

February 16, 2016

Ask Pastor David Yannatone, Approach, Please. We're Going To Recognize You, But I Want To Recognize Commissioner Pendergrass. We Can All Stand For The Invocation And Later Remain Standing For The Pledge, But A Special Request From Commissioner Pendergrass.

Cecil Pendergrass: If We Could Have A Moment Of Silence Also. The Passing Of Dr. John Jack Bartlett. Many Of Us Knew Him. He Practiced 48 Years. A Friend Of Our Family, And It Was A Great Loss To Our Community. Thank You.

That's Great.

Father, We Give You Thanks For This Time As Deliberation For The County Commissioners, And We're Grateful For Their Service To Our Community. Those Who Are Their Support Staff As Well. We Pray That You'll Guide Them In The Deliberations Today, Give Them Wisdom. Those Who Speak Have Clarity Of Thought And May There Be Understanding And Consensus As A Result Of This Time Today. We Do Remember The Bartlett Family And That You Would Comfort Them With All Your Grace And Peace. We Ask All This In The Name Of Your Son, Jesus Christ. Amen.

Thank You, Pastor.

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

Thank You And Be Seated. We Will Begin Our Meeting With Some Of The Fun Things We Do From Time To Time. It Doesn't Always Have To Be Serious. Who Am I Recognizing? Commissioner Manning, Are You The Boss?

John Manning: Candy Pittro Award.

Oh, Pittro First. I Don't Know What I Would Do Without My Helpers. Staff Is Going To Do This One For Us. The Candy Pittro Award. Tell Us About That Award And How It's Going To Come Down.

Good Morning. I'm Stephanie Figueiroa From Human Resources. I'm Joined By Lee Elkins From Human Resources And Our County Manager Roger. This Morning We Are Here To Recognize The Nominees And Recipients Of The 2015 Candy Pittro Memorial Award. Candy Pittro Was A Vivacious And Inspiring Employee Of Lee County Human Resources Who Passed Away In 1987 After A Long Struggle With Leukemia. Candy Always Displayed A Tremendously Positive Outlook Towards Life. Her Disposition Was Infectious To Those With Whom She Came In Contact. The Candy Pittro Memorial Award Recognizes Those Lee

County Employees Who, While Faced With Adversity, Maintain An Inspiring Attitude Continually Exhibit Enthusiasm Towards Their Job, And Life In General. This Year's Nominees Were Nominated By Their Fellow Co-Workers In Recognition Of Their Exceptional Character And Demeanor While Facing Serious Health Conditions, Overwhelming Personal Tragedy, Or Professional Challenges. As I Call Each Nominee's Name, I Would Ask Each Of You To Come Forward And Receive Your Award And Greet The Commissioners And County Administration. Please Remain Up Front Until All Nominees Have Been Acknowledged. I Will Then Announce The Winners -- The Winner Of This Year's Award. Individual And Group Photos Will Be Taken At The End. In Recognition -- I'll Wait For You Guys. You Guys Wanted To Have County Administration Join Us. Sorry. I'll Wait Until Everyone Is Up There. Okay. In Recognition Of The Outstanding Employees Who Were Nominated For This Award, Our First Nominee Is Maria, Bus Driver Lee County Transit. [ Applause ]

Maria Began Working For Lee County On September 19th, 2002. She Always Displays A Positive Attitude And Enthusiasm Towards Her Job, Her Co-Workers, Her Customers, And Her Life. She Is The First To Volunteer When Short Staffed To Answer Phones, Translate For Spanish-Speaking Customers And She Provides Training For Disabled Customers So They Can Ride Buses Independently. She Consistently Exceeds Expectations Of Her Performance Evaluations. In 2013 Maria Obtained Temporary Custody Of Her Three Young Grandchildren. She Has Dedicated Her Life To Care For Their Medical And Physical Needs, And Today They Are Thriving. Our Next Nominee Is Emily Sosa, Office Assistant, Senior, Visitor And Convention Bureau. [ Applause ] Emily Began With Lee County On October 4th, 2012. She Is A Treasured Receptionist Who Greets Everyone With A Warm And Gracious Welcome. Industry Partners Continue To Acknowledge And Praise Her Knowledge, Kindness, And Ability To Go Above And Beyond For Guests. After A Visitor Lost Their Wallet In Sanibel He Called The Office To Ask For Assistance. She Immediately Reached Out To The Police Department. As Luck Would Have It, They Found The Wallet, And It Was Promptly Returned To The Visitor. Chronic Health Conditions Have Been Difficult For Emily. However, She Has Not Let It Interfere With Her Enthusiasm And Dedication. She Has A 4.0 Grade Point Average In Nursing School While Working A Full-Time Job And A Part-Time Job. She Is A Proud Pet Owner And Also A Newlywed. She Manages To Fit It All In And Make It Look Effortless. [ Applause ] Our Final Nominee Is Pam Teeter, As A Human Resource Analyst With Human Resources. [ Applause ] Pam Began With Lee County On January 4th, 2007. She Displays A Positive Attitude For Every Task She Is Working On. She Treats Each Person She Is Interacting With As The Most Important To Her At That Time. Pam Recently Received A Promotion To Analyst. She Consistently Performs In A Manner That Highlights What An Exceptional Employee Should Be. Pam Recently Suffered The Loss Of A Very Close Family Member Requiring Her To Travel Out Of Town With Little Notice. Despite Her Grief, She Refused To Leave Her Job Duties Incomplete, And She Remained On Duty Until The Work Was Complete, On Time, And Without Error. On A Daily Basis Pam Provides Attention And Support For Family Members Who Are Experiencing Ongoing Chronic Medical Conditions. Pam Never Fails To Give Her Full Attention And Effort To Work With Her Every

Day. All Of These Employees Are To Be Commended For Their Outstanding Achievements. Not Only In Their Departments And Also For Their Commitment And Dedication To The Entire Lee County Organization. Congratulations To All Of You. It Is My Honour To Announce This Year's Recipient Of The Candy Pittro Memorial Award To Maria Osadego. [ Applause ] Thank You And Please Remain For A Group Photo.

Wait Just A Second. Come Right Here And Stand In The Middle Of The Aisle, Family Members. Come And Take Your Pictures. This Is A Special Occasion. Let's Record It.

Thank You, Guys, So Very Much. We're So Proud Of You. [ Applause ] Following That Joyful Event Commissioner Manning, Let's Have Another One.

John Manning: Well, Thank You Mr. Chairman, And Thank You To The Folks That Were Nominated For The Candy Pittro Award This Year. It Is My Distinct Pleasure To Read This Resolution Welcoming The Red Sox Back To Lee County. I Am Looking For Sam Kennedy, Katie Hass, And Anyone Else That Wishes To Approach The Podium. , And I Will Read The Resolution Into The Record And Then We'll Do A Photograph. Sam, Good To See You. Right There. Sam Is President Of The Club. Katie Is The Florida Person, And We Welcome All Of You To Lee County This Morning. It's My Pleasure To Read The Resolution Into The Record. Whereas, Lee County Welcomes The Boston Red Sox And Their Fans Back To Their 24th Spring Training In Our Community And The Fifth Season Of Jetblue, And At Jetblue Park In Fenway Park And Sits On 106 Acres And Features Close To 10,000 Seats With The Same Field Dimensions As Fenway Park. Did I Say That Right? Okay. The Entire Facility Has Become A Lee County Jewel, As It Is Able To Host Red Sox Spring Training Games, The Fhsaa State Baseball Finals, Dozens Of Amateur Baseball Tournaments, And Daily Youth Soccer Events In Addition To Many Other Events The Red Sox Host On Their Adjacent Property, And Whereas, We Are Now In The Fifth Year Of A 30-Year Lease Agreement With The Ballclub Thereby Guaranteeing That Lee County Will Be The Spring Training Home For The Red Sox Through At Least 2041, And Whereas, Lee County Recognizes And Thanks The Red Sox For Helping To Raise Millions Of Dollars For Our Community Not For Profits. The Red Sox Have Announced That Beginning This Year They Have Created A Scholarship Fund That Will Give A \$5,000 Scholarship To One Student At All 13 Public High Schools In Lee County, And We Thank You For That. And Whereas, The Red Sox's Popularity And Ongoing Excellence Has Brought The World Media Attention And Hundreds Of Thousands Of Fans To Lee County, Which, In Turn, Generates A Significant Impact To Our Tourism Industry Whereas The 2016 Spring Training Season To Mark The Third Year Of Competition Between The Red Sox And The Minnesota Twins To Win The Chairman's Cup. Now, Therefore, Be It Resolved That The Board Of County Commissioners Of Lee County, Florida, Along With The Lee County Park And Recreation Department, Visitor And Convention Bureau, Sports Development Office Does Hereby Proclaim The Full Support For The Boston Red Sox Organization And Send Our Most Sincere Best Wishes For A Successful Upcoming 2016 Baseball Season Dually Signed This 16th Day Of February. Our Chairman Frank Mann. Thank You Very Much, Guys. [ Applause ]

Beat Those Yankees, Right?

Sam, Proud Of You. Congratulations. Welcome Home. Picture Time. Sam, Put Yourself Right In The Middle Since You Carry A Big Title Now. Kate Still Does All The Work. Perfect. Sam, Say A Word Or Two. That Katie Has Written For You.

That's Right. Thank You Very Much. Good Morning, Everybody. I Can Assure You On Behalf Of John Henry And Tom Werner And The Entire Red Sox Group, Those Of Us In The Front Office, For Those Of Us Lucky To Be Down Here In Lee County, We Are Glad To Be Home As Commissioner Mann Said. We've Enjoyed Such A Great Partnership Over The Years And We're Ecstatic About Being Here At Least For The Rest Of Our Days In Baseball. And I Did Just Have One Brief Announcement. If It Wasn't Big News In Lee County, It Should Have Been. It Was Big News Within The Red Sox Organization, And That Was The Recent Promotion Of Katie Haas To Vice President In The Red Sox Organization. I Just Want To Recognize Katie. [ Applause ] Katie Has Been A Part Of Red Sox Organization Since 2002 That Hopefully Has Been Committed To Winning On The Field, Providing Great Customer Experiences, Off The Field At Fenway, And Most Importantly Being Active In The Community Up In New England And Here In Lee County. So Thank You Very Much, Katie. Congratulations To You. Congratulations To Brett. You Are A Right-Hand Man, And Thanks For All The Great Work You Do In Lee County With Owner Great Commissioners. Thank You Very Much.

Wait A Minute. We Have To Have One Special Hand For Sam Who Is Now The Main Man Administrator, I Believe, For The Entire Organization. [ Applause ]

Thank You Very Much.

John Manning: Thank You, Kids. A Great Season. Now It Is My Pleasure To Do The Other Half Of Our Baseball Team Here. Mark Weber, Who Is Here For -- Oh, Here's -- Come On, Guys. We Got The Minnesota Twins That We're So Happy To Welcome Back To Rain Land South. I Hope We Dry Up For You. Good To Have You Guys Here, And It Is My Pleasure To Read This Resolution Honoring Our Relationship With The Twins. Whereas, Lee County Welcomes The Minnesota Twins And Their Families Back To The 26th Spring Training At The Newly Renovated Citrilink Sports Complex And Ham Anned Stadium And Whereas Lee County Government Officially Welcomes The Twins And The Hamman Stadium In 1991 And In 2015, Completed A \$48 Million Renovation Of The Facility That Includes Improvements To The Major League Clubhouse, The Training Areas, Expanded And Upgraded Concourses Throughout The Stadium, Improved Concession Services, Rest Room Renovations, Premium Seating Improvements, Additional Shade Options For The Fans, Sky Box Relocation, And Renovations And A New Retail Store. I Think We Did A Bunch This Year. \$48 Million Goes A Long Way. And, Whereas, The Completion Of The Renovation Triggered A New 30-Year Lease Agreement With The Ballclub Thereby Guaranteeing That Lee County Will Have A 50-Year Cumulative Partnership With The Twins Organization And, Whereas,

The Twins Are Beneficial Community Partners With Many Local Not For Profits And Youth Organizations, And Just Celebrated A Decade Of Hosting Free Youth Baseball Clinics With Its Coaches And Players In Partnership With Lee County Parks And Rec That Have Reached More Than 5,000 Participants. That's A Lot Of Work. Whereas, The 2016 Spring Training Season Will Mark The Third Year Between The Minnesota Twins And The Boston Red Sox To Win The Newly Rebranded Chairman's Cup, Which Will Be My Honor To Deliver To One Of You Happy Folks This Year. Now, Therefore, Be It Resolved That The Board Of County Commissioners Of Lee County, Florida, Along With Lee County's Parks And Recreation Department, Visitor And Convention Bureau, Sports Development Office, And Facilities Construction And Management Departments Does Hereby Proclaim Its Full Support For The Minnesota Twins Organization, And We Send Our Most Sincere Best Wishes For Success In The Upcoming 2016 Season, Signed By Myself. Congratulations, Guys. Welcome Back.  
[ Applause ]

Good To See You.

Good Luck This Season.

Good To See You.

Picture Taken. Folks Right Smack In The Middle. Billy, You Got The Nerve To Say A Word?

Happy To. Thank You. We Are Thrilled To Be Here, As You Mentioned, For Our 26th Spring Training. I've Been Fortunate To Be Here For All Of Them, And It's Been A Wonderful Run. The New Renovations Out At The Ballpark Are Spectacular. They're Going To Be Great For Our Fans. We Had A Great First Year Last Year, And This Year We've Done Even A Few More Things. Our Staff And Our Equipment Truck Will Arrive Over The Next Couple Of Days, And It Will Be Full Speed Ahead Out At The Ballpark. As You Mentioned, We're Very Proud Of The Clinics That We Had. We've Hosted Throughout. We Take Our Clinic Staff, Our Young Players, Out Into The Communities And Visit All The Neighborhood Ballparks, And We've Had Another Great Run Of That. Brian Maloney, Our Senior Manager Of Florida Operations And Mark Weber, Our Manager Of Business Development Down Here, Have Done A Great Job Putting Those Together. We Are Thrilled. We Look Forward To Lee County Day On Saturday, March 5th, And Look Forward To Having You All Join Us Out There And, Again, We Thank You So Much For Everything And Look Forward To A Great Spring. Thank You.

Great To Have You Guys Back. [ Applause ]

Frank Mann: Thank You, Billy. It Is A Joy To Have These Two Outstanding Teams And Their Management Which Work So Well With Our Management, And We Just Appreciate You Guys And Love You And Wish You Both -- I Wish Every Year You Could Tie For World Series, But Maybe First And Second. You'll Be Happy With That. We Would Be Happy With That. I Can Promise You That. As To Recap Now, Mr. Dejarle Has Asked Me On Recap If We Could Pull Number 19 For Two Weeks.

Yes, Mr. Chair. We Would Like To Defer Number 19 For Just Two Weeks. We Have A Little Bit Of Work To Do On That One Yet. We Can Bring More Clarity Back To The Board On That Project, And --

Frank Mann: Let Me Take A Motion On That.

I'll Move.

Second.

Frank Mann: To Defer Number 19 For Two Weeks. Is There Objection To That Motion? Thank You. And You Had Some Thoughts About How To Handle Number Nine.

Thank You, Mr. Chair. Commissioner, Number Nine, As You Know, Is Your Conversation, Vote Today, On 2020 -- On The 2020 Program And Going To Referendum Or Not, And Would Suggest If It Works For You That We Put That At The End Of The Agenda, Finish All The Other Business Because I Imagine You'll Have Some People That Want To Speak On That, And We Can Get Everyone Out Of Here.

Without Objection We'll Move That Number Nine To The Last Item Before We Take Up The Other Stuff. It Will Be Easier, George, Because A Lot Of People Here Want To Talk. I Think We Can Get Through The Rest Of It Pretty Quickly. Okay. Agenda Items To Be Pulled. Commissioner Manning.

John Manning: None.

Frank Mann: Mr. Pendergrass.

Cecil Pendergrass: None.

Yes, Seven And 15. Commissioner Larry?

Larry Kiker: I Have None.

Frank Mann: I'm Sorry. Okay. Back To Commissioner Hamman. You Wanted To Take Up --

Brian Hamman: Sure. Mr. Chairman, Would You Like To Go Ahead And Take The Public On The Balance Of The Items?

Frank Mann: Why Don't We Do That. I Think That Would Be Excellent. I Do Have No Human Trafficking. That's Going To Be A --

Brian Hamman: Public Hearing.

Frank Mann: We'll Hold That One. Anti-Fracking, That's A Commissioner Item, Anticipating. Well, I Think --

Brian Hamman: Public Presentation Matter.

Frank Mann: No, It's Commissioner Item, I Think.

Brian Hamman: Okay.

Frank Mann: Anti-Fracking. Who Is Going To Bring That? You Are. Yes. We'll Hold That. Until We Get To It. How About The Balance Of The Items On The Consent Agenda?

That's What We're Talking About. The Public Comment.

Frank Mann: Public Comment. I Don't Have Any Cards. Public Comment On Any Of The Agenda Items Other Than 2020? We're Back Here.

Move The Balance.

I'll Second.

Frank Mann: Without Objection Show That Passing. Now, Can We Take Up Seven?

Yes. Thank You, Commissioner Chairman. Appreciate That. Number Seven Is Really Easy, Commissioners. That Is Just The Authorizing The Staff To Hold Two Public Hearings To Amend Chapters 1, 32, And 34 Of The Land Development Code. I Had One Question On This, And I'll Make A Motion After Public Comment Is Called For On This, But The Amended Motion I Wish To Make, Commissioners, Is That Since The Staff Is Actually Reviewing Regulations Related To The Social Service Groups, I Would Like To Remove The Changes In This Motion Related To Chapter 33 And Just Ask That The Staff Include Those Social Service Groups As Part Of Their Review And Bring Them Back If Necessary.

Frank Mann: Can I Get A Response From Staff On -- I'm Not Certain --

The County Attorney's Office Actually Would --

Frank Mann: Why Don't You Say That Again.

Brian Hamman: Sure, Sure. The County Attorney's Office Could Provide Clarification Too. Again, The Staff Is Actually -- Has Mentioned In The Background Here Reviewing Our Regulations Related To Social Service Groups, And Chapter 23, They Put In An Amendment Here That Relates To Social Service Groups. I Would Like To Ask That The Staff Review Those Changes.

Chapter 33, I Believe.

Brian Hamman: Yes, Correct. The Staff Review Those Changes As Part Of Their Review And Bring Those Back To Us If Necessary. Move This Item Forward Without The Chapter 33 Revisions In It.

I'll Second The Motion For Discussion. I Ask The County Attorney's Office Why You Want To Separate That Out. Mr. Chairman.

The Motion As Stated Will Allow County Staff As Well As Our Office To Deal With The Whole Issue Of Social Services As One Complete Unit Rather Than Separating It Out Into This Amendment And Then A Possible Subsequent Amendment, So We're In Support Of The Motion.

Okay.

Frank Mann: Any Further Questions Or Clarifications? Public Comment? Anybody Want To Speak To This? Nope. Back To The Board. Do I Have A Motion And A Second? Further Discussion On It? Is There Objection To It? Show It Passing.

Brian Hamman: Mr. Chairman, Appreciate That.

Frank Mann: We're On 15?

Brian Hamman: Number 15, Basically I Just Wanted To Ask A Quick Question, Commissioners. First Question Is To The Staff. This Is The New Video Technology That We'll Get In The Room Where We Do Our Workshops, And I Wanted To Just Ask Our County Manager, Would The New Video Equipment Allow Us To Possibly Host The Mpo Meetings In That Room At Some Point For Broadcast?

Mr. Chair. Commissioner, This Video System Upgrade Will Allow Us To Transmit And Ultimately Record Meetings, And I Believe Transmitting The Meetings Is One Of The Requirements For The Mpo Meetings, So I Don't See Any Reason Why You Could Not Post The Meetings.

Brian Hamman: Very Good. Thank You, Mr. County Manager. You Know, One Of The Things, Commissioners, We Have Spoken About At The Mpo Meetings Was Getting Off Of That Big Thing Where We Can't See Each Other And Getting More In A Workshop Type Format. I Believe Commissioner Kiker Made The Suggestion We Do That. I Think That The Workshop Room That We Have Here Is An Appropriate Facility, And Now That We -- Once The Upgrades Are Completed And We Have The Ability To Host The Meetings There, I Just Wanted To Make That Note To You All That, You Know, It Would Be Great If We Could Offer That Room As A Facility To Host The Mpo Meetings And See If You All Had Any Thoughts Or Objections To That?

We Have A Meeting On Friday Of The Mpo, And I Would Bring It Up Then. Good Suggestion.

Brian Hamman: Good Deal. You All Would Be Supportive Of That Then At The Mpo?

Frank Mann: Wonderful Idea. Let's See What The Public Thinks About It. Anybody From The Public Want To Speak Against This Wonderful Idea? Hearing None --

Brian Hamman: Okay. I'll Make A Motion To Approve Item Number 15.



Frank Mann: Second By Commissioner Manning. Further Discussion? Is There Objection? Show It Passing. Got The Balance Of The Items?

Brian Hamman: I Think, Yep. Took Care Of Those.

Frank Mann: We Did Them First, And Now We're To 2020. We Got A Good Little Group Here That Wants To Speak On This. Can I Take Up Our Public Comment First? Mr. Voe. Carl Voe. >>.

Brian Hamman: If Someone Is Watching Right Now That Maybe County Manager Can Introduce What We're Going To Talk About.

Frank Mann: That's A Wonderful Discussion.

Brian Hamman: Thank You.

Frank Mann: Thank You.

Item Number Nine Is A Result Of Numerous Workshops That You Have Conducted Over The Last Couple Of Years Leading To A Decision Today To Take The 2020 Program Back To Referendum Or Not, And If You Decide To Go To Referendum Whether Or Not That Should Be Binding Or Nonbinding And Then We Would Hopefully Get Some Indication From You About The Kind Of Referendum Language You Might Want To See Us Compose.

Frank Mann: We Have The Public Comment. I Believe Staff Want To Offer Comments Before We Get Back To The Commission For Deliberations On It. Mr. Voe, You Are Recognized.

I Thought You Were Going To --

Frank Mann: No, Go For It.

For The Record, My Name Carl Voe, And I Would Like To Commend This County For Having 2020. It's Been An Excellent Program For The Last 20, 25 Years. The 2020 Program Is Outstanding. The Program That Buys Sets Of Land Through Our Tax Dollars And It's Well Spent. I Know That Needs Have Superseded The Environment And Lands Need, And We Still Need To Buy Lands For The Environment As Well As For Water Needs. I Think We Can Pass It This Way Because People Are More Interested In Wildlife Than What Many People Think. Both Are Important. Amendment One Was Somewhat Sold To The Public Through This Way As Well. Roger Clark's Legacy In Promoting And Helping To Pass The 2020 Initial Program Should Not Be Overlook, And I Think This Is A Way To Get It Passed. A Lot Of People Know Roger, And If His Legacy Is Brought Out, I Think It Would Help Pass It. I Think To Like Amendment One, We Should Have A Provision That States On The Ballot That This Money Should Only Be Used To Buy Lands. You Know, This Is How Amendment One Was Passed. Then It Wouldn't Have To Go In The General Fund. That's My Thought On That. Let's -- The Parcel Of Land Adjacent To Crew. I Think If We Bought This, It Would

Help Keep Things Going And Be A Positive Note For Our Program And Help Pass The Resolution. I Think That Dr. Hammand And -- Bill Hammanknows More About Water Than Everyone In This Room. I Don't Know Why He Was Taken Off. Carrie Call Was One Of The Best Members Of Classic Ever Had. In Many I Opinion Too. Let's All Be Positive. Let's Get It On The Ballot And Pass It Or Not Get It On The Ballot And You Pass It. One Way Or Another, 2020 Is An Outstanding Environmental Program That Puts Lee County On The Map As An Eco Friendly County That Draws Thousands Of People Here Because Of The Eco Economy And We Need This To Keep Us Going. Thank You.

Frank Mann: Thank You, Mr. Voe. A Comment For The Future Speakers. Let Me Call Up Marissa Caroso At This Point. The Chair Is Going To Be As Broad As He Can With The Latitude. I'm Not Going To Tell Anybody What To Say, But The Issue Before Us Is Whether Or Not To Put The 2020 Issue On The Ballot. If We Could Focus On That, That Would Be Beneficial To Us. Public Input At The End Of The Meeting. Okay. Ms. Caroso.

For The Record Marissa Caroso On Behalf Of The Conservancy Of Southwest Florida. Thank You For The Opportunity To Address You Today Regarding The Potential 2016 Referendum For 2020. We Understand That You'll Be Discussing This Item Today And Deciding Whether Or Not To Put It On The Ballot For This Year. The Conservancy, As We Said Before, We Don't See This As A Necessary Thing To Do At This Point. In The Conservancy Every Answer's View 2020 Has Been And Continues To Be A Remarkably Successful Program That Has Enjoyed The Support Of Lee County Citizens, Elected Officials For Many Years. With The Acquisition Of 25,000 Acres And The New Ordinance Changes In Place, It Is Definitely Poised To Continue That Legacy Into The Future. We Think That The Many Benefits Of 2020 Are Evident Through The Recreation And Tourism Opportunities, Flood Protection, Habitat, Water Quality Restoration, And The Quality Of Life Which 2020 Lands Helps Deliver Lee County Residents And Visitors. The Critical Role Of Conservation Lands Was Certainly Recognized When 70% Of Lee County Voters Approved The Passage Of Amendment One In 2014 To Support Conservation Land Acquisition And Management. We Are Confident That Conservation 2020's Successful Record Would Be Continued Should You Decide To Put It On The Ballot This November. However, As We Have Mentioned Before, Education And Public Outreach Are Key For Any Referendum Campaign To Insure That The Public Has The Information To Make An Informed Decision Going Forward. The Passage Of The First 2020 Referendum Was Due In Large Part To The Network Of Community Stake Holders That Were Committed To Spreading The Word About The Program And What It Would Do For Lee County. That Being Said, The Referendum Ballot Language Would Be The Foundation For Any Outreach Or Education Campaign, And With That In Mind, Should The Board Decide To Put The Program On The November 2016 Ballot, We Would Respectfully Request That Stakeholders Be Involved In The Development Of The Language And The Education And Outreach Campaign, So We Appreciate Your Consideration Of Our Comments Today And Our Prior Comments On This Matter Before It. Thank You Very Much.

Frank Mann: Thank You. Brad Cornell. Brad, You'll Be Followed By George Wheatenhut, Already Up Here Close.

Good Morning, Commissioners. Thank You For The Chance To Address You Today On Lee County Conservation 2020 And The Possibility Of A Referendum. I'm Brad Cornell, And I'm Here On Behalf Of Audubon, Florida, And Audubon Of Southwest Florida. As You Already Know Yourselves, This Is A Great Program. It's Done Wonderful Things For The People Of Lee County. You And Your Advisory Committee, Class Act, And The Public Have Worked Really Hard Over The Last Three Years To Update The Program, Including Amending The Ordinance, And I Want To Say That, You Know, As We All Look At This Program Now Objectively, It's Been Performing Really Essential Roles For The People Of Lee County Protecting And Restoring Wetlands, Water, Forests, Which Are All The Ecological And Economic Foundation For The Future Of Lee County. Any Referendum That Gets Put On The Ballot Really Needs To Resides The Current Status And The Commission Of That Program And The Ordinance That You Guys Have Already Adopted, The Amended Ordinance. We Don't Want To Squander The Good Work That We've Already Done. That's Kind Of A Prerequisite As Audubon Looks At This. Audubon Also Recommends, As Does The Conservancy, As You Just Heard, That You Seek Assistance In Drafting The Referendum Language. There Are A Lot Of Devils In Those Details As We All Know. What You Say On A Referendum Ballot Makes A Lot Of Difference, And That's Going To Significantly Influence How We Communicate With The Public. Whether Or Not You Do Choose To Ask The Voters To Weigh In On Conservation Land Buying And Restoration Program Again, Audubon Believes That Conservation 2020 Has Already Achieved The Status Of The Same Fundamental And Essential Status That Other Programs Like Transit Or Roads Or Schools Or Police And Fire Protection Or Libraries. These Kinds Of Fundamental Programs Need To Go On Every Year, And We Believe That The Conservation 2020 Has Achieved That Same Status, So Let's Get Back To Buying And Restoring Lands For The Future Of Lee County To Keep This Place The Paradise That It Is Now. Thank You.

Frank Mann: Thank You, Mr. Cornell. Mr. Wheaten.

I Hope You Didn't Take My Thunder From Me When You Said I Couldn't Talk About The Program. My Name Is George Wheaten. Life-Long Resident Of Lee County And Presently The Chairman Of Conservation 2020 Committee. However, I'm Here On Behalf Of Myself. Not The Full Committee. I Feel Voters Do Have A Right To Make A Decision On How Taxes Are Spent. The Question Before You Today Says Nothing About What Will Be Voted On. Conservation 2020 Program Has Been Recently -- As Has Been Recently Changed For A New Program. If A New Program Is Going To Be Drafted, Who Is Going To Be The Author? I Feel There Should Be Input From Others With Knowledge Of Conservation Programs To Assist Staff With The Drafting. I Would Like To Quickly Go Over What Has Been Accomplished By The Very Successful Conservation Land Program That Was Approved By The Voters Almost 20 Years Ago. Water Quality Has Always Been A Part Of That Program. We Have Purchased A Little Less Than 25,000 Acres Of Land That Make Up 44 Preserves.

That's A Good Number. There Have Been 548 Properties Nominated By Willing Sellers. Five Of Those Properties Are Presently Under Environmental Review By Class Act. 47%, Or 260, Were Moved Forward By Class Act And Board Of County Commissioners For Commencing Negotiating Process. 1% Removed -- 27 Were Removed, 1%, Due To The Issues, Which Could Not Be Resolved Satisfactory To Protect The County. I Have No Glasses On, And I'm Having A Hard Time Reading This. I Apologize. I Look Like An Idiot. 70 Of The 260 Properties -- 27% -- Were Removed From The Program After Appraisals Were Obtained. However, Negotiations Reached Impact Due To Sellers' Final Asking Prices Still Remaining Too High. 40 Of The Properties Were Removed Prior To Appraisals Because They Were -- The Seller Refused To Get Anywhere Near A Good Asking Price, And County Staff Would Not Order An Appraisal. That Was A Savings Of Approximately \$100,000 Of Lee County By Not Ordering The Appraisals. 123 Of The 260 Properties, 47% Of The Properties Selected Have Been Acquired By Lee County. 60 Of The 123 Properties Acquired, 49%, Were Acquired Below The Certified Original Appraisal. That's A Good Percentage Below Appraisal. 49%. At Any Rate, This Program Has Been Very Successful. We Would Like Very Much To See It Continue Regardless Of How It's Done. I Would Like Some Input From Somebody Besides Just Yourself That Need Help. Thank You.

Frank Mann: Thank You Very Much, Mr. Wheaten, And Thank You For All Of Your Efforts For Class Act Over Many, Many Years. Phil Douglas, Walk This Way, Please. Followed By Peter Candioli.

Good Morning, Commissioners. I'm Phil Douglas, And I'm Here Speaking For Myself And Those Of You That Know Me Know That I'm A Supporter Of Environment, I'm A Supporter Of Balanced Environment. I'm In A Quandry. 78% Of The Voters In Lee County Voted For Amendment One In 2014. If That Didn't Send This Group A Message, Nothing Else Will. I Came Before This Group, And I Asked For Your Support, And By A Vote Of 4-1, You Supported Amendment One. The Same Principle Applies To Conservation 2020. I Don't Need To Stand Up Here And Tell You The Value And The Accomplishments Because It's Already Been Stated. Let Me Tell You What Is Key. The Language Of That Referendum, If This Board Chooses To Move Forward, Is Key, And If Stakeholders -- When I Say Stakeholders Have A Role To Play, I Don't Want County Staff Drafting Something And Sending It To Them With No Intentions Of Changing It If It Needs To Be Improved. I Think We Need To Talk About Input, And I Believe Strongly That This Program Is A Water, Land Conservation Program. It's Not A Capital Improvement Program For Water And Sewer, And We Need To Keep That Focus As We Look Forward For This Program, So I Support Conservation 2020. I Couldn't Be More Supportive Of It. I Couldn't Be More Supportive Of Input From Stakeholders, And I Mean That Sincerely. If, In Fact, Stakeholders Aren't Involved In The Drafting Of The Referendum, I Would See -- I Would Have Difficulty Personally Supporting A Referendum, And I Mean That Very Sincerely, So I'm Here To Speak To This Group Of Commissioners. I Want To Thank You For Your Work On This. You've Made Modifications, Which You Think Strengthen It. I'm Not Here To Dispute That.

But I Think The Language Of This Referendum Is Key, And If It Takes More Than Two Weeks To Do It, Take The Time Necessary To Get It Right. Thank You Very Much.

Thank You, Mr. Douglas. Peter Candioli, You'll Be Followed By Rayann Wetsel. Rayann, Where Are You Seated? Be Prepared To Leap. Thank You.

Good Morning. I'm Peter -- I'm The Director With The County Of Community Leaders. As You Know Conservation 2020 Is The Willing Seller Conservation Lands Acquisition Program. The Idea Was Initiated To Insure That Critical Wildlife And Flow Away Corridors, Habitats, And Wetlands Be Protected For Future Generations Of Lee County Residents. Broad-Based Citizens Groups Comprised Of Realtors, Business Owners, Planners, Students, And Residents Help Bring This About. The Primary Focus Of Conservation 2020 Is To Preserve Natural Resources, Quality Of Life, And Economic Property Values. Since Its Inception In 1996, The Program Has Acquired Nearly 25,000 Acres Of Environmentally Sensitive Lands Throughout The County. From Barrier Islands To Upland Habitats, Buffer Land To Tributaries And Wetlands. The Conservation 2020 Program Has Been A Terrific Success And Is Essential To Protect Lee County's Long-Term Economic And Environmental Sustainability And Quality Of Life. A Study By Lee County Visitor And Convention Bureau Showed That A Clean Unspoiled Environment Ranks In The Top Five Travel Reasons That Influence Where Tourists Go. There Were Over Five Million Visitors To Lee County In 2014, Which Generated \$2.87 Billion In Economic Impact. This Data Shows That Positive Environmental Qualities Of Our Region Directly Correlate To Our Economy. To Understand The Value Of Our Natural Areas, You Need To Look No Further Than These Lee County Gems. Six Mile Cyprus Slew Preserve, Manatee Park, Bunch Beach. These Are Currently Ranked As The Number Three, Six, And Seven Tourist Attractions In Fort Myers In Lee County By Trip Advisor.Com. When I Was A Tourist From Up North, We Came Here For Over 12 Years Before Moving Here. These Are The Places That I Visited When I Came Here For Vacations. I Have Since Learned About Others. Gator Hole Preserve, Wild Turkey Strand, Estero Marsh To Name A Few. I Have Been Able To Visit And Enjoy These. Our Conservation 2020 Program Also Provides Economic Benefits In The Form Of Fema Flood Insurance Rate Reductions For Our Residents As Well As Water Quality Credits For Federal Water Shed Restoration Efforts. Both Certainly Welcomed By Our Homeowners And Policymakers, Including Me. I've Had To Purchase Flood Protection Insurance, And I Appreciate The Discount. Lee County Ranks Very Low Among Florida Counties In A Number Of Acres Conserved Per Person With Lee County's Population Projected To Nearly Double By The Year 2040, The Conservation Land Acquisition Must Keep Pace With This Growth And Development. With Growth There Is A Need For A Matching Amount Of Conservation In Lee County.

Frank Mann: Excuse Me. I Need To Direct Your Attention To --

Should The Board Decide To Send The Program To Referendum, The Next Step Will Be Properly Framing The Referendum Language, As You've Already Heard.

Frank Mann: Peter, Thank You Very Much.

Okay. Thank You.

Frank Mann: Ms. Wetsel.

Good Morning, Chairman, Commissioners. I'm Here On Behalf Of The Sanibel Foundation To Express Our Support And Encourage Continuation Much The Program And To Thank You For Your Efforts In Adopting Ordinance Changes That Addressed Some Of The Issues That Had Been Raised Regarding This Program, But This Popular Program Needs To Continue For All The Reasons You've Heard This Morning And You Are Hearing Unanimous Support For The Program And As I Have Talked To You Individually, You Have Expressed That As Well. This Is A Program That Protects The Best And Most Unique And The Highest Value Of Habitats In Southwest Florida. If We Don't Do It, They Will Not Survive. There Will Be No Legacy For The Next Generation To Understand What This Place Was, As Perhaps When You Were A Boy. I Was Standing With The Captains For Clean Water Last Night At A Rally, And Realized That These Young Guides And Fishermen And Their Young Children Are Going To Experience A Completely Different Lee County Than I Have Just Because Of The Changes, And I Want To Make Sure -- We Want To Make Sure Some Of That Is Preserved For That Future Because Without It, We Are Less, And With It We Are More. Economically, Ecologically, The Resiliency, We Can Suffer El Ninos And Downturns, And These Lands Give Us That Flexibility. I Want To Join The Others To Say That While We Believe That We Have Seen Great Community Support For This Kind Of Program, This Specific Program And Ones Like It, There Is A Decision To Be Made, And If You Decide To Send It To Referendum, We Would Ask That It Be A Nonbinding Referendum And That You Do Include Perhaps Through Class Act The Public To Comment On The Referendum Language, Which Will Be The Key To What This Program -- How It's Received Because An Awful Lot Of People Have Moved To This Area In The Last Five Years That Don't Really Know Any Of The History, So We Just Ask That You Give Us All A Chance To Craft The Best Language To Preserve The Best Of Lee County. Thank You.

Frank Mann: Thank You. Are There Others That Would Like To Speak On Item Nine, The One We're On Right Now, The 2020 Proposal To Put It On The Ballot Or Not? Then We Are Back To The Commission, But Let Me Yield, First, To Recognize The County Manager For Any Comments About The Clarification Of Binding And Nonbinding? I Don't Mean To Catch You Off Guard Here Because You And I Haven't Even Discussed This In Any Detail At All, But Several Of The People Speaking Talked About The Language Of The Referendum And How That's Going To Be Crafted And Will They Have An Opportunity For That? Can You Talk -- Speak First To The Binding, Nonbinding Issue And Then Tell Me Where We Go From Here.

On The Binding Versus Nonbinding, If You Were To Place The Issue On The Ballot As A Binding Referendum, It Would Automatically Exclude Participation By The Cities. It Would

Apply Only To The Unincorporated Area Of Lee County. Particularly If There's A Funding Source Attached To The Referendum. Nonbinding Referendum, You Would Continue, If You So Choose, Exactly As We Are Managing The Program Today, Based On The Current 2020 Ordinance, So The Difference Exclude The Cities Or With Binding, Including The Cities, Everyone In Lee County In A Nonbinding. The Cities, If It Were Binding, Would Have To Opt Into The Program.

Frank Mann: Let Me Ask The Commission. We Discussed This, It's My Recollection, At Workshops As To The Binding And Nonbinding, And I Told Roger The Other Day, I Thought We Were Moving Forward With The Understanding That It Would Be Nonbinding. Now Y'all Help Me With That. Was That The Understanding? I See Five Heads Nodded. Let The Record Show If We Move This Forward On The Question Of Putting It On The Ballot Or Not, It Would Be On A Nonbinding Understanding. Now, As To Input, Roger, On The Language Of The Referendum --

Mr. Chair, That Would Be The Will Of The Board On That One. We Would Look To You Today For Some Discussions So That We Could Understand, You Know, Your Thoughts On What The Language Might Reflect. If You'll Do That, Then -- And If You Want To Give Us Some Instruction, Also, About Public Input In That Regard, The Next Step Would Be For The County Attorney To Begin The Drafting Process, And We'll Work Out The Detail After That.

Frank Mann: So The Language Is Not Going To Be Agreed Upon Today. Our Process Today Is To Vote Yes Or No On Whether To Put It To Ballot After Which It Would Go Back To Staff And The Attorneys To Create Suggested Language To Be Put On The Ballot And Considered By Us For Final Approval At A Subsequent Meeting?

That Is What We Had Contemplated And Would Work Exactly That Way.

Commissioners, I'm Trying To Figure Out How To Get The Public Input On That. John. Commissioner Manning.

John Manning: Mr. Chairman, I Agree That The Referendum, If It Does Go To Referendum, Should Be Nonbinding, Number One. It Has Worked Very Well For The Last 20 Years. Secondly, I Do Favor The Stakeholders Sending One Document Or Maybe One And A Half Documents To The County Attorney's Office For Their Input. However, They Want To Do It. I Think The General Discussion Was The Fact That The Language Should Be Very Tight, Very Concise, And Very Clear So That Those People Who Have Migrated To Lee County In The Last Several Years Will Understand The Program Fully, And I Think There Also Needs To Be An Education Component That Goes With This, And I'm Looking To The Stakeholders To Help In That Respect. I Would Favor The Stakeholders Giving The County Attorney Their Input In Writing And How The Ballot Language Should Be Cast. Thank You.

Brian Hamman: Sure, Mr. Chairman. Thank You Very Much. Thank You To The Folks Who Came To Speak Today As Well. You Know, The Compliments On How We've Modified The

Program To Make It Even More Effective Were Much Appreciated. This Is An Extremely Important Program For The Future Of Lee County, So I Certainly Would Support The Program And The Ultimate Say I Do Believe Should Go To The Voters, Mr. Chairman. I Agree On The Nonbinding. One Of The Questions I Had, Maybe Our County Manager Or Our County Attorney's Office Could Answer This, Is Class Act Has Been A Big Partner With Us Along The Way As We Worked On Revising The Ordinance. Could We Have The County Attorney's Office Draft The Language, Get Class Act's Review, And Then It Come To The Board As Part Of That Process?

Commissioner, You Certainly Could Have Class Act's Input On That Language, You Know, With You Reserving The Right To Modify That Language In Its Final Form.

Frank Mann: Commissioner Hamman, I Think That's A Very Good Suggestion. I Am Searching -- I Don't Know Why I Didn't Come Up With It. It Seems So Obvious. For An Avenue For Actual Public Input. Could That Take Place At The Class Act Meeting Where They Could -- That Commissioner Manning Is Suggesting.

Brian Hamman: Do They Take Public Comment On Class Act Meetings?

Yes.

Brian Hamman: Okay. Well --

Frank Mann: All Right. Is Your Head Going Off Like That Would Work? What Is The Schedule On The Calendar? When Is The Next Class Act Meeting? Can Somebody Help Me There? March 17th. St. Paddy's Day. And That Would Then Bring -- Allow To Be Brought Back Us. We've Got Plenty Of Time To Vote To Put This On The Ballot. The End Of When?

End Of June, Mr. Chair.

Frank Mann: March 17th. We Still Have April And May, And I Don't Think We Need To Take All That Time, But We Have Time To Go To Class Act, Let Them Take Public Input On The Language And Bring A Recommended One Or Two Or Three Back To Us And For Us Then To Kick It Around. To Understand, We, In The Final Analysis, Will Accept Some Language Or Create Some Language If It's A Go.

Mr. Chair, I Might --

Frank Mann: Thinking Out Loud.

The Will Of The Board, You Can Do That. I Might Suggest That Conversation Among The Board Members Today To Help Us Understand Philosophically Where You Think You Want To Go With This Thing. As Some Speakers Mentioned Today, The Vote Can Easily Be Determined As A Pass Or Fail Based On The Construction Of The Ballot Question And, You Know, We Believe That The Simpler The Better, But With Reference Possibly To Even The



Existing Ordinance In Its Current Form, But, You Know, However We Work That Out With The Attorney's Office To Craft The Language To Reflect All Of That, But Would Certainly Like To Hear Your Thoughts.

Mr. Hamman.

Before We Go Much Further.

Brian Hamman: Mr. County Manager, Perhaps Pete Could Answer This Question, Did The Blue Ribbon Committee Come Up With Suggested Language When They Came Up With Their Recommendations?

I'm Not Aware That They Did. I Don't Believe They Did.

Brian Hamman: I Recall Seeing As Part Of A Prior Workshop On 2020 Language On One Of The Power Point Slides That Actually Seemed Like It Would Form A Really Good Basis For The Question. Certainly Could Stand Some Tweaking By The Various Stakeholders, But I Wondered If That Was Some Language We Could Forward On To The County Attorney's Office, And You Can Get With Me Afterwards. I'll Show You What I Think. It Was On One Of Your Power Points As The Blue Ribbon's Committee Recommendation For The Referendum.

Frank Mann: Well, I Can Understand What Roger Is Asking Us For Here. Here We Are In Public Testimony, And This Is Our Opportunity. Or We Could Do It Later In Writing To Them, But They Need To Hear From Us To Kick This Off So That We're In Some General Perimeters Here And Not Just All Off The Wall. I Don't Remember What Language You're Referring To, But I Think It's A Good Way To Get Started.

Thank You, Mr. Chairman. I Obviously Agree That It Should Go To Referendum. I Would Prefer If We Allowed The Class Act Group And Other Interested Parties To Start With A Blank Piece Of Paper And Let Them Come Forward With It, And I Would Suggest At Such Time That Legal And Staff Have A Chance To Look At It And Become Comfortable With What The Options Might Be That We Schedule A Work Session Where We Can Actually Talk About What All The Different Suggestions Are And Help Prioritize Those. Thinking Out Loud. I Think There's Some Confusion And Has Been As An Example The .5% Went To General Funds And That Was A Legal Requirement That Was Put On This Board. Not A Suggestion From This Board. It Was A Legal Requirement That Was Given To Us. I Think Things Like That Have To Be Crystal Clear In The Referendum That People Know Exactly Where The Money Is Coming From, Where It's Going. You Know, I Appreciate The 78% Acceptance On Amendment One. I Think After Almost 20 Years That The 2020 Program Can Stand Alone, And I Think It Needs To Do Just That. My Other Thing That I Would Like To Interject Is That During The Discussion With The Same Folks With The 2020 Group, With The Other Groups As Well, That An Education Component Becomes Essential Because, Number One, We Have Changed Characteristically Some Of The Major Points That This Program Now Supplies In Terms Of Picking Property, Whether They're Willing Seller Only, Because

There's A Strategic Piece Of It There That Becomes Important. There Has Been Strength Given To Water Quality, And So I Think It Is A Different Program Generally Speaking. I Was Talking To Marissa About This A Little Earlier. Even Last Week. Generally Speaking, When It's A Referendum, It's Always Been My Position Once You Get To That Point, You Just Stay Out Of It Because It's Now Up To The Public To Vote, And I Think We Need To Continue That. However, I Think The Education Piece Of It Becomes Critical, And We Have To Make Sure That Everybody Knows What It Is If They're Going To Vote For It, And Just With That, I Think That I Would Suggest Because Legal Has Already Proven To Me Their Footprints That They Left On One Of Our Next Subjects In Pine Island Is That They Are Capable Of Working With The Public And So I Would Include Them To Follow Their Heart On That As Well As 2020. It Is Critical To Get Information Up Front. I Want To See Us Go To Work Session At The End Of That. Thank You.

Frank Mann: Let's Go Back. I Thought That Was A Great Suggestion To Have Another Work Session By Us After Class Act Receives Input.

Larry Kiker: And Legal.

Frank Mann: What I Want -- I'll Just Share A Couple Of Thoughts. What I Want Is To Avoid In This Entire Process Doing Something, People Voting On It, And For The Next Ten Years Arguing About What It Meant. Whatever Time Is Required For Us To Make It Very Clear And I'm Told That We Can Only Have 75 Words Maximum In The Referendum Item. If It's Not Really Clear, And I Appreciate Your Suggestion Of One More Stop Here Before We Adopt Something. We May Have Two Or Three Suggestions In Front Of Us Before We Get Here, But I Don't Want, First Off, The Public To Feel Shut Out Of This Process, And They Kind Of Were Pretty Clear Saying That This Morning. Mr. Pendergrass.

Cecil Pendergrass: This Is A Very Important Thing. I Think We Have A Lot More To Discuss And Talk About And To Encourage People To Support This. We Haven't Talked About This, And I Direct This To The County Attorney. If We Do Nonbinding Referendum, It Would Be A -- Basically A Straw Poll For Future Policy Decisions. Have We Talked About -- You Talk About, Like You Said, Commissioner Chairman, The Next Ten Years We Voted For It, Are We Thinking About Putting A Date On There, Like The Original Ballot Would Not Last More Than Seven Years, But Make It Where It Sunsets Without Policy Decision Of The Board? We Haven't Talked About That. Do You Put A Date On It Saying It Won't Last Any Longer After This Date?

It Could Be Part Of The 75 Words.

Beyond The Term Discussion, I Would Like To Remind The Board That You Go Through A Major Rewrite Of Your 2020 Implementation Ordinance Just Last Year, So I Think It Would Be Important That We Keep That Ordinance In Mind In The Preparation Of Any Ballot Language. Commissioner Pendergrass, Your Point Is Well Taken As Well. What Length Of Term Would You Anticipate On This Referendum, Should It Be Included, And Should It Have

A Discussion Of A Referendum After That Timeline To Continue The Program Since These Are Straw Ballots For The Benefit And Guidance Of The Board Of County Commissioners?

Frank Mann: So The Answer Is Yes We Could Include A Time Limit. Five Years, Ten, 20, Anything?

Yes, Sir.

Frank Mann: In The Referendum Question.

Just As The Original Language Handgun A Timeline Contained In It.

Cecil Pendergrass: Thank You.

Frank Mann: Commissioner.

Larry Kiker: Just One Other Thought. I Thought It Was An Interesting Concept By Mr. Cornell Is That -- I Don't Know If This Can Even Happen, But Whenever You Start Looking At The Essential Requirements That We Recognize As We Do The Business Of Government. We Have Transportation. We Have Waste Management. We Have D.O.T. We Have All These Different Things That We Recognize As What We Do, And I'm Hoping At The End Of This That Taking Care Of Our Environment, This Becomes An Essential Piece Of How We Do Business, And We Should Figure Out A Way To Recognize It As Such, Which I Think Bypasses The Conversation That Mr. Pendergrass Brings Up, Which Is In Ten Years We Don't Have To Talk About It. Do We Need To Talk About Transportation Ten Years From Now? No, We Need To Understand It, Make It Part Of What We Do And Plan For It And Fund It Properly. So I Think It's Time To Bring This Program Into The Real World Of How We Do Business In Lee County. I Really Appreciate The Way You Said That. Thank You.

Frank Mann: Okay. Let Me See If We Can Craft A Motion That Would Include All Of What We Have Discussed Here. Let Me Put You On The Spot, Counsellor, And See What Items We Need To Include That Would Do Just What I Said. Pick Up Not Only The Question Of Putting It On The Ballot, But To Allow For The Class Act Committee To Deal With It And Then Have It Brought Back To Us For Additional Consideration By The Commission Itself. How Do We Get There From Here?

Mr. Chairman, No Pride Of Authorship, Because We're Winging This One. Something Along The Lines Of Direct County Staff, Including The County Attorney's Office, To Work With The Class Act Group For The Preparation Of Potential Ballot Language Dealing With The 2020 Program, Which Would Then Be Brought Back Before The Board Of County Commissioners And Workshop Setting For Finalization.

Frank Mann: And Following That Would Return In A Blue Sheet Form For Final Adoption.

Yes, Sir.

Larry Kiker: I'll Make That Motion, Mr. Chairman.

Frank Mann: We Have A Motion. A Second? Is There Further Discussion On It? Is There Objection To It? Show It Adopted Unanimously. Thank You, Member Of The Public For Your Input, And We'll Look Forward To Seeing You At The Next Opportunities, Which We Have Just Crafted Out. Commission, I Think We've Handled This Very Well. I'm Proud Of You Guys.

Brian Hamman: Proud Of You Too, Mr. Chairman.

Frank Mann: Okay. Where Does That Leave Us? Public Hearings. Yes, We Do Have A Public Hearing We're Going On It Take Up Now, And We're Going To Get To It. Another Public Hearing, What At 5:05 This Afternoon. Let The Public Hearing Now, Counsellor. Ms. Frazier.

Good Morning, Board. I Have For Your Consideration A Notice Of Intent To Enact A Lee County Ordinance That Was Published In The February 5th, 2016 News Press. I Review The Affidavit Of Publication And Find It Legally Sufficient And Form And Content To The Proceed With The Hearing, And I'm Putting It In The Record At This Time. Thank You.

Frank Mann: Human Trafficking. Were There Questions? Apparently Not Of Ms. Frazier. Members Of The Public Would Like To Speak To This Item At A Public Hearing? We Have One Lady Coming Forward. We Will Give You Adequate Time To Arrive At The Microphone. If You Would Please Identify Yourself, And We'll Give You A Few Minutes To Express Yourself.

My Name Is Nola Tyson. I'm The Executive Director Of Human Trafficking Awareness Partnerships, But I Know That I Represent Many Other Organizations. Yaro Garcia Was Here, But She Had To Go Back And Do Victim Services For The Human Trafficking. The People Who Have Been Trafficked Already. We Also Have Path To Freedom And The Women's Fund And Southwest Florida Coalition Here, So Human Trafficking, As You All Know, Has Been A Very Important Issue In This Community, And This Ordinance We Follow A State Law That Was Just Passed On January 1st That Says That Posters Should Be Put, Placed In A Number Of Locations. This Ordinance Only Talks About Massage Parlors, Unlicensed Massage Parlors, And The State Law Also Talks About Transportation Hubs And E.R.'S And Hospitals, And We Hope That Later We Can Extend To That. Lee County Has Been A Leader In Human Trafficking Efforts, And We Want To Be One Of The First Counties That Take This Issue Up And Actually Enact The State Law Into It Soon. There Was A Recent Study, A National Study, That Lee County Was Part Of That Showed That Victims Who Went To E.R.'S In This County Along With All -- Across The Nation, 87% Did Not Receive Any Treatment As A Human Trafficking Victim Because They Weren't Recognized That Way. In Other Words, The People In The E.R.'S Didn't Recognize The Signs Of Human Trafficking. That We Think Is Also Going To Be The Case In Massage Parlors. Massage Parlors Need To Be -- The Customers And The Employees Need To Recognize The Signs Of Trafficking, And It Also Gives Law Enforcement An Opportunity To Go Into Those Locations

Because They Would Not Be Complying With The Law If They Didn't Have It Posted. We Think That That Would Help A Lot In Building Awareness Of Human Trafficking Among All Of The Agents That Need To Know. So We Have Been The Location Won A Major Indication Of Sex Trafficking In The Last Year, And 15 People Were Arrested In March And Two More People Were Arrested Last Month As Traffickers In Our Location, And We Know That It's Happening Here, And We Need All The Tools We Can Get To Actually Go Out There And Work On This Issue And Get Help For The Victims. I Ask That You Pass This Ordinance.

Frank Mann: Thank You Very Much. I Have A Card From A Brenda Tate On Human Trafficking. Are You Still Here? We Would Be Happy To Hear From You.

Good Morning, Commissioners. Thank You So Much For Taking The Effort To Pass A Level Ordinance To Enforce A New State Law That Requires Signage Be Posted In Two Businesses -- Two Types Of Businesses Operating In Lee County. Excuse Me. The Unmedically Licensed Massage Parlors And The Strip Clubs, Adult Entertainment Centers, Are The Two Businesses Covered Under This Ordinance. This Will Allow Lee County To Be A Leader In The State Of Florida In Aligning Your Efforts Under The New State Law That Will Require Signage In Transportation Hubs And Hospital Emergency Rooms, As Nola Stated. Thank You For Your Efforts. We're Glad We'll See Our County Sheriff's Office With Another Tool In Their Tool Kit To Combat Human Trafficking. It Is A Problem Here In Lee County As Well As Throughout Florida. Thank You.

Frank Mann: Thank You, Ms. Tate. Thank You Very Much. Are There Others That Would Like To Speak To This Issue? Hearing None, This Is A Sad Case. It's Too Bad That We Have To Even Deal With This, But This Is A Small Step That The County Of Lee Can Take. I Don't Think There's Anyone Even Remotely Considering Not Taking This Small Step. I Would Look For A Motion.

Brian Hamman: I'll Make The Motion.

Frank Mann: Have A Motion And A Second To Pass This Motion. Adopt The Ordinance. Is It An Ordinance? Did I Say That Right? Yes, It Is, Indeed, An Ordinance. Any Further Suggestion Or Discussion? Is There Objection To The Motion? Show It Adopted. Thank You Very Much. I Think We're -- We Don't Have Walk Ones Or Carry-Overs. We'll Have A Public Hearing This Evening. We'll Meet You Here Around 5:00. Commissioner Items. Let's Start. Commissioner Manning.

John Manning: Mr. Chairman, Thank You Very Much. Very Briefly, I Have Some Documentation Here. When I Sent You The Note Regarding The Discussion On Fracking, I Mentioned A Resolution To Be Sent To The Senate. The House Has Already Passed Hb-191. The Senate Is Taking Up Senate Bill 381 -- 318, Rather, And I'm Not Sure If The Board Wants A Resolution Ordinance Or A Letter, And I Leave That Up To The Board To Make That Recommendation. I Have A Sample Letter. I Have A Sample Local Ordinance, And I Am Wide Open To Whatever The Board Wants To Do, But I Bring This Issue Up Because I Think

It Would Be Detrimental To Lee County's Environment, And I Want To Discuss It With The Board To See What The Next Action Point Would Be.

Frank Mann: The Resolution Would Be Opposing The Legislation That Is Currently Working In Tallahassee?

John Manning: Right. Environmentally It's In My View Not A Good Thing, And, Secondly, It Preempts Local Governments From Taking A Stand On This Particular Issue, And That Generally Leads To Other Preemptions Down The Road. I Don't Necessarily Need A Resolution. We Can Do A Letter Signed By You Or By The Chairman, By Myself.

Frank Mann: Let's See If We Can Find A Consensus Here. Other Commissioners Might Speak To This. Mr. Hamman.

Brian Hamman: I Think A Letter Would Be Appropriate Commissioner Manning. The Ordinance, I Think, Would Definitely Take Too Long To Go Through The Public Hearing Process, Knowing How Far Along We Are In Session.

Frank Mann: Mr. Kiker.

Larry Kiker: I Hate To Say It Like This, But It's Almost Like Here We Go Again. I Think That If There Is A Focus That Addresses This Subject At A Statewide Basis, I'm Totally In Favor Of That. Especially In Places Where Governments Have Not Taken A Position On It. However, For The Folks That Have Taken A Position On It, This Is Just Like When We Did The Fertilizer Ordinance. If You Recall. Where Some Of The Municipalities Had A Stronger Version Than The State Was Asking For, And So In My Mind I Would Take The Position That Says That If There's Not One There, Please Implement Something, And If Someone In A Local Level Has Something That's Stronger, Then Let Them Do That. I'm Not In Favor Of Preemption In That Respect. So I Don't Know How -- If That Would Be What You Are Talking About Or Not, But I Think There's Two Parts Of This. The First One Is Absolutely We Should Have Control, But If We Have Stronger Laws, It Does Not Deserve Preemption. I Can't Support That Piece.

Frank Mann: Well, It Sounds To Me, Though, Like You Guys Are Sort Of In Agreement. You Want The County To Be Able To Have A Right To Enact A Stronger Ordinance Than What May Be Coming Out Of The Legislature. Commissioner Pendergrass?

Cecil Pendergrass: Every Year We Keep Seeing This Happen In The State, Preemption, And That's My Concern. It's Still Going Through The House. We Were In Tallahassee A Few Weeks Ago, And We Spoke Loudly About This About Preemption And Taking Away Our Home Rule. I'm Not Sure What A Letter Is Going To Do In This Process Now To Our Delegation That's Already Aware Of Our Position. That's My Concern.

John Manning: The Letter Was Going To The Senate Committee That's Taking Up The Proposed Legislation Within The Week, And So I Just Needed To -- If We Want To Send A

Letter And Get It Out There Quickly As Commissioner Hamman Recommended, I Agree With That. I Will Copy Everyone On The Sample Letter, And If You Could Sign It As The Chairman, That Would Be Great. It Basically --

Frank Mann: Just Let Me Make Certain That We Get The Spirit Of What I Think I Heard Commissioner Kiker Say That The Letter Would Have To Say To The Chairman That Lee County Supports A Statewide Fracking Law Only If It Includes The Ability For Local Governments To Enact Even Stronger Ordinances Locally. Are You Okay With What --

John Manning: I'm Against Fracking, Period, But The Consensus Of The Board Is Important To Me To Get A Letter Up There Quickly.

Frank Mann: I'm Okay With What I Was Trying To Just Read Commissioner Kiker's Mind. His Head Was Going Up And Down.

John Manning: Okay. That's Fine.

Frank Mann: Okay With That? So For The Record's Purposes, Did You Get A Sense Of That? Okay. So Do -- Counsellor, Do I Have A Five Nodding Heads Consensus For A Letter To Be Distributed By Commissioner Manning Along The Lines Of What I Just Spelled Out There And Then Come Back To Me For A Signature, Hopefully, Within 24 Hours Because They Are --

John Manning: I Have A Sample Letter. I Will Give That To The County Attorney's Office To Include The Recommendation Of Commissioner Kiker.

Frank Mann: Are We Headed In That Direction?

I Have Not Heard Any Objections. I Believe That's Sufficient For The Record.

Frank Mann: Well, Thank You.

John Manning: Go Ahead.

Frank Mann: Other Commissioner Items. Commissioner Manning.

John Manning: Nope.

Frank Mann: Mr. Pendergrass.

Cecil Pendergrass: Real Quickly, If I Could Ask One Other Question Of Staff. Could You Give Us An Update On The Construction. We Had An Mpo Executive Meeting Today, And We Talked About The Timeline Of That, And I Know -- I Talked To Roger About This Yesterday, But, You Know, Initially We Talked About Six Years For The Segment, And Now I'm Hearing Nine Years For The Segments For The Construction Of That.

Thank You, Commissioner. Timely, I Was Intending To Give An Update On The Boulevard When It Came To County Manager's Comments, So It's A Great Question, And I'm Going To Ask Doug Muir To Give Us The Answer To Your Question, But Also To Further Update The Board Based On The Meeting Last Week Where Commissioner Kiker Was Invited By The Chamber And The Mayor Of Fort Myers Beach To Attend A Meeting We Attended With Him Where There Was Some Business Owners Who Voiced Some Concerns, And We're Talking Some Action To Give You A Complete Update.

Thank You. Commissioners, The Schedule Itself Is Right Now Kind Of A Moving Target. The Original Concept Was To Do Each Segment Over A Two-Year Period, So That Would Have Been A 12-Year Project. As The -- As The Economy Has Improved Based On Some Funding Issue, We Have Looked At Accelerating That Schedule. We've Also Changed The Way We Select The Professionals That Are Working On The Project. Instead Of Segment By Segment, We Have Chosen Our Consultant To Be Able To Do A Design For All Segments. We Can Compress The Design. We Can Compress The Construction Because The Construction Manager, If They're Doing The Appropriate Work There, We're Allowed To Keep Them. We're Looking At Ways To Do Continuous Construction. One Of The Elements Was To Request Some Funding From The State. We Had Requested \$15 Million, Which We Are Pessimistic That We Are Going To Be Granted The \$15 Million. That Would Have Been Used To Accelerate It Even More. If We Can Find The Appropriate Funding To Just Do Continuous Construction, We Think We Can Get The Schedule Down To About Six Years Total For The Total Project. If It Continues To Go As It's Planned Right Now, It Will Probably Be Two Or Three Years Beyond That, But We're Fairly Optimistic We Can Find Ways To Accelerate It And Get It Closer To The Six-Year Schedule.

Cecil Pendergrass: I Know It's A Complex Project. There Will Be Issues Going On From The Town, From The Beach, And Others. It's Something We Can Discuss Later Maybe In The Future To Talk About Funding To Expedite That Funding, To Expedite The Project.

Frank Mann: Mr. Kiker Has --

Larry Kiker: I'll Just Comment On It, And I Also Thank You For Going To That Meeting. It Was A Long Conversation, And Difficult For A Lot Of Folks That Are Having Problems This Year Because Of Their Businesses Are Not Doing As Well As They Did Last Year. Is It Because Of The Traffic? Is It Because Of The Water? Is It Because Of It Rained 20 Inches Instead Of Two? Is It Because It's Cold Weather? It Goes On And On And On. That Was Part Of The Discussion That Was Going On. There Was A Strong Suggestion By I'm Going To Say 20 Business Owners There That Came As A Group That They Wanted Us To Take A Look At Whether Or Not You Could Do The Work At Night Instead Of Daytime. There Are A Lot Of Things That Go Along With That Kind Of Decision, And So, You Know, I'm Hoping This Board Agrees. Y'all Take A Look At It And Let Us Know What Those Conditions Are, What Affects Those Might Have, And Bring It Back To The Board So That They Can Comment On It.



Mr. Chair, Let Me Just Follow-Up On Those Comments. About A Week Ago The Fort Myers Beach Chamber Facilitated A Meeting Because There Is The Businesses Are Indicating That They're Having Reduction In Revenue, And They Acknowledge That It Was A Perfect Storm. They Said It Was The Cold, Wet January. It's The Associated Water Quality Issues That Are Of Concern. There's Been Quite A Bit Of Publicity About The Zika Virus, But Then There Also Is The Town Of Fort Myers Beach Water Line Project As Well As The County Estero Boulevard Project With The Perception Being It's Also Interrupting Some Of The Business. There Were About 30 Speakers, And We Circled Back. We Indicated We Would Have Some Answers For Them Within A Week, And We Do. We Put Together A Group That Looked At Kind Of The Common Themes. Some Of The Big Items Were Difficult To Address Right Away, But There Were Some Common Themes, Which Really Were That They Felt Like The Day Trips Were Down Because Of The Perception And That The Traffic Was Difficult And That It Was Inconvenient For The Day Trippers Who Lived Here Locally To Go Down To The Beach And So We Really Went Through What The Common Themes Were Of Concerns, And We Looked To See What We Could Address Immediately To Help With The Issues. As Far As The Message, We Have Asked The Ecb To Look At A Way To Indicate That The Best Way To Work Around What Might Be Inconveniences And Actually To Help Broadcast In The Future What Is Being Done To Eliminate What Are Perceived To Be Restrictions In Traffic Or The Convenience Of Pedestrians At The Beach. One Of The Themes Was That Some Of The People Are Walking On Dirt Paths As Opposed To Sidewalks. Our Construction Manager Has Indicated That By March 1st There Will Be Nobody Walking On Dirt Paths. It Will Either Be A Paved Path Or It Will Be A Concrete Sidewalk, So They Are Accelerating Everything To Make Sure That The Pedestrians Will Be Walking On A Path. There Was Some Concerns About All The Cones Down There. The Construction Managers Are Replacing The Cones With A Different Type Of Barrier. With Regard To Aesthetics, It's Going To Look Better, So It Won't Look Quite The Way Some People Complained About It Having The Feel Of, You Know, Just Almost A War Zone Type Discussion. That's Going To Be -- That's Going To Be Discussed. As Far As Management Of Traffic, Flaggers Were Discussed. The Construction Manager Is Going To Make Sure That There Are Adequate Flaggers To Assist With Left-Hand Turns, With Access To Businesses. They're Going To Outfit Them Differently So It's Very, Very Clear Who An Official Flagger Is That's Helping The Traffic. I've Already Addressed The Aesthetics Much The Construction Zone. That's Going To Be Looked At. It's Going To Be Cleaned Up. We Also Addressed Some Of The Nighttime Visibility Issues Of The Crosswalks. Construction Managers Will Look At Some Lighting To Make Sure That The Traffic Understands Where The Crosswalks Are. It's Going To Get Their Attention. We Want To Enhance The Public Safety. Pedestrian Safety At Nighttime. Then There Were Concerns About Some Of The Construction Equipment And Other Delivery Equipment Interfering With Traffic. The Construction Manager Is Aware Of That. They're Going To Direct Their Contractor To Make Sure That Their Construction Equipment Is Not Blocking Access To Anybody, That We Are More Efficient In Terms Of Stopping Traffic To Have Equipment Across The Street. Another Thing Was The Trash Pickup. They Indicated That If We Can Get That Done By 7:00 In The Morning, That Will Open Things Up During The Day For Traffic.

We Have Talked To Advanced Disposal Who Has That Franchise Area. They've Indicated That If They Are To Get Done By 7:00 A.M. On The Pickup Day In The Construction Zone, They Need To Start By 4:00 A.M. In The Morning. We've Already Conveyed That Message To The Town Of Fort Myers Beach, And They're Actually Going To Discuss That Tonight At Their Meeting To See If They Can Modify They Are Ordinance Or Waive Their Ordinance For Noise At 4:00 In The Morning To Allow For The Trash Pickup To Be Done And Be Out Of The Way. Then As Far As Nighttime Work, That's A More Difficult Issue In The Global Perspective To Make That Shift. However, The Construction Manager Has Committed To Doing All Paving At Night, So The Paving, Which Is Relatively Disruptive, Will Be Done At Night, So, You Know, It's Not The Whole Project, But It Will Be Beneficial, And I Think We've Addressed The Concerns We Heard At The Meeting At Least So Much That We Can Control Them So We'll Be Able To Make Things Better And Hopefully Get The Message Out There And Make A Better Traffic Flow, Better Pedestrian Flow, And Hopefully Some Of The Day Trippers Will Come Back That They Feel Like They've Lost.

Thank You. Any Questions By Commissioner Pendergrass?

Mr. Pendergrass: Thank You For The Update. Maybe If You're Not -- If Commissioner Kiker, You're Going To Be There This Friday, Maybe You Can Give Updates Since It's Your District. Thank You For All Your Leadership On That Project. Thank You For The Confirmation. Maybe Provide That To The Mpo If They Have Any More Questions About That.

Larry Kiker: Are You Going To Be There?

Cecil Pendergrass: He Will Be Now.

Larry Kiker: I Do Appreciate You Keeping An Eye And Helping Manage That Situation Down There As Willing, And This Is Contiguous With Another Project. They're Replacing The Water System. It's Not A Stand-Alone Decision-Making Mission On The County's Part. We're Having To Work Very Closely With The Town And If They Are Able To Relieve The Pressure On The Noise Ordinance And Everything And That You Are Going To Do Some Of The Work, I Think That -- I Think We're Getting There.

If You're Not There, I'm Sure Randy Can Make It. We'll Have Somebody There From Our Folks To Be Able To Give This Update, Which Was -- I Appreciate It Very Much.

Larry Kiker: Thank You.

Frank Mann: Commissioner Hamman.

Brian Hamman: Thank You, Mr. Chairman. I Sent Part Of The Recap Notice That I Would Like To Discuss Fresh Water Released. Basically What I Meant By That, It's Been Well Documented The Amount Of Fresh Water That's Coming Down The River Into The Gulf Of Mexico Right Now From The Lake Okeechobee Discharges. One Of The Other Things That I Think Maybe Hasn't Been As Well Documented But Certainly Is Recognized Is That Fresh

Water Also Runs Off Of The Basin Into The River. In Fact, You Know, University Of Florida Did A Study That Shows 60% To 80% Of The Water That -- Fresh Water That Flows Into The River And Ultimately Into The Gulf Is From The Basin Area, So One Of The Things I Wanted To Ask This Board Was To Give Our Staff Some Direction On What We Wanted To Do With Any Fresh Water Discharges That Come From The County Or County Land. In Particular From Our Utilities Or From Our 2020 Land, And I Wanted To See If You All Would Be Willing To Ask Our Staff Or Direct Our Staff To Review The Fresh Water Discharges That May Run Off Of County Land Or From County Utility Facilities, And Look For Ways To -- During This Year, Which Seems To Be An Extraordinary Year With Extraordinary Circumstances, Limit Our Fresh Water. That Could Include Storm Water On 2020 Land. That Could Include Alternative Methods To Discharging To The River, But Give The Staff That Direction That During This Extraordinary Year Could They Give Us A Report On Some Local -- Local Actions That We Can Take To Limit Our Fresh Water Discharges To The River.

Frank Mann: Well, I Don't Think We Can Ever Learn Too Much About What We're Able To Do As A County In That Regard. Will You Care To Hazard A Quick Response To Commissioner Hamman?

Mr. Chair.

Frank Mann: Yes.

Trying To Help Just A Little Bit Please. We've Anticipated Some Of These Conversations And Have Done The Analysis On 2020 Lands And Will Provide That Information To You About The Amount Of Water That Could Be Stored On 2020 Lands And The Implications For Infrastructure That Might -- We Might Have To Construct To Enhance That And Also Issues Dealing With The Contiguous Private Property Owners And How That Would All Work. We Are Happy To Take A Look At All Of The Fresh Water Discharges Either Through Utilities Or Others And See If There Are Incremental Steps That Could Be Taken And We'll Be Happy To Report Back To You.

Frank Mann: Question Comes To My Mind Right Off The Bat Is I Don't Know To The Extent We Have The Ability To Control Runoff. You Have To Have Water Mechanisms There, Floodgates Or Something. There's A Lot I Don't Know Yet. As A Commissioner Item, I Was Going To Bring Up Water Discharges, And I Need -- I Need To Understand. Maybe We Do Need A Workshop Devoted To Water, Since This Is -- Nobody Has Ever Experienced Like This Ever In January And February, The Runoff We've Got, And The Governor In The Space Of One Week Says Let's Send Some Water South, And I Have Been Told For The Last Two Years That That Is Not Possible And Suddenly It's Not Only Possible, But Happening. I Would Like To, You Know, To Know What The Hell Is Going On And To What Extent We Can Assist, And That's What I Hear Commissioner Hamman Asking. Is There More That We Could Be Doing? Mr. Pendergrass?

Cecil Pendergrass: The Math Shows The Runoff From The Private Land. I Think We Can Look At Our County Lands And I Talked To Rohland About It In The Past When We Had This Incident Happen. There's Maps That Show That, But How To Contain The Water And Get It To The Properties And Some Of The Properties Would Be Damaging -- Too Much Water On The 2020 Lands Considering They're There For Conservation, But You Can Review That. We Can Have A Workshop On It. It's Something We Need To Talk About. All The Water Is Coming Down Mcgregor And Down -- What They're Doing With Their Water Recharge And What We're Looking To Do In The Future, We Can Is A Look At That And Say It's Running Through -- 68% Is Coming From The Inland Areas, The Basin. That's Another Discussion.

Frank Mann: What Does Our Calendar Say About The Availability Of An Update, Water Update?

We Don't Have Anything Planned For Workshop On The Calendar So Far. We Would Have To Rearrange And Let You Know How That Looks. Commissioner, I Think It's Pretty Easy To Tell You That There Are No Quick Fixes Here, And There's No Silver Bullets For Any Of These Fixes For Any Of These Issues. There May Be Some Things We Can Do But To Think That We Can Do Much To Control Runoff This Year. I Mean, Based On 20 Inches Of Rain In January, That's A Physical Impossibility, But We'll Take Another Look At What We're Doing, What We Might Be Able To Do And Report Back To You.

May I Make A Suggestion?

Frank Mann: Sure.

Cecil Pendergrass: Maybe From The Chairman's Office Or Roger We Can Put Together A Quick Media Update What The County Has Done, Historically, In The Last Five Years, How Much Money The County Actually Has Spent On Water Quality Projects, What We Have Currently In The Production For Water Quality. What We've Already Done. I Think Some People Are Talking About What We Want To Do, But They're Not Doing Anything. We Actually Brought Money To The Table. We're Doing It. The County Has Been Proactive In The Last 20 Years. These Projects. Maybe We Should Give An Update What We're Doing Currently And What Funding We Have From Last Year From The State And The Year Before For Water Quality Projects So The Public Knows What's Happening In Lee County And What Lee County's Position Is As Far As Water Quality Projects.

At A Minimum, To Be Able To Talk To The Program And The Money That Lee County Has Spent To Reduce Pollutants Is Pretty Impressive All By Itself. We're Happy To Put That Together.

Cecil Pendergrass: To All The Other Projects That The County Has Done To Restore Water Before It Gets --

Frank Mann: Commissioner Hamman, You Have Just Been To Tallahassee. I Was There A Week Ago Or Two Weeks Ago, And We're Trying To Follow What's Going On In The House And Senate And The Big Water Bill That's Moving Forward There. Maybe We Could Coordinate. I've Been Getting Phone Updates On That, But Maybe All Five Of Us -- Y'all Are Reading The Paper And Following It Too, But There's An Awful Lot Going On Legislatively And Geologically Right Now That's Perhaps -- See If You Can Find Us Perhaps A Date That We Could Get Together And Workshop Fashion And Be Updated On This And Perhaps Meet Somebody From The Water Management District As Well And Then Also Let's Update Ourselves On The Status Of That Legislation That Is Moving Right Now. Mr. Kiker. Are You Guys Okay With Trying To Pull A Little Update Session Together?

Larry Kiker: I Would Hope That We Could Include A Conversation Because I Think This Is Kind Of A Take-Off On What Was Characterized As Water Farming Last Year. Does Anybody Remember That Subject? And That Even Though It's A Simple Concept, It Might Be Good To Get A Review On Where That Is And What Are Some Of The Issues That They're Running Into Because I Would Guess That We're Going To Run Into The Same Thing. Why Not Learn The Hard Way? Maybe We Can Learn From Them. As Well As An Update On C-43 And All Those Different Pieces Of It. I Think It's A Great Time If We're Going To Spend A Work Session To Take A Concrete Look At The Whole Situation And I Appreciate Your Suggestion, But There's A Lot To This Thing. I Know That You're Going To Washington Next Week And Talk With Some Of The Legislators There. I Don't Know If Anyone Else Is. You Know, There Will Probably Be Others That Will Go. You Know, I Think, You Know, Talking To Tallahassee, Talking To Washington D.C., I Think That, As Commissioner Pendergrass Said, We'll Probably Need To Review And Relive The Things That We Have Done As A County In The Past And What We've Got Going In Front Of Us. With All The Information That's In The Media Today, I Think It's Probably A Good Idea For Us To Stop And Take Accounting Of Where We Are.

Frank Mann: Both Those Items That You Mentioned, Water Farming And The Status Of The Big Water Bills And C-43 And How That Is Being Handled Are Both Hot Subjects Right Now, And They Would Be Helpful To Have That All Brought To Us. Roger, You Have The General Theme That We Need To --

I Understand.

Leave In Your Capable Hands. Other Items, Commissioner Hamman?

Brian Hamman: No, And To Be Able To Close, I Realize There Is No One Silver Bullet, And The Amounts That We Contribute Certainly Wouldn't Be Enough To Really Offset The Amount That We're Receiving From The Lake Right Now. However, This Is An Extraordinary Year Where I Feel Like Many Other Folks Are Taking Extraordinary Measures To Try And, As You Mentioned, The Governor, To Send Water South And To Take Measures To Help Us Alleviate The Problem, And I Think Anything We Can Do Even If It Is Extraordinary This

Year, I Think That Would Make Sense And Be Much Appreciated, And That Concludes My Commissioner Items For Today.

Frank Mann: Appreciate Your Comments. Mr. Kiker.

Larry Kiker: I Have None.

Frank Mann: Appointments?

None.

Frank Mann: Appointments?

I Have Two. Reappointments. Partner Results Proposal Review Panel And Becky Bokeram, Partner Results. Second.

Frank Mann: Second By Commissioner Manning. No Objection Here. Show It Passed. I'll Read Mine While We're Right Here. I Need A Motion To Cover Ernest Rickets To The Street Lining District. Kim Breathel To The North Shore Unit. Mary Ann To The Fort Myers Shores Streetlighting Unit, And Suzy Valentine To The Partnership For Results Proposal. We Move That. Motion. Second. Discussion. Show It Adopted. Commissioner Hamman.

Brian Hamman: I Have Nothing.

Frank Mann: Appointments. Appointments?

Mr. Chairman, I Have One Reappointment. Anthony Luna To The Harlem Height Streetlight Unit.

Frank Mann: Discussion, Objection, Shown Adopted. County Manager.

Nothing. Thank You.

County Attorney.

Nothing Further, Mr. Chairman. Thank You.

I Have Two Cards From Folks That Would Like To Speak. I Have Three Cards That Would Like To I Mean E Speak. Brad Cornell, Could Am This Way, And Marissa, You Can Kind Of Come Forward And We'll Get You Guys Taken Care Of Too, And Ray Ann Will Be Back? Mr. Cornell.

Good Morning Again, Commissioners. Brad Cornell Again On Behalf Of Audubon. First Thing, I Wanted To Just Respectfully Ask The Question About The Earlier Conversation About 2020. The Agenda Items That You Were All Going To Make A Decision And Vote On Whether To Put That Issue On A Referendum On The Ballot. I'm Not Sure You Did That. In Talking Where Several Folks In The Back Of The Room, I Didn't Hear --

Frank Mann: Correct Me If I'm Wrong, We Voted A Process Here, And The Final Decision On The Ballot Or Off The Ballot Will Be Made Only When We Have The Language Agreed To As To What Will Be On The Ballot Or Not. We Can't Put It On The Ballot Until We Know Exactly What It Is We're Putting On The Ballot. Is That Everybody Else's Understanding? The Final Decision For Go Or No Go On The Ballot Will Come When We Have In Our Hands The Language To Put On The Ballot.

Ah.

Frank Mann: Councillor. Are You Sort Of In Agreement With That?

Regrettably Now. It Was My Recollection That The Motion Was Move Forward On The Referendum. That It Was Nonbinding And To Direct Staff To Work In Preparation Of The Language Through Class Act Group.

And Other Stakeholders.

Frank Mann: How Can We Vote To Put Something On The Ballot That We Don't Know What It Says?

Cecil Pendergrass: At This Point I Believe The Intent Was To Have A Referendum, Make That Definitive Statement Today That There Would Be A Referendum, But Reserve On The Final Language Adoption Until We Have Prepared That Final Language.

Frank Mann: Strikes Me As A Horse And Cart. I Truly Don't Understand How I Can Vote To Put Something On The Ballot That I Don't Have And Don't Know.

Well, Again, I Don't Necessarily Think You're Voting To Put Specific Language On The Ballot. You're Just Notifying The Public That We Will Be Having A Referendum And That Will Be Nonbinding And That We Are To Work To Develop The Specific Language Which The Board Will Then Adopt At A Subsequent --

Frank Mann: Thank You For Your Question. Let's Talk About It For A Minute.

I Agree Totally With The County Attorney's Office. The Consensus Was To Go And The Consensus Was To Develop The Language Through The Class Act Committee As Well As Other Stakeholders And Bring It Back To This Floor For Confirmation Of The Language, And It Would Be Direct, And It Would Be Precise And Concise.

Brian Hamman: That Was My Understanding As Well.

Frank Mann: Well, It Wasn't Mine. Terribly Sorry. I Was Comfortable With A Motion And The Process So That The Public Would Be Given An Opportunity To Have A Say In What Language Was Going To Be Voted On. It Just Made No Sense To Me. I'm Sorry I Misunderstood The Intent Of The Motion Here.

Cecil Pendergrass: Mr. Chairman.

Frank Mann: Go Ahead.

Again, It Was Our Intent That The Public Would Have Participation Opportunities In The Preparation Of That Language, And That Was The Reference To Staff Working With Class Act In The Preparation Of That Language Which Would Then Be Brought Back, But The Board Was Making A Statement Today That We Will Have A Referendum, That It Will Be Nonbinding And That We Are To Prepare The Language To Be Brought Back Before You. For Subsequent Adoption.

Well, I'm Repeating Myself, But I Don't Know How I Can -- I Don't Know What The Circumstances Would Be Whereupon I Would Find Myself Supporting A Motion That I Did Not Know Existed. We're Putting A Ballot Item Up For Referendum That We Have Not Seen. That Strikes Me As Violating Some Parliamentary Procedure, But At Any Rate, Let The Record Show That The Vote Was 4-1 For This Motion. Commissioner Mann Dissenting. Brad, You Got Your Clarification? Marissa?

The Motion --

Frank Mann: I'm Just Saying Let The Record Show That On That Previous Motion, It Passed 4-1 Rather Than Unanimously As Previously Announced By The Chair. Do You Need To Reconsider The Motion?

Yes, Sir.

Frank Mann: I Would Ask That We -- I Would Ask Some Member To Move That We Reconsider The Motion That Passed 5-0 On The 2020.

John Manning: So Moved.

Brian Hamman: I'll Second That.

Frank Mann: This Is Just Going To Be For Clarification. We're Not Going To Cause A Revolution Here. Is There A Discussion On The Motion? Show The Motion Passed. Now, I Would Accept A Motion -- The Same Motion Previously Offered On The 2020 Item.

So Moved.

Second.

Frank Mann: Is There Further Discussion On The Item? Is There An Objection To The Item? Yes. Show It Passing 4-1. Commissioner Mann Objecting. Marissa, Come Back.

Good Morning Again. Marissa Caroso. I Wanted To Take This Opportunity To Thank You For Your Discussion Earlier On Sending A Letter Opposing Senate Bill 318 And House Bill 191 Which Are Regulatory Oil Bills Going Through The Florida House And Senate Currently. We



Wanted To Share Some Additional Thoughts And Details On These Bills Because We Do Think It Would Be Important To Consider Also Passing A Resolution Or An Ordinance On This As Well Because This Proposed Legislation Only Addresses Those Stimulation Techniques That Use High Pressure And Generate Fractures. The Legislation Actually Excludes Any Techniques That Use Chemicals Under Low Pressure To Dissolve Rather Than Fracture Rocks. This Is Something That Happened At The Collier Hogan Well Several Years Ago. The Bills Also Exclude Operations That Incidentally Fracture Rock, Which Means That Acid Stimulation And Incidental Fracking Projects Would Not Be Suspended, Nor Would They Be Studied Or Have Their Chemicals Disclosed To A Public Registry, Nor Would They Be Subject To Additional Regulations Under These Bills. In Our View All Well Stimulation Regardless Of The Pressure Used Or Whether The Operation Incidentally Fractures Rock Poses A Potential Risk To Water Supplies And Must Be Addressed. And As You All Had Mentioned Before, The Proposed Legislation Does Not Permit Local Governments To Prohibit Drilling Or The Use Of Well Stimulation Techniques In An Appropriate Zoning Districts. There May Also Be Instances Where No Amount Of Zoning Restrictions Can Fully Address The Land Use Impacts Of Oil And Gas Activities. For Instance, In Collier County A Proposed Well Was Proposed To Be Located Within 1,000 Feet Of Home Sites. This Would Have Had Unavoidable Impacts On Property Values, Traffic, Local Infrastructure, And Air Quality. So We Believe In Such Cases The County Must Retain The Authority To Prohibit Disruptive And -- Land Uses. We Think That Passing A Resolution, Sending A Letter, Considering An Ordinance Opposing Both Of These Bills Will Make The County's Concerns Known And Hopefully Before The Legislation Is Voted On In The Senate, And This Could Potentially Compel Improvements Or More Meaningful Legislation To Be Filed Next Session. So If You Would Like To Consider Adopting An Ordinance To Prohibit Drilling Or Well Stimulation In The Zoning Districts, We Would Be Happy To Work With You On This. We Have Two Ordinances Available And Should The County Wish To Consider This, We Would Be Happy To Work With You And Staff On It. Thank You.

Frank Mann: Thank You Very Much. Are There Any Others That Would Like To Address Us On Any Subject? Ms. Wetzel, You're Batting Cleanup.

Thank You. I Am Cleanup Girl Today. Rayann Wetzel. I Want To Speak To You About Two Items. First, The Fracking Bill. I Want To On Behalf Of The Sanibel Foundation Encourage You To Consider Two Resolutions For Two Main Failures Of The Bill. One, The Preemption That You Spoke Of, Which Is Not Good Governance, And Secondly, This Definition Issue That Marissa Was Just Referencing. This Bill Does Not Address In The Definition The Type Of Activity That Is Happening In Florida. It's Like Regulating Flying Pigs Instead Of Automobiles. We Don't Have Flying Pigs, But This Bill Will Regulate Those Flying Pigs. It Won't Regulate The Acidization, The Acid Fracturing, The Low Pressure Stimulation That Is Actually Being Done, And As A Consequence, That Means That The Moratorium And The Study Won't Cover The Very Activity That's Being Done. Kind Of A Simple Concept, But It's Really Gotten Lost In All Of The Details, And Then, Of Course, The Preemption Of Local

Communities To Make The Decisions, The Best Decisions For The Taxpayers And Voters Of That Area Is Just Not A Good Public Policy Process. Secondly, I Did Want To Address The Water Quality Issues, Water Storage, And I'm So Glad You Will Be Looking At Having A Discussion Of These Water Issues. This Is Unprecedented. It Is Extraordinary, And I Think There Are -- There's A Role For Every Community To Play, But We Want To Make Sure Everyone Understands What Those Limits And Conditions Are, So To The Extent That The Mayor Had Asked That We Look At What We Can Do In Our Community, I Will Be Meeting With Rohland And Cathy Olson So That We Aren't Planning Projects For Conservation 2020 Lands That Are Incompatible With Those Restoration Plans, But That We Are Also Looking At Surplus Lands Potentially Or Other Alternatives. We Just Open The Box And See What Can Work. There Are A Lot Of Constraints, But There Are A Lot Of Opportunities. I Thank You For Your Time.

Frank Mann: Thank You, Again, Ms. Wetzel. Do You Have Any Other Comments On Our Work Session Update?

Thank You, Mr. Chair. This Afternoon We Will Be Discussing With You The Deep Water Horizon Oil Spill Funds. Most Specifically, You Know, We'll Look For Some Guidance From You On The Economic Damages Portion Of That, Which Is The \$4.2 Million Referred To As The B.P. Oil Spill Money That We Have In Hand, And That Will Be 1:30.

Frank Mann: Any Of The Members Of The Public Like To Speak On Our Work Six Coming Up This Afternoon? Hearing None, Then We Shall Stand In Recess Until 5:00 For Public Hearings Today. Thank You, Folks.