

June 20, 2017

Commissioner Manning: We Have Our Invocation By Paul Lodato, Wrx Christian Television. Paul. And Follow That Up With The Pledge Of Allegiance. Remain Standing Please.

Good Morning Everyone. Father God We Thank You For Our County Commissioners And Their Teams As You Continue To Give Wisdom And Guidance. We Thank You That They Come To You For The Wisdom And Guidance. In Jesus Name We Pray. Amen. (Pledge Of Allegiance)

Commissioner Manning: Thank You Paul. We Have I Believe Two Ceremony Presentations This Morning. I Was Privileged To Be Part Of The First One, A Presentation Designating Lee County As Purple Heart County. Jack, If You Will Bring Your Crew Up With You. At The Podium. You Have Been Through This Before. It's My Privilege To Read The Resolution Into The Record. I Thank You For Being Here. Whereas Lee County Has Always Supported The Men And Women Who Selflessly Serve Their Country In The Armed Forces And Whereas The Purple Heart Is The Oldest Badge Of Merit Created By George Washington And The Purpose Heart Was The First American Service Award Only Awarded To Members Of The United States Armed Services Wounded Or Killed In Combat By A Declared Enemy Of The United States And Whereas Lee County Appreciates The Sacrifices That Our Purple Heart Recipients Made And It's Important To Acknowledge Them For Their Courage And Show The Honor And Support They Have Earned. Therefor It Be Resolved Claiming Lee County As Purple Heart County For Those Serving To Protect The Freedoms Enjoyed By All Americans. This Was Executed This 20th Day Of June 2017 And As Chairman, I Was Proud To Sign It. Thank You Very Much. (Applause) (Background Noise)

Thank You.

Commissioner Manning: We're Going To Take A Picture. So Stand By. Jack, If You Want To Say A Few Words Please.

I Do.

Commissioner Manning: Go Ahead.

We Have For You Also Since You Have Been So Gracious To Us, I Have A Plaque That We Made For Lee County And I Would Like To Read That. Probably Display It Here In The Old Courthouse. The Military Order Of The Purple Heart Would Like To Express Grateful Appreciation To Lee County For Support In Claiming Lee County Florida As A Purple Heart County. In Doing So, Further Recognizes And Honors Combat Wounded Veterans Residing In The County Of Lee In Florida. The Staff Of The Military Of The Purple Heart On June 20th, 2017. As I Say, We're Grateful For What You All Have Taken On This Task In Making This A Purple Heart County. My Colleagues Behind Me And I Have Had The Great Honor To Be The Commander Of Such A Great Bunch Of Heros. We Actually Have

Approximately 133 People That Are Purple Heart Recipients Within Our Organization Here. I'm Proud And Honored To Be A Part Of These Guys -- These Are My Heros And We All Spent Considerable Amount Of Time In The Hospital. Let Me Make The Presentation To You All, Okay?

Commissioner Mann: We're Grateful To You Guys. (Applause)

Commissioner Manning: Thank You Guys. The Next Presentation I Have Is The Presentation Recognizing Parks And Recreation Month. Commissioner Kiker.

Commissioner Kiker: Thank You Mr. Chairman. Jessie Lavender, The Director Of Parks And Recreation And His Staff Forward. Good Morning. Everyone Brought Their Toys, Right? On Behalf Of The Board Thank You For Being Here This Morning. Is There Anybody Left? Bring Them On Up. Good Morning Jessie. Quite A Crew. How You Like Your New Job?

Love It.

Commissioner Kiker: We've Heard A Lot About You. Is That Right?

Yeah.

Commissioner Kiker: It's All Good Jessie. We Thank You And All The Folks What You Do Every Day. These Are The Folks That Do Our Sports Tourism. They're In Charge Of Recreation And As You'll See As The Meeting Goes Along, They're In Charge Of Conservation And Preservation Of Properties, The 20/20 Program As Many Of You May Know. And It's My Honor To Read This Resolution On Behalf Of The Board Of County Commissioners, Whereas The Parks Association Has Declared July As National Parks And Recreation Mark And Lee County Parks And Recreation Touches The Lives Of Families, Individuals And The Entire Community On The Social Economic And Environmental Quality Of Our County. Whereas Parks Green Ways And Open Spaces Provide For Fast Pace High Tech Lifestyles While Preserving And Protecting Our Natural Environment. Whereas The Parks, Playgrounds, Nature Trails, Community And Cultural Centers Make A Community Attractive And Desirable Place To Live, Work, Play And Visit. Whereas The Lee County Park And Leisure Activities Provide Opportunities For People To Grow Into Contributing Members Of Society And Whereas Parks And Recreation Agencies Provide Outlets For Socialization And Stress Reducing Experiences. Therefore Be It Resolved That The Board Of County Commissioners Claim July 2017 As Parks And Recreation Month And In Lee County, Visit The Parks, Especially The Weekend Of July 29th And 30th When Our Chairman Will Sign And Give Away Our Money --

Commissioner Manning: I Didn't Know I Was Going To Do That. (Laughter)

Commissioner Kiker: When All Parking Fees Will Be Waved And Free Admission To The County Pools. Executed This Day June 20th, 2017, Signed By Our Honorable Chairman, John Manning. Thank You Guys. (Applause) Come On Down.

Thank You Guys.

Good Morning. Good Morning. How Are You? How You Doing? (Background Noise)

Commissioner Manning: Jessie, If You Want To Say A Few Words, Go Ahead.

I Just Want To Thank You For Your Continued Support. This Board Has Been A True Asset Towards Park And Rec, And I Want To Say Thank You To The County Administration And Other Departments Under Lee County. Everybody Has Been Very Supportive And We're Getting The Job Done. Thank You So Much.

Commissioner Manning: Thank You For What You Do. (Applause) Thank You Commissioner Kiker. Next We Have The Recap, Which I'll Go Over Briefly. First Item To Be Deferred Consent Item 23. There Is An Error On C-9 Which Will Be Taken Care Of Later And The 9:30 Public Hearing Number Three Will Be Deferred Indefinitely Because Of The Request Being Withdrawn --

Mr. Chair, C-8 There.

Commissioner Manning: Sorry. That's Not What I Was Told.

That Is My Mistake, I'm Certain Of It.

Commissioner Manning: Items To Be Pulled For Discussion On The Board, I Have None. There Were 39 Items. There Are Eight Cards To Be Heard On The Consent Items. There Is One Walk On Considering Edison Farms And -- We'll Go To The Consent Agenda.

Commissioner Kiker: If I May, C-9. How Are We Handling C-9.

What We Would Like To Defer To August 1st For Further Review.

Commissioner Manning: I'll Need A Motion To Defer The Item, Please. Five Motions To Approve. Second. Anybody In The Public Who Wishes To Speak On The Item? Seeing None, Back To The Board.

Commissioner Hamman: Does This Hurt Our Timeline In Relation To The State Grant?

Commissioner Manning: I Don't Believe So.

We Have Looked At The Agreement And Think The Delay Of A Month Will Be Okay.

Commissioner Manning: Any Further Discussion, Objection. Motion Carriers. That's It For The Walk-On Items. I'm Sorry, The Recap Items. We'll Go To The Consent Item 8, Eileen Goldberg Is Our First Speaker.

Good Morning. A Lee County Resident And Activist For The Lgbtq Community For Equality. Most Of The Vp Of The Southwest Harmony Chamber Of Commerce. Sexual Orientation And Gender Identity As Protected Collapses In The Lee County Employment Policy. These Words Should Appear Along Side Age, Race, Nationality And Religious Beliefs For Protection For County Employees That Does Not Exist In The Language. There Have Been Federal Rulings In Recent Years That Have

Applied A Broad Interpretation Of Class Of Sex To Rule In Favor Of Lgbtq Who Have Faced Discrimination. This Patchwork Is Inadequate To Protect Your Lgbtq Employees. That Is Why Several Employers, Including Sexual Orientation And Gender Identity In Theirs, Such As And Lee County Government Should Follow The Lead. In One Week We Celebrate Two Years That The U.S. Supreme Court Ruled In Favor Of Same Sex Marriage. I Wish My Wife Carol Had Been With Me On That Day To See Me Happen. We Were Partners For 47 Years Before Passing Away In 2014. Carol And I Worked As Employees Of The Lee County Government, We Kept Our Relationship Hidden At Work Because We Feared Retaliation If Anyone Discovered Our Relationship. It's Painful To Look Back On The Years When We Thought There Was No Other Choice Than To Hide Our Relationships. Lgbtq People Today Want To Feel Safe To Come Out Of The Shadows In The Work Place, That's Why A Policy Is So Important. Employees Must Know They're Protected With Certainty. This Could Have Made All The Difference For Carol And Me. No One Should Experience The Fear And Anxiety We Endured For So Many Years. No One Should Be Afraid To Acknowledge Their Identity, Relationship Or Marriage For Fear They May Experience Discrimination Or Retaliation Or Harassment At Their Work Place. It's Knocking On Our Door Here In Lee County, You Must Decide If You'll Open The Door Or Keep It Closed. I Ask The Board To See It As An Opportunity To Lead On This Matter Of Equality. Thank You.

Commissioner Manning: Followed By Rachel Candace. And I Hope I Was At Least Close.

You Were Great. Thank You. I'm Annette Trosbuck. I'm Here To Speak Of The Government Policy To Include Protections Against Discrimination On The Basis Of Sexual Orientation And Gender Identity. I Feel We Are Morally Compelled To Protect Our Lgbtq Brothers And Sisters And It's An Economic Driver As We Want To Attract And Retain Talent In Lee County And We're Going To Attract And Retain That Talent If We Show That All Of Our Lgbtq Family Members And Friends Are Protected. Thank You.

Commissioner Manning: Thank You. Rachel. Followed By Dr. Michael Camedo.

Michelle.

Commissioner Manning: Sorry.

Thank You For The Opportunity. I Strongly Agree That The Board Of County Commissioners Should Protect All The Citizens For Our County Regardless Of Sexual Orientation Or Gender Identity. Lee County Is My Home And I Wouldn't Want Anyone To Be Discriminated Against Because Of Sexual Orientation Or Gender Identity. The Idea There Are Enough Protections Already Never Works Out For The People Asking For Protection. To Be Faced With The Possibility Of Losing Their Job, Stability Just Because The County Commissioners Won't Add Four Words To The Policy Manual, To Protect Them, That's Not A Welcoming Community. That's Not A Safe Community. That's Not Representative Of The Community I Believe We Can Be Here In Lee County. I Want My County And The People Who My Votes Help To Elect To Respect All Minority Groups Not Just With Lip Service But With Legislation. This Is Such An Easy Solution To Add Protection For An Entire Group Of People. To

Make Our Offices Safe To People Who Devote Their Lives To Run Our Facilities, It Wouldn't Stop Anyone From Firing An Employee Not Doing Their Job, Just Helps To Ensure That People Are Hired And Fired Based On Skills And Ability To Perform The Jobs Please Commissioners, For All Of The People Who Devote Their Lives To Make Our County Great, For Families, Households And Individuals And Contributors To Our Communities Who Contribute Not Just In Leisure Time But Also In Their Work, Please Add The Protections For Sexual Orientation And Gender Identity To The Manual.

Commissioner Manning: Thank You. I Once Again, Apologize For Messing Up Names. The Next After The Doctor Will Be Michael Dotee.

Thank You. I'm A Lee County Resident And I Live In Cape Coral As Well. I'm Proud To Say Cape Coral Did Pass This Language To Be Included In The Personal Manuals For Their Employees And I'm Very Proud To Be Able To Represent The Cape In That And I Hope The County Can Follow Their Example. 60% Of All Floridians Live Currently In A Location Where These Protections From Discrimination Include Sexual Orientation And Gender Identity. Lee County Is Not One Of Those Places. I Think If We Look Around The State, It's Important We Keep Pace With What Is Happening And The Due Diligence Done By These Other Cities, States And Municipalities Is A Clear Indication This Is Important To Citizens To Guarantee Equality. We Want To Help Our Companies Attract And Retain Top Talent To Grow Economy And Compete In The Global Market Place. There's Nothing I Want More Than To Drive Into Lee County And See Signs That Say Welcome, We're Building An Inclusive Community. The Partnership For Working Toward Inclusive Communities Is Very Important To Be Passed In Lee County. Thank You.

Commissioner Manning: Thank You. Michael. And The Last Card Albert Cobell.

Thank You For The Opportunity To Speak With You Today. I Stand Before You Today As A Concerned Resident And Current Employment Here In Lee County. When It Was Announced That The Administrators Were Recommending That The Commissioners Not Include Sexual Orientation Or Gender Identity I Felt It Necessary To Speak. These Protections Are Important Because There Are No Federal Or Florida Law Existing To Specifically Protect Individuals From Discrimination Of Employment For Sexual Orientation And Gender Identity. Employees Who Are Lgbtq Should Be Protected Against Discrimination And Harassment On The Basis Of Sexual Orientation And Gender Identity. As A Person Who Was Previously Discriminated Against In A Previous State, I Know How It Feels To Be Discriminated Against Just Solely Based On Sexual Orientation. Policies That Protect Lgbtq People In The Work Place Attract And Retain Top Talent To An Employer. When The Policies Include Policies Against Discrimination, Lgbtq Employees Can Remain Focussed On Performing Job Duties Without The Distraction To Hide Identities From Supervisors And Coworkers. Your Lgbtq Employees Should Not Be Afraid To Acknowledge Their Identity, Their Relationship Or Their Marriage For They May Experience Discrimination, Harassment Or Retaliation In The Work Place. For Lee County To Continue To Attracting National Companies And Work Forces To Relocate To Southwest Florida It's Important To Ensure Policies Are In Place To Protect All People Against Discrimination In Employment, Especially Lgbtq Employees. Updating The Lee County Employment Policy Is One

Step Toward Achieving This Broader Goal. This Is Why The County's Non Discrimination Policy Should Include Protections Against Discrimination For Sexual Orientation And Gender Identity. Thank You.

Commissioner Manning: Thank You. Albert. That's The Last Card I Have.

Good Morning Gentlemen. My Name Is Albert Michael Cobell. I'm Here Because I'm A Former It Of Ibm. I Want To Talk About The Business Climate Of Making Sure The Work Force Feels Safe And Secure In Providing The Type Of Services There Are To The Companies. In 1988, Ibm Decided It Was Time To Acknowledge There Were Lgbtq People In The Work Place. We Began To Undertake The Task Of Understanding Of How To Write Those Policies Into Our Human Resources Manuals To Reach Those People And Understand They Were Welcome, Contributing And Important To Our Community. By The Time I Retired In 2001, Ibm Had Opened Up Not Only Insurance Programs To Lgbtq People And Partners, But Also Considered In The World Management In Our World Council There Were Many Lgbtq People Leading The Way. It Is Important That We Understand That In Our Personal Manuals We Make Understood To Our Employees That Words Matter. And Making Sure That You Incorporate Those Words Into Meaningful And Understandable Actions That Translate Into A Safe Work Environment Are Very Important. I Stand Before You Today To Ask You Gentlemen To Consider, Not Consider, But To Pass Adding The Words Into The Personal Manuals That Make Your Employees Feel Safe, Welcome And Contributory.

Commissioner Manning: That's The Last Card I Have. Anyone Else In The General Public Who Wishes To Speak On The Consent Agenda. Seeing None, We'll Go Back To The Board. There Are No Items To Be Pulled For Discussion By The Board Members.

Commissioner Mann: Let's Go Ahead And Pull 8. I Need A Comment Out Of The Attorney Before Passing That.

Commissioner Manning: Any Other Items? Okay. The Chair Will Accept The Motion On The Balance Of The Consent Agenda. Motion By Commissioner Kiker To Approve. Seconded By Commissioner Pendergrass, Objection? Motion Carriers. Number 8.

Commissioner Mann: Thank You For The Comments This Morning, These Days The Whole Subject Matter Of Lgbtq And I Get The Initials Wrong Sometimes Throughout The World, It's Delicate But There Are More People With Courage To Say The Things That Need To Be Said. Thank You For The Courage You All Have Demonstrated This Morning. I Have Met With Miss Goldberg On Several Occasions And What I'm Going To Say And Probably Conclude This Morning Won't Go Quite As Far As What She Would Be Hoping, But The Point I Hope We Can Make After -- I'm Going To Ask Mr. Welsh, Our County Attorney To Comment After I Conclude Mine. Let Me Go This Way About It. One Of The Last Conversations I Had With Miss Goldberg Began About A Year Ago After The Horrible Tragedy, The Pulse Tragedy In Orlando, That The Whole World Heard About. At That Time, I Initiated Conversations With Our Office Who As The Ranking Goes, The Personnel Person At The Highest Level And Subsequently Had Additional Conversations With Roger Desjarlais, Our County Manager And The Point I Made To Them Was, Are You Absolutely Certain There Is Nothing In Our Personnel

Policies That Would Make Us Subject To A Challenge Even A Lawsuit Based On Discrimination Of Any Kind? And They Knew Within The Context I Was Talking About, What I Was Referring To, Of Any Kind. They Assured Me That They Felt The Personnel Policy Was In Fact Free Of Any Discrimination Language Or Language That Could Slip Through The Cracks To Create Some Discrimination. But, As We Had Several Follow Up Conversations, The Top Management Confided In Me, They Have In Fact Even Hired Outside Council To Review Our Policies And To Make Certain The Intent Of What I Was Talking About Was In Fact In The Language. And That We Would -- There Was No Way We Could Possibly Be Held In A Responsible Or Guilty In The Challenge Of Our Personnel Policies Based On Any Type Of Possible Discrimination In Our Hiring And Firing Practices Or Harassment On Day-To-Day Jobs. So My Question, Mr. Welsh To You, It's A Delicate Issue But Critically Important And I Would Like To Be Able To Put It Behind Us. I Need Your Absolute Assurance And Staking Your Professional Reputation On It After All The Review Your Office Has Done That The Language You're Suggesting We Adopt Today In This Item Will In Fact Absolutely Isolate Us From Any Challenge Of Discrimination Of Any Type.

Mr. Chairman. In This World Of Litigation Anybody Can Sue Anybody Over Everything. So Against That Caveat And Foot Note, Let Me Say That This Issue Has Been One Of Tremendous Discussion Amongst Your Staff Legal And Administrative. So Much So That Roger Desjarlais And I Co-Authored A Letter And I Would Like To Quote From It In Our Attempt To Set The Tone For The Organization For The Language We're Suggesting Today. Here At Lee County Government Our Work Force Embraces The Multiple Views, Lifestyles And Backgrounds Of Employees. As Legal Discrimination Can Stifle The Work Force, It Will Not Be Tolerated In Any Form Whatsoever. Most Importantly, Nor Shall We Tolerate Those Around Us Who See To Illegally Discriminate Against Our Employees. That's The Tone Set By Your County Manager And Attorney. In The Language We're Suggesting To You This Morning Is To Be Over-Inclusive, Rather Than Specifically Call Out Words And Phrases And Terms That May Change, Modify Overtime, We Have Set The Bar As High As Legally Permissible. By That, We're Prohibiting Discrimination Based On Any Of The Protected Statuses Afforded By Law. Some Of The Speakers Here This Morning Talked About The Fact That There Is Not This Type Of Protection In Federal Law And Respectfully We Would Disagree. In Fact, We Had Outside Counsel Research This Very Fact And She Is Here If You Would Like To Hear From Her As Well. Let Me Put On The Record, The Case Style Of 11th Circuit Federal Opinion, This County Sits In The 11th Circuit. This Case Is Controlled Upon In Lee County And The Case Stands For The Clear Proposition That A Government Agent Violates Sex Base Discrimination When He Or She Fires A Transgender Or Trans Sexual Employee Because Of His Or Her Gender Or Non Conformity. It's That Basis We Give Rise For The Following, Harassment, Verbal Or Nonverbal Contact That Shows Hostility Because Of His Or Her Color, Religion, Disability Or Any Other Status Protected By Law Or That Of His Or Her Relatives. The Key Is Any Other Status By Law. That's Direct Reference In The Case I Just Cited To You. Commissioners With All Due Respect, It's Our Hope That The Language We're Suggesting To You This Morning Become The Standard For Employers Public And Private Not Only In Lee County, State Wide And Perhaps Nationally Because The Language We're Suggesting To You Is More Specific, More In Inclusive And More Global Than That Which Was Suggested By The Speakers This Morning. We're Suggesting Language That Makes It Clear That Harassment Discrimination Of A Protected

Class Will Not Be Tolerated By Lee County Florida. Commissioner In Direct Response To Your Question, I Am Very Comfortable With The Language We're Suggesting To You For Adoption This Morning.

Commissioner Mann: Thank You. If There's No Other Comments From Other Commissioners, I'm Comfortable Moving The Item With The Apology To Those Who Say It Is Not Enough. I Believe The Way They Have Approached It, And I Have Had Multiple Conversations With Them, Gives Us Not Only A Stronger Policy Statement In Our Personnel Requirements, But The Strongest One We Have Had Here And They Have Assured Me There Are No Stronger Words That Can Be Included.

Commissioner Manning: I Have To Get A Second And Then You Can Continue.

Commissioner Hamman: I'll Second.

Commissioner Manning: Is There Any Further Board Discussion? Seeing None, Back To The Board For A Vote. Is There Any Objection To The Motion. Motion Clears 5-0. Thank You. Next An Approved One Item On The Administrative Agenda, Approve In Estero 12-Ca-1705. Anything You Want To Put On The Record?

Mr. Chairman?

Commissioner Manning: Go Ahead.

This Is What We Discussed With You And Briefed With You Including This Morning. This Is Estero, Potential Litigation Result In Potential Liability Of The County Between 16-20 Million Dollars. We Have Negotiated A Resolution Of This Cause For The Sum Total Of \$6.5 Million Together With \$100,000 Of Closing Costs. For That We Resolved The Litigation And Take Title To The Property. We Request Approval Of The Matter As Presented And I'm Available For Questions.

Commissioner Manning: Any Members Of The General Public Who Wish To Speak? Seeing None, Back To The Board For Discussion Or Motion?

Commissioner Kiker: If I May, I Would For The Record Like To Discuss The Funding Source On This And How That Might Apply In The Future.

Mr. Chair?

Commissioner Manning: Go Ahead.

Commissioner, The Funding Sources, The County Maintains A Self Insurance Loss Fund For Workers Compensation, This Is Excess Reserves In The Fund That This Settlement Would Be Paid From.

Commissioner Kiker: I Guess My Next Question Would Be Is There Possibilities Of Looking At Conservation Programs And Ensuring This Property Might Be Put Into A Preservation At Some Point?

Commissioners, That Is Certainly A Possibility.

Commissioner Kiker: Okay. Thank You.

Commissioner Manning: Further Discussion --

Commissioner Pendergrass: It's A Lot Of Money. \$6.5 Million. We Hope The Properties In The Future Can Be Contribution To The County For The Public Good. I Hope We Learn Something From The Past.

Commissioner Manning: A Motion?

Commissioner Kiker: Motion To Approve. Seconded By Commissioner Hamman. Discussion, Motion Carriers. We Have Eight Public Hearings. Who Is Taking Over? John.

Good Morning Commissioners, This Is Your 9:30 A.M. Public Hearings, Leading With Public Hearing Number One, Affidavit Of Publication For Necessary For The Public Hearing. This Is Asking You To Approve A Resolution To Assess And Elect To Use The Uniform Method Of Collection For Special Assessments To The Municipal Service Benefit To The Msbu's. The Original Of The Affidavit Has Been Or Will Be Provided To The Board's Clerk. I Have A Copy I'll Give For A Moment. And You May Proceed.

Commissioner Manning: Any Questions Of The County Attorneys Office By The Board? Seeing None, Is There Any Public That Wishes To Speak On The Item? Seeing None, Back To The Board -- Motion To Approve The Item By Commissioner Hamman. Seconded By Commissioner Kiker. Objection? Motion Carriers. Public Hearing Number Two.

Thank You. Good Morning Michael Jacobs. Number Two, Adopt An Ordinance For The Reclaimed Water Ordinance.

Commissioner Manning: Any Questions Of The Board Members By Staff? Or Vice Versa, Whatever That Means. Seeing None, Any Members Of The General Public Who Wish To Speak On The Item? Seeing None, Back To The Board For A Discussion And Or A Motion. Is There A Motion. Motion By Commissioner Mann And Seconded By Commissioner Pendergrass. Motion Carriers. Number Three. Bert. We'll Go To Item Number Four.

Michael Jacobs, Hearing To Approve Minutes Of The Water Conservation Ordinance 0-5-10. I Have Reviewed It As Sufficient.

Commissioner Manning: Any Questions By The Board Or Staff? Seeing None, The General Public? Seeing None, Back To The Board For Discussion Or Motion. Motion To Approve By Commissioner Kiker. A Second? Commissioner Hamman. Thank You. Discussion, Objection, Motion Carriers. Number Five. County Attorney's Office Is Working Hard Today.

Good Morning Commissioners I Have Your Number Five Public Hearing, Ordinance Appeal Of 11-11. I Have Reviewed The Affidavit Of Publication And Find It Sufficient In Form And Content To Proceed With The Hearing For This Time And Providing It To The Clerk.

Commissioner Manning: Any Questions By The Board To The County Attorney Office Or Staff. Any Members Of The General Public? Seeing None, Back To The Board For A Discussion And Or Motion. Motion To Approve The Item By Commissioner Mann And Seconded By Commissioner Pendergrass. Motion Carriers. Number Six.

This Is For The Collection Of The Special Assessment Rates And Other Charges For The 2017 Tax Year.

Commissioner Manning: Any Questions By The Board? Seeing None, We'll Go To The General Public. Anybody Who Wishes To Speak On The Item? Seeing None, We'll Go Back To The Board.

Commissioner Hamman: It Says We Have Until August 15th Of Each Year To Make The Adoption Here. I Would Like To Get More Information To The Board About A Scenario Where We Did Not Increase Rates And Have The Staff Go Back And Basically Defer Until The August 1st Meeting And Have The Staff Present Us With An Option Of What Would Happen If We Did Not Increase The Rates Along With The Option Today.

Commissioner Manning: Is That A Motion? Is There A Second To The Motion? Is There A Second To The Motion? Motion Dies For Lack Of Second. Go Ahead.

Commissioner Pendergrass: I Asked That Question This Week And I Don't Know If We -- The Response I Got, If We Didn't Raise The Rates It Would Be Used In Reserves As Far As The Future Of The Solid Waste And Waste Energy Future, We Have Drastically Dropped Rates For The Past 10 Years And Now The Rates Are Going Up. That Was The Response I Got. That Was My Question, As Well.

Commissioner Manning: Is There A Motion On The Item?

Commissioner Mann: I'll Move It.

Commissioner Manning: Is There Is A Second? Commissioner Kiker.

Commissioner Mann: My Briefing Was How It Compares To Previous Years, At This Level It Will Still Be Lower Than Previous Highs And That's After Surviving The Recession And All The Ups And Downs Of The Institute And Industry And The Other Question, How Do We Compare With Other Counties Around Us And It's Also Favorable Positive Response. I'm Not Embarrassed About Publicly Supporting This. It's Timely And So Minimal, At Average Cost To Fee Payer \$11 A Year. That's Less Than A Dollar A Month To Keep Us On A Steady Plane And A Responsible Way Of Funding Our Obligations And Maintenance. I'm Comfortable With This.

Commissioner Manning: Further Discussion, Objection? Carriers Four To One, Commissioner Hamman Dissenting.

Housing Revenue Bonds Or Mortgage Credit Certification By The Housing Authority Of Lee County.

Commissioner Manning: Any Questions By The Board? Seeing None, Going To The General Public. Anyone Wish To Speak On The Item? Seeing None, We'll Go Back To The Board For A Motion To Approve. Seconded By Commissioner Hamman, Commissioner Kiker. Last Public Hearing Of The Day.

Likewise A Request To Adopt A Resolution, Approving The Issuance Of Mortgage Certificates Of The Housing Corporation Of Lee County.

Commissioner Manning: Any Questions? Anyone In The General Public Who Wishes To Speak On The Item? Seeing None, Going Back To The Board. Motion To Approve By Commissioner Hamman. Second By Commissioner Kiker. Discussion? Objection. Motion Carriers. That's It For Public Hearings. Thank You. We Have One Walk-On -- I'm Sorry, We Have To Do Some Things Before That I Think. No, I'm Right On Time. We Have A Walk-On For Consideration Of The Sale Of Edison Farms In Southeast Lee County. Randy, I Have Your Card And I Put You Last, But Go Ahead. Or Second To Last I Guess It Was. Go Ahead.

Good Day Commissioners. For The Record, I'm Randy Tobow. I Want To Thank You And The County Staff For Your Consideration And Approval Of The Purchase Of The 4,000 Acre Track Of Land. There's No Doubt That Purchase Of Edison Farms By 20/20 Could Be One Of The Most Sensible Purchases To Make For Lee County Residents And Visitors To Enjoy For Years To Come. We Have The Opportunity To Acquire 4,000 Acres In One Of The Highest Growth Areas In The Country For A Little Over \$12,000 An Acre. The Seller Offered This Property For \$170 Million, Now You Have The Opportunity For \$49 Million. The Seller Engaged My Firm To Do Extensive Studies, Wet Land, Surveys, Site Planning And Future Residential Development Opportunities. After Completing The Investigation We Have Extensively Marketed The Property To Respective Buyers Over The Past Few Months. As You Can Imagine, There Was An Extreme Amount Of Interest Due To Location And Long-Term Opportunities. I Have Offered You Potential Site Plans For The Potentially 1,000 Acres Identified. The County Is Under Confidentiality Agreement, Those Are Private Documents. We Feel Confident That The Property Over The Long-Term Has The Potential For Low Density Residential Development Ranging From 3-5,000 Homes. The Sellers Have Given Permission For A Prompt Closing, Subject To Their Final Board Approval. We Realize The Approved Price Of \$49 Million Is Excess Of The Appraisals Receive And Understand It Would Require A Super Majority Vote From You, Which Would Not Be Unprecedented. If You Choose To Move Forward With The Terms The Seller Is Agreeable To, They Are Prepared To Commit With A Transaction With Lee County And Work Diligently To Consummate It With Lee County Attorney Office. The Seller Has Asked Us To Open Discussions With Other Prospective Buyers If Lee County Does Not Take The Opportunity. We Welcome You To Take The Opportunity Should You Deem It Appropriate. Thank You For Your Consideration And We Appreciate All The Hard Work And Effort That Has Been Put Into It By You And The County Staff. They Worked Very, Very Hard On The Project. If You Have Additional Questions, I'm Glad To Take Them Now.

Commissioner Manning: Board Members, Are There Any Questions Of The Owner's Representative?

Commissioner Pendergrass: How Many Homes Could Be Potentially Built There?

This Property, If You See On The Map There, It's Pretty Clear. You Can See The Identifiable Areas, The Light Green. We Surveyed That And There's Around 1,000 Acres Of Property And In Those Areas, We Site Planned From 3,000 On A Low Density, 4,000 To As High As 5,000. These Are Low Density Plans, These Are In The Upland Areas Of Three And Overall Around One.

Commissioner Pendergrass: It's Zoned Currently For 250 Homes, Correct?

You Would Have To Rezone And Go Through That Process.

Commissioner Manning: Any Other Questions Today? Thank You. Okay. Randy, I Just Want To Back Up A Little Bit Of Your History On This Property Because I've Been Here A Few Years And I'm Very Anxious To Get The Property In 20/20 Organization If You Will. The Top Price Was 170 Plus Million. I Remember That Very Well, When The Recession Hit, The County Countered With 24.5 I Think It Was. That Was Rejected Out Of Hand. Your Sellers Were At 55 Not Long Ago, Correct?

Correct.

Commissioner Manning: Now \$49 Million.

That Is Not The Price To The Open Market For Other Prospective Buyers Seeking It For Other Purposes.

Commissioner Manning: Is That Your Final Offer?

Yes, It Is.

Commissioner Manning: Colleagues, I Just Want To Say One Thing. I'm Willing To Go To The \$49 Million Route To Buy The Property And Get It In Ownership. I Have A Number Of Cards Here. Phil Douglas And Followed By Alicia, I Cannot Read Her Last Name. Phil, You Have Three Minutes But To You, A Minute And A Half Is Good. That Doesn't Count, Phil.

Good Morning Commissioners. I'm Here Representing The Brooks Con Concerned Citizens. We Sent Four Resolutions To The Commission Telling You This Property Should Be Purchased For Conservation Only, No Development And It Should Be Purchased In Perpetuity. I Have 14 Years, More Than Some Of The Commissioners Here, Invested In This Property From The I-75 Coconut Road Interchange To Under I-75 To The Red Sox Stadium To The Never Ending Desire To Put State Road 951 Through This Property. I Will Tell You, And I Know That The Village Of Estero And The City Support This, It's Your Decision To Determine The Value. I'm Not Here To Tell You The Value, But I Can Tell You That The Person Who Spoke Before You Just Before Me, In 2013 Told One Of Our Commissioners That This Had A Value Of About \$12 Million. There's A Big Difference Between What Was Said In 2013 And What Is Being Said Today. I Am Just Telling You That This Property Cannot Be Measured Necessarily In Dollars. The Wet Land Value Of This Property And The Value Of This For Water In My Opinion Makes It One Of The Most Valuable Purchases You Could Ever Undertake For Conservation 20/20. I

Want To Emphasize Again, No Development Whatsoever. And I Challenge The Previous Comments That There Are 1100 Acres Available For Upland Development. No Development, Buy It In Perpetuity. That's My Advice And That's My Plea To You. And I Think Each One Of You Are Good Stewards Of Our Money And I Trust You Will Make A Wise Decision. Thank You.

Commissioner Manning: Alicia. Followed By Patty Duncan. And By The Way, I Have A Number Of Cards If You're In Agreement, You're Not Compelled To Speak.

Good Morning. For The Record Alicia, My Handwriting May Not Have Been Clear. I Appreciate You Putting Forward The Negotiations For The Acquisition Of Edison Farms. Conserving Land Satisfies The Basic Human Needs For Space, Clean Air And Fresh Water. Without The Basic Human Needs -- These Opportunities Unique Because Of The 4,000 Acres And Once Again, Location, Location, Location. That's Why I Appreciate Your Time And Dedication To Consider This Purchase. Thank You.

Commissioner Manning: Patty And Followed By Rayanne Russel.

Good Morning Commissioners. I'm Patty Duncan, I'm In The Environmental Chair For The League Of Women Voters. And We Would Like To Remind You That This Property Is In The Drgr And We're Asking That You Please, Please Save This For Future Water Resources.

Commissioner Manning: Thank You. Rayanne Followed By Pete.

Good Morning Commissioners And Chairman. Thank You Forgiving Us A Chance To Speak. On Behalf Of The Conservation Foundation I'm Here To Urge Your Support For Initiating The Negotiations And Consideration For Purchase Of Edison Farms. The Property Is An Exceptional Example Of What We Passed 20/20 For. It's One Of The Largest Areas We Have Available To Look At. It Represents Critical Water Infrastructure For Our Area From The Standpoint Of Water Capture, Water Treatment And The Head Water To Estero Bay And Watershed. This Is I Think Easily Described As Critical Water Infrastructure As Well As Habitat For Large Species And Recreation. The Other Piece That Doesn't Often Get Mentioned, These Properties That Are Purchased Through Conservation 20/20 Add To The Point System That The County Enjoys For Fema Flood Discounts. I Encourage You To Start And Get This Done. Thank You.

Commissioner Manning: Thank You. Pete Followed By Jennifer Hecker.

Mr. Chairman, Other Commissioners, On Behalf Of The Western Evergrades And Speaking On Behalf Of Southwest Florida As Well. Please Instruct Your Staff To Continue Negotiations For Acquiring This Property For Lee County.

Commissioner Manning: Jennifer.

Our Program Represents Eight Counties, 10 Cities, Private Industry Groups, A Very Diverse Broad Stakeholder Groups That Covers The Whole Region. I Wanted To Let You Know, Our Entire Committees Support To Formally Endorse The Acquisition Of Edison Farms. Obviously It Sits Very Well With The Guiding Document That Our Partners Have Put Together, The Conservation Management

Plan, Several Goals And Objectives To Wild Quality And Wild Life Are Furthered With The Acquisition Of This Property. Legacy Is Often Overused But In This Case It Is A Legacy Opportunity. It's Been A Long Day Coming To Get To This Point. Where We Usually Spend Tens Of Millions Of Dollars To Repair Past Mistakes, We Have The Opportunity To Save Taxpayers Monies By Diverting Them. We Commend You For What You're Doing In Pursuing This And We Stand Ready To Assist The County With Future Enhancement Opportunities That Can Arise From The Conservation Of The Property. Thank You.

Commissioner Manning: Meredith And Then Brenda Brooks.

Good Morning Commissioners And Chair Men. I Would Like To Thank You For Your Ongoing Interest In The Public Acquisition Of Edison Farms. It Is Located Within The DrgR And Contains More Than 3500 Acres Of Habitat And Panther And Foraging Areas For Storks. It's Not Only The Highest Priority Property In The Area But The Highest Ranked By 20/20 Program. It Does Provide A Significant Opportunity For Lee County And The Program Has The Funding To Purchase All Six Sections. The Conservancy Wants To Thank You.

Commissioner Manning: Brendan Followed By Susan Frozk.

Thank You For The Opportunity To Speak On Behalf Of Edison Farms. On Behalf Of The Trust I Would Like To Express Continued Support For The Acquisition Of The Entire Edison Farms Parcel, As Everyone Has Mentioned, The Ecological Value And Services That The Parcel Has To Offer Provides A Great Opportunity For Us. The Acquisition Would Ensure The Last Largest Piece Is Protected Within The Greater Project. The Trust Has A Limited Budget But We Would Give To In Perpetuity As A Supporting Member Partner. I Appreciate The Opportunity To Speak.

Commissioner Manning: Susan Followed By Pete.

Good Morning Commissioners And Thank You For The Time. I Want To Thank You And I Want To Express My Support For The Purchase Of The Entire Farms And We Live Right In The Natural Flow Of Water And I Would Love For The Area To Be A Green Park Area. Even New York City Has Central Park And We All Need To Go And Reflect And Enjoy The Plants And Whatever And No Developments And I Think Every Square Inch Of Southwest Florida Doesn't Have To Be Concrete. We Need Green For Oxygen And Carbon Dioxide. Tourists Come Here To Enjoy The Vegetation And I Always Remember That All Of Us Have To Drink Water. Thank You, I'm A Proudly County Public School Teacher Retired And Knowledge Is Power.

Commissioner Manning: Steve, While Walking Up Here, Apologize For Messing Your Name Up Again. Followed By Bill.

Good Morning Commissioners Environmental Director For The Estero County Leaders, I'm Urging You To Proceed With Acquisition Of The Approximately 4,000 Acres Of Parcel And Place The Entire Land Into Conservation For Perpetuity. Edison Farms Has Been Identified In Every Natural Resource Study As A Priority Acquisition For Public Purchase And Conservation Has Received The Highest

Environmental Ratings By The 20/20 Program. Preservation Of Environmentally Sensitive Wet Land And Habitat And Flood Protection, Protection Of Ground Resource, Recreation For Residents And Visitors. This Purchase Is Just What Our Voters Wanted Last November When The Conservation 20/20 Program Was Approved With An 84%. Our Communities Appreciate The Hard Work Already Put Into Efforts To Purchase This Land By You And County Employees. We Encourage Your Continued Efforts To Complete The Acquisition For The Benefit Of All In Lee County For Now And Especially In The Future. Thank You For Your Time.

Commissioner Manning: Bill Followed By Carl. That's The Last Card I Have.

Good Morning Commissioners On This Fine Day And Thank You For Allowing Us To Share Our Interests With You. I Am Bill Carr From The Village Of Estero Representing Liverwoods Planation With Nearly 1200 Residents. Your Continue Getting Of The Facts Regarding Edison Farms. We Fully Support The Acquisition Of The 4,000 Acre Edison Farms Property In Perpetuity, Recognizing The Significant, Conservation Contribution To The Residents And Guests Of Lee County And Nearby Border Counties. It's Well Known Such As For Example Aacl, Conservation 20/20 And Other Well Intentioned Groups Who Recognize That Edison Farms Lands Provides The Appropriate Resources Offering For Example Ongoing Water Availability And Quality Protection Through Echo System. Storm Water Flooding Reduction, Natural Safe Guards For Wild Life Habitat And Supports Educational And Recreational Public Amenities. I Suggest These Are Critical Reasons To Purchase Edison Farms In Perpetuity. Again, I Fully Support The Acquisition Of Sensitive Lands Such As Edison Farms For Conservation. I Believe Your Research Efforts Have Afforded You The Necessary Information For Review And Evaluation To Make Sound Decisions To Negotiate A Fair And Equitable Price To Purchase The Entire Edison Farms 4,000 Acres And Place All In Conservation And Perpetuity. Thank You.

Commissioner Manning: Carl.

Good Morning. I Live In Cape Coral Since 1980. I Had The Privilege And Honor To Tour Edison Farms On The Buggy And Saw Deer Track And Turkey Track And We Know There's Panther Sightings And For These Animals And All The Animals That Live There, We Ask You Purchase Edison Farms, The Animals Can't Speak But I Sign My Name Out That I Speak For All The Animals. George Wheaten Poetic On The Boat Expressing His Thoughts That This Was The Highest And Best Property He Ever Surveyed For 20/20. It's Adjacent To Crew. We Want To Keep It For The Public. There's A Beautiful Pond To Fish In. I Urge You To Purchase This Property For All People Who Will Come Here And For Our Children And Generations To Come That Have A Beautiful Conservation Area To Enjoy And Bring In Tourists. Thank You.

Commissioner Manning: That's The Last Card I Have. Anybody Else In The General Public Wish To Speak On This Item? State Your Name For The Record.

Good Morning Patty Whitehead. My Colleague Who I Thought Was Going To Be Here Today Is Not Here. He Would Have Submitted A Card And Spoken. I Fully Endorse The Acquisition Of Edison

Farms, The Entire Property With No Adulteration With Development. It's Critical With The Connections You Have An Amazing Opportunity Here To Give A Gift Back To The Drggr That It Deserves. As You Know, Obviously I Don't Agree With Everything In The Drggr But This Is A Move In The Right Direction And I Think, You Know, Considering All Aspects Of The Value Of The Property In Terms Of Water Resources, Adjacent To Estero, The Fact That It Will Create A Break In The Sprawl, A Much Needed One. The Fact That It Supports Wild Life And Will Continue To Support The Wild Life. We Don't Want To Chip Away At That. We Want To Maintain That. That's What We're All Here For. We're All Striving For The Same Things To Make Sure We Continue To Have Panthers And Bears In Lee County And Flow Ways In Lee County And Clean Water And Amazing Areas To See What Natural Florida Looks Like. So Much Of That Is Gone. I Applaud -- You Almost Made A Motion At The Beginning Saying I'm Good With This. I'm Good With This, Too. The Dollar Value Is Probably Correct. Zoning Is Changed, You Have To Put Aspects Into Consideration And I Think You Should Move Ahead With It.

Commissioner Manning: Anyone Else In The Public Who Wishes To Speak. Going Back To The Board For A Motion And Or Discussion. Board Members?

Commissioner Hamman: Certainly Don't Want To Make A Motion At This Point. I Do Have A Question For The Broker. Could You Come To The Podium For A Quick Question. You Made An Interesting Comment Earlier That The Price Of The Property Goes On The Market Would Be Different Than 49 Million. Is That Price Higher Or Lower?

Higher. Substantially Higher. The Future Potential For The Development Areas Is Much More Significantly Valuable Than For Conservation Purposes. There's No Question It Would Be Overtime And Take A Longer Period, So It Was Decided Upon By The Seller To Offer To The County For A Prompt Closing Of That Price. And One Other Thing, Someone Left Their Glasses Up Here.

Commissioner Hamman: I Think That Was Bill. Yeah.

Any Other Questions? We're Good.

Commissioner Hamman: I'll Share With You After Considering This Property And How Important It Is, This Is Truly An Important Property That Deserves To Be Preserved In Perpetuity, Exactly As Has Been Discussed Today. One Of The Concerns I Have Would Be The Price Of The Property When You Start To Pay Above Appraised Value, I Think You Start To Hurt Maybe The Credibility Of The 20/20 Program With Several Of The Residents Not Here Today, Who Didn't Make The Attempt To Come Speak At The Hearing. While They Were Silent Today, You Know They Will Have Plenty To Say In The Future About Possibly Overpaying For A Piece Of Property. Because Of The Importance Of The Property And Because Of I Believe The Critical -- The Benefits We'll See From Preserving The Property, I Would Be Willing To Personally Go Up To The Highest Appraisal Value And Pay The Closing Costs As Well If We Wanted To Make That As An Offer.

Commissioner Manning: Any Other Board Discussion? County Manager, You Have Some Things You Want To Put On The Record.

Commissioners If You'll Indulge Me For A Moment. There Are Some Things We Want To Talk About With You. Starting With First Of All, Thanking The Board For The Opportunity To Really For The First Time Ever Have A Real Opportunity To Purchase The Land, Had It Not Been For The Modification To The 20/20 Ordinance, We Wouldn't Be Having This Style Of Conversation Today. It Would Have Gone Through A Different Process And I Would Suspect Might Be Far Less Successful In The End Than You Know, What Will Happen Following This Conversation Over The Next 30 Days Or So. I Would Like To -- Although Mr. Tobow And Others Have Characterized The Property, I Would Like To Go Through Them A Bit To Get Them In One Place. It's Based On Questions You Have Asked Of Us Individually And Others Have Asked Of Us As Well. I'll Do It Quickly. If You Have Questions, Stop Me And We Have All Of Your Professional Staff Here Today Prepared To Answer Any Question You Might Have Concerning This Property. And So Starts With, The Size Of The Property, Which Of Course Is Approximately 3900 Acres. The Question Has Been Asked, Where Is The Access To The Property. How Will The Public Get There? It's A 60 Foot Easement From Corkscrew Road To The Site At Just About The Power Line Transmission Which Is On The Map On The Screen, You Can See Is The Purple Line Running North And South Between The Property And Corkscrew Road. There Is No Southern Easement Currently Available. How Is The Land Being Used Right Now, Cow Grazing, Hunting, Timber Harvesting. Are There Known Incumbencies. The Subsurface Rights Remain With The Companies. The Question Has Been Asked And Hotly Debated, How Could The Property Be Developed If It Were In The Hands Of A Developer. The Current Land Use, Drgr And The Zoning Would Allow For Residential Development And Would Be Readily Available 255 Single Resident Units Available At The Rezoning. So More Dense Development Would Need More Discussion As On The Fact Sheet We Sent You. Some Of The Benefits, Edison Farms Continues Significant Natural Flow Ways. Respiration Through The Site Improvements Could Provide Enhanced Water Quality. It Also Provides Some Critical Species Habitat. How Might The County Use The Property Once Purchased? Development Of A -- As We Do With All 20/20 Properties, A Land Management Program, Although Access Would Be Limited, Board Walks And Paths Could Be Constructed For Recreation Activities. How Much Money Is Currently In The Conservation 20/20 Fund, Currently The Balance Is \$86.2 Million. The Ordinance Calls For Replenishment Of The 20/20 Fund When The Balance Is Below \$20 Million. It Doesn't Say At The Rate Or Level. Any Purchase Price That Takes Us Below The \$40 Million Requires Replenishment And We Can If Necessary Describe An Outline Of A Plan We Have For That Replenishment Should It Become Necessary. How Long Would It Take To Acquire The Lands? Recognizing Every Situation Is A Little Different, Typically The Closings Take Place Within 120 Days After The Board Gives Us Formal Approval To Offer A Purchase Agreement To The Seller. So I Think I'll Stop There And We Can See If You Have Any Questions.

Commissioner Manning: Any Questions By The Board?

Commissioner Pendergrass: Roger, Access, I Had That Question A Few Months Ago And During A Site Visit I Noticed It Was Limited. If Someone Wanted To Develop It, Where Do You Get Access. Eastern Board You Can't Get Access Or Western Border. The Only Access Now One To Two In The Future Of The Northern Portion.

Currently The Only Access Available To The Site Is Through The Area Up There --

Commissioner Pendergrass: Was That The Same Alignment For The Original Process?

That Is.

Commissioner Pendergrass: Okay.

Commissioner Mann: We All Need To Weigh In On This A Little Bit. From Time To Time In The Past, Commissioner Kiker I Have Heard You Speak Of The Support. I Think All Of Us Want That. No One Would Stand Up Today And Say It Wouldn't Be A Valuable Addition To The 20/20 Inventory We Have. I Have Supported This For Nine Years Or Whatever The First Time It Was Brought Up. I Still Support It. I Think There Are A Few Parcels That We Haven't Bought Or May Buy In The Future That Would Be As Valuable In Terms Of The Concept The Reasons We Buy The Land Under 20/20 Anyway. It's A Critically Important. Price Is The Issue. I'm Hung Up Paying Substantially More Than The Average Appraisals Which Is What We Generally Let Ourselves Be Guided By. Recently, Yes, There Is Precedent For Super Majority Vote. It's Only A Couple Months Ago We Bought The Sanibel Parcel And Paid Above The Appraisals, But We Also Had A Partner That Brought The Purchase Price For The County Down. There Was Justification For Approaching It That Way. The Bob James Parcel, Which Was Very Similar To This, North Side Of The River, We Paid About \$7,500 An Acre For That Land. This Is Eight, Nine Years Ago. Eight Years Ago. This Is Nearly Twice Per Acre For The Same Kind Of Land. Now, I Know It's Later But The Value Of Wetlands Has Not Increased That Much In Lee County In The Past Decade. In Fact, Wetlands Aren't Viable, You Can't Develop Them. Whether It's In State Law Or Case Law Or Our Own Local Ordinances, You Can't Go Around Developing Wetlands And This Is A Huge Percentage Here. We Have Three Appraisers Here, Well Established In Lee County And Southwest Florida That Know What They're Talking About And They Have A Grip On The Market Here. Their Average Is 38 Million. Average. And We're Being Asked To Pay 49. 11 Million More. I Just Cannot Believe There Is Another Purchaser Sitting Around The Corner Waiting For This Meeting To Be Over So They Can -- If We Don't Buy At 49 Million, They Will Jump In And Buy It At Whatever Price Is Available. Whoever Wants To Do That And Develop The Land, I Can't Think Of A Parcel In Lee County That Will Be More Difficult To Get The Units Per Acre That Was Talked About. The Hoops Have You To Jump Through Are Enormous To Get There.

Mr. Chairman And Board Members, I Would Just Caution The Board, You Don't Have Site Development Application In Front Of You. It's Appropriate To Talk About Perhaps The Length Of Time But Certainly Please Stay Away Of Likelihood Of Success, But Please Don't Comment On Any Judgments As To How The Process Might Turn Out.

Commissioner Mann: Well, What I'm Talking About Is Not Specifically Related To Edison Farms. This Is Speaking To My Experience Of Nearly 40 Years In Public Service And Living All My Life In Southwest Florida And Knowing How Difficult And Timely And Timely Is Money -- I'm Not Talking About Edison Farms. I'm Talking About A Process Here. One That You're All Familiar With. That Developer Out

There With A Bag Of Money Is Not Sitting There Anxious To Go Through That Process. What Did It Cost To Build The 60 Foot Wide -- A Couple Million Dollars Just To Build The Road To Get Here.

Mr. Chair --

Commissioner Mann: It's Only A Mile Long.

We Have An Estimate To Build The Road At About \$12 Million.

Commissioner Mann: 12 Million. That's A Little More Than The Two I Just Threw Out There Being Overly Cautious. You Start There With What The Developer Is Going To Have To Commit To Develop Something That Is Wetlands. I'm Talking Price Here Folks. I'm Not Talking If We Should Buy It Or Not. I'm Totally Committed But It's One Of The Conversations That Starts Out, I'm For This But -- I Heard You Say That Same Thing Mr. Hamman. I Would Like To Play Poker With You Two, You Throw Your Money Out Here, Here's My Highest And Your Highest.

Commissioner Manning: Pick A Night.

Commissioner Mann: I Want This Property And I Think It's Going To Be Available To Us For Some Time In The Future. I Am Perfectly Happy Of Making And Or Supporting Or Seconding A Motion That Would Say We Are Going To Offer What Lee County Has Been Offering For The 20 Years This Program Has Been In Effect, The Average Of The Appraisals Here. And Let's See What Kind Of -- Is There A Dialogue To Go On. I Don't Know If That's My Bottom Line But I Can Tell You 49 Is Not My Top. I Can't Get There From Here. I Can't Get To 42 Here Yet. I'm Happy At The 38 And I Think It's Fair And I Don't Think It's Going To Run Off Down The Road. This Property Was In Bankruptcy And Foreclosure, It Has A Disastrous Record Behind It. It's Not Our Obligation To Bail Out The Folks Who Lost A Bunch Of Money On It. We Need The Property, I Hope We Can Get It. I'm Willing To Make A Motion.

Thank You Mr. Chairman. Back To The Business At Hand, I First Would Like To Recognize Mr. Tobow Who Has Spent Considerable Time On The 20/20 In The Past Year. I Think Through His Leadership We're Here Today Talking About The Property. I Think That This Board Should Be Commended Along With Staff As Mr. Roger Desjarlais Mentioned, We Weren't Buying A Lot Of Property For A While And At That Point In Time, We Looked At The Process Of 20/20 And This Board Changed The Way We Do Business. That Was Particularly In The Area Of Willing Seller That Was Reason This Program Stalled Out. We Actually Changed The Program So We Could Pursue Property We Thought Was Strategic And This Is The Best Example I Think I Can Come Up With. And Had We Not Done That, The Call For Offers Would Not Have Been Heard By Lee County. My Congratulations To You Folks For That Success. Has There Been Any Negotiations Done To This Day?

No, Sir. It Was In -- On January 24th The Board Authorized The Staff To Begin Fact Finding.

Commissioner Kiker: That's Where We Got To Where We Are Today, Through The Recommendations Two Old Appraisals, Back In The Day I Guess \$170 Million Episode. So This Board To Your

Recommendations Again, Said Let's Update The Appraisals And Then We Went Outside Of The Box And Said Let's Do A Third Because We Kind Of Saw This Coming. And So That's When We Had Three Appraisals Already. I Don't Think You Can -- Your Fact Finding With Oil And Gas And Minerals Is What Came Out Of This And The Appraisal Prices. That's Where We Are Today.

Yes, Sir.

Commissioner Kiker: As A Representative, The Statement Is Made That \$49 Million Is The Price They're At. It's Not Hard To Count Developments, I Don't Think We'll Get A Super Majority At 49 Million. I'm Not Hearing That. Based On The Comments, It's Hard To Put A Price On Conservation, Education, Recreation, Water Quality, Quality Of Life, All The Characters We Have Talked About So Much Times. But I Do Think This Is The Time To Begin The Negotiations. I Think It's Correct. Since We're Not Going To Get A Super Majority, I Believe Going Out At The Highest Appraisal Value Possible, I Don't Think It's Out Of Bounds, Would Be A Point To Begin The Negotiations. And I Think At That Point In Time, We're Going To Be Gone For The Most Part Through July In Terms Of Being Able To Put A Meeting Together That We Could Further Consider --

This Would Be The Last Meeting Until August 1st.

Commissioner Kiker: I Think We Need A Price To Start Negotiations Through Staff And Authorized By The Board To Perform Negotiations Because You Haven't Had That Capability Before. I Would Hope Going Forward Today That We Would Stay Within The Confines Of The Appraisals Given To Us And Instruct Our Staff And Legal Staff To Pursue Negotiations And I Know There's Another Party Involved And That's Something People Don't Think About Sometimes Is That You Still Have Another Person We Have To Talk To, The Ones That Own The Property And Maybe They Don't Act As Fast As We Think They Should. They're Going To Go At Their Own Pace And So Should We. I Don't Know If That Would Constitute A Motion -- If It Does, I Would Like For -- I Do Think This Is So Important. If I Could Have Legal Help Me Formulate That Motion So We Can Move Forward On The Property.

Mr. Chairman? As I Understand, The Commissioner's Desire A Motion To Authorize Staff To Commence Negotiations For Acquisition At A Price Not Exceeding \$42 Million Or The Highest Appraisal.

Commissioner Kiker: I Would Say That Would Be Our Initial Offer And Continue Negotiations Depending On What Comes Out Of That. We Have Different Things That Need To Be Talked About And Discussed. I Think There's Got To Be Some Conversation, As An Example, Just Removing The Exotics, I Think You Said 2 Million, I've Heard Upwards Of \$8 Million To Remove Those. Those Are Real Dollars. It Doesn't Take Very Long, We're Talking About A Lot Of Money. And So I Think We Need To Be Careful. But That's Pretty Much Where I'm At.

Commissioner Manning: There's A Motion On The Floor By Commissioner Kiker. Is There A Second?

Commissioner Pendergrass: I'll Second With Discussion Please. We Have A Great Opportunity Here. There Are Still Some Things We Have To Figure Out. Like The Gas Rights And Access. We Have An

Opportunity Here In Lee County To Make History. I Mean, This Is 4,000 Acres. It's Not A Quarter Acre. This Is 4,000 Acres. It's Really Important, I Think That's Why We Continue Our Negotiations And That's What I Came Here For Today, To Continue Through The Negotiations. I Know It's Important But Also Important To Be Fiscally Responsible. We Saw Last Year In November The Program Is Successful Because Voters Trust Us With The Money. That's Why It's Important To Do What's Right With Their Money. I Think It's Important To Move Forward With The Appraisal Process And Also Negotiations With The Seller. We Have An Opportunity To Make History In Lee County And I'm Happy To Be Part Of It On The Board That We're Making Possibly The Best Purchase Here In Lee County For Access. How Much Does It Cost To Give Access And How Much Does It Cost To Clean The Property Up. It's A Great Opportunity For A Master Plan For 4,000 Acres For The Wild Life And Water But Mostly Public Access To The Property Is Important To Me.

Commissioner Manning: Further Discussion?

Commissioner Kiker: If I May Add One Thing, I Would Like To End The Discussion Of The Possibilities It's Going To Turn Into Development Down The Way. That's Never Been Talked About, It's Never Been Considered And As Far As I'm Concerned, It's Not Part Of The Possibilities On This One. So I Hope We Can End Those Ideas Out There That That Might Happen Some Day. I Truly Believe This Is Qualifies Under The 20/20 Program And Perpetuity Is The Correct Word In Terms Of Conservation. So I Hope We Can Get Rid Of The Conversations. Please.

Commissioner Hamman: Thank You Mr. Chairman. One Of The Things I Wanted To See If We Could Add Into The Motion Would Be I Would Like To Urge The Staff To Go Ahead And Pursue Partnerships With The Trust, Brenda Brooks Just Spoke Today, She Doesn't Know How Much They Have To Offer But Would Be Willing To Partner To Get To The Final Price. Certainly I Think There's An Opportunity For The Conservancy, They Boasted They Have 6,000 Members. For \$1,000 A Member, We Could Get An Extra \$6 Million To Get Toward The Price. Maybe They Could Help Us Get To The Final Price And The Charlotte Harbor Program, Too. I Think We Should Try To Seek Out Partners Just Like With The Recent Purchase On Sanibel. I Think It's A Model That Has Worked Well In The Past.

Commissioner Kiker: Does The Maker Of The Motion Agree? I Would Not. I Think We're Jumping The Gun. I Haven't Heard Their Offer Has Been Accepted Or Not Accepted. And So, I Think That It's Not Appropriate At This Time. I Think Perhaps The Next Conversation Depending On Where We Are.

Just To Weigh In On The Issue It Might Be Appropriate In The Future But If We Consider The Options Now, Seek Partnerships, That Can Clearly Envision Any Number Of People Who Would Want To Be Involved In The Negotiations And That Could Really Complicate The Process At The Moment. But Once We Have A Chance To Ultimately Bring Back A Purchase Agreement Then That May Be Probably The Better Time To Have That Conversation And See What You Think.

Commissioner Hamman: Sounds Good, I Guess. Personally I Feel More Comfortable With The Motion Outlined By Commissioner Mann Earlier. I See We're Going To Start At The Highest Appraised Value. I Think If You're The Seller And Realize You Make A Counter -- If We Start At The

Highest And The Seller Makes A Counter Back, They're Killing The Deal And Taking A Chance They May Or May Not Get Another Offer Back From Lee County. I Do Have Reservations About Starting At The Highest Appraised Value --

I Understand.

I Just Want To Reiterate, I Appreciate All The Dialogue And As We Have In The Past With The County Staff, We Will -- They Have Done A Great Job And We'll Open Those Discussions. I Just Want To Reiterate What County Attorney Welsh Mentioned, We're Walking A Fine Line When We Start Talking About What Could Or Couldn't Happen With Entitlements On The Property And We Want To Be Very Careful About How We Talk About That. That's Not Something We Should Be Broaching Here. If It's Sold To A Developer They Have To Go Through The Process, I Know It Would Be A Long Process, No One Questions That, But We Need To Keep That Out Of This Dialogue. Thank You.

Commissioner Hamman: I Wasn't Going There.

Commissioner Manning: There's A Motion And A Second On The Floor.

Commissioner Mann: Final Comments, I Want To Add To Mr. Tobow For Bringing The Offer To Us. There's No One In Lee County That Enjoys As A Realtor In Commercial Activity A Better Reputation Than You And Your Company And It's Well Established And In Good Times And Bad, He Showed Himself To Be A Leader All The Way Through. I Was Proud To Appoint Him To The Blue Ribbon Committee To Review The 20/20 Program And Approve It And Make It More Effective In Terms Of Buying At The Right Price And With The Class Act Committee Has Evolved With His Participation, Willing To Sit On The Committee. So We Have A Broader Perspective Of Values And That Sort Of Thing. So His Contribution Has Been Through The Public Interest And He's Clearly Demonstrated That The Past Three Or Four Years. Thank You Randy. Thank You For All The Work You Have Done On This. I Hope We Can -- Everybody Hopes We Can Buy This. What We're Talking About Here Is A Price And How We Get There. I Would Like To Begin At The Lowest One. We Have Kind Of Already Played Our Cards Here. We're Playing With Our Cards Up. We Hope We Split The Difference. I Don't Know What Kind Of Games We Play Here. But That's Why I Liked 38. And It Was Based On The Tradition Of What The County Normally Uses For A Starting Place And Frequently The Finishing Place. I Don't Want To Leave Here With A Message To The Seller That This Is Just A Negotiating Game, We'll See What We Can Come Up With And I'm Willing To Go A Whole Lot More. I'm Not Willing To Go A Whole Lot More. I Was At 38. You Could Have Broken My Arm Because 50 Years From Now, Nobody Is Going To Know About This Conversation. They'll Know You -- What Is The Number On The Motion?

Commissioner Manning: 42.4 Is The Highest Appraisal.

42.35.

Commissioner Mann: I'll Support The Motion. What A Blessing If We Came Back In August And Strike A Deal.

Commissioner Manning: Further Discussion.

Mr. Chair, Just To Clarify The Motion Please. Authorizing Us To Make The Formal Offer Of \$42,435,000 To Negotiate.

Commissioner Manning: Correct. We'll Be Back In August, Trust Me. Any Further Discussion, Objection? Motion Carriers. Next Commissioner Items, Committee Appointments Commissioner Mann.

Commissioner Mann: Not Today. Thank You.

Commissioner Pendergrass: Commissioner Item. I Had An Opportunity To Go To Washington D.C. And Represent Lee County There. Most Of You Have Done It But What An Amazing Experience To See The Staff And How We Work Together With Other Groups Here And Across The World On A Global Market. The Market Is So Important To Our Area For The Tourism And I Want To Command Pamela And All The Girls At The Office Of What They Do Over There. A Great Program And Met A Lot Of Great People Across The World. And I Had Great Conversation In Dc About The Flood Insurance We Acquired In September. That's Coming Back Up Soon. Hopefully We Have [Indiscernible] And The Rest Of The Deligation. And I Have Three Reappointments. A New Appointment To The Tec And [Indiscernible]

Commissioner Manning: Second Discussion. Motion Carriers. Commissioner.

Commissioner Hamman: I Have James Riley Junior To The Human Services.

Commissioner Manning: Motion Carriers. Commissioner Kiker.

Commissioner Kiker: Thank You. I Have Five. I've Got Two New, Christopher Clausen To The Old Pelcan Bay. Nicki Rainy. Stephen Slusher, Janet George And One That We've All Talked About Her, After 32 Years Pam Myers. 32 Years Service.

Commissioner Manning: Second? Motion Carriers. I Have One Tony Lappy To Tourist Development Council. Motion Carriers.

Commissioner Mann: If I May Commissioner Items, Just A Quickie Here. I Have Been Absent -- I Think You Have Seen Copies Of A Note Talking About Section 10 That You And I Attended A Meeting On A Year Ago In Lehigh. It's A Section Of Land That Used To Be Partially Mined But For Water Storage, They Would Love For Us To Include That In The 20/20 Program. It's Headed Our Way. The Reason I Mention It, This Kind Of Message Back To The Folks, They Would Like Us To Consider Buying This And Using It As A Water Quality Component To Work Side By Side With C-43, The Water District Moving Forward On. That Is Too Much For Us To Embrace At One Time, To Figure Out How To Make Water Quality Component Work, This Early, Right Now When We're Trying To Talk About Buying Or Not Buying And It Complicates Things. I'm Just -- This Is A Way Of Saying We Hear You. I Think There's Probably Going To Be Support. We Were Hoping The State Would Participate. They Have Not. I

Think It Has Great Merit And I Would Like To See It Go. I Don't Want To Complicate It By Talking About Things That The Welcome District Have Yet To Entertain.

Commissioner Manning: We'll Go To County Manager Items.

Thank You. Just A Very Quick Thank You To The Board First Of All For Your Deliberations On Edison Farms And I Want To Thank The Lead Of Our Team During The Fact Finding Exercise We Have Been Through For The Past Several Months. You Know, Glen Really Did The Heavy Lifting On Putting This Whole Thing Together For Us And Did A Great Job. Just Wanted To Say Thank You To Glen.

Commissioner Manning: County Attorney Items.

Nothing Further. Thank You.

Commissioner Manning: Next At Public Presentations By Matters Of Citizens. Three Cards. Chris Pierce, Bobby Peterson. Christopher Pierce. He's Not Here. Bobby Peterson. I'm Sorry, Robertson. You're Right.

When I Got The Information I Was Here At 8:30. I Was Here A Little While Waiting For My Little Talk With You. Good Morning Commissioners. We Retired To Fort Myers In 1995. I Am Now In My 82nd Year And I've Been A Master Gardener In Lee County Since 2005. I'm The Curator Of Our Herb Garden Here At Terry Park. And This Is A Demonstration Regarding Starting In 2002. This Garden Is Open To The Public To Learn What Type Of Herbs Grow Here In Southwest Florida. I Had A Health Bump In The Road Last Year By Having A Major Heart Attack. I Am Fully Recovered And Back Doing What I Love. This Is Sharing Knowledge About What I Know About Herbs And Vegetation And Our Wild Life. Master Gardener Class Of 2016 Has Helped Do A Clean Up At The Garden For The Past Five Months. A Total Of 34 People, Each Worked 12 Hours Volunteer Hours And Saved The County \$8,684. The Garden Is But One Project Master Gardeners Do Throughout Our County With Volunteering. On Saturday June 24th, This Coming Saturday, The Extension And The Food Exchange Will Be Hosting The Taste Of Lee. And That Will Be At The City Gate Ministries On Jackson Street. If You Saw, This Past Week, There's A Little Article About The Tasting. We Have Been Doing This For Several Years And It Gives The Public An Opportunity To Come In And -- For \$2. Children Are Free. The Opportunity To Taste Different Kinds Of Fruits That We Grow Here In This County And Throughout Southwest Florida. We Hope You Will Join Us And Thank You For Your Time.

Commissioner Manning: Thank You. Carla, The Last Card I Have.

Good Morning. I'm Carl And I Would Like To Respectfully Submit To You That We Do Not Build On Kitson's Land In Lee County. He Told The Public He Would Submit The Area That Is East Of The Property And He Never Did. I Don't Know What You Call That. But I Want You To Call Him On That. He's Told Someone Else That He Would Act On That And He Did Not Do That. And That Is Someone Else In A High Capacity. Twice He Said He Would Sell The 4,300 Acre Parcel. George Wheatland, Again, Before He Died, He Said Carl This Is The Best Uplands On The Babcock Ranch. We Need To Buy It. And You Know, George Was A Charged With That Area On The Ranch. Mr. Kitson Many

Times Said He Would Pay For The Roads That The Infrastructure In The County. So What You Will Find Way Back When Obama Came In, He Applied For Our Tax Money. He Wasn't Going To Pay For It And You Should Call Him On These Two Aspects. I Respectfully Submit That Ruby Daniels, And Many Other People Like Holly Schwartz And Steve Brocket, I Could Go Down The List To About 10 Others Do Not Want To Take This Property Away. You're Ruining The Value Of The Property. And I Say Are You Going To Be A Mice Or A Man. Are You Going To Nibble On Kitson's Development, His Cheese Or Stand Up As A Man And Change Your Vote And Keep This Property Out Of Lee County To Keep Us Rural. And We'll Be -- You Know, This Was -- Nobody Knew About This Meeting When You Voted On This. And Ruby And Her Contingent And All Of Lee County Will Be Back When This Goes Through Zoning. Thank You.

Commissioner Manning: That's The Only Card I Have. Any Members Of The General Public Who Wish To Speak On Any Items?

Hope We Have A Great Healthy Summer.

Commissioner Manning: Wait. Work Session Update.

Thank You Mr. Chair. The Work Session For This Afternoon Has Been Cancelled. Hope Everyone Has A Great Summer And We'll See You August 1st.

Commissioner Manning: Any Public Comment? Seeing None, We're Adjourned, Thank You.