

May 21, 2013

Good Morning, Thanks For Joining Us. Today Is May 21st, 2013. If I Could Ask Everybody In The Audience To Please Silence Your Cell Phones. And At This Time If I Could Ask The Pastor To Come Forward For The Indication. Please Stand.

Good Morning. Father, On A Day That Our Nation Faces Great Devastation Of The Tornados In Oklahoma, We Look To You For Comfort. We Look To You To Supply The Needs Of Those That Have Lost So Much. As We Conduct Business Here In Lee County Today, We Do To Humbly With Humility. Remember Those, Lord God, That Have Lost So Much. Lord, We Invite Your Presence To Be Here This Morning In This House. We Ask That You Would Give Our Councilman Great Wisdom And Discernment In All The Decisions That They Face. And We Thank You Lord That Your Favor And Your Blessings Will Be Upon This County. We Bless You Lord, We Honor You. In Jesus Name We Pray, Amen.

I Pledge Allegiance To The Flag Of The United States Of America.

Commissioner Mann?

Thank You, Mr. Chairman. And I Appreciate The Fact That You Didn't Add Any Particular Comments To The Fact That We're Celebrating The 500th Birthday Of Florida And Which Commissioner Would Have Been The Closest To Being Here.

How Did You Know That I Was Gonna Bring That Up?

[Laughter]

I Wanted To Be The First To Mention That I Was Closer To Being There Than Any Of You Guys. But We Have An Awful Lot Of Good Folks. Mayor Nelson, We've Got Politicians And A Whole List Of Them. You Know Why You're Here. All Of Y'all That Are Here For This 500th Birthday Celebration, Come Gather Around The Microphone Up There.

If We Could Have Everybody Half To The Side And Half Over Here If You Could. And Then We'll Do A Picture.

2013 Marks A Significant Milestone For The State Of Florida As It Commemorates

Its 500th Anniversary. The First European Explorer Documented To Set Foot On The Continental United States. Landed On Florida's East Coast On April 2nd, 1513 -- In Honor Of The Spanish Feast Of Flowers Celebrating The Easter Season. And Whereas His Expedition Entered The Indian Domain On May 23rd, 1513 Spending More Than Three Weeks In The Area And Documenting The Capitol Town. Lots Of You Guys Have Been There. And Where As Ancestors Of The Indians Inhabited Coastal Southwest Florida For Several Thousand Years And Contributed To More Than 12,000 Year History Of American Indians In Florida. And Whereas Juan's Voyage Of Discovery Began A New Era In Which Native Peoples, Europeans, Represented By Jones Here From England This Morning, And Other Nationalities Under Many Different Flags Firmed The Foundation That Created The State Of Florida. And Where As A Countless Number Of Different Cultures Have Contributed To Florida's Heritage And Continue To Live, Work And Thrive Together Today. And Whereas The Department Of State Designated 2013 As Viva Florida 500 To Commemorate Or Cultural Legacy And All Those Who Have Contributed To Dynamic Growth And Economic Prosperity. We Invite Lee County Citizens And Visitors To Participate In The Many Enriching Programs And Events Throughout 2013. Now, Therefore, Be It Resolved By The Board Of Commissioners Of Lee County Florida That 2013 Be Designated As The 500th Anniversary Of Lee County, Florida. Duly Executed Today By You Are Esteemed Chairman. Thank You Guys For Being A Part Of This. [Applause]

Whoever Happens To Be Right In The Middle In The Front, Hold The Resolution.

Thank You, Commissioners. Commissioner Mann, It's More Than Appropriate That You Read The Proclamation Because It Was Your Office That Was Contacted By The Secretary Of State And Asked To Designate Us At The Library As Sort Of A Catalyst For Bringing Organizations In Lee County Together To Celebrate This Anniversary. So We Are Honored To Do That. And One Of My Colleagues In The Back Headed That Up. And It's Just A Testimony To The Energy And Creativity And Thoughtfulness Of Your Community That So Many People Are Represented. There Are Just Scores And Scores Of Organizations. As You Mentioned, There's Lots Of Activities Going On. A Synopsis Or Condensation Of As Many As We Could Locate Are On Some Chairs In The Back Of The Auditorium. I Invite Anybody Who Is Here To Take A Look At Those. One Other Thing I Want To Point Out Is One Of The Things That We're Doing As Well As Every Other County In The State Of Florida Is We're Putting Together A Time Capsule That Is Supposed To Capture This Moment. It's Gonna Be Opened In 49 Years. I May Not Be Here For That. But We Would Like It To Be Reflective Of This Period In Time In Florida's History. So We're Soliciting Recommendations For What To Put In This Time Capsule. It's Going To

Be Located In The Geneology Section Of The New Library. Thank You So Much For This Opportunity And My Congratulations To The Great Colleagues That --

Is It Possible To Put The Proclamation In The Time Capsule?

That Seems More Than Appropriate. Thank You, Mr. Chairman.

Thank You, Sheldon.

Would The Two Mayors Like To Say A Few Words?

I Want To Thank The County Commissioners. Commissioner Kiker Who's Former Mayor Of Fort Myers Beach In The State Of Florida For Helping Us Create The Mound House Exhibit On Fort Myers Beach Which Now Has An Excavation Room Which Is Open To The Public Which Exhibits A Cross Sectional Excavation Of 2500 Years Of Shells And Artifacts. And We Certainly Encourage All Of You To Come Out And See It. And People Around The Country, The State Will Come And See It As Well. Thank You For Including Us In Your Celebration.

Cindy?

Thank You, Commissioners. I Just Wanted To Update You That There's Ongoing Archaeological Research Started Just Last Week In Collaboration With The University Of Georgia.

Good Morning. We're Very Proud To Be Part Of The Project. In Addition To Our Long 500 Year History, We Also Have A History Here That's Started With Edison And Ford And The Historic Period Of Fort Myers. We Have An Exhibit Called Edison And Ford Discovery Southwest Florida That's Traveling The Nation. And Actually Has Gone As Far As Denmark. We're Very Proud Of Our Long History. But Don't Forget Thomas Edison And Henry Ford As We Look At Our Accomplishments In The County.

[Applause]

It's A Pleasure To Be Part Of This Program This Morning. Bob Day And I Represent The Lee County Community Band. And An Interesting Factor Is That We Are The Oldest Organization In Lee County. Because We Were Organized One Year Before The City Of Fort Myers Became A City. Our First Conductor Ran For Mayor And Won. But Then They Found Out That He Was Only 20 Years Old, So He Lost. But

Nevertheless, We Are An Ongoing Organization For 128 Years And Still Playing For Packed Audiences Every Time That We Do. What A Pleasure To Be With You All This Morning.

[Applause]

Charles?

Thank You. It Should Be Remembered That Mound Key Was Donated To The People Of The State Of Florida Along With 70 Acres At The Mouth Of The Estero River. Along With What Is Today The State Park By An Extraordinary Lady Who Escaped The Nazi Regime By Coming To This Country. The Nazis Kept Her Treasures, Her Family, Absconded Them. She Came Here With Very Little. Her Name Was Hedwig Mitchell. From The German Government In The 1970s Has Built Her Own Museum Across The Street. And That Is The Heart Of The College Of White Foundation. We Have The Responsibility Of Preserving South Florida History With An Emphasis On The Early Corrections. So We Are Very Happy With This Progress That We Have Made In Establishing A Major Partnership With The State Of Florida Under The Guidance Of Robert Brooks. Robert, Would You Come Up For A Couple Seconds, If You Would. Robert Is Heading 12,000 Acres Of Property And All Those Different Buildings And All Of The Artifacts And So On. And We Keep On Donating From The College Of Life Foundation More And More Material To Robert And He Sometimes Seeks A Little Bit Of Mercy. But He Always Has One Other Hand Out Looking For Good Donations To Preserve Probably One Of The Most Unique State Historical Parks. When You Consider The Roots Go Back 500 Years, That's Extraordinary. I Will Be Asking My County Commissioner, Larry Kiker For A Copy Of That. On Behalf Of The Citizens Of Bonita Springs, That Was Fantastic. And I Would Like To Encourage Everybody That Has Not To Go Up To St. Augustine. And It's An Amazing, Amazing Amount Of History. Do What The Tourists Do. Get On The Bus And Go Through All The Forts. You'll Be Absolutely Fascinated With The History. I Would Encourage People From Around The Country To Come To Lee County. We Have Quite A Bit Of History Here Ourselves. Charles And Everybody Else That Shared Stories Today, Thank You Very Much.

[Applause]

Any Other Speakers On The Item? Ok, The Next Ceremony. Come Forward, Please. Thank You For Coming. The Next Resolution Is For All Of The Staff In Communication And The Road Personnel. Emergency Medical Services Is A Vital Public Service In Whereas Access To Quality Care -- Of Those Who Experience

Sudden Illness And Injury. Now Therefore Be It Resolved That The Board Of County Commissioners In Lee County, Florida Does Here By Proclaim The Week Of May 19th Through 25th Emergency Services Week. Thank You. Please Come Forward For A Picture.

Good Morning, Commissioners. I Appreciate The Opportunity To Recognize E.M.S. Week This Morning. E.M.S. Week Was Begun In 1974 To Recognize The Importance Of The Services Provided By E.M.T.S And Paramedics Around The Country. Back Then, It Was Held In Late October, Same Time Fire Prevention Week Was Held. And Then In The Late '80s And Early '90s, It Was Separated To Here In May. So There Was The Opportunity To Recognize The Significance Of Both Pieces Of The Emergency Services. I Want To Remind All Of You Today, Tomorrow Or Thursday If You're Available To Stop By Lakes Park And Help Us Celebrate. We'll Be Out There From About 12:30 To 2:30. You're More Than Welcome To Stop. I'm Sure The Staff Would Love To See You. We'll Be Out There Having Lunch. You Guys Are More Than Welcome To Join Us. I Appreciate That This Morning And If You Have Any Questions --

What Days Are Those?

Today, Tomorrow And Thursday. Tuesday, Wednesday, Thursday. We'll Be At Pavilion D.

You Obviously Came To Work At The Right Time Here. Everything Is Going Good With E.M.S. To Be There And To Hear The Citizens --

[Applause]

Commissioner Hall Is Not Going To Be Attending The Meeting Today. At This Time We'll Go To Public Comment On The Consent Administrative Agenda. We Have One Blue Card. If I Could Have John Come Forward, Please. Any Other Members Of The Audience That Wish To Speak, You'll Need A Blue Card.

I'm An Attorney For Forest Utilities. I Want To Comment On An Item That Was Carried Over From Last Week. Commissioner Manning Had Said Last Week That He Wanted To Get Down To The Weeds. We'll Barely Fit This Into Four Days On July The 9th. It's Not My Purpose To Say That The County Should Not Extend The Service If That's What It Wants To Do. You Were Told By Counsel Last Week That There Were Disconnections Because Of Spills, That The System Could Not Handle Half The Flows. In Fact, There Was Never One Gallon Spilled In All The Time That

Forest Was Connected With Jamaica Bay. We Are Ready And Willing And Able To Accept Those Flows. It Is A Financial Strain, That's 25% Of The Forest Customer Base. And Their Company That Operates Under The Regulation Of The Public Service Commission And Has Fixed Costs. My Real Point Here Today Is To Say Not To Cast Any Aspersions Against The Staff And What The County Has Done. Without Quarrelling About What The Word Emergency Means, Maybe That's The Right Way To Phrase It. It's Not An Emergency In The Conventional Sense. When They Diverted 100% Of The Flows, That Was The Same Time They Sued Us. And Ever Since Then, 100% Of The Flows Have Gone To The County. This Service Is Really More Like Interim. I Would Just Suggest That Rather Than Extend It For A Year, Perhaps They Should Be Revisited. The Court Might Not Rule From The Bench On July The 12th, But This Thing Is Either Gonna Settle Or Go To Trial In Six Weeks, And Maybe It Should Be Revisited On A Shorter Time Frame Than The Staff Initially Recommended. If You Have Any Questions, I'm Happy To Answer Them.

No, Thank You.

Thank You, Commissioner.

Any Other Public Comment? Seeing None, We'll Move On To Consent Agenda. Commissioner Manning?

None.

Commissioner Kiker?

C-5 A And C-12a.

I Have None. Commissioner Mann?

I Had 12a Too, But Not To Worry. I'll Let You Lead The Way On That One. Any Discussion On The Ballots? No Discussion, Any Objection? No Objection, Motion Carries. Commissioner Kiker?

Thank You, Mr. Chairman. I'll Be Glad To Concede 12-A To Mr. Mann. On C-5a This Is The Approval Of The Road Widening Project For Homestead. And My Question Is, I Understand There's Two Sections To This Project And This Property Resides In The Second Section Of That Project. And From Our Last Discussion That We Had Regarding The C. I.P., This Project, We Have Not Identified A Funding Source. But We're Spending Money On It. And I'm Trying To Figure Out How We

Get To Here From There.

This Right Away Acquisition Is Related To The Four Lane Project From Alabama Road On Homestead South Past Sun Rise. It's Been In The Works For Many Years. We're Just At The Right Of Way Acquisition Stage. We Have Some Cash Funding And -- We Have The Construction Phase -- We're Showing That As Borrowed Funds To Pay For That Construction Phase. We Don't Have A Clear Source Identified For Exactly Where We're Going To Borrow Those Funds Or How We're Paying That Back. The Direction I Got At The Meeting Last Week Was The Board Still Saw That As An Important Project Along With Estero Boulevard And Alico Road. It Is In C.I.P. It Is A Project That Has Been In The Works For Many Years. If You Still Have Some Questions For How We're Gonna Fund This Construction Phase, We Are Moving Forward With The Right Of Way Acquisition At This Point In Time.

How Many More Of These Do You Have That Are Scheduled For Us To Consider?

In Terms Of Things Related To This?

Yes, Sir.

I Don't Know The Total Number Of Parcels. Karen, Do You? It's A Lot. There's A Lot. There Are Some Additional Acquisitions Coming Over The Next Couple Of Years. It Will Be Ongoing.

I Guess In My World, Mr. Chairman, If We're Gonna Have A Project It Needs To Be Funded Before We Actually Go Out And Start Purchasing Property. And This Might Act As A Catalyst To Have A Discussion On The Project In It's Entirety. I'm Concerned That We've Got 2 Or 3 Parcels Now That We're Gonna Figure Out A Way To Purchase Outside Of The Budget Practice. And I Don't Know How Big It's Gonna Be. How Many More Dollars Are We Talking About? I Don't Know If This Is Specifically Time Sensitive On These Purchases. And I Was Gonna Ask, Do You Know?

Good Morning, Commissioners. As Far As Time Sensitive, We Have Time. However, As This Money Has Been Made Available And We've Gone Forward, As You Can See From Even The Blue Sheet We Lay Out The Negotiation Process And We've Spent A Great Deal Of Time With These Property Owners To Arrive At Basically \$6700 For The Purchase. We Also Lay Out For You In The Blue Sheet That If We End Up Having To Condemn Properties Later On, We're Looking At Probably Ten Times, At Least Ten Times More Than What We're Able To Acquire Now Early On.

And I Appreciate That. Actually, You're Helping Me Make My Point. We're Spending An Awful Lot Of Time Purchasing Properties With Money We Don't Have. And As Far As I Can Tell, This Board Has Not Accepted Or Approved This Project In It's Entirety Before Staff Actually Goes Out And Starts Buying Property Without Us Looking At The Whole Project. How Much Is It Gonna Cost Completely. And My Suggestion, I'll Get Some Help From Our District Commissioner I'm Sure Before This Is Over. Is That, Shouldn't We Be Looking At The Whole Project? We're In A Budgeting Process. We're Tying To Figure Out How We're Gonna Be Spending Our Money Over The Next Few Years. And If This Is Not A Hurry Up, Maybe We Should Be Holding Off Long Enough For This Board To Have A Discussion, Have The Entire Project Presented To Us, Insure That There's Funding. And If There's Not Funding, Then I'm Going To Amplify What You Said, Which Is Why Are You Spending So Much Time On This.

Commissioner Kiker, The Alignments Were Adopted. So We Do Have Actual Alignmented Adopted By The Board Of County Commissioners.

That Was From The Study?

And The Adoption Of The Alignment Was Set By The Board. So The Natural Process For These Projects Has Been That We Start Early Acquisition, We Go For Those Properties. Especially In An Economy That We're In Like Right Now. To Acquire The Land, Those That We Don't Have To Condemn And Do As Many As Those Acquisitions As Possible. So Just Food For Thought On That.

And I Appreciate That. And I Don't Want To Debate Policy With You. Ok? But From A Policy Perspective, Even Though It Has Been Practiced In The Past. If That's Normal Practice That You Immediately Go From A Right Away Study To Acquiring Property, Shouldn't We Be Taking A Look At The Project In It's Entirety? How Much Is It Gonna Cost? Timelines That Go Along With It, And Where Is It Gonna Be Funded Before We Actually Initiate Your Organization To Go Out And Start Buying Property? How Do You Skip That Step From A Policy Viewpoint. I Appreciate That's The Way You've Done Business In The Past. But I'm Looking Forward Here. I'm Thinking That Maybe We Should Not Be Approving This At This Time, Deferring It Until We Have A Discussion On This Project. I Think There Was Two Others. There's Been Some Changes There Since The Last Time We Had A Discussion. But I Think We Ought To Put This Thing On Hold Until We Have That Discussion And Make Sure In The Budget That We're Trying To Put Together In The Next Few Months That This Falls In Line With What We're Trying To Do.

I Have A Couple Of Questions. Dave, Can You Come Back To The Podium, Please? I'm Looking At It From A Long Term Perspective Where If We Wait Time Wise, I'm Seeing Property Values Go Up Daily. How Much More Could This Cost If We Actually Waited On This Project To Acquire The Properties. Second Part Of My Question Is It Is Budgeted For 2012-2013.

The Funding To Purchase These Parcels, We're Bringing Additional Money Into The Budget In This Next Fiscal Year. The Money That's There Now Is From Road Impactees.

Thank You, I Don't Have Anymore Questions. Commissioner Mann, It's Your District.

Since I've Been Here, It's Been My Experience This We Routinely Buy Right Of Way Before The Construction Phase Is Funded. We'll Identify That Construction Period And We Identify Sources Of Dollars At That Time. But As You Know, We're Probably Never Gonna Buy Right Of Way Or Any Land Cheaper Than We Are Today. We've Hit The Bottom And We're Seeing It's Going Up The Other Direction. There's Nothing Unusual About The Way We're Doing This.

And We Have Done Projects All Around With You Buy The Right Of Way, You're Doing The Design, You're Do I Think The Things You Can Do. And Then You Fund It When You Can Get The Funding Available. And I Think That Is Absolutely Routine. How Many Would You Guess, Parcels We've Already Bought.

It's Only About 8 Or 10, I Think So Far.

That's Why I Want To Point Out, There's Two Sections. This Is The Second One, Which Has Not Been Funded. Our Funding Source Hasn't Been Identified. Is That Correct?

I Don't Think So.

We're Selling The Construction Phase Funded On The Assumption Of Borrowed Money. We Haven't Really Determined The Borrowing Source Or The Pay Back Source Yet.

That Was A Commitment, Though, To Spend On Behalf Of Last Year's Commission. I Know You Were Saying, Let's Rethink That. I Would Hope That We Would Let That Be Part Of The Process. And We Have To Deal With It In This Budget Cycle.

And This \$6,000 Parcel I Don't Think Is Gonna Throw A Monkey Wrench Into The Machinery. And I With The Encourage Us To Move Through That And Let's Deal With That And Then We'll Deal With All Of The Proposed Borrowing And Which Other Projects Should Be A Part Of That Discussion At That Time. But I Don't Think This Does Harm To The Process.

That's A Motion.

Second.

Commissioner Manning Makes The Second.

I'll Go With That. I Just Want To Make Sure We Put In Place With Staff Today That We Need To Look At These Projects, Priortize Them. I'm Not Against This Project Whatsoever. I'm Not Saying That. But There's A Monkey Wrench Thrown At Us When We Found Out There's Contention Between Three Projects, Promised Projects That All Of A Sudden We Can Only Pick One Of Them Or We Can Only Pick Two Of Them. In That Process, I Want To See The Entire Project Looked At So That We Can Priortize It And Make Sure It Gets Funded. If We're Gonna Make A Promise To This Community, I Want To Make Sure That We Can Keep It.

Certainly A Fair Point, Commissioner.

Any Discussion? Any Objection? No Objection, Motion Carries.

The Next One Was 12a?

I Advocate To Commissioner Mann.

There Was A Unique Funding Arrangement On This Particular Project. How Did We Fund This One?

Ultimately, It Was Funded -- Ultimately, It Was Funded With Gas Tax Dollars. We Advanced The Project By Going Out And Getting A Bank Loan To Move Forward With The Construction Phase And Pay That Back With Gas Tax Dollars.

Ok. I'm Confused. I Guess It Was The Interstate Project Where There Was Some Private Funding, Or The Contractor Funded It In Some Way. There's Nothing Like That?

No, They Created A Unique Funding Category, Road Way Implementation Category Called Design Build Finance.

It Was The Interstate. I Somehow Thought It Was This, And I Thought That Would Therefore Complicate Things With The Debates We're Having Now With The Contractor About Certain Issues.

We Have Issues. The Project Is Behind Schedule. It's Not Making The Kind Of Progress We'd Like To See. The Contractor Has Indicated Their Intent To File Some Claims For Additional Money. The New Bridge Is Open To Traffic. They're Doing Some Final Road Way Work On The Approaches To The Bridge. And The Expectation Is They'll Be Done With That In Mid June. So That All That Will Remain After That Is To Complete The Demolition Of The Old Bridge.

The Old Bridge, That's What's Still There. Our Bat Houses Are Up.

They're Calling It Bat House Park.

Bat House Park. I Just Needed A Little Clarification On The Background.

I'll Second Your Motion.

Commissioner Manning Makes Second. Any Other Discussion? No Discussion, Motion Carries. We're On To Administrative Agenda. 1-A.

Commissioner Manning Makes The Motion, Commissioner Kiker Seconds. Any Discussion? No Discussion, Any Objections? No Objection, Motion Carries 4-0.

Commissioner Manning Makes The Motion, Commissioner Kiker Seconds. Any Discussion? No Discussion, Any Objection? No Objection, Motion Carries 4-0.

Move, 14-A. Commissioner Manning Makes The Motion, Commissioner Kiker Seconds. Any Discussion? No Discussion, Any Objection? No Objection, Motion Carries. We Will Now --

Move 14-B.

Commissioner Manning Makes The Motion, Commissioner Kiker Seconds. Any Discussion? Any Objection? I Object To This. It Will Be 3-1.

Can You Tell Us Why?

I Just Had An Issue With Property Rights.

Mr. Chairman, Let Me Start The Discussion On 16-A Before My Voice Totally Goes Under Here. I'm Having A Tough Time Reconciling This One. I Heard Some Very Substantial Discussion Yesterday. The Outline Costs Trouble Me. It Should Be A Function At The Elementary Level With Respect To The School District, The School Board. I'm Open To Suggestions On How Welcome Assist In This Process. But As Of Now, I Need Some Convincing.

Commissioner Kiker?

Yes, Sir. I Obviously, From Yesterday's Discussion, Have A Little Bit Of Anguish With This And The Way That This Reads. That It Says If Rewarded, Then It Also Gives Authorization -- If This Application Isn't Made Today And Or Tomorrow, Then We'll Lose Our Opening For That. So On That, I Would Like To See Us Move This Forward. Only Authorizing Them To Submit Application. But It Does Not Automatically Give Them The Right To Accept The Funding On It. I Think That We Have Some More Discussion That Needs To Happen On Behalf Of This Board. And Also, I'd Like To Hear From The Board From The School. If This Program Is Gonna Happen, Whether It's 50/50 Or 60/30 Or 70 -- It Doesn't Matter What It Is. It's 100% Taxes From The People Who Are Paying It. Whether They Pay It To The School, Whether They Pay It To The Board It Really Doesn't Matter.

That Is A Motion.

I Second For Discussion. Commissioner Manning?

I Need Some Legal Advice On The Motion. I'm A Little Confused That If We Allow The Application Process To Unfold And The Dollars Are Rewarded, We're In A Sticky Wicket, So To Speak.

If You Authorize The Draft To Go Forward, At This Point It's Unlikely That You Can Say We Won't Authorize The Funds At This Point. We'll Authorize You To Apply, But We're Not Gonna Commit Any Funds To It.

What If The Grant Is Not Committed?

There's No Money. You're Done. You Have To Fund It, Somebody Has To Fund It.

You Just Can't Say, I'll Authorize You To Apply. If You Get It, I'm Not Gonna Fund It. It Requires A Match Up Front.

My Position Is I Could Not Support This Because Of Liability. I Think It's A Great Service To Have In Schools, But With 40 Empty Positions, These 15 Positions Could Be Filled -- By Hiring People With The Current Budget Without Any Extra Expenses From The Lee County Government. That's My Position. I Cannot Support The Grant.

Let Me Ask Him To Remind Me What You Told Me Just Yesterday. How Far Has The Sheriff Gone Publicly In Committing To The School Board To Fund S.R.O.S At The Elementary School Level? The Point I'm Making Here Is, If We Don't Take This Money And If The Sheriff Has Already Publicly Committed To That, Then At Some Point We're Gonna Be Debating With The Sheriff.

Complete Support Of Putting Officers In The Schools. But We Need Funding To Do That. In Our Estimation, We Cannot Take Position That Is Are Currently Authorized To Do That. There Are Work Loads For Those. We Cannot Take Those Positions And Put Them In There. There's Workload This Needs To Be Taking Place. We're Now Robbing Peter To Pay Paul. We're Moving Around Services To Meet The Best We Can. There Was A Pilot Program To See If It's Even Doable. Based On The Facts Over The Last 4 Or 5 Months, There Definitely Is A Service Need. The Number Of Calls That Have Been Coming In, The Types Of Crimes And Actually The Building Did -- The Belief That The Officers Are There To Support The Kids. We're Hoping Crime Will Go Down In The Middle School As Well As In The High School.

Well, Mr. Chairman, He Just Described Exactly What We're Going Through Here In Terms Of Robbing Peter To Pay Paul. You Know We're \$30 Million Upside Down Right Now. As Our Discussion Went Yesterday, Once We Accept This Gift, Once It Runs Out It's Impossible For Us Not To Then Continue Funding. Not Only The Share That We've Already Agreed To, But To Pick Up Whatever Is No Longer Provided By The Federal Government. We're Being Asked To Provide Something That We've Never Provided For Before. And With Almost A Guarantee That It's Gonna Cost Us Double. And When This Grant Runs Out. When Is It, Three Years?

Yes, Sir.

There's Not A Soul Here Or Anywhere In America That Doesn't Have A Concern About The Safety Of Our Kids At The Elementary School Level. Particularly After The Crisis That We All Witnessed In Horror. The Question Is, Who's Responsibility

Is It To Fund That At That Level? That's Where I'm Still Having Terrible Heart Break.

Commissioner Mann, If I May Just Reference The Total Cost Of The S.R.O. Funding For The County. It's \$6.5 Million Over The Next Four Years. That's The Number We're Talking About.

The Additional Cost For This?

It's 1.3 The First Two Years, 1.6 Million The Third Year And \$2 Million The Fourth Year.

For The Elementary School Level?

Commissioners, Just To Clarify One Thing. There's A Couple Issues Here. One, Is This Cop's Grant Is For 15 -- The Total Funding, The Sheriff's Office Wants To Implement This All At Once. Which Would Be 52 Positions, Correct, Bill? It's A Little Mixing And Matching. The Total Cost Is The County Starts Out With 33% Match And It Ends Up Being 50% By Year Four Which Is \$2.1 Million. And That's For All 52 Positions.

That's For All The Elementary Schools.

Would That Figure Also Equate To Vehicles And Laptops And Equipment?

This Is Employee Costs.

You Still Add On A Car, A Laptop And The Equipment.

We're Looking At Taking Very High End Mileage And Putting Them Back. Use Those Equipment's That We Already Have.

So You're Looking At 15 Vehicles Plus The Equipment That Goes With That That Was Not Factored In That. This Program Works. The Problem Is -- We've Had That Two Years Ago The Shooting At A Cape Coral Day Care. Where Do You Draw The Line At? I Wish In Some Way The Sheriff Could Use His Current Staff. The Sheriff Was Here Two Weeks Ago. We Praised Him For Reduction Of Crime, Reduction Of Budget. He's Still Doing His Reduction Of Crime, Reduction Of Budget With His Current Staff. Why Can't These Positions Be Used And Filled In These Facilities? That's My Question.

Just To Answer Some Of Those Questions, They're Not The Same Positions Over The Course Of A Year. A Turnover Rate Has Happened. Some Decisions Are Being Made. And We're Working On Those Things Right Now. This Grant Itself For The 15 Positions, If You Just Take The Impact There, It's \$2 Million Over The Four Year Period If We Only Did The 15 Positions. So It's The Match For The Three Years Comes Out To \$956,000. And Then The Four Year Funding For That Fourth Year Will Be Just Under \$1 Million. That's One Option. Also I Mentioned Yesterday That We Could Continue With This Grant And The Funds From The School Board Could Offset This As Well. That Could Be Part Of That June 17th Meeting Where We Possibly Bring The School Board, Board Of County Commissioners And The Sheriff's Office And We Have A Discussion Of Where Do We See The Future Of S.R.O.S. We Have An Agreement That's Been In Practice For A While. Elementary Is A Brand New Program. There's No Complete Commitment At This Point. We're Still Working On What The Dollar Amount Is Going To Be With The School Board. I Believe June 17th Would Be The Perfect Opportunity To Talk. It Is Still My Belief That If We Go Forward With This Grant, The Commitment Could Come From The School Board As Well. As Long As It's Not Grant Funds That Is Making The Match.

May I Ask When You Were First Made Aware Of This Program?

Within The Last Month. Four Weeks To Six Weeks.

Have You Had Talks And Negotiations With The School Board?

On This Particular Grant, No,Sir.

So We're Just Assuming That They're Gonna Pay That Share?

No, They've Already Allocated Over \$1 Million. And They're Looking For \$2 Million. We've Talked About The Number Of Positions. It Could Be From Half, Putting In Half The Positions. One Officer For Two Schools. And The Board Discussions We've Had, They Would Like To Put An Officer In Every School.

Let Me Make Sure One Thing. There's No Match Required Of This?

There's General Fund Dollars That Need To Go In There. As Long As It's General Fund Dollars, Not Another Grant.

I Don't Want To Complicate This Further. When I'm Putting These Thoughts

Together In My Mind, I'm Torn Because We're About To Miss An Opportunity To Draw Federal Dollars. But I Don't Want To By That Action, Indicate A Commitment To Go Forward And Match Them. But I Feel Some Obligation To Have That Full Blown Discussion With Both The School Board And The Sheriff. I Said This Yesterday When You Were Here. And I Need To Say It Again. I've Told The Sheriff That I Wish You Wouldn't Make Public Obligations Involving Money That We Don't Have. So I Need This Three Party Discussion That You're Describing Here. And I'm Reluctant, Or Fearful Of Passing Up Some Dollars That Will Be Used By The School Board At The Very Least. And Or The Sheriff's Office, Even If We Don't Participate More At The Elementary School Level.

You Can't Do It.

That Was The Point I Was Making In My Motion. You Can't.

You Can't Do That.

We're Getting The Money, So We Have To Spend It.

Commissioners, If I Could. Just One Clarification, I Think What Bill Is Saying Is On This Grant, If The School District Is Gonna Pick Up The Match Then You Could Go Forward With The Grant 100%. I Think The Issue Is, Looking Forward To The Discussion On The 17th.

Say That Again That You Just Said. You Were Partially Answering My Question. The School Board Is Gonna Pick Up The Match?

If You Still Want -- If There Was Still An Inclination To Go Forward With The Grant, If The School District Picks Up 100% Of The Match, Not Only For The Next Three Years But All Time, Then You'd Have 15 Officers. I Think The Question Is, Is This Program Viable With Just 15 Officers Or Not? Is There A Point In Having Discussion On The 17th Over The Balance Between 15 And 52? I Don't Know If I'm Making Myself Clear. But Once You're In It, Is It A Viable Program With Just 15 Or Do You Need The Full 52 And Have You Backed Yourself Into A Corner Basically?

So We're Back To Your Original Question, Commissioner Manning. We Can't Apply For This Grant Without Obligating Ourselves To The Elementary School Level Funding.

Correct.

And I'm Not Down For Doing That. Nor Are You. And I Don't See Anybody.

Is There A Motion On The Floor?

One Last Question Is That -- I Was Hoping That We Would Have A Little More Engagement From The School Board On This. If It's This Board's Responsibility To Go Or No Go, If They Were Gonna Do 100% Match Themselves To Keep The Program Going, They Would Want Us To Do This. I Think That's Kind Of What You Were Saying. And Thank You For That. So, I Don't Mind This Program Going Forward. I Just Don't Want To Be Committed To The Matching Firm This Second.

You're Committing The Board To The Matching Firm.

But The Board Can Be Responsible For That, Not Us. Is That Correct?

You Can't Commit Another Entity To Fund --

That's What I Said. I Was Hoping That They Would Be A Little More Engaging And Be Willing To Do That. I Don't Think You're Speaking For The School Board, Are You?

No.

A Motion?

Here We Go Again. I Always Thought That If A Motion Was Not Made, That It Simply Died And No Action Was Taken.

We Need A Motion One Way Or The Other.

If There Is No Motion, It Just Goes Away.

Ok. That's What I Was Thinking.

For Clarification, Will We Still Have The June 17th Meeting Talking About The Future Elementary?

It's Fine With Me.

I'm Willing To Talk. I Think We've Sent Some Pretty Clear Messages. I Think We Need To.

County Attorney?

If There Is No Motion, The Item Goes Away. And At Some Later Time, One Of The Board Members Can Bring It Back.

But This Grant Has A Time Limit On It.

It's Today, Right? Today Or Tomorrow?

We Got Word Late Yesterday That They Extended It To Monday. But This Is The Only Board Date During That Time Frame.

Lawyers Acting Like Lawyers Over There. [Laughter]

Debating Amongst Themselves. One Last Question Before It Goes Away. I'm Not Trying To Get A Motion Moving Here. Do You Have Any Idea Why This Money Was Only Available To Us And Not The School Board? The Nature Of This Grant Program.

It Normally Has To Go Through The Law Enforcement Jurisdiction. That's Where It Has To Come. If The School Board Had Their Own Chief Of Police, Law Enforcement Agency --

Like The Airport?

Yes, Then They Could Go Through There.

No Motion, Move To Next Item. 16-B. At This Time, We Will Convene --

Move 16-B Mr. Chairman. Commissioner Manning Makes The Motion, Commissioner Kiker Seconds. Any Discussion? Any Objections? At This Time We Will Reconvene As The Board Of County Commission. We Have One Carry Over Item.

On Carry Over Item Number One, If I May. I Had Approached Her About The Possibility. And I Will Ask Legal Counsel If We Can Interject Any Motion To Revisit

This After The Disposition Of The Court Case?

We Can Revise The Amended Agreement That's Before You To Include A Clause That Says That This Will Be Revisited After The Conclusion Of The Court Case To Determine Whether An Early Termination Is Appropriate.

Ok, I'll Make That Motion.

Second.

Commissioner Mann Makes Second. Any Discussion? No Discussion, Any Objection? Motion Carries 4-0. Commissioner Items. Commissioner Manning?

None.

Commissioner Kiker?

Yes, Sir. And I Apologize For Sending It To Everyone Late. I Just Found Out About It This Morning. The Town Of Fort Myers Beach Has Been In Contact With Florida D.O.T. I Was Able To Talk To Mr. Loveland About This, This Morning. And It Has To Do With Traffic. The Traffic Situation On The Bridge.

The Only Issue Is There's A Dedicated Transit Lane. Without The Input Of Transit. We Don't Know If They've Discussed It Or Not. So We're Not Sure.

Can We Ask --

We Had A Meeting With D.O.T. And M.T.O. It Was Concluded That The Dedicated Trolley Lane And -- Compatible. The Study For The Trolley Lane Is Two Years Off In The Distance At The Moment. What D.O.T. Is Trying To Do Is Do This Study During The Next Season To See If It Mitigates Traffic.

Thank You, I Appreciate The Clarification.

Does That Change Your Position?

If It Is For Testing It, It Sounds Like There Was Full Discussion. So Yes, I'm Satisfied. I Can Always Bring Back More Information.

The Motion Is To Ask The Chairman To Send A Letter.

Thank You.

I Have No Items.

You've Gotta Call A Question.

All In Favor?

No Objections, Moved.

Thank You, Mr. Chairman.

I Have No Items. Commissioner Mann?

I've Run Out.

Community Appointments?

None.

None.

None.

I Have None.

County Manager Items?

Nothing.

County Attorney Items?

Nothing.

Meetings Adjourned. Thank You.