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June 21, 2021

VIA ELECTRONIC FILING

Adam J. Teitzman  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

**Re: Docket No. 20210015-EI - Petition for rate increase by Florida Power Light & Company.**

Dear Mr. Teitzman,

On behalf of Intervenor Environmental Confederation of Southwest Florida, Inc., I have enclosed the testimony of Becky Ayech. Please file these documents in Docket No. 20210015-EI. Please contact me if there are any questions regarding this filing.

*/s/ Bradley Marshall*

Bradley Marshall (FL Bar No. 0098008)  
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***Counsel for Environmental Confederation of  
Southwest Florida, Inc.***

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy and correct copy of the foregoing was served on this 21st day of June 2021, via electronic mail on:

<p>Thomas A. Jernigan Holly L. Buchanan Robert J. Friedman Arnold Braxton Ebony M. Payton 139 Barnes Drive, Suite 1 Tyndall Air Force Base thomas.jernigan.3@us.af.mil holly.buchanan.1@us.af.mil robert.friedman.5@us.af.mil arnold.braxton@us.af.mil ebony.payton.ctr@us.af.mil ULFSC.Tyndall@us.af.mil</p>	<p>R. Wade Litchfield John T. Burnett Russell Badders Maria Jose Moncada Ken Rubin Joel T. baker Florida Power &amp; Light Co. 700 Universe Blvd. Juno Beach, FL 33408-0420 wade.litchfield@fpl.com john.t.burnett@fpl.com russell.badders@nexteraenergy.com maria.moncada@fpl.com ken.rubin@fpl.com joel.baker@fpl.com</p>
<p>Biana Lherisson Jennifer Crawford Shaw Stiller Suzanne Brownless Florida Public Service Commission Office of the General Counsel 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 blheriss@psc.state.fl.us jcrawfor@psc.state.fl.us sstiller@psc.state.fl.us sbrownle@psc.state.fl.us</p>	<p>Richard Gentry Parry A. Christensen Charles Rehwinkel Anastacia Pirrello Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 gentry.richard@leg.state.fl.us christensen.patty@leg.state.fl.us rehwinkel.charles@leg.state.fl.us pirrello.anastacia@leg.state.fl.us</p>
<p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, P.A. 118 North Gadsden St. Tallahassee, FL 32301 jmoyle@moylelaw.com kputnal@moylelaw.com mqalls@moylelaw.com</p>	<p>James W. Brew Laura Wynn Baker Joseph R. Briscar Stone Mattheis Xenopoulos &amp; Brew, PC 1025 Thomas Jefferson St., NW Suite 800 West Washington, D.C. 20007 jbrew@smxblaw.com lwb@smxblaw.com jrb@smxblaw.com</p>

<p>Kenneth Hoffman  134 West Jefferson St.  Tallahassee, FL 32301-1713  ken.hoffman@fpl.com</p>	<p>George Cavros  120 E. Oakland Park Blvd., Suite 105  Fort Lauderdale, FL 33334  george@cavros-law.com</p>
<p>William C. Garner  Law Office of William C. Garner, PLLC  The Cleo Institute Inc.  3425 Bannerman Road  Unit 105, #414  Tallahassee, FL 32312  Email: bgarner@wcglawoffice.com</p>	<p>Katie Chiles Ottenweller1  Southeast Director  Vote Solar  838 Barton Woods Road  Atlanta, GA 30307  Email: katie@votesolar.org  Phone: 706.224.8107</p>
<p>Nathan A. Skop, Esq.  420 NW 50th Blvd.  Gainesville, FL 32607  Phone: (561) 222-7455  E-mail: n_skop@hotmail.com</p>	<p>Stephanie U. Eaton  Spilman Thomas &amp; Battle, PLLC  111 Oakwood Dr., Suite 500  Winston-Salem, NC 27103  seaton@spilmanlaw.com</p>
<p>Barry A. Naum  Spilman Thomas &amp; Battle, PLLC  110 Bent Creek Blvd., Suite 101  Mechanicsburg, PA 17050  bnaum@spilmanlaw.com</p>	<p>Robert Scheffel Wright  John T. LaVia, III  1300 Thomaswood Dr.  Tallahassee, FL 32308  schef@gbwlegal.com  jlavia@gbwlegal.com</p>

DATED this 21st day of June, 2021.

/s/ Bradley Marshall  
Attorney

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re:   Petition for rate increase    )  
          by Florida Power & Light    )     **DOCKET NO. 20210015-EI**  
          Company                        )**

**DIRECT TESTIMONY  
OF BECKY AYECH  
ON BEHALF OF  
ENVIRONMENTAL CONFEDERATION  
OF SOUTHWEST FLORIDA, INC.**

June 21, 2021

1 **Q. Please state your name.**

2 A. Becky Ayech.

3 **Q. Where do you live?**

4 A. 421 Verna Road, Sarasota, FL 34240.

5 **Q. What organization are you a member of?**

6 A. The Environmental Confederation of Southwest Florida.

7 **Q. How long have you been a member?**

8 A. Over 30 years.

9 **Q. What is your position in the organization?**

10 A. President.

11 **Q. What is your source of income?**

12 A. Social Security income.

13 **Q. Are you a customer of FPL? If so, for how long?**

14 A. Yes. I have been a customer for 44 years.

15 **Q. What do you think of FPL?**

16 A. I do not like FPL at all. Over the years, FPL has become less interested in providing  
17 quality service to its customers. In the past, meter readers would come to my house, and I  
18 would be able to ask them questions. When the meter readers became remote, I no longer had  
19 interaction with a representative from FPL. When problems arise, I usually have to reach out  
20 to FPL numerous times before the it resolves the issue. For example, when my transformer  
21 was spilling coolant, I had to reach out to the Public Service Commission again and again  
22 before it cleaned up the hazardous waste. In the past, I would experience brownouts at my  
23 home every evening because there wasn't enough electricity in the area where I live. FPL has  
24 cut my power without telling me in advance, which risks the wellbeing of my farm animals. I  
25 rely on an electric pump to get water on my property; therefore, when FPL cuts my power

1 without telling me, I am not able to prepare by filling containers of water for my animals in  
2 advance. FPL often does not fulfill its promises. When I expressed to FPL that it overly  
3 damaged the trees it cut when it installed its power lines, FPL told me that it would install the  
4 power lines underground. However, FPL never did this. Overall, FPL has not been  
5 adequately responsive to the issues I face relating to electricity provision. Additionally, FPL  
6 purposefully misleads the public in its advertising. FPL has a commercial featuring a little  
7 girl who suggests that FPL is doing a great job in generating renewable energy, and she states  
8 that the company is using “clean” natural gas and that it will generate power from water, a  
9 process the commercial does not explain adequately by any means. Because FPL continues to  
10 invest in fossil-fuel generation, as evidenced by its justification for the rate increase, the  
11 commercial is an attempt to mislead the public about the extent to which FPL is becoming  
12 more sustainable and “green.”

13 **Q. How much does your FPL bill usually cost each month?**

14 A. It costs around \$100-120.

15 **Q. How do you feel about the current price you are paying for your utilities?**

16 A. The current price I pay is already too much. I have taken every practice and precaution to  
17 try to keep my electric bill low—I don’t even use air conditioning or central heat on my  
18 property. My non-fuel charge in 2012 for the first 1000 kWh was \$0.051840 and over 1000  
19 kWh was \$0.061840, now the non-fuel charge is \$0.067000 for the first 1000 kWh and  
20 \$0.077620 for over 1000 kWh. I still have not begun any significant electricity-consuming  
21 practices on my property.

22 **Q. Based on information provided by FPL, the base rate for electricity is projected to**  
23 **increase by about 20%. How would this rate increase impact you?**

24 A. I am on a fixed Social Security income, which certainly would not increase by 20% over  
25 the next decade or two. My electricity not only provides lights and powers my appliances,

1 but also provides my drinking water through an electric pump on my well. My well not only  
2 provides water for myself, my husband, but is the sole source of water for my 48 sheep, 47  
3 chickens, and my dog. If my rate was to increase by 20%, it would place an inordinate  
4 burden on me and my lifestyle and jeopardize me and my husband's health, safety and  
5 welfare as well as my animals.

6 **Q. As a Floridian, are you concerned about climate change?**

7 A. Yes. I have grown crops for many years and have noticed that the climate is getting hotter  
8 and dryer. Because of this, the growing season is shorter, which means that there is less of an  
9 opportunity to grow crops. Additionally, FPL is showing commercials in my TV market area  
10 stating climate change will increase my electric bill.

11 **Q: Based on information provided by FPL, part of this rate increase will pay for new or**  
12 **upgraded methane gas power plants. Do you believe this will have an impact on the**  
13 **climate?**

14 A. Yes. Such gas power plants will contribute to global warming, and FPL knows that too.

15 **Q: In light of that, how do you feel about contributing your own money to those**  
16 **projects, through your FPL bill?**

17 A. I feel as though I am being robbed. I do not want to pay for FPL's investment in power-  
18 generating plants that will significantly contribute to climate change, which adversely affects  
19 me.

20 **Q. What organization are you speaking on behalf of?**

21 A. The Environmental Confederation of Southwest Florida.

22 **Q. How would FPL's proposed rate increase impact the members of your organization?**  
23 **How do you know?**

24 A. Many members of ECOSWF are customers of FPL. Some of the individual members, like  
25 me, would not be able to afford the rate increase. I know ECOSWF members will be affected

1 because I talk to them.

2 **Q. Is your organization concerned about climate change?**

3 A. Yes. ECOSWF is concerned about protecting Southwest Florida's natural resources, like  
4 water, soil, and flora and fauna, which climate change significantly harms.

5 **Q: Based on information provided by FPL, part of this rate increase will pay for new or**  
6 **upgraded methane gas power plants. Does your organization believe this will have an**  
7 **impact on the climate?**

8 A. Yes. ECOSWF believes that such power plants will contribute to climate change.

9 **Q. What is the mission of your organization?**

10 A. The mission of ECOSWF is to conserve, maintain, and protect the air, water, soil,  
11 wildlife, historic and architecturally significant structures, flora and fauna, and other natural  
12 resources of Southwest Florida, the State of Florida and of the United States of America.

13 **Q. How is the purpose of your organization being served by participating in this**  
14 **proceeding?**

15 A. By participating in this proceeding, ECOSWF can help combat investments in fossil-fuel  
16 generation, which contributes to climate change. Climate change alters the very nature of  
17 Florida, starting with the soil, where microbes and fungi have adapted over millennia to  
18 certain climate patterns. The adverse effects on these organisms then impact living things up  
19 the food chain, all of which form part of Florida's natural resources. This is just one example  
20 of how climate change is negatively affecting Southwest Florida's natural resources, which  
21 ECOSWF seeks to protect. Given the adverse impacts on Florida's natural resources, FPL  
22 should not be building more gas plants, especially since much of FPL's power generation  
23 already comes from gas. The members of ECOSWF do not want to pay for more fossil-fuel  
24 generation because it runs counter to the purpose of our organization.

25 **Q. What does ECOSWF's membership consist of?**

1 A. We have member organizations and individual members.

2 **Q. How many of those would you estimate are FPL customers?**

3 A. Probably about 70% of members are FPL customers.

4 **Q. How do you know that most of your members are FPL customers?**

5 A. I ask members from different counties if they are FPL customers, which tells me whether  
6 other members in those particular counties are FPL customers.

7 **Q. Will a substantial number of your organization's members be substantially affected  
8 by the Commission's decision in this proceeding? How do you know?**

9 A. Yes. Many members of ECOSWF are customers of FPL and will have to pay much more  
10 for their electricity if the base rate is increased. If the Commission approves FPL's rate  
11 increase, it is allowing FPL to increase its greenhouse gas emissions, which will worsen the  
12 impacts of climate change that ECOSWF members are already experiencing. Additionally,  
13 by allowing FPL to charge customers for new fossil-fuel generation, the Commission will  
14 signal to FPL that it should keep building infrastructure to produce fossil fuels. This is not  
15 the message the Commission should be sending when climate change is already harming  
16 residents of Florida.

17 **Q. How is the subject matter of this proceeding within your organization's general  
18 scope of interest and activity?**

19 A. ECOSWF does not support investments in fossil-fuel generation because it contributes to  
20 climate change, which adversely affects Southwest Florida's natural resources by changing  
21 the ecosystem starting with the micro-organisms and fungi in the soil, therefore affecting the  
22 food chain and the species that rely on the food chain including humans and their ability to  
23 produce food. Climate change affects rainfall and heat patterns, storm surges, the strength of  
24 hurricanes, and occurrences of flooding by elevating the temperatures. Our organization tries  
25 to prevent harm to these resources, and the greenhouse gases that will come from the gas

1 plants FPL plans to build—using our money—constitute such a harm. The mission of our  
2 organization, as stated in Exhibit BA-1 below, is “to conserve, maintain, and protect the air,  
3 water, soil, wildlife, historic and architecturally significant structures, flora and fauna, and  
4 other natural resources of Southwest Florida, the State of Florida and of the United States of  
5 America.”

6 **Q. Why is the relief requested in this proceeding appropriate for your organization to  
7 receive on behalf of its members?**

8 A. ECOSWF does not want its members to pay a much higher rate for electricity when  
9 electricity is already expensive and when the increase in their payments will fund fossil-fuel  
10 generation.

11 **Q. How has your organization engaged with utility matters in the past?**

12 A. ECOSWF has intervened or participated in numerous proceedings at the Public Service  
13 Commission in order to try to stop unnecessary investments in fossil-fuel generation. These  
14 include *In re: Petition for determination of need for Glades Power Park Units 1 and 2*  
15 *electrical power plants in Glades County, by Florida Power & Light Company, Docket No.*  
16 *070098-EI; and In re: Petition for determination of need for Okeechobee Clean Energy*  
17 *Center Unit 1, by Florida Power & Light Company, Docket No. 150196-EI* as full parties, in  
18 both cases trying to stop unnecessary investments in fossil-fuel generation. ECOSWF has  
19 also participated in *In re: Petition for approval of demand-side management plan and*  
20 *request to modify residential and business on call tariff sheets, by Florida Power & Light*  
21 *Co., Docket No. 20200056-EG* and *In re: Proposed amendment of Ful 25-17.0021, F.A.C.,*  
22 *Goals for Electric Utilities, Docket No. 20200181-EU* in order to advocate for expanded  
23 energy efficiency options in the State and specifically in FPL’s service territory in order to  
24 lessen our dependence on fossil-fuels and to decrease any need to make new investments in  
25 new fossil-fueled power plants.

1 **Q. Why has it done so?**

2 A. ECOSWF has done so to fight unnecessary investments in fossil-fuel generation because  
3 climate change is negatively affecting its members and the environment it aims to protect.

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P. 02

# State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA, INC., a corporation organized under the Laws of the State of Florida, filed on March 26, 1984, as shown by the records of this office.

The charter number of this corporation is N02181.

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
27th day of March, 1984.



CER-101

George Firestone  
Secretary of State

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ARTICLES OF INCORPORATION

OF

ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA, INC.

FILED  
JAN 26 10 35 AM '98  
TALLAHASSEE, FLORIDA

Notice is hereby given that the undersigned subscribers, all being of full age, have associated themselves together for the purpose of forming a corporation not-for-profit, without capital stock, under the provisions of Chapters 607 and 617, Florida Statutes, and we do hereby accept all of the rights, privileges, benefits and obligations conferred and imposed by said law, and we do hereby make, subscribed, acknowledge and file these Articles of Incorporation.

ARTICLE I

NAME - The name of this not-for-profit corporation shall be the ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA, INC.

ARTICLE II

CORPORATE PURPOSES - The general purposes of this corporation are to engage in any activity which the laws of the State of Florida allow a not-for-profit corporation to engage in. Specifically, the corporate purposes of this not-for-profit corporation are to conserve, maintain, and protect the air, water, soil, wildlife, historic and architecturally significant structures, flora and fauna, and other natural resources of Southwest Florida, the State of Florida and of the United States of America.

This specific description of corporate purposes above shall not restrict the corporation's involvement in other social and environmental issues of local, state, national or international significance.

ARTICLE III

MEMBERSHIP - Membership shall be open to persons, corporations, and associations, as set forth in the By-Laws of the Corporation.

ARTICLE IV

TERM OF EXISTENCE - The term of existence of this corporation is perpetual.

ARTICLE V

OFFICERS AND MANAGEMENT - The officers of this not-for-profit corporation shall be a president, a vice-president, a secretary and a treasurer.

The Management of this not-for-profit corporation shall be vested in a Board of Directors consisting of at least three (3) and not more than 50 directors.

ARTICLE VI

SUBSCRIBERS, INITIAL OFFICERS AND DIRECTORS - The subscribers, initial officers and directors who are to serve until the first election under these Articles of Incorporation are:

Ellen Peterson, President	P. O. Box 345 Estero, Florida 33928
Creighton L. Sherman, Vice- President	P.O. Box 446 Boca Grande, Florida 33921
Jean Slocum, Secretary	2816 Casey Key Road Nokomes, Florida 33555
Ruth Clinesmith, Treasurer	258 Southeast Beeney Road Port Charlotte, Florida 33952

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ARTICLE VII

BY-LAWS - The Bylaws of the Corporation shall be made, altered or rescinded by a majority vote of the voting membership present or voting by proxy at any regular meeting or by a majority vote of the Board of Directors; provided that notice thereof, which shall include the text of the By-Laws change, has been furnished in writing to each voting member of the Corporation at least ten (10) days prior to the meeting at which such By-Law alteration is to be voted upon, whether it be a membership meeting or a Board of Director's meeting.

The Articles of Incorporation of this Corporation shall be amended or additional provisions added or adopted by a two-thirds (2/3) vote of the members of the Board of Directors present or voting by proxy at any meeting thereof; provided that notice thereof, which shall include the text of the Articles of Incorporation change, has been furnished ~~in writing to each voting~~ member of the Corporation at least ten (10) days prior to the meeting at which such Articles of Incorporation change is to be voted upon, followed by the compliance with the Florida Statutes regarding amendments to articles of incorporation of corporations not-for-profit.

ARTICLE VIII

GENERAL - All income and assets of the Corporation above necessary expenses shall be administered solely and exclusively for the corporate purposes selected by the Board of Directors.

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P.004  
P.4/15

TO:18506810028

JAN-20-2012(FRI) 06:47  
JAN-19-2012 05:579 FROM:  
HX Date/Time

This Corporation shall have no capital stock and shall pay no dividends to its subscribers, officers or members. In addition, no part of the income of the Corporation shall be distributed to its members, directors, officers or subscribers; provided that the Corporation may pay compensation in a reasonable amount to its members, directors and officers for services rendered and may confer benefits upon its members in conformity with its purposes.

ARTICLE XI

INDEMNIFICATION - The Corporation shall indemnify any officer, director or employee of the Corporation, or any former officer, director or employee of the Corporation, to the full extent permitted by and as set forth in the Florida General Corporation Act.

ARTICLE X

PROHIBITED ACTIVITIES - The Corporation shall not:

1. Attempt to influence legislation as a substantial part of its activities.
2. Allow any part of its net income to inure to the benefit of officers, directors or members of the Corporation or to any other individuals, except in the furtherance of its charitable purposes.
3. Participate to any extent in any political campaign for or against any candidate for public office.
4. Conduct any activities not permitted to be carried on by organizations exempt under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, and its

P.005  
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P.88

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-4-

JAN-19-2012 05:58A FROM: JUNE-19-98 FRI 07:15 AM BECKY AVECH  
JAN-20-2012(FRI) 06:47 HX Date/Time

JUN-19-98 FRI 07:14 AM BECKY RYECH

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F. 00

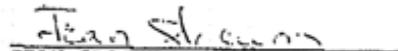
regulations as they now exist, contributions to which are deductible under Section 170(c)(2) of such Code and regulations as they now exist or as they may hereafter be amended.

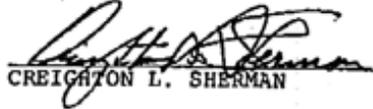
ARTICLE XI

DEDICATION OF ASSETS - The Corporation dedicates all assets which it may acquire to the charitable purpose set forth in Article II hereof. In the event that the Corporation shall dissolve or otherwise terminate its corporate existence, subject to the provisions of Chapters 607 and 617, Florida Statutes, the Corporation shall distribute all its existing assets to one or more organizations which themselves are exempt as organizations described in Sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law, or to the Federal government or to a state or local government for exclusive public purpose.

IN WITNESS WHEREOF, the undersigned have subscribed their names under seal this 3rd day of March, 1984.

  
ELLEN PATERSON

  
JEAN SLOCUM

  
CREIGHTON L. SHERMAN

  
RUTH CLINESMITH



JUN-19-98 FRI 07:14 AM BECKY AYECH

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F. 00

STATE OF FLORIDA

COUNTY OF Sumter

BEFORE ME, the undersigned authority, personally appeared JEAN SLOCUM, to me well known and well known to me to be the person described in and who subscribed her name to the foregoing Articles of Incorporation, and who acknowledged before me that she executed the said Articles of Incorporation for the uses and purposes therein expressed.

WITNESS my hand and official seal in the aforesaid County and State this 11th day of March, 1984.

*[Signature]*  
NOTARY PUBLIC



My commission expires: <sup>5</sup>

Notary Public, State of Florida  
My Commission Expires July 25, 1996  
Notary Public, Inc. - Tallahassee, Fla.

STATE OF FLORIDA

COUNTY OF Alachua

BEFORE ME, the undersigned authority, personally appeared RUTH CLINESMITH, to me well known and well known to me to be the person described in and who subscriber her name to the foregoing Articles of Incorporation, and who acknowledged before me that she executed the said Articles of Incorporation for the uses and purposes therein expressed.

WITNESS my hand and official seal in the aforesaid County and State this 3rd day of March, 1984.

*[Signature]*  
NOTARY PUBLIC



My commission expires:

DESIGNATION OF REGISTERED AGENT

The ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA, INC.,  
hereby designates Thomas W. Reese, 123 Eighth Street North,  
St. Petersburg, Florida, 33701, as its registered agent.



*Edna W. Cotton*

*Thomas W Reese*  
THOMAS W. REESE

P.009  
P.9/15  
P.10

194132222556  
TO:18506810220

JUN-19-2012 05:59A FROM:  
JUN-19-98 FBI 07:16 AM BECKY AVECH  
HX Date/Time JAN-20-2012(FRI) 06:47

**ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA**

**ECOSWF**

**BY-LAWS**

AS ADOPTED 26 JANUARY, 1985  
AS AMENDED JANUARY 18, 1986  
AS PRINTED JULY 18, 1986  
AS AMENDED JANUARY 18, 1992  
AS AMENDED JANUARY 22, 1994  
AS AMENDED JANUARY 25, 1997  
AND, AS AMENDED JANUARY 23, 1999



**ARTICLE I**

**NAME AND PURPOSE OF ORGANIZATION**

The name of this organization shall be ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA, INC. (ECOSWF)

ECOSWF is a non-profit Confederation of organizations, corporations, groups, business entities, governmental agencies, and individuals devoted to the general purposes of conservation of the natural resources of Florida. Specifically, the corporate purposes are to conserve, maintain, and protect the air, water, soil, wildlife, historic and architecturally significant structures, flora and fauna, and other natural resources of Southwest Florida, the State of Florida and of the United States of America. ECOSWF is committed to encourage and promote the dissemination of educational and scientific information pertinent to the preservation, protection, and enhancement of those natural resources; and engaged in cooperating with all organizations having the same or similar objectives

## ARTICLE II

### MEMBERSHIP

**SECTION 1. ELIGIBILITY** Any responsible organization, corporation, group, business entity, or governmental agency approving of the objectives of ECOSWF shall be eligible for membership, subject to approval by the Board of Directors. Any individual approving of the objectives of ECOSWF shall be eligible to become an affiliate of ECOSWF, subject to approval by the Board of Directors. Dues, rights, privileges and obligations of member organizations and affiliates shall be subject to ruling of the Board of Directors and may be changed at any time by majority vote of that Board.

**SECTION 2. THE CABINET.** Each member organization or group shall name a single representative to the Cabinet and each Cabinet member will represent his/her organization or group in the Cabinet, and cast one vote. Each member organization is entitled to a single representative on the Cabinet, which is the body solely composed of the representatives of the member organization. Each representative is entitled to participate in all meetings of the Cabinet and is entitled to cast one vote.

Each member organization shall name its Cabinet member on or before January 31 of each year and shall register his or her name with the Secretary. All officers of ECOSWF and members of the Board of Directors shall be selected from the membership of the Cabinet organizations and/or affiliates in good standing.

**SECTION 3. THE AFFILIATES.** Individuals having an interest in the principles of ECOSWF may become affiliates of ECOSWF. They will be entitled to no vote, but shall have the right to attend and to participate in the Annual Meeting and all other meetings of ECOSWF. In addition, affiliates are eligible to be nominated for and elected to the Board of Directors, including the positions of President, Vice President, Secretary and Treasurer.

## ARTICLE III

### OFFICERS AND ORGANIZATION

The affairs of ECOSWF shall be managed by the Board of Directors who shall be responsible for all business of the Confederation and who shall determine all matters of policy. The Directors shall be elected by the Cabinet and Board of Directors at the Annual Meeting. The Cabinet and Board of Directors shall also elect at said Annual Meeting a President, Vice President, a Secretary and a Treasurer, and all four officers so elected shall by virtue of their offices be members of the Board of Directors.

Each officer shall be elected for a term of one (1) year.

At the first annual meeting following the initial adoption of these by-laws, seven (7) Directors shall be elected; Two for a term of one (1) year, two for a term of two (2) years, three for a term of three (3) years. Thereafter, positions will be filled for three (3) year terms.

The Board of Directors will thus include four (4) elected officers of ECOSWF and a minimum of seven (7) at-large members. It shall be the duty of the Nominating Committee to maintain equitable and reasonable geographical distribution of membership on the Board.

## ARTICLE IV

### DUTIES OF OFFICERS AND DIRECTORS

1. **PRESIDENT.** The President of ECOSWF shall be automatically Chairman of the Board of Directors. The President shall preside at all meetings of the Cabinet and of the Board. The President shall appoint any committees required by action of the Cabinet or of the Board, and shall make a report of stewardship at the Annual Meeting. The President shall be an ex-officio member of all committees.

2. **VICE PRESIDENT.** The Vice President shall serve in the absence of the President at any time the latter is unavailable to perform the duties of the Presidency, and shall be Vice Chairman of the Board of Directors. The Vice President shall be in charge of the Annual Meeting and responsible for creating committees for same, planning and implementing with the assistance and guidance of the Board of Directors the program for same, and carrying out the theme and purpose of the meeting.

3. **SECRETARY.** The Secretary shall keep minutes of all meetings, and shall have custody of such books, documents, and papers as the Board of Directors shall determine. The Secretary shall keep an orderly record of the Cabinet members and affiliates and shall make such mailings to the Cabinet members and affiliates as these by-laws may require or at the request or direction of the Board of Directors.

4. **TREASURER.** The Treasurer shall have custody of all funds belonging to ECOSWF. The Treasurer shall collect all dues and pay all bills authorized by actions of the Cabinet or the Board of Directors. The Treasurer shall make regular reports to the Board of Directors, and an annual report at the Annual Meeting.

#### 5. BOARD OF DIRECTORS.

a. **FUNCTIONS.** The Board of Directors shall be responsible for all business of the Confederation and shall determine all matters of policy.

b. **NUMBER.** The Board shall be composed of a minimum of eleven (11) members: the President, Vice President, Secretary, and Treasurer elected annually, and seven (7) other members at large each elected annually for staggered terms of three (3) years, by the Cabinet and Board of Directors. If the need occurs, the Board may increase (or decrease) the number of its members until the next Annual Meeting at which time any new members shall be elected for the remainder of the three (3) year term. The total number of Board members shall always be odd.

c. **VACANCIES.** If a vacancy occurs, the Board of directors may fill such office with an individual of their choice until the next annual election, at which time a person shall be elected to complete the unexpired term.

d. **DISMISSAL.** The Board may dismiss, or revoke the membership of, any officer or member who exhibits behavior inconsistent with or detrimental to Article I. Such action shall be approved by a two-thirds (2/3) vote of the Board members in good standing.

e. **DELEGATIVE RIGHTS.** At its will and pleasure, the Board may appoint an Executive Director, Executive Secretary or other staff, paid or voluntary, who may constitute required personnel to carry out the business affairs and implement the policies of the Confederation.

**f. COMPENSATION.** No member of the Board of Directors shall receive any compensation from the Confederation; provided, that a member of the Board of Directors may receive reasonable compensation from the Confederation for services actually rendered to the Confederation by such member of the Board of Directors after authorization by the Board of Directors; and further provided, that the directors may be reimbursed for any reasonable out-of-pocket expenses incurred in furtherance of their duties as directors upon authorization by the Board of Directors.

## ARTICLE V

### NOMINATIONS AND ELECTIONS

**SECTION 1.** At least sixty (60) days preceding the date of the Annual Meeting of ECOSWF, the Board of Directors shall appoint a nominating committee which shall prepare nominations for the officers of ECOSWF and at large members of the Board of Directors. The report of the nominating committee shall be delivered to the Secretary thirty (30) days preceding the date of the Annual Meeting, and the report shall be included in the mailing notice for that meeting.

**SECTION 2.** The nominating committee shall nominate at least one person for each office to be filled at the Annual Meeting, and nominate more than one, at its pleasure.

Nominations may also be made by letter to the Secretary provided such letter has been signed by at least five (5) Cabinet members eligible to vote at said meeting, and provided same is filed at least thirty (30) days prior to the Annual Meeting. In such case, the consent of the nominee must be obtained in writing before being presented as a candidate. Any such nominations must be part of the Annual Meeting notice.

**SECTION 3.** Elections shall be by majority vote of the Cabinet members and Board of Directors voting at the Annual Meeting and all persons elected to office shall be members of a Cabinet organization and/or affiliates in good standing. Each individual entitled to vote in the election shall have but a single vote.

## ARTICLE VI

### MEETINGS AND CONFERENCES

**SECTION 1. THE ANNUAL MEETING** of ECOSWF shall be held in January of each year, at a convenient and proper location designated by the Board of Directors.

The newly elected Board of Directors shall meet no later than thirty (30) days after the date of their election.

Other meetings of the Cabinet and of the board of Directors may be held at the call of the President, and the President shall call a meeting of the cabinet when so requested in writing by any five (5) Cabinet members.

**SECTION 2. NOTICE.** Notice of any meeting of the Cabinet shall be sent to all members of that body not less than ten (10) nor more than twenty-one (21) days prior to the date of said meeting. Preliminary notice of the Annual Meeting shall be sent to all Cabinet members and affiliates not less than thirty (30) days prior to its date. Reasonable notice shall be given for all meetings of the Board of Directors.

**SECTION 3. QUORUMS - THE CABINET.** Twenty-five per cent (25%) of the membership of the Cabinet shall constitute a quorum for the transaction of business by the Cabinet of ECOSWF.

**QUORUMS - BOARD OF DIRECTORS.** A minimum of five (5) members of the Board of Directors shall constitute a quorum for the transaction of business by that Board. The quorum shall increase by one (1) for every additional two (2) members over eleven (11).

**SECTION 4. PROXIES.** The Board of directors may make provisions for the utilization of proxies to vote on any question which may come before the Cabinet at the Annual Meeting, or at any specially called meeting. No Proxies may be used to vote on any question before the Board of Directors.

## ARTICLE VII

### DUES

The dues of each Cabinet organization and of each affiliate member shall be \$25.00 per calendar year. Dues may be changed by a majority vote at the Annual Meeting. Any proposed change shall be included in the notice of the Annual Meeting sent to all Cabinet members and affiliates.

## ARTICLE VIII

### FISCAL POLICIES

**SECTION 1. SOURCES OF FUNDS.** Funds shall arise from the payment of dues and donations by members and affiliates. When so authorized by the Board of Directors, funds may be received from any responsible source.

**SECTION 2. FISCAL YEAR.** The fiscal year shall be the calendar year, beginning January 1 and ending December 31.

**SECTION 3. DEPOSITORIES.** The Board of Directors shall establish accounts in reputable fiduciary institutions as it may deem practical and appropriate, and may invest at its discretion any accumulation of funds not required for current commitments.

**SECTION 4. DISBURSEMENTS.** Disbursements shall be made by the Board of Directors in accordance with a general annual budget prepared by the Board of Directors and accepted by majority vote of the Cabinet at the Annual Meeting.

## ARTICLE IX

### RULES OF ORDER, AND COMMITTEES

**SECTION 1. RULES OF ORDER.** *Robert's Rules Of Order* - latest revision - shall govern the conduct of all meetings of the Cabinet and of the Board of Directors, and in all cases where applicable and where not inconsistent with the by-laws herewith.

**SECTION 2. COMMITTEES.** The Board of Directors and/or the President shall appoint all committees required to conduct the affairs of ECOSWF, and each committee shall make a report to the Annual Meeting, except as otherwise provided in these by-laws.

## ARTICLE X

### AMENDMENTS

Any member of the Cabinet in good standing, or any ten (10) or more affiliates acting in concert, may submit a proposal or motion to amend these by-laws, and such proposal or motion shall be considered by the Board of Directors at its next regular meeting. If the majority of the Board so votes, the subject matter of the proposal or motion shall be incorporated in the next Annual Meeting notice, and the decision to accept or reject shall be made by the Cabinet and Board of Directors at such meeting. A two-thirds (2/3) vote of those attending and voting shall be required to make any proposed change effective.

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