

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MARCH 17, 2011**

The regular meeting of the Southwest Florida Regional Planning Council was held on March 17, 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 9:01 a.m. Commissioner Butch Jones led an invocation and the Pledge of Allegiance. Senior Administrative Staff Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

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

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

Glades County: Commissioner Kenneth "Butch" Jones

Hendry County: Commissioner Karson Turner, Commissioner Tristan Chapman, Mr. Melvin Karau

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

Sarasota County: Commissioner Christine Robinson, Commissioner Tom Jones, Councilman Kit McKeon, Mr. Felipe Colón, Mr. George Mazzarantani

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

MEMBERS ABSENT

Charlotte County: Commissioner Tricia Duffy

Collier County: Ms. Pat Carroll

Glades County: Commissioner Paul Beck, Councilwoman Pat Lucas, Ms. Shannon Hall

Hendry County: Commissioner Joseph Miller, Commissioner Daniel Akin

Lee County: Councilman Tom Babcock, Mr. Paul Pass

Sarasota County: Commissioner Carolyn Mason

Ex-Officio Membership: Ms. Tammie Nemecek - EDC of Collier County

PUBLIC COMMENTS

No public comments were made at this time.

AGENDA ITEM #1 AGENDA

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

AGENDA ITEM #2 MINUTES OF FEBRUARY 17, 2011

Commissioner Skidmore moved and Commissioner Mann seconded to approve the minutes of February 17, 2011 as presented. The motion carried unanimously.

AGENDA ITEM #3 CONSENT AGENDA

Commissioner Skidmore moved and Ms. Messina seconded to approve the consent agenda: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for February 28, 2011 & Grant Activity Status Sheet; Agenda Item #3(c) Collier County Comprehensive Plan Amendments (DCA 11-ER3); Collier County Comprehensive Plan Amendments (DCA 11D-1) - Withdrawn; Fountains DRI Sufficiency Response Extension Request; and SWFRPC 2011 Committee Appointments. The motion carried unanimously.

AGENDA ITEM #4(a) SWFRPC SRPP Update (LaBelle SRPP EAR Meeting)

Mr. David Crawford of staff presented this item. He indicated that staff has been receiving comments through the Council's website which staff has been compiling. Staff is preparing a draft of the SRPP's EAR for Council's review at its April meeting.

Commissioner Bigelow asked Mr. Crawford to put the EAR process into context since the counties have finalized their EARs. Mr. Crawford explained that the SRPP EAR is similar to the local government's plans, where in terms that for the SRPP EAR is every five years, but for the cities and counties it is every seven years. The SRPP EAR is reviewed and assessed whether the goals, objectives and strategies were working.

Commissioner Bigelow asked how are the counties' efforts going to be incorporated into the Council's SRPP EAR efforts and then are the cities going to be following this process. Mr. Crawford explained that there are only a couple of counties that are ongoing; most of them have been approved within the region. The EARs for the local plans are staggered so they don't come in at the same time and go out at the same time.

AGENDA ITEM #4(b)1
Budget & Finance Committee - Ms. Janice Yell

Ms. Janice Yell of staff presented this item. She announced that the Budget & Finance Committee is scheduled to meet on Monday, March 28th at 2:00 p.m.

AGENDA ITEM #4(b)2
Estero Bay Agency on Bay Management (ABM) - Mr. James Beever

Mr. James Beever of staff presented this item. He explained that the ABM had met on March 14th and there were three presentations: Estuaries Report Card, FGCU's Plan Change, and CHNEP's Information Demonstrating the Ethnicity via Fertilizer Ordinances in the Sarasota and Venice Area.

Mr. Beever explained that Councilman Tom Babcock (ABM's Vice-Chair), who is the SWFRPC's representative on the ABM did not run for re-election and will be departing the ABM, so the Council will need to appoint a new representative to the ABM.

Commissioner Skidmore stated that the State is proposing to not allow local governments to pass fertilizer ordinances greater than what is in the State's Fertilizer Ordinance. Mr. Beever explained the issue will be discussed at the ABM's next meeting and it will also be reviewed by the Regional Watersheds Committee and there are bills in both the House and Senate to prevent any local government from having a fertilizer ordinance stricter than the State's standard.

Commissioner Bigelow volunteered to serve on the ABM as the Council's representative as Councilman Babcock's replacement.

**Commissioner Mann moved and Commissioner Skidmore seconded to appoint
Commissioner Bigelow as the Council's representative on the Estero Bay Agency on Bay
Management (ABM). The motion carried unanimously.**

AGENDA ITEM #4(b)3
Legislative Affairs Committee - Commissioner Karson Turner

Commissioner Karson Turner gave an overview of the Legislative Affairs Committee meeting of March 1st with Florida Representative Gary Aubuchon. He explained that Representative Aubuchon had spoken about the uncertainty of the funding issues for the regional planning councils and what is going to happen with the scaling down of DCA. Councilwoman Heitmann

stated that she wanted to make sure that Representative Aubuchon heard the Committee's voice with the importance of the regional planning councils. Representative Aubuchon did state that it is up to the elected officials to reach out person-to-person because at the end of the day it comes down to dollars and cents.

Councilwoman Heitmann noted that it is important to know that Representative Aubuchon is part of the Committee who reviews the restructuring of committees throughout the state, so he does have some say and leadership on whether the regional planning councils remain viable or not.

Commissioner Turner noted that Representative Aubuchon stated that Representative Grimsley is in the RPC's corner and that she has a huge voice with being the Chair of the Joint Legislative Budget Committee.

AGENDA ITEM #4(b)4
Regional Watersheds Committee - Councilman Mick Denham

Councilman Mick Denham presented this item. He announced that the Committee will be holding its first meeting immediately following the Council meeting.

Councilman Banks moved and Councilman McKeon seconded to approve the letter in "Opposition to State Fertilizer Rule Preemption of Local Ordinances House Bill 457 and Senate Bill 606" as presented. The Council also recommended that copies are sent to the Southwest Florida Legislative Delegation, Members of the Senate and House Committees, regional planning councils, Select Water Policy Committee, Agricultural and Natural Resources Committee, and SWFRPC Council Members. The motion carried unanimously.

Chair Kiester announced that the Executive Committee will meet immediately following the April 21st SWFRPC meeting. The Committee will discuss developing procedures to follow during the transition of officers.

Chair Kiester explained that he is planning on asking the Executive Committee to approve giving the Committee annual responsibility of recommending to the full Council which committees are to be kept and the memberships thereof. In addition, he also requested that the Committee add the immediate past Chair to the Committee to help in the transition of officers.

AGENDA ITEM #5(a)
Community Collaborative Initiative Issues - Mr. Ken Heatherington

Mr. Kenneth Heatherington presented this item.

Commissioner Mann referred to the Quality of Life Survey which was included in the packet and the two paragraph disclaimer. He asked staff how long has the current survey been ongoing and what is done with the information after it has been obtained. Mr. Heatherington explained that staff is currently in the process of updating the survey and it will be placed on the Council's

website. He explained that they are hoping to have a quality of life survey done on the region, what the Council is thinking about, what types of responses are being received, and does it make sense to track it.

Commissioner Mann asked staff how the responses from the past quality of life surveys benefited the Council and what is going to be done with the new information from the new quality of life survey. Mr. Heatherington explained that it will be noted on the survey and the survey will be available for six months.

Commissioner Skidmore asked staff a couple of questions about how they know who is taking the survey and what vehicle is used to deliver the message to the public to let them know that the survey is available. Mr. Heatherington stated he is currently having that discussion with staff.

Ms. Messina stated that in the last set of minutes it was stated that when staff works on a project, they need to be able to charge their time to the various programs and/or grants. She then asked where does staff charge their time when they are working on the survey, because that would be some indication on who is using the survey or what purpose that it was intended to serve. Mr. Heatherington explained that the IT professionals usually charge to indirect or local.

Mayor Sullivan asked staff how they know if the data is accurate if there is no valid sample. Does the survey prove anything? If there is no science in the data then there is no accuracy to the data. Also, if there is a limited amount of the people that know about the survey then that also makes the survey not accurate.

Councilwoman Heitmann noted that at the Legislative Affairs Committee meeting, one of the items that was mentioned by Representative Aubuchon was what the Council doing is. The Committee made a few good points to Representative Aubuchon on what the Council was doing as a region. She then stated maybe that is what needs to be done to make a point on what the Council is and what it is doing.

Councilman Denham referred to the Council's mission statement and said that both staff and members should be concentrating on what the statement states.

Commissioner Mann then referred back to the disclaimer and Quality of Life Survey and asked staff the reasoning behind doing the survey when the legislature is looking for reasons to why the regional planning councils don't need to exist. The regional planning councils are over 30 years old and were established because Florida was going without planning and there was a lack of communication between the local governments. The question is have the regional planning councils out live their time since every local government has their own local government comprehensive plans.

Ms. Holquist noted that the Sunshine State Survey is done annually, which is very similar to the Council's Quality of Life Survey. The Sunshine State Survey is done through a national organization online. The survey was just completed within the last month. The survey is done on both local and regional levels.

Taking It To The Streets Challenge

Mr. Hutchinson of staff reviewed the item as presented.

AGENDA ITEM #5(b)

**Health Planning, Land Use and the Fit-Friendly Southwest Florida Initiative – Dr. Judith Hartner,
Lee County Health Department**

Dr. Judith Hartner gave a PowerPoint presentation.

Ms. Holquist asked Dr. Hartner what she has seen over her tenure and what can be done differently to help move forward because currently the streets in Lee County are not pedestrian and bicyclist friendly. Dr. Hartner explained that it is a critical thing in terms of transportation planning. If you want people to walk or ride their bikes to lunch or work then they have to feel safe and much of the roadways have been built for the automobile. Lee County has adopted the “Complete Streets” as a planning policy which states that if you are going to build or fix a roadway then it also has to accommodate pedestrians, bicycles and other means of traffic in addition to the automobile. That is also critical if you want to encourage people to use mass transit, because they need to feel safe walking to the bus terminals.

The Council discussed how local governments have created incentives by giving them the flexibility in their lunch hour to use the wellness center or other fitness facilities. One local government instituted a healthy lifestyle for employees and another had their employees lose over 200 pounds by walking on the walking trail and also they have the option to attend stop smoking classes. All of these have helped in reducing health care costs. Some have been able to reduce their health care costs by 3.5%.

AGENDA ITEM #5(c)

Legislative Summary Report – Mr. David Hutchinson

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

Ms. Holquist asked staff what they felt the trend is going to be with the growth management legislation. Staff explained that the Governor has proposed eliminating the DCA and transferring some of their functions to DEP. The trend line is a reduction in oversight/regulation at the State level, including growth management legislation.

**AGENDA ITEM #6
DIRECTOR’S COMMENTS**

Mr. Heatherington referred to staff to give an overview of projects that they have been working on.

Ms. Jennifer Pellechio of staff gave a brief overview of the status of video conferencing.

Mr. James Beever of staff announced that he was invited to be a keynote speaker at a Resilient Tampa Bay Conference at the Center for Global Solutions at the University of South Florida. The conference involved international participation from Denmark and other countries around world. Our work from the Council was acknowledged as the leading edge of Climate Change Adaptation Planning and the City of Punta Gorda's work on the project was acclaimed. He announced that the CHNEP's Watershed Summit is scheduled to be held March 30-31 at the Charlotte Harborside Event Center in Punta Gorda.

Mr. Dan Trescott of staff gave an overview of the 2010 Southwest Florida Evacuation Study and DRI activity. The Council had a discussion on the funding for emergency preparedness and what tasks staff does under emergency preparedness. The Council also discussed the various hurricane evacuation issues that are faced throughout the region (Glades County and the intersection of Logan Boulevard and CR951).

AGENDA ITEM #7 STATE AGENCIES COMMENTS/REPORTS

SFWMD - Mr. Flood reminded everyone that water resources are continuing to decline as a result of the lack of precipitation. The Governing Board declared a water shortage warning which is the predecessor to water restrictions. The aquifers continue to dwindle and Lake Okeechobee is below 12 feet and some of the recreational locks have been closed to the lake on the north side.

SWFWMD - Ms. Davies announced that the District has declared a Phase 1 Water Shortage and is asking everyone to follow the year round conservation measures.

Mr. Heatherington asked both Mr. Flood and Ms. Davies if there is a document which lists the conservation regulations. Both replied yes. Mr. Flood explained that the SFWMD has the Water Shortage Warning which was issued. Ms. Davies also stated that the SWFWMD's is located on their website www.watermatters.org and click on the icon called water restrictions.

FDEP - Mr. Iglehart stated that they are focusing on the numeric nutrient legislation.

AGENDA ITEM #8 COUNCIL ATTORNEY'S COMMENTS

Counsel Donley announced that the US Corps of Engineers had published their Notice of Intent for the Areawide EIS for phosphate. They are holding two scoping meetings: March 23rd in Lakeland and March 25th in Punta Gorda. In conjunction with the scoping meetings for the Areawide EIS on March 28th and 29th in Punta Gorda the USEPA is hosting a workshop on State of Science with regards to phosphate.

**AGENDA ITEM #9
COUNCILMEMBERS' COMMENTS**

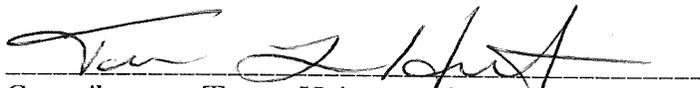
Ms. Holquist discussed the Century Commission compiling the Strategic Plan for the State of Florida and how it would fit into the Council's Quality of Life Survey. She encouraged staff to invite the Leadership Collier to give a presentation to the Council. Mr. Heatherington indicated that they would like to have the presentation at the May meeting.

Councilman Heitmann noted that while at a meeting in Washington, USEPA stated that they would like to work with local governments on the issues that they are facing. She suggested inviting representatives from EPA to a future Council meeting to give a presentation on how they plan on helping the local governments.

Commissioner Tom Jones thanked the CHNEP for their efforts, particularly for establishing background standards for phosphate throughout the region. The Council also discussed the issue of Pill Mills and how important it is.

**AGENDA ITEM #10
ADJOURN**

The meeting adjourned at 11:20 a.m.



Councilwoman Teresa Heitmann, Secretary

The meeting was duly advertised in the March 11, 2011 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 37, Number 10.