

May 16, 2017

Commissioner Manning: Good Morning Everyone. Today Is May 16th 2017. We Have Our Invocation By Rabbi Marc Sack Of Temple Judea. Thank You For Being Here. I Know That You're Expending A Lot Of Energy. I Ask Moment Of Silence For The Executive Director Of Lark, He Spent Many Decades Involved In The Disabled Population Here In Lee County And The Other One Was Former Commissioner Harry Robert Who Passed Away Suddenly. I Would Ask My Colleagues For A Moment Of Silence. Thank You.

In Our Synagogues This Weekend, It Will Be The End Of Leviticus Including 25:10. You Shall Proclaim Liberty Throughout The Land, For All Inhabitants, Those Words Are Described On The Liberty Bell Of The Country Because They're The Very Spirit Of This Country. The Goal Of America Is To Extend Freedom. Freedom Of Belief, Freedom Of Expression, Freedom Of Opportunity To All People. This Commitment To Freedom For All Was The Real Revolution Of America And Makes Us Great Today. For All Of Us Gathered Here Today I Pray This, That We May Never Forget That Our Job Is To Extend Freedom To Every Person Of Our Community, That Those Of Us In Public Service Never Forget That We're Here To Serve, To Serve The People Of Lee County. That We Never Forget Our Dream, That Through Freedom Of Expression And Freedom Of Opportunity, All People In Lee County Can Live A Life Of Dignity. For The Many Blessings Our Country And Community Give Us, We Give Thanks. We Pray We Are Doing God's Will In Our Service To Our People In Our Country, We Pray For God's Guidance Today And Every Day. Amen.

Commissioner Manning: Please Remain Standing For The Pledge. (Pledge Of Allegiance)

Commissioner Manning: Thank You Again Rabbi. We're Starting Out The Meeting With Ceremony Presentations, Commissioner Pendergrass, Presentation For Trauma Awareness Month.

Commissioner Pendergrass: Carol And Her Staff, Can You Come Forward, Please? There's A Lot Of Staff Here From Lee County Trauma Unit. Thank You. Stand At The Podium. I'll Read The Resolution To The Group. And Afterward, We'll Present You The Resolution And Come Forward For Pictures And Speak At The Podium. Thank You For Joining Us This Morning. Honor Trauma Awareness Month In The County, Whereas Designed To Raise Attention To Trauma And The Devastating Impact Of Traumatic Injuries And Trauma Is The Leading Cause Of Death For 1-46 Every Year, Someone Traumatic Injured Every 12 Minutes In Florida. Motor Vehicle Crashes Make Up More Than 76% Of All Trauma Cases Treated Each Year. In 2016 More Than 2568 Floridians And Visitors Were Treated At The Trauma Center. We Resolve That The Board Of County Commissioners Of Lee County Extends Greeting And Best Wishes To Those For Trauma Awareness Month During The Month Of May, Dually Executed This Day May 16th 2017. Thank You For Everything You Do. (Applause) Please Come Forward. Thank You For Everything You Do Every Day.

Commissioner Mann: I'm Glad You're There. I Hope I Don't See You Professionally. I Hope I Never Have To See You All.

If You Do, You're In Good Hands.

Commissioner Pendergrass: Now If You Want To Go To The Podium And Tell Us More. Thank You For All The Services You Do Here In Our Region. You Serve All Of Southwest Florida.

On Behalf Of The Trauma Unit Advisory Board And Our Wonderful Trauma Team We Have, We Thank You For This Attention And To Be That You're Bringing It To The Attention Of Our Community, Which Is Exactly Why We Have The Advisory Board, So We Can Reach Out Into The Community And Make People Aware That We Are And Our Team Is Ready To Help And Have Been On Board For Quite Some Time Now. Thank You. (Applause)

Commissioner Manning: Thank You Commissioner. Next, A Presentation Recognizing Ems Week. Commissioner Kiker.

Commissioner Kiker: I Would Like To Invite Rob Farmer, The Director Of Public Safety And His Team, I Think He Brought A Few Folks With Him. And We Have Three Chiefs With You And Your Staff. We Sure Do Appreciate You All Coming Down Here And Spending Time With Us Today And This Is Entirely Appropriate To Follow Commissioner Pendergrass's Presentation. This Is The Emergency Medical Service Week. Come On Up Folks. This Is For You. So This Is A Resolution By The Board Of County Commissioners Whereas Emergency Medical Service Is A Vital Public Service And Whereas The Members Of Emergency Medical Service Teams Are Ready To Provide Life Saving Care 24-Hours A Day 7 Days A Week. And Whereas Access To Quality Emergency Care Dramatically Help The Survival Rate. And Whereas, The Emergency Medical Service System Consists Of First Responders, Emergency Medical Technicians, Paramedics, Firefighters, Educators, Emergency Physicians And Others. Quite A Team You Have There. Whereas The Team Of Emergency Medical Service Teams Whether Career Or Volunteer, Have Hundreds Of Hours To Advance Their Skills And Whereas It's Appropriate To Recognize The Value And Accomplishments Of Medical Emergency Service Providers By Designating Medical Services Week, Be Resolved That The Board Of County Commissioners Of Lee County Declares The Week Of The Medical Services Week In Lee County With The Theme Ems Strong Always In Service. And Encourages The Community To Observe This Week With Appropriate Programs, Ceremonies And Activities. Congratulations. (Applause)

Come On Up And Have A Picture. (Background Noise)

Commissioner Mann: Congratulations Guys. How Are You Dear? Good To Have You This Morning. (Background Noise) (Applause)

Thank You Commissioners. As You Mentioned Commissioner Kiker, We Celebrate National Ems Week. It Has Been Observed For More Than 40 Years And Here In Lee County It Celebrates And Honors The First Responders And Medical Professionals That Provide Day-To-Day Life Saving Services To Your Community. This Theme Is Always In Service. Here At Lee County Public Safety We Have

Nearly 400 Dedicated Providers And Support Staff That Care Deeply For Community And Each Other. It's What Gets Us Up In The Morning And Keeps Us Focused On Our Work Every Day, Even When It Can Be Difficult. Let Me Thank You For Your Continued Support To Residences And Businesses Here In Lee County. And Dispatchers, First Responders, Law Enforcement, Firefighters, Emt's, Paramedics, Pilots, Nurses, Physicians, Allied Health Officials And Our Wonderful Support Staff. Thank You For The Work You Do Each Day. Thank You For Dedication To Our Services And Profession. (Applause)

Commissioner Kiker: As We Have Learned, When These Folks Are Called To Duty, It Literally, They Count Seconds Of How Long It Takes Them To Get There To Work With The Folks In Need. So We Appreciate You Doing -- There's A Lot Of Stress Involved With That. We Recognize That And We Think It Is So Important Not Just For Us But The Folks Who Use Them. Thank You For What You Do.

Thank You Mr. Chairman.

Commissioner Manning: Thank You Commissioner Kiker And We Have A Presentation For Bladder Cancer Awareness. Commissioner Hamman.

Commissioner Hamman: Will Karen Godfrey And Her Team Come Huddle Around The Podium Here. I Will Read The Proclamation And Then Take A Picture. Karen, Are You The Spokesperson? After We Take The Picture -- Okay. Very Good. It Is My Pleasure To Read This Proclamation On Behalf Of The Lee County Board Of County Commissioners To You. Bladder Cancer Is The Sixth Most Common Cancer In The United States And Among The States, Florida Has The Fourth Largest Population, The Third Highest Incidents Of Bladder Cancer And Whereas Bladder Cancer Is The Fourth Most Common Cancer In Men And 10th In Women. And Whereas, Men Have A One In 26 Chance And Women Have A One In 90 Chance Of Being Diagnosed In Their Lifetime. This Year In The United States, Approximately 77,000 New Cases Of Bladder Cancer Will Be Diagnosed And Nearly 17,000 People Will Die Unfortunately From The Disease. And Whereas Bladder Cancer Occurs More In Women Annually Than Cervical Cancer And Women Often Have A Delayed Diagnosis. And Where Bladder Cancer Can Occur At Any Age, A High Number Of People Suffering Are Over The Age Of 55. Even Though Bladder Cancer Is The Sixth Most Common In The United States, It Ranks 22nd In Research Money And Due To The Reoccurrence Rate, It Is One Of The Hardest To Treat. The Board Of County Commissioners Proclaims The Month Of May 2017 As Bladder Cancer Awareness Month. It's Dually Executed And Signed By Our Honorable Chairman John Manning This Day 16th Of May. Thank You For What You Do. (Applause)

Commissioner Mann: We Don't Bite. We Thank You For What You -- Handouts, Thank You. (Background Noise)

Thank You Commissioners. We're Very Grateful For This Proclamation And For Bringing Awareness To Bladder Cancer. We Are Part Of A Bladder Support Group Within Lee County And Well In Fact, All Of Southwest Florida, Bladder Cancer Advocacy Network. We Appreciate You Bringing Attention To This Situation In Our Community. (Applause)

Commissioner Hamman: Thank You Mr. Chairman.

Commissioner Manning: That Concludes Our Ceremony Presentations. We'll Go On To The Recap. Under Items To Be Deferred Or Continued We Have None. Revisions Corrections, We Have Administrative Number One. We'll Take Up A Motion At The Time. Mr. Attorney, Is That Correct? Okay. Under Agenda Items To Be Pulled For Discussion, No Items Submitted. Walk-On Items, We Have One Walk-On And One Commissioner Item, Commissioner Kiker. We Have A County Attorney Discussion On The Burn Ban. And Next, The Agenda, Are There Items To Be Pulled? Any Members Of The General Public Who Wishes To Speak? Seeing None, We'll Go Back To The Board For Discussion And Or A Motion.

Commissioner Mann: Move To Consent Agenda.

Commissioner Manning: By Commissioner Mann And Seconded By Commissioner Pendergrass. Motion Carriers. We Need To Concentrate On The Administrative Agenda, Item A-1. We Need To Accept A Motion For Adding The Verbiage In The Recap. Public Comment From Members Of The General Public Who Wish To Speak On The Item. Seeing None, We'll Go Back To The Board.

Commissioner Hamman: I'll Move Approval Of Item A-1 With Revisions.

Commissioner Manning: Motion By Commissioner Hamman And Second?

Commissioner Mann: Second.

Commissioner Manning: Motion Carriers. Item A-2. Anybody Wish To Speak On This Item Of The General Public? Back To The Board For Discussion And Or A Motion. Motion To Approve This Item By Commissioner Hamman. And Seconded By Commissioner Pendergrass. Discussion, Objection, Motion Carriers. A-3 Administrative Agenda. Any Members Of The General Public Who Wish To Speak On This Item? Going Back To The Board For Motion Or Discussion. Item A-3. Moved The Item By Commissioner Kiker. Is There A Second? By Commissioner Pendergrass. Motion Carriers. We'll Go Into The Public Hearings. We Have Several Public Hearings This Morning.

Thank You. Good Morning. Assistant County Attorney John Fredyma. I Wanted To Add One Thing To The Record With Respect To Consent Agenda Item Six, An Exchange Under The Florida Statute. It Is Legally Sufficient For You To Have Taken The Action You Have Taken This Morning On That Item. I Wanted To Put It On The Record. We'll Follow Up To Make Sure The Original Was Delivered. I Have Four Of Your Items. Petition To Vacate, A Series Of Affidavits, And An Affidavit Of Posting Which Is Required By The Administrative Code. All Four Affidavits Are Publication And Two Of Posting Are Reviewed And Legally Sufficient With Respect To Form And Content And I'm Going To Provide Those To Your Board's Clerk. Taking These As They Appear On Your 9:30 Item Agenda, The First Is Vac-2017-0072. This Is For Vacate Of Tice Street.

Commissioner Manning: Are There Members Of The General Public Who Wish To Speak On This Item. Back To The Board For A Motion Or Discussion. Motion To Approve This Public Hearing By

Commissioner Pendergrass And Seconded By Commissioner Hamman. Discussion, Objection, Motion Carriers. John?

Number Two, Case Number Vac-2017-00004. Vacate Between Broadway And 2219 Hunter Street In Fort Myers.

Commissioner Manning: Questions Of Staff? Any Members Of The General Public Who Wish To Speak On The Item? Seeing None, Back To The Board For A Motion And Or Discussion. Motion To Approve The Item By Commissioner Kiker. Second? By Commissioner Hamman. Motion Carriers. Number Three.

Case Number Vac-2017-00001. Vacate A Portion Of Public Utility Easement At 215 Scott Avenue And 217 Scott Avenue In Lehigh Acres.

Commissioner Manning: Questions? Any Members Of The General Public Who Wish To Speak On The Item. We'll Go Back To The Board For Motion Or Discussion. Motion By Commissioner Mann And Seconded By Commissioner Kiker. Motion Carriers. Number Four.

The Next Is A Petition To Vacate A Public Utility Easement At 123 Fourth Way In North Fort Myers.

Commissioner Manning: Any Members Of The General Public Who Wish To Speak? Seeing None, Back To The Board. Motion To Approve By Commissioner Hamman And Seconded By Commissioner Kiker. Motion Carriers. Number Five, John.

Thank You Mr. Chairman.

Item Five Is With Regard --

Commissioner Manning: I'm Sorry Mr. Richard Wesch.

The Agreement Between Lee County And Florida Power And Light. This Is A Public Hearing, Although We'll Adopt An Ordinance, An Agreement Between The County And Fpnl. I Will Hand The Proof Of Publication To Your Clerk, We Are Authorized To Proceed. This Is A 30-Year Agreement That Has Been Negotiated Between The Parties And Ripe For The Decision By You. We Request You Adopt It.

Commissioner Manning: Are There Members Of The General Public Who Wish To Speak On This Item? Seeing None, Back To The Board For A Motion And Or Discussion. Motion To Approve The Item By Commissioner Mann, A Second? Thank You. Seconded By Commissioner Hamman. Discussions? Objections? Motion Carriers. Number Six.

Good Morning Members Of The Board. I Have Your Affidavit Of Publication For Your Number Six Public Hearing. I Have Had An Opportunity To Review The Form And Content Of The Affidavit And Find It Legally Sufficient For You To Proceed.

Commissioner Manning: Questions By The Board Or Staff? Seeing None, Going To The General Public. Any Members Of The Public Who Wish To Speak On The Item? Seeing None, Back To The Board For Motion And Or Discussion. Motion To Approve By Commissioner Pendergrass. Seconded By Commissioner Kiker. Motion Carriers. That Does It For Public Hearings. We Have One Walk-On Agenda Item, Approved Quality Tax Refund For Gartner Expansion. Any Staff Members Wish To Put This Item -- Go Ahead.

Mr. Chair. Commissioners, To Approve Qualified Target Industry Refund Program -- Try Again. Is That Better? Thank You. Good Morning Commissioners. This Item Is To Approve A Local Match For The State Of Florida's Target Ministry Tax Refund Program For Another Gartner Expansion Project. The Company Is Proposing To Build A Fourth Class A Office Building In Our Community And Fill It With 600 New Jobs Paying Average \$68,000 Per Year. The Total Incentive Package On Offer Is \$5.28 Million. 1.8 Would Be From The County And 3.48 Million From The State. The Pay Out Of The Incentives Would Be Over An Eight Year Period And Administered By The Florida Department Of Economic Opportunity So They'll Handle Compliance. The County Will Make A Contribution To The State As The Jobs Are Created After The Taxes, After Gartner's Tax Liability Had Been Paid And It Would Be In The Form Of A Refund To The Company Pure Paper Performance Incentive. The Company's Long Time Site Location Advisor Is Here Should You Have Questions Or If You Have Questions Of Staff, We're Prepared To Answer Now.

Commissioner Manning: Questions By The Board Of Staff?

Commissioner Hamman: If I May, Just To Cover Some Things And Put Them On The Record. Glen Gartner Has Had Incentive Agreements With Us Before?

Yes, Sir They Have. This Would Be I Believe The Fourth Deal With Gartner. They Are In The Process Of Implementing Two Of The Previous Agreements Are Ahead Of Schedule On All Of Them. If This One Is Approved Today, It Would Ultimately Get Them To About 2,350 Employees In Lee County.

Commissioner Hamman: So They Have Exceeded Expectations?

Thus Far They Have Exceeded All Agreements And Ahead Of Schedule For Job Creation And All The Capital Investment Requirements Are Ahead Of Schedule.

Commissioner Hamman: So This Money If I Read The Agreement Payment Correct, It Won't Be A Lump Sum. It Will Be Instalments. Can You Go Along Safety Checks Along The Way?

Mr. Hamman, That Is Correct. This Would Essentially Be An Eight Year Pay Out. What Happens Is The Company Staffs Up, They Report That To The State And They Have To Pay Any Tax Liability Due. After All Of That Takes Place And The Department Of Economic Opportunity Verifies All Of That, They Then Issue What Is Essentially A Refund Of The Tax Liability To The Company. As They Do That, They Ask The Local Community For Their Contribution Of That Tax Refund. So Here Again, Our Contribution Would Be 1.8 Million. The State's Contribution Would Be Almost Twice That.

Commissioner Hamman: Thank You For Answering The Questions And Mr. Chairman, I Plan On Supporting This Today For A Couple Of Reasons. Number One, I'm Thrilled About The Opportunity To Diversify Our Economy With The Potential Of Having Over 2300 Jobs In This Market And The Knowledge Base Work Force. That's Great. It's Outside Of Our Traditional Tourism And Construction Base Industries. But The Other Thing I Appreciate, The Safeguards Built In And Over Eight Years Lee County Is Being Asked To Contribute 1.8 Million Over Eight Years But What We're Getting In Return According To The Study Provided To Us, \$126.9 Million In Economic Impact. Just The Payroll Alone Will Be About \$53 Million Annually. I Think This Is Going To Have Tremendous Benefit Not Only For Gartner But For All The Businesses That Support The Employees. The People Who Work For Gartner. I Think It's Good For The Economy.

Commissioner Manning: Any Other Discussions?

Commissioner Pendergrass: The State's Contribution, The Recent Cuts In The State And Budget, Will That Affect The State's Contribution At All?

The State's Contribution For This Program Is Not Affected By The Recent Budget Decision. That Budget Actually Diminishes Or Eliminates Some Of The Other Incentive Programs That The State Has. This One Is Funded.

Commissioner Pendergrass: Thank You.

Commissioner Manning: Other Questions? Any Members Of The General Public Who Wish To Speak On The Item. Back To The Board For A Motion And Or Discussion. Motion To Approve This Item, This Walk-On Item By Commissioner Hamman. A Second? Second By Commissioner Kiker. Motion Carriers. Thank You Very Much. Okay. Next We Have Commissioner Items -- Committee Appointments. Commissioner Mann.

Commissioner Mann: I Have Two To The Riverdale Shores Improvement, Robert Beliveau And To The Palm Beach Special Unit, Michael Ryan.

Commissioner Manning: Seconded By Pendergrass. Motion Carriers. Commissioner Pendergrass.

Commissioner Pendergrass: I Have One New, John Kissa Of The Tanglewood Improvement. Motion Carriers. I Would Ask For A Reappointment Motion Of Lisa Benton To The Park And Recreation Services Committee. There Is A Motion And Second, Discussion, Objection, Motion Carriers. Commissioner Kiker.

Commissioner Kiker: I Have Two To The Pines Mobile Home Unit.

Commissioner Manning: Seconded By Commissioner Hamman. Motion Carriers. That's The End Of Committee Appointments. County Manager Items.

Nothing Today Mr. Chair, Thank You.

Commissioner Items.

Commissioner Manning: Sorry. You're Right. You Have One.

Commissioner Hamman: I Don't Want To Miss An Opportunity To Do Some Thank You's And Bragging On Our Staff And All The Folks That Work On Our Project, I'm Talking About Estero Boulevard, Segment One, The First Of Many. This Is Not The Least Expensive Project We Have Taken On. From All Accounts It's Been The Most Difficult Project We Have Taken On As A County. Just So You Know, There Were A Couple Of Articles Written And Mentioned In A Couple Of Newspapers Down There And One Of Them Was From The Editorial From The Paper And I'm Going To Do A Little Bit. Many On The Down Island Side There Are A Lot More Tourists This Season Thanks To The Sidewalks. The Second One Is That The New Asphalt Is So Smooth It Almost Makes You Want To Take Up Roller Skating, Just To Enjoy The Smoothness Of It All. If You Haven't Been Down There In The Past Year, Nobody Has Been Able To Say That, You Couldn't Even Walk On It Much Less Ride A Bicycle. At The End Of The Day, There Was Another One. I Know You Heard About Controversy When It Rained Here. There Was A Picture Sent In To The News Press And The Caption Underneath It Is "It Works." So, How About That. All The Scepticism And It Does Work. So, I Would Like To Offer A Thanks On Behalf Of The Board To Chris Dell, Howard Wheeler I Think Is Here. I Was Talking To Him About Who Could We Say Thank You To, The List Goes On. Thank You To You And Your Team For Everything You Have Done And The Staff, You Have Gone Above And Beyond. Rob Failen Has Been Our Number One Guy Down There. I Doubt If There's Anybody Who Knows More About Fort Myers Beach Than He Does. He Has Done A Wonderful Job And To The Fort Myers Beach Staff, An Integral Part Of This, And Communicated On Behalf Of Both The Town And The County, Everything That Goes On On A Weekly Basis. I Don't Think We Stop And Thank Them Enough For What They Do And What They Have To Go Through On A Daily Basis To Make Sure That There's Good Communication With Everybody. And Lastly, I Mean, Other Than Staff And I Want To Thank You Again, But I Want To Thank This Board For Your Support On The Project. You Guys Have Made A Significant Investment And Commitment To Lee County And This Portion And Segment Two Is Now Underway And We're Expecting Great Things And My Thanks To You. Thank You.

Commissioner Manning: Commissioner I Apologize For Interrupting You And Some Of Us Are A Little Old. Commissioner, Go Ahead.

Board Members Briefly, As You Recall Two Months Ago, Somebody Asked You To Adopt A Burn Ban. They Have Requested An Exclusion Within The Burn Ban For All Agricultural Pile Burning Authorized By The Florida Service. If You Are Inclined We Would Ask For A Motion To That Respect And We Would Submit It.

Commissioner Manning: There's A Motion On The Floor. Is There A Second? Seconded By Commissioner Kiker. A Second? Any Members Of The General Public Who Wish To Speak On This Item? Back To The Board. Further Discussion. Objection? Motion Carriers. Thank You Richard.

Commissioner Mann: Effective When?

This Afternoon As Soon As We Can Write It Up And Submit It. It Will Be Today.

Commissioner Manning: Roger, Could You Give Us An Update On The Work Session Today?

Yes, Sir. Mr. Chair, If You'll Indulge Me For A Moment, I Wanted To Mention About The Estero Boulevard Project. This Will Only Take A Minute, I Promise. I Came To Work For You In This Position In July 2013. Within 30 Days Of That Time, You All Sat Up There And Said We Have Four Road Projects We Want You To Do. Go Figure It Out. And This Was One Of Them. And I Remember Within A Couple Of Days Of That, Of Those Instructions Doug Mere And Dave Loveland And I Met And Dave Loveland, He Was Pretty Pasty That Day. He Didn't Know Where The Money Was Going To Come From To Do The Projects. We Asked Him To Take All The Cip Money And Rearrange It To Fund The Projects And We'll Worry About Everything Else Later. And He Did. We Have Segment One Finished And Doug And I Have Had I Can't Tell You How Many Conversations Before We Actually Started The Project, Doug Losing Sleep At Night Afraid We Wouldn't Get A Shovel Stuck In This Thing. Every Time We Got Close In The Past, Something Derailed It. Commissioner Kiker, I Was Glad To Hear You Thank All The Staff Members. Doug Merer Is The Guy Who Has Been Leading The Project, He's Done An Excellent Job Along With Randy Cerchie, He Took Over Dot And Has Done A Fabulous Job. I Wanted To Make Sure We Don't Leave Those Guys Out. A Lot Of Great People Work On The Project. Nothing Happens Without Good Leadership. Thank You Doug, Randy And Dave. And Then This Afternoon's Meeting, Work Session, On The Topics Of Advisory Committees, The Regional Planning Council And We Want To Talk About The Constitution Revision Meeting Currently Meeting.

Commissioner Manning: I Have No Cards For Public Citizens. Is There Anyone Who Wishes To Speak On Any Item? Mary? No. Okay. We're Adjourned. Thank You.