

October 1, 2013

GOOD MORNING. WE'D LIKE TO INTRODUCE SABLE TO YOU. SHE'S A 3-YEAR-OLD BOXER MIX. THIS IS ANOTHER DOG THAT WE PARTNERED WITH GULF COAST HUMANE SOCIETY TO SAVE. IF YOU COULD SEE, SHE LOVES TREATS. SHE LOVES PEOPLE MORE THAN TREATS, BELIEVE IT OR NOT. SHE'S VERY SWEET, VERY PLAYFUL. AND SHE IS AT GULF COAST RIGHT NOW. SO SHE'S AVAILABLE THERE.

WE'D ALSO STILL LIKE TO MENTION THAT CHLOE FROM LAST MONTH WAS SHOWCASED AND SHE'S STILL LOOKING FOR ADOPTION FOR HER ALSO.

AND SHE'S A TV STAR NOW.

YES, SHE IS.

SHE'S BEEN ON TV TWO OR THREE TIMES THIS WEEK.

OUR ADOPTION SPECIAL FOR OCTOBER, IT'S NATIONAL ADOPTIVE SHELTER MONTH. PET ADOPTIONS ARE \$25. THAT INCLUDES CATS TOO.

MAYBE SOMEONE FROM THE STAFF WILL TAKE HER HOME TODAY. THEY'RE REALLY ENJOYING HER. THANK YOU FOR EVERYTHING YOU DO. THANK YOU. OUR NEXT CEREMONY WILL BE DONE BY COMMISSIONER MANN.

THANK YOU, MR. CHAIRMAN. IT IS MY PLEASURE TO READ THIS RESOLUTION HONORING A GREAT MEDIA CONTRIBUTOR TO THE WELFARE OF OUR COMMUNITY HERE. RECOGNIZED AS A MEDIA LEADER IN SOUTHWEST FLORIDA PROVIDING INFORMATION ON LOCAL AND NATIONAL ISSUES THAT IMPACT OUR LOCAL HISPANIC COMMUNITY AND WHEREAS THEY'VE COVERED IMMIGRATION, HEALTHCARE, HOUSING AND POLITICS, ESPECIALLY POLITICS, WITH ANALYSIS AND COMMUNITY DISCUSSION. ENGAGING A SEGMENT OF THE COMMUNITY THAT MAY NOT OTHERWISE BE REACHED. AND WHEREAS THEY'VE CULTIVATED STRONG WORKING RELATIONSHIPS WITH LOCAL GOVERNMENT AND COMMUNITY AGENCIES. THEREBY EMPOWERING THE VOICE OF THE GROWING HISPANIC POPULATION. AND WHEREAS UNDER THE PARENT COMPANIES ALL ACCESS MULTIMEDIA HAS BECOME THE LEADING SPANISH MEDIA VOICE IN SOUTHWEST FLORIDA FOR MORE THAN SIX YEARS. THEREFORE BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA CELEBRATING HISPANIC HERITAGE MONTH AND THE SIXTH ANNIVERSARY OF ACTION HISPANA -- AND WISHES MUCH CONTINUED SUCCESS AND RECOGNITION BY THE CITIZENS OF LEE COUNTY DUELY EXECUTED THIS 1ST DAY OF OCTOBER AND SIGNED BY OUR HONORABLE CHAIRMAN CECIL PENDERGRASS.

COME GET YOUR PICTURE TAKEN.

THANK YOU VERY MUCH. IT'S AN HONOR TO BE HERE WITH YOU THIS MORNING AND TO RECEIVE THIS RECOGNITION. I'D LIKE TO THANK CARMEN FROM THE LEE COUNTY COMMISSIONERS FOR COORDINATING THIS RESOLUTION FOR HISPANICS DURING THE HISPANIC HERITAGE MONTH. IT IS VERY IMPORTANT FOR HISPANICS IN LEE COUNTY TO BE RECOGNIZED. BECAUSE WE ARE HARD WORKING PEOPLE. AND WE LOVE LEE COUNTY. WE LOVE TO BE HERE. THANK YOU.

THANK YOU VERY MUCH. AND LET ME SAY AS YOU EXIT THAT THE BEST MAN IN MY WEDDING WAS A -- MAYBE WE'RE RELATED. THANK YOU VERY MUCH FOR BEING HERE.

MOVE ON TO THE RECAP. NO ITEMS ON THE RECAP. PUBLIC COMMENT ON THE CONSENT ADMINISTRATIVE AGENDA. AT THIS TIME WE HAVE PUBLIC COMMENT. I HAVE NO BLUE CARDS. ANYONE WISH TO SPEAK ON THE AGENDA? SEEING NONE, WE'LL CLOSE THE PUBLIC COMMENT AND MOVE ON TO CONSENT AGENDA. COMMISSIONER MANNING?

NONE.

COMMISSIONER KIKER?

NONE.

COMMISSIONER MANN?

NONE.

COMMISSIONER MANN MAKES THE MOTION TO MOVE THE BALANCE, COMMISSIONER MANNING SECONDS. ANY DISCUSSION ON THE BALANCE? NO DISCUSSION, ANY OBJECTION? NO OBJECTION, WE HAVE NO ADMINISTRATIVE AGENDA. WALK ON-ITEMS.

MOVE WALK-ON ITEM NUMBER ONE.

COMMISSIONER MANNING MAKES THE MOTION, COMMISSIONER MANN SECONDS.

ANY DISCUSSION ON WALK-ON ITEM NUMBER ONE? NO DISCUSSION, ANY OBJECTION? NO OBJECTION, MOTION CARRIES. COMMISSIONER ITEMS, COMMISSIONER MANNING?

NONE.

COMMISSIONER KIKER?

IS THIS A GOOD TIME TO BRING UP THE -- FIRST OF ALL, I WANT TO TALK ABOUT THE COLLIER COUNTY BEACH RENOURISHMENT PROJECT. AND TO BEGIN WITH, THE EFFORT IS ON CORKSCREW ROAD WHICH IS SHARED BETWEEN OUR CHAIRMAN AND MYSELF. AND HE'S ALLOWED ME TO WORK WITH STAFF TO TRY TO RESOLVE THE SITUATION. WE HAVE SPENT QUITE A BIT OF TIME ON THIS ISSUE. AND BEFORE I GET TOO MUCH FURTHER DOWN THE ROAD ON THIS ONE, THERE SEEMS TO BE -- I DON'T WANT TO SAY MISCOMMUNICATION, BUT THERE'S DIFFERENT PIECES OF INFORMATION THAT'S OUT THERE. AND IF I MAY DO THIS, I'D LIKE TO GET YOU ON THE OFFICIAL RECORD. IN TERMS OF FROM LEE COUNTY PERSPECTIVE WHERE WE ARE ON THIS.

WE BROUGHT THIS UP ABOUT 2-3 WEEKS AGO IN THIS MEETING, JUST GIVING EVERYBODY A HEADS UP. WE ASKED YOU AND YOUR STAFF TO WORK WITH LEE COUNTY. AS FAR AS I KNOW, YOU'VE NEVER OFFICIALLY BROUGHT ANYTHING BACK TO THIS BOARD TO VOTE ON. BUT THE FIRST ONE HAD TO DO WITH WHETHER OR NOT THE MUTUAL AGREEMENT OR THE ONE THAT WE THOUGHT WE KNEW ABOUT WAS UTILIZING ALICO ROAD OR NOT: AND WHETHER YOU AGREED TO THAT. COULD YOU HELP US WITH THAT?

COMMISSIONERS, WE BEGAN -- AS YOU KNOW, WE LEARNED THIS BEACH NOURISHMENT PROJECT WOULD BE USING CORKSCREW ROAD TO HAUL PROBABLY 60% OF THE SAND FOR THESE TWO BEACH NOURISHMENT PROJECTS. WE OPENED THE CONVERSATION WITH THE COUNTY MANAGER'S OFFICE IN COLLIER COUNTY AND ASKED THEM TO TAKE THE TRUCKS OFF LEE COUNTY ROADS AND USE EXCLUSIVELY COLLIER COUNTY ROADS FOR A WHOLE HOST OF REASONS. AND THEY SAID THAT IT WOULD TAKE ABOUT \$700,000 CHANGE ORDER BEFORE THE PROJECT EVEN STARTED. THAT HE'D HAVE TO GO BACK TO THE BOARD AND HE WAS REALLY, REALLY UNCOMFORTABLE DOING THAT. WE REALIZED AT THE TIME THAT WE DIDN'T HAVE THE LEGAL OPPORTUNITY TO STOP THEM FROM USING OUR ROADS. BECAUSE THE PROJECT ACTUALLY ORIGINATES OUTSIDE OF LEE COUNTY IF IT ORIGINATED WITHIN THE BORDERS OF LEE COUNTY, WE'D HAVE GREATER OPPORTUNITY TO CONTROL THE ROUTE OF THESE TRUCKS. IN ASKING THEM TO TAKE ALL OF THE TRUCKS THROUGH COLLIER COUNTY, HE SAID THAT IT WOULD. OR USING ALICO ROAD FOR THAT MATTER WOULD BE AN ADDITIONAL \$700,000 AT THE TIME IN COSTS. BUT IN THE END, BECAUSE WE ACKNOWLEDGED THAT WE HAD NO LEGAL OPPORTUNITY TO COMPEL THEM TO CHANGE THEIR ROUTE THAT IF THEY WERE GOING TO BE IN LEE COUNTY, THAT WE'D PREFER THEY USE THE ALICO ROUTE. THAT HAS BEEN TRANSLATED INTO WE HAVE AN AGREEMENT. WHICH, OF COURSE, WE NEVER HAD. IT WAS, ON OUR PART, AN ACKNOWLEDGMENT THAT WE DID NOT HAVE THE LEGAL MEANS TO STOP THEM FROM USING LEE COUNTY ROADS. WE BELIEVE THAT DURING THE EARLY STAGES OF THESE CONVERSATIONS THAT THEY WERE FAVORABLY DISPOSED TO USING THE ALICO ROUTE. WHICH WE FELT WAS PROBABLY AS GOOD A WE COULD GET. WE BEGAN TO WIND DOWN AT THAT TIME. IT'S ALSO ABOUT THE SAME TIME THAT WE REPORTED TO YOU ALL THE EVENTS THAT WERE UNDERWAY.

THIS LAST FRIDAY WE HAD A JOINT PHONE CALL, CONFERENCE CALL WITH OUR STAFF, THEIR STAFF. AND I'D FIRST LIKE TO POINT OUT THAT THEY'VE BEEN VERY CONGENIAL, VERY PROFESSIONAL. THE PROBLEM IS WHEN WE FIRST START WITH THIS CONVERSATION, WE'RE ON THE OPPOSITE SIDE OF THE FENCE. I DON'T THINK THERE'S GONNA BE MUCH MORE THAT WE CAN DO OURSELVES IN TERMS OF NEGOTIATING. ONE OF THE KEY DATES THAT WE'VE BEEN TOLD ABOUT WAS THERE WAS A STOP WORK PERMIT CONJUNCTION THAT WAS GIVEN BY D. E.P. AND I FOUND OUT THIS MORNING, THAT WAS TO BE GOOD UNTIL OCTOBER 28TH. AND I FOUND OUT THIS MORNING THAT THAT PERMIT HAS BEEN ISSUED. THAT DATE HAS BEEN BUMPED FORWARD A LITTLE BIT. THE FIRST TIME THAT THE COLLIER COMMISSIONERS ARE GONNA BE ABLE TO TALK ABOUT THIS IS OCTOBER 8TH IN ONE OF THEIR GENERAL MEETINGS. THERE WAS A \$700,000 ISSUE. IT'S SUPPOSED TO COST THEM \$400,000 -- IT CAME UP TO 700 AT THE END OF THE DAY. I TOOK A TRIP OUT THERE YESTERDAY. JUST SO THAT YOU KNOW WHAT'S GOING ON. IT'S ALWAYS BEEN A LEE COUNTY EFFORT TO KEEP THE TRUCKS ON ALICO ROAD AND NOT BRING THEM DOWN CORKSCREW. I DID MY OWN LITTLE TEST DRIVING AROUND. I SAW 14 TRUCKS THAT WOULD BE USED FOR HAULING SAND ON ALICO ROAD. AND FOR THE FIVE MILE STRETCH OF CORKSCREW, WHICH IS ALL WE'RE TALKING ABOUT, I SAW SEVEN LARGE TRUCKS. SIX OF THEM WERE BUSES FULL OF KIDS. THERE'S YOUR DIFFERENCE IN TERMS OF THE TYPE OF TRAFFIC THAT'S GOING DOWN THOSE TWO DIFFERENT ROADS. I FEEL THAT WE NEED TO DO SOMETHING. YOU PUT TOGETHER A RESOLUTION FOR THE BOARD. AND IT'S REALLY BROKEN DOWN INTO TWO SEPARATE PARTS, IS THAT RIGHT? ONE OF THEM IS WE WOULD LIKE FOR YOU TO STAY ON COLLIER COUNTY ROADS ALL THE WAY THROUGH. AND THE SECOND ONE IS IF YOU HAPPEN TO GO DOWN OUR LEE COUNTY ROAD, PLEASE USE THE ALICO ROADS. MAYBE YOU WANT TO EXPLAIN IT A LITTLE BIT.

I'LL SECOND THAT. ANY OTHER DISCUSSION? ANY OBJECTION TO THE RESOLUTION?

THANK YOU.

I JUST WANT TO SAY COMMISSIONER KIKER, THANK YOU. AND ROGER, FOR YOUR WORK ON THIS.

IT'S GETTING ATTENTION BECAUSE OBVIOUSLY COLLIER COUNTY DOESN'T WANT THE TRUCKS TO GO DOWN IMMOKALEE ROAD. OBVIOUSLY PEOPLE ARE CONCERNED FOR THEIR WELFARE AND THEIR SAFETY. ALSO CONCERNED BECAUSE OF THE AREA AND EAST OF I-75 WE HAVE THE PANTHER HABITAT.

I DON'T THINK WE HAVE THE ABILITY TO PULL THEM OVER AND DO THE WEIGHT. HAVE WE OFFICIALLY ASKED THE STATE OF FLORIDA D.O.T. TO HAVE THEIR GUYS WITH THE BLUE LIGHTS AND THE WEIGHTS THAT THEY CARRY AROUND TO PUT A LITTLE SPECIAL ATTENTION HERE? YES, NO, OR CAN THAT BE DONE?

FOR THE RECORD, DAVE LOVELAND, COUNTY D.O.T. WE'VE HAD SOME DISCUSSIONS WITH STATE HIGHWAY PATROL ABOUT THAT POSSIBILITY.

I'M THINKING THE STATE D.O.T.

IF I MAY, REAL QUICK, ONE OF THE BIG ISSUES THAT CAME UP WAS THE WAY WE DESCRIBED IT -- THANK YOU VERY MUCH FOR YOUR INPUT ON THAT BECAUSE IT WAS VERY HELPFUL. THE SAFETY CONCERN THAT WE HAD FOR THAT NEIGHBORHOOD. THAT'S REALLY WHERE WE'RE HANGING OUR HAT IS THAT. DOUG MENTIONED A COUPLE OF FATALITIES THAT WERE ON THAT ROAD. AND THE CHALLENGE WAS IF WE WERE GONNA SAY A SAFETY ISSUE, WE NEEDED TO COME UP WITH SOME INFORMATION. SO YOU CAME UP WITH A WHOLE MAP WITH ACCIDENTS ON IT WITH ALL THE DIFFERENT ACCIDENTS THAT WERE SPECIFIC TO EACH ONE OF THEM. SO I GUESS WE'RE GIVING THAT INFORMATION OVER. BUT I THINK IT'S WELL DOCUMENTED. AND I APPRECIATE YOUR SUPPORT ON THIS RESOLUTION. THERE'S SOME PEOPLE THAT ARE VERY UPSET ABOUT THIS. AND OBVIOUSLY THEY NEED TO POINT THEIR CONCERNS TO THE COLLIER COUNTY COMMISSIONERS. THEY'RE GONNA WORK ON IT OCTOBER 8TH. OUR WORK HERE IS DONE FOR THE MOST PART, OTHER THAN WHAT STAFF CAN DO WITH THEIR STAFF. THAT'S KIND OF WHERE THEY'RE AT.

ROGER?

JUST ONE OTHER ISSUE, PLEASE. WE WERE NEVER NOTIFIED OF THIS PROJECT DURING -- PARTICULARLY, DURING THE COMMENT PERIOD WHEN COLLIER COUNTY WAS GOING THROUGH THEIR PERMITTING PROCESS. WE NEVER HAD THAT OPPORTUNITY. I'VE ASKED MS. FRAISER TO TAKE A LOOK AT WHAT OPPORTUNITIES DO WE HAVE TO FILE SOME KIND OF PROTEST SO THAT WE CAN GIVE COMMENT. BEYOND THE PUBLIC SAFETY ISSUES, THAT'S ALSO WILD LIFE CORRIDOR. THERE ARE THREE PANTHER CROSSING SIGNS OUT THERE. THAT PART OF THE REVIEW IS IN THE HANDS OF FISH AND WILD LIFE, WHICH IS A FEDERAL AGENCY. AND THEY'RE CLOSED TODAY. SO WE'RE HAVING A HARD TIME GETTING TO THEM IN A MEANINGFUL WAY. WE FEEL AS THOUGH WE SHOULD HAVE SOME OPPORTUNITY TO COMMENT. SO MS. FRAISER, WOULD YOU BE KIND ENOUGH TO --

WE'RE IN TOUCH WITH D. E.P. AS ROGER STATED, UNFORTUNATELY, WE CANNOT SPEAK WITH FISH AND WILD LIFE. I AM GOING TO CALL D. E.P.'S ATTORNEY THAT IS HANDLING THE PERMIT TO SEE WHAT ELSE WE CAN DO AND HOW WE CAN GO ABOUT IT.

I'M GOOD WITH THAT. I REALLY APPRECIATE YOUR EFFORT ON THIS.

ANYTHING ELSE, COMMISSIONER KIKER?

NO, SIR.

COMMISSIONER MANN?

JOBLESS RATE DIPS IN SOUTHWEST FLORIDA.

THERE IS A LEGISLATURE LAST SESSION. SOME OF Y'ALL FOLLOWED THIS, I RE-WROTE THE MANAGEMENT PLAN FOR THE RANCH AND LEE COUNTY AND CHARLOTTE ARE ENTITLED TO DESIGNATE A MEMBER TO BE ON THAT MANAGEMENT COMMITTEE. IT JOINS MY AREA UP THERE AND IT REQUIRES SOMEBODY HOPEFULLY KNOWS SOMETHING ABOUT AGRICULTURE AND HUNTING. AND I'D LIKE TO VOLUNTEER FOR THAT. I THINK I HAVE TO BRING IT A WEEK FROM NOW. BUT I'LL BRING IT BACK NEXT WEEK. I'LL GET A MEMO ON IT.

THANK YOU. I HAVE ONE ITEM I WAS GONNA BRING UP. WE TALKED LAST WEEK ABOUT REAPPOINTMENTS ON VACANT COMMITTEES. COMMISSIONER KIKER VOLUNTEERED, WE HAVE TWO LEFT WHICH IS REGIONAL PLANNING. COMMISSIONER MANNING, YOU'RE ALREADY ON THE REGIONAL PLANNING COMMITTEE. WOULD YOU BE ABLE TO TAKE THAT FOR SIX WEEKS UNTIL THE NEW APPOINTMENTS?

SURE.

THANK YOU.

AND THE TEN COUNTY COALITION,
CAN YOU DO THAT?

IS THAT ONE OF THESE BREAK YOUR ARM AND MAKE YOU DO IT?

IT'S ONLY ABOUT SIX WEEKS LEFT. NOT SURE IF THERE'S EVEN MEETINGS BETWEEN NOW AND THEN.

WHEN YOU COME LATE TO THE MEETINGS -- WE USED TO DO THAT TO COMMISSIONER COY ALL THE TIME. I DON'T KNOW IF THIS IS AN UP TO DATE LIST. WILL YOU REMOVE NACO FROM MY LIST. MY FRIENDS FROM NACO AND I HAVEN'T BEEN SEEING EACH OTHER. THE VALUE ADJUSTMENT BOARD, I THOROUGHLY ENJOYED IT, BUT THAT WAS LAST YEAR.

TODAY WE'RE GOING TO WASHINGTON D.C. TODAY.

GOING BACK TO WORK FOR US? [LAUGHTER]

AND IF WE CAN FIND ANYBODY THAT'S WORKING UP THERE, I HEARD OUR CONGRESSMAN IS WORKING. SO WE'LL BE MEETING WITH HIM ON THURSDAY AND WE'LL TESTIFY IN A CONGRESSIONAL HEARING. BUT TOMORROW, WE'RE

GONNA SPEND A LOT OF TIME RUNNING AROUND TALKING TO AS MANY PEOPLE AS WE CAN AND WORKING WITH THE COALITION GROUPS. AND ALSO GOING TO AIM AT THE CORPORATION COMMITTEE MEMBERS THAT WILL EVENTUALLY VOTE ON THIS THING. SO WISH US LUCK.

GOOD LUCK. THANK YOU FOR GOING, IT'S A GOOD CAUSE. AND HOPEFULLY A LOT OF SUCCESS.

GROUP EFFORT. SO I'M JUST GONNA BE ONE OF THEM.

I THINK WE'RE COMING UP TO THE 15TH ANNIVERSARY OF C-43.

MR. CHAIRMAN, I FORGOT ONE THING.

COMMISSIONER MANN? COMMISSIONER ITEMS?

QUESTION TO YOU GUYS, WHERE DOES THIS LEAVE US, THE GROUP OF ENVIRONMENTAL INTEREST GROUPS THAT GOT TOGETHER WITH CITY GROUPS ON PINE ISLAND AND THEY'RE FILING THIS ACTION INVOLVING THE BOAT LIFT. WE ARE NOT MENTIONED IN THAT. IS THAT TRUE? YOU SENT US A MEMO. BUT IT REALLY DIDN'T TELL ME VERY MUCH. IS THERE ANYMORE YOU CAN SAY TO US ABOUT HOW THIS LEAVES OUR ROLE, WHERE DO WE STAND RIGHT NOW?

CURRENTLY, COMMISSIONERS, WE ARE NOT PART OF THE LAWSUIT WHATSOEVER. WE HAVE A SETTLEMENT AGREEMENT IN PLACE, AND WE WILL CONTINUE TO ABIDE BY THAT SETTLEMENT AGREEMENT. THAT LAWSUIT NO WAY IMPACTS THAT SETTLEMENT AGREEMENT.

I LIKE THE -- HIGHLIGHT THE POINTS OF THE SETTLEMENT AGREEMENT. WHAT HAVE WE AGREED TO?

WE HAVE AGREED TO STUDY THE AREA, WATER QUALITY, WATER QUANTITY. AND WE'RE GETTING ALL OF OUR CONSULTANTS ON BOARD TO DO THAT.

ALL OF WHICH WE APPROVED MOVING FORWARD?

YES.

SO WE'RE DOING WHAT WE'RE SUPPOSED TO BE DOING. AND WE CAN SIT BY, HOPEFULLY, AS OBSERVERS ON THIS LITIGATION.

HOPEFULLY.

THANK YOU VERY MUCH. THANK YOU, MR. CHAIRMAN.

COMMUNITY APPOINTMENTS, COMMISSIONER MANNING?

YES, I HAVE THREE REAPPOINTMENTS.

COMMISSIONER MANN SECONDS, ANY DISCUSSION? OBJECTIONS? NO OBJECTIONS, COMMISSIONER KIKER?

I HAVE THREE REAPPOINTMENTS. ADAM, PATRICK AND WILLIAM.

ANY DISCUSSION? ANY OBJECTION? NO OBJECTION, MOTION CARRIES. I HAVE TWO REAPPOINTMENTS. DEBBIE AND GERALD OF THE LAND DEVELOPMENT CODE.

SECOND.

COMMISSIONER MANNING SECONDS. ANY OBJECTION? NO OBJECTION, COMMISSIONER MANN?

SOMEONE HAS TO MOVE IT. I MOVED IT, HE SECONDED IT.

HE MOVED IT, COMMISSIONER MANNING SECOND IT.

SECOND.

COMMISSIONER MANNING SECONDS. ANY DISCUSSION, ANY OBJECTION? NO OBJECTION, MOTION CARRIES? COUNTY MANAGER ITEMS? COUNTY ATTORNEY ITEMS?

NONE.

MEETINGS ADJOURNED.