

**March 26, 2013**

Please Stand For The Invocation Of Pastor Peter Cova.

Thank You. Let's Play. Heavenly God We Thank You For This Day You Have Created. This Is A Wonderful Day. And Lord We Are Blessed To Be In Southwest Florida, And Lord, We Call This County Blessed And This Meeting Blessed And As We Stand Here This Morning. It's Your Kingdom That Is Coming, A Kingdom Of Peace And Love. And We Thank You As You Gather Here This Morning And We Meet That God, That Your Presence Be Amongst Us And Your Wisdom Be Over These Council Members.

Amen.

Amen.

Please Join For The Pledge Of Allegiance.

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

Please Be Seated. Thank You. I Would Like To Remind Everybody To Please Silence Any Cell Phones At This Time. The Next Item Is The Ceremony Presentation. We Have One Presentation This Morning If I Could Have All The Staff From Lee County Come Forward, Please. Steve Myers. The Other Staff.

Good Morning.

Good Morning.

Thank You.

Anyway, Is There Any Resolution On Behalf Of Lee Trans For Your Latest Accomplishment. The Florida Public Association Is One Of The Most Active State Transit Associations In The Nation With Members Representing Every Major Public Transit Agency Including 28 Fixed Route Bus Route Systems, A Commuter Railroad, And Two People Mover Systems. And Whereas The Florida Public Transportation Association Recognizes The Transit Agency Which Has Demonstrated Consistent Effectiveness In The Delivery Of Public Transit Services And Shows Excellence In This Operation. Fleet Maintenance, Community Involvement And Ridership. Lee Trans Has Demonstrated Excellent Student Development Of Its 25-Year Vision Plan By Earning National Arc Awards As A \$13.9 Million Grant For A Dean Solar Hybrid

Buses \$1.4 Million Improvement Of Veterans Transportation System And \$5 Million For Construction A New Transit Facility. Lee Tran Has Showed Increased Ridership Including A 17% Increase In 2012 And Serves Three Hadn't 76 Million Riders Am They Recognize The Lee Trans For Having Earned The Destination As 2012 Transit System Of The Year. And Extends Our Gratitude To All Lee County, Lee Tran Employees For Bringing This Honor To Lee County For The Residents And Visitors For The Dedication That You Bring To Your Job Every Day. Duly Executed This 26th Day Of March, 2013 By Myself, Cecil Pendergrass And The Board Of County Commissioners. Thank You. [Applause]

Please Come Forward For A Photo And Steve, Afterwards, I'm Sure You Have A Few Words To Say About The Dedication.

We're A Trolley. We Need It, Right?

Who Is Driving The Bus This Morning?

Okay, 1, 2, 3. And One More. 1, 2, 3.

And One More.

One More. Okay. Ready. 1, 2, 3. Hold On.

You Have To Look Up There And Smile, Too. The Court Reporter Is Not Smiling.

I Didn't Sign Up For This.

One More.

Perfect.

Thank You.

Steve, I'm Sure You Have A Few Words. Thank You.

Commissioners, Thank You For This Recognition On Behalf Of Lee Trans 257 Employees Not Whom Of All Are Here This Morning. We Brought A Representation Of Our Employee Work Force, Our Most Senior Bus Operator Bob Barner And One Of Our Newest Bus Operators George Marino. J.R. Rodriguez From Our A.D.A. Department, Senior Bus Operation In Leticia Pointer Who Is A Recent Fire In The A.D.A. Passport, Our Parts Supply Specialist James Roser And Ralph Burns. We Appreciate This Recognition And Thank You Very Much For This Recognition. [Applause]

Thank You.

We Had The Honor For Doing The Groundbreaking. It'll Be A Great Facility In For The Lee County And The City For That New Hub On Evans Avenue. Thank You For Everything You Have Done To Make That Happen.

I Missed An Opportunity To Include On The Recap Today Is Our Chairman's 50th Birthday, Which -- [Laughter] \M \M Happy Birthday \M \M To You \M \M Happy Birthday \M \M To You \M \M Happy Birthday Dear Cecil \M \M Happy Birthday To You \M [Applause] [Laughter]

Chairman Pendergrass: Thank You.

Now You Can Go.

Comm. Hall: Finally Catching Up With Us.

Chairman Pendergrass: Don't Worry, Commissioner Mann, I'm Make Sure I Share My Cupcakes With You.

Comm. Manning: Wonderful.

It Least It Wasn't Doughnuts.

Comm. Hall: It's Diet Cupcakes.

Chairman Pendergrass: We Have One Item Moved From 1-A. This Time We Move The Public Content. I Have Blue Cards For The Administrative Agenda. If You're Here To Speak On Hearing For Bonita Springs, That Will Be A Separate Public Hearing. This Is Only For The Consent Administrative Agenda. First Speaker Will Be Paul Trinnic. Paul. You Have Three Minutes To Speak On The Consent Administrative Agenda.

Good Morning, Commissioners. And Happy Birthday, Mr. Chairman. I'm Paul Tritac. I Live On Sanibel. I'm Here To Ask You To Consider Personal Watercraft. We Manage Pine Island National Wildlife Refuges In The San Carlos Bay Area. It's An Area That Is Heavily Frequentated By Manatees As They Migrate From The Estuary Up The Caloosahatchee River And Back And Grays On The Sea Grasses And The Refuge And All Around The Islands And Also We Have Many Bird Nesting Islands That Are Sensitive To Disturbance During Nesting Season As Well As A Lot Of Recreational Users That There May Be Potential Conflicts With, Particularly Fishermen And Kayakers And Canoeists And Paddle Boarders. I Ask You To Reconsider Moving This Proposal Forward. Thank You.

Thank You.

Chairman Pendergrass: Next Speaker Is Lisa Bramm. Lease.

Morning.

Good Morning.

Chairman Pendergrass: You Have Tree Minutes.

I'm Lisa Bramm The Director Of Property Manager For Port Sanibel Marine A It's A Full Service Marina With Wet And Dry Slips, Fuel, Canoe And Kayak Rentals And Power Boat Rentals, A Waterfront Restaurant, Fishing Charters Sunset Cruises And Indoor Storage For 100 Boats. I'm Here To Request The Approval Of Consent 14 A And B To Authorize The Addition Of Guided Jet Ski Ecotours As An Amenity The Port Sanibel Marina. Our Guided Ecotours Are Educational, Informative And Intimate With No More Than Six Participants Per Outing. Our Typical Customers Are More Interested In The Ecotour Experience Than The Jet Ski Ride. In Addition, Our Jet Ski Ecotour Would Provide An Alternative For Those Who Are Unable To Join Our Guided Kayak Tours Because For Whatever Reason They Aren't Comfortable In A Kayak. The Guided Tour Is A Great Option For Parents Whose Children Want To Ride On A Jet Ski. The Parents Would Be At Ease Knowing They Would Be In A Controlled Environment Where They Can All Participate And Learn Something At The Same Time. As Owners Of The Marina For 18 Years, Roberts Development Corporation Is Committed To Lee County. Along With Our Sister Companies We're Well Established And Have Contributed To The Local Economy Through Thousands Of Jobs We Provide And Have Created Over The Years And The Tourists We Attract To Not Only Port Sanibel Arena But A Hotel We Own On Ft. Myers Beach And 1,000 Vacation Rental Units That Our Sister Company Royal Shell Successfully Book Year Round. Royal Shell That Encompasses Real Estate, Vacation Rentals And Association Management Has More Than 10 Offices Throughout Lee County. R&R Investments Another Sister Company Of Roberts Corporation Has Purchased More Than 40 Rundown Vacant Commercial Properties In Lee County Since 2005. We Have Renovated Them All And Have Successfully Leased Them To Retail Office And Restaurant Tenants Bringing Not Only The Properties Back To Life But In Some Cases Our Improvements Have Single Handedly Have Jump Started Entire Otherwise Desolate Areas. Now That You Know How Committed We Are Have To Lee County, I'd Like To Share How Committed We Are Have It The Environment. A Few Years Ago We Donated \$50,000 To Pure And Every Year We Donate \$25,000 To Crow. We Have Donated To Various Organizations Including Sccf And Darling To Name A Few. We Have Permitted Sccf To Conduct Research In And Around Our Property. You Can Survive By Our Donations That We Fully Support The Preservation Of Our Environment. The Entire Staff Is Based On Their Knowledge And Familiarity With Our Local Waterways And The Various Wildlife And Plant Species That Make Up The Ecosystem We Share.

Lisa, Your Time Is Up.

Okay.

Thank You.

Thank You For Your Consideration.

Thank You.

Next Speaker Is Phil Buchanan.

Good Morning. I Am Phil Buchanan. I Agree With The Manager Of Tritac On The Watercraft Issue. I'd Like To Devote My Three Minutes To Talking About The Setus Settlement. The Cape Coral D.P. On One Read And Lee County And The Environmental Community On The Other Side Has Been Raging Five Years. I've Been Involved In It Personally For 18 Years. About 1995, They Started Prop Dredging And Chainsawing Entrances Into The Wellands To Create Extended Boater Access And Those Things Later Were Called Breaches. Five Years Ago We All Signed A Settlement Agreement With Cape Coral And The D.E.P. That Was Supposed To End The Matter And Legally It Did. Cape Coral Refuses To Abide By The Agreement. We Went Through The Second Amended Consent Order And Two And A Half Year E.M.A., All Of Which Said To Bury Your Head To Go Back And Cape Coral Is In Violation Of Those Agreements As Well. I Was There When The Cape Coral City Attorney Told A Cape Coral City Council All They Had To Do Was Drag Their Feet That It Would Take Five Years To Take The Matter To Court. The Cape Coral City Council Followed That Advice And Now We're Nearing That Five Years. Now The Cape Wants Another Six Months. They Want Six Months For The Cape, And The County Of Natural Resources Office Which Are The Only Two Organizations In Southern Florida That Oppose The Setus Barrier. I Could Draw Up A Report On The Issue. We're Not Naive. We Know How It Will Turn Out. Please Bear In Mind As Your County Attorney Has Advised You That The Statute Of Limitations One Of These Days Will Run Out On The Cape And D.E.P. Violations Of These Agreements And Please Bear In Mind All The Work And Money That We Spent Setting Up Those Agreements, And Ask Yourself Why We Should Waste All That And Forfeit The Rights Of Our Environment And Our Taxpayers By Agreeing To Yet More Delays As Well As More Useless And Expensive Studies. Does Anybody Really Think That The Cape Who Is Now In Having Of Three Previous Agreements Is Going To Comply With A Fourth Agreement? I Have Over 50 Years Experience In Government, 33 Years In Federal Service, 20 Years Of Local Government Involvement. I Know How Hard It Is To Take A Stand On Environmental Matters, Especially When The Violator Is A Sister Governmental Agency, And Yes, I Know Next Year Is An Election Year. But The Honorable Course Is To Go To Court And Enforce Our Previous

Agreements With Cape Coral And The D.E.P. This Board Has Voted To Do Just That On A 5-1 -- Sorry, 5-0 Vote At Least 4 Or 5 Times. But Times And People Have Changed, And If The Majority Of You Can Offer Whatever Reason To Do At This Time, Then Please At Least Insist That The Mediation Agreement Be Altered To Expressly Toll The Statute Of Limitations. I'll Sum Up. And Please Make It Expressly Clear That Restoration Of The Setus Barrier Is Still On The Available.

Your Time's Up, Phil. Next Speaker Is James Evans. The Next Speaker After James Will Be Sharon Faircoff.

Good Morning, Chairman Pendergrass And Members Of The Lee County Commission. I'm James Evans Natural Of Director Of Resources For The City Of Sanibel. I've Been Employed There For 13 Years And Hold A Masters Degree In Environmental Science. I'm Here To Speak On The Personal Watercraft Ordinance Proposed Amendments, And On Behalf Of The City Of Sanibel I Have The Following Comments. The City Of Sanibel Is Very Concerned About The Precedent That Approving This Application Would Set By Allowing Personal Watercraft To Operate In The Back Bay Water Of San Carlos Bay And The Waters Surrounding Sanibel Island. The City Is Opposed To Approving This Application And Any Change In The Current Ordinance That Would Allow Personal Watercraft To Operate Including The Port Sanibel Marina. Visitors From All Over The World Come To Lee County To Recreate, Observe Wildlife And Enjoy Our Pristine Beaches. One Of The Major Attractions To Lee County And Sanibel Is The Natural Environment And Tranquillity It Offers Over Many Destinations. Many Have Built Their Businesses In Tandem With This Natural Setting Offering Visitors Opportunities To Enjoy The Waters And The Shores Of Lee County Through Fishing, Snorkeling, Shelling, Paddling, Kayaking And Other Activities. Personal Watercrafts Very Different From Other Recreational Boats. They're Designed To Be Fast And Maneuverable Allowing Them To Operate In Sensitive Areas That Other Watercraft Typically Cannot Access And At Relatively High Speeds. This Type Of Active Recreation Is Not Consistent With The Goals Of The Sanibel Plan And Would Be In Direct Conflict With Existing Lee County Businesses Operating In This Area That Focus On Promoting Passive Recreation. Allowing Them To Run Tours To Be Used In The Back Bay Waters Would Likely Result In Direct Impact To Our Bird And Increased Potential For Boat Strikes With Manatees, Impact Enjoyment Of Them Water By Kayakers, Waterboarder And Create Noise Concerns And A Nuisance For Owners Living On The Back Bay Water. We Urge The Commission To Vote No To Protect And Preserve Our Environment And Our Local Economy. Thank You For Your Consideration.

Chairman Pendergrass: Thank You. Next Speaker, Sharon.

Hi.

I'm The Owner Of Holiday Water Sports Ft. Myers Beach. I've Been In Lee County In Business In The Watercraft Rental Business Since 1991. And I Have Spent An Awful Lot Of Time Working With Lee County And The Town Of Ft. Myers Beach To Make The Rules And Regulations That Limit Personal Watercraft And How They're Used In Lee County. I Do Have A Business Interest In This Decision, But More Importantly, A Personal Interest. I Don't Have Anything Against Port Sanibel Marina. I Think They're A Great Organization. It Sounds Like They Have Plenty Of Ways To Make Their Livings And I Don't Know That Adding Personal Watercraft Is Going To Make Them Or Break Them, But I Do Think It Could Have Great Impacts On Lee County's Waterways And I Would Ask You To Please Reconsidering Moving This Forward. My Biggest Concern As You Read In My E-Mail Is By Allowing Any Marine At Opportunity To Start Running Wave Runners Into The Back Bays, Many More Will Be Here Asking For The Same Opportunity, And The Influx Of Personal Watercraft, Whether In Tours Or Not Into The Back Bay Areas Through Marinas Could Have Devastating Impacts On Lee County's Waterways. Thank You.

Chairman Pendergrass: Thank You. Next Speaker Is Ray Ann Russell.

Chairman Pendergrass: After Rayann Is J.D. Minor.

Good Morning Chairman Pendergrass. Happy Birthday. Commissioners. My Name Is Ray Ann Wessel. I'm A Natural Director For The Captiva Foundation And I'm Here To Speak In Objection To Revising The Personal Watercraft And Vessel Safety Ordinances. Our Objection Is That The Introduction Changing The Exception Zones And The Protected Areas And Opening Up These Regions Will Put Direct Impacts Into Our Back Bays Where Sccf Owns And Manages Approximately 2,000 Acres Of Land In Some Cases With Our Partners The Darling Refuges. These Hands Have Been Purchased And Maintained And Studied For Wildlife. Opening These Protected Areas Puts At Risk Not Only Some Of The Ecological Features But Also Has An Economic Impact. In A Recent Study Published By Jim Beaver, He Did An Economic Study Of The Ecosystem Value Of Our Natural Resources In Terms Of Mangroves, \$2.5 Billion Economic Value. This Is A Value That These Areas Provide For Free To Us For Wildlife And For Ecosystem Services. \$2 Billion For Sea Grass Habitat, \$1 Million For Oysters And When We Look On A Per Acre Basis, It's Extremely Valuable Per Year Putting These Things At Risk Puts Our Economic, The Economics Of Our Ecotourism At Risk. There Are Plenty Of Area Where Is These Jet Skis Can Operate Without Opening Up Exclusion Zones. In Doing This, We Are Potentially Setting Up A Precedent For Additional Requests To Come Forward, Making The Effort That Has Been Invested These Past Many Years Protecting These Resources Null And Void. I Did Want To Make One Last Comment That Sccf Is Not Doing Any Research. I Think It's Vestor That Is Involved With The Port Sanibel Folks. Thank You For Your Attention.

Chairman Pendergrass: Thank You. Next Speaker J.D. Minor.

Good Morning. I'm Here To Speak On Behalf Of Port Sanibela Marina And We Are Part Of A Family Of Businesses That Are Very Proactive In Environmental Awareness And Sustainability Of Our Local Ecosystem. One Of The Things With Our Proposed Jet Ski Tour Is That It Will Be Guided. We Will Have A Tour Guide Who Also Has A Captain's License That Will Take The People Out On A Route That Avoids San Carlos Bay And Takes Them Out Around The Punta Rassa Area And Gives Them An Opportunity To Learn About Our Local History And How It Led To The Local Development Of Our Area. In Developing This Route, We Consulted Six Local Charter Captains Who Have 15 Years Of Experience Each One Of Them And The Local Homeowners Behind The Marine A We Were Cognizant Of The Environmental Needs And Want To Make Sure In Handling These Routes, We Are As Cognizant As Possible In Insuring There's A Minimal Impact If Any Impact At All. We Believe By Having These Tour Its Provides Us An Opportunity To Speak Extensively With Local Residents Who Would Like To Utilize The Tours As Well As Visitors And That They Can Learn About The Importance Of The Environment And The Importance Of Our Local History While Also Having An Enjoyable Experience. Thank You.

Chairman Pendergrass: Thank You. Next Speaker Is Beverly Grady.

Happy Birthday, Mr. Chairman And Good Morning To The Members Of The Committee. I'm Beverly Grady Representing Roberts Development Corporation Regarding Port Sanibel Marine A This Is A Well-Established Responsible Business Owner Of The Marina Who Would Like To Provide Guided Personal Watercraft Rental Tours To Serve Visitors, Tours And The Residents Of Lee County. It Requires To The Amendments Of The Two Ordinances Under Consent 14 A And B. This Is A Licensing Ordinance. It's Not Appropriate To Support One Vendor To The Detriment Of Another. The County Currently Has Three Licenses That It Issues For Personal Watercraft And Unincorporated Lee County. Two Are On Captiva And One On Punta Rassa At Sanibel Harbor That Was Approved Last April In 2012. This Is The Same License Being Requested. People Who Want To Rent Jet Skis Will Just Go To Other Locations. So It's Not Going To Have An Impact, We Believe On The Number Of People On Jet Skis. With The Regulation Of The Guided Tour, This Request Should Move To Public Hearing. If There Is An Identified Concern As To The Areas, Then You Should Deal With That, Not Just For Rental Jet Skis But There Are Numerous Individually Owned Jet Skis. If You're Talking About An Area That Should Be Protected And Not Traveled, That Does Not Have Anything To Do Directly With The License. With The Guided Tours, We Would Respectfully Request That Those Areas Can Be Protected, Avoided And Certainly We Are Willing To Do That As An Operation. That Is The Point Of Having An Ecoguided Tour. If The Areas Where Jet Skis Shouldn't Go, It's Not Just Rentals And That Should Be Something You Can



Deal With In A Different Kind Of Locational Ordinance. We Would Respectfully Request You Grant The Ability To Go To Public Hearing. Thank You Very Much.

Chairman Pendergrass: Thank You. I Have No Other Cards For The Consent Agenda. Any Other Blue Cards In The Audience For The Consent Administrative Agenda? We'll Close The Public Comment. Next Item Will Be Presentation By Auditors Jerry Beckhart Of The County's 2012 Financial Statements.

We Sent Our Presentation In So We Would Be Able To Address U Good Morning. I'm The Partner With Sherry Becker That Was Over The Audit And To My Left Is Carrie Cross The Manager Who Was Heavily Involved In All Parts Of The Audit This Year. What Woo Have For You Today Is A Brief Presentation Of The Timely Result Of Audit And Our Required Communication To You As Those Charges Governance Over The Financial Statements That You Have. We Have Audits The Financial Statements Of Lee County As Of The Year End September 30, 2012, And Have Issued Our Financial Audit Opinion Therein Dated March 37, 2013. Your Financial Statements Are Made Up Of Governmental Activities Major Funds And The Aggregate Remaining Funds And All Those Have Received An Unqualified Opinion Which We'll Go Into. Your Financial Statements Are Not Just You, The County. You Do Have A Blended Component Unit, The Port Authority Which We Also Audit. That's A Legal Separate Entity As You Know. Under County Standards They're Required To Be Blended In Financial Statements And Show Up As A Separate Fund In Your Financial Statements. There Are Actually Two Pieces In Your Financial Statements. Our Responsibilities Underneath The Different Standards Come Into Prays And Required Different Aspects Of Your Financial Statements And Your Compliance, And Your Grants. And Those Things Have To Do With Really Three Different Areas, The First 1 Is Your Financial Saints As A Whole. We Follow Generally Accepted Account Being Principles And Standards And Issue An Opinion On Your Financial Statement. It's The Highest Level Of Assurance You Would Want To Receive From Your Auditor And Says Your Financial Statements Are Materially Correct And In Compliance With Standards And On A Consistent Basis. If You Have Any Other Opinions That Would Not Be A Good Thing. You Have That. The Other Thing Is Government Auditing Standards That Requires Us To Look At The Compliance Over Financial Reporting, And That Turned Out To Be A No-Comment Letter That That Means We Had No Issues That Arose To The Level Of A Material Compliance Issue Or Weakness Or Deficiency That Had To Be Reported To You In Writing. Another Good Thing. Other Is Compliance With Your State And Federal Grants A-133 From The White House And Office Of Management Budget And Chapter 10550 Require Us To Look At Major Controls Over Your Major Federal Programs And State Programs And Your Compliance With Those Programs Am We'll Go Through Those Very Quickly In Just A Minute. The Last Thing We Look At Is

Under The Port Authority, The General Aviation Regulations For The Passenger Facility Charges Looking At The Internal Controls And Compliance Over The Facility Charges Was Again A No-Comment Letter, Unqualified Opinion. With That, We Have Issued Several Other Reports And You've Engaged Us To Do Several Other Thing In Our Engagement Letter That Was Signed By The County To June 11 Including An Audit Of The County Funded Court-Related Costs And Agreed-Upon Procedures That We're Required To Do Over The Solid Waste Management Letter. Again Based On The Procedures We Performed, The Records That Were Maintained And All The Procedures Were Met And No Issues To Be Brought To Your Attention There. We Also Are Required To Prepare A Data Collection Form That Takes All Of Your Federal Grants And Puts Them Into An Apples-Apples Format For The Rest Of The Country. That's In Process And We'll Approve And Certify That As Soon As It's Complete. Other Written Communication From Us To You. There's A Management Letter That Is In Your Financial Statements And We've Received A Separation Letter That Management That Everything They Gave Us And Told Us Was Complete To Best Of Their Knowledge And Ability. There Were No Changes This Year In Your Financial Statements. We Want To Bring Some Major Changes That Will Come Into Play In The Future Very Quickly. Assets, Your Liabilities And Shows Your Net Assets. That Financial Statement Will Change In The Future To A Statement Of Net Position And Show Your Assets, Other Outflows, Liabilities And Leaving You With A Net Position In The Future. It'll Be A Change In The Allocation Potentially Of Certain Categories Or Glass Classes Of Assets And Liabilities In The Future. The Big One Is In 2015 That Will Affect Your Financial Statements Is Gasby On The Pension. Part Of Your Employees Are Part Of The Retirement Program At The State Level. It's Underfunded And The Pension Plan At The State Level. This Number Is Not Assessed By The Actuaries For Every Level Of Government. Everybody Will Pick Up Their Share Of That Liability. It'll Show On Your Financial Statements Starting In 2015. That's A Big Change Thaw Could Have Coming Down The Road Which May Be A Couple Hundred Thousand Dollars Or Several Million Dollars. After The Actuaries Allocate Out All Of The Unfunded Pensions It All The Entities Involved In The Pension Plan At The State Level. That's Something You Need To Keep In Mind As A Change In Your Financial Statements. One Change That Was -- One New Thing In Your Financial Statements Is A Special Item From The Port Authority For Discontinued Operations And There's A Write-Off Of \$16 Million Which Is A Special Item That Will Show Separate Line In Your Financial Statements You Haven't Had In The Past. During The Audit, The Management Takes Several Audits And They Have To Audit. They're Material In Nhl As It Relates To The Other Pension Plans And They're Made On Estimates Based On Where Those Liabilities Will Be In The Future And Estimates Based On The Useful Life Of Your Assets And How Long They'll Last And Depreciates Into The Future And Different Levels Of Receivables

And The Engineering Is An Estimate For Your Closure And Postclosure Cost Of All Your Landfills. We Looked At Those And The Assumptions And Key Factors Associated With Those And They're Conservative In Nature And In Relation To The Financial Statements As A Whole, They Were Very Well Calculated And Supported. With That, I'm Going To Turn It Over To Carrie To Go Through The Ending Results.

We Had Two Corrections To The Financial Statements Related To Revenue And Receivables For Fictional Year 2012. These Revenues Were Collected In 2013, But They Applied To The Previous Years So Management Moved Them Back Into The Correct Year. We Had Two Proposed Adjustments That Were Not Corrected As They Were Believed Not To Be Material. This Was To Move Construction And Progress That Had Been Completed Into Depreciable Assets And Management Will Take Those Corrections In Coming Year. We're Required To Report Any Disagreements We May Have Had With Management In Financial Reporting Matters. We're Pleased To Say There Were None. Accounting Principles Require Certain Supplementary Information To Be Included In The Financial Statements. We Have Limited Procedures With Respect To The Supplementary Information That Involved Requirement Of Management And Comparing The Information For Consistency With The Prior Year. We Don't Express An Opinion On This Information, Because The Limited Procedures Do Not Provide Us With Sufficient Evidence. Management Also Pro Pairs A Schedule Of Federal Awards And State Financial Assistance In Connection With O.M.B. Circular A-133. We Inquired Of Management About The Form And Compared This Form Reconciled It To The Financial Statements And Underlying Accounting Records. We Issued Unqualified Reports Under O.M.B. Circular A-133 And Chapter 10.550 Of The Rules Of The Auditor General. We Considered The County A Low Auditee. We Audited Seven Major Federal Grants This Year As Shown On The Screen. And Six Major State Grants And For One Of The State Grants, The State Water Surface Restoration Project, We Had A Significant Deficient In Our Compliance Which Is Related To Quarterly Reports Required To Be Submitted To The Federal Agency Or State Agency Not Being Reconciled To The Underlying Records. We Feel That Management, Employs An Appropriate Level Of Conservatism In Applying Accounting Principles And Inquired Of Certain Members Of Management And The Board About Their Knowledge Of Fraud Or Illegal Acts And Were Reported None, And Finally, We Are Not Aware Of Any Relationships That Would Impair Our Independence As It Related To Us Performing Our Audit.

We'll Be Happy To Answer Any Questions That You May Have.

Chairman Pendergrass: Any Questions From The Board? Commissioner Manning.  
Commissioner Hall.

Comm. Hall: Thank You Very Much For Being Here This Morning. Appreciate It. I Wanted To -- When You Say We're A Low-Risk Auditee, Could You Quantify That More In Laymen's Terms What That Means.

What That Means Under The O.M.B. Circular 133, You've Had Your Audit Done Every Year For The Past Two Years And Haven't Had Any Weaknesses Or Significant Deficiencies Related To Our Grants Or Controls Related To The Financial Statements. If You're A High-Risk Auditee, We Would Have To Test 50% Of The Expenditures Because That Means Hu Errors Or Problems In The Past That Made You A High-Risk Auditee Which Means We Would Have To Do A Lot More To Make Sure You Qualified And Were In Compliance With O.M.B. Circular A-133. We're Required To Test 25% As A Low-Risk Auditee. It Makes A Big Difference. In What You Have Done And How You Have Gotten To What You Are Based On The Past Of Your Internal Controls, Your Compliance With Those Grants. So The Good News Is You Haven't Had Any Big Issues That Makes You A Lower.

To Summarize, Our Staff Is Managing, Those Grants Appropriately?

Yes, They Are. Staff Is Very Strong. We Are Very Pleased With All The Cooperation We Get During The Staff During The Year. Anything We Get Is Fully Supported. All The Documentation Is There. We Have To Give Credit To The Staff. They Do An Excellent Job. There's So Many Pieces And Moving Parts Here. You Have 20 Different Revenue Funds That Are All Pieces Of Entities In Their Own Rights. They Have To Maintain And Control Of That And Get Into One Document For You. They Do An Excellent Job Of Making Sure That Is All Brought Into One Place. We Only Had Two General Entries We Recommended At The End Of The Year Based On Them Closing Out The Books. That's Pretty Good. We Have To Give Credit To The Staff. They Do An Excellent Job.

Comm. Hall: Talk About The Opec. You Made A Comment That Our Staff Has Pretty Much Calculated Pretty Conservatively Which You Seem To Be Happy With As To What Our Liability Is Going To Be And How They're Going To Be Addressing That.

On Opeb Or Mention?

Comm. Hall: Opeb.

The Benefits You Owe To Your Employees From The Day They Start Through The Day They Retire Until The Day They Die. The Information That Is Given Is Fully Documented Based On The Hire Dates And Start Dates And The Birth Dates Of All Your Employees And Has A Lot Of History Based That The Actuary Puts Into It Saying Here's The Mortality Rates And Your Life Expectancy Is, How Much Benefit

You'll Get After You Retire At Age 62 Or Age 65 Will Cost The County So Much. That Is Very Well Supported And It's Within The Guidance And Relationship To The Financial Statements And We Had No Issues With The Calculations And Assumption Used By Management In That.

Comm. Hall: So From Our Standpoint From The Commission's Stained Point As We're In This Budget Process Right Now And Haven't Been Funded That, We Started Funding It On An Annual Basis. We Have Put That Off. Do You Feel We're Still On The Right Track In How We're Dealing With That From A Financial Basis? I Guess It's Not Your Area? Do You Feel We Have Laid Out A Plan That Is Addressing Where We're Going To Have To Be At This Point In Time?

Funding Opeb Is A Good Thing. If You Don't Fund It, It'll Come To Haunt You In The Future? Will It Be Next Year? Probably Not. In The Future It'll Have A Huge Effect If Nothing Has Been Funded Now. All Of These Employees Are Getting Benefits And You Have To Pay So Much More Of That Current Year Budget. Anything You Can Do To Help Offset That Expense By Putting Money Aside Into A Trust Would Be A Positive Thing. You're On A Pay As You Go Basis. As The Expenses Come Up, You're Paying Them In The Current-Year Budget. They're Really For Past Services Incurred.

Comm. Hall: You're Saying Our Staff Has Addressed That And Is Look At That Calculation Appropriately.

Yes Accident They Look At It All The Time.

Comm. Hall: I Guess I Was Taken Back By The Gas -- The Pension. I'm Not Really Clear -- Can You In Really Laymen's Terms Give Me An Understand Offing How We're Going To Need To Address That.

It's The Exact Same As The Opeb Actually. You Have Employees. And They All Have Retirement Benefits. And You Fund Those Benefits To The State. However, Unfortunately, Like The Opeb, It's Not Fully Funded. You Have A Liability Because You Haven't Funded It. You've Been Funding The Pension But Not A High Enough Level That It's Fully Funded. It's Underfunded. Everyone Owes A Little More That Is Participating In That Plan. Your Portion Of That Will Come Back As Your Individual Viability For Lee County. That Will Show As A Liability On Your Financial Statements Starting In 2015.

Comm. Hall: How Will That Affect Our Bond Rating Or Other Issues That We Have?

There's Been A Lot Of Debate. Moody's Has Come Out And Said -- Every State Calculates It Differently. The Actuaries Come In And Use A Different Rate Of

Return On The Calculation For The Liability. Moody's Said They're Going To Come In And Do Their Own Calculation Across The Country And Make It Apples To Apples To Not Affect Anybody. It's Always Been There. You Owe This Liability Today. You Owe It 20 Years Ago Ever Since You've Had An Underfunded Plan.

Comm. Hall: Since It's Been Required To Show As A Liability?

Yes. If You Read Into Your Notes You Have The Big Three Page Of Pension Note Disclosures And Shows That The Plan Is Not Funded. Everybody In The United States Knows In A Financial Environment That Yeah, There Is A Viability Out There That Everybody Will Have To Make Up At Sometime In The Future. Now It'll Show On The Face Of Everybody's Financial Statements.

Comm. Hall: You Said Hu Two Notes And One Office The Surface Stormwater -- Surface Water Management Of That Fund Or That Grant. I Kind Of Missed That.

There Was A Compliance Issue On That Grant When We Went In To Test Compliance With The Grant, The Grant Was Out Of Compliance In One Of The 14 Categories Of The Requirements. That Is The One We Wrote Up.

Comm. Hall: Doug, Has That Been Addressed With The Appropriate Staff? Or Pam.

I'm Unaware Of It. We'll Check.

The Management --

Comm. Hall: Please Get Back To Us On The Two Anomalies Of How It's Been Addressed And How It'll Be Addressed As We Move Forward. Thank You, Mr. Chairman.

If I May Address That In The Financial Statements There's A Corrective Action Plan By Management Following That Finding. This Is What They Have Done. They Addressed It Immediately. They Didn't Wait Until The End Of The Oddity. They Put A Corrective Action Place Immediately And It's Addressed With That Finding On The Bottom And Says Management Corrective Action.

Comm. Hall: I'd Like Everyone To Know What It Is So We Can Monitor It.

Chairman Pendergrass: Mr. Commissioner Manning.

My Had To Do With The New Rules That Will Be Promulgated Down The Road. Does The Legislature Have To Comply? I Want To Ask That Question. What Happens If The Pending Court Case That Is Looking To Eviscerate The 3% That Each Employee Sends In To The Plan, What Happens If The Employee Group Wins That Case? Are These Rules Going To Change?

No. These Rules For The Recording Of The Liability Have No Effect On That At All. It Won't Change It At All.

That Will Do It.

Chairman Pendergrass: Commissioner Mann.

Comm. Manning: I Appreciate Your Report. I'll Have To Confess, You Were Very Professional And Very Academic And Very Fast. I Have No Idea Most Of What You Said Had To Do With Anything. But I Did Pick Up On Something You Referred To As Fraud And Illegal Acts. None Were Reported By The Commission To You Guys By Your Interview. Within The Last Two Weeks, We've Had An Embarrassing Egg On Your Face Incident Here Involving Inappropriate, I'll Use That Term, Transfers From Our Impact Fee Funds, One To The Other For Use Over Here, One Dating Back To '03 I Think, And Then One More Recently Involving The New Baseball Stadium. The Local Paper Is, I Think, Appropriately Taking Credit For Having Flushed That Out, Although It Was According To Our Staff Self-Reported The Very Week That It Was About To Appear In The Paper. But My Question Is With All You're Doing, How Did We Miss An Inappropriate Transfer Of A Couple Million Dollars Or A Loan From One Fund To Another Which We Were Apparently Not Allowed To Do? Who Is Supposed To Pick Up On That?

At The Inception Of The Loan, Whenever It Was In 2003 Or 1999 Or Whenever It Was, The Purpose Of The Being Of The Loan Or The Transfer To That Entity Should Have Been Documented At That Point In Time And Addressed At That Time. Hindsight Is 20/20 As We All Know. It's When The Transaction Takes Place Is When The Support Is Supposed To Be There For That Transaction.

Comm. Manning: Who Was Supposed To Pick Up On That? Internally, We Obviously Missed It And Were Not Aware Of It And Our Explanation Said That In A Similar Transfer Dealing With Road Impact Fees, It Was Okay To Do The Loan We Made, But In Doing This With Parks Money, It Was Inappropriate. Maybe Rather Than Trying To Put The Blame On Somebody And Say How Do We -- Other Than The Learning Experience, How Do We Make Certain Something Like This Doesn't Reconsider? Who Is Supposed To Be Looking Out For That. We Do Lots Of Transfers During The Year.

Anything That Is Questionable When It Comes To Legal Statute, We Recommend That The County Attorney Be Involved Up Front. We Get Response From The County Attorney For Anything They're Aware Of And Look If There's Anything That Would Affect The Financial Statements As A Whole. We Rely On The County Attorney. At Any Point That Transaction Takes Place, That Is Questionable, I Would Get An Opinion From Your County Attorney. That's More Of A Legal Issue, We. We

Account For The Movement Of The Cash Back And Forth. But The Response For The Legal Side Of It Is Up To The County Attorney At That Point In Time When The Transaction Took Place.

Comm. Manning: Did I Hear You Say That You Count The Money And Make Certain What Was Transferred Over Here --

Was Transferred Over There --

Comm. Manning: Properly And Duly Record It So At Some Appropriate Time It Would Be Paid Back So You Watching The Numbers But Not For The Necessarily The Appropriateness Of The Loan Or The Transfer?

On A Materiality Basis, Yes, We Look That The. Materiality To Our Financial Statements As \$15 Million. So Anything That Is A Material Basis We Look At It Very Much Detail To Make Sure They're Fairly Presented. Woo Don't Audit Every Transaction. No Accounting Fund Does Or Wee Would Be Here Year Round. We Look At The Material Transactions And Rely On The Internal Controls And The Policies And Procedures That We Test During The Year, And We Rely On The Communication That We Get From The County Attorney And Outside Attorneys On Any Transactions Or Activity They Know Of. None Of That Was Brought To Our Attention During The Year.

Comm. Manning: Let Me Say This. I'm Not Trying To Assign Blame Here, Because It Appears To Be There's Plenty To Go Around. Before You Guys Leave Town Or Get Too Out Of Reach Of E-Mail Or Something, Based On What's Happened, And The Criticism The County Has Received, We Need To Have Some Kind Of A P.S. Or Asterisk In Your Report As A Follow-Up To The Specific Issue As To How You Would Recommend That The County Staff In The Future Deal With This In Concert With The County Attorney's Office, Probably Appropriate Criticism Laid Upon Us Was Very Heavy, And I've Been In Government A Long Time. I Never Received A Criticism Quite Like That Quite Frankly I Had No Way To Prepare For Or Anticipate Or Ask The Right Questions, Because We Were Assuming That The Information We Got Was Appropriate. It Was Not. And I Don't Want That To Happen Again. So Whatever You Guys Can Do In Working With Our Staff To Make Certain When You Drive Out Of Town -- Where You All From?

Tampa.

Comm. Manning: When You Take That 2-Hour Trip Up I-75, I Want You To Feel That You've Done Everything Possible So This Kind Of Embarrassment Won't Reoccur Here.



We'll Get Together With Mr. Mallow And Go Through The Controls In Place To Make Sure They're Strengthened In Going Forward.

Comm. Manning: Thank You Very Much.

Chairman Pendergrass: Any Other Question From The Board?

Comm. Hall: I'll Wait Until Commissioner Items. I'll Wait. We Have A Big Agenda. It Can Come At The End.

Chairman Pendergrass: Okay. Thank You. Thank You For Your Time. Good Report. At This Time We Go To The Consent Agenda. Commissioner Manning.

Comm. Manning: None.

Chairman Pendergrass: I Have None. Commissioner Hall.

Comm. Hall: 6-A, 14-A, And 14-B.

Chairman Pendergrass: 14 A, 14-B. Commissioner Mann?

Comm. Manning: I Was Going To Call For 14 A-And 14-B. Any Objection? No Objection. Motion Carries. Commissioner Hall.

Comm. Hall: I Wanted To Pull Out 6-A. I Want To Move The Item And Recognize A \$5,000 Cash Donation From A Donor Who Doesn't Want To Be Identified To The Department Of Human Services. Is That Correct, Ann? Just Says Donor?

Good Morning. Ann Arnold Human Services. This Is An Individual That Has Donated To Us For A Number Of Years, A Substantial Amount Of Money Every Once In A While, \$5,000 Will Show Up In The Mail With A Designation He Wants To Use It To Assist Homeless Families For Things That Cannot Be Provided With Grants And Other Resources That We Have. But He Always Wants To Remain Anonymous.

Comm. Hall: I Want To Thank This Individual Publicly And Recognize The Generosity Of Our Community And Many Of Its Residents In Assisting Those Who Have Less. I Move The Item.

Commissioner Hall Made The Motion. Any Objection? The Motion Carries. Commissioner Hall.

Comm. Hall: These Two Items 14 A And 14-B, There's A Lot Of History That Goes Back To Why We Put These Things In Place, And I'm Not Comfortable -- I Don't See -- I Didn't See On The Blue Sheet Or Anything Where Natural Resource, Marine Science -- This Was Years In The Making. Commissioner Manning, I Think This Was

The First Time You Were Here. This Was A Huge Issue In Dealing With Our Aquatic Preserves, Our Waterways. We Have A Lot Of Rules In Place, And Just To Move This To Public Hearing And Not Having A More -- I Don't Know How Detailed You Got In The M And P Meeting. This Almost Reminds Me Of The Impact Fee Issue, Rushing To Public Hearing On This Issue. This Has A Domino Effect. I Think We Need To Look Globally At It And Not Just Isolate It. I'm All For Having Businesses Being Able To Expand And People To Do More. We Spend Millions Of Dollars On Our Waterways. I'm Not Prepared Today To Move Something Forward That I Don't Understand The Bigger Picture And How It's Going To Affect Other Businesses Who Have Come To Us And We've Denied Licenses For Whether It's A Tour, Jet Ski, Whether It's Not A Tour. There's Lots Of People Who Have Come Before Us And Asked For These Opportunities. We're Taking Them One At A Time. I Don't Think That's The Right Way For Us To Do It. I'm Trying To Be Fair, But It Makes Me Very Nervous Without Having More Background And Not Hearing From Our Staff In A More Of A Workshop Area How This Should Be Worded. So I'm Very Uncomfortable With It And Not Comfortable Going Forward. I Just Don't Feel Like I Have Enough Information To Feel Responsible To Make A Good Decision. And I'm Not Saying I Would Deny It And Vote No For It. I'm Not Comfortable Today Moving It Forward And Allowing Our Staff Only Two Weeks To Prepare During A Public Hearing That Interaction.

Chairman Pendergrass: Any Other Discussion From The Board?

Mr. Chairman, I Share Commissioner Hall's Concern, And Probably For Very Similar Reasons. Suddenly I Feel Like This Is Moving Faster Than I Wanted Without The Input Or The Clear Input From Staff As To Where We're Headed Here. I Felt Myself Debating With Myself As I Listened To Folks Here As Jet Skis Go, This Seems Like It Is Probably Better Organized And Protected Environmentally Than Just Allowing Skis To Get Out There And Roar Around In Shallow Waters, But I'm Wondering If There's A Possibility Or What Action Would Be Required Perhaps I Need To Ask Ms. Frasier What Action Might Be Taken By Us Today To Take This Back One Step To A Workshop Status So That We Can Look At It One More Time Before We Move To The Public Hearing.

You Can Continue It To An M And P Agenda Item For A Date Specific In Order To Get More Information On The Item.

Comm. Manning: Mr. Chairman, I Also Would Feel Better Taking Action That's Proposed Today When We Had A Full Board Presence Because Of The Environmental Impact And The Concern Expressed. I Suspect When We Get To A Public Hearing We'll Have A Whole Lot More People. It'll Give Us One More Opportunity To Think And Understand Clearly What Direction We're Taking Here.

So I Guess What I Would Like To Do -- You Pulled The Item. I Was Concerned About It Too, If We Could Make Such A Move To Continue -- Could You Restate That Please.

An M And P Date Specific Which Would Be May.

Comm. Manning: Continued To An M And P For Rediscussion On This Before Moving Forward?

Yes, Sir.

Comm. Manning: Well, That Would Be My Motion.

Comm. Hall: What's The M And P Date?

May 6? May 6.

Comm. Hall: Thank You.

Comm. Manning: That Would Be The Motion.

Comm. Hall: I'll Success That. Under Discussion, Mr. Chair.

Chairman Pendergrass: Commissioner Mann Makes A Commission And Commissioner Hall. Any Discussion? No Discussion. The Motion Carries.

Comm. Hall: Doug, We Need Our Whole Group Here In Attorney Giving Us The History And Why Things Were The Way They Are And What Are The Protections And Assets. I Don't Want Just One Perspective, And I Want To Try To Find A Balance. If We're Going To Change An Ordinance, How Do We Change It To Allow The Mechanism For People Who Apply. That Frustrates Me Is It's Whoever And We're Adjusting To That Request Not To The Mechanism Under What Circumstances Can That Request Be Considered. I'd Like A Little More Global Conversation About This. Thank You. Thank You, Mr. Chairman.

Chairman Pendergrass: Thank You.

Comm. Manning: That Would Apply To 14 A And B?

Comm. Hall: Yes.

That Was The Intent Of My Motion To Relate To.

Comm. Hall: That Was The Intent Of My Second.

Chairman Pendergrass: Staff, Do You Need Any Other Action On That? Do You Need Any Clarification With That?

We're Good.

Chairman Pendergrass: Okay.

Comm. Manning: Thank You.

Chairman Pendergrass: Next Will Be The Administrative Agenda.

Mr. Chairman On Item 14-A, Since 10-A Has Been Moved To Public Hearing, I'd Like To Enter Into The Record If I Can Find It The Memo Dated March 22, 2013, From Ms. Frasier, And There Is An Error In The Date. The Date Is The 26th Versus The 29th. And I Wholeheartedly Agree That Memo Should Be Part Of Any Motion That's Positive In This Regard. Thank You.

Comm. Hall: Do You Have That Memo?

John Turny County Attorney's Office. I Did Want To Bring A Matter That's Really Part And Parcel With The Proposed Mediated Agreement To The Board's Attention, And That Is The Issue Of If We Proceed With The Agreement, And We Put The Proceedings That Were Contemplated On Hold, Then There Could Be An Argument If The Mediated Settlement Agreement Does Not Complete The Action And Resolve The Issues And The Parties Are Forced Into Some Sort Of A Litigation Mode Again, Which We're Trying To Get Out Of, But We Need To Consider Requesting The City And The Department To Enter Into Some Kind Of A Tolling Agreement So That The Statute Of Limitations Issue Would Be Suspended While We Are Going Forward With The Experts In Using The Resources That We Have To Resolve The Issues Or Try To Come Up With Some Resolution. And I Say That Because If The Worst Case Develops And We Do Have To Go In To Try To Force Some Issues Before Court, We Want To Be Protected As Far As That Matter Is Concerned. So As An Integral Part Of The Mediated Agreement, I Would Request That We Also Ask That The Parties Which Will Be D.E.P. And The City, To Join With Us In A Tolling Agreement Which I Prepared And Ready To Submit Upon Direction Of The Board, And So I Would Request That As Part Of Our Consideration Today. Thank You.

Chairman Pendergrass: Commissioner Mann. Mann What's The Calendar Right Now? Where Do We Stand? How Much Time Do We Have To Work On The Mediated Settlement Before We Run Out Of Time?

I Would Suggest And Thank You For Bringing That Up. It May Be As Soon As A Year, And I Am Suggesting That Our Tolling Agreement Actually Put In A Date To Expire Within A Year So That If We Haven't Accomplished Anything Within A Year,

Then It Looks Like We Probably Won't Be Able To, And We Can Proceed With The Next Step There. I Don't Want To Give A Definitive Answer, Because There Are More On It's More Than Just Picking A Date And Extending It For So Many Years After That, And That's Going To Expire, But There Could Be An Argument That That Is Coming Up In A Relatively Near Future And Rather Than Having To Worry About That At That Time, Let's Enter Into Some Kind Of A Tolling Agreement Where We Can Postpone That And Not Have To Face That Issue. But I Would Suggest We Put The Tolling Agreement If The Board's Approval Say A Year From Now And Will Give Us A Year To Work This Issue.

Mr. Chairman, If I Can Give Some Comfort To Commissioner Mann The Discussion Went Very Well On Both Sides And I've Been Informed This Morning That The Staffs And Consultants On Both Sides Of The Issue Have Already Met For Their First Meeting And That Meeting Went Very Well As Well. Everything Is Still On The Table On Both Sides. Number One And Number Two, The Goal Commissioner Mann Is To Have A Joint Report Vetted By Both Elected Bodies Sometime In Early Fall, Maybe Novemberish Time Frame. We're Trying To Move As Expeditiously As Possible And Get The Data Out That Everybody Needs To Understand What The Issues Are. I Would Hope We Could Go Ahead With This Mediated Agreement And Include The Memo Of The 26th -- 22nd Of March From Andrea Frasier.

I'm Afraid I Don't Have That Memo. Is That The One We Were Talking About, The Tolling Memo?

The Statute.

The Tolling Agreement.

And You As Our Representative And Thank You For The Work You've Done In Getting Us Interest A Much More Civil Relationship With The Cape Right Now, But I'm -- If We Could Possibly Do It Without For This Tolling P.S., I'd Feel Better, Because I'm -- Historically, In The Recent History Of This Whole Process, And Mr. Turner And I Have Discussed That Several Times, I Am Doing My Best As One Of The Five Here To Deal Openly, Arm's-Length With The City Of Cape Coral Who For A While It Was The Other Combatant. They Were Most Unhappy With Us. It Kind Of Felt Like We Were Pushing Toward Court. We Weren't Having A Discussion With The Environmental Consequences Or The Reasoning Which You Have Brought Us To Now. It's A Place I've Been Hoping We Would Arrive At. We've Done It Now. I Don't Want To Take Action That Kind Of Poisons The Well Again Now That We've Got It Cleared Up With In Terms Of Our Relationship With The Cape. I Very Much Appreciate What You've Done So Far.

The City And The Fdep Have To Agree As Well. We're Including It In This Motion To Move It Forward To Those Two Bodies So They Can Agree Or Disagree With It As Well.

If They Don't Go Along With The Tolling, Then We Don't Have A Mediated Settlement.

We'll Keep Going. 164 Issue Will Be Set Aside, But To Give Both Parties Comfort, I Think The Statute Of Limitations Agreement Should Be Part Of It. We Just Didn't Discuss It Or Think Of It At That Particular Time.

Comm. Hall: Mr. Chairman.

Chairman Pendergrass: Commissioner Hall.

Comm. Hall: John, Authorize Been Light Of Talk In Meets I've Had With Different Advocates For And Against The -- About And Again This Has Been Going On For So Long And I Apologize. Did We Ever Make A Motion In Court To Have This Permit Upheld? What Has Been Our Time In Court? Where Were We In What Happened? Because I've Been Told That We Went To Court And We Were Allowed To Enforce The Permit, And Then I've Been Told We Didn't Go To Court. Then I've Been Told We Went To Court And Lost -- We Didn't Have Grounds To Enforce The Permit. Then We Went To Mediation, And Then The Bottom Line Was That If We Go To Court, We're Actually Going To Court Suing D.E.P. To Enforce A Permit Not Necessarily Cape Coral. For The Public, I Want To -- In Five Words Or Less Summarize That. I Get Confused And I Want To Make Sure That What I'm Saying To People Is Accurate.

I'm Sure What I Say Somebody Will Disagree With Me.

Comm. Hall: You're The Attorney Representing The County.

I'll Give You A Capsulization Of The Department Of Environmental Protection And Administrative Proceedings Were Conducted At Which Time There Was Some Discussions And Issues On Whether The Permitting Application Was Properly Presented And Whether It Was Complete. And Those Issues Were Not Resolved To The County's Satisfaction At That Point Or To Parties Satisfaction That Had Got The County's Attention. The Issue Was Brought On Appeal From An Administrative Proceeding Into The Second District Court Of Appeals Which Was The Way That You Challenge Or You Get The Court To Look At A Departmental Action Involving These Parties And At That Time, The County Really Didn't Have Standing, It Was Determined, To Initiate That Appeal And The Administrative Process And The Proper Way To Go Through This Was To Question To Go Through A Legal Proceeding

Through The Circuit Court. Not On An Appellate Level. It's Certain Prerequisites You Have To Go Through To Get To That Stage. That's What We Started And Initiated With The Resolution And Proceeding To That. There's Nothing Been Filed As Far As A Litigation Mode With The Parties. Everybody Has Been Put On Notice. Everybody's Had Had An Opportunity To Get Involved. To This Point, The Mediation Has Occurred As Part Of The Statutory Process Or The Required Process We Have To Go Through. That's How We Resolved The Issue As To Proceed In A Nonlitigation Mode, Proceed More In Trying To Determine What's Going On At The Scientific Status, Not A Litigation Status.

Basically What We Would Be Challenging Is The Preparation Of The Application That D.E.P., We Feel The Application Is Not Prepared. D.E.P. Did Not Render A Proper Decision To Deny The Permit. That's What We Would Be Challenging Was The Preparation Of The Application?

That Would Be Part Of It.

Comm. Hall: I Want To Clear It Up. There's Lots Of Questions About What We're Challenging -- It's Not About This, This, And This. It's About Determining Whether The City Of Cape Coral Presented Their Application Correctly To Replace The Barrier.

That's Part Of It.

Comm. Hall: The Barrier Wouldn't Necessarily Be Replaced. That's Fine. I'm Comfortable, John, Moving Forward With The Way You're Presenting This. I Don't Think Anyone Will Take Offense That We Want To Not Have The Statute Of Limitations Reach Out. I Think It's Good Policy Public To Keep All Of Our Options Open. I Think We're All Going Into This With Our Eyes Wide Open. It's Been A Long Process Understanding We Want To Keep All The Options On The Table And The Cape Recognizes That As Well. I've Not Heard Any Push Back From Any Of The Residents There That Somehow Were Not Going Forward In A Manner With Good Intentions. So I Am Fully Capable Of Whatever Your Motion Is In With That Including Of Supporting That. And Secondly What I'd Like From Doug Is Once We Have This Team In Place, I'd Like To Keep A Running Total Of This Project And What It's Costing Us And Which Areas It's Coming Out Of. I'd Like For The Board To Be Updated On What The Running Tab Is On This Process. I Think We Need To Be Sensitive To That And Know This Is What The County Is Investing In.

Mr. Chairman, With That, I'll Move 14-A With The Inclusion Of The Statute Of Limitations Memo Dated March 22, 2013.

Commissioner Makes That Motion. Commissioner Hall Makes That Discussion. Commissioner Mann.

Comm. Manning: Try Me One More Time Or Help Me One More Time. Am I Hearing You Say That Without This Amendment, We Are Hereby, If We Pass The Mediation - - If We Approve The Mediation Settlement Without The Amendment, We Sacrificing All Future Rights To Return To The Courts?

You Can't Say From This Point On. What You're Trying To Do Is Protect A Position You Might Take Later On, Say A Year From Now.

Comm. Manning: I Was Thinking Eight Months From Now, We Still Had The Ability To Go Into The Courts And You Were Just -- That's Why I Was Asking When Does The Gate Shut? That's Why Thought You Were Trying To Keep The Gate Open During These Deliberations.

I'm Trying To Keep The Gate Open.

Comm. Manning: I Thought We Still Had Time To Reenter The Courts Without This Amendment.

Well, If We Reenter The Courts, I'm Going To Have To Come Back To You, The Board, And Say We Can't Get Anywhere, We Need To Do It Now. We Need To Pull The Trigger Now. I Don't Know If I Want To Do That At This Point. I'd Rather Proceed In A Settlement Mode At This Point And Try To Get The Parties To Say Okay, Everybody Has To Recognize That They Have Certain Interests They Have To Protect For Their Clients, And That's What We're Trying To Do At This Point. If They Won't Sign It, I'll Be Back In Front Of You And Tell You That, And We'll Decide What We Want To Do, What My Recommendation Would Be Then.

Comm. Manning: Mr. Chairman, Let Me Say For The Record And I'm Speaking To The Citizen And The Elected Council In Cape Coral. It's Been My Intent To Establish A Better Dialogue And Meaningful Dialogue Because We've Been Getting Nowhere, Throwing Rocks At Each Other In The Courts. I Want This To Be A Positive Ongoing Dialogue. I Thought We Took Giant Steps In That Direction. That's Where I'm Coming From And I Hope That The Cape Will Entertain This Action In The Spirit Of Cooperation And A New Day.

Correct.

Comm. Manning: I'll Support It With Those Comments.

Chairman Pendergrass: I Have A Couple Of Questions. As A New Member Of The Commission, I Had A Couple Of Questions About What's Our Chances -- I'm Going



To Support The Motion As It Is Today. I've Been Told Three Different Stories, And There's A Lot Of History And I Don't Want To Go Out Another Seven Years And Drag This Out For Another Seven Years. At The End Of The Day, If We Come To A Settlement And Cape Coral Is Not Willing To Participate What Was Agreed To, What's Our Chances In Court Of Getting A Judge To Push D.E.P.?

I Think It's Been Our Experience -- Your Chances To Put A Percentage On It, The Other Board Numbers Having Experienced It, I Never Give Them A Percentage. You Never Know For Sure. You Just Prepare The Best You Can And Present The Best-Case You Can, And To Protect Your Clients' Interest. I Can't Predict What A Judge Is Going To Do.

Chairman Pendergrass: Let Me Rephrase That. Can A Judge Order D.P. To Grant A Perm?

There's A Process Or Procedure That Under The Statutes In Which The Court Takes The Relief That You've Requested Them To Give You Which Would Include The Application Process And Enforcement Of The Order That Was Amended That They Agreed To Do When They Agreed To Complete This Process. There Is A -- There's Steps You Go Through To Get The Court To Ultimately Do That. I Don't Know If That Answers Your Question. But Without Laying It All Out Here, Which You Don't Always Like To Do In This Setting, But It's An Involved Process. It's Not Simple. And It Involves Quite A Bit Of Preparation. That's About The Best I Can Give You At This Point.

Thank You. Any Other Discussion From The Board.

Any Objection? The Motion Carries.

Okay.

Chairman Pendergrass: 16-A.

Mr. Chairman, I'll Move 16-A As A Member And As We Convene The Port Commissioner.

Comm. Hall: Second.

Chairman Pendergrass: Commissioner Hall Makes A Second. Any Other Discussion? No Objection. Any Objection? No Objection. Port Authority Item. We'll Reconvene Now As The Board Ever County Commissioners. This Time We Move To Public Hearings. We Have Two Hearings. First Hearing, Hearing Number One, Frasier.

Good Morning Commissioners. I'm Andrea Frasier From The County Attorney's Office. I'm Here For Your Number One Public Hearing. I've Had An Opportunity On To Review The Affidavit Of Publication That Was Publish In The March 13, 2013, Ft. Myers News Press. I'm Providing The Same For Intercorporate Into The Minutes.

Chairman Pendergrass: Thank You. Any Comments From Public Hearing One? No Comments. We'll Come Back To The Board For Discussion.

Comm. Hall: I'll Move The Item To Accept The 500,000 Per Year Grant For The Lee County Sports.

Seconded.

Chairman Pendergrass: Commissioner Manning Makes Second. Any Discussion? No Discussion. Any Objection? No Objection. Motion Carries. At This Time We Go To Public Hearing Number Two Is For Bonita. We'll Take A Two-Minute Recess While Staff Moves Will Be Moving Over Here And The Bonita Staff Will Be Moving To This Table Here.

Chairman Pendergrass: We'll Reconvene Now. Granting Bonita Springs Applications Submitted December 2012 For Advanced Life Support Transport. At This Time We'll Have The Court Reporter Swear In Any Testimony By Any Witnesses. If You're Going To Be A Witness In This Case And Testimony Will Be Given By You, Please Stand At This Time, Raise Your Right Hand And Be Sworn In By The Court Reporter.

Chairman Pendergrass: Anybody In The Public Who Will Be Speaking, Please Stand. Thank You. Man.

Comm. Manning: Do We Have To Do That Too?

Chairman Pendergrass: No. You're Already Sworn. When You're Called To The Podium, Introduce Yourself For The Record And Indicate Whether You Have Not Been Sworn In, Please Indicate That. The Applicant Presentation Shall Open. We Have Opening Witnesses And Evidence By The Applicant.

Good Morning, Mr. Chairman And Commissioners. My Name Is Maggie Portali. I'm An Attorney Representing Bonita Springs Fire District. I Have Been Sworn In.

She Said She Was Going To Be Nice Today, Too.

Before I Get Started Today With My Opening, I Would Just Appreciate Some Clarification On The Process Before Us Today. I Have Received Communication From Our Legal Counsel Dated Friday, March 22 That I'd Like To Enter Into The Record As Exhibit 1 That Sets Forth The Recommended Course For Today's

Proceedings. There's Nothing In That Correspondence That Indicates Whether This Hearing Today Will Be Treated As A Quasi-Judicial Proceeding. In Observing All Of Those Requisites That Are Necessary For A Quasi-Judicial Proceeding. I'm Happy To See That We Wore In Witnesses. That Was Going To Be One Of My Questions. I Also Need To -- I'd Like To State Early On The Record To Know Whether I Will Be Afforded An Opportunity To Cross-Examine Any Witnesses Put On By Your Staff And Also I'd Like To, You Know, Confirm That We'll Be Advised Or The District Will Be Advised Of All Of The Facts Upon Which The Commission Acts Today. So Since Bonita Springs Fire District Is The Only C.O.P.C. Applicant That Has Gone Through This Public Hearing Process, I'd Appreciate Some Clarification On This Point.

Chairman Pendergrass: Okay. Andrea Fraser.

Commissioners For The Record, My Name Is Andrea Fraser. This Proceeding Will Be One Of Determining Whether Or Not The Copcn Application Should Be Granted To The Fire District, Bonita Springs. I Think She Asked If The Criteria Will Be Provided To You All? Yes, It Has Been Provided To You All By Memo, And I Did Send You A Copy Of That As Well.

Yes. There Is Nothing In That Memo That Indicates Whether I'll Be Accorded An Opportunity To Cross-Examine Witnesses.

The Question Of Cross-Examine, At This Point We Won't Be Permitted Croak. We Have Two Staff Members And One Person Is From The Hospital. That's The Only People We're Presenting.

I'd Like To Go Ahead And State Our Objection On The Record That We Won't Be Afforded An Opportunity To Cross-Examine Witnesses. This Is A Key Point In A Quasi-Judicial Proceeding, And We Want Our Objection Placed On The Record Clearly.

We Have No Objection To That And Understood That Objection Was Coming And Would Be Made.

Okay.

Next, One More It Is Housekeeping Matter Before I Start Is Another Procedural Matter. It's Been Brought To My Attention That Several Members Of The County Commission Have Made Public Statements Regarding Their Intentions To Deny Clients Cocpn Transport Application. Before My Client Ever Had This Hearing Today. I'd Like To Put Into The Record Exhibits 2 And 2-A, E-Mails From Commissioners Hall And Commissioner Mann To A Constituent Indicating Their Intent To Vote Against My. My Client Is Entitled To A Fair And Impartial Hearings

And These Position Statements By The Commissioners On My Client's Application Were Made Prior To My Client Presenting Any Evidence At Today's Proceeding. I'm Concerned And I'd Like To State Our Objection On The Record To The Way This Proceeding Is Being Conducted. We're Entitled To A Fair And Impartial Proceeding With An Objective Judicial -- Quasi-Judicial Body. Again I'd Like To Place That On The Record.

Yes. We've Just Admitted Them Into The Record. Yeah. [Laughter]

Comm. Manning: I've Never Heard Of That In My Life.

With All That Said, I'm Ready To Get Started With My Opening. I Appreciate Your Indulgence While I Address These Procedural Matters. Members Ever County Commissioners I Appeared Here On May 22, 2012, For The A Hearing On The Copc And Transport Application. At Least Three Of You Were At The Proceeding And We Spent Two Hours On The District's Ability To Meet The Sustains Set Forth In Your Ordinance '08-16 Governs The Certificates Of Necessity. We Had A Court Reporter In Attendance At That Proceeding. For Those Newly Elected Commissioners That Were Not At The May 2012 Proceeding, I Provided Your County Attorney With A Copy Of That Transcript From That Proceeding In An Effort To Spare Us All The Need To Go Through All The Evidence And Testimony Again Today. While I Understand That Transcript Has Been Provided To You, I Have Been Advised By Your Legal Counsel That This Is Not A Continuation Of That Proceeding But This Is A New Proceeding. And So We Have New Rules Of Governance, And We Have To Start Everything All Over Again. So I'd Like To Admit Those Such Communications From Your County Attorney Into The Record As Exhibit 3. Apologize In Advance To The Three Of You Here That Some Of That Is Duplicative, Although There Will Be New Testimony Here Addressing The Newest Concerns Raised By Your Staff. The Bonita Springs Fire District Submitted Its Original Copcn Application On May 2, 2010, Almost Three Years Ago. District's Original Application Provided It Would Provide In Staff 3 To 4 Ambulances In Its Fire Station And Provide The Transport Services In Addition To The First Responder Services It's Already Providing In The Bonita Springs Region Of The County. The District Has Never Withdrawn Its Application, And It Filed An Amended Application On December 2012 To Clarify That The District Would Provide A Minimum Of Three Ambulances Initially Once The Transport Copcn Was Issued. The Purpose Of The December 12 Amendment Was To Clear Up Confusion And Questions About Whether It Was 3 Or 4 Ambulances, Although The District's Answer Has Always Been The Same. We Would Start Out With A Minimum Of Three Ambulances. And Eventually Provide Four Ambulances In The Region If Needed. The District's Application Seeks To Supply Three Full-Time Ambulance Transport Units In The Bonita Springs Area And Thereby Improve The Existing Transport Services Provided By The Count County E.M.S. That Currently

Staffs Bonita Springs To The Tune Of Two And A Half Ambulances On A 24 -- Your Staff Did A 24-Hour Basis And One On A 12-Hour Basis. In Response To The District's Original Application, The County And Its Staff Have Discussed, Debated, Delayed, And Workshopped This Issue No Less Than Seven Times And Publicly Noticed Board Meetings And At Least 3 To 4 M And P Meetings. Thereby Have Been Meetings Held On These Matters On September 13, 2010, October 25, 2011, January 31, 2012, April 10, 2012, And May 22, 2012, June 4, 2012, And March 4, 2013. Copies Of These Agendas And Minutes From These Meetings Are Attached As Exhibits 4, 5, 6, 7, 8, 9, And 10 Respectively. Also To Clarify With Regard To Exhibit 10, That Is A Copy Of Your Staff's Yellow Sheet Also Included In The Agenda Packet For The March 4, 2013, Proceeding Is A Copy Of Your Staff's Yellow Sheet Or Staff Description Sheet As They Are Called, Which Is Also Included In Exhibit 10. To Say That This District Has Been Patient Has Tried To Be Cooperative, Has Tried To Work Through All The Bureaucracy And Delay With All Level Of Your Staff Is An Understatement. Today We Seek A Decision From You, Preferably An Affirmative One Granting The District's Transport License. Florida Statute 401.25 Sets Forth The General Law On How Basic Life Support Advanced Life Support Shall Be Licensed And States The State Shall Issue A License For Operation To Any Applicant Who Complies With Certain Enumerated Requirements In The Statutes, Has Adequate Insurance Coverage, Pays A Fee, Meets The Requirements For Equipment, Personnel Communication Systems And Services For B.L.S. And A.L.S. Services, And Lastly, Obtains A Certificate Of Public Necessity From The County On Which The Applicant Will Operate. The Statute States Each License By The County Expires In Two Years And Each Renewal, Importantly, Each Renewal Is Subject To The Same Requirements That The Original Licensure Would Be Subject To At The Time Of The Renewal. The Statute States That The County's Governing Body Shall And I'm Emphasize That Again Shall Consider The Recommendations Of Municipalities Within Its Jurisdiction. It Then Goes On To Provide That The Governing Body May Adopt Ordinances That Provide Reasonable Standards For Certificates Of Public Necessity For Basic Life Support Advanced Life Support Services And Air Ambulance Services. A Copy Of The Statute Is Going To Be Admitted Into The Record As Exhibit 11. In 2008, After What I Understand Was An Extensive Workshop And Meetings Between E.M.S. Staff At The Time, The Local Fire Districts And The Regional Trauma Agency And Other Interested Parties, Your Staff Brought And Recommended To The County Commission The Adoption Of Ordinance '08-16. That's Your Local Ordinance On How Certificates Of Necessity For A.L.S., B.L.S., And Air Ambulance Services Will Be Administered And Evaluated In This County. The Adoption Of This Ordinance Was Your Legislative Act. That Was Your Adoption Of General Policy On How As A County Would Administer The Licensing Program. Consequently, When An Applicant, The Bonita Springs Fire District Or Any Other

Public Or Private Applicant Comes For You And Is Seeking Such A License, They Are Subject To The General Law 401.25 They Went Over And Your Local Ordinance Criteria. Your Local Ordinance Specifies A Particular Process For Obtaining Certification. That Includes Completing An Application With All Of The Requested Information And Turning It In To The County Manager Who Then Evaluates The Application To Determine The Extent To Which The Proposed Services Are Needed To Improve The Overall E.M.S. System And They Are Then To Prepare A Report Within 60 Days Of Receipt Of Such Application And Recommend Approval Or Denial Of The Applicant's Request. Your Ordinance States That The Board May Not Grant A Certificate Unless It Finds After A Public Hearing And Based On Competent Evidence That The Applicant Has Sufficient Knowledge And Experience To Provide The Service. The Applicant Has Adequate Revenue, And The Proposed Service Meets The Equipment And The Personnel Essentials And The Applicant Has Provided And Demonstrated Adequate Insurance. It Goes On To Define The Criteria And It's Set Forth In Section Nine Of Your Ordinance. The Criteria That You Are To Examine. The Extent To Which The Proposed Services Needed To Improve The Overall E.M.S. Capabilities In Lee County, The Effect The Proposed Service Has On Existing Services With Respect To Quality Of Service And Level Of Care, The Effect The Proposed Service Has On The Overall Level Of Hospital, Medical Care In The County, And Finally, The Effect The Proposed Service Has On Existing Hospitals And Other Health Care Facilities. Let Me Say That The Bonita Springs Fire District's Application And Countless Submittals And Testimony We Have Provided To County Staff And The County Commission For The Past Going On Three Years, At Various Meetings, Has Provided Evidence That We Meet Each And Every One Of The Above- Stated Criteria. Recently, We Have Been Asked To Provide Even More Written Answers To Questions On Various Points. As Asked By Your County Staff And Attached For The Record, Our Responses To Such Questions That I'd Like Entered In As Exhibits 12 And 13. After Today, The District's No Longer Going To Respond And Address Superfluous Criteria That Your County Staff Wants Read Into The Ordinance Or The Statute That Is Simply Not Part Of Your Licensing Criteria And Not The Applicable Law. In Other Words, It's Inappropriate And Illegal For You As A Board To Consider Criteria Outside Of Your Ordinance That Is Being Advanced By Your Staff Like Other Potential Future Applicants Who May Seek To Provide Transport, Public Or Private, The Change In The Payer Mix And Whether The County Will Ultimately Decide To Privatize The Entire Emergency Medical Service System. None Of That Is In Your Ordinance. Second, This County Has Repeatedly Granted Ccops For Other Transport Providers Over The Last Three Years Without Bringing A Single One Of Those Applicants That You Have Brought The Bonita Springs Fire District To. You Have Not Conducted A Single Hearing Public On Any Of The Other Submittals And Not Workshopped Them And Not Requested The Voluminous

Submittal Is That Not Necessary For The Criteria. You Have Selectively Granted Cocpns That They Are Grandfathered. As A County, You've Ignored The Requirements Of Your Own Ordinance And Approved It Other Fire Departments And Other Providers And Your Own Public Procedure Without Willing The Criteria Set Forth. I'd Like To Admit Exhibit 14 A Chart That Shows Approval Dates Of Other Cocpn Transport Applications And Admit As Exhibits 15, 16, And 17 Respectively The Recently Approved Cocpn Transport Applications For The Following Departments The Lee County E.M.S., Ft. Myers Beach Fire Department And The Lehigh Acres Fire District. Third, The Decision About Whether To Grant Bonita's Application Here Today Is Not About Setting Policy As Your Staff Stated To You In Their Most Recent Yellow Sheet Briefing Packet At Your M And P Meeting On March 4. I've Already Submitted That Yellow Sheet Into The Record As Exhibit 10. A Local Government Does Not Set Policy When Evaluating The Sufficiency. The Application Of Ordinance '08-16 Is No Different Than All Of Your Other Regulatory Licensing Ordinances. You Evaluate Each Applicant Submittal Based On Their Compliance With The Criteria. And You Grant Them -- And You Are Charged With Granting Applicants' Licenses If They Meet That Criteria. You Do Not Read Into The Ordinance Unwritten Factors Or Future Contingencies And Furthermore, I Am Certain That This County Would Never Treat A Private Entity Seeking A Cocpn Or Any Other Regulatory Licensing The Way You Have Treated Bonita Springs Fire District. It's Unconscionable It's Taken Bottom Three Years To Get To A Determination On A Simple License. Your Staff Has Been Adamantly Opposed To Any Other Fire-Based Transport Applications Since The Day In Which Bonita Springs Filed Its Initial Application In 2010. The Staff And Administration And Heads Of E.M.S. And Public Safety Have And Continue To Have An Agenda That Seeks To Prevent Fire-Based Transport. Whether It's To Protect County Jobs, Including Their Own Or For Other Reasons I Don't Know, Nevertheless, I Hope This Board Will Critically Evaluate The Motives Of Your Staff Today And Representations Made To You Over The Past Three Years. Also Keep In Mind The Embarrassment That Your Emergency Medical Staff And Public Safety Departments Have Caused You In Their Mismanagement Of Their Department And Assess Whether You Can Truly Rely Upon Your Staff To Tell You What Will And What Will Not Enhance Levels Of Patient Service In This County. Today Your Job Is To Hold The Public Hearing, A Quasi-Judicial Hearing To Determine Based Upon Competent Evidence Whether Or Not The District's Application Meets The Requirements Set Forth In Ordinance '08-16. You Made Must Factual Findings And Conclusions Based On The Competent Evidence Provided To You And Ultimately Grant Or Deny Bonita's Request For Certification. Our Clients Expect And Demand All Of The Procedural Requirements Of The Quasi Judicial Proceeding Will Be Afforded And We That You Won't Act Arbitrarily And Capriciously In Your Ordinance. I Expect You'll Receive Testimony

From Lee Hospital That The Impacts It'll Have On The Hospital. The District Is Prepared To Address Any Such Concerns Raised Bite Hospital Despite That Only A Fraction Of A Percent Of Bonita Springs Patients Are Actually Transported To Lee Memorial Hospital Outside Of The Trauma Center. Commissioners, Despite What You May Hear From Your Staff, This Is Not A Sky Is Falling Type Of Scenario In The Most Basic Terms, Bonita Springs Fire Districts Transport Application Seeks To Add Three New Ambulances Into Your E.M.S. System At No Cost To The County. This Will Allow You To Redeploy The Two And A Half Ambulances And Personnel You Currently Have Housed At Bonita Stations To Other Areas In The County That Are Insufficiently Staffed And That Are Not Meeting Their Response Times. The District's Application Does Not Require To You Lay Off Anyone, No County Employees Will Lose Their Jobs. You Are Not Going To Have To Expend Any Extra Money. Bonita's Fire District Offer To Take Over This Service Will Ultimately Improve The Transport Response Times In Bonita Springs And Importantly, You'll Hear Today From The Citizen Of Bonita Springs, Including The Mayor Of The City Of Bonita Springs That They All Support This Application. It Is A Win-Win For Everyone. The Bonita Springs Has Provided More Comprehensive Information And Submittals To You Than Any Other Application Who Has Sought Transport Services In This County. We Respectfully Request That You Fairly And Reasonably Evaluate The Application And The Evidence Presented To You Today And That You Grant Bonita's Transport Cocpn Based On The Criteria Actually Governing In Matter, Your Ordinance And Florida Statute 401.25. The District Is Prepared To Move Forward With Our Witnesses. We're Going To Start With Chief Daegle, The Fire Chief Of The Bonita Springs Fire District Who Is Going To Proceed With A Video Accompaniment.

There Is Five Minutes.

Good Morning, Commissioners. I'd Like To Min By Presenting A Video Clip Of The June 4, 2012, M And P Meeting. This Meeting Took Place Approximately One Month After The Bonita Springs Fire District Presented Our Application To Provide Advanced Life Transport On May 22, 2012, Approximately Nine Months Ago. You'll See John Wilson The Former Public Safety Director Presenting Information To The Board Of Commissioners.

The Current Shortfall With That Overview In Place, The Current Shortfall In Resources Comes From Two Factors A Call Volume Increase And Reductions In Our Budget Over The Last Five Years. We've Seen A Call Volume Increase Of 6,900 Calls During That Time Frame, And A Decrease In Our Budget By Almost 6.7 Million Dollars. The Reductions Came In From Not Filling Positions And Relying Upon The Current Staff To Handle The Increased Load Through Overtime. This Has Expressed Our Ability To Pleat Compliance Response Time Set Forward In The Cocpn Ordinance. This Map You're Seeing Explains The Erosion In Our Ability To Meet This



Response Time Of The Areas Black -- Excuse Me, The Red Squares Represents Areas Where We're Not Meeting Our 8-Minute, 59 Second, 90% Of The Time Area.

You've Come Forward. You're Under A Lot Of Financial Constraint And Reduced E.M.S. Every Year I've Asked Where Are We Getting Core Services. I'm Hearing From Various Staff Members That They're Exhausted, Overtime, And I Think In 1011, Kim Gave Me Some Numbers That Shown Unbudgeted Over Time We Had \$1.6 Million And Total Overtime Because You Added Into Salaries They Don't Work A 40-Hour Work, They Work A 53, 57?

56 On Average.

They Work A 56-Hour Week. We're Obligated For 16 Hours Of Overtime By Budget. And That Is Because We Don't Have Enough People. I've Never Seen The Analysis If We Didn't Do Overtime, Would That Cost Us More Than The Overtime And Again, If We're Going To Stick To That Because People Have Come To Rely On That Overtime As Part Of Their Salary Package Which I Always Find Interesting When We're Negotiating With The Union About Overtime, That Becomes A Big Issue, Then You Start Adding More Overtime On Top Of The Overtime They're Already Getting. I Guess I'm Confused And A The Frustrated That E.M.S. Is A Core Service. We Are Obligated To Meet -- You Look At That Map. There's A Lot Of Red Dots On That Map. When We Had Complaints We're Not Meeting Our Times, There Was A Lot Of E-Mails Going Back And Forth People Saying We're Meeting Our Times. And Wee Not. So We Have -- How Many Dots Are On That Map, John?

Quite A Few.

Here's My Problem. We've Been Pushing This Issue As A Board And This Is My Frustration-Wise. It's Not -- I Don't Want To Blame Anyone. I Want To Share My Frustration. We Have Been Asking These Questions And Ask It, And I Guess Bonita Springs Has Pushed It To A Point Now You're Coming Forward Saying Time Out, We Really Aren't Meeting These Times. I Hate To Justify People Who Have Been Telling Me We've Been Meeting The Times. I Don't Know What Our Policy Is. When Do We Trigger We're Not Meeting Enough Times? Is It The First 1 We Miss The Time Frame We're Missing? Do We Wait For 10 Of Them To Occur? What Triggers Hey, We're In A Budget Crisis So When I Look At Stuff That I Have To Fund, Versus Things I'd Like To Fund, That's The Challenge We'll Have This Year. We Have A Shortfall And A Lot Of Things We've Been Funding Because We Felt Them Important, And We're Underfunding Thing We Must Fund. They Are Truly Life Safety Issues. I'm Looking For You Guys Where Is On Our Safety Gap That I'm Three Weeks Out From A Budget Conversation Finding Out I Probably Need To Add \$1.5 Million To \$2 Million To E.M.S. Then That Will Give You The Opportunity To Bring These People On, And

Then We'll Probably Six Months Before We Have The Opportunity To Be Flat Again. That's A Long Time. In Addition To How Long We've Been In This State. So I Don't Know. I Guess I'm Looking For Where Do We Fill In Those Safety Gaps So That We're Not In This Type Of Situation So That We're Aware Of It In This Detail Sooner Versus So Far On The Back End Of It?

I Asked You These Questions Up Front Goat A Better Handle. When I'm Reading Your E-Mail, You Budgeted \$3.5 Million In Overtime. Hu Unscheduled Overtime Of \$1.6 Million For A Total Overtime Spent In 10-11 Of \$5.1 Million. I Don't Have Any Problem With That, No Issues With That. What I'm Looking For Is How We're Going To Communicate Better So I Don't Have Paramedics And Staff, You Know -- This Has Been Going On For Three Years. They've Been Exhausted For Three Years. I'm Getting Calls. I'm Getting Wives And Family Members Saying What Are You Doing About The County? My Husband, My Brother, My Whatever, My Sister, They're Exhausted. You Don't Have Enough People. And That's Filtering Out. What I'm Asking You Is At What Point Do We Say You Cut Back Too Far? Because If You're Look Quarterly Know, Administration, We're Seeing A Trend, We're Seeing A Trend.

The Demand -- The Demonstrated Need To Granted Proposed Cocpn Is As Such. Need One, Lee County E.M.S. Has Unequivocally Shown The Gross Inability To Meet The Ordinance 08-16 Goals. The System Is Stressed And The Employees Emphatically Need Relief. Since The Time Of The M And P Meeting On June 4, The Senior Staff Have Been Relieved Of Duty And No Significant Changes In Operational Deployment Implemented. In Fact Further Degradation To Provide Service Has Evidence As Lee County Medical Transport Issue. And Once Again As Commissioner Hall Alluded To, It's Up To Bonita Springs To Bring This Issue To The Forefront. The Commission Pointed Out In Need Number Two, Commission Pointed Out At June 4 M And P Meeting If Lehigh Was Not Granted Their Cocpn, E.M.S. Would Need To Provide Full Service To Those Citizens. You Need Lehigh Acres Fire Department. On February 12, 2013, Lehigh Acres Fire District Was Approved For Transport Cocpn. Additionally, Lee County Required That That Fire District Place Another Ambulance On The Road Because It Lacks Resources. Furthermore, The County Needs Ft. Myers Beach District To Provide The Transport Service. In 2012, Lee County E.M.S. Responded To Ft. Myers Beach 117 Times For Mutual Aid. Conversely, Ft. Myers Beach Aided Lee County 321 Times For Mutual Aid Outside Of Ft. Myers Beach Fire District. That's Nearly Three Times More Calls For Service To The Ft. Myers Beach District Than The Fort Myers Beach District Provided To The County Than The County Provided To Ft. Myers Beach Which Effectively Assisted Lee County E.M.S. The Lee County E.M.S. System Needs Bonita Springs Fire District's Proposed Service. Need Number Three. During The M And P Meeting Conducted On March 4, 2013, Chief Tuttle Pointed Out That The County Has 28, 24-

Hour Units And Seven Peak Demand And Transfer Ambulances, A Reduction Over The Previous Year. Furthermore, The Call Load Has Increased By 10.99% And The Response Time Has Increased During This Time. Logically Enhancing The Need For More Units As Evidence Of Staff's Decision Of Privatizing Some Of These Services. Bonita's Proposed Service Will Help Offset These Insufficiencies. Need Number Four, The County Staff Refused To Depict The E.M.S. Transport Times At March 4, 2013, M And P Because They're Substandard. They Choose To Show The Fire District's Averages Included Not Lee County's Fractile Response Times As Dictated In The Ordinance 08-16. The Reason Is Because More Units Are Needed In A Total System To Meet Your Ordinance Goals. Bonita's Proposed Service Will Assist In Fractile Response Improvements. Need Number Five. The Lee County E.M.S. System Is Quickly Deteriorating. Chief Tuttle Stated On March 4, 2013, M And P, That The County System Immediately Needs Five Ambulances This Year And Four Every Year After. The Bonita Springs Fire District Can Supply And Staff Three. Lee County E.M.S. Needs 54 Tough Books Which Are Outdated And Not Meeting The Demands And Will Cost \$205,000 According To Our Staff. 50 Cardiac Monitors That Are Outdated And Cannot Provide The New Technology For Adequate Patient Care When A Cost Of \$1.5 Million, The County Needs Bonita Springs Fire District's Proposed Service To Offset These Inadequacies. The Bonita Springs Fire District Is More Financially Sound To Provide This Proposed Service Than Any Current Cocpn Transport Provider In The County, Including The County Itself. We Have Finances. We Have The Necessary Equipment And Facilities To Render The Service As Determined In Your Ordinance. I'm Not Sure It Is Possible To Demonstrate A Greater Need For The Bonita Springs Proposed Ambulance Service. As The Lee County E.M.S. System Continues To Deteriorate That Could Negatively Impact The Ability To Provide For The Citizens. If It Were Not For The Other Fire Services, The County Would Be Fully Inept At Providing Services For All The Cities. It Will Not Conflict With, Disrupt, Hinder, Impair, Or Otherwise Obstruct The E.M.S. Provider Services That Are Currently Provided Within The County. When Available, The Bonita Springs Fire District Will Provide Mutual Aid Response To Adjoining Zones Or Districts When Requested To Do So By The County Communication Center. No Different Than Lehigh Acres And Ft. Myers Beach. Now This Being Said, The Districts In South Lee County Utilize A Similar Fluid Deployment Model As E.M.S. Closer Dispatching Insures That The Closest Medical Unit Responds To Medical Emergencies Regardless Of Their Affiliation. Furthermore, Advanced Life Support Fire Engines Are Also Sent To Other Areas In The County For Medical Response Coverage When Resources Are Taxed And There Is A Need. It's Been Stated That When A Fire Call Comes In Or Has Received, Our Ambulances Would Respond To The Fire And Be Unable To Respond To Medical Calls Or Medical Emergencies. Well, This Is A Meritless Argument, Because This Already Occurs With Your Own

Ambulances. In Fact, Its Current Policy For Lee County Ambulances To Be Dispatched To Fires And Often Remain On Scene On A Fire Scene For 5, 6, 7 Hours Or Even Days Unavailable For Other Emergencies. Now It Should Be Noted That This Practice Is Necessary For The Safety Of The Emergency Responders And Of The Citizens Alike. Irrespective Of Whether It's Lee County E.M.S. Or A Fire-Based Transport District. Furthermore, We Do Not Seek To Prevent A Working Constructive Agreement Between Lee County E.M.S. And Lee County Hospitals. It's Imperative That The Board Consider The Following. Of 82,615 Emergency Calls In Lee County That Lee County E.M.S. Responded To In Fiscal Year 11 And '12, Approximately 241 Patients Were Transported Out Of Bonita Springs To Lee Memorial Facilities Aside From The Trauma Center 82,615 Calls Lee County E.M.S. Responded To This Year, 241 Patients Were Delivered Out Of Bonita Springs To Lee Memorial Facilities. This Equates To .3 Of 1% Of The Total Call Volume Of Lee County E.M.S. Moreover, The Trauma Center Websites States For The Greatest Chance Of Survival, Trauma Victims Must Receive Treatment Within The Golden Hour Or The First 60 Minutes After Receiving The Injury. From An Operational Standpoint, Approximately 2,493 Patients Were Transported Out Of Bonita Springs. Of These Patients, 57 Were Sent To The Trauma Center. 57. And Because Of The 30 To 40-Minute Transport Time From Bonita Springs, Seven Were Flown Out By Helicopter. Seven. Finally, You've Heard The Term "Fragmentation." It's Imperative You Understand The Following Points. In 2012, Approximately 88% Of All Patients Transported From Bonita Springs Went To Collier County Hospitals Which Have Different Medical Protocols Than Lee County And Different Medical Directors. Patients Are Currently Now Handed Off From One Agency To Another Breaking The Continuity Of Care. People In Need Of The Trauma Center Are 30 Valuable Minutes Away By Ground Ambulance To Bonita Springs. 30 Minutes, The Golden Hour. If It Takes Us Luckily 10 Minutes To Extricate Him Or Package Him, That's Another 10 Or 15 Minutes. That's Six. The Trauma Center Is Left With Less Than 10 Minutes In Taken By Ground. In That 60-Minute. Paramedic Firefighters Wait An Unacceptable Amount Of Time In Treating Patients While Waiting For An Ambulance. This Is Overwhelming That The Citizen Of Bonita Springs Will Be Enhanced By The Bonita String And Fire District Providing Transport. In Closing. As The Board Of County Commissioners, The County Staff, And Bonita Springs Fire District Recognize, The E.M.S. System Is Stressed. By Granting The Proposed Cocpn, The Bonita Springs Fire District Will Add Three Staffed Ambulances To The County Wide System. This Evidence Shows The Citizens Of Bonita Springs And The E.M.S. Will Enhance -- Will Be Enhanced By Allowing The Bonita Springs Fire District To Provide Patient Transport Just Like Ft. Myers Beach And Lehigh Acres. Thank You. That's What I Ask.

I Would Also Like To Enter Into The Record The Video That We Had Played. Thank You, Commissioner.

Chairman Pendergrass: Thank You. Council, You Have Another Witness You'd Like To Call?

Morning, Mr. Chairman. Happy Birthday. Commissioners. My Name Is Steve Lohan. I Serve As Chairman Of The Bonita Springs Fire Control And Rescue District Of The Board Of Fire Commissioners. Today On I'm Here On Behalf Of The Fire District To Respectfully Request That The County Commission Support The District's Cocp Application For Transport. The Fire District And Staff Attorneys Have Spent A Considerable Amount Of Time Applying For And Evaluating The Feasibility Of Providing Medical Transport Services To The Bonita Springs Community. All Of Our Research Indicates That The Fire District Can Officially -- Efficiently And Economic Provide Enhanced Level Of Service Within Our Community. Terribly I'm Submitting Into Record 16,104 Signatures And Addresses Of Bonita Springs Residents Supporting The Application To Provide Transport Services Under The Cocpn. Original Subjects Of The Petition Was Previously Submitted Into The Record On May 22, 2012, Proceedings. Finally, It Is Important For The County Commission To Recognize Even If You Do Follow County Staff's Recommendation, The Commission Is Required To Have A Sufficient Factual Record To Substantiate Any Ultimate Decisions On Our Cocpn Application. On Behalf Of The Fire District, We Hope That You'll Make The Right Decision For The Welfare Of The Bonita Springs Community And Vote In Support Of Our Cocpn For A.L.S. Transport. Thank You For Your Contribution.

Chairman Pendergrass: Thank You.

Good Morning. Can I Have This Overhead Turned On?

Chairman Pendergrass: There You Go.

The Guy Said He Would Do It. Thank You. For The Record, My Name Is Deputy Chief Frank Juliano. The Bonita Springs Fire Control And Rescue District Cocpn Application Meets The Standards Set Forth In Lee County Ordinance 08 Hadn't 16. Our Proposed Application Will Enhance The County E.M.S. System. Today, We Send Fire Apparatus And Ambulance To Almost Every Call. Our Proposal Is To Reduce The Dual Response To The Majority Of Medical Incidents Adding Three Staff Transport Units To South Lee County Specifically. The Bonita Fire District Will Allow The Current Two And A Half County Ambulances And 18 E.M.A. Or Paramedics Stationed In Bonita Springs To Be Redeployed In Other Areas. Approximately 88% Of Our Patient Transport Are Delivered To Collier County Hospitals. Therefore, Lee County Ambulances Are Removed From The Lee County Fluid Deployment Mix. You

Ask Why Does Lee County Transport To Collier Hospital So Frequently? The Answer Is Simple. Transport Times And Proximity. Transport Times To Local Hospitals From Centrally Located Bonita 21 As Determined By Mapquest 31 Minutes To Lee Memorial Hospital. That's The Trauma Center. 28 Minutes To Health Park And 25 Minutes To Gulf Coast Medical Center. You Can See Them Up Here. Sorry. Transport Times To Collier County Hospitals Are 17 Minutes. The Physicians Regional, 14 Minutes To North Collier, And 22 Minutes To Naples Community. All Ground Transport Times Are Shorter Than To Any Lee County Hospital From Central Bonita. Let Me Lay Out The Geographical Location For Our Community. We Have Collier County To Our South, The Gulf Of Mexico To Our West, Swamps To Our East, And A Fire Pace Delivery System Ft. Myers Beach Along The Island Coast To The Northwest. This Leaves Basically Three Routes That Lee County E.M.S. Ambulances Can Respond All Exclusively Through A Sterile And All From The North. You Have U.S.-41, I-75, 3 Oaks Parkway. They're The Only North-South Arteries Into Bonita. What Does This Mean For The Citizens Of Bonita Springs? That Means When They Need An Balance, We Wait. We Need To Drastically Decrease The Times That Residents Wait For An Ambulance To Transport Them To Hospital. The Ordinance Requires That Lee County Provide An Ambulance To The Most Critical Calls Within 8 Minutes 59 Seconds. However, The Vast Majority Of Calls Have No Time Constraints And Are Considered By The County As Non-Life-Threatening. Situations Such As These Leave The Fire Department And Paramedics Of In Bonita Springs On Scene Treating Patients For Extended Periods Of Time With No Means To Bring The Patient To The Hospital. The Need For The Bonita Springs Firefighter District To Authorize The Cocpn To Include Transport To The Hospital Is In Part Due To The Lengthy Response Times Of Lee County E.M.S. Of 386 Medical Calls In Bonita Springs Last March Of 2012, 89 Of Them Have An E.M.S. Response Time Of 12 Minutes. 40 Seconds With Several Of Them 20 Minutes Or Longer. The Average Wait For Our Firefighter Paramedics And E.M.T.S On Those Calls Of Seven And A Half Minutes Before The Ride To The Hospital Showed Up. One Unfortunate Citizen Waited In Extreme Pain With A Dislocated Hip For Over 50 Minutes While Firefighters On Scene Desperately Requested One Lee County Medic After Another To Finally Resorting To Calling To An Ambulance From Collier County. Four Medics Were Diverted From This Low-Priority Call Before The Firefighters On Scene Finally Gave Up And Asked Another County For Assistance. You May Hear Calls Like This Referred To As Non-Life-Threatening According To Lee County Public Safety Officials. It's Scenarios Such As These Are Not Indicative Of Adequately. Every Citizen In Bonita Springs And Lee County Deserves Best Service Available On All Calls. We Believe Granting Our Cocpn Would Help That System. I'd Like To Submit For The Record This Map And The Times For The Hospitals. Thank You.

Good Morning. I'm Deputy Chief Greg Dewitt. When Reviewing The Past Transcripts From The Past Meetings. The Recommendations Arguments And Justifications For The Denial Of The Bonita Springs Fire District Cocpn Presented To Your Staff Are As A Resulted In Confusion Over The District's Ability To Provide The Transport Services As Contemplated In Ordinance 08-16. Your Staff Has Repeatedly Intentionally Or Unintentionally Misrepresented The Facts About The District Its Qualifications Under The Ordinance And Has Offered Irrelevant Or Inaccurate Information Before This Commission. It's My Sincere Hope Today That This Bord Will Fairly Evaluate The District's Application In Light Of Your Ordinance. This Is About Whether Bonita Springs Fire Control And Rescue District Is Equip Toed Provide Als Transport Citizens To The Citizens Of Bonita Springs And Lee County. You'll Hear Testimony Today Regarding How The Public -- How There's Fire Departments For The District To Provide The Services To The Citizens Of Bonita Springs And Lee County. How The District Has Knowledge And Experience To Provide Transport Services, How The District Has A Revenue Based, The Personnel And Equipment To Perform These Services And Based Upon All Those Factors, The District Qualified For Transport Authorize Under The State And County Requirements. Based Upon Several Other Public Meetings On This Subject, I'm Sure You'll Hear Arguments Against The District's Application, Many Of Which Have Asserted The Issuance Of A Cocpn To The District Would Create A Deterioration Of The Current System, Fragmentation, Financial Burden On The Bonita Springs Taxpayers. I Urge The Board In Its Quasi-Judicial Role To Fairly Consider Facts Presented By The District And Not Just Your Staff's Opinion Before You Rush To Judgment On The District's Cocpn. Little History. The District Has Been Issued A Cocpn And Providing Advanced Life Support Since 1998. For 30 Years -- For The Past 30 Years, 2 Other Agencies Have Been Providing The Various Services That We Are Requesting. Your Staff Asserts These Agencies Are Grandfathered In. There's No Such Grandfathering Clause Under Your Ordinance. Each Transport Provider Must Reapply Every Two Years For A New Permit. And Our System Has Been So Disrupted, Why Haven't Those Various Transport Providers Been Permitted To Continue To Provide Fire-Based Transport Within The Consolidated Lee County System. Two Firefighter Transport Programs Have Been Integrated Into The County's System Without Significant Issue. Those Programs Have Been Renewed Every Two Years Under Ordinance 08-16 And There's No Logical Reason To Believe That The District's Transport Program Cannot Be Integrated As Well. As You See Here On The Screen, Demonstrate -- Excuse Me. Further What's On The Screen, It's Fire-Based Transport Is A State Trend. Within The State Of Florida, 52% Of The Fire -- Service Delivery Is Fire-Based While Approximately 10% Is Nonfire Based. This Information Was Given At The March 4, 2013, Lee County Management Planning Meeting. At This Time I'd Like To Enter This Into The Record

As Exhibit A. Also Enter Into The Record Exhibit B. This Is A Map. This Is A Map That Shows 74% Of Florida's Populations Are Serviced By Fire-Based E.M.S. Our Initial Object Sieve To Provide A Minimum Of Three Ambulance Life Support Transport Units? It's Also Our Position That We Initially Provide 3 24-Hour Staff Units Staffed With 2 To 3 Personnel At The Onset With The Intention Of Increasing The Operation To Four Units As Soon As Reasonably Possible. The District's Application Does Not Contemplate The Removal Of Any Existing County Personnel Or Apparatus From The System. To The Contrary, The District's Application Proposes To Add Three Additional Transport Units To The Comprehensive Existing System Which Is In Obvious Need Of Them. The District Providers Are Trained To The Same Standards, Licensed By The Same State Authority As Lee County Paramedics. The District Can Employ The Providers To Perform Paramedic Services At A Fraction Of The Cost By The County By Employing Personnel License As Firefighters And Paramedics. The District's Apparatus Carries Virtually The Same Equipment And Same Medications As Lee County E.M.S. We Have The Exact Same Training As The Medics For Lee County E.M.S. We Perform The Same Life Support Trains Training, Pediatric Training And Trauma Training. We Are Credentialed In The Same Way With Our Medical Director. They're Not Only Written Evaluations But Scenario-Based Evaluations. The Medical Director Must Sign Off All Paramedics For Them To Be Allowed To Function On Their Own Als Unit. Statements Have Been Made That Only 10% Of Our Training Is E.M.S. Related. They're A Cross Trained Multifunctional Agency. We Do Fire Training And Hazmat Training And Fire Prevention Training And In The Actual Fact Is That 52% Of Our Training Is Actual E.M.S. Training. As Stated In. As Stated In The June 4, 2012, Lee County Planning Meeting It Takes The County 6 To 8 Months To Get A Paramedic Medically Credentialed. Ft. Myers Beach, Lehigh Acres And Dr. Joe Lemson Stated They Would Help With Any Training As It Relates To Transport. We Currently Have 45 Paramedics That Are On The Operation And Suppression Side And Out Of Those 45 Paramedic, 52% Of Them Of Those Paramedics Come From A Transport Background. We're Quite Capable Of Doing The Transport Job. We Have Received Nothing But Exemplary Reports Since Providing Services. I Have Copies Of Evaluations From 1999 To The Present For Purposes Of Admitting These Two The Record As Exhibit C, All Our Evaluations.

The District Has Included Provisions For Financing The Rolling Stock. Moneys Have Been Designated To Obtain Any Supplemental Equipment. The Only Item Excluded From The Budget Is The Anticipated Revenue Being Generated From Providing This Service. A Revenue Neutral Position As Compared To The Current Deficit For Lee County's E.M.S. Operations. Unlike Lee County E.M.S., The District Has Bricks And Mortar Infrastructure In Place In As Required By The Ordinance. Three Of Which Are Currently Attended By Your Agency Free Of Charge. None Of The Bricks And



Mortar Hard Costs Were Considered When Assessing The County's Cost. The District Has The Infrastructure Irrespectively Of Whether Or Not We Provide Als Transport Services. There Would Be A Substantial Increase To The County's Costs If They Were Required To Build And Maintain Three Facilities In Bonita Springs Sufficient To Quarter Your E.M.S. Personnel Equipment And Apparatus. Consequently, It Should Be Noted That Lee County E.M.S. Does Not Meet Lee County's Ordinance Within The District As Evident By The District's Application Before You. The District Has, Can, And Will Fulfill All Of Its Infrastructural, Personnel Conditions Within The Ordinance. The Issue Of Dual Taxation Has Been Lauded In Front Of This Commission. It's Our Position That The County's General Fund Tax Is Justified Because The District Is Dependent On Lee County To Provide Air Transport, Dispatch Services, And Mutual Aid As Necessary As It Has Been Stated That This Is A Readiness Tax Not A Dual Taxation. This Commission Has Issued Transport Cocpns For Ft. Myers Beach And Lehigh Acres Fire Department. Dual Taxation Should Be A Nonissue, Because We Are No Different Than Them. The County's Existing E.M.S. Or I'm Sorry The Existing Als Transport System Has Been Described On Numerous Occasions By Staff As Being Very Stressed. There Are Several County Commissioners Who Have Echoed That Same Concern. Additional Transport Units Integrated Into The Comprehensive System Cannot Be Construed As Anything But A Benefit To The Citizens Of This County And To The Residents Of Our District. These Freed Up Units Will Allow Your E.M.S. Service To Redeploy Assets And Manpower To Other Underserved Areas In The County. In Other Words, This Will Further Enhance The Existing System. The Myths Of Layoffs Resulting In The Districts Giving This Authorization Should Be Easily Dispelled By Examining Overtime Records And The Poor Response Times Of Lee County E.M.S. It Doesn't Make Any Sense To Downsize Your Operational Staff When The County's Currently Spending Millions Of Dollars On Overtime. Despite The Comments Made By Members Of This Commission And Your Staff At Three Public Meetings, There Is No Mention Within The Ordinance 08-16 Of Privatization Consolidation Of The Fire Districts, The Payer Mix, County Wide Average Response Times, Budgets, Whatever Relationship The Hospital Maintains With Lee County E.M.S. We Urge You To Consider Only The Criteria That Has Been Established Within Ordinance 08-16. For Whatever Reason The Argument Has Been Diverted Away From The Requirements Of Ordinance 08-16 By Your Staff. I Ask You To Consider -- I Would Ask That You Consider How Enhancing The System By Adding Three Transport Vehicles And Personnel To Service Lee County Services Would Not Be In The Public's Best Interests? Thank You For Your Time And Consideration On This Cocpn.

Morning, Mr. Chairman, Chairman, Citizens Of Bonita Springs And Lee County And Lee County Fire And E.M.S. And Bonita Springs E.M.S. I'm Doctor Alex Rody. I Come To You Today As A Medical Director Of Bonita Springs Fire Rescue Control

District. I Come To Ask For Your Support On Our Request To Expand And Enhance Our Als Services As Citizens Of Bonita Springs By Adding You To Give Us A Positive Vote On Our Application To Transportation Status. Why Transport Status? To Better Serve Our Citizens In Bonita Springs, To Augment A Comprehensive System Of Area, To Increase Patient Safety By Providing A High-Quality, Highly Important Contiguous Fire-Based E.M.S. Transport Service. As You May Know, E.M.S. And Fire Control Are Two Separate And Distinct Services In Most Of Lee County Except For Ft. Myers Beach And Lehigh Acres. Fire-Based Ems Transport System Was Developed In Miami, Florida In 1960. The Model Utilized Is Fair Head Of Trained Paramedics Who Is Serve Dual Roles As Fully Trained Firefighters And Fully Trained Paramedics. It Allows Care To Be Rendered To Injured Victims And Provide Needed Fire Support During Time Of Fire And Other Disasters. This Cross Trained Philosophy Is Cost-Effective For The District And Utilizes Our Personnel To The Fullest Extent Of Their Training And Allows Us To Provide For An Added Degree Of Patient Care And Safety. In Reviewing Our Resources And Fire Station Locations We're Confident We Can One, Significantly Reduce Response Times By 2 To 3 Minutes, The Time We Respond Is Paramount T May Not Sound Like Much, But When The Vast Majority Of Your Calls Are Manager Emergencies And Not Trauma Emergencies, It May Make The Difference Between Life And Death. Improved Patient Outcomes By Quicker Transport To Definitive Medical Care, Directly Impacting Patient Concerns And Obtaining Needed Patient Outcome Data So We Can Continue To Improve Our Care And Identify Those Issues In Need Of Improvement. Three, To Provide Continuity Of Care From Initial Contact To Presentations As A Local Hospitals Thereby Eliminating The Potential For Problems Associated With Hand-Off Of Patients To Another E.M.S. Unit. Four, Provide Three Additional Als Transfer Units In Bonita Springs Augmenting The County Wide System. We Already Employ The Number Of Trains Paramedics That Undergo A Rigorous Certification And Training Process. Consequently Bonita Springs Can Meet And Exceed All Applicable Lee County. They Deserve The Best Care We Can Provide. We Deserve A Timely Respond And Highly Trained And Motivated Professionals And A Continuity Of Care From The Time The Call Goes Out Until The Patient Arrived At The Hospital. Only The Fire-Based E.M.S. Transport Service We Seek To Implement Can Provide This Level Of Care. After Reviewing Statements Made By Dr. Goldberg At The October 2011 Presentation Relating To Transport Delays, Patient Morbidity And The Control Of The Current System, E.M.S.'S Participation In The Quality Council, Fragmentation Be I Submitted Following. Current Delays In The Transfer Of Bonita Springs Citizens Result Of Being Unable To Adequately Respond To The Calls On Transport. On Average, E.M.S.'S Transport Is Two And A Half Minutes Or Longer. Our Paramedics Are Already There To Assess The Patient And Initiated Care. They're Often Waiting For The Transport Ambulance

To Arrive From Lee County E.M.S. The Current Transport System Is Fractured. Lee County E.M.S. Finds It Acceptable To Have A Window Of 9 Minutes To Respond To A Priority One Call, For Example Cardiac Arrest. There's No Set Time Limit For Lee County Response To Other Calls And Creates A Potential Disastrous Outcome For Parities. The Majority Calls Are Not Priority One Calls. The Delays Can Only Be Appreciated When You're The Patient Waiting Almost An Hour To Be Transported To A Hospital. Further It's The Fire District's First Responders Not Lee County E.M.S. That Provides Advanced Life Support Treatment That Includes Intubation And Advanced Airway Management Want Lee County E.M.S. Is Currently Not Providing All Of The A.L.S. Patient Treatment As Defined By Your Ordinance 0-16. County Wide Combined Fire And E.M.S. Council That Meets Quarterly With Representatives From The 17 Fire Districts And Lee County E.M.S. We Review Protocols And Issue Of Presupport Care Rendered By Lee County E.M.S. And The Fire Districts. Bonita Springs Is Also An Active Participant In This Council. The Issue Of Fragmentation And The Argument That Having Too Many People In The Mix To Respond To A Call Would Result In A Loss Of Coalescence And Fragmentation Of Resources Is A Distorted View Of Bonita Springs Proposal That Is Nothing More Than To Confuse The Issue. In Actuality, Under The Proposal, There Would Be Less Duplicative People At The Scene Not More. It's A 6-County Catchment Area That Deals With Different E.M.S. Fire Services From Multiple Surrounding Counties. All The Districts And Departments Follow The Same Mandated Trauma Protocols. So There Are No Multiple Opinions On Patient Care. In Terms Of Fragmentation, The Current System Is Already Fragmented As Stated Previously F Anything, Bonita Springs Proposal To Provide E.M.S. Services Would Provide Less Fragmentation. It Would Not Be Contrary To The Emergency Medical System Standard As Previously Stated. Fire, Lee County E.M.S. All Sit On That Same Medical Care Council That Meets To Discuss Standardized Protocols And Discuss Patient Care. Consequently There Would Not Be Any Change In The Care Provided By Bonita Springs Transport If It's Granted. They Must Recognize That Bonita Springs Sends Over 80% Of Their Patients To Collier County Because They're Closer. As You Heard Today, That Number Is Higher At 88%. Furthermore, All The Trauma Alerts Should Be Flown By Helicopter To Lee Memorial Hospital Trauma Center. Transport By Ground Ambulance To Lee Memorial Hospital Is Often Too Inefficient As You've Heard The Numbers Given The Severity Of The Trauma Condition Or Medical Condition And The Geographical Distance To Lee Memorial. The Priority Medical Calls That Make Up The Vast Majority Are Medical Emergencies. These Are The Types Ever Calls That Need A More Timely Response, Something Lee County E.M.S. Has Been Unable To Accomplish. This Is Precisely What Bonita Springs Wishes To Accomplish By Obtaining Their Certificate. I Urge This Board To Vote In The Public's Interest To Provide Als Transport Services In Bonita Springs. I'd Like To Submit Into Record

An Affidavit Of My Sworn Testimony On This Matter That Includes My C.V. And Other References Exhibits. Thank You.

Thank You. Commissioner Manning.

I Would Respectfully Request Proponents On Both Sides To -- I Don't Have A Problem Listening To Their Testimony. Counselor. But If The Redundancy Could Be Limited Somehow. I Don't Know How That's Possible. We've Heard The Same Thing Over And Over Again And We May Do That On Both Sides. I'm Not Trying To Pick A Fight. I'm Just Asking That We Separate The Weed From The Chafe. Thank You.

We Only Have One Other Further Witness To Put.

I Don't Care If You Bring A Monday People. They're All Starting To Say The Same Thing. Thank You. Speaking Of The Devil.

Speaking Of Chafe.

Thank You And Thank You For Your Patience Today. And For Your Attention. I'd Like To Submit Into The Record, I Think, A Resolution, Resolution 10-051 From The City Of Bonita Springs In Support Of This Application. In A Growing And Vibrant Region Such As --

Wait, Ben. We All Know You.

Ben The Mayor Of Bonita Springs. The Relationship Of The Municipalities And Counties Must Constantly Grow And Evolve. I Personally Believe That We Are Best Served In Our Dealings With Each Other By Mutual Respect And Bite Recognition Of Each Other's Opinions, Rights, And Ultimately Responsibilities. There Are Many Times When We Will Agree That Sharing A Vendor Or Service Is Mutually Beneficial. There Are Also Times When The Citizens Express Their Elected Municipality Representative Ace Desire To Bring Certain Services In House Assuming The Responsibility For Those Services. If We Can Find It In Ourselves To Remove The Passion And Emotions That Now Surround Issues Such As This, I Think We'll Find That This Is Clearly And Simply One Of Those Instances Where We Have Such A Request. So On Behalf Of The City Of Bonita Springs, City Council, And On Behalf Of This Special District, Bonita Springs Fire District, I Upon Would Respectfully Request The Commission Support The District's Application And I Would Thank You For Your Patience And For Your Thoughtful Considerations.

Chairman Pendergrass: Thank You.

Commissioners, At This Point In Time, The Fire District Has Presented Its Evidence. According To The Outline Of The Proceedings Received From Your Council Which Has Been Entered Into The Record, It Indicates That The Board Could Question The Witnesses At Any Point In Time. Just Wanted To Put It Out There At This Point In Time That Since There Were No Questions At The Conclusion Of Their Testimony That If The Chairman Would So --

Chairman Pendergrass: Any Time You Have Questions For The Witnesses Spoke If Not We'll Move On To The Other Side.

And Then Mr. Chairman, And I Mean No Disrespect Here Again, I Am Going To Again Request An Opportunity To Cross-Examine Any Of Your Staff Witnesses That Make A Presentation At This Proceeding. I Don't Mean Any Disrespect. I Didn't Mean Any Disrespect When Commissioner Manning Was The Chair. But For Purposes Of The Record It's Very Important That I Have An Ongoing Objection That Is Acknowledged By Your County Attorney's Office To Any Witnesses That I'm Not Allowed To Cross-Examine.

Chairman Pendergrass: Objections Noted.

Okay.

Thank You.

Chairman Pendergrass: Any Questions?

Yeah. I Was Curious. Was Counsel Giving Us The Opportunity To Do What You're Saying That You're Not Being Given The Opportunity To Do? I'm Not Following Your Point.

Chairman Pendergrass: She Wants The Authority --

I Know You'd Like To Be Able To Cross-Examine Those People And As You Were Finishing, Seemed To Me Like You Were Giving The Commissioner.

At This Point, The Board Has An Opportunity To Ask Any Of Those People Who Just Stood Up And Made A Presentation Questions. You Can Ask Anyone Questions If You So Desire.

That's Different From You --

Yes, Sir.

Cross-Examining?

Yes, Sir. That's Why We Want To Clarify. Same Manner By Which We Can Then Ask You Guys Anything We Want.

Yes.

I Think I Join Commissioner Manning In Observing That I've Heard Several Points 4 Or 5 Times.

Thank You.

Chairman Pendergrass: Staff Presentation.

I Don't Have.

Chairman Pendergrass: We're Going To Take A Five-Minute Recess Before The Staff's Presentation. The Meeting Will Take A Recess.

Chairman Pendergrass: Thank You. It's March 26. We'll Reconvene. It's A Public Hearing. Staff, You're Up.

Good Afternoon, Commissioners, Dawn Leonard Assist Public Attorney. To Review And Take Action With Respect To Bonita Springs Fire Control And District Report For A Cocpn That Was Submitted In December 2012. This Hearing Is Not About The Cocpns Issue To Lehigh Or Ft. Myers Beach Or Any Other Jurisdiction. However, I'd Like To Correct Some Of The Misinformation That Was Presented To The Board By Bonita Springs. Lee County Ordinance 08-16 Does Not Contain A Grandfather Clause. Each Application Stands On Its Own Under Both The Statute And County Ordinance. Lee County Ordinance 08-16 Indicates The Board May Approve A Cocpn Request As Routine Matter Meaning It Can Be On A Consent Or Administrative Agenda Or It Can Hold A Public Hearing. The Choice Belongs To The Board. The Board Is Also Free To Deny A Request For A Cocpn Application At Any Time It Is Considered. The Decision Is Legislative. It's To Be Made At The Discretion Of The Board. As So Adamantly Stated By The Fire District's Attorney, The Fire District Has Been Attempting To Obtain A Cocpn Allowing Advanced Life Support Transport Since 2010. The Last Application Was Submitted In May 2010 And It Was The Subject Of A Public Hearing That Occurred Last April In 2012. I'm Sorry. This 2012 Hearing Public Resulted In The Board's Decision To Allow The District An Opportunity To Present Their 2010 Application To Consideration Before A Hearing Officer As Permitted Under 08-16 Section Nine And The Board's Decision Requested That A Forensic Audit Of The District Be Conducted. Due To A Number Of Circumstances Including The Reorganization Of Public Safety, Neither The Forensic Financial Fiscal Audit, Nor The Hearing Before The Hearing Officer Occurred. What Did Happen Is The District Submit A Revised Or New Application Seeking A Cocpn

For ALS Transport Services In Lee County. This New Application Was Preliminarily Considered By The Board During The March 2013 Management And Planning Meeting Where The County Staff Was Directed To Schedule This Public Hearing. After This Public Hearing Was Scheduled, Staff Learned A Full Board Would Not Be Available Today. We Offered The District An Opportunity To Delay This Hearing Until April 2 To Allow The Full Board To Be Present. Our Office Received Written Response From The District's Attorney On March 21 Declining The Opportunity To Delay The Hearing For The Full Board And Demanded We Go Forward Today. Consequently, We Are Here To Present The County Staff's Position Regarding The New Application Submitted By The District In December 2012 And Explain Why County Staff Recommends The Board Deny The District's Request. It Is Unfortunate Disappointing And An Apparent Lack Of Professionalism That Instead Of Providing Fact-Based Evidence To This Board That The District Has Instead Seen Fit To Engage In Name Calling And Finger Pointing. Lee County Will Provide A Reasonable Explanation As To Why Denial Is Appropriate And The Facts And Evidence Necessary To Support The Information Presented. Your Decision Today Here Is A Discretionary One Pursuant To The Provisions Of Both Florida Statutes 401.25 And Lee County Ordinance 08-16. In Order For The District To Provide ALS Transport Services In Lee County They Need A Cocpn Certificate Granted By This Board And The A License Granted By The State. Without A Board Approved Cocpn Certificate, The District Cannot Obtain A State License. The Intent Of The Medical Transportation Services Regulations Enacted Pursuant To Chapter 401 Is To Facilitate The System At I Think And Coordinated Provision Of Emergency Medical Services. Under Florida State Statute 401.25, The Decision To Grant Or Deny A Request For A Cocpn Certificate Is Squared Left On The Discretion Of The Local Government. To Facilitate Consideration The Coc Request In Accordance With The Statute, The Board Adopted 08-16 In Accordance With The Statutory Provisions. 08-16 Requires The Board To Submit An Application -- Requires The District To Split An Application To The County They Is Reviewed By The County Staff And Presented To The Board In A Public Hearing. In Accordance With This Ordinance, The Board May Grant A Certificate Only If It Finds Competent Evidence That All Criteria Or Standards Set Forth In Section Nine Of The Ordinance Are Satisfied. You Were Provided A Copy Of These Standards Via A Letter And Also There's A Copy With The Package That I Gave You Earlier. In The Event That The Board Determines The Grant Of The Certificate Is Appropriate, It'll Be Valid For A Period Of Two Years. However, It Is Important To Understand Without Regard To Satisfaction Of The Criteria Set Forth In The Ordinance That Neither The Statute Nor The Ordinance Mandates The Grant Of A Certificate. The Board At All Times Retains The Right To Deny The Certificate If The Board Believes Doing So Will More Appropriately Facilitate Achieving The Board's Planned Or Established Means Of

Delivering Emergency Medical Services To The Citizens Of Lee County. For Reasons That Will Be Explained More Fully By The Speakers That Follow, Public Safety Staff Is Respectfully Requesting That The Board Exercise Its Discretion To Deny The Bonita Springs Fire District Request For A Ccpcn Allowing A Ls Transport. To This End, You'll Hear From Scott Tuttle, Interim Deputy Director Of Public Safety Regarding The County's Service Delivery Model, The Importance Of The Continuum Of Care And The Time Applicable To A Scene Call. Following Scott Will Be Andrea Snidele From Lee County Memorial Hospital Who Will Provide Information Regarding The Systematic Delivery System And How "Will Create Fragmentation In The Existing System. Thereafter, Holly Schwartz The Interim Public Safety Director Will Speak To You Regarding The Impacts Approve Of The District's Request Will Have On The County And Then After Public Comment, Assistant County Ashley Roberts Will Wrap Up The County's Presentation. Unless You Have Any Questions For Me, Scott Tuttle Will Begin The County's Presentation.

Chairman Pendergrass: Any Questions From The Board?

I'd Like One. Help Me Understand This Process We're Going Through Here Today. Normally There Are Time Limits. Obviously There Are Not Today Except I See Five Minutes On The Response After This Is Over For The Applicant. But Our Rules Normally Are 5-Minute Presentation. Just Explain To Me Why We're Doing It Differently.

This Is A Public Hearing On The Ccpcn Application Of Bonita Springs And Therefore That's Why We Are Proceeding Quite Differently Than The Normal Public Hearing Process.

So It Only Applies To The Ccpcn Process? Our Rules Are Different From This Process?

Yes, Sir.

Comm. Manning: So There's No Limitations. Same Applies To Us?

Yes, Sir.

Comm. Manning: Thank You.

Good Morning, Commissioner. Scott Tuttle For The Record. Interim Public Deputy Director Of Public Safety. I Have About 11 Slides I'll Go Through. I'll Try To Be Cognizant Of Everybody's Time As We Go Forward. I Think It's Important We First Understand How Emergency Services Are Delivered Here In Lee County. We Currently Have A 2-Tiered System That Utilizes The Fire Department First Response For Nontransport Tier And Lee County E.M.S. As The Transport Tier. The System



Is Delivered To Provide A Rapid Advanced Life Support Or Basic Life Support To Provide That Initial Assessment And Stabilization Of Patients. Even Within The 19 Fire Districts In Lee County Has Four Different Models Of Providing This First Response Tier. There's Six Departments That Provide Basic Life Support Only. There's Two Departments That Lee County E.M.S. Partners With To Provide Advanced Life Support. We Provide The Paramedic And The Equipment And The Certification And Put That Paramedic On To The Fire Trucks To Provide That Advanced Life Support For The Nontransport. There's Also Three Fire Departments That Function Under Our C.O.N. They Function As An Extension Of Lee County As The Nontransport A.L.S. First Transport Response. There's Alms Eight Departments That Function Under 32 Own Cocpn And Bonita Springs Would Be One Of These Departments That Functions That Way. This Is The Same Chart That I Believe Was Bonita Springs Exhibit 1. What It Does, It Depicts The Service Delivery Models In The State Of Florida, And If We Look At The Fire Department For Als Transport And Read This Vertically As Opposed To Horizontally, We'll See That 50% Of The State Fire Departments Provide Als Transport. Nonfire Governmental Services Make Up About 15% Of Als. It's Important To Note In The State Of Florida There's 67 Counties, 36 Of Those Counties Have Nonfire-Based E.M.S. 27 Of The 36 Counties Are Very Similar To Lee County. Only Eight Of Those Counties, However, Have Multiple Fire Districts. And Lee County Being One Of Them, With 19 As Being The Most Fire Districts As Any Individual County. Where We See Where The Als Transport Is Provided By The Fire Districts, It's Through A Unified Response In A Metro Fire District And A Modified E.M.S. All Contained In One. There Was Discussion About The Difference Als, Cocpns That Exist. This Say Simple Table That Tells Us There's Four Different Types. There's Transport, Nontransport, Emergent And Neonatal. I'm Not Going To Take Time To Go Through All Of These. Bonita Springs Fire Department Has Argued Today And In The Past That They're Going To Save Approximately 2 To 2 And A Half Minutes Because They're Going To Get To That Call Faster And Be Able To Transport Faster. That's Not True For A Couple Of Reasons. Bonita Springs Fire Department Has Six Non-Als Transport Units At Five Stations Am They're Comparing Their Als Nontransport Units To Our Two And A Half Transport Units. Now Remember When I Say Two And A Half, That's Actually Three Transport Units During The Peak Times In Bonita Springs. Bonita Springs Fire Department Is Now Requesting Three Transport Units. They're Going To Have Very, Very Similar Response Times For Their Three Transport Units As We Do For Our Two And A Half Transport Units. Now, Bonita Springs Will Still Have To Respond With A 2-Tiered System In Order To Maintain Those Response Times. We Heard Them Testify They'll Be Able To Put Three People On A Truck And Have A Savings By Not Using Those Nontransport Vehicles. In Order For Them To Maintain The Response Times Accident They're Going To Have O.T. Even If Bonita Springs

Firefighter Transport And Nontransport Arrives Simultaneously, No Time Will Be Saved. Why Is That? The Time That's Saved On The Front End Of An Ambulance Call Does Not Equate To Less Time Saved On The Scene. Let Me Take You Through A Quick Time Line Here. If We Start On The Left Side Of This Time Line Accident We're Look At What Happens On The Scene Of An Ambulance Call. On The Left-Hand Side Is When The Truck Arrives On Scene. So The Truck Has Arrived On Scene At The Zero Minute Mark T Takes About A Minute For The Crews To Gather Their Equipment, Make Access Into The Residence And Make Access To The Patient. At About The 5-Minute Time Frame, There Should Be A History Obtained, An Assessment And That Initial Treatment Should Begin On The Patient. At About The 8-Minute Mark, There's A Transport Decision Made. Sometimes It's Very Clear And Very Seriously Ill That The Transport Is Going To Happen Immediately. Sometimes It Takes A While To Determine What The Transport Decision Is. At About The 12-Minute Mark, The Patient Has Been Prepped And Moving Towards The Ambulance For Transport.

You Still Have To Perform That Initial History, Assessment And Treatment Of The Patient. Out To About The Five Minute Marker. The Transport Truck Can Arrive At Any Time And It Will Not Affect How Long The Transport Unit Is On The Scene Or How Long It Takes To Move The Patient Off The Scene. There Is Argument About Our Core Services And Over Time. The Medical Guidelines Destination Consent. Lee County Ems Maintains 911 Care And Transport. The Area Fire Departments Have From The Past Pulled Ems To Augment Firefighting. I Have Been With The County 28 Years. I Have Witnessed It At Lehigh Acres. We Have Heard The Fire Department State They Spend 52% Of The Time Train On Ems. Ems Spends 100% Training On Ems. That Is Our Core Service There. Are Arguments About The Higher Over Time For Lee County Do To Flsa Standards. We Pay Over Time On Anything Over 40 Hours. Bonita Springs Because Their Firefighters Pay At 52 Hours. In November Of This Year We Augmented Our System With An Extra Ambulance Staffed By Over Time For Seasonal Flux. It Was Stated By The Chief Earlier We Decreased By One Ambulance. That Is Not True. We Maintained The Same Level And Have An Extra Ambulance For The Seasonal Influx. Currently All 911 Transport Services Have The Same Medical Director. Lehigh Acres, Fort Myers Beach And Lee County Ems Use Doctor Joe Lemons. Bonita Springs Have A Different Medical Director. There Is A Varying Philosophy On How The Protocols Are Implemented. They State We Transport 80% Of The Patients To Collier County. That Is True. Sit Because Collier County Is Closer? You Have To Look Deeper Into What Makes Up The Transport Decision To Understand Why. The First Is Patient Condition. If You Have A Heart Attack, A Stroke Or Severe Trauma, There Are Certain Facilities That Are The Best For Taking Care Of Those Conditions. We Try To Guide Those Patients There. If The Patient Is A Weak And Alert And Able To

Make Decisions On Their Own. Informed Consent Plays A Role So The Patient Is Informed You Are Having A Heart Attack You Need To Go To The Certain Hospital To Treat It. If They Say I Want To Go To This Hospital, We Will Take It There. It Is The Patient's Right To Go Where They Want To Go. A Lot Of Bonita Springs Residents Have Established Relationships With Doctor This Is Collier County. It Is Closer That Is Why We Utilize Those Hospitals. To Make The Statement That We Go There Because Sit Closer, It Is More Complex. Our Call Volumes Have Been Increasing Since 2007. Our Call Volume Has Increased 11%. Average Response Times Have Gone Up As Well. Average Within Lee County In 2007 To 2008 Was Five Minutes 23 Seconds. For 12-13 There Is Arguments Made When We Have Not Met Our Goals We Missed Them By Less Than 60 Seconds. There Has Bin An Argument About Transfer Of Care. Trap Ferof Care Occurs Every Day Within Health Care. Because The Agencies Are The Same Does Not Insure Better Transfer Of Care. Bonita Springs Will Have Three Ambulances. Lee County Has Three During The Peak Times. They Are Dependent Upon A Two-Tiered System. There Is A Transfer Of Care That Occurs. In The Medical World There Is A Transfer Of Care Every Day Between The Nontransport And Transporting Agencies When We Arrive In The Emergency Department There Is A Transfer Of Care That Occurs From The Transport Agency To The Rns They Transfer Care To The Physicians. They Transfer Care To The Ancillary Healthcare Providers Laboratory Services And Physicians Difficult To Special Lists Every Day. When Patient Care Is The Top Priority Everybody Exchanges This Equally. It Is About Betterment Of Patient Care. When You Are Focused On Patient Care The Transfer Of Care Isneg Gated. This Is A Very Simple Flowchart. What I Want To Show Is A Little Bit Of How This Happened. The Nontransfort Being Straight Shot. Once That Patient Arrives Into The Emergency Room There Is Transfer Of Care That Happens All Different Directions From The Transporting Agency Between The Different Rns And Laboratory Services And Emergency Specialists. When You Are Focused On Patient Care 100% Of The Time These Issues Are Negated. That Is What You Concentrate On. That Is The Close Of My Presentation. Unless There Are Questions I Will Turn It Over To Andrea Snider. Thank You.

I Would Like To Respectfully Place On The Record Our Standing Objection To The Fact I Am Not Allowed To Cross-Examine Mr. Tuttle.

Objection Note.

Good Afternoon. I Am Andrea Snider. I Am Here On Behalf Of Lee Memorial Health System. I Hold Director Of The Transfer Center. My Background Including 16 Years As A Critical Care Flight Nurse In Philadelphia Before Coming Here. We Began A Project To Coordinate Delivery Of Care For Our Patients To Hops Outside Of The Area With The Transfer Needs By Developing The Transfer Center. The

Concept Of The Center Was Developed Through Leadership Retreats With Both Organizations Ems And Lee Memorial Health To Coordinate The Safe Transfer Of Patients With The Appropriate Use Of Resources Available. This Operation Is Now 24 Hours Daily And Staffed By Lee Memorial Health System Nurses With A Background In Critical Care And Emergency Care. The Growth Of This Center Is Tremendous Over Five Years. It Is A Norm A Patient Will Not Move As A Transfer Into Or Out Without A Nurse Who Evaluated Each Patient For Needs. We Have A 3600 Patient Transfers That Are Performed By Lee County Ems Not Including The Pediatric Teams. Lee County Provides Assistance And Takes Our Team For Us. We Have A Priority Along With Lee County Ems To Ensure Health, Safety And Welfare For Our Patients. The Relationship Ensures This. Lee Memorial Health System Has A Need For Transfers Due To Changes In Healthcare, Practices And A National Shortage Of Physicians Which Requires Us To Have On Call Programs. On Call Programs Can Mean That Specialized Physicians Are Not Available At All Hospital Sights Every Day. We Have Levels Of Specialized Care Known As Trauma Center At Lee Memorial, Stroke Centers And Specialized Pediatric Services. It Is With The Support Of Lee County Ems Ensuring Safety And Coordinating Care Of Patients. We Supplied A Destination Coordinator Role In Place With Our Transfer Center Staff. This Keeps To Ensure That Each Patient Is Delivered To The Most Appropriate Destination The First Time. On Call Programs Present A Dynamic Situation That Changes Daily Or Even Within A Single Day To Accommodate The Needs Of The System And Our Patients. The Transfer Center Coordinator Works Together To Facilitate The Patients Upon Arrival To The Emergency Responses. It Is With This Effort We Are Made Aware Of The Volumes Ahead Of Time So Decisions Can Be Made For Alternative Destinations. Both Organizations Lee County Ems And Health System Are In These Constantly Changing Details Every Day. Another Great Example Is To Avoid Loafer Loading A Particular Campus In The Event Of Emergencies. Lee Memorial Trauma Center May Have Be Busy With Patients Coming In That May Over Load A Site. If This Is Occurring The Communication Within Our Roles Allows For Destination Coordinator To Offer Systems. We Work Directly With Lee County Ems And Dispatch By Requesting The Appropriate Level Of Care Needed To Maintain Safety Of Transfers By Reviewing And Assessing The Needs Of Each Patient By Our Critical Care Nursing Staff. With These Patient Assessments The Decision Is Made For The Most Appropriate Resource To Execute The Transfer And Timeframe For The Transfer To O Care. We Are Aware Of Season And The Impact It Has To Our Systems. We Have Established Care Protocols Along With Open Communication With The Medical Director. To Have Additional Medical Directors Will Detract From Patient Care That Is Necessary For The Safety And Well-Being Of Any Patient. Lee Memorial Health System Has Testified Before This Board Of County Commissioners In The Past. Regarding This

Issue And Our Position Has Not Change Also. Lee Memorial Health System Board Of Directors Has Advocated A Central System With Common Protocols And Standards To Be Maintained To Avoid Fragmentation And Clintonfusion. We Advocate That Any Change Be Considered For Patient Care And Safety. This Is A Difficult Decision That You Will Need To Make Today That Must Have The Health, Safety And Welfare For The Patients As A Priority Based On The Evidence That Has Been Presented Here Today. Lee Memorial Health System Encouraged Patient Outcome Measures For Any Decision Made Today And Moving Forward. Thank You.

I Would Like My Objection That I Cannot Cross-Examination Miss Snider.

Objection Noted.

At This Time We Are Recognizing The Standing Objection. Council Need Not Make The Objection Before Or After Every Witness.

Good Afternoon. Holly Schwartz, County Administration And Public Safety. The County's Concerns Here Relate To How The Approval Of This Application Would Impact The Current E9 One Transport Model By Fragmenting The Consolidated System. We Provide Transport For The County All Of Which Operate Under A Two Tiered System. That System Is Working As It Was Designed To Buy Getting Nontransport Advanced Life Support To Patients In Need Quickly. Granting An Additional Transport Will Not Decrease Response Time To The Patient As You Have Heard From The Deputy Director Tuttle. It Will Also Not Guarantee Quicker Transport To The Hospital. Fragmentation Of The System As You Have Heard From The Representatives Would Produce Increased Inefficient See In The Healthcare Delivery System In Lapses In Coordination. To Support That Consolidation Rather Than Fragmentation Is More Effective. The December 2009 Cooperative Services Feasibility And Consolidation Study By The Fire Departments Concludes That The Best Option For The Citizens Of Lee County, Southern Lee County For Quality Fire And Ems Is Consolidation. That Has Been Submitted In Exhibit 1-A. Grants The Copcn Would Result In Additional Requests By Other Fire Departments To Provide The Ability To Transport Thus Exacerbating The Fragmentation. As We Discussed In The Information Presented At The March 2013mmp, The Transport Volume Has Gone Up 11% In Five Years. We Are Addressing This By Focusing On The Core Mission Of Pre-Hospital 911 Transport. By Working To Modify The Inner Facility Service We Will Continue To Address And Improve The Response Time Throughout The County. As You Consider The Fiscal Implications For The Citizens Of The County As A Whole Please Consider The Following. The Board That Several Criteria To Consider. One Of Those Requirement Is To Review The Financial Responsibility Of The Application. As Stated In Section 8 Of The Ordinance. So We Have Discussed Some Of Those Issues. Commissioners, What You See Here Is

Essentially A Model Of Our Population Comparison To Bonita Springs Comparison. Last Year There Was A Question Of Call Financial Comparison So We Were Not Comparing The Cost Of Calls. We Are Comparing Here The Population In The Operating Budgets And Per Capita Expenditures. We Understand That 71% Of The Calls By Bonita Springs Are Medical. We Extrapolated Out 71% Of Their Operating Budget Which Results In What You See There. So The Other Issue We Would Like To Make Is That The Bonita Estero San Carlos Study Consolidation Which Was Exhibit 1-A On Page 63 States It Is Not Cost-Effective. Another Study Bonita Five Year Plan From October Of 2009 Exhibit 1eb States That Based On Finances The Bonita Fire Control Should Not Consider Adding Ems As A Single Agency. Commissioners, We Would Like To Include For Your Consideration The Next Slide. Bonita Springs Fire District Millage Rate Has Increased Twice Since Their Original Request. Once In Fiscal Year 2011 And In Fiscal Year 11-12. In Comparison Lee County General Fund Millage Rate Did Not Increase. That Is In Exhibit 2. It Would Not Be A Savings To The County Or Citizens Of Bonita Springs. The County Would Be Responsible For Providing Coverage When The Bonita Ambulances Are Out Of The District. The Deduction Of Some Of The Transports From Bonita Springs Would Reduce Revenue By 750 To \$800,000. The Insurance Pay Or Mixed Would Be Changed With The Impact Met By The General Fund To Affect The County Taxpayers As A Whole And Bonita Taxpayers Twice. Commissioners, There Isn't About Who Would Provide Better Hands On Patient Care. It Is The Most Effective And Efficient Delivery Model. The Provider Community Has Worked Together To Arrive At The Best Models For Pre-Hospital Response. The Current Blended Models Of Fire Department, Als Non-Transport Augmenting The Als Transport Works Well. The Decision Today The Professional Staff Will Continue To Work Together In The Best Interest Of The Citizens They Serve. We Are Asking You Deny The Request For Transport Based Upon The Evidence Submitted. From That Point That Ends My Presentation. We Are Going To Public Comment Unless You Have Questions.

Do You Have Any Witnesses Other Than What I Have Cards For?

Closing Arguments.

Correct.

Commissioner. A Matter Of Housekeeping. The Evidence Presented Through Our Presentation Just Would Like To Read It Off For Clarification. We Have The Same Numbers. Lee County 1-A Is The Consolidation Study. Lee County 1-B Is Five Year Plan. Two Are Trim Notices. Lee County Three Is Composites Of Powerpoints. 4 Is Notice And The Method Today. Thank You.

Do You Have Any Witnesses To Call?

There Is A Public Hearing.

We Have No Other Witnesses. Thank You.

We Will Go To Public Comment. First Speaker Is Joseph Swaski.

I Think You Are Talking About Me.

I Couldn't Read It. You Have Three Minutes, Sir.

State Your Name For The Record Please.

Listening To The Two Sets Of Excellent Presentations, One By Bonita Springs Fire District And The Other By The Lee County Ems. I Was Impressed With Learning More Than I Did Know Prior To Having Listened To Those. I Am A Citizen In Bonita Springs. There Are Probably Two Very Important Factors For Me, And That Is The Basis Under Which I Tried To Put Together An Analysis. One Is The Service That We Get When Somebody Has A Medical Condition Or There Is A Fire Or Assist. My Understanding From All Of That I Can See Is All Of Those Have Resulted In Excellent Service Consideration. There Is Certainly An Out Wire Popular And That Is To The Service. That Was This One Woman Who Was 80 Years Old And She Fell Down At The Church And She Ended Up Not Getting Service For A Substantial Period Of Time. That Had A Lot To Do With The Priorities Of The Different Things That Ambulances Were Doing At That Time. It Would Seem To Me That When You Consider The Service Projection That Bonita Springs Would Have In A Situation Like That Given That They Would Be Sending Their Ambulances Which We Would Own To Other Places And There Would Be Other Places That Had A Higher Priority Than This Lady Who Was 80 Years Old With A Broken Hip That Would Happen Again Because The Circumstances Would Be The Same And That Would Be The Methodology That Bonita Springs Would Use. The Other Thing That Struck Me As Important Was How Much Will This Cost? We Are Currently Providing \$3.9 Million To Lee County For The Ems Service, For The Distribution Of 911 Calls And That Other Business With The Helicopter. We Are Going To Be Paying That Anyway. Particularly Since The Service Is Correlated Between What Bonita Springs Is Going To Do And The Ways They Will Get Help From Lee County. So I Put Together What I Thought Were All Of Those Elements That Contributed To The Cost Of That Project. Project Ems. It Would Require Personnel, Ambulances That Would Need To Be Purchased, And It Would Require Equipment On The Ambulances.

Then Perhaps If This Worked Out We Could Get In Return Some Of The Insurance Money That Currently Goes To Lee County. When You Add All Of Those Things Together And Subtract The Insurance Out Of That, It Looks Like It Is A \$1 Million Increase In Our Cost.

Your Time Is Up. Thank You. Next Speaker Is Fred Forbes. Then It Is Alex And Der Grant.

Fred Forbes. Happy Birthday Chairman. I Know Most All Of You Commissioners, Some Better Than Others. You Have A Tough Task. First Of All, What I Heard Today By The Speakers For Lee County If All Of That Was True You Should Have Turned Down The Two Previous Copcns You Approved. That Is Not Right. The Only Difference Between Us And Them Is We Don't Have One Yet. The Other Thing, Commissioner Hall Made A Good Point On This. Lee County Is Paying Out \$5 Million A Year For Over Time. Firefighters Who Are Also Emt And Paramedics Only Get Three Hours Of Over Time In That Same Amount You Pay 16 Hours. That Would Be About A \$4 Million Saving If All Of Lee County Was Fortunate Enough To Be Supplied Ambulance Transport By Fire Based Transport. The Other Thing That I Want To Point Out If You Would Grant Our Copcn, We Would Reduce The Number Of Times That The Fire Trucks Go First And Then The Ambulance Follows. That Two Tier Probably At Least 40% Of The Times. Not All Of The Time But At Least 40% So That Would Be A Savings In Wear And Tear On The Fire Trucks. Now With Regard To The Out Rider That The Previous Presenter Spoke About, If That Is True Then This Other Out Rider Back In 2012 There Was A Gentleman That Collapsed On Hickory Boulevard With Cardiac Arrest. Our Fire Trucks Dispatched The Closest Ambulance From 911. It Took Over 11 Minutes. Guess Where It Came From? Fort Myers Beach. I Do Believe Things Like That Would Not Continue If You Grant Our Cpon. I Would Hope That You Would Follow The Ordinance. There Seems To Be A Disagreement. If You Don't We May Be Back Doing This Again. Thank You.

Alexander Grant. Next Speaker.

Alexander Grant. 11851 East Terry Springs Bonita Springs. I Was On The Local Planning Agency For Bonita Springs And A City Council Member From 2004 To 2008 In Bonita Springs. I Was The Lie An Son Between The City Council And The Fire District During That 4 Year Period Of Time. At One Time I Was A Volunteer State Certified Firefighter And Chemical Consultant For The Bonita Springs Fire And Rescue Control From 1987 To 1998. Thank You. I Would Recommend An Interim Cooling Off Period And To In Order To Have The Proper Financial Review Of All Of The Consequences Brought Before You At This Time. If I Were You, I Think It Would Be In Your Interest To Have For You To Pay For The Cost Of An Independent Forensic Audit Of The Fire And Rescue Roll District. Also, I Would Recommend Your



Reviewing Of Doctor Curlyn's Recommendation On The Bonita Spring's Operation For Ems Service And I Believe That I Sent You A Copy Of One Page Of That And You Probably Have That In Your Record I Have The Entire Report If You So Would Like To Have It. What I Would Recommend Is When I Was On The City Council We Had A Contingency Fund Of A Couple Hundred Thousand Dollars. I Would Recommend That Is City Use Part Of That Contingency Fund To Play For An Ems Service To Make The 2.5 Ambulance Stationed In Bonita Springs To Three Fully Manned Ambulances. I Would Volunteer At No Cost To Either The City Of Bonita Springs Or Lee County To Act To See If This Could Happen. The City Of Bonita Springs Has Already Had Enhanced Police Service With A Contract For 11 Years That Has Worked Very Well With The Lee County Service Department Providing 16 Deputies And The City Is Paying For The Deputies Enhanced Deputies. Maybe We Could Do The Same Thing With Lee County Ems. That Way We Would Have Four The Fire Department We Would Have Four Manned Engines And Ladder Trucks. That Is 24 People And Including The Battalion She And Other Personnel.

Your Time Is Up. Thank You. Next Speaker Is Ron Peer.

After Ron Is Lisa Sargate.

May I Pass This Around Before The Timer Goes Off.

Just Pass It To The County Manager. She Will Get It To Us. That Is What He Would Wish To Say. I Am Ron Peer I Represent Taxpayer Action Group In Bonita. First I Would Like To Say I Am Sure Both Of These Organizations Whose Personnel Are Now On Board Would Provide Very, Very Good Service. I Don't Think These Folks Play Around Much When It Comes To Decides On Their Career Paths. But We're Where Not Only Talking About Health Here. We Are Talking About And The Delivery Of It. We Are Talking About Dollars And Cents. I Must Tell You That Bonita Springs Is Without A Doubt The Platinum Plated Fire District Within Our County. I Think You Only Have To Look At The Salaries, Pensions, Benefits, Bonuses, Incentives Offered There Compared To Lee County Ems To Conclude That We Have A Pretty Good Deal Going With The Ems That Is Provided By The County. Now Along The Way It Was Mentioned That We Would Indeed Have To Tip Paying The County Toward Your General Fund For The Care And Feeding Of The Ems. In Addition To What We Now Pay In The View Of Many In Bonita Springs. The Number Grows With Every Election. The Amount Of Money That We Have Been Paying Supports Those Things That I Have Enumerated A Minute Ago. I Want To Read A Letter To You And Summit Up By Saying This Was Sent To The Commissioner Recently. I Will Cut To The Chase. The Ems If Displaced Must Incur Significant Expense To Cover Liability And Piles Of Added Paper Pushing Required When Involved With The Ambulances. Plus We Will Continue Paying Property Taxes To Lee County For The

Care And Feeding Of The Ems. As You Know Former Chief Requested Tag Jump On The Red And Light Bandwagon Ambulance Concept. He Recalled Many Years To Cut Inflated Firefighting Personnel And Restraint When Purchasing Firefighting Equipment. The Chief Remembered That Taking Often Recommended They Redistrict Dollars Towards Enhanced Health Services. This Time The Tagged Reply To The Chief, The Former Chief Of The Fire District In Bonita Springs, I Said On Behalf Of Our Supporters. Too Many Fire District Employees Are Out On Of Lack On Salaries And Incentives And Pensions And Benefits. Until These Matters Are Resolved Include Endorsement Of Tag. I Think You Have Got An Easy Task Here When You Consider The Dollar And Cents Factor And Put That In The Equation. I Think We Are Doing Very Well With Ems. One Other Thing. My Two Experiences Of My Own Street That I Recall Vividly Happens Over The Past 10 Or 11 Years. Were Two Calls.

Your Time Is Up.

They Were Both Gone To First By The Ems. Thank You.

Next Speaker Is Lisa.

I Am A Nurse And Chief Administrative Officer At Lee Memorial Hospital. My Career Spans 25 Years Of Medical Specialty Including The Executive Director For Emergency Services At Lee Memorial Health Systems. I Am A Representative Of Lee Memorial And The Community We Serve. The Positive Relationship Is High. We Have Forged Pay Central System Of Coordinated Emergency Care That Includes Standard And Triage And Communications Based On Safety And Quality Patient Outcomes. The Collaboration Has Encompassed Successes Within Stroke, Trauma And Cash Programs. All With Patient Safety As The Goal. We Advocate For These Standards And To Avoid Fragmentation And Confusion To Patient Also. As You Go Forward I Highly Recommend Outcomes Be Included In Expected Performance Standards. I Ask That You Advocate For The Patient First As You Consider This Request. Thank You For Your Time And Consideration.

Next Speaker Is Scott Stanley.

Good Afternoon. I Am Scott Stanley. I Am A Home Owner And Taxpayer And Concerned Citizen. The Bonita Springs Has \$2 Million To Begin Ambulance Transport. There Is No Discussion Here Or Previously As To How To Recoupe That Startup Cost. In The Last Year They Have Made A New Website. On The Home Page Is Information On Fire Based Ambulance Transport. On That Page It States And I Quote. The Fiscal Year 2009 And 2010 Doctor There Was A Lower Mileage Rate To Be Responsive To The Community And Economic Environment. What They Left Out Is That In 2010 And 2011 For The Fire Department They Had A Millage

Increase In 2011 And 2012 Another Increase Was Approved. This Is Very Clear That Bonita Springs Is Not Cognizant Or Responsive To The Taxpayers. I Would Like To Draw Your Attention To The Specifics In The Request. In The Bonita Request It Could Take Up To A Year To Get Ambulance Transport Up And Running. They Want This. They Are Ready To Care For The Patients To The Hospital. The Money Is Set Aside. Why Will It Take A Year To Get This Service Up And Running? What Provisions Will Be Made To Keep Them Up And Running If There Is A Fire? Medical Calls And Transports Do Not Stop Because Of Fires Burning. Will Ambulances Be Staffed Or Shut Down Day-To-Day Based On Budgets And Manning As They Have Been In Lehigh Acres And Fort Myers Beach Fire Departments? They Have Shut Down Due To Budgets Over The Last Few Years. Two Separate Consolidations Study Have Been Done Over The Last Years. Both Of These Independent Consultant Groups Had Nothing To Gain From The Outcomes Of These Studies. I Would Like To Quote The Recommendations. Currently The Ems Is Providing Services. There Is No Urgency To Take Over The Transport. The Ems Transport Is Not Cost-Effective. They Look At It As An Answer To Job Protection That Is Filled With Holes And Usually Discovered. The Lee County Ems Provides Emergency Care To All Of The Citizens In Lee County Including Bonita Springs. Allowing Bonita Springs To Begin Ambulance Transport Would Fragment The System On Multiple Levels Oversight Of This System By The Board And Costs To The Taxpayer. I Strongly Urge You Not To Change The Well Run System As A Bad Idea And Would Be Costly To The Taxpayer. Thank You.

Next Speaker Is Joe.

Good Afternoon. President Of Bgn Consulting Here On Behalf Of The Fire Control And Rescue. I Would Like To Address A Couple Of Points Raised In The Prior Testimony. County Staff In Their Presentation Did Not Address That An Additional Hand-Off Is Worse Or Better. They Just Talked About The Fact The Hand-Offs Occurred. Eliminating One Would Enhance The Level Of Service. I Appreciated The Fact They Admit They Have A Tiered System But That They Showed The Financials Of Existing System. The Numbers You Saw By County Staff With Regard To Bonita Staff Budget Is Status Quo. It Is Not Requesting To Change. Those Numbers Remember The Same If You Do Not Grant This. That Is What We Got Into Last Time. This Is A Cop Hearing For The Bonita Springs Transport. Not A Hearing On Consolidation If We Are Talking About Lack Of Professionalism. Talk About A Relationship With Lee County Health Systems. I Am Familiar With That. As Vice President Of Vice. Of Academic Affairs We Helped With That. There Is Nothing That Would Preclude Addition Of The Third-Party To The Good Relationship. If I Was Able To Cross-Examine The Lee Memorial Hospital System Folks I Would Say Have You Read The Ordinance Or Reviewed The Reports About The Bonita Springs

Paramedics? Can You Make Comment As To Their Ability To Complete Their Assignment? The Answer Would Have Been No. It Is The Feel Of Future If It Changes. Something They Have To Get Over In The Upcoming Medical World. Let's Talk About The Dual Taxation. Let's Get This Straight. There Is No Change In The Tax Ability Rates Of These Organizations. Presently We Have County Wide Ems Tax Remaining The Same. Bonita Fire Department Tax Will Remain The Same. The Transport Fees Will Be The Only Thing To Change. They Will Go To Bonita Springs. That Is A Argument Without Merit. Lastly I Want To Say This Cop Application Saves Money For The County. Your Planned System Presently Calls For Two Agencies, Two Vehicles And Two Sets Of Professionals To Run To Every Call. This Copcn For The Three Units Available Which Is A Step Up From The 2.5. It Will Go From One Agency And One Vehicle And One Set Of Professionals. Common Sense Tells Me That Is A Cheaper System To Go. Thank You.

Last Speaker Was Ed Fitzgerald.

We Have No Other Speakers.

Please.

Good. My Name Is Ed Fitzgerald. I Am A Three Time Elected Member Of The Board Of Fire Commissioners In Bonita Springs. I Have Been A Resident Of Bonita Springs 20 Years And I Served In New York State For 20 Years. I Am A Licensed Emt Well Expired. I Voted For The Fire Department To Embrace The Medical Ambulance Function With Full Confidence In Knowing The Residence Will Be Best Served With Ambulances Manned By Firefighters. For A Long Time The Residents Of Bonita Spring Demanded Changes Within The Lee County Ems Service And Fire Department To Knowledge Their Displeasure With The Dual Response Policy Of Both Agencies. There Was And Is Widespread Belief That Dual Responses Are Not An Efficient Use Of Personnel And Equipment. The Bonita Fire Department Has Listened To The Critics For A Long Time Before Approaching You So We Could Move Forward To Prove To The Residents Of Bonita Springs That The Fire Based Ambulance Transport Was The Right Thing To Do. Bonita Springs Fire Department Will Do Both Jobs. We Will Do The Firefighting Function And The Ems And Do It With The Same Personnel We Have Now. There Could Be No Greater Improvement In The Productivity Of Every Man In The Bonita Fire Department Than Having Them Fully Responsible For This Service In Addition To Their Regular Duties. This Is Not Introduced To Make Work Or Make Them Look Better. The Advanced Life Support System From The Arrival To The Transfer To The Doctor Is A Critical Demanding Labor Of Love That Requires A Commitment Equal To Or Buffer That Of Entering A Fire Building. They Are Building To Accept That Responsibility. I Am Confident It Is So. There Will Be No Additional Hiring Required To Man The Three New

Ambulances. The Firefighters Of Bonita Springs Accepted The Additional Do You Des And Assignments Without An Increase In Man Power Schedule Or Budget. Did Firefighter Union Representation And Fire Commissioners Will Organize And Restructure Our Operations To Do More Work With The Same Amount Of People.

Ambulances And Fire Engines Responding Will Be Reduced Due To The Additional Functions Of The Firefighter Form. Functions That Could Not Be Accomplished By Lee County Ems Without Special Training And Certifications. The Three Bonita Springs Ambulances Will Be Assigned To The City Of Bonita Springs And It Will Be A Rare Occasion When We Have A Bonita Springs Ambulance The Responding To Calls Outside Of The City. A Convincing Argument To Grant The Fire Department.

Your Time Is Up, Sir. The Light Is Blinking. Thank You. Any Other Blue Cards For Public Speaking. We Will Close The Public Comment. We Will Come Back To The Hearing. The Applicant Has Five Minutes For Rebuttal. Then The Staff Will Have Five Minutes. Can We Change The Timer To Five Minutes? Council.

Mr. Chairman I Hope Not To Run To Five Minutes. We Have Been Here Long Enough Today. Members Of The Commission I Appreciate The Opportunity Today To Listen To The Evidence Put On By The Fire District And Our Witnesses As Well As The Submittals In The Record. Your Staff And The Representatives From Lee Memorial Hospital Said We Like Our Two-Tiered System Please Don't Change It. Things Work Fine And Work Well The Way They Are. The Risk Of Somebody New From The Mix Is Just Too Great. Well, Commissioners, I Respectfully Could Not Disagree More. As Stated By Several Of You Just A Year Ago, There Is A Problem There With Your System. There Is A Fundamental Problem In Your System. Ems Is Not Meeting All Of Lee County's Needs In Bonita Springs. Your Staff Has Raised Issues Of Fragmentation. They Said We Are Going To Fragment The System If You Add One More Transport Provider. Think About That. You Have Five Transport Providers Right Now. Currently Who Are Works And Transporting Patients To Lee Memorial Hospital In A System That They Don't Want To Change. Five Providers Have To Follow The Same Lee County Ems Treatment Guidelines Irrespective Of Who They Are. If They Don't, You All Have The Ability To Revoke Such A License. They Have Also Brought Up Concerns About The Presidential Value Of Issues The Eocpn To The Fire District And The Risk That 16 Other Fire Districts May Follow. Has Anyone Asked Those 16 Other Districts If They Are Interested In This? We Are Talking About The Sky Is Falling And You Are Going To Tear Up A System. Not One Of Them Have Applied In The Three Years The District Application Has Been Pending. This Is Not In The Ordinance. It Is All Extraneous. Millage Rates And The Potential Change To The Payer Mix Same Problem. Not In The Ordinance. All The Ordinance Calls For Is A Test Of Financial Cape Abilities. Can The Applicant Provide The Service They Say They Can Provide? Bonita Springs Fire District Demonstrated They Have The Personnel And They Can Purchase The Equipment Necessary. I Am Very Concerned That Your Staff And Your Legal Council Are Leading You Down A Dangerous Path. Your Ordinance 0816 Is A Licensing Ordinance. You Have By Adopting That Ordinance Put The World On Notice That, Hey, Applicant, This Is

What Up To Meet If You Want A Transport Copcn Application From Us. What That Means If They Meet That Criteria You Have To Grant It. Think About Otherwise Why Enact The Licenses Ordinances If You Are Reading In Other Elements At Your Discretion? It Makes No Sense. Your Ordinance Is The Law. You Are Obligated To Follow It. I Appreciate Your Time. I Have Hope You Will Follow Your Ordinance And Grant The District. Thank You For Your Consideration.

Thank You.

Good Afternoon. Ashley Roberts County Attorney's Office. I Will Try To Keep This Under The Five Minutes And Hopefully Get Us Through This Portion Quicker. I Would Be Remiss If I Did Not Address Some Basic Comments. First And Foremost. There Is A Comment In The Summation By Opposing Council That The Fundamentally There Needs To Be A Change In Bonita Springs That Lee County Ems Is Not Providing The Care It Needs To. The Evidence Presented To The Board Is Care To This Statement. I Would Put Your Attention To Our Exhibit 1-A And B. We Are The Own Auditing And Review Of Bonita Springs And Whether Or Not Their Fire District Should Have Ems Was Looked At By A Party Not With An Interest In This. They Were Paid To Look At Something. What Did They Say? They Said, No, It Is Not First Feasible And It Is Not Necessary. In Fact, It Said Lee County Ems Is Providing Adequate Treatment And Care. That Is Important Because The Purpose Of Our Ordinance Of 08-16 Deals With The Health, Safety And Welfare Of The Citizens And Visitors To Lee County. That Is At The Base Of What The Board Must Look At. What Do We Need To Look At? It Is Summed Up. It Is Stated Very Clearly Within Section 9. What The Board Looks At Is Whether Or Not There Is A Public Necessity For The Service There. Are Shots Taken Today At Lehigh Acres And Fort Myers Beach And The Copcn. That Is Not Competent Evidence. Under Section 9 The Board Must Look At The Competent Evidence. I Would Direct Them To Exhibit 1a And B For That Evidence. There Is No Proof There Is A Public Necessity. The Service Is Adequate. More Over Lee County Staff Has Provided Concerns And Raised Ones Not Addressed Within The Application Regarding Fragmentation And Problems. To State There Would Be New Additional Fragmentation Defies Logic. It Defies Logic. If You Are Only Putting In One Additional Ambulance For 12 Hours And You Have Five Stations You Will Have The Same Fragmentation, Same Transfer Issues. It Does Not Take Into Consideration When There Is A Fire And All Hands On Deck. The Situation As One Commenter Said Would Be Restrained. You Are Going To Have The Same Problems And Issues Presented At Every Call. More Over, Statement Were Made With Respect To Overtime. The Fair Labor Standard Act Decides Who Gets Ot And Under What Class. Lee County Ems Does Have A Collective Bargaining Agreement And After 40 Hours You Go Into Over Time. Bonita Springs Fire District Would Like To Say We

Can Help Because We Will Free Up 2.5 Ambulances And Bring Down Your Ot. It Wouldn't. There Are Arguments That Go Against Each Other. When You Look At The Criteria And What The Board Is To Look At With Competent Evidence. If You Look Under What Is B That The Applicant Has Sufficient Knowledge And Experience To Properly Operate The Proposed Service As Evidenced In Section 6-A We Run Into A Problem And Application Fails. We Have Heard Testimony About How They Have The Mortar And Building And Structure And That Bonita Fire District That They Have The Ability To Procure Three Ambulances And That They Have The Staff That Had The Paramedic Als Training, What We Haven't Heard Is The Back Office. Their Application Does Not Provide Any Information Regarding The Running Of Ems Services. You Have To. You Have Billing And Collections. You Have State Mandated Patient Care Reports. How Will They Pro Provide That? They Have Provide Information Regarding Hepa Compliance And Affordable Healthcare Act And How To Interface With Medicare And Medicaid. They Have To Interface. The Application Is Deficient. They Haven't Shown Necessity For The Service And How They Are Doing This And They Have The Experience To Do What They Are Stating They Can Accomplish. Likewise, They Have Said The Millage Information Should Not Come In. This Is Not When Economics Or About Money Or Feasible. We Heard From Deputy Chief Dewitt That They Would Make Money. They Would Recoup. That Is Not True. Again If You Look At The Pages Previously Under Exhibit 1-A And B. It States This Is Not Feasible For Them.

Your Time Is Up.

It Would Be 72%. We Ask You To Deny The Application.

At This Time We Come Back To The Board For Discussion. Public Comment Is Over. Any Discussion From The Board?

What Are Our Options Here Right Now?

At This Time Your Option Is To Grants Or Deny The Application.

Up Or Down. That Is Simple. Ok.

How Do You Want To Approach This?

I Will Go Ahead. I Appreciate The Fire District Sharing The Concerns I Have Shared And I Want To Congratulate The Staff On The Work In The Last Year. What Is Good Is To Recognize When We Have Deficiencies And That We Address Them For The Record You Have Not Embarrassed Me Or My Disappointed In How You Have Been Able To Come Out Of The Challenging Situation. Public Safety Is Primary Concern. I Look At It As A Court Service. I Don't Fear Change. I Invite Change. I Think



That We Have A Lot Of Work To Do As We Go Forward With The Fire Districts And With The Continuation Of How To Handle Emergency Management And How That Interfaces With Our 19 Districts Including The Cities. This Time I Am Not Prepared To Support The Fire District's Application.

Any Discussion?

Mr. Chairman A Couple Of Comments Here. This Has Been An Interesting Week For Me. Yesterday I Received Probably The Largest Chunk In My Six Years Here On The Commission Of A Piece Being Taken Out Of My Posterior From A Person Who Happens To Be From Lehigh Who Chewed New The New One. Today Councillors, I Didn't Think Anybody Could Match That One. Yours Was Very Professional. That Was The Most Professional Scolding I Have Received In Some Time In Anticipation Of My Unfairness. Now If I Weren't Such A Charitable And Loving And Forgiving Person That I Am That Possibly Could Have Offended Me But It Didn't. I Just Hope That Your Next Day Is Going To Be Happier Than The Two That You Have Spent With Us Here. It Is My Constitutional Oath Of Office That I Have Taken I Think The First Time When You Were Probably Still There Elementary School Where I Swore To Uphold The Constitution Of The United States And State Of Florida. That Establishments The Legislature Which Establishments The Counties Which Allows Us To Adopt The Rules And Regulations, All Of Which In Every Instance Requires Those Public Official To From Time To Time Have Public Hearings, And At Least It Is Implied That We Will Listen To Both Sides Of An Argument. As To When We Form That Final Decision You Never Know. Thousands Of Times We Public Official Are Asked In Advance. How Are You Going On This Issue Before You? A Lot Of Times We Say I Am Leaning This Way Or Not. It Is Rare That I Absolutely Am Not Going To Listen To Another Word. I Have Had It With These People. My Mind Is Made Up. I Don't Want Confused With The Facts. I Promise You If That Is The Way I Am Thinking You Will Never Know It. I Have Listened Today And I Have Took Note Of Your Comments. I Want To Make Absolutely Certain There Was No Compelling New Evidence That Would Dissuade Me From The Leanings That I Had Already Gained After As You Pointed Out 10 Public Discussions On This Issue. It Is Not Like This Is All Brand-New. There Was A Lot Of Repetition. I Didn't Hear That Compelling Evidence That Would Make Me Change The Position Toward Which I Was Leaning So I Just Want To Give You My Commitment That I Listened To Your Suggestions And I Paid Close Attention And I Am Not Convinced That My Original Conclusions Were Not Accurate. I Will Not Be Supporting The Move Toward The Copcn.

Mr. Chairman This Is The Old Add Damage What We Should Have Done Many Months Ago Was To Go To A Forensic Auditor And Magistrate To Settle This. Even It Was A 2-2 Vote It Doesn't Matter. You Lose. I Don't Know If That Is The Case

Or Not But I Am Not Afraid To Move In A Different Direction. I Certainly Would Have Appreciated A Full Board Being Here Today. I Make A Motion I Know I Will Get Killed Until A Full Board Comes Down The Pike. I Won't Do That. You Will Have Me Arrested For Something.

Maybe With A Fire Hose.

So I Am Going To Follow The Lead Of The Rest Of My Board Here, The Chairman's Input And I Will Entertain A Smokes Or You Make A Motion And We Will Go From Here.

My Most Important Thing Is Public Safety. I Do Support Public Safety In All Factors. I Do Not Support Over Taxation Or Duplication Of Services. I Would Support A Third Ambulance In Bonita To Be Sure We Have Adequate Services, But I Cannot Support The Ordinance.

I Move We Deny The Application.

I Second.

Motion On The Floor. All Second Any Other Discussion? No Discussion. Motion Carries. Any Objection? No Objection. Motion Carries. Thank You.

Got To Be On The Side Of The Majority Just In Case Something Comes Down The Road.

Walk On Carryovers.

Walk Ons. Commissioner Mann Moved The Walk Ops Any Objection? Motion Carries.

Can We Have A Moment For Them To Leave. They Are Leaving. Ok.

We Are Going To Wait A Minute Until They Clear The Room.

Commissioner Manning Do You Have Any Items?

Comm. Mann: I Would Ask That The Board Give Me Permission To Review The Alternative To The Memberships. Thank You Very Much.

Second.

Motion By.

Comm. Mann: Any Objection? No Objection Motion Carries.

I Have No Items. Commissioner Mann?

Comm. Mann: None.

I Want To Bring Up In Reference To The Comments. I Would Like This To Come Back To Emt And Talk About The Districts As A Whole. We Reduced Them. As A Segway Looking At The Ordinance We Have Nine Park And Attacking District. Is That Necessary? To Have County And Staff Looking At The Ordinance To Update It And Refine It To Make It Simpler So We Don't Have To Have Errors. There Should Be An Image Of Them Or Qualifications So That We Are Not Confused? I Am Concerned About The Number Of Districts That We Have. There Are Several.

Comm. Mann: I Would Like A Little More Definition Of What You Would Like To Reduce The Total Number?

Comm. Hall: For Staff To Bring Back The Ordinances. They Are Different. That Is Why We Are Confused. But Also To Look At The Differences We Have. Roads, Parks As We Go Forward. This Is An Issue I Have Discussed Numerous Times. When You Look At Other Counties We Have A Tremendously Large Number Of Districts. By Law I Don't Think We Need That Many.

Comm. Mann: What Is Your Goal?

Comm. Hall: To Simplify How We Look At It.

Comm. Mann: Reduce The Total Number?

Comm. Hall: I Don't Know If That Is The Legal Outcome. As We Go Forward I Don't Know If That Is Good Or Bad. We Are Looking At Bills For The Regional Parks. I Would Like To Have That Conversation Collaboratively. It Is Where We Are Going With Impact Fees As A Whole And Be Able To Start There. At Least Get Some Legal Direction What Our Options Are.

Comm. Mann: I Am Not Adverse To Having That Discussion But In Your Staff To Bring Something To Us I Was Trying To Understand If You Had A Specific Goal In Mind Or You Want A Review Of The Existing?

Comm. Hall: Yes.

Comm. Mann: I Am With You.

Comm. Manning: I Would Support That.

Comm. Hall: That Is All I Have.

Comm. Mann: I Have A Few Reappointments. James Mccullough To The Do Berry Lane Special Improvement Committee. Alfredo To The Same Group. Reappointment To Armando To The Same Group. Reappointment Of Jim Green To Affordable Housing. Reappoint Men To John To The Island Municipal Island Benefit. Roger Bradley To The Waterway Advisory. Reappointment To Morgan Porter To The Cherry Due Berry Improvement Unit. Ream Appointment To The Dew Berry Improvement Unit. Re Appointment Of Ed To The Historic Preservation Board. Last Paul Eddy To The Historic Preservation Board.

Is That Your Whole District?

No Objection.

Commissioner Manning. I Will Just Go With The Motion.

Commissioner Haul.

Donald Rose. Street Lighting. George To The North Fort Myers Street Lining. To The Fares. Reappointment Of Thomas To Waterways. Did You Already Do It? I Will Take That Off. The Last One Scott Cameron On The Airport Special Management. Is That A Chairman's Appointment?

Comm. Hall: He Is Up.

Comm. Mann: Pardon Me. I Was Going To Say I Have Sent A Memo To The Chairman Reminding Him Because I Had To Get Reminded How That Process Works. I Appointed Scott Cameron. He Has To Do The Reappointment. That Term Is About Up. I Said I Think He Has Performed Admirably And I Would Recommend It When That Comes To Him That He Reappointed The Man. I Hope He Does.

To Finish I Will Take Him Off My Reappointment And We Will Bring It Forward Next Week.

Any Discussion? No Objection.

Comm. Hall: We Might Want Kim To Know That Just Goes To You.

Chairman Judah: County Manager Items?

No Thank You.

Chairman Judah: County Attorney Items.

Next Week We Bring Back Some Discussion On Lee County Versus The Clerk Of Court. We Had An Opportunity To Meet With The Clerk. She Will Be Able To Be Present Next Week To Go Over It With You.

Comm. Mann: I Would Hope That You All Would Provide Us Some Individual Briefing On That.

Yes, Prior To That We Will.

Next We Have Public Preservation. Concerned Citizens. Speakers In The Audience?

Please Come Forward And State Your Name. You Have Three Minutes For Your Presentation.

State Your Name And Address For The Record. Thank You.

Good Afternoon. My Name Is Carol Donaldson. I Live In Fort Myers. I Would Like To Read A Letter Addressed To The County Commission In Regard To Road And Bridge Noise In Our Neighborhood. There Are A Number Of Residents On Rio Vista Avenue And Add Joining Streets Who Lives Are Adversely Impacted By The Loud Traffic Noise Coming Off The North Side Of The Midpoint Bridge Between Mcgregor And The River. Many Of The Owners Lived Here Long Before The Bridge Was Built. All Owners Have Wrestled With The Many Problems There Has Created Over The Years. Since The Bridge Was Built The Traffic Has Increased With A Continual Growth Of Cape Coral. We Have Stood Bias More Cars, Motorcycles, Trucks Of All Sizes And Shapes, Trailers Pulling Tons Of Boats And Semi Trucks Invade Our Once Quiet Neighborhood. This Is Becoming A Major Work And Traffic Route In Lee County. The Noise Factor Is Out Of Control. In Addition, As The Bridge Heads Toward The River It Starts A Gradual Curve To The Right And Also Slopes To The Right. Funnels All Of The Tire, Car And Pavement Noise To Our Neighborhood. Then When The Bridge Gets Over The Water The Noise Problem Escalates Even More. As Citizens Of Lee County We Would Like To Work With The County On A Resolution. As We Have Seen In Other Areas Of The Country, There Are High Noise Buffers Built On Many Bridges And Roads. These Buffers Are Typically Taller Than Most Road Traffic There By Cutting Off Much Of The Noise To The Add Joining Neighborhood. When The Bridge Overpass Was Built Many Palms Were Planted On The Side Of The Park To Give The Neighbors Privacy And Help With The Noise. They Have Grown Very Tall Over The Years But Have Been Use Less In Keeping The Road Noise Down. Please Review The Enclosed Map And Suggestions. We Look Forward To An Adequate Adjustment On That Bridge. You Will Notice It Is Signed By Many Owners And Citizens And People Living In Our Neighborhood. You Might Take A Minute To Read The Letter Attach Todd The Back From One Of Our Real

Estate People In Fort Myers. Then We Have A Couple Of People That Would Like To Talk.

I Am Randy Houseman. I Grew Up In Her Home. It Was Once A Very Quiet Neighborhood As She Says. Since We Are Not Physically In The Neighborhood Today I Printed Out Eye Couple Going Google Photographs. It Has Been Many Years Since The Bridge Is Discussed. As You Look At Page 1 It Is What Show The Neighborhood And How The Bridge Comes Down. It Is My Believe There Is A Funneling Of Road Noise Down To The Neighborhood Because Of The S Shape Of The Bridge As It Comes Down From The West And Lands On The Fort Myers Side. The Curved Section Of The Road Is Elevated And Tilted Down Toward The Homes. You Can Also See This On The Next Photo On Page 2. The Neighborhood Is To The Top Left Of That Picture. On Page Three You Will See A 5-Foot Barrier Put Alongside The Road Leading Up To The Bridge On The Fort Myers Side. This Ends Just Before The Bridge Begins And Provides Very Little Noise Reduction For The Homes As The Traffic Comes Down And Lands On The Fort Myers Side. If You Skip To The Next Two Pages And Turn To The Large Page With The Yellow Highlights. This Is A Drawing From 1992 Which Show The Plan For Removing Homes. Only One Row Of Homes Was Removed. Given The Increase In Traffic And Road Noise In This Area It Is My Argument That The Original Expectations About The Level Of Noise And The Effect Of That It Has On The Homes North Of This Roy Was Not Fully Understood Or Considered. It Is My Hope That The County Commission Will Join The Residents In A Positive Solution Oriented Discussion To Help Provide Some Relief. I Understand That There Is Not A Quick And Easy Mitigation Strategy. Noise Reduction Technologies Are Much Better Now Than They Were 20 Years Ago. I Did A Quick Search And Found Many Light Weight Reduction Solutions That Might Not Be As Expensive As We Think. These Are Printouts From The Two Websites That Have Some Potential Solutions. I Thank You For Your Time And Hope You Will Give This Consideration To Reserve The Beautiful Riverside Neighborhoods.

Thank You. Next Speaker.

Good Afternoon. I Know You Are Very Tired And Hungry Because I Am. My Name Is Holly. I Am A Registered Nurse And Retired Public Health Nurse. I Have Met A Few Of You Before In The Course Of My Career. I Am Here Today Because I Live At 1305 Rio Vista. I Live With The Tigard Family That Has Owned The House Since 1962. I Lived There For Over A Decade. Over This Periods Of Time The Noise Is Deafening. I Cannot Have A Conversation On My Phone Even With The Door Open. The Noise Is Deafening. During The Day. We Are Woken In The Night By The Sounds Of Motorcycles And Trucks. I Have A Health Concern Issue. Every Second Day I Have To Clean Off Our Glass Table Because Of The Black Suit From The

Pollution Coming Off That Bridge. Not Only Do We Have To Deal With The Sound We Cannot Even Hear Our Television On When We Have Our French Doors Open. I Believe I Am Breathing That Black Soot And That Is A Health And Safety Issue As Well As Issue Of Noise And The Property Values Are Going Down, Down, Down. I Would Like To Respectfully Ask You To Consider Studying And Looking Into This. I Understand That We Have A Lot Of Budget Constraints Like Everywhere In The Country. Four Or Neighborhood Not Just Rio Vista But Bradford And The Next Street Behind That The Noise Is Deafening. We Can't Speak To Each Other Across The So Called Fence. I Thank You For Your Timing That Is All I Have To Say. I Don't Want To Be Redundant. I Did Want To Bring Up The Health Issue. My Asthma Is Bad And I Think It Is Because Of The Bridge. Thank You.

Next Speaker.

I Am Harold Specter. I Live Also On Rio Vista Right On The River Right By The Bridge. In The 10 Years That I Have Lived There The Noise Has Increased. The Pollution And Dust Has Increased. Breathing It In I Also Have Asthma And It Has Caused Me Difficulty In Breathing. We Get Through The Night With Loud Motorcycles And Trucks With Plastic And You Hear Every Road Strip When The Trucks Go By You Can Count The Strips On The Road Throughout The Night. I Had To Put Bars In The Window To Keep It From The Vibration Of The Traffic. I Have The Bars To Stop That. You Can't Hold An Outdoor Conversation When The Bridge Traffic Is Heavy. You Have To Go In The House So You Can Talk Normally. We Have A House On Our Street That Has Been For Sale For Approximately Two Years. There Have Been 80 Perspective Buyers To The Home. From My Understanding The Bridge Noise Has Kept The Home From Being Sold. It Is Also Brought The Value Down. The Seller Has Lowered It Many Times And Caused The People Not To Be Able To Sell The House. I Understand There Are Different Systems On The Market That You Can Put Up To Reduce Is Sounds That Are Cost-Effective. I Realize We Have A Lot Of Budget Constraints Right Now. I Would Appreciate Anything We Can Get Done From The Commission Or Whoever Has To Do This. Thank You For Your Time.

Any Other Speakers? Ok. Thank You For Coming. The Meeting Is Adjourned.