

January 22, 2013

Please Stand And Join Us For The Invocation With Pastor Scorro From The World Life Church.

I Thank You For Bestowing This Honor Upon Us.Father, Thank You For This Morning And Bee Give You All The Glory And Honor.Thank You For Every Fine Person That Is Gathered Here Father In This Assembly.Pray A Blessing Over Them That You Give Them Wisdom And Guidance, Father That You Would Meet Every One Of Their Needs Financially And Spiritually And Emotionally That Your Hand Would Come Upon Them On Every Member And Every Family Member Represented Here.We Pray Father Thou Would Be Glorified In Every Decision That's Made In Jesus Name Amen.

Please Join Us For The Pledge Of Allegiance.

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.Thank You.Thank You, Pastor.Please Be Seated. The First Item Is The Employee Ceremony Presentation.Christine Brady.

County Administration Joined By Commissioners Up Front.

Good Morning.I'm Christine Brady From Human Resources.I'm Here To Present The Length Of Service Awards To All Eligible Employees For The Fourth Quarter Of 2012.These Awards Represent Collectively 900 Years Of Service To Lee County Government.For Those Employees Present, As I Call Out Your Name, Please Step Forward To Receive Your Pin And Greet The Commissioners And County Administration.Please Remain Off To The Sides In Order To Take A Group Photo At The End Of The Presentation.I Know We Have A Packed House Today, So We're Going To Try To Do Our Best To Get Everybody Together At The Back Of The Chambers Before We Start Each Of The Groups.If We Can Go Ahead And Get Our 5-Year Group Together, We'll Start With Angela Sinez, Five Years, Solid Waste.[Applause]

Glen Sears D.O.T. Operations. [Applause]

Michael Shields D.O.T. Operations.

Jeffrey Smith, Utilities.[Applause]

Bob Southall, Transit.[Applause]

Matthew Stevens, Utilities.[Applause]

Now For The 10-Year Recipients.With 10 Years Of Service, Michael Burns, Transit.

Alan Craft, Utilities.Anthony Denilvic, Solid Waste.[Applause]

Robert Echeverria, D.O.T. Operations.[Applause]

Heather Guinette, Parks And Recreation.[Applause]

Joseph Gomez, County Lands.[Applause]

Gerald La Rochelle, Counties Management.[Applause]

Michael Sotrowski D.O.T. Development.[Applause]

Robin Schram, Public Safety.Amanda Wilson, Internal Services.[Applause]

Now With 15 Years Of Service.Edward Kuyt, Utilities.[Applause]

Leslie Urchanne, Internal Services. [Applause]

Robert Hanes, Public Safety.[Applause]

Rick Highland, Parks And Recreation.[Applause]

Jane Mikeland, D.O.T. Tolls.Frank Mason, D.O.T. Traffic.Steven Morris, Facilities Management.[Applause]

Triva, Pool, Transit.[Applause]

Now With 20 Years Of Service, Randall Briggs, Library.

Kevin Garren, Public Safety.[Applause]Now With 25 Years Of Service, Kathleen Crawford, D.C.D. Development.[Applause]

Timothy Fielden, Construction And Design.[Applause]

Terry Kelly, Utilities.[Applause]

Emma Wolfe, County Manager.[Applause]

It Appears We Have A Late Check-In With Five Years Of Service, Jose Rivera, Transit.[Applause]Now With 30 Years Of Service, Carol Knoff, Public Safety.[Applause]

Michael Mcsheavy, Public Safety.[Applause]And With 35 Years Of Service To Lee County, David Senator, Public Safety.[Applause]

Congratulations To All Of These Employees And Thank You For Your Service And Dedication To Lee County.[Applause][Applause]

Congratulations.

Chairman Pendergrass: Thank You And Congratulations To All The Employees On Their Tenure Here. The Next Item Is The Recap. We Have No Comes On The Ye R. Recap. Next We'll Move On To The Public Comment On The Consent. Now We Have A Lot Of Speakers Here. The Consent Administrative Meeting Is Here For This Meeting. Any Item Here For The Consented -- We Only Have One Card For The Consent Agenda. First 1 Is Jim Merit For The Consent Agenda.

Morning.

Morning. You Have Three Minutes, Sir.

Thank You.

It Won't Take Me That Long. Good Morning. My Name Is Jim Merit Resident Of Shadowwood 23203 Foxbury Lane In Bonita Springs. I'm Here To Express My Sincere Thanks As A Representative Of The Brook Cdd-1 To The County And Particularly To Natural Tow Sources For The Assistance They've Given Us And The Support In Terms Of Providing Leadership In Terms Of Obtaining Funding For Modification Of The Emergency Gate Along Three Oaks And Three Oaks Parkway. This Facility Here Will Provide Immense Protection In Terms Of Flooding In The -- If Flooding Should Occur In The Three Oaks Area. And Again, I Just Want To Say Thank You For Your Support And Hopefully We Can Get Unanimous Approval On This Consent Agreement. Thank You.

Thank You.

Anyone Else Wish To Speak Under The Consent Agenda? Administrative Agenda?

Jeremy Representing The Conservancy Of The Southwest Florida. I Think I Misrepresented What Items I'm Speaking For. I Don't Need To Speak For The Impact Season.

I Think I Miscommunicated. I'm Here Regarding The Horizon Council Amendments From The Issues Business Task Force And My Request Is Simple Really, Just Requesting That Although These Are Amendments Brought To You By The Horizon Council And The Businesses Issues Task Force, We Would Just Like To See That Any Public Input Is Considered Equally As It Normally Would In Any Other Amendment Packet. We Have Spoken To Representatives From The Horizon Council And They've Been Really Willing To Work With Us And Explain Issues, And Just Would Like To See That Continue.

It's Not On The Consent Agenda.

Comm. Hall: It's Not On The Agenda Today.

It Is Direct Of Public Hearing 14 A And B.

I Apologize.

That's What You're Speaking To?

I Apologize.Okay.Thank You.

No Other Speakers For The Consent Agenda.Move On To The Consent Agenda.Commissioners, Any Items To Be Pulled For Discussion By The Board?Commissioner Manning.

Comm. Manning: None.

Commissioner Kiker.

Comm. Kiker: 1-A.

1-A.Commissioner Mann.

Comm. Mann: None.

Commissioner Hall.

Comm. Hall: None.

Move.

Second.

Motion Carries.The Balance Is Moved.Commissioner Manning.I'm Sorry, Commissioner Kiker.

The Action Request Is The Approval Reimbursement Resolution For The T.D.C. Revenue Bonds For The Minnesota Twins.The Way I Read This And This Is A Point Of Conversation Right Now Is This Predetermines That The Dollars That We're Going To Use For The Twins Is From Bonds.And That's My Question.Is That What This Motion Would Mean?And Secondly, Have We Looked At Any Other Forms Of Funding In Terms Of Either Reserves Or Bond Money Or Private Interest?

Commissioner, This Is Just Really Insurance.If We Didn't Bond, This Would Not Be In Effect.So It Doesn't Necessarily Predetermine What Financing Mechanism You Use.It's Something We Need In Case Those Bond Funds Do Come In, And Then We Have To Go Back And Reimburse Some Costs.It Doesn't Predetermine A Financing Mechanism.We Did Not Look At Other Mechanisms, Because The Repayment Source Has Always Been Tourist Taxes.We Limit It To Things That We Could Do With Either The Tourist Tax Revenue Stream Or Reserves Towards Tax Reserves.

Comm. Kiker: Okay.If No One Else Has Any Questions.Motion Approved.

Second.

Commissioner Kiker Makes A Motion.Commissioner Manning Second.Any Discussion? No Discussion.It Carries On 1-A.Commissioner Manning, 1-B.

Comm. Manning: Does This In Any Way Complicate What We Did Just The Other Day On Filing Suit Against These Good People?

No, Sir. This Was A Totally Different Awards Program That B.C.B. Entered Into And We Also Sent This Award To Our Attorney That's Working On The B.P. Claim. They Said One Had Nothing To Do With The Other.

Comm. Manning: Does This In Some Way Reimburse Us For The Advertising Money We Did After The Spill?Or Does It Get Into The C.D.C. Federal Fund?

For The Record, Tina, This Is A Marketing Grant Opportunity That Was Put Out On The Table By An Organization That Is A Portion Of B.P. Handling Their Sort Of Follow-Up P.R. After The Oil Spill.So It Is Completely Separate From Our Claim For Our Advertising And Completely Separate From Our Lost Revenue Claim.

Comm. Manning: And Would Be -- How Are You Recommending?

It's A Marketing Grant And We Put Together A Marketing Proposal For Exactly How We Would Expend Those Funds.Obviously Today Be Promoting Lee County.

Comm. Manning: I Move The Item.

Second.

Any Other Discussion?No Objection.1-B Moved Forward.Administrative Agenda, We Have No Items And No Walk-On, Carry November -- Carry-Ons.Commissioner Items.Commissioner Kiker.

Comm. Kiker: It Was Obvious They Wanted To Create A Nonboating Slot For The T.D.C. For Representative Of The Lee County Hotel Association And That Hotel Association Represents 100 Hotels.

Comm. Hall: What Are You Asking Us?

Move

Second.

Comm. Kiker: I'd Like To Make A Motion To Allow That.

Second.

Commissioner Kiker.

Say It Again.

Comm. Kiker: It's An Ex Officio Member; A Member On The Slot.It Does Not Vote, And That Is For The Lee County Hotel Association.

Oh, Yes, Okay.I Got You.

Comm. Kiker: It Represents 100 Hotels.

Commissioner Manning Makes A Second.Any Other Discussion?Any Objection?Okay. Motion Carries.

Thank You.

I Have More Commissioner Items.Commissioner Mann.

Comm. Mann: Commissioners, In The Spirit Of M.L.K. Day That Was Celebrated Across This Great Nation Yesterday, It's Something That's Been On My Mind For Sometime. I'd Like To Share It With You All Now And Hopefully Get Your Support.The Building That We Call The Darth Vader Building, A County Building Sits Down There That Big Black Glass On M.L.K. And Fowler.I Think It Needs A Better Name Than The Darth Vader Building.We Have Had Only One African-American Serve On This Commission In The History Of Lee County.Her Name Was Melvin Morgan.She Served In The Lee County School System At Very High Levels Very Effectively.She Has Been Very Act 95 The Entire Community.She Has Been Very Active In Her Own Church, And She Was A Role Model Of Diligence And Effectiveness While She Was Here.And I Would Like For The Commission To Join Me In Recommending That Staff Prepare The Necessary Resolution That We Would Bring Back Hopefully Next Week In A Whereas Form That Would Name That Fine Edifice For This Fine Lady.And I'm Hoping I've Got Consensus.

I Think I Thought You Name Together Larry Hart Building?

Not Yet.

Any Discussion?

Comm. Mann: Well, Thank You Very Much.And I'll Get With Them.

Great Idea.I Personally I Have A List Of A Few People I Have Talked To Through The Dunbar Committee That Her Name Is Obviously On The List, Too, And Maybe Something We Can Discuss Later Any Other Names Get Thrown In The Pot.

I Don't Know What The Board Is Done To Selecting Names For A Great Ceremony Like Is That.Is There A Process In Place For That?

Comm. Mann: We Don't Really Have A Process.When The Spirit Moves Us, We Head In That Direction.

Comm. Hall: Which Is Buildings, Roads.If Someone Wants To Throw A Name Out There, And You Want To Vote Your Conscience.

Okay.

Comm. Mann: Thank You.

Comm. Hall: Are You Saying That You Want To Add Names To That Selection Of That Building?

In The Past, I've Had Names.

Comm. Hall: If That's What We're Going To Do, And We're Going To Do That. Otherwise The Building Is Going That Direction.

And She Was On My List, Too.

Comm. Mann: She's The Only One That's Ever Served On The Lee County Commissioner, Only African-American In Lee County Commission Hall.

Comm. Hall: I See The Appropriateness Of That. So We're Moving Forward With That?

Yes, Specifically.

Comm. Hall: I Want To Make Sure We're Not Confused.

Commissioner Hall, Any Commissioner Items?

Comm. Hall: I Had One. I Went Down To The Friday Night Annual Changing The Guard And A Lot Happening On The Beach. I Wanted To Recognize Some Of The Folks. I Was So Impressed With The Volunteerism. They Recognize A Few People. Their Ambassador Of The Year Was Terry Lester From The Quantus Of Ft. Myers Gateway. This Award Was Given To The Ambassador Who Donates The Most Volunteer Hours In The Course Of The Past Year. Their Volunteer Was Rob Katz For An Individual Who Demonstrates A Commitment To The Chamber For Volunteering. These Are Hundreds Of Hours. Gavins Ace Hardware. I Was So Impressed With Gavins Hardware, The Family. This Is A Family Business That's Been In Operation For Many Years On The Beach. But The Level Of Philanthropic Donation To All Types Of Organizations Not Just The Chamber, And The Gavin All Generations Were There. It Was Really A Very Heartwarming To See Them Recognized. Their Economic Development Award Was Given To Diversified Yacht Services. This Award Goes To A Company That Demonstrates Their Ability To Bring Economic Development And Jobs To The Beach Area. Obviously They've Done That. The Bambi Award. That's A Little Air Stream Small Trailer. The Chamber Is Getting Ready To Put Two Bambis On The Beach To Help With Our Visitors Who Come Down To The Beach. This Was Given To Dan Vega In Recognize That Dan Has Committed A Large Financial Contribution To The First Bambi And Ongoing Over The Next Five Years, Over \$60,000 To The Chamber On Behalf Of Their Bambi Efforts And The Petro Award. Most All Of Us Who Petro Was. It Was Given To Al Durette. It's A New Award Given To An Individual Of A Person Who Really Shows Their Selflessness And Commitment To The Area. Congratulations To All The Officers And The Folks Of The Ft. Myers Beach Chamber And Thank You For Inviting Me To Join You On Friday.

Thank You. Commissioner Appointments. Commissioner Manning.

Comm. Manning: None.

Commissioner Kiker.

Comm. Kiker: Miriam Ortiz.

Second.

Any Other?

Commissioner Manning Seconds. Any Discussion?No Discussion.Motion Carries.

I Have None.Commissioner Mann.

Damon Sheiler.

No Discussion. Motion Carries.

Chairman Pendergrass: Commissioner Hall.

None.

County Attorney Items.

Just Want Wanted To Advise You That The Prohibition Against Ex Parte Is In Effect For The Zoning Case L.L.C., Golf Rock L.L.C. Has Filed A Request For Relief Pursuant To Section 70.51 Of The Florida Statute.

Thank You.

Chairman Pendergrass: Now We Move Into Public Matters Of Concerned Citizens.Time To Speak.This Is A Separate Meeting For The Impact Fees.This Is Regarding Anything Else. We Had One Card From Joe Beck From North Ft. Myers Community Panel.

Thank You, Joe.You Have Three Minutes.

Is This Mean We're Going To Approve The North Ft. Myers Community Town Center Plan?

Chairman Pendergrass: This Is Your Time To Speak On Any Subject.

Oh.I'm A Member Of The North -- Joe Beck Of 2531 Second Street Here In Ft. Myers, Florida.I'm Speaking To Address That Coming Before The Board, There's Going To Be A Rewriting Of The Land Development Code To Allow Both Lehigh And North Ft. Myers A Mixed Use Type Plan To Create Economic Development.I Was Letting You Know That We As A Board, Le Rue Planning Has Worked With Us Over The Past Five Years To Get This Thing Done.As A Board, We Have Endorsed The Planning Process And They Have Worked With Us And I Would Request The Board Would Support Staff In Approving This Change To The Land Building Code.Thank You.

Thank You.

Any Other Comments From The Public?We're Going To Have A Request From Two Of The Commissioners To Adjourn Before We Go To The Next Public Meeting For The Impact Issue For 10 Minutes To Get Us Some Information.Then We Take A 10-Minute Adjournment.After That We'll Come Back At 10:10.Thank You. Meeting Adjourned.

Chairman Pendergrass: Thank You For Coming And Being Patient.We Have A Lot Of Speakers Today.I'll Open The Meeting Up And Give It Some Ground Rules How The Meeting Is Going To Operate.This Is A Public Meeting For The Proposed 2-Year Suspension Of Collection Of Impact Fees.Members Of The Public Wishing To Speak Will Be Allowed Three Minutes To Speak At The Podium.When It Goes To Red, Your Time Is Up And We'd Ask You Stop Speaking At That Time.At The Conclusion Of The Public Input, The Board Will Discuss And Have Questions For Staff In The Attorney's Office.After Discussion, I Will Entertain Motions By The Board For Staff Direction.No Votes Will Be Taken On The Directions Of Staff Today.At This Time I'll Start With Staff Introduction.

Good Morning, Commissioners. We Don't Have Any Presentation, But We're Available To Answer Any Questions You Have Based On Public Input.

Chairman Pendergrass: Thank You Very Much.We'll Move Directly Into County Attorneys Have Any Input?Thank You.We'll Move Directly Into --

I Have A Question.This Is A Workshop.We're Not Taking Any Votes Today.Correct?

Correct. It's A Public Meeting.We'll Take Direction With The Consensus Of The Board To The Staff At The Conclusion After Public Input.

Thank You.

Comm. Mann: Commissioner, I Want Staff To Be Prepared At The End Of The Meeting To Deal With The Assumption That The Suspension Go If We Assume That Suspension Goes Into Effect At Sometime In The Near Future That Will Create, You Know, A Reduction In Revenues.I Would Like For Staff To Be Able To Comment Whether It's Ms. Gibbs Or Mr. Loveland Or Whoever Is Appropriate To Where Specifically Those Dollars Are Going To Be Taken From.There Will Be A \$7 Million To \$8 Million Impact If I'm Reading This Right, And I Just Want To Know Where Those Dollars Are Gonna Come From.

You Will And You'll Get Both Sides Of The Stories From Other Commissioners And Members Of The Public.

Comm. Mann: I Know Both Sides. I'm Prepared For That.That's Why We're Here.This Is A Law Of Physics. You Can't Take The Revenue Away Without Affecting Somebody.I Want Staff To Be Able To Tell Us What The Likely Effect Of That, What Projects Would Be Affected Or If We Take It Out Of The General Revenue, How Much It Would Mean.

Chairman Pendergrass: We Are Open To Public Input. The First Speaker Is Stephanie Keys.

Good Morning.Thank You.My Name Is Stephanie Key.I'm The Director Of Public Policy For The Realtor Association For The Greater Ft. Myers And The Beach.We're Here -- There's A Group Of Us Here, Our Past President Marian Briggs Will Also Be Speaking More Specifically About This Issue.But We Are Here On The Record To Support The Proposal To Suspend The Impact Fees For Two Years With The Exception Of Fire And E.M.S.This Has Been Something That Has Been A Long-Time Discussion In Lee County.We Have Been Talking About This For Many, Many Years.We Feel Very Strongly And Our Public Policy Committee Did Unanimously Approve This Motion.And Our Board Of Directors As Well.That This Sends A Very Strong Signal To The Outside World That Lee County Is Open For Business.And We Greatly Appreciate The Fact That Growth Should Pay For Growth, And We Feel That In The Past, These Impact Fees Have Helped And Growth Has Paid For Growth.However, Through This Last 6, 7-Year Downturn, The Impact Fees Collected Have Been Very Minimal.Most Of The Road Projects That Have Been Completed Have Been State Projects, And That The Time Is Now To Send That Signal To Suspend The Impact Fees, Maybe Take A Look At It After A Year, Two Years, See Where We Are, But I Think That It's Important That Everyone Realize Lee County Is Available For Business.We Want To Send A Strong Signal To The Other Surrounding Communities That Lee County Is In The Same Position As They Are, So That We're On An Even Playing Field And That We Can Have Our Economic Recovery, Hopefully Which Is Slowly Starting, But We Feel This Would Definitely Give It The Extra Push, And Additionally, We'd Like To Thank Commissioner Manning Specifically Because I Know That You Have Worked On This For A Lot Of Years.So We're Very Pleased To See This Coming Forward.Thank You.

Chairman Pendergrass: Thank You.Next Speaker Is Marian Briggs.

Good Morning, Honorable Commissioners.I Would Just Like To Reiterate On Behalf Of The Realtor Association Of The Greater Fort Miser And The Beach, The Board Of Director, The Public Policy Xhutee And 4,000 Members That, We Do Support A Suspension Of The Imfees For A Period Of Two Years With The Exception Of Fire And E.M.S. Impact Fees On Which A Personal Note, I'm A Life-Long Resident Of Ft. Myers And A Third-Generation Contractor.And I Have Never Seen The Circumstances That We've Had In The Past Five Years Ever.We Came To A Grinding Halt.This Resulted In Us Losing Some Of The Best Tradesmen And Craftsmen That We Had.A Lot Of Them Moved Away, Because That's What They Do.So When They Couldn't Do It, They Went Somewhere Where They Could Do It.I've Often Jokingly Said That Fort Miers Is Like A Black Hole Because It Sucks You I And Don't Fight To Get Out Because We Have The Best Weather And A Lot Of Opportunities Here.But We Lost A Lot Of Our Great Worker.If You Look Around The Community, All These Vacant Commercial Buildings, That's A Part Of Our Contractors Too.They Occupy Those Buildings. They Pay Their Rent Or Their Mortgage And They Bring A Lot Of Good Revenue To Our County. It's Not About Us Buildings And Building Homes. It's About Putting People Back To Work.You Know, Oftentimes, It's Talked About Growth As A Bad Thing.Well, I'm Sorry We Have Lehigh And Cape Coral That Are Huge Plotted Land Masses That Are Going To Control Our Growth.We're Going To Grow.So Therefore, I Think That It's Time We Recognize That The Construction Industry That Has Funded A Lot Of Our Infrastructure Around Here Get A Little Boost In The Arm And Bring People Back Here, Bring Them Back To Work, And Let's Get Us Back To Where We Used To Be So You Can Do Your Job And We Can Do Our Job.Thank You.

Thank You.

Chairman Pendergrass: Next Speaker Is Nick Batos.

Good Morning, Commissioners. My Name Is Nick Batos. I Live In Estero. I'm Here Representing The Aster Or Council Of Community Leaders. I'm Here To Speak In Opposition Of The Proposed Moratorium On Impact Fees. Lee County For Years Has Had Impact Fees Believing That Growth Should Pay For Growth. The Program Has Worked Well In Estero And Throughout The County, And If Removed Could Result In Tax Increases For All Property Taxpayers. The Moratorium Is Being Proposed To Stimulate The Construction Industry And Create Jobs In The Construction And Real Estate Industry. All News Reports That I've Seen Published Over The Past Six Months Shows That Housing Construction And Construction Jobs Are Growing Rapidly. Why Put In A Moratorium Now When All You Will Accomplish Is Losing Millions Of Dollars? In Estero Alone, There Are Over 1,500 Homes That Are Expected To Pull Permits Over The Next Two Years. If You Were To Eliminate The Impact Fees, That Would Eliminate \$500,000 In Impact Fees On Our Fire District Alone. That Would Be Devastating On Our Community, And Will Cause Either Reduction In Fire Protection Or Significant Increase In Taxes. Thousands Of Homeowners And Businesses Have Paid Impact Fees In Lee County Over The Years Thus Allowing New Construction To Be Built Without Impact Fees Is Unfair To All Those Taxpayers. It Will Make It More Difficult For The Owners Of Existing Homes To Compete With The Lower-Cost Homes Built During This 2-Year Period. It Will Depress The Price Of Existing Homes. You, The Lee County Commissioners, Have Already Substantially Reduced The Impact Fees Over The Last Four Years In An Organized Manner. There Is No Rational Reason To Just Slash Them Now. There Is No Data That Shows A Moratorium On Impact Fees Will Stimulate The Construction Industry. In Fact There Are A Number Of Counties That Have Tried Impact Fee Moratoriums And Without Stimulating The Construction Industry. Collier County Has A Higher Impact Fees Than Lee County, And They Are Growing Much Faster Than Lee County, Demonstrating That Impact Fees Do Not Prevent Growth. If People Can Afford To Build A Home In Lee County Or A Business Believes It Can Make Money In This Area, They Will Build. An Impact Fee Does Not Stimulate The Demand For Housing Or Commercial Development. If You Can Identify Areas Of The County That Are Not Growing And You Want To Target Those Areas, You Should Provide A Workable Stimulus In That Area. If You Vote For The Moratorium, You Should Tell Us Today Before You Vote Where You Are Going To Get The Money To Pay For The Lost Revenue That Vote Will Cause, What Projects And/Or What Services Are You Going To Cut Or What Taxes Are Going To Be Raised. Thank You Very Much.

Chairman Pendergrass: Thank You. Next Speaker Is Bob Simpson. Following Him Will Be Margaret Banning.

Good Morning, Commissioners. We're Walking A Very Fine Line Right Now With Business Development In The Community. All Of Uh I've Been Very Successful In Developing Businesses Here And I Have One Of The Largest Businesses In Lee County. But Now Is A Very Sensitive Time. The Other Counties Surrounding Us Are Reaching Out To The Companies I'm Trying To Bring Here From Other Parts Of The Country And Trying To Get Them To Go To Charlotte County And Sarasota County. My Company Is Responsible For Hospital Systems All The Way. I Have Two Companies Looking To Move From Pittsburgh And North Carolina. They Don't Want To Deal With Impact Fees. I Support Very Strongly The Supporting Of The Fire Departments. I Work Very Closely With Them In The County And Services. I Feel For A Very Short Period Of Time, We Need To Waive These Fees And Keep

Them Out Of The Business Development Area So I Can Bring In These New Businesses And Help This County Become Successful. Thank You.

Chairman Pendergrass: Thank You.Margaret Banning.

Good Morning.Margaret Bannion. I'm A Member Of The Community Sustainability Committee And I Teach At Fgcu And Direct The Land Use Certificates There.What Comes Up Over And Over Again In All Of These Venues Is That Quality Of Life Is The Key Asset That Lee County Has To Attract New Businesses And Residents.Sometimes When We Think About Quality Of Life, We Think About Fun Stuff, Good Food, Good Museums. That's Not Really What Counts For Economic Development.According To An Extensive Global Study By The Economic Intelligence Unit, What Counts For Economic Development Is Good Transportation, Good Streets, Good Schools, And Safety.They State Quote The Basic Idea Is That If Leaders Can Improve Liveability, They Can Attract Businesses And Skilled Workers Needed To Grow Their Economies.To Accomplish This, They Advise That Policy Makers Be Flexible, Understand Reality And Question The Advice That Offers Them A Quick Fix.Further, Fedex's C.E.O. Fred Smith Says You Have To Have Both Good Economies And Good Quality Of Life.Maintaining Quality Is Life Is What Business Relocation Experts Across The U.S. Are Telling Industries.Our Residents Agree That Public Process Overwhelmingly Supported Quality Of Life, Connectivity And Economic Improvement, That That's What Is Important To Residents.I Share With Many Other Business Groups The Idea That Economic Prosperity Is A Fundamental Commitment That Lee County Has To Its Citizens. A Moratorium On Impact Fees Is Not A Way To Get There.The Solid Research Out There Indicates That Economic Prosperity Comes From Quality Investments In The Community Infrastructure.Right Now That's Impact Fees.Despite The Economic Downturn, Lee County Is Showing Signs Of Improvement In Its Housing Industry And Job Market.We Should Not Go Backwards Now By Imposing A Moratorium On Impact Fees. We Should Instead Be Looking For A Comprehensive Set Of Tools That Increase Our Quality Of Life Investment, Not Decrease.Investments In Infrastructure Pay Off In Economic Growth.Businesses Look For Quality Transportation, Schools And Parks. Impact Fees Help Pay For Those Investments.We Need You, Our Elected Officials To Be Flexible, Understand Realities And Best Practices And Be Very Skeptical Of The Quick Fix Promised By This Moratorium.Thank You.

Chairman Pendergrass: Thank You.Next Speaker Is Joe.Gary Is Up.Joe Is Next.

You Caught Me Off Guard. I'm Sorry.For The Record, Gary Verilt.I Am Here Before You As Your Chair Of The Community Sustainability Advisory Committee.And With Me This Morning I Have Several Other Members, Which One Has Already Identified Themselves Along With Your Sustainability Manager Tia La Sage In Regards To This.I Bring Greeting To You From The Entire Committee.On January 16, 2013, You Received By The Way -- Let Me Preface This.You Received This Memorandum Already And I'm Reading It Into The Record For All To Hear.On January 16, 2013, The Community Sustainability Advisory Committee Discussed The Proposessad 2-Year Moratorium On Impact Fees.Now, Again, Ladies And Gentlemen, We All Recognize The Fact This Has Been A Contentious Issue For Years. We Were Here Last Year.We Were Here The Year Before And Keep Rolling It Around But We Don't Seem To Resolve It.This Is A Time To Give Some Other Thoughts To Other Possibilities.The Committee Unanimously Recommended The Following.They Recommended That If The Board Of County Commissioners Institutes A 2-Year Moratorium On Impact Fees That

During That Period Of Time, That You Direct Staff To Use The Time To Develop A County Wide Mobility Plan With A Tiered Or Zoned Mobility Fee Structure.And At That Time Of Moratorium Sunset Or When It Will End, Move Directly Into That New Structure Thereby Replacing The Impact Fees.And With That, Hopefully We'll Never Have To Meet Again On This Topic. Thank You Very Much.

Chairman Pendergrass: Thank You.Joe, Next One Is Christina Laws After Joe.

Morning, Mr. Chairman And Members Of The County Commissioner.I Have I Think This Is First Time In A Long Time I've Represented Myself In Front Of You. It's Kind Of Cool.I Think What We're Going To Talk About Today Is Others Will Talk About Revenues Lost If You Do Not -- If You Do This, If You Go Ahead And Waive Impact Fees And Talk About The Revenues Loss.I'm Going To Talk About Possible Revenues Lost If You Don't Do This.Let Me Give You Some Background As To Why I Believe I Have The Ability To Speak On This Issue. First Of All, During My 10 Years As Mayor Of The City Of Cape Coral, I Was Known As The Father Of Impact Fees.I Raised Impact Fees From \$350 A Home To Between \$10,000 To \$14,000. I Get What Impact Fees Will Do.They're A Tool In A Growing Economy To Help Governments Provide Infrastructures.I Also Understand Financial Feasibility And Revenue Sources Associated With Local Governments.Since I Have Left Office I've Done In18 Incorporation Feasibility Reports.Part Of My Statues Is A 5-Year Fiscal Analysis Of Revenues Versus Expendter Us. I Understand The Impact Of Those Revenues And The Sustainability Of Revenues Versus Expenditures.What You're Looking For In A General Fund And What You're Most In Need Of Is Reoccurring Sustainable Revenues. There's Couple Under Florida Statute, Avalon Taxes That Talk About The Taxable Value Of The Asset, State-Shared Revenues That Are Driven By The Number Of People In Your Area And Franchise Fees And Commercial Communication Service Tax Which Are Both -- Which Is Based On A Combination Of People And Disposable Income, The Ability To Purchase.All Of Those Revenues Are Supported By The Local Economy.If You Don't Fix The Construction Real Estate Industry In Trying To Fix This Local Economy, It's Like Trying To Fix Detroit Without Fixing The Auto Industry.This Economy Is An Engine That Drives -- The Economy Is The Engine That Drives Government Funding. You Need To Add Some Oil To This Engine To Get It Running Smoothly. While It's Running Better, It's Still Running Sluggishly. There Are Financial Models That Will Quantify New Government Doctors Dollars Derived From New Construction In Your Area. You Can Run Those Models And See What It Is. It's Significant.It's Reoccurring Dollars Rather Than Impact Dollars.What Do You Risk By A 2-Year Waiver Of Impact Fees?If You Come With The Assumption -- I Believe The Assumption Is True Since 2007 We've Had A Reduction In Population And Reduces In Local Infrastructure, There's F.S. Capacity Of System Today.If Building Increases, You Can Use Up That Excess Capacity At No Risk To The Level Of Service.If Building Does Not Decrease, You Risk No Money Or Capacity.This Is A Reasonable Solution To Deal With The Economy That Drives All Your Reoccurring Funding Services.

Thank You, Your Time Is Up.

Chairman Pendergrass: Christina Ross.Next Speaker Is Rich Cavano.

Good Morning, Christine Ross Representing The Bonita Springs Area Chamber Of Commerce.I'm Here On Behalf Of The Chamber To Ask You To Take A Step Back And Look At The Financial Ramifications Of What It Is You're Suggesting With This 2-Year

Moratorium. There Are Infrastructure Projects That Have Been Started That Could Be Severely Impacted By This, Whether It's Schools Or Infrastructure Projects We Might Be Building In Bonita -- Bonita. We've Seen The Construction Industry Thriving. We Have Three Major Residential Projects Going At This Time. We Don't Want The Decision To Be Made Swiftly. I Know Over The Course Of Years, You All Have Been Talking About This For A Long Time. Until You Understand What The Impact Of That Decision Is, We're Kind Of Nervous About That Thought. Thank You.

Chairman Pendergrass: Thank You. Rich. Next Speaker Will Be Phil Douglas.

Good Morning, Commissioners. Rich Galvano Representing Gulf Coast University Hub. This Morning I Would Like To Support The Waiving Of The Impact Fees. I Know It's Tricky. You've Got To Figure Out How You're Going To Pay For The Other Items On The List. But From A Practical Standpoint, You Know, I Deal With Companies Looking At Lee County To Invest Commercially. I Know You Have The Residents That Want To Live Here. It's Beautiful. We All Love The Area. When They Come To Lee County, And There Are Other Counties Within Florida And Up Into Georgia, The West Point Georgia Is A Good Example Where They Had Waived Impact Fees And Did Some Things That Were Very Aggressive And Caused A \$4.2 Billion Economic Impact For Their Area. So When An Investor Is Looking At The Area, And They Run The Numbers, And They're Looking At The Impact Fees And How That Affects The Bottom Line, It Could Affect It 1, 2, 3, Points In Some Circumstances. In Other Circumstances, The Cost Of The Impact Fees Exceeds The Cost Of The Land. So If You Can Go Somewhere Else And Buy Land For The Cost Of Impact Fees In Lee County, If You Think About It, It's Like Getting Your Land For Free Somewhere Else. So That's What We're Up Against Here. And I Know It's A Challenge For You All To Come Up With This Solution, And I Don't Know What That Solution Is. Maybe Economic Division Can Support Some Of This By Supplementing The Fees That Will Be Lost, Which I Understand Will Be Between \$4 Million And \$6 Million Over The Next Three Years. That's Just An Estimate. So Maybe That's The Way. Maybe The County Could Work Together That Way To Promote That Kind Of A Growth. Again Bottom Lines Are Affected. You Want Money To Come Into This County Outside The County. To Bring It In From The Outside, We Really Need To Do Something That's Going To Put Us On The Map And Show That We're Aggressive, Show That We Mean Business And Want Business Here, And We'll All Be Surprised With The Impact We See. Thank You.

Chairman Pendergrass: Thank You. Phil Is Next. After Phil Is Heather.

I'd Like To Have This On The Record. I'm Giving You A Copy.

Before I Start For Time Purposes, I'd Like To Publicly Commend Commissioner Mann For His Excellent Article In The Ft. Myers News Press Today And I Hope The People In This Room That Haven't Read It Will Read It. Commissioners, I'm Here To Tell You That The Suspension Of Impact Fees Is Not Only A Bad Idea. It's Bad Policy. And I Have Listened Intently To People Who Are Making Some Assumptions And Some Projections. What Determines The Cost Of A House? It's The Marketplace. And For Me To Assume That Because You Reduce Impact Fees We're Going To Lower The Cost Of Housing, It Doesn't Fly. There's Also The Statement That We're Open For Business. For Example, A Study -- This Is Not Born Out By Evidence. I Haven't Heard Any Yet, But I'm Listening For It. In 2010, Mullen Of Duncan Associates And Dr. Nicholas Did A Study For The Planning Department. And It

Showed That There Is No Relationship Between The Reduction Of Impact Fees And Housing Permits. So I'm Looking For Evidence Not Assumptions, Evidence, And I Haven't Heard Any Yet. It Violates Eliminating -- Eliminating Impact Fees Will Violate The Shared Costs For Infrastructure Cost. It'll Shift The Cost From Developers Who Create The Cost To The Taxpayer. Given The Recent Serious Budget Crisis And The Commissioner's Desire Not To Raise Property Taxes, It Makes Absolutely No Sense To Eliminate An Important Revenue Source That Had Helping Lower The -- Recover The Real Cost Of Transportation Infrastructure Demand. I Know We've Been Through A Serious Downturn. Nobody Is Denying That. That Wasn't Caused By The Impact Fees. That Was Caused By The Housing Bubble. Impact Fees Did Not Cause Our Downturn. Collier County Has Much High Are Impact Fees. They're Growing. The Evidence Shows That We're Growing. I Would Like To Say That What Are You -- Where Are You Going To Find -- And Commissioner Mann Asked This Question. It's A Valid Question. Where Are You Going To Make Up The Lost Source Of Revenue? Where Are You Going To Get It From? It's Going To Come From My Pocketbook As A Taxpayer Or It's Going To Come From Reduction In Services. So Speaking As A Taxpayer In Estero, Speaking As A Member Of The Estero Council Of Community Leaders And Speaking For Myself Today, I Say A 2-Year Moratorium Will In Fact Be A 3-Year Moratorium. What's Going To Happen In December Of The Last Year? All The Impact Fees Are Going To Be Filed. You're Not Looking At Just A 2-Year, You're Looking At A 3-Year Moratorium. I Believe That There's No Evidence To Show That There's A Relationship Between Reduction In Impact Fees And Housing Starts. And I Ask You Before You Make --

Your Time Is Up.

Get That Evidence . Thank You Very Much For Your Time.

Chairman Pendergrass: Thank You. Heather Is Next. Next Speaker Will Be Dick Swears.

Good Morning, Commissioners. Heather. I'm Proud To Be Here As The Executive Vice President Of The Building Industry Association Representing Lee, Hendry, And Glades Counties And I Thank You For The Opportunity. It's My 19th Day On The Job. It's Been A Whirlwind Since I Stepped Into This Role. I Stand Up Before You Today And Respectfully Request You Suspend Impact Fees For A 2-Year Period. We Believe A Bold Move Like This Would Be A Catalyst To Kick Start The Local Economy. The Building Industry Plays An Integral Role In Our Local Economy. It Creates Jobs, Providing Housing For Families And Is The Greatest Source Of Wealth And Savings For Many. According To The Home Builders Statistics For Each Home Built It Creates Three Jobs For A Year And Generates \$90,000 In Tax Revenue. Nonresidential Or Commercial Construction Creates Jobs, Creates Spaces For Jobs In Retail, Offices, And Manufacturing. However, In Lee County, High Vacancy Rates Continue To Curb New Construction. In Fact, There Were No New Commercial Buildings Built In 2012 Unless It Was Government Or Medical. Coincidence That The Impact Fees Were Lowered And Medical Buildings Were Built? I Don't Think So. It's A Of Impact Fees Would Send A Message To The Community That We Want Recovery, That We Want To Create Jobs That Lee County Means Business. We Believe That The Timing Is Perfect For A Suspension Forward In For Our Economy To Truly Begin The Recovery Process We Need To Build Consumer Confidence And Assist In Any Way That We Can. Future Homeowners And Their Ability To Finance A New Home. With As Much As \$13,000 Added To The Price Of A New Home, A Suspension Of These Fees Could Be The Difference Between Homeownership Or Not. There Are Studies That Have R. Have Not Been Able To Confurm A Significant

Relationship Between Impact Fee Reductions And Higher Rate Of Building Permits. These Reductions Or Eliminations Of Impact Fees Were Done During A Time There Was No Consumer Confidence And We Were Experiencing The Worst Recession Since The Great Depression. There's No Way To Tell How Many Building Would Have Dropped Under The Funnel Impact Of Impact Fees. The Trend Has Been To Continue These Suspensions Or Reductions. And I Wanted To Read A Couple Of Headlines. I Want To Make One Thing Very Clear To You That During This 2-Year Suspension, And I Believe All Of You Know Me Very Well. Vow To You That I Will Work To Find A Better Way To Pay For The Infrastructure That We Need Here In Lee County. Historically You Can Tell That Impact Fees Are Not That Solution. There Are Other Ways To Do It. I'd Like To Work With The Horizon Council. I Promised Dave Loveland I'll Do Whatever I Can And I Know Our Industrial Will Work Together With The Business Community To Try To Develop A Better Way Of Funding For The Future.

Chairman Pendergrass: Thank You.

Thank You.

Chairman Pendergrass: Next Speak Cere Dick Sweers. After That Is Anthony Greco.

Good Morning, Commissioners And Thank You For The Opportunity To Speak. Estero Fire Rescue Board Of Commissioners. I Want To First Of All Congratulate Commissioner Mann On This Final Article In This Morning's Newspaper. Thank You Very Much. And I Want To Compliment Two Of Our Members From Eccl, Nick Batos And Phil Douglas. You Want To Give A Brief History On Estero Fire So You Understand What The Impact Fees Mean To Us. When I Was Appointed To This Board 15 Years Ago Following The Wackenhut Scandal, I Inherited With Two Other Commissions A 6-Man Department, One Old Building, Two Old Trucks Between Half A Million Dollars And 3 Kwrpts Of A Million Dollars In Debt, And Estero Is Starting To Grow. So We Had To Build A Fire Department Overnight. And We Put Up In The 15 Years 4 New Stations, A Large Number Of Equipment, And Employees, And Of Course Impact Fees Go Towards All The New Equipment. Now The Impact Fees Were Not Enough To Cover That. Our Lone Costenance Are Based On Us Receiving The Impact Fees. We Urge You To Continue With That. I Would Ask You To Go Back A Year Ago And Put Us Back Where We Were Then. The County Is Growing Despite Your Suggestion To Put A Moratorium On Impact Fees. I'm Speak For The Whole County And Fire Service And E.M.S. Please Do Not Put A Moratorium On These. Let's Go Back To Where We Were Before. Thank You Very Much.

Chairman Pendergrass: Thank You. Next Is Anthony.

Chairman Pendergrass: After Anthony Is William Williams.

Morning. Anthony Greco President Of The Cape Coral Construction Industry And I'm Here Representing Our Members In The Cape Coral. They Work All Over Lee Count. For The Cape It Would Have An Immediate And Automatic Boost To The Building Industry In Both Residential And Commercial Projects Off The Ground. That's A True Fiscal Impact For The County. A Large Amount Of Impact Fees Were Collected During The Boone Times Of The Mid 2000s And Since The Slowdown, The Need For Infrastructure Growth Has Also Slowed. We Should Let The Growth Catch Up To Those Reserves. I Have An E-Mail From One Much Our

Members And There's Many More Like Temperature I'm A Developer Of Two Gated Communities, Calusa Ridge On Pine Island. It'd Stimulate New Home Sales And Construction And More Homes And More Residents Equal A Win-Win Deal. Please Do The Right Thing. That's From Roger Shut. Online I Read The Town Of New Smirna Suspended Impact Fees In 2011 For Two Years And They Just Continued That Waiver Again For Another Year Citing That Further Economic Development And Sends A Message An Area Is Doing Everything It Can To Promote Growth And The Creation Of Jobs. Let's Send That Same Message From Here In Lee County. Thank You.

William. Next Is Joe Madella.

Good Morning, Commissioners.

Chairman Pendergrass: Morning.

I'll Be Brief. A Lot Was Said By Commissioner Sweers And Estero Fire. I Appreciate Any Consideration Of Nonsuspension To Fire And E.M.S. Impact Fees Do Play A Significant Role In The Sustaining Of The Community And The Building Of Infrastructure New To Growth Having Managed Communities Where There Weren't Fees In Place And Seeing The Soaring Debt Service. New Facilities For Massive Growth And New York Metropolitan Area And Then Having To Contend With The Infrastructure Of Bridges And Tunnels And Roadways And The Debt And The Consequences Of That, Florida Is Better Off Than Our Neighbors To The North. I Came Here Because Of The Low Taxes, The Affordability And That. I Would Like To See A Community That Sustains Itself, And I Hope Any Decision You Make Today Puts That In Very Careful Perspective And You Weigh Those Things. I Want To Concern Myself With The People Who Already Live Here Today And The People Who Would Come. I Want To Make Sure That The Future Impact On Them Are Not What Could Be, What I've Left. I Appreciate The Depth You're Giving In It. I'm Very Sensitive To The Building Industry And The Workers That Are There. I Think That We Should Do Something For Them. I Don't Know If This Is The Right Decision, But I'm Going To Sit Back And Watch The Debate And Hope That The Decision You Make Is In My Best Interest And Lee County. Thank You Very Much.

Chairman Pendergrass: Thank You. Jim.

Chairman Pendergrass: Next Is Larry Nesbitt.

Chairman Pendergrass: After Larry Will Be Paul Merino.

Good Morning, Commissioners, Larry Nesbitt, Fire Chief And President Of Lee County Fire Chiefs Association. We're Asking You Not To Impact Fees Especially In The Area Of Fire And E.M.S. Services. Lee County Fire Districts Throughout The Last Several Years Have Seen Their Budgets Reduced Between 10% And 49%. That's Real Dollar Loss Which Has Caused Us To Reduce Services As Much As We Felt Comfortable And Still To Provide A Level Of Service To The Community Which The Community Deserves. Impact Fees Allow Us To Maintain A Modernization Fire Fighting Fleet And To Provide For Those Infrastructure Areas Of New Growth And New Construction Which Then In Turn The Taxpayers Will Benefit From By Reduced I.S.O. Ratings And Reduced Homeowner Premiums And Higher Levels Of Service In The Area. Currently, Capital Improvement Projects And Future Planned Expenditures Equate To \$13,571,000 Including The Fire Stations That Have Been Built And Apparatus

That Is Needed To Meet National And State Standards For Levels Of Protection.We're Asking You To Not Suspend Fire And E.M.S. Fees And The Comment Was Made That This Will Open Up Lee County For Business.Unfortunately In The Fire And E.M.S. Sides, We Never Closed For Business. Our Call Volumes Still Have Continued To Go Up.Thank You.

Chairman Pendergrass: Thank You.Next Is Paul Marino. After That, Scott.If Anybody Wishes To Speak Who Has Not Filled Out A Blue Card, Please Get One Outside The Back Door Or The Front By The County Manager.

Good Morning, Commissioners. My Name Is Paul Marino. I'm A Resident Of East Ft. Myers And Part Of The Association North Shores Civic Association And A Couple Others.Everyone In Lee County Must Contribute To The Development And To The Maintenance Of The County.Getting Rid Of The Impact Fees Is Not Going To Do That.You're Going To Bring More People In.But We Still Have To Pay For The Roads That Are Here.Who Is Going To Pocket The Impact Fees?The Construction Industry, The Person That's Building The Home, The Price Of The House Is Not Going To Drop \$13,000, Because That Impact Fee's Not There.The House Is Still Going To Be \$125,000. But The Roads In My Community Still Need To Be Maintained And Taken Care Of.That's What Those Fees Go Towards.So Getting Rid Of The Impact Fees Is Going To Impact Me.I Don't Want More Taxes Coming Out Of My Pocket Just To Get These People To Move Down Here.We're Slowly Making Our Way Out Of The Hole, Moving Forward.This Is Going To Incentivize New Developments, New Subdivisions, All This New Stuff, But After That Two Years, Then We Go Back To Where We Were Before, And We Come To Another Physical Cliff, Because These People Say Oh, The Impact Fees Are Back.We Don't Want To Build Here.Slow And Steady Wins The Race. Thank You.

Chairman Pendergrass: Thank You.Scott.

Chairman Pendergrass: After Scott, Larry Murphy.

Scott Vanderberg Fire Chief For Estero Fire Chief.I'm Going To Be Brief.Everybody Has Spoken On My Issue And Growth In Estero.I Ask That You Look At It Very Closely. A Lot Of The Development Is Off The Corkscrew Road Corder And It's Starting To Get Outside The 5-Mile Boundaries For A Fire Station According To An I.S.O. And We'll Have To Look At The Possibility Of Another Fire Station Out East To Protect Those Developments Out There And The Impact Fees Will Be Very Important To Us.Thank You, Thank You.Larry Murphy.

Good Morning.Commissioners, Staff, My Name Is Larry Murphy.I Feel A Bit Like Abraham Lincoln Without A Beard.I'll Strive To Have The Shortest Speech.There Are People Coming Before And After Me.You Probably Between The Staff And Yourself Have Spent Hundreds Of Hours In This Subject And It's Very Touchy And Will Take A Lot Of Courage On Your Part To Make The Decision, Which I Hope Is In The Affirmative For The Passing The Waiver For The Impact Fees For The Next Several Years.I Understand And I Talked To The Commissioners Before You About Some Of The Counties Several Years Ago Waiving The Impact Fees, And Of Course That's Why You're Here.I Would Like Ton That Our County Or Lee County Of 67 Counties Goes Along With The Other 21 Counties Currently Participating Some Sort Of Fee Waiver Consideration Moratorium.That Being The Case, Again It's Going To Take A Lot Of Moral Courage To Dot Right Thing.We're Looking For Business Friendly And 67 Counties, I Was Flipping Channels On The Road Yesterday And Heard Somebody From Sarasota County Say Quote/Unquote, Sarasota County Is Trying And Striving To Have The Goal Of Being The

Most Business Friendly County Of The 67 Counties In Florida.I've Been A Lee County Citizen Since 1994, A Licensed Real Estate Agent Since 1995.I'm Writing A Transaction Today.I Don't Know Which Way It's Going To Go.Chances Are The Sellers Will Add In This Impact Fee To Some Degree. I Think It's Going To Be A Wonderful Thing For The County If They've Got The Courage To Do So.As Far As The Money Lost On The Impact Fees And All The Different Entities That Need The Cash, Including The Mayor Of My Favorite City Back Here, Cape Coral That Will Probably Speak Against It, I Just Say That 100% Of Nothing Is Nothing.So If We Have All This Idle Property Sitting Throughout The Property And We Get The Taxes That Are Properly Appraised And Assessed By Ken Walker Center, Wonderful Tax Assessor That Will Get The Proper Amount Of Taxes For The County Will Stand To Take A Great Achievement And We'll Look Forward To This Day The Day After Martin Luther King's Day, January 22, 2013, This Will Be A Historic Day In The County Of Lee, Again I Hope It's In The Affirmative.God Bless And You I Hope Guon The Affirmative.

Chairman Pendergrass: Thank You.Next Speaker Will Be Dave Chang.

Morning, Mr. Chairman.I'm Dave Jay From Bonita Springs.I'm Urge Youing To Have A 2-Year Moratorium On Impact Fees, And The Justification Is That Any Taxation Is Legalized Theft.If You Take A Look At What The Impact Fee Reserves Are, They're Significant, Particularly For The Fire Department And The Schools.Out Of A Revenue Collective Of \$107 Million, Total Reserves For The Fire Department Are \$60 Million And Reserves An Additional \$5.4 Million.Bonita Springs, \$365,000 Impact Reserves.Estero, \$3.1 Million In Impact Fee Reserves.Ft. Myers Shores, \$204,000.North Ft. Myers, \$631,000, San Carlos Park, \$936,000. If You Look At The Schools, Out Of Their Operating Revenue Of \$1.3 Million, They Have A Capital Budget Of \$260 Million, Capital Reserve Of 170.And They're Over Capacity.They Have A Total Number Of Seats, The Number Of School Seats Of 85,000, The Number Of Students Is 72,146.Where Are We Going To Find The Money?I Would Respectfully Suggest That Public Employees Start Paying A Larger Share Of Their Health Care Costs.Right Now As I Understand It, County Employees Only Pay \$180 A Year To The Health Care Cost.Public Employees In Florida Paid Nothing Into Their Retirement Before July 1 Of 2011.And The Florida Supreme Court Finally Said That 3% Is Allowable You Should The Legislature.Having Public Employees Paying More Towards Their Retirement, Paying More Towards Their Health Care, And Spending Down These Reserves Would Be A Source For Funding Of The Programs. Thank You For Your Consideration.

Chairman Pendergrass: Thank You.Next Speaker Is Carl.After Carl Is Ron Peer.

Good Morning, Mr. Chairman, Commissioners. My Name Is Carl Swing.I'm Here With The Direction Of The Mayor And The Council And Rise In Opposition To Proposal.First We All Agree That It Is Good For Lee County That We Have More Private Investment And Jobs.So We Understand Why The Commission Would Be Considering This Proposal.However, We Question Whether Or Not Such An Action Would Actually Achieve The Goal. In Bonita Springs, We Enacted A Complete Exemption Two Years Ago In Our Downtown Area. We Were Very Geographically Specific.Unfortunately, That Has Not Spurred Development That We Had Hoped.Alternately, Collier County Has Significantly Higher Impact Fees Than Lee County, But Has Still Enjoyed Higher Building Activity.This Might Lead One To Building That People Will Build, Operate In And Pay For Areas That Are Conducive To Development Providing A High Quality Of Life And Sound Infrastructure.In Fact, A Few Weeks Ago A Professor Spoke At The Real Estate Investment Society.One Of His Findings Was That Over

Time, Increased Investments In Capital Projects, Infrastructure, Result In Faster Economic Development. Whether It Be In The Unincorporated Areas Or The Municipalities, The County Has Opportunities To Enhance Infrastructure On Their Roads, Sidewalks, Bikeways And Parks Just To Name A Few. In The Municipalities, The County Either Has The Full Responsibility Or Acts In Partnerships With The Municipalities On These Projects. We Need To Insure That We Have The Funds To Complete These Projects. To Improve That Quality Of Life And To Preserve And Increase The Number Of Jobs Of Those Who Do This Type Of Work. So If There Are Revenue Shortfalls As A Result Of This Action, How Is The Revenue To Be Replaced? Should The Commission Decide To Approve This Proposal, We Ask Assurances That Any Revenue Shortfalls Will Not Adversely Impact Municipalities. In 2011, The Gas Tax In A Local Agreement Stipulated That In The County Cannot Meet Its Debt Service Obligation, It Has A Right To Withhold Gas Tax Distributions From The Cities And Redirect That Funding To Pay For Its Own Debt Service Needs. In The Case Of Bonita Springs, Gas Taxes Account For \$1.3 Million A Year. \$650,000 Of Which Is Dedicated To Our Own Debt Service Needs. In The End, The Commission Needs To Be Confident That The Benefit Projection Was This Course Of Action, Given What We Know To Date, The Data, Experience, And Knowledge To Gain That Confidence Does Not Exist. For All These Reasons, We Would Ask The Commission Not To Approve This Proposal Or At Least Delay Action Until The Needed Homework Is Complete. As Always, The City Of Bonita Springs Values The Opportunity To Provide Input, And Whether We Agree Or Not On Issues, We Still Very Much Appreciate The Hard Work That All Of You Do On Behalf Of Lee County And Its Residents. Thank You.

Thank You.

Chairman Pendergrass: One Peer Followed By Joe Beck.

Morning, Ron Pure Am I Represent The Taxpayer Action Group And While It's In My Mind Because Of The Inauguration Yesterday, We Are At The Taxpayer Action Group Sworn To Serve What Is It, Serve, Protect, And Defend The Taxpayers In Lee County. What I'd Like To Mention Here Are A Few Things That I Picked Up On During The Previous Speakers. But I'd First Like To Say That Lee County, Unfortunately, Has Appeared To Our Little Group In Bonita Springs, Though We Are A Political Action Committee, In Lee County, That The County Has Missed The Curve On Two Very Very Big Occasions With Respect To Impact Fees. And By Our Estimates, The County Missed Out On Collecting \$100 Million Or So Plus -- That's Dollars, Because The County Was Lagging Behind Increasing The Impact Fees During The Boom Cycle In The County. The Year Perhaps '98 To 2005 Or '06. Then What Happened, Weirdly Is That The County Decided To Increase Impact Fees In I Believe '07 On The Cusp Of The Bust In The County And The Nation. Then You Have Subsequently In Some Cases Although I'm Not Familiar With All Of Them, Reduce Someday Of Those Impact Fees That You Raised Or Increased In '07. Now Our Take Is Real Simple. If You Guys Believe That What We Have Here In Lee County Is Indeed Paradise, Although It Has Been Tainted To Some Degree Over The Recent Years With A Lot Of Mall And Sprawl, You Guys Should Increase The Impact Fees, Not Go For A Moratorium. If We Are The Place You Believe We Are, I Think People Will Pay To Play And To Build Within Our County. I've Got A Lot More To Say As Usual, But Not Enough Time To Do It. I Appreciate Your Time And Your Efforts And I Appreciate What You Said At The Priefs Meeting Commissioner Mann And Tammy. I Hope That You Win The Show. Thank You.

Thank You.Joe Beck.

I Reside At 2531 Second Street Here In Ft. Myers Florida.I'm The Vice Chairman Of The B.P. Impact Committee For Lee County.I'm Opposed To This, Because As A Member Of The Board, We Sit And Look At How We Spend Money To Improve Roads, For Repaving Projects, To Implement Complete Streets.As A Board Of County Commissioners Thought The Safety Of Our Citizens On Bicycles And Pedestrians And Mass Transit Was Important And Yet You Pass A Complete Street Resolution.And Impact Fees Is How We Actually Pay For Completing The Streets, Which You Thought Was So Important About A Year Or Two Ago.So We Would Request That You -- We Oppose This Motion Because The Impact Fees Pay For The Improvements For Complete Streets And For The Protecting The Public's Health, Safety, And Welfare For Pedestrians And Cyclists And Walkers. Thank You Very Much.

Chairman Pendergrass: Thank You Very Much.Darla Followed By Ann Pierce.

Darla Latourneau.As You Know We Do Not Support The Suspension As We Have Stated In The Previous Years.I Want To Focus On The Major Concern Which Is The Loss Of Revenue And The Ability To Implement Complete Streets And Many Important Roadway Improvements Such As The Estero Boulevard Improvement Projects. I Want To Focus On What I Think Is The Immediate Impact For This Board That You Need To Address, Which Is The Loss Of The \$4.4 Million Needed To Repay Internal Loans This Year And Next.Lee County Borrowed \$52 Million Against Future Anticipated Impact Fees In Order To Speed Up Infrastructure Projects During The Boom So You Borrowed \$4.4 Million -- Or You Have To Repay \$4.4 Million To The General Fund This Year, And That's Mostly Transportation And A Little Bit Was Impact Fees For Parks.So You Have Two Choices.You Either Increase Spending By Dipping In To The Reserve Fund, Which Commissioner Mann Said Would Be A Giant Leap In The Wrong Direction This Morning, Or You Have To Make Cuts In County Programs And Operating Costs To Cover That Shortfall.This Isn't A Future Decision.This Is A Decision You Have To Make Now.Actually 1.3 Of That Is Due This Year.Here's Your Menu Of Choices.Projects In The Transportation C.I.P. That Were Funded With Gas Tax Ad Valorem Taxes Are Cannedalates The Daniels Resurfacing Project, The Fuddle Sticks And Roadway Landscaping To Finish Off Major Road Jobs Such As The Bonita Beach Road.That Totals \$14.7 Million. You Would Have To Cut Them Bia Third.Or You Could Cut The Operating Budget For Lee County In Road Maintenance, Bridge Maintenance.You Could Cut Parks In Terms Of Closing Pools, Cutting Hours, Personnel.This Is Not Free Decision.You Owe It To The Taxpayers To Tell Us If You Make This Decision Where The Money Is Going To Come From, Right Now And The \$4.4 Million Loan You That Owe.Thank You.

Chairman Pendergrass: Thank You.Ann Is Next Followed By Jeremy France.

Hello My Name Is Ann Pierce.Thanks For The Opportunity To Speak Today.I'm Not Going To Talk Directly To This Decision.I'd Like To Address An Issue That I Think Is Part Or Actually Larger Than That.Rather Than Locking Ourselves Into The Limited Choice Of An Impact Fee Moratorium Or Not, I Believe That We Should Instead Be Discussing The Full Range Of The Best Option For Lee County, Particularly One Component Of The Overall Transportation And Planning Universe, And That Is The Tiered Or Zoned Mobility Plan And Fee Structure That Emanates From A County Wide Mobility Plan.County Commissioners Have Expressed Goals Of Curtailing Sprawl And Promoting In-Fill And Redevelopment For

The Ecmom Uk Revitalization Of Declining Or Stagnating Areas As Well As A Complete Streets Policy Of Safe And Accessible Multimodal Transportation Choices Where Appropriate. These Same Goals Have Been Repeatedly Echoed Through The Citizens -- From The Citizens Of Lee County Through The E.A.R. And Members Of The Sustainability Committee And L.T.A. Road Impact Fees As They're Currently Structures With Their Inherent Inflexibility Will Not Help Us To Achieve These Goals. A Well Balanced And Implemented Mobility Fee System Does Offer Us For The First Time An Effective Tool To Integrate And Achieve Land Use Transportation, And Economic Goals. In Both The November And December Reviews, The Latest Draft Of The Transportation Element, Members Of The L.P.A. Stated A Desire To Move Away From An Increasingly Outdated Road Impact Fee System, But We Suggested A Transition To The Larger Purview Of A Mobility Plan That Supports A Zoned Fee Structure, A Structure That Reflects The Desired Both Patterns And Transportation Needs Within Designated Districts. The Mobility Fee System Is Not The Total Answer To Transportation Funding Or Growth Issues, But Is A Component Of The Larger Changing National And State Transportation Picture. But More Importantly, It Is Perhaps One Of The First Tools That We Really Have To Incentivize The Goals Of The Comp Plan And It's A Uniquely Beneficial Tool For Local Governments. We Can Develop A Well-Designed Mobility Plan That Uniquely Reflects The Characteristic Of Lee County To Achieve The Goals Expressed Within The Comprehensive Plan And From This Board. This Is A Tool That Spans Sectors Uniting Land Use, Economic Development And Transportation Planning, Funding, And Infrastructure Development In A Manner That Has Not Been Possible On A County Wide Basis Prior To This. I'm Going To Stop Now. You've Got The Rest Of My Paper.

Chairman Pendergrass: Next Is Jeremy. And Then John Wayne.

Is Jeremy Here? Okay. John? John Wayne?

Chairman Pendergrass: Rick From Lehigh. I'm Sorry Are You John? Okay. Come On Up. I Didn't Know You Were Here.

A Little Bit Shorter.

Thank You For Acknowledging. Most People Don't Even Realize. Thank You. My Name Is John Wayne, I'm The Interim Chief For The Lehigh Fire Department. We're Not In Support Of The 2-Year Moratorium On Impact Fees For Several Reasons. Obviously The Number One Reason Is For Public Safety. I Don't Need To Explain To Anybody On This Board That Lehigh Acres Was Ground Zero For The Economic Downturn Not Only In Lee County But In The Nation. I Believe We Were Arm Wrestling With Las Vegas For The Number One Spot In The County. We're In The Same Spot That The County Is As Far As Impact Fee Funds. With This Rapid Growth We Experienced We Had To Construct Two Stations, Equip Those And Provide Personnel To Keep Up With The Rapid Growth In Lehigh. We Also Anticipated Impact Fee Revenue To Offset Those Costs. However, As We All Know, The Bubble Burst, And Again What's Happened Has Happened. Those Impact Fees Did Not Come In, And We Had To Pay Out Of Our General Fund Or Ad Valorem Taxes An Outstanding Balance Two Of \$.5 Million In Anticipation To Help Us With Our Budget Going Out Forward To Get Rid Of The High Interest Rates We're Paying On Those Construction Loans Inform Actuality Right Now, We're In The Hole For \$2.5 Million In Impact Fees That We Could Have Used To Build Those Stations. Every Penny Of Impact Fee Monthy Comes In From Now To The Future Will Go To Pay Those Loans Off. As A Result Of This Economic Downtournament, Our Budget Went

\$2.4 Million To Roughly \$7 Million. That Equates To 55% Decrease In Our Income. However, During That Same Time Positive, Our Calls Have Increased By 31%. People Are Still Coming To Lehigh. We're The Biggest Fire District In Lee County And One Of The Busiest At 9,600 Calls A Year. As A Result Of The Downturn, We Shut Down A Station And Took Two Ambulances Off The Road And Laid Off 34 Firefighters And Seven Support Staff Because Of Two Grants From The Government, We Have Been Able To Put Those People Back To Work. We Currently Have A Grant Coming Through Now, \$6.7 Million For The Next Two Years. After That Expires, 44% Of Our Staff Could Be Laid Off Again. Again, We Need Every Bit Of Impact Fee Money That Will Come In. We Hope The Growth Will Come To Lehigh. That Money Gives Us An Ability To Sustain An Adequate Amount Of Service To Lehigh Acres And Visitors. On Behalf Of Lehigh Acres Fire Department, We Ask You Not To Support A Moratorium For Two Years.

Chairman Pendergrass: Rick From Lehigh. Good To See You. The Next Speaker Will Be Kitty Green.

I Drove By The Darth Vader Building. I Want You To Know I Don't Care What You Change It To, Some Things Never Change. For The Record, I'm Wearing Two Hats Today, Chairman Of Your Citizen Advisory Committee To The Metropolitan Planning Commission And A 45-Year Developer And Builder In Lee County. Your Decision Regarding The Temporary Suspension Of Impact Fees Is Probably More Damaging Than They Meet The Surface. You Seem To Be Concerned About Reviving The Construction Industry And That Impact Fee Are The Reason This Industry Is Slow. Well, The Truth Is That Perhaps We've All Forgotten That During The Boom, We Sold More Houses, Built More Commercial Properties, We Had More Impact Fee Dollars Coming In Than Ever Before. It Did Not Slow Down The Construction Of Houses Or Construction Of Commercial Buildings. Over The Years, My Company Has Built Over 2,500 Rooftops In This Community. 2,500 Homes, Condominiums And Churches. Every Time This County Raised Impact Fee, I Said If You Raised An Impact Fee, It Was Going To Shut Me Down And I Was Going To Be Out Of Business And No One Was Ever Going To Go With Any Houses In Lehigh Acres. Guess What? It Didn't Work. First Impact Fee Were Zero. The Last House They Built, The Impact Fees Were Higher Than The Cost Of Construction In The Very First Home I Built. Did It Stop Selling Houses? No. I Kicked, I Holler, I Screamed T Doesn't Work. I'm Hearing My Friends In The Construction Industry Doing The Same. More Importantly, The Reduction Of Road Impact Fees Would Have A Huge Impact On Our Community. The 2013 Or The 2013-14 Road Impact Fees Are Being Used To Acquire The Right Of Way For Homestead Road. '14-'15-'16 Accident They're Use For The Actual Widening Of Homestead Road. You All Know That Homestead Road Is The Vital Link Going Through Our Community That Provides The Only Large Land Blocks That Exist In That Hundred Square Mile Area. That's Where Our Economic Development And Our Future Housing -- That's Where Our Development Is Going To Take Place. Without Those Impact Fees, There Won't Be Any Development. There Won't Be Any Work. There Won't Be Any Taxes That You'll Benefit From Those Enhancements. And The Same Holds True In Every Area Of The County. As Chairman Of The C.A.C., I Can Assure You --

Chairman Pendergrass: I Think Your Time Is Up, Sir.

Okay.

Chairman Pendergrass: Thank You. Next Speaker Kitty Green And After That, Kate Goodam.

Good Morning, Commissioners. My Name Is Kitty Green. I'd Like To Address You From Two Different Perspectives Today. First As An Immediate Past Chair Of The Horizon Council And Then As C.E.O. Of Habitat For Humanity. In Both Cases, However, My Request Is The Same, And That Is To Enact The Proposed 2-Year Moratorium On Impact Fees. The Information That Sue Just Handed Out To You Is Background Information From The Horizon Council. So Let Me First Speak With My Horizon Council Hat On. As You Know The Horizon Council's Purpose Is To Serve As An Advisory Body To The Lee County Board Of County Commission. On Issues Regarding The Business Climate In Lee County And On Increasing The Number Of Quality Jobs In Our Area. The Horizon Council Has Historically Supported Efforts To Reduce And/Or Suspend Impact Fees. Last Week, Horizon Council Met And The Executive Committee Met And Discussed The Current Proposal To Suspend All Impact Fees For A 2-Year Period. The Executive Committee Acknowledged The Positive Impact It Would Have On The Business And Development Industry And Recommends The Commission Enact The 2-Year Moratorium. Further, The Executive Committee Recommends That If The Suspension Is Approved, Existing Impact Fee Credits Should Be For The Length Of The Suspension Period. With Your Indulgence, I'd Like To Switch Hats Over To Habitat For Humanity. Since The Market Downturn, It's Been More Cost-Effective To Acquire And Rehabilitate Existing Homes Than To Build New. While That's Helped To Improve Neglected Neighborhoods It Means That We Purchase Less Construction Materials And Hire Fewer Subcontractors And Require Fewer Employees. Supply Of Homes On The Market Has Now Decreased And Prices At The Low End Are Increasing, And Consequently, We Now Regularly Look At Every Submarket That We Work In To Determine Whether We Should Be Building New Or We Should Be Buying Existing Homes. As A Result Of That Analysis, In Certain Markets, It Is Now Again Cost-Effective To Build From The Ground Up. For This Fiscal Year Accident We've Pulled 15 Buildings Permits To Date. Even Though Habitat Is A Nonprofit Organization Accident We're Required To Pay Impact Fees Like Every Other Organization And Those Fees Make Up The Large Effort Cost Item We Have, Raging From 12% To 16% Of Our Total Costs. If You Suspend Impact Fees, That Will Tip The Balance For Us And Make New Construction The Most Affordable Option In Almost Every Area Of Lee County That Would As Much As Triple Our New Home Construction. That Would Mean More Construction Material Acquired From Local Businesses, More Subcontractors Hired And Additional Supervisors Hired All Of Which Is Good For Jobs And Our Economy. One Final Note -- I Guess I Won't Give You A Final Note.

Chairman Pendergrass: Thank You.

Thank You For Your Consideration.

Chairman Pendergrass: Thank You. Okay.

Good Morning, Commissioners. My Name Is Kate Gooderham. I've Known Many Of You For More Years Than We Want To Count. Autogood To See And Congratulations To The New Commissioners Who I've Known For A Shorter Period Of Time. You Have A Difficult Job Ahead Of You, And I Am Not At All Jealous About The Decision You Have To Make, And I'm Hoping My Remarks Today May Be Of Some Benefit To You In That Process. I Am Opposed To 2-Year Moratorium. This Is The Logic Behind How I'm Thinking And I Hope You Can Utilize It To Your Benefit. First Of All, I'd Like To Follow I Had Pock Rit -- Hypocrite. And The First Thing Is To Do No Harm. The Second Thing You Need To Think About Is Doing Good. I

Think That's In Your Hearts What You Want To Do.You Want To Help People Who Are Having Problems Who Are In Need.Certainly Our Community Has A Large Number Of Them.However, The Studies That Have Been Done, Particularly Recently Have Shown That Suspending -- Having A Moratorium On Impact Fees Does Not Do The Good You Want It To Do.So You're Balancing The Harm That We Know It Will Cause Against The Good That Is Not Going To Happen.And It Really Makes The Harm The Winner, Which Is Very Unfortunate.And We Are On A Road To Recovery, And I Think We're All Acknowledging That.Last Year We Had A 10% Unemployment.Now We're Down To 8.We're Moving In The Right Direction. Another Two Points Next Year Would Be Very Goodment We're Starting To See Construction.We're Starting To See People Just The Things That You Notice Are Going On Around Here. Construction Is Doing Well Both In Lee And Collier County.So We Need To Work On Available Information Now To Deal With This Situation.The Afce Just Came Out Saying That Infrastructure Has An Impact On The Economy, Negatively Affecting Business Productivity And Employment And Personal Income And Entering Competitiveness.We Need To Protect Our Community, And We Need To Protect It By Maintaining The Impact Fees In Lee County.And Thank You For Your Attention Today.

Chairman Pendergrass: Thank You.Next Speaker Is Barbara Manslow Followed By Mary Fisher.

Welcome Home.

Good Morning, Commissioners.For The Record, Barbara Manso Addressing You For The First Time As A Private Citizen For The First Time In My 23 Years. I Was Hoping I Wouldn't Have To Stand At This Podium So Soon After My Retirement, Commissioners.You Leave Me No Choice. Once Again You're Here To Discuss The Issue Of A Moratorium On Impact Fees.And I Must Say Unfortunately, Commissioner Pendergrass Just Left. It Was His Comments In The News Press That Forced Me Out Of Retirement.We Didn't Elect Commissioner Pendergrass And The Others To Sit Here And Make Off The Cuff No-Brainer Decisions About Issues Such As Impact Fees.We've Elected You To Do Your Homework, And We Have Elected All Of You Commissioners To Do The Right Thing By All Of The People Of Lee County.You Remember Commissioners That Every Year The Same People Stand In Front Of You And Give You The Same Information About That Impact Fees Are The Evil That Has Caused The Economic Downfall Of The Lee County Housing Industry.Surely Commissioners You're Astute Enough To Know It Was Not Impact Fees But Greed That Set This Country And Our Country Into This Economic Downtown.Do You Hon Of They Believe That A Condo Selling For \$420,000 In 2007 Was Overpriced Because Of A \$12,000 Impact Fee Charge?That Same Condo Is Being Built And Sold Today For \$150,000 And They're All Gone.Everyone Is Touting The Increase In The Building Permits And Increase In Sales And Decrease In Foreclosures And Decrease In Inunemployment.800 New Homes, Units In Corkscrew Woods, 440 In Corkscrew Preserve.110 On Three Oaks Parkway. Commissioner Kiker, These Are All In Your District?Who Do You Expect To Pay For The Impact Of The Growth In This District?I Know You Don't Think Our Ad Valorem Taxes Should Be Increased But They.Commissioners, You've Heard It Before.We Want To Know That You Borrowed Money From Future Impact Fee Collections To Advance Projects Specifically Parks And Roads.I Understand That This Debt Is Somewhere Snt Neighborhood Of \$50 Million To \$60 Million.With The Current Rate Of Impact Collections Today, That Debt Will Not Be Paid For 10 Years.That Will Be 15 To 20 Years Before You Have Enough Money Collected To Even Start Thinking About Another Project.Commissioner Pendergrass And Kiker, You Other Than

Here Not Here To Add To That Vote. Once You Became Elected, You Became Responsible To Pay That Debt. Autonice That You're Considering Exempting The Fire Department.Since When Are Schools, Parks And Roads Not As Important As Fire Services?Commissioners, You're On A Slippery Slope Here. I Urge You To Think Twice Before You Move Forward.If What You Are Considering Is Not Illegal, At Least It Is Unconscionable.Thank You.

Chairman Pendergrass: Mary Fisher, Please.

Good Morning, Commissioners.

Chairman Pendergrass: Morning.

I'm Mary Fisher Chairman Of The Lee County School Board. I'm Here Representing The Board And The Superintendent Who Are Absent Because They're In Scheduled Meetings All Day Today.We Have Discussed Your Proposed 2-Year Moratorium On Impact Fees.When We Looked At The Impact That That Could Have On The School District, We Wish To Remind Thaw We Serve Nearly \$50,000 Students Here In Lee County.As You Know, Education Has Been Told To Us By The Business Community Is The Economic Driver Of The Community.When People Relocate, They Choose Counties That Have Good School Systems Like Ours.Historically, We Have Incurred Debt By Responding To Growth.And We Continue To Maintain Safe And Secure Learning Environments.Our Student Enrollment Continues To Increase.In Fact, Our Projection For The Next Two Years Is 1,700 To 2,000 Student Each Of Those Two Years.A Moratorium Would Have A Negative Effect On Our Ability To Maintain Buildings, Pay Down Debt, And Could Affect The Dunbar High School Expansion, Which Is Expected To Employ About 200 People.We Would Need To Replace The Lost Funding With Money Already Budgeted For Other Projects Since 2008, The District Has Spent Approximately \$470 Million On Construction Projects, With Local Contractors And Design Engineers.The District Has Contributed Significantly To The Economy.It's Common Knowledge That Everyone's Budget Is Stretched Thin.But Another \$6 Million In Deficit Would Certainly Put Us At Risk Of Diminished Services.We Would Ask That You Would Considering Exempting Schools From Any Proposed Moratorium.Our School Board Attorney Heather Wallace Is Available Torrespond To Any Questions You May Have.I Want To Thank You For Allowing Me To Appear Before You With This Request And Appreciate Your Consideration.

Chairman Pendergrass: Thank You, Mary.Next Speak Cere Bob Moore.After That Is Joe Beck.

Chairman Pendergrass: My Name Is Bob Moore. I'm A Life-Long Resident Of Lee County And A General Contractor.I Have Short Comments. I'm In Support Of The Moratorium.Seems To Me That Since We Have A Largely Service-Based Economy, Very Little Manufacturing Or Industry, And What Joe Said Earlier Today, If We Can Put Our Population Back To Work, We Can Increase The -- You Increase So Many Other Aspects Of The Tax Base For The County.Getting Your Citizenry Back To Work, And That Is A Huge Portion Of Our Economy.I Keep Hearing People Say That If We Lower Impact Fees, Remove Impact Fees That Prices Won't Go Down.As Someone Who Meets Face-To-Face With People That Want To Build A New Home, It Is A Huge Portion Of What People Talk About.It's In Every Discussion.It's There. When I Tell Someone That The Cost Of Their Home Is Higher By \$15,000, \$17,000 Because Of Impact Fees, That Definitely Has An Impact On Building A

New House Versus Buying An Existing Home.And The Properties That We're Building Without An Impact Fee Create Taxes Not This Year But Every Year There On The Tax Roll. You Raise The Property Value, The Ad Valorem From The Value Of A Vacant Lot To An Improved Property.When You Can Spur That Economy And Add That To Your Tax Base, You Get That Revenue Year After Year.The Impact Fee Is A One-Time Thing.

Chairman Pendergrass: Thank You, Sir.Next Speaker Is Pat.Cabello.I Believe.Thank You.

Chairman Pendergrass: After That, Randy Chris Is The Next Speaker.

Thank You.My Name Is Pat Canello.We Had A Project Put On Hold Back About 12, 18 Months Ago, Basically The Impact Fees Were Almost Half A Million Dollars On That Project. I Got A Call On Friday, Very Excited From Our Engineers Saying That The Possibility That We May Have A Moratorium On Those.If That Was Enacted, We Would Be Building A New Family Fun Center.We Met With The Counts And I Will We Met With The Planners. Everyone Feels It's A Positive Same.Dave And Buster's Lucky Strike Type Of Environment In Between The Ballpark And The University.I Encourage To You Pass This.Thank You.

Chairman Pendergrass: Next Is Randy Chris Followed By Iva.

Good Morning.Randy Chris.Appreciate You Having This Hearing.I'm A Commercial Real Estate Broker, 35 Years In This Business.I've Developed And I've Been Here In Lee County A Little Over 10 Years Now, And I Come From An Environment For 25 Of My Professional Years Where There Were No Impact Fees, And Where We Had A Beautiful County That Grew Much Faster Than This County, And If You Go There Now, The Roads Are Fine.The Parks Are Nice.Everything's Good.There Are Other Ways To Fund Cities And Counties Than Impact Fees.You Hold The Business Community Host Ablg -- Hostage Said.We're Not Just Competing Here In Lee County.We're Competing Regionally. We Have To Give The People A Reason Why They Come Here.There Is Nothing Fair -- You Want To Talk About Equity. There's Nothing Fair About Impact Fees.Why Do The Landowners Have To Bear All The Costs Of Everything Pretty Much In The County?They Talk About A House That Was No Impact Fees, The Fella That's Built 2,500 Homes.Well, People Are Still Living In That House That Paid No Impact Fees, And Then There's People Who Mr. Mizekcowicz Said It Was \$13,000 A House. I Saw That The Average House Price In Lee County Is Something Like \$176,000 Now.Now You're Talking About 8%, 9% Of The Cost Of That House Is Impact Fees.Plus It's Just -- It Really Is -- I Heard Comments From The Opposition Saying Well, The Developers Are Going To Pocket It.That's Not True.The Developers Are Going To Pass It Down.The People Pay It Anyway.That's Just A Fact Of Life. There's Nothing Fair About Impact Fees And The Burden Of Taxation On The Landowners.And That's What I Wanted To Tell You.

Chairman Pendergrass: Thank You.Next Speaker Is Iva Simora.

Chairman Pendergrass: Sandra Tibberdoe.Leonard Wood.

Chairman Pendergrass: Scotty Wood.

Good Morning, Commissioners. My Name Is Leonard Scotty Woodment I Live At Then Thousand Sapphire Shores Lane In Stereo. I Rise Today To Recommend That You Not Approve A Proposed Moratorium On Impact Fees To Developers. My Reason For Recommend Death Nile Are As Follows. One, It Violates The County's Long-Standing Policy Framework Of Shared Responsibility For Infrastructure Costs And Services. Developers Pay Impact Fees, Taxpayers Pay Property Taxes, Sales Taxes Are Paid By Residents And Visitors And Bed Taxes Are Paid By Visitors. Two It, It Shifts Costs From Developers Who Create The Costs And Will Benefit From The Services To The Existing Taxpayers Through Increased Property Taxes. New Developments Creates Both Immediate And Future Infrastructure And Service Costs For Governments. If A Desirable Quality Of Life Is To Be Maintained, These Costs Must Eventually Be Paid. Three, Given The County's Serious Budget Crisis And The Commissioners' Desire Not To Raise Property Tax, It Makes No Sense To Eliminate A Revenue Source That Is Helping To Cover The Real Costs Of Transportation, Infrastructure Demand Driven By New Development. The Alternate. The Alternative Is Declining Levels Of Service. It Creates Fairness And Legal Issues Between Those Who Recently Paid The Full Fee Amounts And Those Who Might Not Pay Any Fees. Five, There's Little Evidence To Suggest That Suspending Impact Fees Encourages New Development Activity. Home Building Has Picked Up Significantly In Lee And Collier County According To Data Released By The Naples Daily News On January 14. Lee County New Home Construction Permits Are Up 50% Compared To 2011 And 68% Since 2009. Meanwhile, Collier Realized More Than Twice The Number Of Single Family Permits Even With Fees At \$18,000 To \$21,000, Which Is A Full 30% To 40% Higher Than Those In Lee County. Currently A \$12,000 Plus Dollars. In Light Of These Reasons, The Increase In Building Permits And Most Of All, The Proposed Cost Transfer To Taxpayers, I Conclude That The Initiative To Wave Impact Fees Is A Bad Idea, And I Urge You To Vote To Deny The Proposed Waiver Of Impact Fees And I Thank You For Your Attention And Service To This Community. It Means A Lot.

Chairman Pendergrass: John. After That, Jack Meeker.

Hello. I'm John Zurlag, The Cape Coral Industry Manager Speaking As The City Manager Not On Behalf Of The Cape Coral City Council. They Advance Had A Chance To Examine This Issue. As The Manager Of Cape Coral, Our Salient Objective, Job Number One If You Will, Is To Twofold. One Is Long-Term Economic Sustainability For The Organization And The Community, And The Second Is To Create An Environment Of Investment For New And Existing Developments. To Achieve This, In Cape Coral, We First Have To Look At A Multiyear Revenue Projection For Our Revenue Streams To See If We Have Service Levels That Can Be Sustained, Enhanced Or Decreased Because Of A Declining Revenue Stream. I Think That If Lee County Were To Develop A Multiyear Revenue Model And Compare That Against Expenditures Over Three Years, You May Find Yourself Unsustainable Especially If You Use Fun Balance To Balance The Budgetest Year. Given, This I Recommend That Lee County First Look To Where You're Heading From A Financial Sustainability Perspective And Then Decide How To Handle Revenue Components Including Impact Fees. I'd Also Recommend That The County Develop A Stakeholders Group Made Up Of The Public And Private Sector To Take A Look At Impact Fees, Including The Ramifications Of Keeping Them The Same, Having A Moratorium, Or Suspending Them. Thank You.

Chairman Pendergrass: Thank You. Jack Meeker.

Thank You, Mr. Chairman, Commissioners.I'm Jack Meekers From Estero.I'm Still Paying Impact Fees.We Have A C.D.D. That Did A Lot Of The Development Passed That Off To Us Residents.I Probably Have Another 20 Years To Pay For Impact Fees.But Anyway, I Want To Congratulate Your Good Work In The Budget And In Managing The County's Finances These Past Few Years.I Know It Hasn't Been Easy.You Made A Lot Of Tough Decisions, And I Congratulate You.In The Past, There Was A Lot Of Development In Unincorporated Lee County With Insufficient Infrastructure.I Know The Community Next To Me, Bonita Springs Has Roads That Are Not Paved.They Allowed The Developer To Go In And Put Dirt Roads.Now Those Roads Are Going To Get Paved.But Who Is Going To Pay The Costs?It's Not Going To Be Just The Residents Am It's Going To Be The Rest Of The Community.And Probably Contributions From Lee County.So I Urge You Not To Make A Mistake And Grant This Moratorium.It Really Is Not Going To Be A Moratorium.Two Years From Now, Same Voices Will Be Here Claiming We Have To Cut The Impact Fees. We Can't Reinstate Them.The Same Way With The Federal Government Cut The Withholding Tax For Two Years.Now These People Are Getting A Pay Decrease.They're Seeing Their Take-Home Pay Go Down. We Can't Do This.The Roads Have To Be Built.The Schools Have To Be Built.We Need The Fire Service.Somebody's Got To Pay For It.If It's Not The Impact Fees, Who Is?Thank You.

Chairman Pendergrass: Thank You.Next Speaker Is John Sullivan.Next After That, Bud Dennis.

Morning.

I'm Up Here Now As The Mayor Of Cape Coral But As A Resident Of The City Of Cape Coral. I Have Some Questions I Think The Mayor Would Want Answers.Has There Been A Study As To How The Moratorium And Impact Fees Is Going To Affect The Municipalities In Lee County?I Don't Mean Speculation.I Mean A Real Study.How The Moratorium Will Affect The Job Market?How Much Is Each Job Going To Cost And How Long Will The Job Last?That's It For Me. Thank You Very Much.I'll Be Interested To Hear The Answers To Those Questions.

Chairman Pendergrass: Bud Dennis.After That I Have Some Cards.

You Had Some You Didn't Call That I Think Weren't There, But Are Here Now.

I'm Bud Dennis. I'm Representing Myself.I've Been A Lee County Taxpayer Since 1979. Currently, My Wife And Myself Live With My Daughter In North Ft. Myers.We're Going To Either Buy A Home, Existing Home Or Build, And If You Get Rid Of The Impact Fees It Would Be A Lot More Attractive To Us To Build A Home.I'll Continue To Pay My Taxes.Thank You.

Chairman Pendergrass: Thank You.Steve Hardstell.

Good Morning, Commissioner.I'm Steve Hartsel.I'm Speaking In Favor Of The Suspension Of Impact Fees.There Are Many Other Communities In Florida That Are Competing For The Same Business That Are Trying To Make A Determination As To Whether They're Going To Come Here Or Come Elsewhere.And Don't Have Impact Fees.And We're Naive If We Believe When They Look At The Cost Of Doing Business Here Compared To The Cost Of Doing Business In A Place That Suspended Impact Fees That Won't Have An Impact On Their

Decision.I Believe That It Will.I Believe That By Suspending Impact Fees, You Allow Yourself, This Community, To Be More Competitive With People Who Are Making Decisions That Are Going To Have Frankly An Effect On The Economy Well Into The Future.The Other Point I Want To Make And I Think It's Already Been Made, And That's That Impact Fees Five Years Ago May Have Represented A Small Percentage Of The Costs Of A Home, These Days, Those Same Impact Fees Represent A Very Large Percentage, And That Does Have A Significant Impact Or Significant Adverse Effect On The Ability To Build Those Homes.I Urge To You Suspend Those Impact Fee For A Period Of Time.Thank You Very Much.

Chairman Pendergrass: Thank You.I Have A Few More Cards.

Chairman Pendergrass: Judy.Please Come Forward.

Mr. Chairman, Members Of The Council, Good Morning.Sorry My Card Must Have Gotten Lost Because I Submitted One.Thank You For The Community Including The Municipalities To Speak This Morning. I'm Judy Zamara.I'm The City Manager Of Sanibel And Here To Represent Our City Council And Mayor Who Unfortunately Is Out Of Town On Business Today.-- Out Of State Or He Would Definitely Be Here.I Would Like To Say What You've Heard From Some Of The Other Municipalities.At This Point, We Think It's Premature To Make A Decision If This Is Good Or Bad Until We See The Analysis And Have An Opportunity To Make The Analysis Of The Impact On Capital Projects And Debt For The Municipalities And The Cities.We Would Ask That You Develop A Schedule That Would Provide The Municipalities An Opportunity To Do That So When You Make Your Decision You Understand The Long-Term Impact.Nation To That, We Would Ask That Your Decision Include An Opportunity To Look At Existing Interlocals You Have With The Cities Regarding Both Impact Fees As Well As Gas Taxes So That You Understand The Potential Legal Ramifications Of Those Existing Documents Before You Make Any Decisions.Thank You Very Much.

Chairman Pendergrass: Thank You. My Last Card Before We Close To The Public Meeting.

Chairman Pendergrass: The Public Input Is Closed.We Move To Board Discussion And Direction To Staff.We'll Open It Up To The Board.Please Put Your Microphones On For Any Type Of Discussion.Commissioner Hall.

Comm. Hall: First Of All, Thank All Of You For Coming And Spending Your Morning With Us. We Appreciate Hearing Both Sides Of An Issue. I Think It Was Productive For Us To Hear.Many More E-Mails Have Come In From Folks Who Are Not Here, Both Sides Of The Issue.I Think The Biggest Concern I Have And I'm Going To State It Again Very Quickly Is If Not Impact Fees?What.I Appreciate The Incredible Commitment From The B.I.A. To Say They're Going To Endeavour To Find What That Alternative Is.But I Have Supported Lowering Impact Fees. I Think They Need To Be Reasonable. I Still Can't Say Suspend For Two Years When There's No Alternative, And There's Nothing Happening.I Think There's Been Some Great Comments.This Is An Issue That We've Been Trying And Grappling With And The Community Has Been Be Grappling With Since I've Been On This Commission For Eight Years.Until We Put It Down And Force The Issue, Nothing Happens.And We've Been Trying. I Personally Have Been Trying To Be Proactive.So You Know, Whatever The Decision Of The Board Is To Go Forward, I Hope Somewhere We Look At How Do We Deal With The Future Of Lee Count Sne We're Only 50% Built Out.What Does That Mean?And I Think We

Are Competitive. I Think We're An Extremely Competitive County. There's Lots Of Things To Do, Other Tools In The Tool Box Without Elimination. I'd Like For Us To Have That Dialogue Before We Run Down The Road Of Suspending Impact Fees, Whether It Be One Year, 2 Years, 5 Years, Who Knows?

Chairman Pendergrass: Any Other Discussion From The Board?

Mr. Chairman, Could I Ask Our Staff To Respond To My Question From When We Kicked This Off That Had To Do With Where's The Impact Going To Be? You Don't Just Do Away With A Revenue Source --

Chairman Pendergrass: Maybe You Can Touch On What Commissioner Hall Said What The County Has Done Over The Last 6 To 8 Years To Bring Business Back To The County Other Than The \$25 Million Impact That's Created Aljinol.

Pete Winton County Administration. Commissioners, A Couple Of Points We Can Address From Staff's Viewpoint Is Right Now, The Projections For The Road Impact Fees That You're Collecting And Also A Good Portion Of Your Community Park Impact Fees Are Going To Repay Loans Much It's Not Going To Increase Fund Balance Or Specific Projects In The Short Term. So One Question Is What Is The Funding Source For That? Again We Have Projected For The End Of This Fiscal Year, September 30, 2013, \$95 Million In Undesignated Reserves For The General Fund. And There's Also A Couple Other Funds. When We Talk About Reserves In The General Fund, There's A Couple Of Designations. One Is For \$1.5 Million For The Lee County Job Opportunity Program Which Is An Incentive Program And We Have \$6.7 Million Left In The First Program. So When You Talk About General Fund Reserves, It's A Combination Of Those, And That \$4 Million Can Be From Any One Of Those Or A Combination Thereof. As Far As Other Revenues, There Were Some Comments About What's Been Happening With Other Revenues Other Than Property Tax Revenues And Impact Fees. Our Sales Tax Revenues Have Increased Quite Nicely Over The Last Few Years, And I Think The Projections That You're Seeing From The State Are An Indication Of That, And Their Budget. Our Other Revenues, Communication Services Tax, Franchise Fees, Gas Tax, They Have Been Pretty Much Flat Which In This Economy Has Been Good, Because The Tax Base Is Not Then Going Down. We Saw An Increase In Gas Taxes From 2010 To 2011. It Kind Of Flattened Out Last Year Temperature Might Have Gone Up If There Hadn't Been A Spike In Gas Prices Last Year. I Don't Know If That Answers Some Of Your Questions.

Not Really.

Okay.

It's Not That Hard. We're Going To Give Up \$7 Million Or \$8 Million In The Next Two Years If We Suspend These Impact Fees. I'm Not Even Including The Fire Folks Out There. There Seems To Have Been Some Public Commitment Already From The Majority Here Who Is Pursuing This Suspension Of Fees To Let Them Out, But The Fire Impact Fees Is Barely 4% Of The Entire Total Of The Impact Fees That Are Collected. So Throw A Bone And It Gets Rid Of 17 Fire Districts Who Would Be Lobbying Against This Proposal, And You All Get Out For 4%. So It's An Easy Thing To Let You All Out. But Thank You For Coming Out And Pointing Out How Critical It Is, That 4%, If It's What You Use To Build Your Fire Stations, Whether

It's Important.I'm Looking At The 50% Close To Or Is It 30% On The Roads And Like 50% On Schools Or Vice Versa.The Overwhelming Percentage Of The Impact Fees Goes To Roads And It Goes To Schools.

That's Correct.

That's Essentially What We're Talking To.Some Of It Goes To The Parks Obviously.We Have Adopted A Budget Now, And We Also Have 3, 4, 5-Year Projects On A Lot Of Things That We Know Where The Revenues Are Coming From, And We've Got A Building Program In Roads, Schools Some Has A Building Program.I Want To Know Which Projects If We Don't Collect The Impact Fees Are Going To Be Affected.Or Is The Proposal -- Would Your Recommendation Be To Take It Right Out Of The General Revenue Reserves That We've Been Using To Balance Our Budget With Year After Year?So Are We -- You Can't Just Say We're Not Going To Use Revenue That Has Already Been Planned To Be Spent.And I Want To Know Where Those Expenditures Were And Where That Money Is Going To Come From That's No Longer There?

For Roads, The Next Two Years, The Collections You Have In Roads Are Going Automatic Entirely To And Dave Can Come Up Here And Help Me, To Repay The Internal Loans To The General Fund, About \$4 Million.So It's Not -- In The Short Term, It's Not A Question Of Impacting Projects At This Point.It's Impacting Your General Fund Reserves.

Chairman Pendergrass: Commissioner Mann, Let Me Respond To Something. You Said The School Board.

I'll Have Dave Add To That Also.

Chairman Pendergrass: On The School Board, What They've Submitted To The National Department Of Education, They Have \$170 Million In Capital Reserves From Impact Fees.Talking To Their Staff, That Gives Them Buildout For The Next 8 To 10 Years With The Projected Growth Of 3% In Schools. They Have Nothing On The Drawing Board For The Next Three Years For Schools. Currently They Have \$13,000 Vacant Seats With A 15.28% Reduction In Students At This Time.That Was Reported To The Department Of Education In December.Right Now They \$170 Million Total Reserve For Capital Improvement, Total Reserves, \$369 Million.And They Collect Five Share, 1.5 Million Reserves From Lee Count Net 2011.

But The Point I'm Still Trying To Make, Mr. Chairman Is If We Suspend The Impact Fees, The Money We Were Going To Lose Those Impact Fees For Was To Pay Back The General Revenue Reserves That We Borrowed \$50 Million From More Than A Decade Ago.So If We Don't Pay That Back, Then That's Exactly The Same Thing As Continuing To Rob Those General Fund Reserves That We Have All Been So Totally Against That We Were Going To Balance This Budget.Instead, We're Going Backwards Several Millions Of Dollars.And I Don't See -- It's Difficult To Understand How We Can Have It Both Ways.Either We're Going To Balance The Budget And Protect Those Reserves Or Eat Into Them More Than We Have In The Past.If There Are Projects Coming Out, Maybe Mr. Loveland Can Tell Us About That.

Good Afternoon, Commissioners. Dave Loveland Lee County D.O.T.Pete Already Highlighted The Biggest Problem From A Transportation Standpoint In Terms Of Repaying Debt. There's

A Couple Of Upcoming Project Phases That Mr. Angeliquus Represented For The Right Of Way Phases Temperature Won't Stop Us From Moving Forward With The Right Of Way Phase For Homestead Because We Were Looking To Borrow The Money For That Right Of Way Phase With The Payback To Come From Impact Fees.It May Have An Effect On The Future Homestead Construction Phase, Because That's A Bigger Number That We May Not Be Able To Do An Internal Loan For. All The Roads Right Now Are Internal.We're Putting Off Repayment To Ourselves Plus Interest.Homestead Might Be An External Loan For That Construction Phase Because It's A \$10 Million Loan.That's Going To Be A Question How Do You Borrow That?The Most Immediate Things Affected In First Couple Of Years Of The C.I.P. In Terms Of Actual Projects, We Had The Design Phase For Kismet For The First Couple Years That Is A Project Subject To Negotiations To Be A Jointly Funded Effort. We Had A Couple Of Bike Ped Projects Funded For The First Couple Of Years That Could Affected. Woo Set Aside 5% Of Our Road Impact Fees For Bike Ped Improvements. There's Sidewalks In The Villas That's Funded In The Next Couple Of Years. There's A Bike Lane Conversion Project On Three Oaks Parkway That's Funded In The First Couple Years That Could Be Affected.Beyond That, The Effect Then Carries Through The 5-Year C.I.P.In Terms Of Roads, The Moneys Collected Over Time And Spent Over That 5-Year Window. It Can Have Some Effect Down The Line As It Cascades Through The C.I.P. And Beyond The 5-Year Window.

Mr. Winton, Back To You And Then I'll Yield, Mr. Chairman.

Am I Stating This Improperly That The Absence Of The Impact Fees Will Have A Direct Impact On The General Fund Reserves?

Correct.Depending On What The Policy Of The Board Is, Though, It May Not Have A Direct Impact On Designated Reserves, Because As I Mentioned You Have Two Designations. I Don't Know If You Want To Look At Those.

We Can Play Games With Which Reserve Fund We're Stealing From.But Have To Steal It From One Or The Other.

That's Correct.

We're Not Putting In The Money We're Obligated To Pay. It's Not A Free Lunch.

That's Correct.

That's The Point I Would Like To Make.And You Cannot, As I've Said, Have It Both Ways.We're Both Going To Commit Ourselves To Protecting The Reserves That We've Used \$100 Million Of Late Or We're Not.

Thank You.

Chairman Pendergrass: I'd Like To Make A Comment As Far As The Reserves And We Do Not Increase Our Tax Base. We'll Continue Like The Board Before Me Continue To Pay Reserves To Balance The Budget.Correct?We'll Have To Pay Reserves This Year To Balance The Budget.Is That Correct?

That's Correct.

Unless We Increase The Ad Valorem Tax Long Term?

Hopefully This Year We Have An Increase In The Tax Base. Based On The Activity Last Year And The Value Of Homes, I Can't Imagine That A January 1, We Didn't Have An Increase In The Tax Base. Those Would Be Growth Revenues For The Board.

Commissioner Manning Was Trying To Get Smite Attention.-- On My Attention.

How Long Would It Take You And Appropriate Staff To Comup With Some Revenue Options That We Could Discuss At A Future Quick Date?

Very Quickly.

We Have Reserves In The Communications. That Is \$4.3 Million Per Year. What I've Heard Today Is Good For Making A Decision, But I Want To Clear Up Some Thoughts Here. And By The Way, Nassau County Is Developing A Mobility Fee Project As Well As Other Counties In The State Of Florida. So I'm Onboard With Taking Serious Looks At That Which Could Offset The Impact Of Impact Fees. One Member Of The Audience Indicated That He's Paying Impact Fees And I Know Jack Under A Chapter 190th District Called A Community Development District. That's Not Really The Case. They Pay Assessments Versus Impact Fees. They Don't Pay Impact Fees Over 20-Year Period Of Time. Somebody Said Permits Were Up 50% Year Over Year. Well, That's Great. In 2011, We Had 278 Home Building Permits In Lee County. Last Year We Had 556. You Do That In A Week, Rick. So You Know, Let's Get Something Serious Here. The Members Of This Board, Commissioner Mann, You May Remember This. Lee County At One Time Had 11 Community Development Districts. Any Of The Staff That Were Here, Mary, I Think You Remember, That We Had 11 C.R.A.S And Collapsed Those In Because Of A Lot Of Different Issues. We Have The Capability From A Chartered County And Constitutional Point Of View To Close The Gap In Revenues That Commissioner Mann Is Talking About. My Recommendation Is To Bring Back A 2-Year Moratorium On Impact Fees With A 1-Year Sunset Provision To Exempt Fire And E.M.S. Impact Fees So That They Can Continue Their Road To Recover Their Costs For Capital Equipment. And I Want To Make One Thing Very Clear. The Business Task Force Of The Horizon Council In Early 2012 And It Might Have Been Late 2011 Was Tasked With Coming Up With An Issue Paper On Impact Fees That Has Been Given To Each And Every One Of You Today, And Their Decisions And Their Recommendations Mirror My Feelings Entirely. If We See That This Process Doesn't Work, Then We Can Stop And Go Back To The Old Impact Fee Methodology. I'd Like To Develop A Mobility Fee Plan And Dollar Amount That Would Offset The Impact Fees. That's Where I'm Coming From Succinctly And Quickly. I Would Hope I Could Get Two Other Votes To Go Ahead With That At The Appropriate Time. This Has To Go Back To The Local Planning Agency. It'll Be Done On The 28th, I Believe. Then It'll Come Back Here Either On The Fifth Or The 12th. We Can Stretch That Out If The Commission Is Comfortable With Getting Additional Information. I Wanted To Get That On The Record.

Chairman Pendergrass: Commissioner Kiker.

Comm. Kiker: I'm In Favor Of Your Suggestion, Commissioner Manning, And Actually I'm More Of A Detail Guy. So I Think That I Would Look Forward To Getting Information From Other Groups, From The L.P.A., Et Cetera, And Moving Forward. I've Heard From The Municipalities That They Are Or Not For It, But They Want To Make Sure There's A Realization Of Exactly Where The Money Is Coming From, Where It's Going, How Much, And What Is The Impact, And That There's Some I.L.A. Agreements We Have To Look At. So I Would Hope That Legal Would Take A Look At Any Agreements That Would Be Positive Or Negatively Affected By This, Kind Of Action, And Then Also There's All Kinds Of Studies Out There That Just, You Know, This Really Gets Down To Political Will. If You Look At What Is -- What's Available In Terms Of What Kind Of Impact This Kind Of Action Would Have. There Was One From Dr. Burke That Said That We Need Some -- That They Did This Huge Study And At The End Of It All, They Said Rationality To A Discourse Has Been Dominated By Wishful Thinking And It Was A Pretty Big Action That Was Done By Some Pretty Smart People And It Cost A Lot Of Money To Do That. I Don't Think That We're Doing Anything Different Than Wishful Thinking. I Think That We Have To Look At Whether Or Not We Think This Is Going To Impact The Job Market, Yes Or No. I Think We Need To Look At The Fact That 2006, Only 7%. I Was Looking At Mary Gibbs' Report The One We Got Late Friday At 6:30. We're Only 6% Or 7% Of What We Were In 2006. So Yeah, We've Got Some Room To Move, Some Things We Need To Accomplish, And Being That 6% Is Not It. Impact Fees Were Designed For Rapid Growth. We Haven't Had Any Rapid Growth. We've Had No Growth. It's Time To Shift Gears And Look At This Thing A Lot Different. I Appreciate Some Of The Comments That We Got That Said That Here's 2 Or 3 Alternatives That We Need To Discuss, And We Got Again Some Groups That Are Have Already Started That. I Look Forward To Their Input On This As Well.

Chairman Pendergrass: Mr. Manning.

Comm. Manning: I'd Like To Have You Bring Back Your Thoughts On How Do We Deal With Impact Fee Credits That Are Already Outstanding Due To The Agreements That Have Been Made Between The County And A Potential Developer? We Need To Touch Base On All Of The Aspects Of This Process. Thank You, Mr. Chair.

Chairman Pendergrass: I Was Going To Ask The Question Of Your Direction You Were Given. My Two Big Things Was Obviously The Impact Credit Fist That Would Be Suspended And Also The Sunset. I Notice You Said One Year. But You Also Mentioned Before That 2-Year Moratorium.

The Sunset Provision Would Kick In After The First Year To Take A Few Of What Has Transpired Over That Last Year. Then We Can Make A Decision To Move Forward Or Cease The Impact Fee Moratorium At This Time. It's A Look-See To See How The Process Is Looking.

Based Upon Board Direction?

Right.

Chairman Pendergrass: I Would Also Like To Add To That Sunset For Two Years, That Would Be Sunset Without Action Of The Board. I Don't Know If You Would Agree With That As Far As Sunshining Without Any Action From The Board, It Would Automatically End.

Comm. Hall: We're Not Making Motions Today's Anyway.

Comm. Manning: I'll Look At Everything.

Comm. Hall: I Would Just Like To Know What Our Expectation Is At The 1-Year? How Do We Know -- Are We Looking To Say We Anticipate An Increase In Permits, Measuring Here's Our Baseline, Therefore, You Know, So What? 50 People Come Up And Say It Worked Or 50 People Say It Hasn't Worked? I Hope That If You're Sunsetting Something To See If It's Working, That We Would Have Quantifiable Objectives To --

And Benchmarks. You're Correct.

Comm. Hall: I Also Need Legal To Tell Us If We're Going To Put A Suspension On People's Assets Such As Their Impact Fee Credits What's The Legal Ramification Of That. And You Know The Value Of Those, Because If They've Already Been Given That Right, And So I Worry About That That While We Have This -- If You're Going To Shove It Through A Funnel, You Could Be Delaying Their Impact Fee Credit Value For Quite A Much Longer Period Of Time Than 1 Or 2 Years. So I Worry About The Fallout From That. I'll Look Forward To Having Legal Give Us Some Indication Of Where That Puts Us Legally After That Moratorium Is Over Or Whatever We're Going To Call That Thing.

I Think Donna Is Prepared To Answer That.

Comm. Hall: Or When We Make A Motion It Doesn't Have To Be Today.

I Require Further Clarification On This Notion Of A 1-Year Sunset Stcht Hay 1-Year Suspension Of Impact Fees And Thing You're Going To Determine If You're Going To Extend It Another Year?

It's A 2-Year Moratorium With A 1-Year Sunset Division To Allow Us To Look Back At How The Process Has Worked For That First Year. Then We Can By Vote Extend It Another Year If We Need To.

Is It Possible It Could Sunset After One Year Based On Your --

If The Majority Of The Board Says, That's Correct.

I Want To Know So I Can Draft It The Way You Want It.

Chairman Pendergrass: Commissioner Kiker.

Comm. Kiker: Yeah. There's 21 Counties That Have Already Done This, And We Should Be Going Out And Looking At What They've Done Already And What They've Experienced And What Was Positive And Not. I Don't Think That We Need To Reinvent The Wheel. I Think That Credits, Et Cetera Like That Have Probably Been Challenged Before. So I Think That That's A Good Place To Look. The Only Other Thing That I Would Throw Caution To Is While We're Doing This, And I Appreciate The Fire Department And The E.M.S. Taking Them Out Of The Formula, I Also Heard In Here That If It's Does Not Go, Why Is It Good For Them

And Not For The School District And Not For The Parks, Et Cetera? I Think We Need To Take A Look At All Of Them And Let's Be Fair About This All The Way Across-The-Board. And I Think We Heard The Numbers, And My Numbers Say That Too Is That The Fire Districts Have Over \$70 Million In Reserves. And You're Talking Such A Minute Point. We Have One That Has \$3 Million Of Reserves In Just Impact Fees. And So I'm Not So Sure That -- And That Was Just -- You Look Through The Numbers. But At The End Of The Day, I Think That We Need To Look At Them As Well.

Comm. Mann: Mr. Chairman.

Chairman Pendergrass: Commissioner Mann.

Comm. Mann: Six Years Ago I Learned To Count Up Here To Three, And I Also Learned To Count To Two. But That Doesn't Mean That Some Things Don't Need To Be Shared, Because We Haven't Adopted This Yet. I Think It's Important To Point Out That At Least From My Opinion And Obviously From Several Of The Other People That Spoke Today That We're Approaching This Idea Based On Using Commissioner Kiker's Term, Wishful Thinking. This Whole Discussion Is Based On The Assumption If We Eliminate Impact Fees That Suddenly The Perms Are Going To Start Flying Out Of The Court House, Annex Across The Street Over There. And There's Nothing That Has Ever Given Us Any Confirmation Of That From Historic Review. In Fact, Quite The Contrary. The Only Studies Have Referred To Dr. Nicholas Study That Says There Is No Relationship Between The Impact Fees In Florida Since They Were Implemented And The Number Of Permits That Are Being Issued. And Quite The Contrary, We Issued More Permit For Construction In Lee County By Far When The Impact Fees Were At Their Very Highest Before We Even Lowered Them. Ironically, I've Got The News Press Editorial Where They Supported The Horizon Council Request To Entertain This 2-Year Impact Fee, And One Of The Things That Even They Said Was If -- They Pointed Out That North Port Community Up The Street Here, They Lowered Their Impact Fees By Almost 75% Last Year. New Home Sales There Are Up More Than 60%. But They Go On To Say, But There Is No Direct Correlation On Whether It Was Because Of The Drop In Fees Or The Improved Economy. Every County In Florida Is Increasing Its Permits For New Homes, Particularly The Fast-Growth Counties. Lee County 50 Years Ago, Guys, For You Youngsters, Was The Same Size As Sarasota And Manatee County. We're More Than Twice Of Size Of Those Counties Today, And Our Growth Continues To Explode Even With The Recession. We're Going To Be One Of The First Ones Coming Out Of This. It's Already Been Indicated They Are. Even With The High Impact Fees We Had, We Were Still The Fastest-Growth County In Southwest Florida And Have Been Always, At Least The Last Half Century. It's That Wishful Thinking That's Just Driving Me Nuts On This. That We Think This Is All Based On An Assumption That Every Study And Every Fact And Every Mathematical Fact Is So Clear That The Impact Fees Have Not Slowed Down Growth In Lee County. And They Have Helped Us Pay For The Necessary Infrastructure, Some \$600 Million. I Ask The Construction Industry What Would You Have Done During This Recession Had We Not Been Spending That \$600 Million? It Was Your Contractors That Were Doing The Work For Goodness Sakes. There's No Relationship Between Impact Fees And Growth, And That's What Is So Frustrating To Me At A Time When Still \$30 Million Upside Down On The Budget That I'm Going To Give Away \$8 Million In Revenues Over The Next Two Years That I Desperately Need To Build This Infrastructures. I Apologize For The Sermonette.

Chairman Pendergrass: Thank You.

And My Hat Is Handcuff -- Off To You Guys For Taking On A Sticky Wicket.I Love And You Respect You As I Have Said In The Past.But Thing Is One Of The Most Serious Mistakes I've Ever Seen Made Bite Lee County Commission.Thank You.

Chairman Pendergrass: Any Further Discussion?Staff.

I'm Trying Determine What The Board's Direction Is At This Point.

I Agree With Commissioner Manning And Kiker To Move Forward With The 2-Year Moratorium When The Language That Commissioner Kiker Said.

That Includes Withdrawing.

Comm. Hall: We're Not Voting.

Consensus.

And A Review After One Year.

Comm. Hall: And Benchmarks.

Bring Back A Mobility Fee. Bring Back A Revenue Of Other Menus At The Impact Fee Drop. That's The Direction.

Chairman Pendergrass: Don -- Donna, You Got That?Want To Make Sure Staff Is Crystal-Clear.

The Next Thing I Need To Ask, By Law We Have To Go To The L.P.A. Prior To Your Public Hearing On This.Do You Wish To Waive Committee Review On This Proposed Amendment.There Are Other Committees That Normally Review Proposed Changes To The Land Development Code?

That's Correct.The Schedule That You Originally Gave Ms. Donna Marie Will Hold Unless At A Regularly Scheduled Meeting We'll Change It.

Are You Directing Us To Public Hearing With The Ordinance On February 5 Or February 12?

February 5.

Okay.

Well, You Didn't Hear Is It From Me, But --

Comm. Hall: No.I'm The Minority.

Any Questions?

Comm. Hall: We'll Move Forward.

We're Not Clear. There Was A Request For Additional Information. So We're Trying To Determine, You Know, What To Bring Forward To You In The Form Of A Draft Ordinance For Adoption?

Comm. Hall: I Don't Know How You'll Have Those Benchmarks By The Fifth. They've Got To Be In The Request. If You're Going To Sun Set And Re View At One Year, What Are The Benchmarks? Can The Fifth, Can You Make The L.P.A. Meeting And Have It Here? I Guess You're Going To Add The Benchmarks Later Then I Guess.

Right.

Andrea.

Commissioners, You've Asked For A Good Deal Of Information. Do You Want The Information Before We Go To The Public Hearing Or Do You Want That After?

Comm. Hall: I'd Like It Before. I Guess It Doesn't Matter Because You're Going To Have A Hard Time Getting It Before The Fifth. I'm Again In The Minority Of This Board. I'd Like To Make My Decision Based On All The Facts.

Chairman Pendergrass: Let's Do This Is The 12th. Bring It Back On The T.L.A. On The 28th And Bring It Back Here On The 12th. Everybody All Right With That? Does That Help You?

Yes.

February 12 Then? Can Staff Do It? Are You All Right With That.

Comm. Hall: That's Why They're Asking For The 12th, Commissioner.

I Would Ask Them To Feel Free To Consult Us Individually As To These Benchmarks As You Try To Develop Them And Read Our Minds. Because The Difficulty We're Going To Have, Commissioner Manning Is When This Comes Back In A Year, And We Have Increased 25% Over What We're Doing This Year In Permits Which Is Happening Anyway, The Industry Is Going To Say See, It Works. It Works. And If We Just Continue, You Know, A Little -- You Can Argue It Either Way. Don't Stop Now. It's Finally Working. So I Want To See A Benchmarks. I'm Real Curious How You're Going To Draw This.

Chairman Pendergrass: Any Other Questions From Staff?

And I Want To Say That It's Going To Be Difficult To Provide The Public With The Notice On What The Benchmarks Are Going To Be If They're First Going To Be Rolled Out To You At The First Public Hearing. The Ordinance Is Going To Be Drafted To Reflect The Suspension And The 1-Year Moratorium, But It's Going To Be Difficult To Get Information Out To Them On What These Benchmarks Are Going To Be So Can Get Comment On That At The Public Hearing. That's The Challenge We Face. We'll Try To Get Something Together And Post It On The Website So People Can Inquire Further.

Thank You.

Comm. Mann: I'd Like To Know What A Mobility Fee Is.I Don't Know.If We're Going To Be Trying To Move Toward Replacing Impact Fees -- That's The Sentiment I Heard Expressed With A Mobility Fee That The Realtors Are Talk B. I Need To Know How It's Going To Work, What It's Going To Produce.

It Would Be Help.But Lee County Talks About A Lot Is A Fee That Can Be Used To Help The Infrastructure Within The County.

Comm. Mann: I Don't Know How The Fee Is Assessed, Mr. Chairman.

Chairman Pendergrass: I Don't Either.We'll Be Talking About That.

Comm. Mann: Let's Learn -- Let's Have A Mobility Fee And We Won't Have To Worry About It Anymore.

Chairman Pendergrass: Another Tax.Right?Meeting Adjourned.