



MEETING TRANSCRIPT *Provided by Public Resources*

January 15, 2013

Welcome To Our Scheduled Board Commissioner Meeting. It's January 15th.
Thank You For Attending. First, The Invocation Following The Pledge Of Allegiance.

Thank You.

Pastor?

Let's Pray Together. Father, We All Wants To Be In These Meetings By Coming To You, And We Don't Do It; It's Just A Matter Of An Agenda Item Or Maybe A Matter Of Perfunctory Habit. It Is A Desire Of Our Heart To Come Before You And Realize We Are Frail And Fallen People, And History Has Proven It And Certainly Your Word Tells Us That We Are A People Who Are, Who Are Dependent Upon A Holy God. We Thank You For What's Going To Happen In This Room For These Commissioners. For All These Who Lead Our City, We're Grate Ful To Them. Their Willingness To Take Time Out Of Their Schedule And Take This As A Craft Of Their Life, To Bless Our, And I, And All Who Partake In It. Father, Your Word Says That Our Ruling Officials, Those Who Ward Over Us, Are Not A Terror For Those Who Do Good, To Do Bad. Those Of Us Who Do Good, We Are To Love And Embrace Them. We Do That This Morning. God, I Pray That We Will Remember What Your Word Says. That Those Of Us, All Of Us In Positions Of Authority Have Been Given That Authority By A Loving God Because You Are The Ultimate Authority Over All The Universe. God Helps Us To Do That Which We Have Been Given The Responsibility Of Doing Under The Lordship Of Christ, And Our Heart And Our Allies, In Everything We Do And Say. Bless This Time Of Meeting, Under That Kind Of Direction As You Lead Us To Lead Others. In Jesus Name We Pray. Amen.

I Pledge Allegiance To The Flag Of The United States Of America, And To The Republic For Which It Stands, One Nation Under God, Indivisible With Liberty And Justice For All.

Chairman Pendergrass: Thank You. Please Be Seated.

Comm. Mann: Mr. Chairman, If I May? Pastor? Is This Your First Visit With Us?

It's Been A Very, Very Long Time.

Comm. Mann: I Happen To Remember You Being Here, But We Know The Great Work You Do And The Leadership You've Shown In This Community And I Wanted

To Personally Welcome You Here This Morning And Hope That You Become A Part Of Our Regular Rotation Now. Thank You, Pastor.

Nice To Be Here.

Chairman Pendergrass: Thank You. The First Item Is A Recap. We Have One Item In The Recap Provision.

Comm. Manning: Move The Item.

Comm. Hall: Second.

Chairman Pendergrass: Any Discussion? No Discussion. Any Objection? Motion Carries. Next We Go To Public Comment On The Consent And Administrative Agenda. Anyone Wishing To Comment On The Consent Or Administrative Agenda? I Have No Cards. No Comments. Move On To The Consent Agenda. Item To Be Pulled For Discussion By The Board. Commissioner Manning.

Comm. Manning: None.

Comm. Kiker: None.

Comm. Mann: I Have None.

Comm. Hall: I Just Want To Pull 13-A.

Chairman Pendergrass: 13-A.

Comm. Mann: Second.

Chairman Pendergrass: You Make The Motion. Commissioner Mann Makes A Second On The Balance. Any Objection? Discussion? The Item Carries. Commissioner Hall, 13-A.

Comm. Hall: I Just Wanted To Find Out When We Look At The Capital And I'm Assuming, And I Didn't Want To Assume, But We're A Part Of That Dialogue On What They're Going To Upgrade. How Their Operations Go, Because We're Not Actually Operating It; The City Is Operating It?

Yes, That's Correct. But We Do An Annual Review Of Them, The Lee County Utilities Does Of The Capital Improvement Projections For The Coming Year.

Comm. Hall: And Do We Have Employees That Work There As Well? Or Is It All City?

No, It Is Fully Operated By The City. So We Do Meet With Them On An Annual Basis To Look At The Operations Budget, And Their C.I.P. Budget And Review It.

Comm. Hall: Do We Walk Through The Facility With Our People And See What's Happening There?

I Did A Tour, I Think, About 12 Months Ago. So We Do Tours. We Also Have Our Field People Are In Contact With Them Quite Often As Well. It's A Very Cooperative Effort.

Comm. Hall: I Want To Make Sure We're Watching It, And The Same With Bonita Springs. I Want To Have A Global Understanding. I'll Move The Item.

Comm. Mann: Second.

Chairman Pendergrass: Commissioner Manning I Heard Seconds It. Any Discussion? No Discussion. Any Objection? Motion Carries. 5-0.
Administrative Agenda.

Comm. Hall: Move 1-A.

Comm. Manning: Second.

Chairman Pendergrass: Any Discussion On 1-A.

Comm. Mann: Yeah, Could Someone Walk Me Through, Commissioner Kiker Might Be You Or, What Is The Change From What We Have Previously Discussed?

Looks Like She Wants To Address That. Good Morning.

Good Morning, And For The Record, Tamara Paget. First, This Is A Local Bill. Instead Of A Legislative Change, We're Going To Pursue A Local Bill Action.

Comm. Mann: I Understand That. What's The Content Of The Bill?

Content Is That There Are Two Municipal Seats On The T.D.C. And Rather Than Having The Largest Municipality Serve In One Of Those Seats Permanently, We Would Rotate One Seat Between The Two Largest Tax Collectors And Rotate The Second Seat Between The Remaining Municipalities.

Comm. Mann: That's The Same Content Which We Discussed A Week Ago?

Comm. Kiker: Yes.

Comm. Mann: It's Just The Technicality Of The Local Bill We Had To Bring Back For Us To Finally Approve After There Were Internal Changes, But There's No Changes For What We Discussed Before.

There Was None, And In Addition To That We Wanted To Take It To The T.D.C., Which We Did And It Got A Unanimous Acceptance There. The Next Step We Wanted To Bring It Back In Case You Had A Question.

Comm. Mann: I'm Sorry. I Thought I Understood That The T.D.C. Had Made Some Minor Change.

Comm. Kiker: The Change Is That We Were Going To Rotate The Highest With Two. And Then Rotate The Rest Of Them And There Would Be Three Municipalities. So In Essence, In This Case It Would Be Fort Meyers Beach, Sanibel Every Two Years, And Then Of The Other Three, Every Four Years They're On The Board, Which Is A Huge Change From What It Was Before.

Comm. Mann: Ok, T.D.C. Signed Off On It, T.D.C. Chair Signed Off On This And All Is Well.

Comm. Kiker: All Is Well.

Comm. Mann: I'm Through Talking.

Chairman Pendergrass: Any Other Discussion From The Board? No Discussion. Any Objection? Motion Carries. Next We Have Walked On And Carry Over.

Comm. Manning: We Have All Received A Packet Of Information Several Days Ago, I Did Anyway. And I Just Want To Tell I Appreciate The Process They Went Through. These Things Sometimes Get Messy. This Was Very Professionally Done. I'm Glad That The Icma And F.A.C. Joined In And Gave The Recommendation. So, If The Board Has No Objection, I'll Move The Recommendation Of The Staff.

Comm. Hall: Second.

Chairman Pendergrass: Commissioner Hall Makes A Second. Any Discussion From The Board? Any Objection? No Objection. Motion Carries. Commissioner Items. Commissioner Manning.

Comm. Manning: None.

Comm. Kiker: Just Real Quick, I Would Like To Thank Neil Walling From Bonita Springs. I Took After Commissioner Hall, And We Will Have Art Work Hanging In Our Office Area This Week. He Is From Bonita Springs And Teaches At Fort Meyers Beach, And I Invite You All To Come And Take A Look At It. That's It. Thank You.

Chairman Pendergrass: Thank You. Commissioner Mann.

Comm. Mann: I'm All Happy, Thank You.

Chairman Pendergrass: Commissioner Hall, Did I Ask You Already?

Comm. Hall: Not Yet. This Month My Office Will Be Running Two Art Galleries. Very Excited To Participate And Help The Businesses Downtown. Ocas Cassa Will Be Displaying Art And The Shops On Broadway Will Be Displaying Several Pieces Of Art Created By Local Artists. Both Galleries Are Located Right On Broadway. I Hope You Will Go Downtown And Walk Through Their Shops And Make Large Purchases. The Work Will Be On Display Until February 22nd And I Want To Thank The Shops For Participating And I Hope That We Can Continue To Promote Our Local Art And Cultural Opportunities Here In Southwest Florida. So, Thank You. It's Been Eight Years And We're Still Finding New Artists To Display. So It's Great.

Chairman Pendergrass: Thank You. Next I Have A Couple Of Items. Doug From Administration, Please. He Approached Me A Few Months Ago. Bella Villa. Presented A New Plan Which Was Originally Denied Last Year By The Board. This Is A New Plan That Incorporates More Landscaping, More Trees To Enhance The Corridor Of Daniels Parkway And I Would Ask If You Can Meet With Them To See If This Is A Compromise We Could Do Without Changing The Land Codes Without Changing The Whole Structure Of Daniels Parkway. The New Plan I Think Came From Staff Already, And From The Other Committees, So If You Work With Them, And I Have Follow-Up Information From Them. And Also, Recommendation From The Board I Was Looking In November Election, To Authorize Legislation To Allow Counties Ability To Pass An Ordinance Granted Additional Homestead Exemption To Local Seniors Over 65 Years Of Age. The Session Will Be Equal To Assess Value Property Less Than \$250,000 To Qualify A Person, Must Make Less Than \$25,000 A Year Income. And Also Must Be Over The Age Of 65. My Question Will The Board Consider The Current Ordinance Which Will Exemption For Those 65 And Older To Be Included In This State Amendment.

Comm. Hall: Mr. Chairman. I Don't Have A Problem With The County Attorney's Office Reviewing That And Bringing It Back To Us. I Think They Can Look At The Legislation And See What They Have And Bring It Back On A Blue Sheet Or However You Want To Bring It Back.

Chairman Pendergrass: Ok. Draft A New Ordinance And Bring It Back. Thank You. I Have No Other Items. Committee Appointments. Commissioner Mann?

Comm. Manning: I Have A New Appointment To The Coastal Council Chad Wauch. I Hope I'm Pronouncing That Correctly. We're Great Friends.

Comm. Hall: Second.

Chairman Pendergrass: Is This 1-A? Any Other Discussion? Motion Carries.
Commissioner Kiker.

Comm. Kiker: I Have One For Conservation 2020. In Place Of A Previous
Appointment And Carry Call, Mr. Charlie Green.

Comm. Hall: Second.

Comm. Mann: Charles Green.

Comm. Hall: Second.

Chairman Pendergrass: Ok. Commissioner Hall Second. Any Objection?
Objection, Motion Carries. Commissioner Mann.

Comm. Mann: Yeah. Ron Hammels Has Enjoyed All He Can Of The Sustainability
Advisory Committee And For Replacement Ann Pierce.

Comm. Hall: Second.

Chairman Pendergrass: Any Discussion? Any Objections? Motion Carries.
Commissioner Hall.

Comm. Hall: I Have None.

Chairman Pendergrass: Ok. Of I Have Several Here. Wayne Daltrey To The
L.P.A. Colleen Pasqual And Dana, Partners For Result.

Comm. Mann: Motion.

Chairman Pendergrass: Any Objection?

Comm. Mann: A Second Is Called. I Made Your Motion.

Chairman Pendergrass: Ok, I'll Need A Second.

Comm. Kiker: I'll Second It Then.

Chairman Pendergrass: Any Objection? Motion Carries. County Manager Items?

I Have A Couple Of Informational Items. First Is In Pursuing Some Of The Options
With E.M.S. Management And Operations, We Have Been Approached By Some
Management Companies, And Some Individuals That Holly Has Been Meeting
With, And It's Taken Quite A Bit Of Time, I Think We're Learning A Lot. I Think
There's Really Interesting Information Being Exchanged, And I Think That We
Owe It To Ourselves To Continue To Have These Discussions To Look At Some Of
The Potential Alternatives That We Have With Regard Of Management Of E.M.S.,
And So, If We Continue To Do This, One Of The Impacts Will Be We Really Won't

Be Ready For The February M.M.P. Where We Were Going To Discuss A Multitude Of It E.M.S. Issues, So My Suggestion Is In Order To Allow Us To Continue To Do This, We Need To Delay The February M.M.P. Discussion At Least One Month. The Impact Of That Was One Of The Major Points Of Discussion Of The February M.M.P. Would Have Been The Bonita Springs Copcn. That Will Be Delayed. I'm Sure Some People Were Anxious Of That Discussion In February, But If We Can Delay That For A Month, Then It Allows Us To Continue To, You Know, Talk To These Groups And Get Additional Information.

Chairman Pendergrass: Any Discussion From The Board?

Comm. Hall: Mr. Chairman? I've Also I Sent You An E-Mail This Morning In Light Of All This New Data That We're Getting And Costs And Things Like That. At The Same Time The Paralegal We've Been Out Advertising For An E.M.S. Director. I Would Hope That We Could Pull That Back A Little Bit As Well Until We Can Kind Of See Where We're Going. That's Definitely Your Call But I Wanted To Know What You Were Thinking In That Regard?

I Think We'll Continue To Let The Presses Proceed To Closing, But Then -- And We Can Even Go Through And Take A Look At Everything. But I Don't See Any Problem With Deferring For A While On That.

Comm. Hall: I'm Asking You If You're Going To Do That. I'm Not Requesting It, But I'm Asking If That's What You're Going To Do.

We Talked About That. We Thought We Would Probably Delay That Somewhat.

Chairman Pendergrass: Any Discussion From The Board? No Discussion?

Thank You.

Comm. Hall: Did You Need A Motion To Postpone That One Month?

I Don't Think So. As Long As Everybody Agrees, We'll Just Push It Back.

Commissioners, I Just Want To Give A Quick Shout Out To Our Facilities Department As Well As All County Staff In The Constitutionals. We Just Did A Final Accounting Of Our Energy Costs, Our Electricity Costs For 2012, And They Were \$11.9 Million For More Than Five Million Square Feet Of Space, And Just To Put That In Perspective In 2006, We Had Half That Amount Of Space, 2.5 Million Square Feet, And Our Electric Bill That Year Was \$18.4 Million. So, You Know, I Know You Noticed That There's A Lot Of Temperature Control These Days, And Sometimes Things Are Hotter And Lights Go On And Off Automatically, But I Think People Are Making A Real Effort And That's Real Savings Over The Last Seven Years.

Comm. Mann: Impressive.

Chairman Pendergrass: Wish I Could Teach My Can Kids That At Home.

Comm. Hall: Do What My Dad Said, Thomas Edison Doesn't Live Here.

Chairman Pendergrass: Exactly. County Attorney Items? Andrea?

Good Morning, Commissioners. Last Week I Sent You And Proposed Draft Ordinance For The Minimum Qualifications Of A County Manager. At This Time I'm Asking For Any Input That You All Might Have In Amending It To Include Some Other Qualifications That You Like To See In Order For Me To Bring It Back To The Board.

Chairman Pendergrass: Any Discussion For The Board.

Comm. Mann: I Read It. It Seems To Handle The Requirements Asked Of Us Without Tying Our Hands Off, That Was A Good Suggestion.

Chairman Pendergrass: Put It In Your Local Ordinances, Correct?

Correct, It Follows The Florida Statute. I Contacted Icma, And Naco And That Was Basically The Language They Had From Their Proposed Ordinances As Well.

Chairman Pendergrass: Ok. Any Discussion From The Board?

Comm. Mann: Go With It.

Ok. My Next Item Involves The B.P. Claim. The Representatives Who's Don Hinkle Is Our Representative, Has Asked Us To Request The Chairman And I'm Asking The Board To Authorize The Chairman To Approve The Submission Of A Claim On The B.P. Claim Of \$70 Million In Lost Revenue. They're Just Asking Us To Sign Off, So They Can Proceed With The Litigation On Our Behalf. I'm Asking The Board To Authorize The Chair To Submit That Claim.

Comm. Hall: So Moved.

Comm. Manning: Second.

Chairman Pendergrass: Any Objection? Any Discussion?

Comm. Mann: I Don't Have An Objection But I Would Appreciate A Briefing And It Doesn't Have To Be Tomorrow, Of How We Arrived At That Figure. That Seems Fairly Overwhelming.

It Is, We Just Got This Information Yesterday. So Unfortunately And They Are Requiring That We Respond Today. So, We're Moving Pretty Quickly. This Was

Calculated By An Outside C.P.A. Firm That Is Working With Our Attorneys To Move Forward.

Comm. Mann: We Just Haven't Had A Recent Briefing On It.

I'll Come By And Brief All Of You.

Comm. Mann: We Started With The Fact That The T.D.C. Had Expended Three Quarters Of A Million Dollars And A Special Advertising Right After The B.P. Spill. And They Just Thumbed Their Nose At Us When We'd Asked To Be Reimbursed For That, But It Was Critically Important. We Let The World Know That Our Beaches Are Clean And Still Doing Business. And Based On That Year's Tourism, It Seems Critically Important That We Did Expend That And To Get Our Nose Thumbed At Us, I Have No Love In My Heart For B.P. I'm Supportive Of Going Ahead But I Would Appreciate That Briefing.

We Will Come By.

Chairman Pendergrass: Any Objection? Motion Carries. Thank You. Anything Else, Andrea?

Ok, Meeting Is Adjourned.