374	680,090		
Total Income	2,223,066	4,231,316	24,374	4,255,690	1,352,534	62.17%
Expenditures						
<u>Direct:</u>						
Salaries	1,070,716	1,706,000	0	1,706,000	635,284	62.76%
FICA	65,067	130,000	0	130,000	64,933	50.05%
Retirement	109,584	181,300	0	181,300	71,716	60.44%
Health Insurance	134,974	180,000	0	180,000	45,026	74.99%
Workers Compensation	7,310	10,000	0	10,000	2,690	73.10%
Total Personnel	1,387,651	2,207,300	0	2,207,300	819,649	62.87%
Consultant Fees	46,133	40,000	0	40,000	-6,133	115.33%
NEP Contractual	141,314	174,000	0	174,000	32,686	81.22%
MPO Contractual	138,759	452,000	0	452,000	313,241	30.70%
Audit Fees	42,220	47,000	0	47,000	4,780	89.83%
Travel	24,824	75,000	0	75,000	50,176	33.10%
Telephone	8,952	8,750	0	8,750	-202	102.31%
Postage	16,179	28,000	0	28,000	11,821	57.78%
Equipment Rental	23,923	32,200	0	32,200	8,277	74.29%
Insurance	18,298	33,200	0	33,200	14,902	55.12%
Repair/Maintenance	12,964	25,000	0	25,000	12,036	51.86%
Printing/Reproduction	72,745	93,500	0	93,500	20,755	77.80%
Utilities (Elec, Gas, Water)	15,200	28,000	0	28,000	12,800	54.28%
Advertising	11,543	13,050	0	13,050	1,507	88.45%
Other Miscellaneous	1,728	4,500	0	4,500	2,772	38.40%
Office Supplies	12,655	18,500	0	18,500	5,845	68.41%
Computer Related Expenses	36,005	39,000	0	39,000	2,995	92.32%
Publications	1,961	3,800	0	3,800	1,839	51.60%
Professional Development	30,500	34,000	0	34,000	3,500	89.71%
Meetings/Events	52,421	55,800	0	55,800	3,379	93.94%
Capital Outlay-Operations	6,478	25,000	0	25,000	18,522	25.91%
Capital Outlay-Building	0	10,000	0	10,000	10,000	0.00%
Long Term Debt	85,167	128,000	0	128,000	42,833	66.54%
Allocation of Fringe/Indirect		0	0	0	0	
Reserve for Operation Expense		655,716	24,374	680,090	680,090	
Total Cash Outlays	2,187,620	4,231,316	24,374	4,255,690	2,068,070	61.18%
Net Income/(Loss)	35,446	0	0	0		

Regional Planning Council
Budget vs. Actual
For the month ending May 31, 2011

	Total RPC Special Rev.	RPC General	Total RPC Actual	MPO Actual	CHNEP Actual	Total Combined Actual
Revenues						
Membership Dues	0	350,001	350,001	0	0	350,001
Federal/State/Local Grants	656,262		656,262	480,606	612,739	1,749,607
Dri/Monitoring Fees	114,346		114,346	0	0	114,346
Interest And Miscellaneous	0	9,111	9,111	0	0	9,111
Carry Over Fund Balance	0		0	0	0	0
Total Income	770,608	359,113	1,129,720	480,606	612,739	2,223,066
Expenditures						
Direct:						
Salaries						1,070,716
FICA						65,067
Retirement						109,584
Health Insurance						134,974
Workers Compensation						7,310
Total Personnel						1,387,651
Consultant Fees	35,875	10,258	46,133	0	0	46,133
NEP Contractual	0	0	0	0	141,314	141,314
MPO Contractual	0	0	0	138,759	0	138,759
Audit Fees	0	42,220	42,220	0	0	42,220
Travel	7,068	6,755	13,824	2,851	8,149	24,824
Telephone	0	7,616	7,616	884	452	8,952
Postage	437	5,855	6,292	1,866	8,021	16,179
Equipment Rental	0	23,798	23,798	125	0	23,923
Insurance	0	18,298	18,298	0	0	18,298
Repair/Maintenance	0	12,964	12,964	0	0	12,964
Printing/Reproduction	7,030	1,112	8,142	723	63,880	72,745
Utilities (Elec, Gas, Water)	0	15,200	15,200	0	0	15,200
Advertising	1,306	1,085	2,390	9,153	0	11,543
Other Miscellaneous	0	623	623	360	745	1,728
Office Supplies	718	9,841	10,559	1,083	1,013	12,655
Computer Related Expenses	0	31,294	31,294	0	4,710	36,005
Publications	649	1,312	1,961	0	0	1,961
Professional Development	2,710	21,730	24,440	1,420	4,640	30,500
Meetings/Events	10,858	1,790	12,648	1,831	37,941	52,421
Capital Outlay-Operations	0	4,715	4,715	0	1,763	6,478
Capital Outlay-Building	0	0	0	0	0	0
Long Term Debt	0	85,167	85,167	0	0	85,167
Allocation of Fringe/Indirect	413,605	-780,617	-367,012	178,487	188,525	0
Reserve for Operation Expense						
Total Cash Outlays	794,669	299,606	1,094,275	480,606	612,739	2,187,620
Net Income/(Loss)			35,446			35,446

Regional Planning Council
Budget vs. Actual
For the month ending May 31, 2011

	DCA	HMEP/SQG EMERG	Economic Developmt.	Hurricane Evac/Coastal Depth Analysis	TDs	DRIs/ NOPCs	Other Contracts	Total RPC Special Rev.
Revenues								
Membership Dues								0
Federal/State/Local Grants	178,818	61,646	16,127	22,500	54,095		323,076	656,262
Dri/Monitoring Fees						114,346		114,346
Interest And Miscellaneous								0
Carry Over Fund Balance								0
Total Income	178,818	61,646	16,127	22,500	54,095	114,346	323,076	770,608
Expenditures								
Direct:								
Salaries								
FICA								
Retirement								
Health Insurance								
Workers Compensation								
Total Personnel								
Consultant Fees	0	6,406	0	0	0	0	29,470	35,875
NEP Contractual	0	0	0	0	0	0	0	0
MPO Contractual	0	0	0	0	0	0	0	0
Audit Fees	0	0	0	0	0	0	0	0
Travel	936	2,267	0	0	27	0	3,838	7,068
Telephone	0	0	0	0	0	0	0	0
Postage	35	16	36	39	193	17	101	437
Equipment Rental	0	0	0	0	0	0	0	0
Insurance	0	0	0	0	0	0	0	0
Repair/Maintenance	0	0	0	0	0	0	0	0
Printing/Reproduction	2	43	1	0	0	2	6,981	7,030
Utilities (Elec, Gas, Water)	0	0	0	0	0	0	0	0
Advertising	69	0	0	0	1,237	0	0	1,306
Other Miscellaneous	0	0	0	0	0	0	0	0
Office Supplies	0	0	0	373	0	0	345	718
Computer Related Expenses	0	0	0	0	0	0	0	0
Publications	0	0	0	0	0	0	649	649
Professional Development	335	0	2,000	0	0	0	375	2,710
Meetings/Events	0	200	13	0	0	0	10,645	10,858
Capital Outlay-Operations	0	0	0	0	0	0	0	0
Capital Outlay-Building	0	0	0	0	0	0	0	0
Long Term Debt							0	
Allocation of Fringe/Indirect	92,137	12,485	47,837	15,203	26,129	65,272	154,541	413,605
Reserve for Operation Expense								
Total Cash Outlays	167,366	31,425	93,012	27,799	48,527	117,459	309,083	794,669
Net Income/(Loss)								

Southwest Florida Regional Planning Council
For the month ending May 31, 2011

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	165,603		165,603			
DCA - TITLE III	13,215		13,215			
SALT MARSH LANDS	51,578		65,109			
WETLANDS	82,818		82,818			
ECONOMIC DEVELOP.	12,574		16,127			
HMEP-PLANNING and TRAINING	52,546		52,546			
SQG	9,100		9,100			
TD GLADES/HENDRY	29,016		29,016			
TD LEE	25,079		25,079			
COASTAL DEPTH ANALYSIS	22,500		22,500			
NEFRC Pos: FIN-MARC / I/O / EDWARDS / RTIC / TEP	93,992		133,498			
CLIMATE RESILIENCY	13,921		13,921			
PG EAR	20,229		20,229			
TOTAL FEDERAL/STATE/LOCAL GRANTS (RPC)	592,172	728,193	648,762	29.2%	9.6%	89.1%
DRI's/NOPCs - DRI MON.	93,079	200,000	114,346	5.1%	22.8%	57.2%
ASSESSMENTS & MISC INC. (Includes ABM)	365,872	496,669	366,613	16.5%	0.2%	73.8%
CHNEP	520,329	1,036,700	612,739	27.6%	17.8%	59.1%
MPO	415,530	1,114,038	480,606	21.6%	15.7%	43.1%
Total Revenue	1,986,982	3,575,600	2,223,066	100.0%	11.9%	62.2%
Operating Expenses (all 3 entities-RPC,MPO,NEP)						
Salaries and Fringe (all personnel)	1,218,012	2,207,300	1,387,651	63.4%	13.9%	62.9%
Consultant Fees	30,225	40,000	46,133	2.1%	52.6%	115.3%
NEP Contractual	88,391	174,000	141,314	6.5%	59.9%	81.2%
MPO Contractual	116,245	452,000	138,759	6.3%	19.4%	30.7%
Audit Fees	42,220	47,000	42,220	1.9%	0.0%	89.8%
Travel	20,834	75,000	24,824	1.1%	19.2%	33.1%
Telephone	7,352	8,750	8,952	0.4%	21.8%	102.3%
Postage	15,514	28,000	16,179	0.7%	4.3%	57.8%
Equipment Rental	19,932	32,200	23,923	1.1%	20.0%	74.3%
Insurance	17,869	33,200	18,298	0.8%	2.4%	55.1%
Repair/Maintenance	11,076	25,000	12,964	0.6%	17.0%	51.9%
Printing/Reproduction	67,437	93,500	72,745	3.3%	7.9%	77.8%
Utilities (Gas,Water, Garb.)	13,114	28,000	15,200	0.7%	15.9%	54.3%
Advertising	7,607	13,050	11,543	0.5%	51.7%	88.4%
Other Miscellaneous	1,796	4,500	1,728	0.1%	-3.8%	38.4%
Office Supplies	9,804	18,500	12,655	0.6%	29.1%	68.4%
Computer Related Exps.	32,378	39,000	36,005	1.6%	11.2%	92.3%
Publications	1,918	3,800	1,961	0.1%	2.2%	51.6%
Professional Development	30,221	34,000	30,500	1.4%	0.9%	89.7%
Meetings/Events	44,350	55,800	52,421	2.4%	18.2%	93.9%
Capital Outlay-Operations	5,314	25,000	6,478	0.3%	21.9%	25.9%
Capital Outlay-Building	0	10,000	0	0.0%	-	-
Long Term Debt	74,521	128,000	85,167	3.9%	14.3%	66.5%
Total Operating Expenses	1,876,130	3,575,600	2,187,620	100.0%	16.6%	61.2%
Net Income or (loss)	110,852	0	35,446			

OVERALL VIEW OF ESTABLISHED ACTIVE GRANTS INCLUDING MPO AND CHNEP

Agency / Contract #	PROJECT NAME	CDFIA/ CSFA	GRANT PERIOD	FEDERAL	STATE	OTHER or MATCH	TOTAL	TOTAL SPENT	BALANCE
DCA 11-DR-CC-13-00-21-009	DCA - GENERAL	52-006	7/1/10 - 6/30/11		221,341		221,341	208,075	13,266
DCA 11-CP-03-13-00-21-087	DCA - TITLE III	52-006	7/1/10 - 6/30/11		40,909		40,909	42,722	-1,813
EPA CD95450310	SALT MARSH LANDS	66-456	10/1/09 - 6/30/12	299,725			299,725	120,304	179,421
EPA CD96484907	WETLANDS	66-456	10/1/07 - 12/31/10	470,494			470,494	470,902	-408
EDA 04-83-06492 (w/match)	ECONOMIC DEVELOP.2010-12	11-300	1/1/11 - 12/31/13	26,500		11,357	37,857	16,127	21,730
DEM 11-DT-83-13-00-21-210	HMEP-PLANNING	20-703	10/1/10 - 09/30/11	18,000			18,000	16,882	1,118
DEM 11-DT-83-13-00-21-210	HMEP-TRAINING	20-703	10/1/10 - 09/30/11	34,546			34,546	14,282	20,264
Glades/Hendry	SQG	N/A	10/1/10 - 09/30/11			9,100	9,100	261	8,839
TD AQ064	TD GLADES/HENDRY	55-002	7/1/10 - 6/30/11		35,137		35,137	30,779	4,358
TD AQ055	TD LEE	55-002	7/1/10 - 6/30/11		29,702		29,702	28,492	1,210
PO Pending	COASTAL DEPTH ANALYSIS	97-039	10/1/10 - 9/30/11	22,500			22,500	22,122	378
NERPC PO # 332/410	RTIC REVIEW & TEP	97-067	NEFPC Grant			31,713	31,713	27,988	3,725
NERPC PO # 420/334/397	FIN-MARC / I/O / EDWARDS	97-055	NEFPC Grant			115,931	115,931	90,199	25,732
LEE PO # 204716	CLIMATE RESILIENCY	N/A	NEFPC Grant			30,000	30,000	26,278	3,722
PO # 42845	PG EAR	N/A	01/10 - 12/10			28,000	28,000	21,841	6,159
Sponsors	ABM	N/A	N/A			5,000	5,000	3,528	1,472
EPA CE96457406-4	CHNEP	66-456	10/1/06 - 9/30/11	518,350		518,350	1,036,700	612,739	423,961
FHA/US DOT THRU FDOT 420869-1-14-01-0261 (47)	MPO	20-205	7/1/10 - 6/30/11	824,304		179,488	1,003,792	654,445	349,348
FEE BASED	DRIs/NOPCs - DRI MON.	N/A	Fiscal Year			114,346	114,346	117,459	-3,113

SWFRPC Upcoming Opportunities				
Name of Project	Funding Source	Due Date, Total Requested & In-kind or Match	Details & Date Grant Submitted	Lead
Partners for Fish and Wildlife Program	USFWS		Technical Assistance	CHNEP
Coastal Partners Initiative	FDEP	October 2011, requires match, but in-kind volunteer hours are eligible, up to \$50,000	Grassroots restoration, education	Liz
Gulf of Mexico Program	US EPA	June 2011,		Liz
Gulf Coast Ecosystem Restoration grants	unknown	unknown	restoration of the Gulf of Mexico ecosystems	CHNEP
Sustainable Communities	HUD/EPA/DOT	sometime this summer	2nd funding of the FY2010 Sustainable Communities Initiative	Nikki and Jennifer
Climate Ready Estuaries	EPA HQ	April/May, 50% to 100% match can use in-kind	Possible request for funding of economic impacts to environment of climate change	Liz
EPA Brownfields	EPA	Oct-11	TBA	John Gibbons

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
SWF Brownfields Program	SWFRPC	EPA		\$200,000	\$200,000	\$200,000	10/15/2010	3 yrs.	John Gibbons
Charlotte Harbor: Peer to Peer Experiential Learning through Social Media and Technology	CHNEP	NOAA	\$9,310	\$91,810	\$233,000	\$324,810	10/14/2010	3 yrs.	Maran
EPA 5 STAR	CHNEP	National Fish and Wildlife Foundation		up to \$40,000	100%		2/14/2011		Lee County/Liz
Pine Island Commercial Marina Seagrass Restoration	CHNEP	USFWS	0	94591	44509	139100	4/8/2011	1 year	TNC
Southwest Florida: Sustainable Practices for the 21 st Century	SWFRPC	Community Foundation Grant		\$19,000	\$6,550	\$25,550	5/6/2011	1 year	Jennifer/Liz/Nikki

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
Understanding Valued Ocean Resources and Their Protection through E-Learning	CHNEP	Nartional Geographic	\$2,000	\$2,000	0	\$2,000	5/20/2011	3 months	Maran
NSF ITEST Grant	FGCU/SWFRPC/C HNEP	Nationa Science Foundation	\$51,509	??	0		5/10/2011	3 years	Liz

_____ Agenda
_____ Item

3c

SWFRPC/SWF LEPC Scheduled
Hazardous Materials Training

3c

3c

SWFRPC/SWF LEPC Sponsored Hazardous Materials Awareness Training

Introduction

The Southwest Florida Regional Planning Council and the Southwest Florida Local Emergency Planning Committee for Hazardous Materials continues to provide outstanding hazardous materials training and assistance to emergency responders and government officials of the region. As in previous years, the Southwest Florida LEPC/SWFRPC is providing free training to government employees of the region. Continuing education and training are essential parts of our mission to provide comprehensive emergency preparedness systems throughout Southwest Florida. Training opportunities can take many forms, from informal “in-house” sessions to major full-scale exercises. Listed below are some of the Highlights of our current approved courses for delivery:

Course Name	Date	Location	# of Registrants
8-hour Foam/Ethanol Training	June 8, 2011	Estero	40 Firefighters
8-hour Hazmat/Hazwoper Refresher Course	August 18, 2011	Fort Myers	43 Registrants
8-hour Hazmat/Hazwoper Refresher Course	August 19, 2011	Naples	72 Registrants

Course Overview

The **HAZWOPER/HAZMAT** training is primarily geared to public utilities personnel and government inspectors of the region. Employees and employers covered by the OSHA HAZWOPER standard have to take the initial HAZWOPER training which consists of either a 24 or 40 hour course to become HAZWOPER certified.

The **Foam/Ethanol** course is hands-on training involving the application of foam agents during fire situations. Moreover, firefighters will learn the various techniques and the dos and don'ts of foam application, along with the hazards requiring fixed foam protection.

RECOMMENDATION: Information Item.



**“FREE”
8-Hour
HAZARDOUS WASTE/MATERIALS
ANNUAL REFRESHER**

**HAZARDOUS WASTE OPERATIONS
AND
EMERGENCY RESPONSE**

August 18, 2011
(9:00 a.m. - 5:30 p.m.)

MEETING
OSHA 1910.120 Compliance Regulations

PRESENTED BY:
Kenton Brown, CHMM

SPONSORED BY:
**Southwest Florida Local Emergency Planning Committee
Southwest Florida Regional Planning Council
Florida Department of Environmental Protection**

LOCATION
**Florida Department of Environmental Protection
Suite 165 C&D
2295 Victoria Avenue, Fort Myers, Florida 33901**

AGENDA & TOPICS
Hazards Identification, Air Monitoring, Hazardous Materials Incidents, Personal Protective Clothing, Decontamination Techniques, Levels of Protection, Confinement, Toxicology and Exposure Guidelines. Please Note: This program is free to government employees. Non-government industry personnel will incur a charge of \$35.00 for course attendance.

**Direct telephone inquiries and mailings to:
John Gibbons, Principal Planner/Program Manager
Southwest Florida Regional Planning Council
1926 Victoria Avenue, Fort Myers, FL 33901
(239) 338-2550, Ext. 229, (239) 338-2560-FAX, Email: jgibbons@swfrpc.org**

Who should attend: Waste Operators, Facility Owners, Government Inspectors, Health Officials, Safety Managers, Government Planners and Firefighters.



PLEASE REGISTER THE FOLLOWING:

NAME:	
ORGANIZATION:	
ADDRESS:	
CITY/STATE/ZIP:	
TELEPHONE:	FAX NUMBER: EMAIL ADDRESS:



**“FREE”
8-Hour
HAZARDOUS WASTE/MATERIALS
ANNUAL REFRESHER**

**HAZARDOUS WASTE OPERATIONS
AND
EMERGENCY RESPONSE**

August 19, 2011
(9:00 a.m. - 5:30 p.m.)

MEETING
OSHA 1910.120 Compliance Regulations

PRESENTED BY:
Kenton Brown, CHMM

SPONSORED BY:
Southwest Florida Local Emergency Planning Committee
Southwest Florida Regional Planning Council
Collier County Pollution Control

LOCATION
South County Regional Water Treatment Plant
3851 City Gate Drive
Naples, Florida 34117

AGENDA & TOPICS
Hazards Identification, Air Monitoring, Hazardous Materials Incidents, Personal Protective Clothing, Decontamination Techniques, Levels of Protection, Confinement, Toxicology and Exposure Guidelines. Please Note: This program is free to government employees. Non- government industry personnel will incur a charge of \$35.00 for course attendance.

Direct telephone inquiries and mailings to:
John Gibbons, Principal Planner/Program Manager
Southwest Florida Regional Planning Council
1926 Victoria Avenue, Fort Myers, FL 33901
(239) 338-2550, Ext. 229 - (239) 338-2560-FAX

Who should attend: Waste Operators, Facility Owners, Government Inspectors, Health Officials, Safety Managers, Government Planners and Firefighters.



PLEASE REGISTER THE FOLLOWING:

NAME:	
ORGANIZATION:	
ADDRESS:	
CITY/STATE/ZIP:	
TELEPHONE:	FAX NUMBER:

_____ Agenda
_____ Item

3d

Glades County Comprehensive Plan
Amendments (DCA 11-1)

3d

3d

**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
GLADES COUNTY**

The Council staff has reviewed proposed amendments to the Glades County Comprehensive Plan (DCA 11-1). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DCA 11-1 (COMP11-01LS)	no	no	no	(1) not regionally significant; and (2) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and Glades County.

06/11

Attachment I

**LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND
DEVELOPMENT REGULATION ACT**

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to developments of regional impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.
[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.
[(s. 163.3184(6)(b))]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."
[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

**SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL
COMPREHENSIVE PLAN AMENDMENT REVIEW**

1. Local Government Name:

Glades County

2. Amendment Number:

DCA 11-1

3. Did the RPC prepare the Plan Amendment: (YES) (NO)

No

4. Date DCA Notified RPC that Amendment Package was Complete, if Applicable:

April 28, 2011

5. Date Amendment Review must be Completed and Transmitted to DCA:

May 28, 2011

6. Date the Review was Transmitted to DCA:

May 27, 2011

7. Description of the Amendment:

This proposed amendment is an applicant initiated request to change the County's Future Land Use Map (FLUM) land use designation on a 48-acre parcel from the existing designation of "Residential General" to a new designation of "Agriculture Open." The subject parcel is located on Crescent Avenue in the Hidden Lakes Ranch subdivision in Muse just north of the City of LaBelle. The current FLUM land use designations adjacent to the north, west and south of the property is Residential and Agriculture Residential to the east. Most of the properties located around the site are vacant and undeveloped. According to the County staff report, the current land use designation allows for a density of 7 units per acre or 336 dwelling units. If the requested change is approved, the new land use designation would

decrease the density on the site to one unit per 20 acres which would allow two dwelling units. It is the intent of the applicant to utilize the property for mining sand for construction uses in the area. There are two similar fill pits located just south of the subject site. These mines appear to be completed and not currently in operation.

8. Is the Amendment consistent with the Strategic Regional Policy Plan:

This requested amendment impacts less than 50 acres and is not regionally significant. The project will reduce residential development outside the urban core of LaBelle and will not significantly impact the long-term residential development in the surrounding area. Surrounding lands while approved for residential development are vacant and not currently developed. There could be some compatibility issues associated with the mining activities, but Council staff believes that they will be temporary and would deal mainly with trucking the mined materials off the site. There are no other development issues identified in the County staff report and the proposed mining will not produce any significant impacts to regional resources and could add to future habitat for wading birds and other species along the edges of the resultant lake.

Council staff therefore finds that the requested amendments consistent with the SRPP in that the proposed mining activity will increase future habitat, reduce long-term impacts on the future roadway network, provide a needed resource for future construction projects in the region and provide jobs in the County.

9. Applicable Strategic Regional Policy Plan Goals, Strategies and Actions:

Council staff finds that the proposed amendments are consistent with the following SRPP Goals, Strategies and Actions:

Economic Development - Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Maintain the physical infrastructure to meet growth demands.

Action 1: Review plan amendments, development proposal, and clearinghouse items for public facility deficits and encourage mitigation of those deficits.

Action 2: Assist local governments and state agencies in planning for future support service facilities, before the need arises.

Action 5: Review proposed public facilities and services to ensure that costs are allocated on the basis of benefits received by existing and future residents.

Strategy: Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided.

Action 3: Include in planning efforts the recognition of lands with natural capacity, accessibility, previous preparation for urban purposes, and adequate public facilities.

Action 4: Participate, coordinate, or promote intergovernmental coordination for siting unpopular land uses.

Strategy: Ensure adequate infrastructure for rural areas.

Action 2: Evaluate locally undesirable land uses as part of rural economic development.

Strategy: Enhance existing commercial, service, and industrial centers through adequate maintenance and reinvestment.

Action 1: Maintain an inventory of public infrastructure and recommended improvements.

Action 2: Review plan amendments, new plans, and land development regulations for incentives to develop and redevelop.

10. The effects of the Proposed Amendment on Regional Resources or Facilities Identified in the Strategic Regional Policy Plan:

The proposed amendment has been reviewed by Council staff for regional impacts and found that the requested change will not have significant impacts on any regional resource or facilities that are found in the SRPP.

11. Extra-Jurisdictional Impacts that would be Inconsistent with the Comprehensive Plan of the Affected Local Government:

Council staff finds that based on the information provided in the amendment application and the County comments that the proposed mining activity that would result from the requested amendment will not have extra-jurisdictional impacts in that they are located internal to the County and will not impact other jurisdictions. In addition, the proposed amendment will not have extra-jurisdictional impacts that would be inconsistent with the County's Comprehensive Plan due to the fact that the proposed land use designation change is local in intent and will not produce impacts that are regional in nature.

Analysis of the effects on the proposed amendments on the following issues to the extent they are addressed in the Strategic Regional Policy Plan on:

12. Compatibility among local plans including, but not limited to, land use and compatibility with military bases:

Council staff has review the proposed land use change for the proposed mining activities and finds that the parcel affected by the FLUM changes are not incompatible with the adjacent land uses because the proposed use is temporary in nature and because there are no residential development in the area of the impacted lands. None of the requests are found by the Council to have compatibility issues if appropriate setback and conditions that are

necessary to obtain a mining permit in the County are implemented. The proposed amendments will not impact any military bases.

13. Impacts to significant regional resources and facilities identified in the Strategic Regional Policy Plan, including, but not limited to, impacts on groundwater recharge and the availability of water supply:

If approved, the amendment will not significantly reduce regional groundwater recharge on the subject sites and will not significantly increase the potable water consumption in the area. The proposed mining activity provided for in the request has been shown by the County as to actually reduce impacts from what has been previously approved, therefore no significant regional resources or facilities that are identified in the SRPP will be negatively impacted, including groundwater and the water supply. Council staff supports the findings of the May 6, 2011 South Florida Water Management District that the proposed changes will not result in any significant water related issues.

14. Affordable housing issues and designation of adequate sites for affordable housing:

Glades County has sufficient affordable housing units available due to the current economic situation of southwest Florida. In addition this request further reduces the future need for affordable housing in the area because of the reduction of residential units that could be built on the subject site at the present time. Council staff therefore finds that the affordable housing issues found in some of the coastal counties of the region are not present in this area of the region.

15. Protection of natural resources of regionally significance identified in the Strategic Regional Policy Plan including, but limited to, protection of spring and groundwater resources, and recharge potential:

The development that would result from these amendments will not have impacts to regionally significant resources as previously identified in this assessment and has stated by the May 6, 2011 South Florida Water Management District letter. There are no springs requiring protection on or near the subject site.

16. Compatibility with regional transportation corridors and facilities including, but not limited to, roadways, seaports, airports, public transportation systems, high speed rail facilities, and intermodal facilities:

Council staff has reviewed the subject development that would result from the proposed amendment changes and finds that the mining activities as described will produce fewer impacts to the regional transportation corridors and facility because the proposed mine will result in 334 fewer homes in the area and thereby will not present transportation compatibility issues in Glades or adjacent counties or cities. In addition, the location of the mine will overall reduce the number of fill trucks on the roadway network in the area and will assist in future road development in the area. The proposed amendments will not

negatively impact roadways, airports, public transportation systems, high speed rail facilities, or intermodal facilities and in fact could reduce trips in the future due to the location of a fill operation neared to future road improvements in the region. This area of the region does not contain any seaports that require consideration.

17. Adequacy and compatibility with emergency preparedness plans and local mitigation strategies including, but not limited to, the impacts on and availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation:

The proposed amendments will not significantly lessen future impacts on emergency preparedness plans and local mitigation strategies. The proposed mining project will reduce the impacts on the availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation because the proposed development will reduce the number of residential units in the County by 334 dwelling units.

18. Analysis of the effects of extra-jurisdiction impacts which may be created by the amendment:

Council staff has reviewed the amendments concerning the proposed mining activities that the proposed changes would result and no regionally significant extra-jurisdictional impacts could be identified.

Attachment III

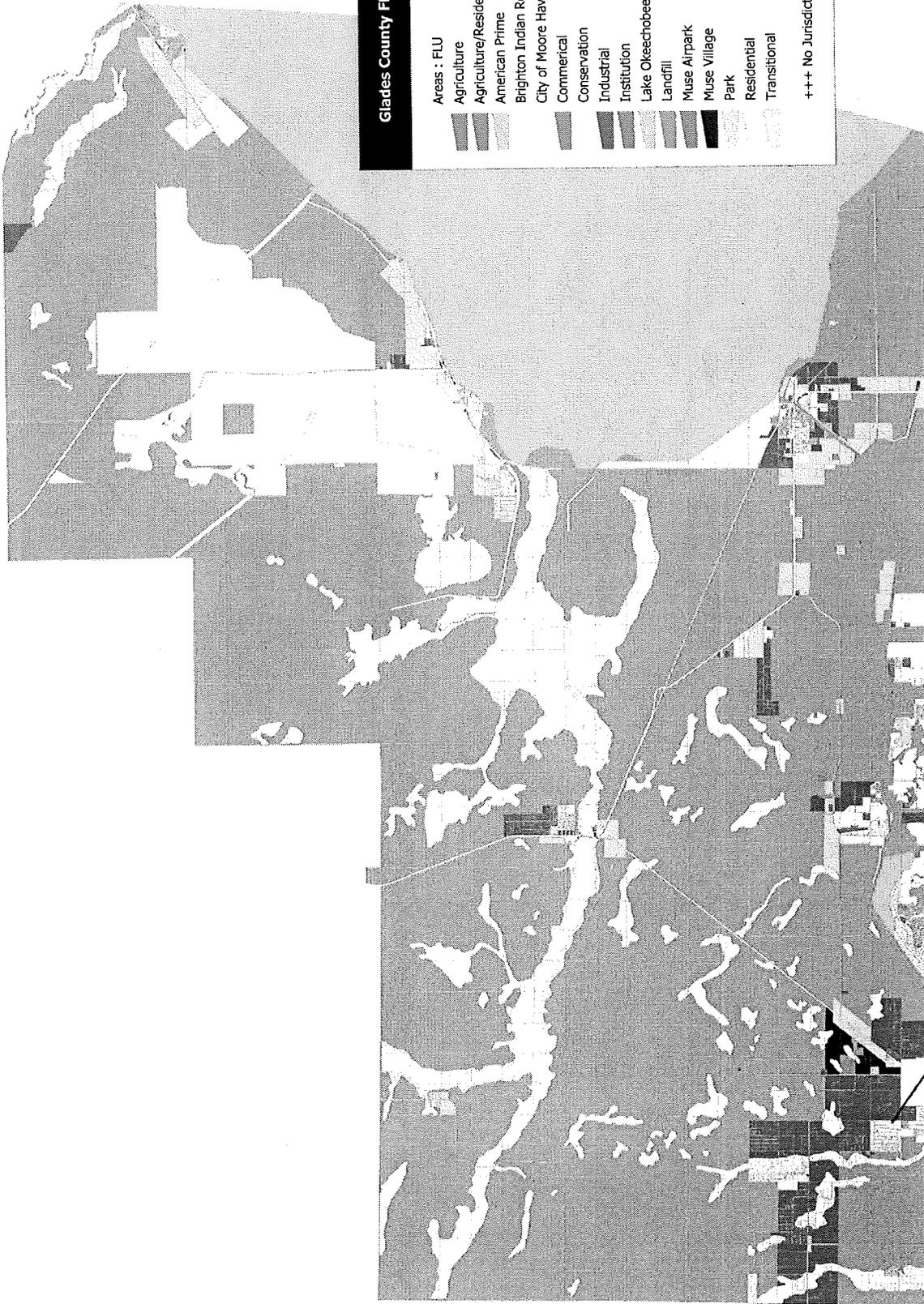
Maps

**Glades County
DCA 11-1**

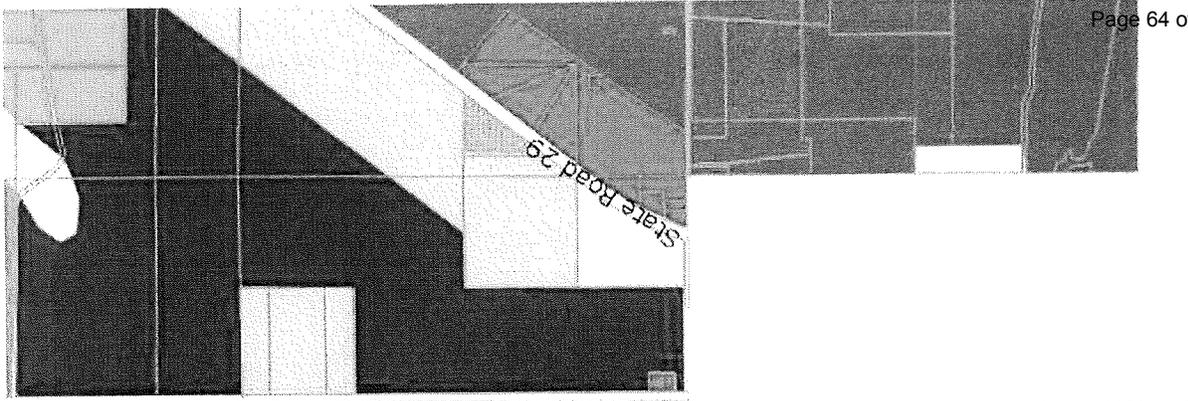
**Proposed Comprehensive Plan Amendments
Site Locations**

Glades County FLUM 2020

- Areas : FLU
- Agriculture
- Agriculture/Residential
- American Prime
- Brighton Indian Reservation+++
- City of Moore Haven+++
- Commercial
- Conservation
- Industrial
- Institution
- Lake Okeechobee+++
- Landfill
- Muse Airpark
- Muse Village
- Park
- Residential
- Transitional
- +++ No Jurisdiction



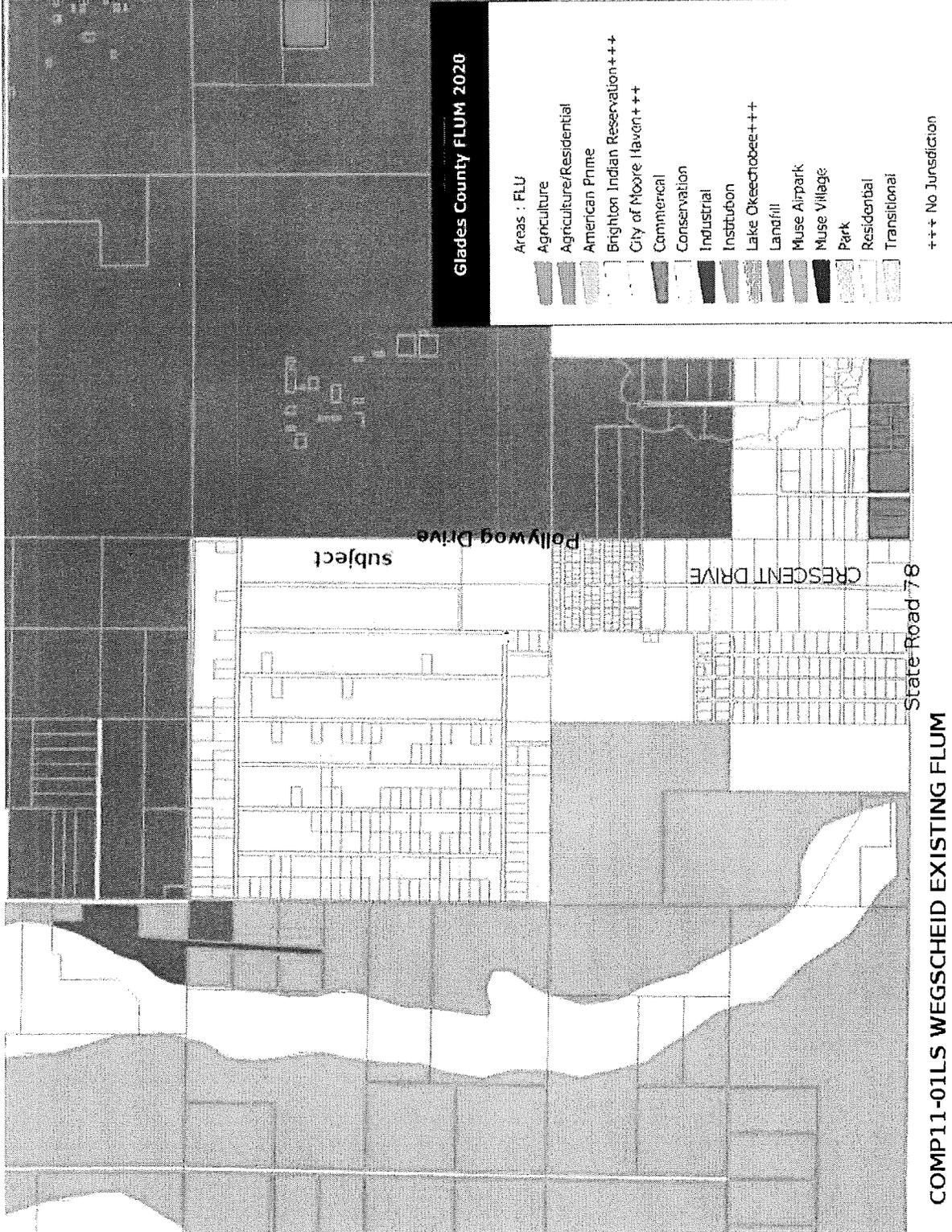
Comp II-DI LS WEGSHEID



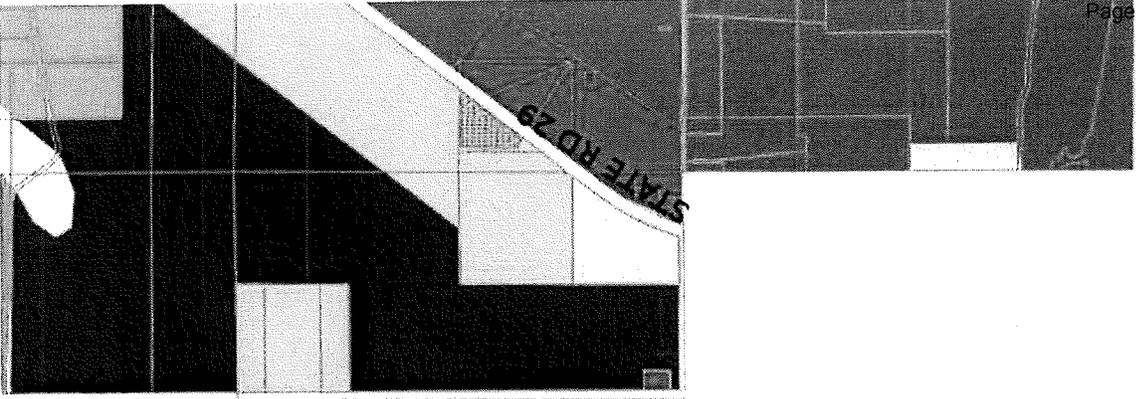
Glades County FLUM 2020

- Areas : FLU
- Agriculture
- Agriculture/Residential
- American Prime
- Brighton Indian Reservation+++
- City of Moore Haven+++
- Commercial
- Conservation
- Industrial
- Institution
- Lake Okeechobee+++
- Landfill
- Muse Airpark
- Muse Village
- Park
- Residential
- Transitional

+++ No Jurisdiction

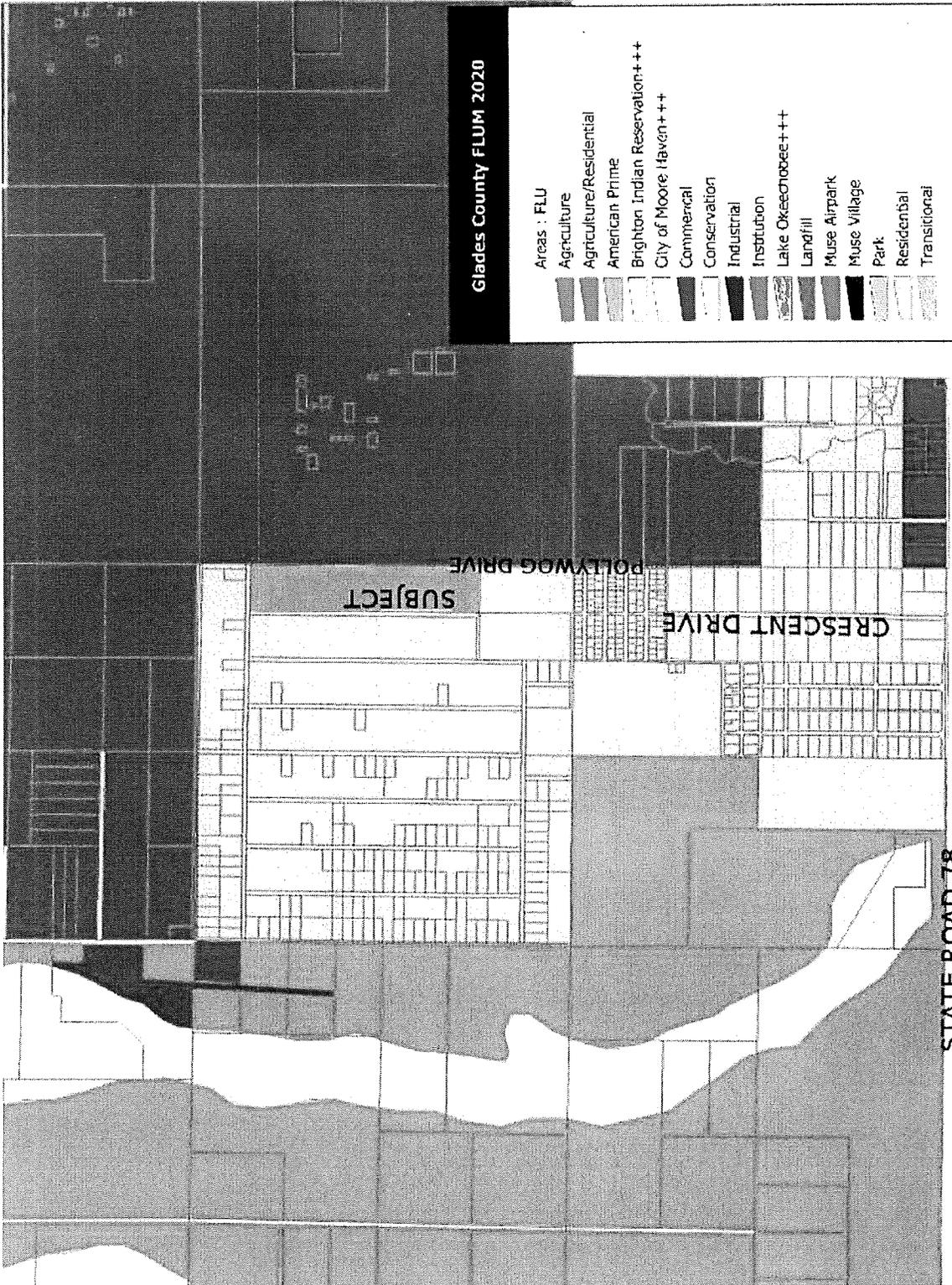


COMP11-01LS WEGSCHEID EXISTING FLUM



Glades County FLUM 2020

- Areas : FLU
- Agriculture
- Agriculture/Residential
- American Prime
- Brighton Indian Reservation+++
- City of Moore Haven+++
- Commercial
- Conservation
- Industrial
- Institution
- Lake Okeechobee+++
- Landfill
- Muse Airpark
- Muse Village
- Park
- Residential
- Transitional
- +++ No Jurisdiction



STATE ROAD 78
COMP11-011S WEGSCHEID PROPOSED FLUM

Glades County Zoning Map

Not for Official use!

Find:
Within: ADDRESS_1
Go

Legend

Zoning
Areas : Zoning

- AR
- C-1
- C-2
- C-2/RV
- CG
- CRV
- ID-1
- ID-2
- MIXED
- Mixed
- Moore Haven
- CUA
- OJFF
- PD
- PS
- R/R
- R/W
- RG
- RM
- RNH
- RS
- RV
- Semipole
- mixed

Zoom In 81°28.327' W:26°47.313' N
Copyright (C) 2008. All rights reserved.
Powered by manifold.net

CRESCENT AVE S.W.
SUBJECT PARCEL
CR 70

Agenda Item

3e

Acceptance of the 2011-12
Transportation Disadvantaged
Planning Grant Funds

3e

3e

ACCEPTANCE OF THE 2011-12 TRANSPORTATION DISADVANTAGED PLANNING GRANT FUNDS

Rule 41-2.014(2), *Florida Administrative Code*, describes planning related grant funds as those that may be used by the Designated Official Planning Agency – which, for the Joint Service Area of Glades and Hendry Counties, is the Southwest Florida Regional Planning Council (SWFRPC) – to undertake their responsibilities under Chapter 427, *Florida Statutes*. This includes staff support to the Local Coordinating Board to implement planning services for the non-sponsored transportation disadvantaged in its service area. The money comes from the Transportation Disadvantaged Trust Fund, which was set up to provide a dedicated funding source for some of the operational and planning expenses of the Commission for the Transportation Disadvantaged in carrying out its legislative responsibilities.

For the Fiscal Year 2011/2012 planning grant year, which runs from July 1, 2011 to June 30, 2012, the planning grant allocation for Glades and Hendry Counties is \$35,139. In the past, the SWFRPC Board, by Resolution has authorized the Executive Director to file a grant application. **Resolution No. 2011-02** authorizing the SWFRPC's Executive Director to execute a Transportation Disadvantaged Trust Fund Grant Agreement with the Florida Commission for the Transportation Disadvantaged is provided as an attachment.

The SWFRPC staff recommends approval of this item.

RECOMMENDED ACTION: Review and Accept the FY 2011/2012 Transportation Disadvantaged Planning Funds for Glades and Hendry Counties and authorize the Chairman to execute Resolution No. 2011-02.

06/2011

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RESOLUTION NO. 2011-02**

A RESOLUTION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (RECIPIENT), HEREINAFTER BOARD, HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL TO EXECUTE A TRANSPORTATION DISADVANTAGED TRUST FUND GRANT AGREEMENT WITH THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

WHEREAS, this BOARD is eligible to receive a Transportation Disadvantaged Trust Fund Grant and to undertake a transportation disadvantaged service project as authorized by Section 427.0159, Florida Statutes, and Rule 41-2, Florida Administrative Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD THAT:

1. The BOARD has the authority to enter into this grant agreement.
2. The BOARD authorizes Ken Heatherington to execute the grant agreement on behalf of the BOARD with the Florida Commission for the Transportation Disadvantaged.
3. The BOARD'S Registered Agent in Florida is Liz Donley. The Registered Agent's address is 1926 Victoria Avenue, Fort Myers, FL 33901.
4. The BOARD authorizes Ken Heatherington to sign any and all agreements or contracts which are required in connection with the grant agreement.
5. The BOARD authorizes Ken Heatherington to sign any and all assurances, reimbursement, invoices, warranties, certifications and any other documents which may be required in connection with the application or subsequent agreements.

DULY PASSED AND ADOPTED THIS 16TH DAY OF JUNE, 2011.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Charles Kiester, Chairman
Southwest Florida Regional Planning Council

Ken Heatherington, Executive Director
Southwest Florida Regional Planning Council

Agenda

Item

3f

FL Broadband Planning Project
Grant Application

3f

3f

The Florida Broadband Planning Project

The Florida Broadband Planning Project is a two-year project that will develop a structured, comprehensive process for a regional broadband plan, particularly for areas that have been traditionally underserved. Tampa Bay RPC (TBRPC) will administer the project through an agreement with the State of Florida Department of Management Services (DMS). Florida DMS administers the State's broadband development programs, with funding provided by the National Telecommunications and Information Administration's Broadband Technology Opportunities Program. Total funding for the two-year Florida Broadband Planning Project is \$990,000 with additional matching funds of \$247,500 required. The project begins July 1, 2011 and ends on June 30, 2013. Council previously approved an agreement between TBRPC and Florida DMS.

TBRPC will administer the Florida Broadband Planning Project. However, the project is a collaborative effort of TBRPC, the Central Florida Regional Planning Council (CFRPC), and the Southwest Florida Regional Planning Council (SWFRPC). Staff proposes to enter into separate contracts with CFRPC and SWFRPC for each of those RPCs to provide staff and work products necessary for project completion.

Project funding for CFRPC is \$491,200 with \$122,800 required in matching funds. Funding for SWFRPC is \$308,800 with an additional \$77,200 in matching funds. TBRPC will receive \$190,000 with \$47,500 in matching funds.

RECOMMENDED ACTION: Authorize the Chair to sign the contract when administered.

06/2011

_____ Agenda
_____ Item

3g

Tuscany Reserve DRI - NOPC

3g

3g

TUSCANY RESERVE (fka Ronto Livingston)
DRI # 07-9899-149
NOTICE OF PROPOSED CHANGE

Background:

At the December 1999, SWFRPC meeting Council recommended conditional approval of the Tuscany Reserve Development of Regional Impact (DRI) Application for Development Approval. The approval was subject to regional conditions relating to Energy, Stormwater Management, Transportation, Water Supply/Waste Water Management and Consistency with the Local Comprehensive Plan, Strategic Regional Policy Plan and State Land Development Plan. On January 25, 2000 the Board of Collier County Commissioners approved the Tuscany Reserve DRI Development Order (DO).

The 463-acre DRI is located in unincorporated north Collier County near the Collier-Lee Line, between Livingston Road and I-75 (see Location Map, Attachment I). The DRI was approved for 1,380 residential units (344 single family and 1,036 multi-family units), a golf course and country club amenities. The Planned Unit Development (PUD) limited the residential units to 799. The golf course will include 18-holes and a 25,000 square foot clubhouse, with a pro shop, dining area maintenance facilities and driving range. The DRI will also include 46.96 acres of wetland and upland preserve/enhancement area (PUD stated) to be put in a conservation easement, 69 acres of lakes, 22 acres of right-of-way and 7-acre power line easement. To date based on the latest annual monitoring report 21 single family, 12 multifamily homes and the 18-hole golf course are complete. (See Site Aerial in Attachment II). The project was planned to be constructed in two phases with a project of buildout in 2007.

Previous Changes

Senate Bill 1752, passed during the 2010 legislative session which extends the expiration date of local government-issued development order or building permits that have an expiration date of September 1, 2008 through January 1, 2012 for up to two years. The original buildout was 2007 and with the Section 380.06(19)(c), F.S. automatic extension buildout date from January 25, 2007 to January 25, 2010 it was extended by 3 years.

Proposed Changes

The change would extend the buildout date by four (4) years and three hundred sixty-four (364) days. The change also removes the reference to a repealed PUD Zoning ordinance for the property, renames the DRI to Tuscany Reserve to make it consistent with the existing PUD Ordinance name, changes the report filing requirement from annual to biennial and lists the successor developer of the DRI as KE Tuscany Reserve Properties, LLC, a Delaware limited liability company.

Regional Staff Analysis

Since the buildout date extension is for less than five (5) years, per Section 380.06(19)(c)(2), Florida Statutes, this extension is deemed not to be a substantial deviation. The new buildout date will become January 24, 2017. As provided in Section 380.06(19)(c) F.S. any extension of a buildout date automatically extends the termination date of the development order and the expiration date of the DRI by like time period. The proposed text change would incorporate these automatic statutory extensions as well as the extension that is the subject of this NOPC.

Character, Magnitude, Location

The proposed changes do not change the character, magnitude and location.

Regional Goals, Resources or Facilities

The proposed changes do not affect any regional goals, resources of facilities.

Acceptance of Proposed D.O. Language

The proposed development order amendment language is acceptable to staff to address the proposed changes.

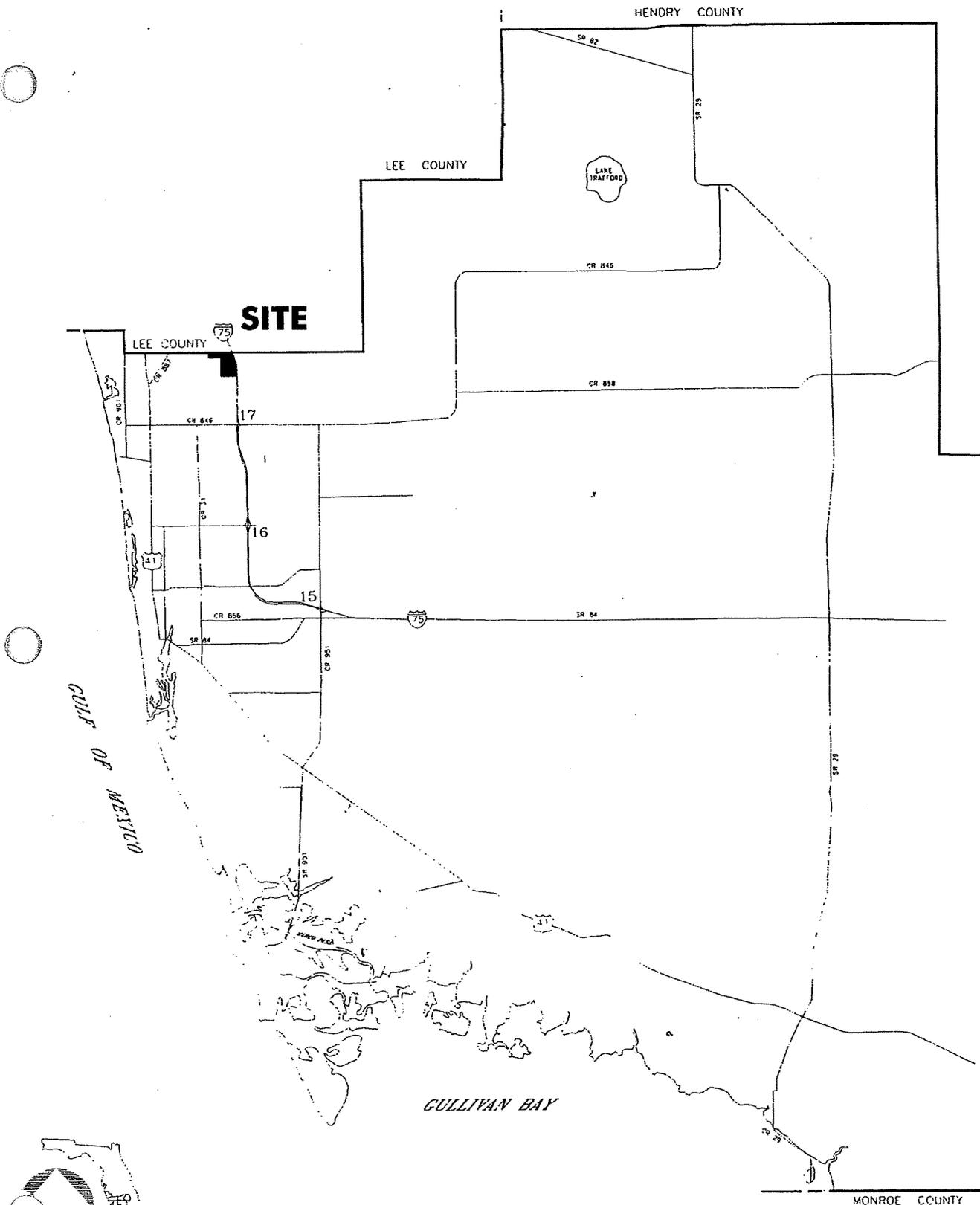
Conclusion

The proposed changes do not create the likelihood of additional regional impacts not previously reviewed by the SWFRPC and there is no presumption of a substantial deviation.

RECOMMENDED ACTIONS:

1. Notify Collier County, the Florida Department of Community Affairs and the applicant that the proposed changes do not create additional regional impacts.
2. Render a codified Development Order.
3. Request that Collier County provide a copy of the development order amendment, and any related materials, to the Council in order to ensure that the development order amendment is consistent with the Notice of Proposed Change.

09/2006



GENERAL LOCATION MAP

_____ Agenda
_____ Item

3h

Hancock Creek Commerce
Park DRI - Abandonment

3h

3h

Agenda

Item

4

ADMINISTRATIVE ISSUES

4

4

_____ Agenda
_____ Item

4a1

4a1

Budget & Finance Committee

4a1

4a1

_____ Agenda
_____ Item

4a2

4a2

Estero Bay Agency on Bay
Management (ABM)

4a2

4a2

Estero Bay Agency on Bay Management

The regular meeting of the Estero Bay Agency on Bay Management was held on Monday, May 9, 2011 at the SWFRPC 1st Floor Conference Room in Fort Myers, Florida.

The Minutes of the April 11, 2011 meeting were approved and are attached.

Mr. James Beever presented a report on the Revised Watershed Analysis of Permitted Coastal Wetland Impacts and Mitigation. This project identifies the regional impacts of the current wetland impact permitting process and program of compensatory wetland mitigation and evaluates the successes of and problems with state and local mitigation strategies implemented in the Charlotte Harbor National Estuary Program study area, focusing on coastal (marine and estuarine) habitats.

Ms. Whitney Gray presented a report on Climate Change Vulnerability Assessment and Adaptation Opportunities for Salt Marsh Communities in Southwest Florida. The salt marsh communities of Southwest Florida are perhaps some of the most unique and rare salt marsh systems in the United States. The salt marsh offers numerous ecosystem services including recreational, commercial, and aesthetic values to man. It provides the foundation of life to a variety of resident and transient organisms, especially the six federally listed and 23 state-listed animal species found there. The SWFRPC and the Charlotte Harbor National Estuary Program is in the process of an inventory and mapping of the physical extent of six types of salt marsh present within the CHNEP Study Area. We then identify significant potential effects on these salt marsh ecosystems from anticipated climate change. Opportunities for avoidance, minimization, mitigation and adaptation that could be implemented will be identified. An interactive GIS mapping product depicting the project outputs will be uploaded to the CHNEP website for use by researchers and the public. Natural functions that provide ecosystem resiliency will be identified along with policy, land stewardship and structural options.

The Status of Estero Bay Aquatic Preserve Field Office was discussed. Ms. Heather Stafford said that the Estero Bay and Biscayne Bay Aquatic Preserve Field Offices had their funding restored in the Governor's budget. She expressed her thanks to the ABM and the CHNEP with a special thanks to Representative Trudi Williams and Senator Hayes. Ms. Stafford also reported that 13 of the 41 aquatic preserve offices will not be managed as they are being taken over by another agency or aquatic preserve

The draft Edison Farms land acquisition support letter was reviewed and approved. The status of the Pelican Landing beach renourishment and groins was reviewed. The Mullock Creek Marina Notice of General Permit was discussed. The Draft Clean Water Act Guidance Request for Comments was discussed and sent to the next agenda for a comment letter.

A plan to see if an alternate meeting time could be set for the EBABM to meet Commissioner Bigelow's changed schedule was agreed upon and a survey developed for the membership to utilize.

The Estero Council of Community Leaders was added to the membership of the EBABM.

In emerging issues the EBABM discussed new dredging of San Carlos Cove off of San Carlos Island, a ceremony celebrating Dr. Ellie Boyd's contribution to the Responsible Growth Management Coalition on Saturday, May 21st. Mr. Daltry will give the key address.

In announcements Ms. Thompson reported that the publication entitled Florida Weekly announced the best expenditure of tax dollars was Conservation 2020. There are two vacancies on the land acquisition advisory committee and that Mitch Hutchcraft was stepping down. Applications are available and she suggested that applicants meet with Commissioners Mann and Hall. The Land Acquisition Advisory Committee meets on the 2nd Thursday of the month from 5:30 to about 7:00 p.m. The Management Subcommittee meets on the last Wednesday at Terry Park and the Criterion Ranking Subcommittee reviews applications and make recommendations. They meet a week and two days before the Conservation 2020 meeting from 3:00 to 5:00 p.m. Mr. Quasius said that the Reconnecting Lee meeting with Tom Pelham and Rep Caldwell on aggregation of lots from failed developments applicable to Lehigh and Lee County would be on Thursday afternoon, May 12th.

Information on the EBABM can be found at <http://www.swfrpc.org/abm.html>

RECOMMENDED ACTION: Information only.

6/2011



MINUTES OF THE ESTERO BAY AGENCY ON BAY MANAGEMENT

Held on April 11, 2011

The regular meeting of the Estero Bay Agency on Bay Management was held on March 14, 2011 at the Southwest Florida Regional Planning Council offices in Fort Myers, Florida.

NAME	ORGANIZATION
Jim Beever	SWFRPC
Lisa Beever	Charlotte Harbor NEP
Commissioner Brian Bigelow	SWFRPC
Brad Cornell	Audubon of Florida
John Curtis	Johnson Engineering
Wayne Daltry	Sierra Club
Nora Demers	RGMC
Win Everham	FGCU
Jennifer Hecker	Conservancy of Southwest Florida
Renee Kwiat	LCPA
Keith Laakonen	Fort Myers Beach
Sarah Larsen	FGCU
Laura Miller	League of Women Voters of Lee County
Paul O'Connor	Lee County
Pete Quasius	Audubon of SWF / Snook Foundation
Heather Stafford	FDEP Aquatic Preserves
Jennifer Thera	FDEP
Lynda Thompson	Lee County 2020
Heather Stafford	FDEP Aquatic Preserves

Agenda Item #1 – Call to Order

Chair O'Connor called the meeting to order at 9:30 a.m. and welcomed Commissioner Bigelow from District 2 and Mr. Wayne Daltry as new members.

Agenda Item #2 – Attendance

Attendance was taken through the sign-in sheet.

Agenda Item # 3 – Additions, Deletions or Corrections

Mr. Beever said that there was a need for a Vice-Chair as Tom Babcock was no longer on the Fort Myers Beach Council and the SWFRPC.

Agenda Item #4 – Election of Vice-Chair

Dr. Beever volunteered to be Vice-Chair. Dr. Beever was subsequently elected by unanimous vote of the EBABM.

MOTION BY MR. QUASIUS AND SECONDED BY DR. DEMERS TO NOMINATE AND ELECT DR. BEEVER AS VICE-CHAIR. MOTION CARRIED UNANIMOUSLY.

Agenda Item #5 – Presentations

- a. “FGCU Master Plan”
- b. <http://www.fgcu.edu/Facilities/MasterPlan.html>

Dr. Everham presented this item and briefly reviewed the FGCU Master Plan which had been discussed at the IAS meeting which had 18 elements. The first element was the Academic Mission of the university.

Chair O'Connor asked Dr. Everham to explain the timeframe to submit comments. Dr. Everham explained that the first public hearing will be on April 15th at FGCU in Academic Building 5, Room 112. On April 23rd, the Master Plan will be submitted to the appropriate regulatory agencies whom will have 90 days to conduct their review and provide comments. He also stated that Environmental Studies students are rewriting the objectives.

Dr. Beever asked how many goals there were.

Dr. Everham said that almost all objectives had just one goal through #11.

Discussion on the academic mission ensued.

Mr. Cornell said it would be interesting to know what topics are going to be covered by someone else (i.e. infrastructure, recreation, open space, etc.)

Discussion on master plan and solar field, connecting roadways, dorms, parking structures, campus boundary, student housing, accommodating future growth, etc. continued.

Mr. Daltry expressed his concern that the campus is not self-sufficient in terms of commercial services (gas stations, dry cleaners, restaurants, etc.) and asked where was all the money coming for sprawl when savings coming from compactness (transportation, energy, cost to the students, maintaining quality professorial staff, etc.).

Discussion ensued on meeting needs of faculty, staff and students and the increased student costs and transit. The campus planning will be in two layers for parking for commuter students and resident students.

Dr. Demers said that there was approximately 6,000 students for housing on campus and that she had not seen anything about public transportation, bicycles, etc. as it all centered

Discussion ensued on building a transit system into future roadways and the I-75 expansion and decreased dependence on single-occupancy vehicles.

Commissioner Bigelow asked for a Year 1 and Year 10 campus population figures to obtain a better picture of the planning horizon. He felt that reduction of impervious surfaces should be a goal and that there was a need to create and introduce other modes of transportation on the university grounds.

Discussion ensued on appointing a spokesperson or group to discuss this issue with the President as well as holding workshops and charettes on the FGCU campus.

Dr. Everham said that he would like Dr. Beever to be present at the public hearing on April 15th. Dr. Beever agreed to present the recommendations of the EBABM to the FGCU plan review committee.

Agenda Item #5– Minutes of March 14, 2011

MOTION BY MR. DALTRY AND SECONDED BY DR. EVERHAM TO APPROVE THE MINUTES OF MARCH 14, 2011.

Dr. Demers had a correction on Agenda Item #5 where it said “Dr. Demers asked . . .” as it was not her comment and suggested that it might have been Dr. Everham.

Dr. Beever said that on Page 6, the minutes reflected an abstention by Dr. Beever on the second motion. It should have read Heather Stafford as the member who abstained. On Page 7 in the second paragraph in Agenda Item #15, it should have read “State of Phosphate Mining Science Conference.”

Ms. Stafford stated that she also had a correction on the Agenda Item #9 as she abstained because of the State Parks support letter.

MOTION CARRIED AS AMENDED UNANIMOUSLY.

Agenda Item #6 – Draft Pelican Landing Letter

Dr. Everham presented this item.

Discussion ensued.

Dr. Beever said that on the last paragraph on the first page where the letters refers to introducing the ABM's concern about the project, the wording needs to spell out that the ABM recommended against the project completely and then explain the ABM's greatest concern as it was not stated clearly in the draft.

Discussion continued. Dr. Everham said that he could put the wording "against any proposal that includes modification to hardened structure on the shoreline."

Discussion continued on minor formatting changes to the draft letter. Ms. Larsen suggested that the wording be stated in such a way to capture the intent of the ABM's opposition to this particular project and to make a recommendation against hardened structures.

Dr. Beever said that the language "if you do end up using an inland source" should be changed to "if you utilize an inland source".

Mr. Cornell said that "proposed" should be "propose".

Dr. Beever stated that "particularly" should be used rather than "particular".

MOTION BY MR. QUASIUS AND SECONDED BY MS. KWIAT TO APPROVE THE DRAFT PELICAN LANDING LETTER WITH THE SUGGESTED CHANGES. MOTION CARRIED WITH HEATHER STAFFORD, JENNIFER THERA AND COMMISSIONER BIGELOW ABSTAINING.

Discussion initiated by Dr. Everham as to whom the letter should be sent to. The committee members stated that it should be sent to the presenter, the City of Bonita Springs, the various permitting agencies and the SWFRPC.

Agenda Item #7 – Status of State Wildlife Listing

Mr. Beever presented this item and the process involved. He explained that he would link the reports to be placed on the SWFRPC website. It will be going to the Commission for approval on June 8th.

Discussion ensued.

Commissioner Bigelow asked if there had been any independent agencies that reviewed the species in Estero Bay to have a justified statement of concern for the Commission.

Mr. Beever said that there were no independent agencies to review them because the FWC is the state wildlife agency.

Commissioner Bigelow asked if anyone had local documented evidence of the brown pelican.

Mr. Beever said yes but that it was unlikely for the FWC to change their mind based on this evidence.

Discussion continued.

Mr. Beever said that several of the peer reviewers discussed reasons the species should not be de-listed but did not stand up to the FWC although they had the data to support retaining the species on the list.

Dr. Demers asked what could be done. Mr. Beever said that the ABM could make comments if they so desired.

Mr. Beever stated that 16 species were suggested to be removed from the list, 3 threatened and 13 of special concern.

MOTION BY DR, DEMERS TO HAVE MR. BEEVER SEND A LETTER AS HE DEEMED APPROPRIATE. DR. EVERHAM SECONDED THE MOTION.

Commissioner Bigelow suggested that this list should be focused on Estero Bay Watershed.

Dr. Everham said he agreed with Commissioner Bigelow that the ABM should focus on the wildlife present in our watershed and that flaws in the process should be identified.

Mr. Beever said that he would put together a table with this information to identify the data.

Discussion continued on removing species from list. Dr. Demers asked about input from others before June 8th.

Mr. Beever said that the management plan could be developed before June 8 or could be developed after June 8th. We had this same scenario with the bald eagle.

Dr. Everham offered the following addition to the letter with the wording to say that “wherever species were recommended as not being listed because the reviewers indicate data is insufficient, the management plan must contain careful monitoring of populations as we go forward.”

Mr. Beaver stated that the species that have the possibility of being removed were species that stand in the way of development.

DR. BEEVER ABSTAINED. MOTION CARRIED.

Agenda Item #8 – Committee Reports and Scheduling

Dr. Demers said that the Cela Tega would be on November 2nd and that she had prepared a “Save The Date” notice. The notice should be sent to the RPC list and work should begin on obtaining speakers.

Mr. Beaver said that sponsors should also be obtained.

Dr. Demers stated that the Student Government would cover the food and FGCU was covering the venue. Ms. Larsen stated that the Student Government was covering two breaks and lunch.

Mr. Quasius asked how about travel expenses for speakers.

Dr. Demers said that she had talked with Margart Banyan concerning Mr. Fishkind. He did not receive an honorarium. She also stated that Mr. Weiskopf would be a good choice and asked about continuing education credits. Mr. Beaver said that she should discuss this with Jason Utley of RPC staff.

Dr. Beever said a micro grant was also a possibility through the CHNEP.

Dr. Demers said that she would contact Mr. Weiskopf.

Dr. Everham said that the agenda for the next IAS meeting would include the Pelican Landing letter, Master Plan, the changes to the FWC rules and the Tampa Bay Study. The next meeting will be on April 21st at FGCU.

Agenda Item #9 – Emerging Issues

Dr. Beever said that Gulf Restoration Task Force had been tasked with developing a strategy that will help buy resources from the Gulf Oil spill to restore the Gulf of Mexico ecosystem. There will be three sessions that each NEP is hosting on Monday, April 18th in Sarasota; a listening session for local government and scientists on April 19th here at the SWFRPC and an Industry Listening Session at TBRPC on April 19th from 3:00 to 5:00 p.m.

Ms. Stafford provided an update on the Estero Bay Aquatic Preserves budget. There would be a loss of 23 positions statewide and of all positions at Estero Bay.

Discussion continued.

Commissioner Bigelow suggested that the RPC send a letter to support the continual funding of the Estero Bay Aquatic Preserves.

MOTION BY COMMISSIONER BIGELOW AND SECONDED BY DR. EVERHAM TO HAVE THE SWFRPC SEND A LETTER OF SUPPORT FOR THE CONTINUAL FUNDING THE ESTERO BAY AQUATIC PRESERVES. MOTION CARRIED WITH AN ABSTENTION BY MS. STAFFORD.

Mr. Beever stated that the legislature had amended the two bills on the fertilizer preemption. The bill would no longer preempt the existing ordinances and would allow for additional ordinances. He stated that a thank you letter would be sent to Representative Trudi Williams and that Collier County was also moving towards a fertilizer ordinance as well.

Agenda Item #10 – Announcements

Commissioner Bigelow suggested adding Public Comments for Items on the Agenda after calling the meeting to order and to have Emerging Issues, Announcements and Members Items combined together. He would like to see the agenda online as the RPC is very interested in what committees are doing, their roster and the Work Plan. At the next meeting, he stated that he would like to talk about how the ABM would make the RPC aware of what they do as there is lot this committee is attempting to do which is largely unknown by the community.

Agenda Item #11 – Public Comments on Items Not on the Agenda

None.

Agenda Item #12 – Next Meeting, Time, Place, Agenda Items

The Cela Tega/IAS meeting will be held on Monday, April 18, 2011 at 1:00 p.m. at FGCU and the ABM meeting will be on Monday, May 9, 2011 at 9:30 a.m. at the SWFRPC offices.

Agenda Item #13 – Adjournment

Meeting adjourned at 11:42 a.m.



Save the Date

Conservation Lands' Economic Value Cela Tega

Wednesday, November 2, 2011
8:00 am - 5:00 pm
Student Union Ballroom
Florida Gulf Coast University

Purpose: To identify and discuss the economic benefit of conservation lands in the Estero Bay Watershed

For more information contact
Nora Demers ndemers@fgcu.edu or (239) 590-7211

Cela Tega is the southwest Florida native (i.e.: Calusa) term for "A view from high ground".

We used it here to symbolize "overview".





Call for Sponsors

Conservation Lands' Economic Value Celta Tega

Wednesday, November 2, 2011

8:00 am - 5:00 pm

Student Union Ballroom

Florida Gulf Coast University

Purpose: To identify and discuss the economic benefit of conservation lands in the Estero Bay Watershed

**Sponsors are needed for travel and honoraria for keynote speakers
\$100, \$250, \$500 and up**

For more information contact
Nora Demers ndemers@fgcu.edu or (239) 590-7211

Celta Tega is the southwest Florida native (i.e.: Calusa) term for "A view from high ground". We used it here to symbolize "overview".



_____ Agenda
_____ Item

4a3

4a3

Legislative Affairs Committee

4a3

4a3

_____ Agenda
_____ Item

4a4

4a4

Regional Watersheds Committee

4a4

4a4

REGIONAL WATERSHED COMMITTEE

The Regional Watersheds Committee (RWC) did not meet in May 2011. The RWC acting as a technical advisory committee to the Council concerning water quality issues pursued the implementation of the SWFRPC stormwater resolutions and provided continued assistance on fertilizer resolutions.

Collier County staff is bringing the model fertilizer ordinance and the recommendations from City of Naples, SWFRPC, Collier Soil and Water Conservation District (Model Ordinance), Environmental Advisory Council, and Collier County Planning Commission to the Board of County Commissioners (BCC) June 14, 2011 to get direction from BCC for ordinance development and return for approval. Anticipated the approval date will be July 26, 2011 due to advertising requirements and summer BCC meeting schedule.

The Charlotte County the Board of County Commissioners (BCC) directed County Staff to add the summer fertilizer ban and no more than 4 lbs of nitrogen per year to the existing ordinance. This is similar to the Sarasota County ordinance. This is scheduled for review by the BCC on June 14, 2011.

Manatee County adopted a fertilizer ordinance based upon the model provided by the TBEP which had assistance from the SWFRPC. Statewide 58 jurisdictions have adopted local fertilizer ordinances and 4 have ordinances currently under review. Nationally six other states, besides Florida, have statewide ordinances of various types enacted and three others will have ordinances coming into effect within the next two years. Three other states have fertilizer ordinances in some of their jurisdictions. Ordinances in interior Midwestern states often concentrate only on phosphorus due to the emphasis on freshwater eutrophication.

Improved stormwater and fertilizer standards were included in the design of the North Prot Gardens DRI and are recommended by the SWFRPC for the Hacienda Lakes DRI. A tracking matrix for stormwater improvement efforts is being developed for use in review of progress in this area.

RECOMMENDED ACTION: No action on this item is required by Council.

06/2011

Fertilizer Matrix Route from
Resolution to Ordinance

Southwest Florida Regional Planning Council

June 7, 2011

City or County	Resolution Approved by SWFRPC	Ordinance Under Review by Local Jurisdiction	Ordinance Approved by Local Jurisdiction	Ordinance Legislation Effective	Ordinance Citation
Name	Date	Date	Date	Date	
Sarasota County	03-15-07	4-2007	8-27-07	8-27-07	2007-062
City of Sarasota	03-15-07	4-2007	10-15-07	10-15-07	07-4768
City of Venice	03-15-07	4-2007	10-15-07	10-15-07	07-4768
Town of Longboat Key	03-15-07	4-26-2007	5-5-08	5-5-08	2008-04
City of North Port	03-15-07	11-11-2007	11-26-07	11-26-07	07-45
Charlotte County	03-15-07	11-8-2007	3-18-08 6-14-11 strengthening considered	3-18-08	2008-028
City of Punta Gorda	03-15-07	11-6-2007	12-16-11 on agenda in review	Incorporated in Climate Change Adaptation Plan approved 11-18- 09	Informational brochures and tip cards are in distribution.
Lee County	03-15-07	8-28-2007	5-13-08	5-13-08	08-08
City of Bonita Springs	03-15-07	11-13-07 to 11- 18-08	11-19-08	11-19-08	08-11-0543
City of Cape Coral	03-15-07	10-29-07 to Draft 8-31-10	11-29-10	11-29-10	86-10
City of Fort Myers	03-15-07	1-1-08	11-17-08	11-17-08	3489
City of Sanibel	03-15-07	2-20-07 first 8-21-07 amended	3-6-07 first adoption 9-18-07 amended	3-6-07 first 9-18-07 amended	07-003

Town of Fort Myers Beach	03-15-07	7-18-08	12-18-08	12-18-08	08-61808
Collier County	03-15-07	8-4-07	Draft 6-14-11		
City of Naples	03-15-07	6-7-2006	6-7-2006	10-10-06	06-11245
City of Marco Island	03-15-07	Utilizing the Rookery Bay Greenscape BMPs			Utilizing the Rookery Bay Greenscape BMPs
Everglades City	03-15-07	No Action to Date			
Glades County	03-15-07	No Action to Date			
City of Moore Haven	03-15-07	No Action to Date			
Hendry County	03-15-07	3-2011	4-12-2011	4-12-2011	2011-03
City of LaBelle	03-15-07	No Action to Date			
City of Clewiston	03-15-07	No Action to Date			

_____ Agenda
_____ Item

4a5

4a5

Executive Committee

4a5

4a5

_____ Agenda
_____ Item

4b

SWFRPC Annual Budget FY
2011/12

4b

4b

Annual Budget FY 2011/2012

To: Southwest Florida Regional Planning Council members and interested parties

In accordance with the Council's rules, the annual budget recommendations for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012 are hereby presented for Council consideration.

The adoption of the Annual Budget must be completed by August 15th of each year according to the Interlocal Agreement of the Southwest Florida regional Planning Council.

The SWFRPC Budget Committee reviewed the 2011-2012 SWFRPC budget on May 23, 2011 and recommended the budget be presented to the full Council for approval in June 2011. However, due to a loss of funding from Governor's veto, a revised reduced budget is presented at this time. In the event additional funding is received during the next fiscal year, a budget amendment will be presented.

The 2011-2012 budget represents three agencies; the SWFRPC, CHNEP and the MPO, each has been broken down on page 2 of the budget. All three agencies experienced a reduction in funding. The SWFRPC has a 17.1% decrease over last year as shown on page 7. As submitted by the program directors of the CHNEP and MPO, the CHNEP budget reflects a 5.54% decrease and the MPO reflects a 17.88% decrease from prior year.

Revenue Sources are identified by Federal or State grants, core projects funded by dues, contracts, and discretionary programs. Confirmed contract revenue is entered into the revenue line item. Speculative contract revenue is presented with a very conservative approach. Assessments for FY 12 (based on the \$0.30 per dues multiplier established by Council in 1973) have an approximate 1.53% decrease from previous year FY11 budget.

ANNUAL BUDGET CONTENTS

	Pages
Sources of Revenue	1
Proposed Budget for the upcoming fiscal year only	2
Comparsion of fiscal years - for RPC, MPO, NEP Combined:	3
Proposed Budget and Five Year Plan	4
Adopted current budget, proposed budget as part of a five year plan	
Graphs:	5
Pie Chart to reflect distribution/percentage of the 3 main entities	
Pie Chart to reflect distribution of revenue	
Chart reflecting expenses in the comparsion of Actual/YTD/Budgeted	
Comparison of Current Year Budget to Proposed Budget	6
Comparison of Budget to prior two years - Change in RPC only	7
Facts to be noted for this Annual Budget includes:	8
Pertinent notes, Reserved FB status, and a comparsion of fringe and indirect rates for the purposed, current, and past 3 years.	
Capital Assets Policy	9
Capital Asset Disposal - Computer Disposal Policy	10
Reserve Policy	11
Calculation of the Indirect/Fringe Rates Policy	12

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
REVENUE SOURCES
October 1, 2011 through September 30, 2012

GENERAL REVENUES

INTEREST/MISC	15,000
ASSESSMENTS	459,517
	<u>474,517</u>

SPECIAL REVENUES

FED/STATE	1,923,719
OTHER	560,886
	<u>2,484,605</u>

<u>TOTAL REVENUES</u>	<u>2,959,122</u>	Prior Year Fund Balance	<u>680,090</u>
------------------------------	-------------------------	-------------------------	-----------------------

MEMBER	POPULATION	ASSESSMENT
Charlotte	159,978	47,993.40
Collier	321,520	96,456.00
Glades	12,884	3,865.20
Hendry	39,140	11,742.00
Lee	618,754	185,626.20
Sarasota	379,448	113,834.40
TOTAL ASSESSMENTS	1,531,724	459,517.20
INTEREST AND MISC.		15,000.00
TOTAL GENERAL REVENUES	1,531,724	474,517.20

SPECIAL REVENUES	FEDERAL/STATE	OTHER	TOTAL
DCA - TITLE III	40,909		40,909
HMEP/SQG/DISASTER PROGS.	52,546	10,000	62,546
ECONOMIC DEVELOPMENT	56,000		56,000
TDs	64,000		64,000
BROADBAND PLANNING PROJ.	170,000		170,000
OTHER (Salt Marsh/Misc/DRI)	95,000	101,990	196,990
FEDERAL/STATE/OTHER	478,455	111,990	590,445
RPC SPECIAL REVENUES	478,455	111,990	590,445
MPO	845,264	69,596	914,860
CHNEP	600,000	379,300	979,300
TOTAL SPECIAL REVENUES	1,923,719	560,886	2,484,605

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

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
PROPOSED BUDGET
OCTOBER 1, 2011 TO SEPTEMBER 30, 2012**

	GENERAL	RPC Special Revenues	Total RPC	MPO	NEP	TOTAL BUDGET
Revenues						
Assessments	459,517		459,517			459,517
Federal/State/Local Funds		590,445	590,445	914,860	979,300	2,484,605
Interest/Misc	15,000		15,000			15,000
Carry Over Fund Balance*	680,090		680,090			680,090
Total Income	1,154,607	590,445	1,745,052	914,860	979,300	3,639,212
Expenditures						
Direct:						
Total Personnel Services	882,500	388,800	1,271,300	280,000	296,000	1,847,300
Consultant Fees	10,000	30,000	40,000			40,000
NEP Contractual	0		0		117,600	117,600
MPO Contractual	0		0	250,822		250,822
Audit Fees	46,000		46,000			46,000
Travel	5,000	25,000	30,000	6,000	21,000	57,000
Telephone	8,800	200	9,000	1,000	650	10,650
Postage	1,500	1,500	3,000	5,000	20,000	28,000
Equipment Rental	35,000		35,000		200	35,200
Insurance	33,000		33,000			33,000
Repair/Maint. (Grounds/Bldg/Equip)	25,000		25,000			25,000
Printing/Reproduction	1,500	1,500	3,000	6,500	85,000	94,500
Utilities (Elec, water, garb)	30,000		30,000			30,000
Advertising	1,500	1,500	3,000	12,000	550	15,550
Other Miscellaneous	1,500	1,000	2,500	500	1,500	4,500
Office Supplies	12,000	3,000	15,000	2,000	1,500	18,500
Computer Related Expenses	27,700	3,000	30,700	6,000	5,000	41,700
Publications	2,000		2,000	1,500	500	4,000
Professional Development	14,000	15,000	29,000	2,000	7,000	38,000
Meetings/Events	5,000	5,000	10,000	2,000	43,800	55,800
Capital Outlay-Operations	19,000	3,000	22,000	3,000	4,000	29,000
Capital Outlay-Building	0	9,000	9,000			9,000
Long Term Debt	0	128,000	128,000			128,000
Allocation of Fringe/Indirect**	-1,236,538	525,000	-711,538	336,538	375,000	0
Reserve for Operations Expense*	680,090		680,090			680,090
Total Cash Outlays	604,552	1,140,500	1,745,052	914,860	979,300	3,639,212
			0			
Non-Cash Expense:						
Depreciation	70,000		70,000			70,000
Total Expenses	674,552	1,140,500	1,815,052	914,860	979,300	3,709,212

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

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

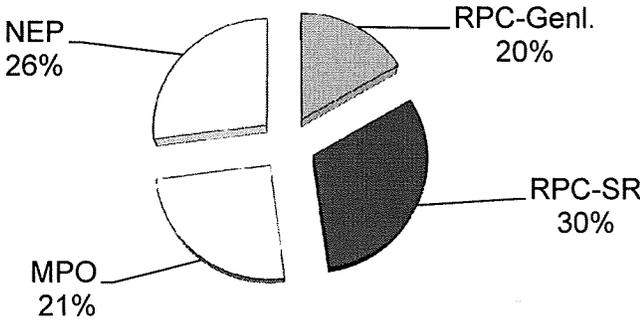
SWFRPC-MPO-CHNEP COMBINED
OCT. 1, 2011 - Sept. 30, 2012 BUDGET

	Year End			Current YTD ACTUAL at 4/30/11	Amended Budget Y/E 9/30/11	Proposed Budget Y/E 9/30/12
	Actual Y/E 9/30/08	Actual Y/E 9/30/09	Actual Y/E 9/30/10			
Revenues						
Assessments	450,432	464,696	470,552	350,001	466,669	459,517
Federal/State/Local Funds	2,951,916	3,120,076	3,153,202	1,628,610	3,078,931	2,484,605
Interest/Misc	37,625	15,104	10,101	8,371	30,000	15,000
Carry Over Fund Balance	565,843	637,988	655,716	0	680,090	680,090
Total Income	4,005,816	4,237,864	4,289,571	1,986,982	4,255,690	3,639,212
Expenditures						
<u>Direct:</u>						
Total Personnel Services	2,086,491	2,210,912	2,206,688	1,218,012	2,207,300	1,847,300
Consultant Fees	59,109	125,707	33,118	30,225	40,000	40,000
NEP Contractual	380,741	442,497	368,034	88,391	174,000	117,600
MPO Contractual	144,238	173,192	415,706	116,245	452,000	250,822
Audit Fees	49,039	45,686	43,116	42,220	47,000	46,000
Travel	45,866	46,859	45,700	20,834	75,000	57,000
Telephone	9,855	8,192	11,953	7,352	8,750	10,650
Postage	26,175	37,477	27,940	15,514	28,000	28,000
Storage Unit Rental	2,266	2,912	224			
Equipment Rental	31,602	21,585	33,341	19,932	32,200	35,200
Insurance	31,056	29,480	25,492	17,869	33,200	33,000
Repair/Maint. (Grounds/Bldg/Equip)	24,925	24,631	18,530	11,076	25,000	25,000
Printing/Reproduction	93,275	61,147	52,205	67,437	93,500	94,500
Utilities (Elec, water, garb)	23,053	26,089	22,955	13,114	28,000	30,000
Advertising	13,893	13,350	20,322	7,607	13,050	15,550
Other Miscellaneous	1,735	3,403	2,382	1,796	4,500	4,500
Office Supplies	27,367	19,654	18,374	9,804	18,500	18,500
Computer Related Expenses	52,880	61,809	44,788	32,378	39,000	41,700
Publications	2,302	1,625	1,656	1,918	3,800	4,000
Professional Development	45,665	36,137	36,504	30,221	34,000	38,000
Meetings/Events	39,242	44,679	22,298	44,350	55,800	55,800
Capital Outlay-Operations	41,853	12,175	21,995	5,314	25,000	29,000
Capital Outlay-Building	7,450	5,200	8,409	0	10,000	9,000
Long Term Debt (Building Loan)	127,751	127,751	127,751	74,521	128,000	128,000
Allocation of Fringe/Indirect				0	0	0
Reserve for Operations Expense	565,843	637,988	655,716	0	680,090	680,090
Total Cash Outlays	3,933,671	4,220,136	4,265,196	1,876,130	4,255,690	3,639,212
Net Income/(Loss)	72,146	17,728	24,374	110,852	0	0
<u>Non-Cash Expenses:</u>						
Depreciation	61,653	61,653	63,348		60,000	70,000
Total Expenses	3,995,324	4,281,789	4,328,544	1,876,130	4,315,690	3,709,212

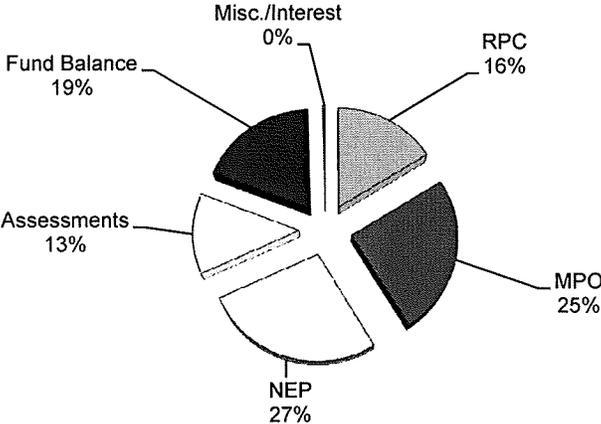
**SWFRPC-MPO-CHNEP COMBINED
PROPOSED BUDGET AND FIVE YEAR PLAN
OCTOBER 1, 2011 TO SEPTEMBER 30, 2016**

	Adopted Budget Y/E 9/30/11	5 Year Plan				
		Budget Y/E 9/30/12	Budget Plan Y/E 9/30/13	Budget Plan Y/E 9/30/14	Budget Plan Y/E 9/30/15	Budget Plan Y/E 9/30/16
Revenues						
Assessments	466,669	459,517	464,112	468,753	473,441	478,175
Federal/State/Local Grants	2,878,931	2,484,605	2,720,700	2,753,665	2,787,362	2,814,557
Dri/Monitoring Fees	200,000	0	140,000	140,000	150,000	150,000
Interest/Misc	30,000	15,000	20,000	20,000	20,000	20,000
Carry Over-Fund Balance	680,090	680,090	681,000	681,000	681,000	681,000
Total Income	4,255,690	3,639,212	4,025,812	4,063,419	4,111,804	4,143,732
Expenditures						
<u>Direct:</u>						
Total Personnel Services	2,207,300	1,847,300	1,938,000	1,963,980	1,992,120	2,011,585
Consultant Fees	40,000	40,000	40,000	40,000	40,000	40,000
NEP Contractual	174,000	117,600	116,600	117,766	118,944	120,133
MPO Contractual	452,000	250,822	252,822	255,350	257,904	260,483
Audit Fees	47,000	46,000	48,000	48,000	49,000	49,000
Travel	75,000	57,000	59,000	59,000	60,000	60,000
Telephone	8,750	10,650	10,650	10,650	10,650	10,650
Postage	28,000	28,000	31,000	30,000	31,000	30,000
Equipment Rental	32,200	35,200	32,000	33,000	34,000	35,000
Insurance	33,200	33,000	33,200	33,200	35,200	35,200
Repair/Maint. (Grounds/Bldg/Equip)	25,000	25,000	25,000	25,500	26,000	26,500
Printing/Reproduction	93,500	94,500	94,500	94,500	94,500	94,500
Utilities (Elec, water, garb)	28,000	30,000	28,000	30,000	32,000	34,000
Advertising	13,050	15,550	13,700	13,700	14,250	14,250
Other Miscellaneous	4,500	4,500	4,500	4,500	4,500	4,500
Office Supplies	18,500	18,500	20,000	20,000	20,000	20,000
Computer Related Expenses	39,000	41,700	37,500	37,700	41,000	41,000
Publications	3,800	4,000	5,000	5,000	5,500	5,500
Professional Development	34,000	38,000	39,000	41,100	41,600	44,600
Meetings/Events	55,800	55,800	56,000	56,000	56,000	56,000
Capital Outlay-Operations	25,000	29,000	25,250	25,503	25,758	26,015
Capital Outlay-Building	10,000	9,000	20,000	20,000	20,000	20,000
Long Term Debt (Building Loan)	128,000	128,000	128,000	128,000	128,000	128,000
Allocation of Fringe/Indirect						
Reserve for Operations Expense	680,090	680,090	680,090	680,090	680,090	680,090
Total Cash Outlays	4,255,690	3,639,212	3,737,812	3,772,539	3,818,015	3,847,006
Net Income/(Loss)						
<u>Non-Cash Expenses:</u>						
Depreciation	60,000	70,000	70,000	71,000	71,000	72,000
Total Expenses	4,315,690	3,709,212	3,807,812	3,843,539	3,889,015	3,919,006

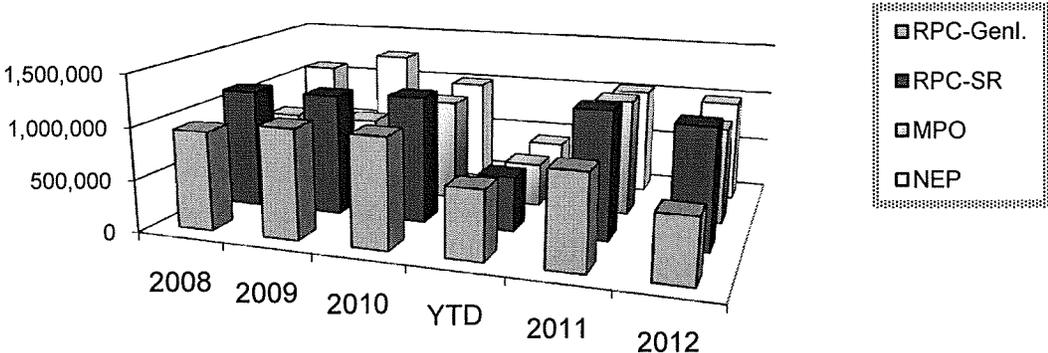
2011-12 Budget Distribution by Agency



Distribution of Revenue



Comparison of Expenses



**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
CURRENT AND PROPOSED BUDGETS**

	Amended 2010-11 BUDGET	Proposed 2011-12 BUDGET	Change	
Revenues				
Assessments	466,669	459,517	-7,152	-1.53%
Federal/State	2,439,455	1,923,719	-515,736	-21.14%
Local Funds	639,476	560,886	-78,590	-12.29%
Interest/Misc	30,000	15,000	-15,000	-50.00%
Total Income	3,575,600	2,959,122	-616,478	-17.24%
Expenditures				
<u>Direct:</u>				
Total Personnel Services	2,207,300	1,847,300	-360,000	
Consultant Fees	40,000	40,000	0	
NEP Contractual	174,000	117,600	-56,400	
MPO Contractual	452,000	250,822	-201,178	
Audit Fees	47,000	46,000	-1,000	
Travel	75,000	57,000	-18,000	
Telephone	8,750	10,650	1,900	
Postage	28,000	28,000	0	
Equipment Rental	32,200	35,200	3,000	
Insurance	33,200	33,000	-200	
Repair/Maint. (Grounds/Bldg/Equip)	25,000	25,000	0	
Printing/Reproduction	93,500	94,500	1,000	
Utilities (Elec, water, garb)	28,000	30,000	2,000	
Advertising	13,050	15,550	2,500	
Other Miscellaneous	4,500	4,500	0	
Office Supplies	18,500	18,500	0	
Computer Related Expenses	39,000	41,700	2,700	
Publications	3,800	4,000	200	
Professional Development	34,000	38,000	4,000	
Meetings/Events	55,800	55,800	0	
Capital Outlay-Operations	25,000	29,000	4,000	
Capital Outlay-Building	10,000	9,000	-1,000	
Long Term Debt	128,000	128,000	0	
Total Cash Outlays	3,575,600	2,959,122	-616,478	
		0		

Increase:

Professional Development was under-estimated last year & more requests this year

Utilities increased due to transfer of internet from Computer Related line

Capital Outlay and Computer Related - replacement of PCs and laptops, MPO Upgrades

SWFRPC - RPC only excludes MPO and NEP
Comparison of RPC '10 Actual to Budgets of 2011 and 2012

	A	B	C	A vs.B	A vs.C	B vs.C
	RPC Actual Y/E 9/30/10	Amended RPC Budget Y/E 9/30/11	Proposed RPC Budget Y/E 9/30/12	Percentage change '10 Act to '11 Bud	Percentage change '10 Act to '12 Bud	Percentage change '11 Bud to '12 Bud
Revenues						
Assessments	470,552	466,669	459,517			
Federal/State/Local Grants	853,460	728,193	590,445			
Dri/Monitoring Fees	311,759	200,000	0			
Interest/Misc	10,101	30,000	15,000			
Carry Over Fund Balance	637,988	680,090	680,090			
Total Income	2,283,860	2,104,952	1,745,052	-7.83%	-23.59%	-17.10%
Expenditures						
Total Personnel Services	1,740,057	1,631,300	1,271,300			
Total Operating Expenses	519,428	473,652	473,752			
Total Cash Outlays	2,259,486	2,104,952	1,745,052	-6.84%	-22.77%	-17.10%
Net Income/(Loss)	24,374	0	0			

Facts to be noted for this Annual Budget

- 1 Included in Personal Services are salaries, sick, vacation, and holiday pay as well as benefits (ie: Retirement, Health, FICA) As always, transfers between Expense Lines will require a Budget Amendment.
- 2 As per the Auditors, the Fund Balance must be shown in the Budget as 'carry over fund balance' in the revenue portion and as 'reserve for operations' in the expense portion of the Budget.
- 3 It has been recommended by the auditors that the Council designate a portion of the fund balance for emergencies. In that regard, \$644,000 was been appropriated thus far and the reserved fund balance will be increased each year if possible until our goal of a six month reserve is met.
- 4 Fringe and Indirect reimbursed by MPO and NEP grants are shown as reallocation from Council since their budgets are separated from the RPC budget. A copy of the Calculation of the Indirect/Fringe Rates policy approved by the Council is attached. The Indirect rate prorates the overhead incurred by the RPC over each active project/agency. These expenses include, but are not limited to, facility costs, office supplies, and support staff.

Fringe/Indirect Rates for 5 years:

2011-12 Fringe Provisional Rate	44%
2011-12 Indirect Provisional Rate	83%
2010-11 Fringe Provisional Rate	44%
2010-11 Indirect Provisional Rate	83%
2009-10 Fringe Actual Rate	44%
2009-10 Indirect Actual Rate	83%
2008-09 Fringe Actual Rate	45%
2008-09 Indirect Actual Rate	82%
2007-08 Fringe Actual Rate	45%
2007-08 Indirect Actual Rate	83%

The SWFRPC has a "No Written Investment Policy". Any investments made by the SWFRPC must follow Florida Statute #218-415 which states:

Those units of local government electing not to adopt a written investment policy may invest or reinvest any surplus public funds in their control or possession in:

- (a) *The Local Government Surplus funds Trust Fund (Fl. Prime SBA)*
- (b) *Securities and Exchange Commission registered money market funds.*
- (c) *Interest-bearing time deposits or savings accounts in qualified public depositories*
- (d) *Direct Obligations of the U.S. Treasury*

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

CAPITAL ASSETS POLICY

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

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

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

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

Useful life ranges are as follows:

- Buildings – 45 years
- Improvements other than buildings – 15 years
- Computer Equipment – 3 years
- Furniture and Fixtures – 7 years
- Vehicles and Equipment – 5 years

This policy is effective as of October 1, 2004.

Any assets removed from the Fixed Assets inventory shall be submitted along with the Budget.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL COMPUTER DISPOSAL POLICY

Effective Date: December 14, 2007

Policy Statement:

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

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

Responsibility:

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

Action:

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

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

Southwest Florida Regional Planning Council

Reserve Policy

This policy is designed to guide the Council in financial policies to maintain a strong financial position. A strong financial position is important in the maintenance of services to the various counties and cities as well as to the citizens of the area served by the Council. The reserve policy is designed to allow the Council to maintain a committed and/or assigned fund balance level between four (4) and six (6) months of prior year operating expenditures as recommended.

The reserves are a component of the Council's fund balance which is reviewed by auditors as an indicator of financial health. Assigned (intended for a specific purpose) and/or committed (constraint imposed by Council) fund balance reserves are designed to provide the Council with funds in the event of revenue interruption, shortfalls or other unforeseen occurrence. Should the Council be required to hold reserves by third party agreement or law; these amounts will be classified as Restricted.

Specifically committed and/or assigned fund balance reserves will be maintained at a level of at least four (4) months of the prior year total operating expenditures and will be increased annually, if possible, to reach a goal of six (6) months.

This assigned fund balance reserve as well as the Council's operating reserve and capital asset reserve will be maintained to meet the Council's needs in case of an emergency such as a natural disaster.

In the event funds are utilized from the fund balance reserves, every effort will be made to restore the initial reserve amount in the ensuing years. Changes to the fund balance reserves will be reported annually as part of the financial statements and at the annual Budget presentation.

Remaining classifications of fund balance are non-spendable and unassigned. The non-spendable fund balance is that fund balance associated with fixed assets. This balance is adjusted each year by the addition or disposal of fixed assets. These adjustments are presented annually for Council approval. The unassigned fund balance is the residual classification for the Council's general fund and includes all spendable amounts not contained in the restricted, committed, assigned and non-spendable classifications.

Note: As of October 1, 2010, our assigned fund balance reserves total six hundred forty-four thousand dollars (\$644,000).

Calculation of Fringe and Indirect Rates

Source:

CCAS Indirect Cost Rate (<http://www.ccas.com/cgovcon.htm>)

CCAS produces and supports financial and government project accounting software

Frequently Asked Questions (FAQs) about Indirect Costs from

The Division of Financial Advisory Services

(<http://ocm.od.nih.gov/dfas/faqindirectcosts.htm>)

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

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

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

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

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

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

Determining an Indirect-Cost Rate

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

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

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

_____ Agenda
_____ Item

5

DRI STAFF ASSESSMENTS

5

5

_____ Agenda
_____ Item

5a

5a

Hacienda Lakes (a.k.a. Toll
Rattlesnake) DRI

5a

5a

_____ Agenda
_____ Item

5b

5b

North Port Gardens DRI

5b

5b

_____ Agenda
_____ Item

6

REGIONAL ISSUES

6

6

_____ Agenda
_____ Item

6a

Community Collaborative
Initiative Issues

6a

6a



JULY 15-17, 2011
KISSIMMEE, FLORIDA

Cultivating Networks, Opportunities and Sustainability

[Click Here](#) to Contribute to the
Florida Small Farmers Scholarship Fund!

ABOUT PROGRAM CONFERENCE INFORMATION SPONSORS/EXHIBITORS FARM TO TABLE FOODS REGISTRATION FL SMALL FARMS WEBSITE

History

Florida has nearly 47,463 farms. Calculated on an area or on an economic basis, nearly 90% of all Florida farms are small farms. Florida is unique in that there was an 8% increase in farm numbers from 2002 to 2007, essentially all in the small farm category.

Recent increased efforts to meet the educational needs of small farmers in Florida became visible through the work of the University of Florida/IFAS and Florida A&M University Small Farms Focus Team. Efforts have included the development of an extensive website specifically targeted at small farmer needs. The site (<http://smallfarms.ifas.ufl.edu>) receives over 100,000 hits monthly and includes a calendar of small farms events and a Feature Farmer page.

A series of regional small farms conferences were initiated in 2006. At least a dozen regional conferences are held annually in Florida and in addition, many other county or local Extension programs are now being held. These programs are very popular and are being attended by a few thousand people annually.

As the success of the local and regional meetings became apparent, a common question also emerged from the small farmers. That question is how can we get more information and get to the "next level"? Although the regional educational programs have been successful in satisfying many educational needs, all Florida small farmers are faced with similar challenges of (economics: land, gas, inputs) increasing regulatory pressures, challenges of marketing, etc. so that by coming together as a diverse group, solutions can be identified. This brought us to the stage of starting a statewide small farms conference for Florida. Since its initiation in 2009, the statewide conference has been an overwhelming success.



Attendees enjoy a relaxing lunch with the food provided by Florida small farmers.
Small Farms Conference 2010
Photo Courtesy of UF/IFAS/ICS

[Conference Overview](#)

Hosted by



UF/IFAS Office of Conferences and Institutes
This site is designed and maintained by the UF/IFAS/OCL Webmaster.

Conference News

[Session Descriptions Available!](#)

[Updated Agenda-at-a-Glance!](#)

[Registration is Open](#)

Conference Testimonials
[Read what past attendees have to say about their experience at the conference](#)

Want more information about small farms in Florida?
[Click here](#)

A big THANK YOU to our 2011 Sponsors

[Press Packet](#)

[Become a Sponsor](#)

[Become an Exhibitor](#)

[Contribute to the FL Small Farmers Scholarship Fund](#)

[Deadlines](#)

[Early Bird Special Registration](#)
June 27, 2011
Registration is required to this event.

[Join Our Mail List](#)

After entering your email address below, check the box "Florida Small Farms and Alternative Enterprises"

[Social Media](#)



[f](#) [e](#) [+](#) [p](#) | [More](#)

_____ Agenda
_____ Item

6b

Presentation of the Final SRPP
for DCA Transmittal

6b

6b

**STRATEGIC REGIONAL POLICY PLAN
EVALUATION AND APPRAISAL REPORT**

On June 1, 2011, Council staff submitted the document Draft SRPP to the Florida Department of Community Affairs (DCA) in order to facilitate their review and comments. To date, no amending comments concerning the SRPP has been received by Council staff.

This agenda item now will provide the formal transmittal of the SRPP EAR by the Council, which will meet the DCA contractual agreements and the SRPP EAR timeframes as previously presented by staff to Council.

Following submittal, DCA will review the EAR in June/July and provide Council with their comments for action in July 2011. After Council staff addresses any comments from DCA, Council staff will bring the document back to Council for final approval. Once final approval of the EAR is completed, Council staff will prepare an updated SRPP for later approval of the Council.

RECOMMENDED ACTION: Council staff is requesting that Council members approve the formal transmittal of the SRPP EAR document to the DCA.

06/2011

_____ Agenda
_____ Item

6c

Legislative Summary Report

6c

6c

LEGISLATIVE SUMMARY REPORT

This item has been placed on the agenda to provide the Council with an update on the activities and actions of the Florida Legislature, and to provide the Council with an opportunity to discuss legislative topics of interest.

Attached for your information are summaries of what took place in the legislative session.

RECOMMENDED ACTION: For information purposes only.

06/2011

**THE CURRENT
NEWS ARTICLE
REGARDING RPC'S
FUNDING**

Scott's \$2.5 million veto kneecaps regional planning councils

Bruce Ritchie, 06/01/2011 - 05:29 PM
Lobbytools |The Current

Gov. Rick Scott's veto last week of \$2.5 million for regional planning councils is raising concerns about the future role of those 11 councils.

Scott gave no explanation last week for why he vetoed the \$2.5 million in general revenue for "grants and aid" from the \$69 million budget. But Scott told his audience at a budget-signing ceremony in Sumter County that he was cutting government spending as promised to create jobs.

"The Florida Constitution gives me the authority to hold special interests accountable with the line item veto," Scott said. "Today I'm exercising that authority to remove \$615 million ... in special interest spending projects from this budget."

But the **Florida Regional Councils Association** says the money pays for planning councils to carry out tasks required by state law for the councils and local governments. The association has [created a list](#) of more than 40 mandated tasks.

Those tasks include assisting local governments with comprehensive planning, developing regional disaster plans and assisting local governments with economic development, said **Ron Book**, executive director of the Florida Regional Councils Association.

"I don't know how the state expects people to do that work for free," Book said. "The legislature believed it was important to continue to fund those functions."

Likewise, some planners and growth management advocates say the responsibility of regional planning councils could increase under the sweeping growth management reforms passed by the Legislature.

HB 7207, which places more planning responsibility on local governments by removing most state oversight, is awaiting action by the governor by June 9. State oversight would be limited to issues of regional or state importance.

The veto calls into question how much assistance the councils can provide under the growth management law changes, said **Charles Pattison**, president of **1000 Friends of Florida**.

"And doesn't it call into question, where state or regional resources are at issue, who is going to be identifying the regional resources if the regional planning councils are not in play?" Pattison asked.

A spokesman for the governor declined to comment.

FLORIDA RPC'S MANDATES

REGIONAL PLANNING COUNCIL STATUTORY MANDATES

STATUTORY MANDATE	PRIMARY SPECIFIED TASKS	WORKING TASKS
186.006 (7), F.S.; Executive Order 83-150 and 95-359; President's Executive Order 82-2372	Serve as the regional data clearinghouse.	<ul style="list-style-type: none"> • Review and comment on federal, state, and regional plans and permits that may impact the region for consistency with the Strategic Regional Policy Plan and in accordance with the National Environmental Policy Act, Federal Coastal Zone Management Act, and National Historic Preservation Act. • Review Environmental Resource Permits and provide comments to the Department of Environmental Protection. • Review applications to the Florida Communities Trust Program and provide comments.
186.007 (8) & (9), F.S.	Assist the Executive Office of the Governor in its biennial review of the State Comprehensive Plan; and serve on a Committee appointed by the Governor to review and make recommendations to the Administration Commission as to appropriate revisions to the State Comprehensive Plan.	<ul style="list-style-type: none"> • Serve on technical committees established by the Governor's Office. • Provide support, information, and technical assistance to the Regional Planning Council designated to serve on the State Comprehensive Plan review committee. • Conduct the necessary reviews and evaluations to identify regional priorities and needs that may influence changes to the State Comprehensive Plan.
186.0201, F.S.	Include electric utility substation planning information in the regional planning council's annual report.	<ul style="list-style-type: none"> • Annually collect the electric utilities' current plans over a 5-year period to site electric substations within the local governments contained within each region. • Include the information provided by the electric utilities in the regional planning council's annual report prepared pursuant to s. 186.513.
186.502, and 186.505 (10) & (20), F.S.	Assist local governments; engage in regional areawide planning; administer federal and state grants; provide a regional focus for multiple programs; address problems and plan solutions that are of greater-than-local concern; provide input into state policy development; advise constituent local governments; and provide technical assistance to local governments on growth management matters.	<ul style="list-style-type: none"> • Serve as the planning staff for rural local governments who do not have the resources for full-time staff support. • Prepare land development regulations. • Prepare comprehensive plans. • Prepare comprehensive plan amendments. • Prepare Evaluation and Appraisal Reports. • Respond to citizens' requests for information and technical assistance. • Facilitate the resolution of Objections, Recommendations, and Comments Report issues. • Conduct planning analyses (e.g., traffic, level of service). • Provide grant writing assistance. • Locate state and federal funding sources for specific local projects. • Provide mapping, census, and other forms of demographic/digital data. • Provide guidance on state rules and requirements.

186.502 (5), F.S.; 288.0656, F.S.	Assist local governments with activities designed to promote and facilitate economic development in the geographic area; use personnel, consultants, or technical or professional assistance of the council to help local governments conduct economic development activities; and serve on the Rural Economic Development Initiative.	<ul style="list-style-type: none"> • Provide technical assistance (e.g., economic analyses, leadership training and development, research, federal grant and loan preparation, business plans, revolving loan funds, downtown redevelopment, town planning and urban design). • Participate in state and regional rural initiatives. • Provide support, information, and technical assistance to the Regional Planning Council designated to serve on the Rural Economic Development Initiative. • Apply for federal Economic Development Administration designation as an Economic Development District, where appropriate. • Become involved in international cultural exchanges.
186.505 (11), F.S.	Work with federal and state agencies in planning for emergency management.	<ul style="list-style-type: none"> • Participate on a team to review local comprehensive emergency management plans and local post-disaster mitigation and redevelopment plans in accordance with rules of the Department of Community Affairs. • Assist in carrying out the requirements of the Emergency Planning and Community Right-to-Know Act of 1986, Title III of the Superfund Amendments and Reauthorization Act of 1986, s. 300-329, 42 U.S.C. (s. 252.81 - 252.91, F.S.). • Provide staff support to the Local Emergency Planning Committee. • Coordinate the activities of the Local Emergency Planning Committee with the State Emergency Response Commission and the Department's Division of Emergency Management. • Prepare and update the Local Emergency Planning Committee Plan. • Biennially assist the Local Emergency Planning Committee in conducting an exercise of its hazardous materials emergency plan. • Assist in county hazards analyses. • Distribute the materials of the State Emergency Response Commission related to training courses and workshops.
186.505 (22), F.S.	Establish and conduct a cross-acceptance negotiation process with local governments intended to resolve inconsistencies between applicable local and regional plans.	<ul style="list-style-type: none"> • Compare plans of adjacent local governments to promote consistency and help ensure the protection and management of shared resources.
186.505 (23), F.S.	Coordinate land development and transportation policies in a manner that fosters regionwide transportation systems.	<ul style="list-style-type: none"> • Serve on local transportation related committees and provide input as appropriate (i.e., metropolitan planning organizations, metropolitan planning organization technical advisory committees, bicycle pedestrian committees, etc.). • Provide support, information and technical assistance to the Regional Planning Council designated to serve on the Transportation and Land Use Study Committee (FS).
186.505 (24), F.S.	Review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans.	<ul style="list-style-type: none"> • Coordinate with transportation authorities and metropolitan planning organization to provide input as early as possible to avoid inconsistencies among plans.

186.505 (21) and 186.507, F.S.	Prepare and adopt a Strategic Regional Policy Plan to address regional resources and facilities; coordinate other regional entities in the regular review of the Strategic Regional Policy Plan.	<ul style="list-style-type: none"> • Comply with the provisions of Rule Chapter 27E-5, F.A.C. • Review annually to determine if updates are necessary. • Coordinate with local governments to determine if amendments are needed to better address regional needs. • Incorporate provisions addressing Everglades Ecosystem Restoration, if regionally applicable. • Facilitate further understanding and use of the Strategic Regional Policy Plan.
186.507 (10), 511, F.S., and 408.033 (1)(d), F.S.	Enter into a memorandum of agreement with local health councils to ensure the coordination of health planning, if health planning issues are addressed in the Strategic Regional Policy Plan.	<ul style="list-style-type: none"> • Ensure that appropriate portions of the Health Council plans are incorporated into the Strategic Regional Policy Plan.
186.507 (9), F.S.	Disseminate and facilitate the sharing of consistent growth management data.	<ul style="list-style-type: none"> • Provide Geographic Information System technical assistance to local governments. • Provide digitized copies of maps of natural resources of regional significance to the Department of Community Affairs.
186.509, F.S.	Establish by Rule a Dispute Resolution Process to reconcile differences on planning and growth management issues between local governments, regional agencies, and private interests.	<ul style="list-style-type: none"> • Publicize availability and encourage use as an alternative to legal remedies. • Encourage its identification as a tool in comprehensive plan intergovernmental coordination elements. • Utilize to reconcile inconsistencies between port master plans and local comprehensive plans. • Undergo conflict resolution training.
186.511, F.S.	Prepare an Evaluation and Appraisal Report of the Council's Strategic Regional Policy Plan at least once every five years.	<ul style="list-style-type: none"> • Assess successes and failures. • Evaluate to determine progress achieved. • Review and update if necessary. • Coordinate with local, state, and regional governmental and private sector entities to determine if amendments are needed to best address regional needs. • Address changes to the State Comprehensive Plan. • Conduct workshops and obtain public input. • Prepare and adopt amendments in accordance with the schedule set by the Executive Office of the Governor.
186.513, F.S.	Provide an annual report of activities to interested parties; make a joint report and recommendations to appropriate legislative committees.	<ul style="list-style-type: none"> • Annually review and update the Council's work program and incorporate those changes into the annual report of activities. • Disseminate completed report to state, regional and local governments, and other interested parties and citizens. • Provide input into the annual effort to update and publish the Joint Report of Florida's Regional Planning Councils.
186.803, F.S.	Consider the accuracy and reliability of geographic information maps and other graphic materials and the related data.	<ul style="list-style-type: none"> • Stamp all maps prepared by the Council in association with the Strategic Regional Policy Plan with a statement that the maps are to be used for planning purposes only.
163.3167 (3) & (4), F.S.	Prepare a missing element or amendment to a local comprehensive plan when a local government does not do so; prepare and adopt a comprehensive plan for a municipality which within three years of incorporation, has not adopted a comprehensive plan.	<ul style="list-style-type: none"> • Assume all responsibilities in preparing, submitting and revising a comprehensive plan or plan amendment in accordance with Rule Chapter 9J-5, F.A.C.

163.3177 (2)(h), F.S., & 253.193 (3)(h), F.S.	Make available the RPCs' dispute resolution process for resolving disputes between the district school board and local governments.	<ul style="list-style-type: none"> • Encourage the stated use of RPC dispute resolution processes in public schools interlocal agreements as a procedure to resolve disputes between the district school board and local governments.
163.3177 (6)(h) 6 & 7, F.S.	Assist the Florida Department of Community Affairs to coordinate a meeting of all local governments within each regional planning area to discuss the findings of the interlocal service delivery reports and identify potential strategies.	<ul style="list-style-type: none"> • Provide appropriate data and other assistance to the appropriate local governments in their efforts to identify the deficits and duplication in the provision of services within their jurisdiction. • Coordinate regional meetings of the local governments to address the findings and facilitate remedies or solutions.
163.3184 (4) & (5), F.S.	Provide comments to the State Land Planning Agency within 30 days after receipt of a proposed plan amendment. Limit review to the effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extrajurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.	<ul style="list-style-type: none"> • Review the proposed plan amendment for consistency with the Strategic Regional Policy Plan. • Provide an Objections, Recommendations, and Comments Report to the Department of Community Affairs. • Work with the Department and the local government to resolve concerns expressed in the Council's review and to help the local government respond to the Department's Objections, Recommendations, and Comments report. • Participate in compliance/settlement negotiations. • Participate in workshops held by the Department for the purpose of improving the implementation of the local government comprehensive planning requirements of Chapter 163, F.S. • Conduct all activities in accordance with Rule Chapters 9J-5 and 9J-11, F.A.C.
163.3191 (1)(c), (3), & (8), F.S.	Provide input, as applicable, in the Evaluation and Appraisal Report process; participate in Scoping meetings; if delegated, assume State Land Planning Agency responsibilities for review of Evaluation and Appraisal Reports.	<ul style="list-style-type: none"> • Assess consistency of an Evaluation and Appraisal Report with the Strategic Regional Policy Plan.
163.3191 (13), F.S.	Serve on the Florida Department of Community Affairs Technical Committee to assess the effectiveness of the evaluation and appraisal report process.	<ul style="list-style-type: none"> • Assess the effectiveness of the evaluation and appraisal report process as a representative of a technical committee to be appointed by the Florida Department of Community Affairs approximately nine months prior to December 31, 2004, the date that the first assessment report is due to the Legislature.
163.3245 (2) & (4), F.S.	Conduct a Scoping meeting with affected local governments and appropriate agencies prior to execution of an Option Sector Plan Agreement; make written recommendations to the State Land Planning Agency and affected local governments as to whether a sector plan would be appropriate.	<ul style="list-style-type: none"> • Schedule and facilitate Scoping meetings, ensuring all interested parties are in attendance. • Prepare written report based on the outcome of that meeting. • Review host government monitoring report.
163.568 (2)(i), F.S.	Review and approve the transportation plans of transportation authorities.	<ul style="list-style-type: none"> • Review for consistency with the Strategic Regional Policy Plan and provide a written report.

253.7828, F.S., 260.018, F.S.; & 260.0142, F.S.	Recognize the special character of the lands and waters designated by the state as the Cross Florida Greenways State Recreation and Conservation Area and take no action to impair its use and conservation; recognize through the Strategic Regional Policy Plan the special character of lands and waters designated as greenways and trails; serve on the Florida Greenways and Trails Council.	<ul style="list-style-type: none"> • Incorporate policies to promote greenways and trails in the Strategic Regional Policy Plan as a way to meet regional and local goals for the protection of natural resources and economic development. • Provide support, information and technical assistance to the Regional Planning Council designated to serve on the Florida Greenways and Trails Council.
288.975, F.S.	Participate in developing and reviewing Military Base Reuse Plans.	<ul style="list-style-type: none"> • Coordinate closely with local governments to ensure efficient reviews. • Review plans for consistency with the Strategic Regional Policy Plan. • Prepare a written report of comments for the local government. • Participate in presubmission workshops and other related meetings. • Make available the Council's dispute resolution process to resolve disputed issues.
335.188, F.S.	Provide input to the Florida Department of Transportation's access control classification system.	<ul style="list-style-type: none"> • Provide the cooperation necessary to assist the Florida Department of Transportation, in partnership with counties, municipalities, the Florida Department of Community Affairs, metropolitan planning organizations and other local governmental entities, to develop, adopt and maintain an access control classification system for all routes on the State Highway System.
339.155 (5)(b) & (9)(a)2, F.S.	Develop transportation goals and policies as part of the Strategic Regional Policy Plan consistent with the goals and policies of the Metropolitan Planning Organization and the Florida Transportation Plan; review urbanized area transportation plans and other planning products and provide the Department of Transportation and respective Metropolitan Planning Organization with written recommendations; enter into agreements with Metropolitan Planning Organizations to ensure coordination of activities.	<ul style="list-style-type: none"> • Coordinate closely with the Florida Department of Transportation and its District Offices, and the metropolitan planning organization to provide or solicit input, as appropriate, as early as possible to avoid inconsistencies among plans. • Ensure the plans of adjacent Metropolitan Planning Organizations are compatible with one another and compatible with surrounding rural areas. • Protect rural connectors. • Coordinate transportation planning activities as part of local comprehensive planning.
373.0395, F.S.	Review appropriate Water Management District's Groundwater Basin Resource Availability Inventory for consistency with local government comprehensive plans.	<ul style="list-style-type: none"> • Ensure that future growth and development planning reflect the limitations of the available groundwater or other available water supplies.
378.205 (2)	Provide comments upon request regarding phosphate mine reclamation; and provide consultation to the Florida Department of Environmental Protection on granting notice of intent to mine certification to a local government.	<ul style="list-style-type: none"> • Assist in establishing rules related to phosphate mine reclamation and review reclamation applications. • Assist the Secretary of the Florida Department of Environmental Protection in determining whether to grant certification to receive notices of intent to mine to a local government.

380.045 (2), F.S.	Serve on Resource Planning and Management Committees as designated by the Governor prior to an area being recommended as an Area of Critical State Concern.	<ul style="list-style-type: none"> • Provide assistance to the Department of Community Affairs in implementing this program. • Provide input to the committees' activities based on the impact to regional resources and facilities and the application of the Strategic Regional Policy Plan.
380.05 (3) & (7), F.S.	Solicit local government's suggestions for areas designated as Areas of Critical State Concern; provide technical assistance to local governments in growth management matters related to Areas of Critical State Concern.	<ul style="list-style-type: none"> • Conduct workshops if it is deemed by local governments in the Region that a particular area should be designated. • Prepare a report and recommendations. • Provide assistance to the Department of Community Affairs in implementing this program. • Provide assistance to local governments in preparing land development regulations, growth management agreements or other technical assistance activities.
380.06 (7), (10), (12), (18), (19), (21), (23), and (25); 380.061, & 380.065, F.S.	Arrange and conduct preapplication conference for Developments of Regional Impact (DRIs); review application for development approval of a DRI to determine sufficiency; review notices of proposed change; review Areawide DRIs in accordance with statutory criteria; participate in and review Florida Quality Developments; participate in the Comprehensive Application process; and resume DRI reviews upon revocation of local government certification.	<ul style="list-style-type: none"> • Comply with all aspects of Rule Chapters 9J-2, 9J-3, 9J-28, and 28-24, F.A.C. • Provide information related to the DRI process. • Ensure all affected state and regional agencies participate in the preapplication conference. • Coordinate the proper review of the DRI. • Enter into binding agreements with the Developer to eliminate unnecessary questions from the review process. • Establish binding letter agreements rules. • Conduct thorough technical review of the application and provide findings in writing. • Request additional information if application is incomplete. • Identify project impacts on state and regional resources and recommend mitigation of those impacts.
380.06 (7), (10), (12), (18), (19), (21), (23), and (25); 380.061, & 380.065, F.S.		<ul style="list-style-type: none"> • Issue report and recommendations on the regional impact of the proposed development. • Notify local government to proceed to set hearing date. • Prepare development order conditions. • Enter into Master Plan development order when applicable. • Assess and collect fees related to the program. • Report annual reports violations. • Develop a single, consolidated report addressing all DRI annual reports. • Assist the Department of Community Affairs with periodic monitoring of pre-August 1980, approved projects. • Review and provide comments on DRI substantial deviations. • Attend workshops scheduled by the Department of Community Affairs for the purpose of improving implementation of DRI programs. • Hold regional workshops to promote widespread understanding the statutory requirements of DRI programs. • Provide copies of all reports and correspondence related to DRI programs to the Department of Community Affairs. • Disseminate information on DRI programs as requested. • Assist the Department of Community Affairs in the conversion of DRI applications and related files to microfiche.

403.0752 (6), F.S.	Serve on Ecosystem Management Advisory Teams.	<ul style="list-style-type: none"> • Attend Ecosystem Management Advisory Team meetings. • Provide input and conduct tasks as appropriate.
403.507 (2)(a)6., 403.508 (4)(a), F.S., & 403.526(2)(a)6;	Present a report to the Department of Environmental Protection that addresses the impact of proposed transmission lines or corridors based on the degree to which it is consistent with the Strategic Regional Policy Plan; participate in land use and certification proceedings.	<ul style="list-style-type: none"> • Review and provide comments to the Departments of Community Affairs and Environmental Protection, and the Public Service Commission on ten-year site plans, power plan site and transmission line corridors, and natural gas transmission pipeline certification applications, based on consistency with the Regional Plan. • Function as a clearinghouse by soliciting, discussing, and integrating comments from local governments and other interested parties.
403.7225 (3), F.S.; 403.704 (25)	Coordinate the Local Hazardous Waste Management Assessments for counties within the Council's jurisdiction that decline to perform this task; and assist the Department of Environmental Protection to coordinate the development of these assessments.	<ul style="list-style-type: none"> • Provide the technical expertise needed by the counties in developing the assessments.
403.723 (2), F.S.	Designate one or more sites within the Region at which a regional hazardous waste storage or treatment facility could be constructed.	<ul style="list-style-type: none"> • Pre-addressed planning issues to prevent NIMBYs (not-in-my-back-yard) issues. • Coordinated input for all agencies and interested parties.
403.973, F.S.	Participate in the Expedited Permitting Process and serve on Regional Permit Action Team.	<ul style="list-style-type: none"> • Participate in the preapplication review process and subsequent interagency meetings. • Assist in developing a coordinated project description and checklist. • Determine ways to reduce the burden on the applicant by expediting the project review.
419.001 (5), F.S.	Provide dispute resolution process, if requested, for conflicts arising over site selection of community residential homes.	<ul style="list-style-type: none"> • Undertake site surveys for areas that need assistance. • Serve as a coordinator to bring all interested parties together to address disputed issues.
420.609 (1)(j), F.S.	Serve on the Affordable Housing Study Commission.	<ul style="list-style-type: none"> • Provide support, information, and technical assistance to the Regional Planning Council designated to serve on the Affordable Housing Study Commission.
427.015, F.S.	Serve as the Designated Official Planning Agency for the Transportation Disadvantaged Program in areas outside of the purview of a Metropolitan Planning Organization.	<ul style="list-style-type: none"> • Staff local coordinating board meetings. • Provide program support and administration. • Select, monitor and evaluate the Community Transportation Coordinator. • Prepare the county transportation disadvantaged service plan. • Train new local coordinating board members to aid them in performing their duties pursuant to Chapter 427, F.S., and Rule 41-2, F.A.C. • Appoint local coordinating board members. • Prepare annual budget estimates and actual expenditure reports. • Assist in preparing the Community Transportation Coordinator's Annual Operating Report. • Provide technical assistance to the Community.
985.41 (8), F.S.	Provide dispute resolution services to reconcile differences on the siting of correctional facilities between the Department of Juvenile Justice and local governments.	<ul style="list-style-type: none"> • Serve as a coordinator to bring all interested parties together to address disputed issues.

SWFWMD Final Legislative Summary



Final Legislative Summary
May 18, 2011

The 2011 Legislative Session finally concluded after a three-hour extension, in order to finish passing the budget along with a multitude of budget conforming bills (44 of them). The traditional “handkerchief” drop in the rotunda by House and Senate leaders did not happen, with the House adjourning about an hour before the Senate.

Passing a balanced budget, as required by the Florida Constitution, is always a challenge for legislators, and even more so in an underperforming economy. Going into Session, the legislature faced a \$3.75 billion budget shortfall. In order to fill that gap, the Legislature agreed on a budget of \$69,676.6 billion which is \$841.5 million less than FY 2010-11. The budget did not include any new taxes, but did cut \$1.3 billion on day-to-day school operations, cut health care spending and money for road construction, will eliminate nearly 5,000 state worker jobs and requires all public employees enrolled in the state pension plan to pay 3 percent of their salaries to cover pension costs. Notably, for the water management districts, is the property tax cut for Floridians, coming from \$210 million worth of ad valorem reductions to the Districts. Additionally, there is approximately \$30 million in corporate income tax breaks included in the budget and a back-to-school sales tax holiday for just one weekend in August.

In an effort to “foster private-sector job creation,” legislation was passed to create the Department of Economic Opportunity which will be responsible for coordinating the efficient delivery of services and programs related to economic development, workforce development, community planning and development, and affordable housing. The Department will also be responsible for creating a single statewide strategic plan to address the promotion of business formation, expansion, recruitment and retention in order to create better jobs with higher wages for all geographic regions of the state.

Below is a summary of legislation that the District tracked that passed, followed by a recap of legislation that did not pass, but was of interest to the District.

Budget

The conforming bill related to the water management districts which directly impacts the budgets of the districts is discussed later in the report (SB2142). The budget for the Department of Environmental Protection, where general revenue and trust fund monies flow through for water management districts, totaled nearly \$1.75 billion.

The Water Management Lands Trust Fund was funded at a reduced level of \$15,863,535. This funding covers debt service for the South Florida and St. Johns River Water Management Districts. The remainder of these funds provides assistance to the Suwannee River Water Management District. The budget includes \$29,955,000 million for Everglades Restoration. This is a reallocation of \$18 million from prior year appropriations and nearly \$12 million in a new appropriation. Florida Forever did not get any new money, and statewide funding of Florida Forever is contingent on the Division of State Lands disposing of surplus state lands in order to provide up to \$305,000,000 for the purchase of conservation lands.

Specific appropriations include \$10 million to restore the St. John’s River and \$3.3 million to the City of Winter Haven for Peace Creek as well as a very limited amount of water projects, none in this District. Additionally, funding for beach projects statewide totaled \$8 million.

Legislation that Passed

SB88 – Sen. Gaetz Public Employee Compensation

This legislation makes changes to public employee compensation. It repeals Chapter 373.0795, F.S. which is the section on severance pay for water management district employees. Subsequently, District employees fall under the provisions of Chapter 215 F.S. for purposes of severance pay and bonus provisions. On or after July 1, 2011, contracts that contain provisions for severance pay with an officer, agent, employee or contractor may only authorize severance pay that is up to, but not greater than, 20 weeks. If the severance pay represents the settlement of an employment dispute, it can be paid but may not exceed an amount greater than six weeks of compensation. Severance pay does not include compensation for earned and accrued annual, sick, compensatory or administrative leave, early retirement or subsidies for the cost of a group insurance plan.

SB224 – Sen. Dean Local Government Accountability

This bill provides budgeting standards for counties, county officers, municipalities, and special districts. It also requires the budget of each county, municipality, special district, water management district, school district, and certain county officers to be posted on the government entity's website. Water management districts are required to post their tentative budgets on their official website at least two days before budget hearings. The final adopted budget must be posted on the website within 30 days after adoption.

The bill also requires counties, municipalities, and special districts to file their annual financial report and annual financial audit report with the Department of Financial Services and the annual financial audit report with the Office of the Auditor General within nine months of the end of the fiscal year. This bill amends the reporting process used by Legislative Auditing and the Department of Community Affairs, to compel special districts to file certain required financial reports.

It is anticipated that this bill will have minimal impact on the District since it is in compliance with the majority of the new requirements, including the uniform classification of accounts and posting of the District's tentative and final budgets on its website. This legislation will require posting future budget amendments on the District's website within five days after adoption, and a link must be provided on the District's website to the Department of Financial Services website for the filed Annual Financial Report. If approved this legislation takes effect October 1, 2011.

HB421 – Rep. Bemby Agricultural-related Exemptions to Water Management District Requirements

This legislation revises the current agricultural exemption (expands the exemption) to specify that certain agricultural activities may impede or divert the flow of surface waters, or adversely impact wetlands, as long as that is not the sole or predominant purpose of the activity. The bill provides for retroactive application of the exemption to July 1, 1984. The bill allows the water management district, or a landowner, to request a binding, rather than the current non-binding, determination from the Department of Agriculture and Consumer Services (DACCS) when a dispute regarding an exemption occurs.

The bill also amends the definition of agricultural activities to include: cultivating, fallowing, and leveling, and provides that such activities constitute "agricultural activities" provided the activities are not for the sole or predominant purpose of impeding or diverting the flow of surface waters, or adversely impacting wetlands and the purposes are consistent with the normal and customary practices in the area. Agricultural activities are also to be aligned with best management practices adopted by the Department of Agriculture and Consumer Services or the United States Department of Agriculture's Natural Resources Conservation Service practice.

HB421 includes language to clarify that the exemption is only applicable on lands classified as agricultural pursuant to s. 193.461, and to activities regulated pursuant to part IV, chapter 373. This exemption shall not apply to any activities previously authorized by an Environmental Resource Permit or Management and Storage of Surface Water Permit issued pursuant to part IV, chapter 373, or a Dredge and Fill Permit issued pursuant to chapter 403. Additionally, the exemption language states that mitigation to offset any adverse effects of lands converted to a nonagricultural use is not necessary, if the damage occurred in the last four years preceding the conversion.

While the bill sponsors worked in good faith to address all issues, environmental groups and the Districts continue to have concerns about the long-term ramifications of this legislation related to the protection of water resources and the potential for harm to other property owners and downstream waters.

If signed into law, HB421 will take effect July 1, 2011.

HB993 – Rep. Roberson Rulemaking

This legislation amends agency rulemaking procedures under the Administrative Procedure Act (APA), and aligns the law with legislative ratification requirements enacted last year. The bill also provides for withdrawal of rules that are not effective because they were not ratified and exempts certain rulemaking from ratification requirements. Specific provisions of the legislation include:

- Requires agencies to include in each notice of rulemaking whether the proposed rule requires legislative ratification;
- Expressly includes legislative ratification in the description of factors when an adopted rule takes effect;
- Restores certain time deadlines to pre-2010 provisions;
- Exempts emergency rulemaking, rules adopting federal standards, rules adjusting certain tolls, and rules implementing the 2011 Student Success Act from the requirements to prepare a statement of estimated regulatory costs (SERC) and submission for legislative ratification;
- Provides a procedure for agencies to withdraw rules prior to becoming effective if the rule is invalidated by a final order or is timely submitted to the Legislature, but not ratified in the regular session;
- Excludes from the ratification requirement the triennial update of the Florida Building Code and the triennial update of the Florida Fire Prevention Code.

HB993 creates a one-time process requiring all agencies to undertake a comprehensive review of the economic impact of their respective rules effective on or before November 16, 2010, which is consistent with the APA. Additionally, the bill requires each agency to identify all revenue rules and all rules under which the agency requires data reporting from external sources. The report will include the statutes authorizing the data collection, how the data is used by the agency, and the policies advanced by the program.

This comprehensive review will continue through the 2014 regular session of the Legislature to provide sufficient time for the agencies to conduct the review and for public participation, legislative consideration of the reports, and any action the Legislature chooses to take.

The bill also enables the Legislature to implement an internet-based public survey on the impact of regulatory rules in Florida that will be effective until July 1, 2014. The survey may include the name of the business as registered in Florida, the number and identification of the agencies regulating the respondent's lawful activities, the number of permits, licenses, or registrations required for the respondent to engage in a lawful activity, and laws, rules, ordinances, or regulations the respondent alleges to be unreasonably burdensome. To encourage participation in a survey, the bill provides use immunity from prosecution based on either the act of responding or the information provided.

A controversial amendment was added to the bill that shifts the burden of proof to those who file legal challenges. This provision was originally part of HB991, the expedited permitting bill that did not pass. Environmental groups argue that this change makes it harder to stop projects that will be harmful to the environment; however, the Florida Department of Environmental Protection supported the amendment.

It is anticipated that the District may see an increased workload in order to review all current rules, in addition to those proposed, along with the additional reporting required during rule development. If signed by the Governor, the bill is effective upon becoming a law.

SB2096

State Financial Information

This budget conforming bill requires the Auditor General to annually submit to the Legislature a list of any school districts, charter schools, charter technical career centers, colleges, state universities, and water management districts that have failed to comply with transparency requirements. Water management districts are now required to post their financial statements on their websites by September 1, 2011. The bill also requires the Chief Financial Officer to make a state contract management system publicly available that includes information and documentation relating to contracts procured by state governmental entities. Agency procurement staff is required to update information within 30 days relative to any major change to a contract or the execution of a new contract. A major change includes a contract renewal, extension, termination or amendment.

This legislation should have minimal impact on the District as the District already complies with transparency requirements and has the ability to post information on its website. If approved, HB2096 takes effect July 1, 2011.

SB2100

Retirement

The Conference Committee Amendment relating to retirement provides for the following: Effective July 1, 2011, the bill requires 3% employee contribution for all FRS members. DROP participants are not required to pay employee contributions.

- For employees initially enrolled on or after July 1, 2011, the definition of "average final compensation" means the average of the 8 highest fiscal years of compensation for creditable service prior to retirement, for purposes of calculation of retirement benefits. For employees initially enrolled prior to July 1, 2011, the definition of "average final compensation" continues to be the average of the 5 highest fiscal years of compensation.
- For employees initially enrolled in the pension plan on or after July 1, 2011, such members will vest in 100% of employer contributions upon completion of 8 years of creditable service. For existing employees, vesting will remain at 6 years of creditable service.
- For employees, initially enrolled on or after July 1, 2011, the bill increases the normal retirement age and years of service requirements, as follows:
 - For Special Risk Class: Increases the age from 55 to 60 years of age; and increases the years of creditable service from 25 to 30.
 - For all other classes: Increases the age from 62 to 65 years of age; and increases the years of creditable service from 30 to 33 years.
- The legislation maintains DROP; however, employees entering DROP on or after July 1, 2011 will earn interest at a reduced accrual rate of 1.3%. For employees currently in DROP or entering before July 1, 2011, the interest rate remains 6.5%.
- The bill eliminates the cost-of-living adjustment (COLA) for service earned on or after July 1, 2011. Subject to the availability of funding and the Legislature enacting sufficient employer contributions specifically for the purpose of funding the reinstatement of the COLA, the new COLA formula will expire effective June 30, 2016, and the current 3% cost-of-living adjustment will be reinstated.

There are certain provisions of the legislation that will take effect at specific times, but other than those, the bill will become law on July 1, 2011.

SB2142

Water Management Districts

This is the budget conforming bill that implements statutory changes to the water management district budget adoption process. The language requires the Legislature to annually review the preliminary budget for the next fiscal year from taxes levied, and set the maximum amount of revenue to be raised by each district. If the Legislature does not set the annual maximum amount of property tax revenue by July 1 of each year, the maximum property tax revenue that may be raised reverts to the amount authorized in the prior year. The bill also establishes the total ad valorem taxes levied for the 2011-2012 fiscal year for each of the water management districts. For this District, ad valorem taxes are not to exceed \$107,766,957, which is nearly a 36% reduction. Even though the total ad valorem taxes levied can be set each year at any amount deemed appropriate by the Legislature, it is unlikely that the Legislature would go above what is set for 2011-2012 in future years as it could be construed as a tax increase.

The bill provides authorization for the Legislative Budget Commission (LBC) to disapprove, in whole or in part, the budget of each water management district. This is in addition to the authority already vested with the Governor.

The bill authorizes the Governor's office to analyze each district's financial resources every year and provide that analysis to the LBC. Tentative budgets developed by the Districts' will now be also submitted to the LBC as they currently are to the Governor, President of the Senate, Speaker of the House and Secretary of the Department of Environmental Protection.

If approved, this legislation will take effect upon becoming law.

HB7001

Growth Management

This bill reenacts portions of existing law related to comprehensive planning and land development amended by CS/CS/SB360, which was found unconstitutional by the Florida Supreme Court. HB7001 is an effort to remove uncertainty and address constitutional defects relating to the single subject requirement in Article III, section 6, of the Florida Constitution. The bill reenacts provisions of existing law that have been challenged in court as an unconstitutional mandate on counties and municipalities. To the extent any of those provisions are held by a court of last resort as unconstitutional, a two-thirds vote of the membership of each house would be necessary to have the legislation binding on counties and municipalities, in the absence of one of the other conditions provided for in Article VII, section 18, of the Florida Constitution.

The portions of existing law reenacted by this bill address several areas related to comprehensive planning and land development including: Urban Service Areas and Dense Urban Land Areas (DULAs); Transportation Concurrency; Developments of Regional Impact (DRIs); Financial Feasibility Requirements; School Concurrency; Permit Extensions; Impact Fee Notice and Concurrent Zoning; and Dispute Resolution.

This bill is to take effect upon becoming law, and those portions amended or created by Chapter 2009-96, Laws of Florida, are retroactive to June 1, 2009. If a court of last resort finds the retroactive application unconstitutional, this bill is to apply prospectively from the date it becomes law.

HB7207 Growth Management

The extensive growth management conforming bill (349 pages) makes concurrency for parks and recreation, schools, and transportation facilities optional for local governments and applies and revises the expedited comprehensive plan amendment process statewide. There are several provisions in the bill related to water management districts. Water management district comments on local plan amendments are now limited to three subjects: flood protection and floodplain management, wetlands and other surface waters, and regional water supply.

The legislation also removes many of the state specifications and requirements for optional elements in the comprehensive plan, but allows local governments to continue to include optional elements. Further, it expands and revises the optional sector plan process. Sector Plans may now be prepared and adopted into the local comprehensive plan for any area at least 15,000 acres with no limitations, precluding DRI requirements. A long-term master plan must be adopted as a comprehensive plan amendment and subsequent "Detailed Specific Area Plans (DSAP)" may be adopted by ordinance.

Water needs, sources and water resource/water supply development projects identified in a long term master plan or a DSAP that is part of a sector plan pursuant to this section shall be included in the Districts' Regional Water Supply Plan. This will be challenging with regards to planning for future water supply and properly managing the resource. Further, the applicant may apply and the District may consider granting a Water Use Permit for a duration that is commensurate with the master plan or DSAP. The criteria in 373.223 (three prong test) must be applied based on the projected population and approved densities/intensities in the master plan.

Additional elements of this conforming bill include:

- Deletes the requirement that comprehensive plans be financially feasible.
- Deletes the twice a year limitation on comprehensive plan amendments. Revises the small scale amendment process.
- Specifies that population projections should be a floor for requisite development except for areas of critical state concern.
- Allows additional planning periods for specific parts of the comprehensive plan.
- Abolishes 9J-5 (DCA's growth management regulations and incorporates certain provisions into the bill).
- Reduces the requirements of the evaluation and appraisal process.
- Revises the rural land stewardship program.
- Restricts the state's ability to interpret joint planning agreements.
- Clarifies and broadens the window for permit extensions.
- Creates a 4-year development of regional impact permit extension.
- Removes industrial areas, hotels/motels, and theaters from the list of developments of regional impact.
- Creates an exemption from the DRI process for mining projects (including expansions of existing mines) and allows those mines to enter into agreements with the Department of Transportation.
- Adds a new 2-year permit extension, but caps the maximum extension at 4 years.
- Prohibits local governments from having referenda for local comprehensive plan amendments.
- Encourages planning innovation technical assistance.
- Sunsets the Century Commission in two years.
- Clarifies requirements for adopting criteria to address compatibility of lands relating to military installations.
- Allows a certain plan amendment to be readopted by a local government without being resubmitted to the state land planning agency.

- Clarifies when a local government can reject a proposed change to a development of regional impact.
- Requires DOT to study the proportionate share calculation.
- Allows DCA to have procedural issues on their website.

Pending approval by the Governor, the bill will take effect upon becoming law.

Legislation that Failed

SB882/HB649 – Sen. Detert/Rep. Pilon Water Management Districts

This legislation would have created additional efficiencies for Basin Boards within our District and provided continuity in basin operations. The House bill, as passed, gave all Governing Board members residing in a basin a vote on the Basin Board. It also deleted the language requiring that the Manasota Basin Board be comprised of two members from Manatee County and two members from Sarasota County. The Governor would still have the authority to appoint additional basin members per current law, if he chose. Governing Board members serving on a Basin Board would be counted for purposes of establishing a quorum, and in the event a vacancy occurs, the remaining members of the Basin Board may continue to transact official business. The legislation also clarified that cooperative funding programs are not subject to rulemaking and that local governments could adopt lawn irrigation ordinances to implement water management district irrigation restrictions. Finally, the bill would have allowed for flexibility in funding for the Suwannee River Water Management District through the Water Protection and Sustainability Trust Fund for springs protection and water resource development when, and if, that trust fund is restored.

The House bill did pass the full chamber, but the Senate bill did not get formally withdrawn from the Budget Committee and subsequently did not pass. An amendment was filed to SB934 (Urban Redevelopment) in a last ditch effort to get the bill passed, but that bill ended up not being placed on the Special Order Calendar the last day.

SB934/HB389 – Sen. Storms/Rep. Glorioso Urban Redevelopment

This legislation was intended to expedite the stormwater management permit process for projects that are located in an urban redevelopment area. The goal is to be able to redevelop those areas for economic purposes.

The bills authorized an entity, which has established a stormwater management plan, to apply for a Conceptual Permit from the water management district. Urban redevelopment projects that meet the criteria established in the conceptual permit would qualify as a Noticed General Permit that allowed for construction and operation for the duration authorized in the Conceptual Permit. The permits would address stormwater discharges and demonstrate a net improvement of the quality of the discharged water, among other provisions. The Senate bill included language enabling the Department of Environmental Protection to initiate rulemaking for stormwater management systems serving airside activities at airports and additional language was included to provide for a reduction or waiver of permit processing fees for counties with a population of 50,000 or fewer, municipalities with a population of 25,000 or fewer and for an entity created by special act, local ordinance, or inter-local agreement of such counties or municipalities.

The House bill passed and the Senate Bill was withdrawn from the Budget Committee to become a vehicle for many of the provisions of the expedited permitting bill (HB991). Additional amendments were filed that included the District's basin language; the landfill in Pasco County, private mitigation bank preference and ocean outfalls, but the bill was not placed on Special Order prior to the Legislature adjourning.

**SB1122/HB7129 – Sen. Bennett/Rep. Workman
Growth Management**

While these bills did not pass, the major provisions did pass as part of HB7207 discussed above.

**SB1180 – Sen. Latvala
Transportation**

This legislation was the Transportation package for the year and made a number of changes on behalf of the Department of Transportation (DOT), including mitigation for DOT projects. The Legislature was intending to provide the Governing Board or DOT additional flexibility in the permitting of stormwater management systems associated with the construction or alteration of systems serving state transportation projects and facilities. Additionally, the bill stated that environmental mitigation for the impact of transportation projects proposed by the DOT, or a transportation authority, could be more effectively achieved by regional, long-range mitigation planning rather than on a project-by-project basis.

DOT mitigates the impacts of transportation projects in partnership with the water management districts. Language in this bill would have required that mitigation for these transportation projects be funded by the DOT and be carried out by the water management districts, utilizing mitigation banks and any other mitigation options that satisfy state and federal requirements. By July 1 of each year, the DOT, or a transportation authority which chooses to participate in this program, shall submit to the water management districts a list of its projects in the adopted work program, and an environmental impact inventory of habitats addressed in the rules adopted which may be impacted by its plan of construction.

Both this bill and its companion bill, HB1363, died.

**SB1404/HB991 – Sen. Evers/Rep. Patronis
Expedited Permitting**

This bill would have created incentive-based permitting as well as creating and/or amending numerous provisions relating to development, construction, operating and building permits; permit application requirements and procedures; local government comprehensive plans and plan amendments; programmatic general permits and regional general permits; permits for projects relating to coastal construction; dredge and fill activities; inland multimodal facilities and commercial and industrial development, biofuel and renewable energy facilities; and mining activities.

The bills required certain counties/municipalities within specified population limits to apply for delegation of authority by June 1, 2012, for state environmental resource permitting. For new applicants, the time an agency must act on a permit would be reduced from 90 to 60 days. The bill provided that a general permit for a surface water management system less than 10 acres may be authorized without agency action, and revised and clarified statutory changes for the use of the Uniform Mitigation Assessment Methodology. Further, the bill would also have impacted the rights of third parties who may want to challenge a permit or intervene in the environmental permit process (this provision did pass on HB993).

The bill also gave preference to private mitigation banks with regards to DOT projects, yet did give the Northwest Florida Water Management District an exemption for five years from the mitigation preference.

The House bill passed but the Senate bill was never heard in committee. Several components of this bill were filed to HB389 in the waning days of the session, but did not pass.

**SB1490/HB239 – Sen. Evers/Rep. Williams
Numeric Nutrient Water Quality Criteria**

This bill prohibited implementation of certain federal numeric nutrient water quality criteria rules by DEP, water management districts, and local governmental entities, and authorized DEP to adopt numeric nutrient water quality criteria for surface waters. The bill provided that certain total maximum daily loads

and associated numeric interpretations constitute site specific numeric nutrient water quality criteria and provided for effect, governance, and challenge of such criteria. This bill would have attempted to block the state from implementing EPA's final Numeric Nutrient Criterion (NNC) rule. There were constitutional concerns in earlier versions of the legislation under the Doctrine of Federal Supremacy in that the legislation essentially refused to implement established federal law.

The House bill was amended as it moved forward and, as amended, prohibited state, regional, or local governmental entities from implementing or giving any effect to the EPA-promulgated criteria in any program administered by a state, regional, or local governmental entity where the criteria are more stringent than necessary to protect the biological community and the designated use. The addition of the biological community was repeated in the section authorizing the DEP to promulgate numeric nutrient water quality criteria and to implement the standard. Implementation of the standard shall only require nutrient reductions where necessary to protect the biological community and the designated use.

The House bill did pass, but its Senate counterpart was never heard and the bill died.

SB1514/HB1001 – Sen. Latvala/Rep. Williams Consumptive Use of Water

This legislation would have required consumptive use permits to be issued for a period of 20 years, eliminated requirements for permit compliance reports and removed the authority of DEP and the Governing Boards to modify or revoke consumptive use permits. It also included language from the Reclaimed Water Task Force that provided requirements for water management districts in evaluating applications for consumptive use of water in mandatory reuse zones. The legislation also required water management districts to implement a “sustainable” water use permit program. This new type of permit would, in effect, create a “hierarchy” of permits, putting utilities over other users. Many concerns were raised about this provision, not only from the Districts, but from agricultural interests, in particular. The Senate version of the bill also included an exemption for agriculture from being included in the mandatory reuse zone requirements which was agreed upon language. It amended the criterion of the sustainable water use permit to allow capture and recovery from alternative water supply sources and added an additional criterion to the list of significant factors a District Governing Board must consider when determining alternative water supply development funding.

During the course of the Session, the Senate bill was heard in two committees and amended to strike the 20-year permit section, replacing it with language requiring the Districts, at the 10-year review, to complete the review within three months and only issue up to one Request for Additional Information. The section regarding sustainable water use permits was also removed. The bill added language to clarify that the term “alternative water supplies”, as defined by statute, does not include non-brackish groundwater supply development.

The Senate bill died in the Budget committee and the House bill was never heard. It is anticipated that the issues in this legislation may be part of the discussion that the House Select Committee on Water Policy will hear during the coming months in preparation for the 2012 Session.

SB1842 – Sen. Hays Water Management District Budgets

SB1842 required the water management districts' budget review and approval by the Executive Office of the Governor and required that the Governing Board give notice to the Executive Office of the Governor within 30 days after unanticipated and unallocated funds are applied during a disaster or emergency. The legislation prohibited the districts from using other means to enact a proposal rejected by the Governor and required that state funds be withheld from a water management district that fails to comply with the review requirements. The legislation also required an accounting of the source and balance of unobligated funds or net cash balance on hand, and contained the Governors' recommendation of a two-year “tax holiday,” whereby the districts may not levy ad valorem taxes in excess of 75 percent of the ad valorem tax levied in the 2010-2011 fiscal year.

The bill was never heard in committee and did not have a House companion.

HB7237 – Rep. Williams
Fiscal Management of Water Management Districts

The bill required the districts to determine which lands are not needed for water management or conservation purposes and could be available for surplus. This is required to be done every five years. The bill also required budget transfers at the water management districts to be approved by the Governor, similar to SB1842 referenced above.

The House bill passed but there was no companion language in the Senate other than the budget transfer provision.