

December 9, 2008

Chairman Judah: Good Morning.

We'll Get Started With The Board Of County Commission Meeting For December 9th.

And We'll Start With The Invocation From Pastor Matt Boher From Emmanuel Baptist Church.

We Have About 30 Seconds Before We Can Proceed.

Technical Difficulties.

Pastor, Good Morning.

They're Having Some Audio Difficulty The Last Several Weeks.

And The Commissioners Are Having Difficulty With Some Of Their Computers They're Using For Business.

I Can Let Commissioner Bigelow When He Returns, But The President Of The Boston Red Sox, John Henry Will Be Here This Afternoon From 2:00 On.

So If Your Schedules Would Permit He Would Like To Meet Each And Every One Of Us Separately Any Time After 2:00.

He Set A Time To Meet With You At 2:15 That's Great.

If He Could Meet With Each Of You, That Would Be Great.

Comm. Mann: I Have Notified To You That I Will Not Be Here This Afternoon.

Chairman Judah: 5:00, Yes, Sir.

Comm. Mann: And I Won't Be Here For Mr. Henry With The Activities All Afternoon I'll Be Down At First Presbyterian With A Bunch Of Citizens.

Chairman Judah: Spreading Good Chair.

That's Important.

I Know John Henry Will Be Back To Meet With You Then.

Comm. Mann: I'll Look Forward To Having A Visit With Him.

Well, We Bought Him A New Computer Last Week, What Did They Do With That One?

Chairman Judah: We Are Able To Proceed.

Pastor Thank You For Your Patience.

Will You All Please Rise? I Wanted To Say To This Council I Was Supposed To Be Here In June And Ask For Your Apologies And Thank You For Having Me Back.

Chairman Judah: You're Welcome.

We Pray That You Will Give These Council Members Wisdom And They Will Be Pleasing To You First Of All.

We Pray For The People Of Lee County Today.

We Know Your Word Says Righteousness Exalts Our Nation.

We Pray For The Council Members, Spouses And Children.

We Know This Is A Taxing Job For Them And We Pray Especially At This Time That You Keep Their Families As Safe And Close To Them.

We Ask All These Things In Jesus Name, Amen.

Chairman Judah: Pastor, Could You Please Remain Standing.

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

Chairman Judah: Thank You, Pastor.

Okay.

We Do Have A Ceremonial Resolution And Commissioner Janes, I Believe You Will Read That Resolution.

Comm. Janes: You Want To Do That Now? Chairman Judah: Yes, Why Don't We.

I Think It Would Be Appropriate.

Thank You Commissioner Janes.

Comm. Janes: I Am Pleased To Be Able To Present A Ceremonial Resolution To Honor Recognize Human Rights Month And Particularly To Honor The Group That Has Been Sponsoring Has Been So Active Against The Human Rights Trafficking.

I Got To Tell You That I'm Also Pleased That Because The Person That Is Heading It Up Just Came Back From Out Of Town Receiving An Award.

She's Called A Purpose Prize Fellow For Participation And It's An Award For Extraordinary Contribution And I Hate To Say This, For People After Age 60.

It Has To Be A Misprint.

Do Your Best.

But That's Quite An Honor As Well.

And It Just Shows The Great Respect That I Think That Organization Is Doing In The Area Of Human Trafficking And I'm Pleased To Be Able To Have Her Here Today To Receive The Resolution And I Think What I'm Going To Do Is -- If You Want To Come Up To The Podium And Take Linda With You And Marylou, If You Want To Come Up.

Okay.

I'm Going To Read The Resolution.

[Reading Resolution] We Do Hereby Proclaim The Month Of January 2009 To Be Designate As Universal Human Rights Month Of Lee County.

This Resolution Was Signed By Our Chairman Ray Judah.

It's A Pleasure For Me To Present This To You.

[Applause] We'll Have A Nice Photo Opportunity And You Have To Shake Hands With All The Commissioners.

Thank You Very Much.

That's A Pleasure.

Hold The Resolution Up So They Can See You Got Something.

There You Go.

Linda Is The President And I'd Like Her To Say Something And I'd Like To Say Something In Regards To The Human Trafficking Issue.

I Just Want To Thank You Very Much For Declaring January As This Here.

We Do Appreciate It.

It Is A National Organization.

Our Club Sanibel Captiva, But One Of Our Goals Around The World And Locally Is To

Promote Human Rights And All Of Those Projects Work Toward That.

Whether They're In Education Or Service Projects, They Are To Promote Human Rights.

Thank You Again, We Appreciate It.

Mary Should Not Have Left Because She Is The Coordinate For Of -- Chair Of The Lee County Trafficking Task Force And That Is The Most Horrendous Of Violations Of Human Rights Is To Take Away One's Freedom To Live And Work As A Human Being.

So I Really Wanted To Commend The Efforts And The Backing Of This Body And Especially To Commend All Human Service Providers And Law Enforcement, Because Without Law Enforcement Our Rights Are Not Protected And The Task Force Has Been An Example For Over Three Years Of All Of Those People Working Together Including Faith Based Organization And Service Groups Like Zanta And All The Others.

Thank You For Recognizing This Event.

Thank You.

[Applause] Congratulations On Your Award.

Thank You.

Chairman Judah: Thank You, Ladies.

[Applause] Chairman Judah: Thank You Commissioner Janes.

We'll Go To The Recap And It Looks Like What We Have Are Two -- One Carryover Item And A Walk-On Item Regarding A Resolution To The South Florida Management Governing Board.

We'll Go To Public Comment On The Administrative Agenda.

I Have A Few Cards Here.

Good Morning Jack.

Good Morning.

I'm Here On Item 6 C Which Is The Halfway Creek.

An Issue That's Been Debated In Estero For Quite A While.

It's A Joint Effort With The County And South Water Florida Management District And Brooks County To Improve The Water Flow And The County From Halfway Creek Going To Estero Bay.

I'm Glad To See There Will Be Some Consideration Of This And Hopefully We Will

Accomplish Our Goals.

Thank You.

Chairman Judah: Thank You, Jack.

Michael, Followed By Meg.

Good Morning Michael.

Good Morning.

My Name Is Michael Rightman And I Represent The Lee Building Association.

I Would Like To Comment On Administrative Item 5 A, The Construction Management Process.

We Would Like To Commend Lee County Utilizing The Construction Process And Saving Lee County Taxpayers Millions Of Dollars.

The Construction Manager Process Is Utilized By The Lee County School Board, By The City Of Bonita Springs, Cape Coral And Many State Agencies.

It Provides Incentives For Contractors To Complete Projects On A Timely Basis With Fewer Change Orders And Those Of You In The Public That Might Not Understand Change Orders, That's Where Your Biggest Expense Comes In.

Someone May Bid On A Contract, But Then There's Change Order That Cost A Lot Of Money And A Construction Process That Is Avoided Most Of The Time.

In Addition To The Millions Of Dollars Saved By Using This Process, Over \$3.6 Million Was Saved By Lee County In Sales Tax Savings.

That Means When Lee County Purchases Materials Directly, It Does Not Pay Any Sales Tax.

This Can Be Done With The Process That's In Place.

The Process Of Proven Success And Should Be Retained By Lee County For Construction Process In The Future.

Thank You Very Much.

Chairman Judah: Thank You, Michael.

Meg Judge, Followed By Ron Carpenter.

Good Morning Meg.

I'm Meg Judge Chairman Of The Board Of The Estero Chamber Of Commerce.

I Would Like To Congratulate Three Of Our County Commissioners Of Your Victory Of The Polls.

I Think The People In Lee County Having Two Commissioners With 70% Of The Vote, 62% For Commissioner Janes Has Sent A Strong Message That Is Hes Tear Row And -- Estero And Lee County Supports The County Commissioners.

I Am Here Today With The Contract With The Boston Red Sox.

I Voted For A Change And I Think The Boston Red Sox Needs A Change.

There Will Be Another Team That Will Fill That Stadium So It Would Not Be Any Loss To The City Of Fort Myers And It Would Encourage That Team To Accomplish What The Boston Red Sox Have Done.

As You Know Our Estero Chamber Of Commerce Is A Regional Chamber.

I Think Estero Is The Gem Because We Have People Who Cared Enough To Develop Our Community And It Was Really The Last Undeveloped Frontier In Lee County And It Was Planned Well, Thanks To You.

You've Approved Every Major Regional Thing That Has Come In And You've Supported Our Requests From The First Thing, The Germain Arena, We Used To Be Called The Florida Everglades And You Paid The Additional Funding To Do That.

At The Ground Breaking Of Gulf Coast Florida University I Asked, Do They Have A Pool Here And They Said No.

And When The Opportunity Of A \$5 Million Lee County Impact Fee Became Available You Took That And Put The Aquatics Center In Gulf Coast Florida University And Of Course After The Olympics, This Stadium Will Be Not Just For Spring Training, But Used Year Round.

Having An American Win Eight Medals Has Really Energized Swimming.

We Can Do The Same Thing With This Facility.

We Loved Boston.

We Used To Vacation Until I Got Too Old.

I'm Over 60 Also, So Don't Feel Bad.

60 Is The New 40, I Hear.

We Are Energized And We Think This Would Be The Best Economic Stimulus Package That Lee County Could Come Up With.

I Know You Will Do It With The Exact Precision, Care That You Put Into Everything.

I Would Like To Take The Opportunity To Thank The Lee County Staff.

I Have Worked With Many Governmental Agencies And I Have Never Seen A More Honest, Committed Hard Working Group Of People All The Way Down The Line.

Every Issue We Have Dealt With.

To Have A Guy Like Jim Lavender And John, Trying To Get The Stadium To Have A Mediterranean Theme Will Be Challenging But He's The Guy To Do It.

We're Here To Support The Red Sox.

We Certainly Would Love To See It In Estero Because We Have Our Roads And Infrastructure.

It's -- All Roads Lead To Estero It Seems In Lee County.

I Thank You, I Congratulate You, We Support You And The Contract With The Red Sox.

Thank You.

Chairman Judah: Thank You, Meg.

Anyone Else Which To Speak On The Consent Or Administrative Agenda? Thank You.

My Name Is Ron Harper.

We're Here To Support The Decision Of The Red Sox And The Board Of County Commissioners And Tourist Development Solidifying The Red Sox Agreement.

The Association Has Quoted The Economic Impact Of Having Two World Series Champions Continuing To Hold Spring Training In Lee County.

45,000 Hotel Rooms Were Filled By Supporting Related Events In Lee County.

Over 100,000 Hotel Rooms Are Being Filled By These Sports Enthusiasts.

Not Only Do These Visitors Provide Lee County Revenues, But The Same Enthusiasts Are Buying Homes For Primary Or Secondary Residents As Well As Bringing Friends And Relatives To Southwest Florida.

While The Association Supports This Development We Are Respectful Of Protecting Our Beach Front Areas.

The Play Of This Project As Opposed To Older, Urban Models.

Existing Infrastructures, Excuse Me.

I Read Fast.

Chairman Judah: You're Doing Fine.

Now I Lost My Place Here.

It Will Be Just A Second.

Existing Infrastructure Provides Lee County The Opportunity To Build This Complex As It Will Help Probably Taxes Provide Jobs And Meet The Needs Of The Community As Well As Continue Growth And Join The Natural Beauty Of The Area.

Jobs From This New Infrastructure Are Anticipated Along With Businesses, Tourists Conventions And Other Homeowners.

This Can Provide The Economic Stimulus We Need To Turn Around Our Economy.

We Are In Support Of It.

Chairman Judah: Thank You.

In Regards To The Items To Be Pulled On The Consent Or Administrative Agenda.

We'll Start With Commissioner Mann.

Comm. Mann: 13-A.

That's All.

Chairman Judah: Commissioner Janes? Comm. Janes: None.

Chairman Judah: Commissioner Hall? Comm. Hall: None.

Chairman Judah: Commissioner Bigelow? Comm. Bigelow: 4-B Jude Anything Else?
Comm. Bigelow: No.

Chairman Judah: I Would Ask 9-A Be Pulled.

Motion By Commissioner Hall, Seconded By Commissioner Janes. Any Objections?
Discussions? Hearing None, Motion Passes.

Commissioner Mann, 13-A.

Comm. Mann: Perhaps Some Of This Is Nitpicking On My Part.

It Has To Do With I Believe The Cape Coral Plaza -- Toll Plaza.

Here's What Drives Me Nuts And Mr. Stilwell It's Not That You Heard This Before, On The Blue Sheet We Refer To A \$531,000 Item With The Entire Front Page Of The Blue Sheet Is Taken Up With A Background Of How We Had Six Previous Change Orders And It Details Them, Which I Don't Care About Them Which Happened Long Before I Arrived Here.

And Then You Get To The End Of The Seventh Change Order That Was Approved Today And It Says Originally The Projects Were Established As Two Separate Projects To Take Place Separately And Now We Can Approve To Do The Two Projects Together.

I Don't Know What The Project Is.

What Are These Two That Are Going To Cost A Half Million Dollars And Well, Start With That.

What Is The Specific Project We're Dealing With Here? For The Record, Paul, Dot.

This Is To Convert It Permanently Into One-Way Toll Action.

It Is Talking About Possibly Doing The Projects Together, We Intend To Do The Same Thing For The Midpoint Toll Plaza, But That Has To Be Done Under A Separate Contract.

That Will Come Before The Board Here In A Number Of Weeks As Far As The Design.

When We Go To Construction, We Will Probably Construct Them Together Under A Single Contract.

Comm. Mann: What's Confusing Me Is Recently I've Seen The Numbers That It Will Run Some 10 Million To Change Out The Existing Toll Plazas And Get It So It Can Do A One-Way Thing, But That's Not This.

That's Correct.

This Is Just For The Design, Sir.

Comm. Mann: This Is Design For The \$10 Million, But It's Tagged On To An Old Contract.

That's Correct.

When We Originally Started The Sanibel Project Back A Number Of Years Ago, The Sanibel Bridge -- Comm. Mann: What I'm Trying To Get Clarification Is When This Original Contract Started That Was Long Before We Talked About Making One-Way Tolls, So How Do We Put This On A Contract That's Five Years Old? What Happened Was When We Started The Sanibel Bridge, We Were Redesigning The Toll Plaza, We Were Also Redesigning The Cape Coral Toll Plaza Because The Canopy Needs To Be Reconstructed.

It Is Old And In Bad Shape And We Need To Bring The Lanes Up To Current Standards As Far As Their Widths And Everything.

So We Had Two Design Packages And We Moved Forward With The Cape Coral Design Back In 2003 And 2004.

Then We Came Up With This Idea For One-Way Tolling.

We Put The Design On Hold.

But Urs Is The Consultant Doing The Design And Rather Than Hiring Another Consultant To Reinvent The Wheel, It's Easier For Them To Go Back And Modify The Work That They Did A Couple Of Years Ago To Accomplish The One-Way Tolling.

Comm. Mann: Substantial Modification Is, The \$531,000, They're On The Job And Familiar With The Project, But It's An All Together Different Project? But Dot Recommends We Keep Them.

That's Correct.

Comm. Mann: How In The World Can It Cost \$10 Million To Tear Down The Existing Toll Booth? A Significant Portion Of That Cost Is Reconstructing The Cape Coral Canopy, The Structure Over Top Of The Toll Lanes And All Of The Islands Of Cape Coral.

Comm. Mann: Some Really Nice Islands.

Well, This Is A Half Million Design Factor.

That's Correct.

Comm. Mann: Thank You.

I'll Move The Item.

Chairman Judah: Motion To Move The Item By Commissioner Mann.

Seconded By Commissioner Hall.

Any Objections? Discussions? Hearing None, Motion Passes. Comm. Bigelow: Can You Explain The Project To Include The Cape Coral Bridge Project, What Was That About? The Original Project Was To Reconstruct The Entire Toll Plaza.

Not The Administration Building, But The Lanes And Canopy Itself.

In Doing That Because We Needed Additional Lane Capacity, We Did A Design With A Split Plaza Where You Had Two Administration Buildings, Two Canopies Separated Apart By About 800 Feet.

Comm. Bigelow: I Appreciate It.

The Initial Reconstruction Design, Though, For The Cape Coral Bridge Plaza Must Have Started, Right? Because It's A Five--Year-Old Project? Yes, Sir.

We Started And Went Down That Road And Spent Some Money To Go There.

So I'm Wondering How Much Of That Is Lost Work And Was A Lost Cause? Causing Us To Have To Spend Half A Million Dollars Here.

Well, There Is Certainly Dollars That Is Lost.

That Is A True Statement.

The Idea Of The One-Way Tolling Is An Idea That Came From A Resident From A Citizen Here In Lee County.

It Was Something That Dot Had Looked At A Number Of Years Ago, But For Bonding Reasons We Determined It Was Not Feasible Because Of The Free Bridges.

But With The Changes In Traffic And Traffic Patterns And The Population Of The County, The Possibility Of People Diverting To A Free Bridge Diminished Significantly So We Had The Traffic And Revenue Consultant Go Out And Look And Does It Impact Us To Go To The One-Way Toll, Now The Answer Is No.

Where In The Mid 90's The Answer Was Yes.

It Is Unfortunate And We Did Spend Money To Start That Design, But It Was A Matter Of Time Can When The Idea Came To Light.

Comm. Bigelow: Okay.

That's Unfortunate.

So I Guess Age Was The Reason Behind Our Reason To Reconstruct Initially? The Cape Coral Bridge? Yes, The Canopy When It Was Originally Built In The Mid To Late 1980's Was A Metal Skeleton With A Fabric Covering And It Is Deteriorating.

We Cannot Even Clean It Because It Is Coming Apart.

That Is What Necessitates It Being Replaced And We Need To Upgrade The Lanes To Bring It To The Current Standards.

Comm. Bigelow: Okay.

I'll Make The Same Kind Of Statement I Made Many Times.

Change Orders Are Costly And Mr. Rightman Is Familiar With Contracting And Is Here This Morning To Tell Us How Costly Change Orders Are.

This Is The Be 7th.

It's Getting Way Up There.

Something We Need To Be Mindful To The Extent We Need To Find A Different Way And I Hope We Do So And Anticipate This Sooner Rather Than Later.

Chairman Judah: The Whole Reason To Go With The One-Way Tolling When We Found It Would Work To The Satisfaction Is The Cost Savings.

Could You Expand On The Ultimate Cost Savings To The Project And The Communities? We've Been Through This Test Phase And We're Looking At A Cost Savings Of An Excess Of A Million Dollars A Year In Operating Costs.

The Operating Costs Alone Significantly Off Set The Significant Losses That We've Had.

And There's Another Significant Factor And That Is The Energy Savings And Not Making People Stop.

We've Been Doing Analysis And The Savings In Gas To The Motorists And Reduction In Carbon Output Is A Phenomenal Number By Drivers Being Able To Motor Through The Toll Plaza And Not Have To Stop.

That Will Occur In Both Directions Because Even In The Paid Direction We'll Include The Open-Toll Lanes With People Going Into Cape Coral And They Will Not Have To Stop.

It's A Cost Savings And Good Green Project.

Chairman Judah: Thank You.

Any Further Discussion? Commissioner Bigelow? Comm. Bigelow: It's Interesting This Project The Way It's Evolving Kind Of Reminds Me Of The Red Sox Issue That Will Come Up Later.

We Committed To A Goal, But We Weren't Looking At The Price Tags Early On.

We Weren't Told -- I Don't Recall Being Told That Take Down Half Of The Toll Plazas Would Cost \$10 Million.

And So I Don't Know How Do We Get To This Place Where We'll Say One-Way Tolling Is A Savings When The Figures Kind Of Are Coming Out Of The Final Hour? It's Problematic, We're Putting Prices To The Initiative After The Decision Is Committed.

It's Like We Should Have Seen These Figures Up Front And So I Think If We Can Improve On That, Don, I Think It Would Do Well To See The Numbers Up Front.

Chairman Judah: Any Objections? Discussions? Hearing None, Motion Passes. Thank You, Paul.

Let's See.

Commissioner Bigelow, I Think You Had An Item, 4-B? Comm. Bigelow: 4-B.

This Is An Old Song I Guess I'll Have To Sing Again.

This Is Selection Committee's Choice For The North Fort Myers Recreational Center Architecture Services.

I Have Nothing Against Any Of Those That Were Selected.

I Actually Know Some Of The Principles Of Parker Mudgett And They Do Good Work.

What Troubles Me Is It's Somewhat Problematic In That We Have Subordinates Serving With Some Of The Supervisors And You Can Mix In Personal Opinions Sometimes At The End Of The Day.

Secondly, I'd Like To Ask Mr. Lavender How Many Letters Of Interests Were Received? Do You Know Roughly? Estimate? 27 Total.

Comm. Hall: The Blue Sheet States 27.

Comm. Bigelow: Thank You, Commissioner Hall.

How Do We Get Down To Three From 27? We Had A Short Meeting, Picked The Proposals, Picked The Three That We Thought Were The Top Three.

Comm. Bigelow: You Had One Committee Meeting And Another Committee Meeting, Right? The First Committee Meeting Is Made Up Of Who? The Same Folks? Same People.

Comm. Bigelow: Yourself, Mr. Hammond -- Project Manager Tom Easley
Comm. Bigelow: Is There Any Criteria Applied To Those Expressing Interest To The Project? Of The 27 Officials That Applied Is There Any Predetermined Listing Of Criteria That They Have To Be Reviewed By? Sure.

We Look At Their Experience, Qualifications, Knowledge, Past Practices With The County.
Numerous Criteria.

Comm. Bigelow: So We Have An Evaluation Criteria Form? No.

Comm. Bigelow: We Don't Have Anything Documented As To What It Is We're Looking At? We Don't Have A Form, No.

Comm. Bigelow: There's No Public Record Made That Would Demonstrate That -- The Deliberations In The Meeting Are Recorded And On Our Web.

Comm. Bigelow: The Deliberations, But -- Okay.

Often Times People Sit In Those Meetings.

It's An Open Meeting To The Public.

Anyone Can Visit And Be There And It's Recorded For People To Review Later After The Fact.

Comm. Bigelow: Okay.

Are You Familiar With Any Other County's Or Local Governments Such As A School Board That Use This Process And Have A Criteria That They Follow? The School Board Has One And In Charlotte County Has One.

I Have A Couple Copies Here.

Some Organizations Use A Point System.

They Have A Form And Give Points For This Or That.

Comm. Bigelow: All Right.

And I Was Struck By The Negotiation Committee's Ranking Form That Had All 27 Listed And It Ranked Parker/Mudgett/Smith Architects With A 1 And All The Others Had A 2 And There Was Nothing Else To Back It Up To Demonstrate How You Got Three Firms Ranked Number 1 And The Rest Number 2.

We Have The Top Three And Everyone Else.

Comm. Bigelow: The Ranking Form Indicate That These Three You Later Met To Review.

So In Short We Don't Have An Evaluation Criteria Per Se, It Sounds Like It's Probably More Subjective Than Objective Because There's Nothing To Back Up How It Is They're Being Reviewed.

I Guess Mr. Chairman I Made My Point.

I'm Not Going To Support This And It's Not Because The Firms That Are Selected Here, It's The Way In Which We've Done It.

Chairman Judah: Okay.

Commissioner Hall? Comm. Hall: I Am Going To Make A Motion To Approve The Ranking Of The Professionals With Parker/Mudgett As Number One, Gora MCGahey As Number Two And Sheeley Architects As Three.

Chairman Judah: Okay.

Motioned By Commissioner Hall? Any Objections? Discussions? Hearing None, Motion Passes. Chairman Judah: Jim, We Are Blessed With Some Incredible Architectural Firms And We Were Also Fortunate In The Particular Firm Selected Was The Firm That Provides The Design For The Estero Community Center And That Weighed Heavily From The Standpoint That There Was Significant Cost Savings To Use The Same Architectural Firm

Using The Same Architect.

We Are Treating It As A Prototype And There Will Be A Savings With The Design Effort.

And It Is A Very Objective Process That's Why It's Recorded And Everyone Is Able To Listen To Our Deliberation.

Chairman Judah: Any Further Discussion? Any Objections? Discussions? Hearing None, Motion Passes. 4-1 Commissioner Bigelow Dissenting.

I Would Like To Have A Motion To Move The Item.

Motion By Commissioner Hall? Second By Commissioner Mann.

There's Been A Lot Of Contentious Discussions Regarding The Need To Improve Flow To The South, Particularly Spring Creek And This Helps With The Assistance With The South Florida Managements And Own Resource Program To Improve On The Surface Water Flow To The South.

I Want To Thank You, The Residents Of The Brooks Who Under Scored The Importance To Improve The Flow And This Helps With The Canal And Rivers.

Do You Want To Add Anything To The Record? No Chairman Judah: I Know The I-75 -- This Doesn't Change The Work Going Forward To Determine What Additional Work Needs To Be Done To Improve And Enhance Flow To The South.

Any Objections? Discussions? Hearing None, Motion Passes. Before We Go To Administrative Agenda, I'm Going To Ask That Mr. Dee Hold Off And Allow Don Stilwell Or Anyone That Is Going To Take Point.

Let's Go To The Lease Agreement With The Boston Red Sox.

Commissioner Hall? Comm. Hall: I Want To Make Sure The Right One Is Timed December 9th At 8:34 A.M.? The One I Got Handed Was 8:34.

Is There Another One After That One? 12/9 8:34.

Mr. Chairman The Last One I Have Was Dated At 9:16 This Morning.

Comm. Hall: That Should Be The One.

I Don't Have The 9:16 One.

I Just Want To Make Sure We Have The Right Contract In Front Of Us.

What I Would Like To Know Is What Are The Changes That Would Have Been Indicated? Chairman Judah: We'll Have Andrea And Jay Go Over It.

Commissioners Most Of It -- For The Record, Andrea Fraser From The County Attorney's

Office.

Most Of The Changes Were Typographical Errors.

Some Completed Sentences That Were Not Completed.

Others Included Changes To The Insurance After Consultation With Risk Management.

That Was About It.

Chairman Judah: Andrea, I'm Seeing 641, And You Said 9 -- The Time On The Bottom Of The Contract Was Produced At The Time It Was Typed In.

That's All It Is.

Chairman Judah: This Is The Most Up-To-Date Version? 8:34 A.M.

8:34 Or 6:41? I Have 8:34 A.M.

If You Have A Memo It's From Me To Kim Dated December 9th.

That Is The Appropriate One.

Chairman Judah: Very Good.

Okay.

Do You Want To Cover Some Of -- Well, Actually Just Cover All The Changes That Have Occurred In The Last 24-Hours.

Commissioner Mann? Comm. Mann: To Be Specific, You Mentioned A Sentence That Wasn't Completed.

I Had Noted On Page 26 Of The Document That I Was Working From And I See It's The Same Page 26, Although It's -- The Paragraphs Have Shifted Around.

Just Before Under Utilities, The Last Sentence Says Red Sox Will Be Responsible For The Installation And Maintenance Of All Telephone, Hardware And Equipment, It Should Be A Period.

Comm. Mann: Thank You.

The Next One Says Comma Also.

Yes, Sir.

There's Some Typographical Errors.

Chairman Judah: Thank You For Pointing This Out, Commissioner Mann.

It Is Important We Get This Right.

Comm. Mann: So The One That Was Emailed To Us Which Has A Time Stamp Of 8:34 A.M. Is Not The One You Want Us To -- That's Correct.

It's 6:41 A.M.? I Mean Somebody Did Something Between 6:40 And 8:30.

This Is The One I Want You To Look At.

The One With The Memo From Me.

Chairman Judah: Would You Like To Go Over Some Of The Most Recent Changes In The Last 24-Hours? Some Of The Most Recent Changes, I No Longer Have My Original Copy.

Comm. Hall: You Can Have This One Back.

I Have The Right One, Andrea.

If You Can Look At The First Page Of The Entire Agreement It Says, Whereas The Spring Training Facility Being Leased -- I'm Sorry, Page What? The First Paragraph Page.

It Relates Back To The Spring Training Facility And Says There Is In Fact A Spring Training Facility Agreement Out There.

It's Just A Clean Up.

Chairman Judah: Please Continue.

Okay.

On Page 2, Under Term.

We Designate Escrow Agreement That Will Go Along With This Document, The Lease Agreement, That Is Listed As Exhibit B.

The Escrow Agreement Says We Will Hold The Lease In Escrow Until After The Facility Is Built And At That Time The Lease Agreement Will Go Into Effect.

We Don't Have That Agreement.

That Will Be Entered Between Jim And Myself, We'll Sign Off And Say It's Held Until The Agreement Is Finished.

Chairman Judah: Who Has A Cell Phone On? We Have An Honor System That You Will Donate \$5 To Your Favorite Charity, Thank You Very Much.

And Not To Yourself.

And Donuts As Well.

The Other Major Change Will Be On Page 9-B Under Parking.

It States, Except As May Be Otherwise Agreed By The Parties In Writing, The County Hereby Grants To The Red Sox The Right To Occupy The Parking -- Does Everyone See That? Page 9? Page 9-B.

Comm. Hall: D As In Dog? Or B? D As In Delta.

Okay.

Chairman Judah: If You Could Please Repeat The Change? Except That May Be Otherwise Agreed By The Parties In Writing -- I'm Sorry, B And In Boy.

Chairman Judah: Could You Please Repeat -- Except As May Otherwise Be Agreed By The Parties In Writing.

Add It Where? That Is The First Line.

Yes, Sir.

The Next Change -- Wait A Minute.

What's The Change? That Is The Change.

Except That May Be Otherwise Agreed By The Parties In Writing.

That Was An Addition.

Okay.

Chairman Judah: I Don't Know If Each Member Of The Board Should Stop You When You're At A Particular Point -- Let's Let You Go Through The Changes And Then We'll Come Back.

Okay.

The Next Change Will Be On Page 10-D.

>>E? D And In Dog.

It's The Second Sentence Of Section D Which Starts, Except As May Be Otherwise Agreed By The Parties In Writing.

That Is An Addition.

If You Go To Page 11-E, The Last Word In That First Sentence, Premises, That Was An Addition.

The Sentence Wasn't Completed The First Time So We Added That Language.

The Exhibits Were Changed To Reflect The Changes We Had Discussed Prior To -- Where Is That? The Exhibits Are In The Back Of The Document.

The Reason For That Was The Addition Of The Second Whereas Clause.

We Had To Renumber, Basically, The Exhibits.

And That Was -- Those Were The Last Changes.

Chairman Judah: Anything Else? That's It.

Chairman Judah: Let Me Go Down The Line Here.

Stay There, If You Don't Mind And Assist With Any Questions And Further Modifications That Members Of The Board Would Like To Bring To Your Attention.

Before We Get Started, Jay You May Want To Comment With Regards To The Annual Rent Payment.

And I Think It's Important To Note That The Red Sox Are In Agreement In Stepping Up To Deal With The Capital Renovation Clause To A Greater Extent Than In The Current Agreement Because That Takes Into Account The Way In Which The Lease Payments Were Structured.

Correct.

The Lease Payment Is Scheduled At \$500,000 A Year.

That's Up From Current \$300,000.

Probably The Most Significant Aspect Of It For The County Is That The New Lease Has Language Which Requires That The Red Sox Share In Long Term Capital Maintenance At Half The Cost Throughout The 30-Year Term.

Obviously Early On In The Years Of The Lease There Will Not Be Large Capital Dollar Costs.

But As The Facility Ages From Five Years On, There Will Be Maintenance -- Capital Maintenance Cost Which The Red Sox Will Indeed Share In.

Chairman Judah: Right Now That Doesn't Include The 50/50 Match? That's In Addition To.

Chairman Judah: Or Currently -- You Explain The Current -- Currently They Make A Contribution Of \$20,000 A Year.

And We Make A Contribution Of \$20,000 A Year.

But Then There Are A Ton Of Costs That Go Beyond That And This Contract Will Allow Us And The Red Sox To Be Able To Share Those Costs Rather Than Their Maximum Being At \$20 Thousand -- \$20,000 A Year.

Chairman Judah: Commissioner Mann? Comm. Mann: I'm Looking At What Was Referred To As Exhibit E.

Is That What We're Talk Being Here As Far As The, It Allows \$37,500 Each? Yes.

For A Total Of \$75,000 And It Goes Up To 125 -- And It Maxes Out At \$175,000 Each.

Sox And The County Participate As You Go Down And The Maintenance Becomes More And The Demand Grows And I'm Curious Why The Last Three Years Drop Back To \$50,000.

That's When It's So Deteriorated And Will Fall Apart We Give Up? I Don't Really Know.

Jim, Do You Know Why It Dropped? The Concept Was To Create A Sinking Fund So When You Had Major Expansions Like Lighting Repairs And Seating Repairs, That There Would Be A Fund Built Up That We Could Draw From.

Comm. Mann: It Would Be Built Up Instead Of Being Utilized Every Year? I Don't Think In The Overall Scheme Of Things It's -- I Don't Want To Get Caught Up On That Point.

It's More Than They're Contributing Now, But We're Not Going To Be Rebuilding The Entire Stadium.

But Did I See That The Sox Could Ask For More If We Were Willing To Match For More? Well, What You Saw, I Think What You're Talking About Is In The Agreement And I Forget The Date, But I Think It's Every January They Submit A List Of The Improvements, Capital Improvements That They Feel Need To Be Made.

At The Same Time We Submit A List Of The Capital Improvements That We See.

What We May See, We Being Lee County, Is From Our -- Maybe There's Air Conditioner Problems Or Things That They're Not Aware Of.

So We Put The Two Lists Together And That's The Capital Program Budget Comm. Mann: That's Where This Money Goes? Yes.

Comm. Mann: All Other Routine Maintenance Is The County's Obligation? Correct.

Comm. Mann: Thank You, Mr. Chairman.

Chairman Judah: Let Me Give You The Time To Ask Any Specific Questions You Have.

Comm. Mann: No, When We Get To The Details Of The Contract, I'll Have Some General Comments.

Chairman Judah: Okay.

Commissioner Hall.

Comm. Hall: I Would Like To Welcome Back Mike, It's A Pleasure To See You.

We Have A Two Ten-Year Points That Will Come And Potential Will I Have A 50-Year Contract And The Only Time There's An Actual Out Is If They Choose Not To Extend After 30 Years.

There Was A Lot Of Commentary By The Media Insinuating That The Red Sox Was Abandoning The Relationship With The Rotary Club.

They Will Continue To Work With The Rotary Club And I Appreciate The Fact That The Red Sox Didn't Feel That We Can Third-Party The Parking, But Put The Rotary Club In The Contract.

For Those Reporters That Do Not Know That, They Are Actually In Our Contract.

The Other Item That I Think Is Worthy Of Noting Is That The Red Sox Have Noted -- Again We Have Had A Lot Of Comments About People Saying This Is Only A Four-Week Contract.

It's Not.

The Red Sox Are Here All Year Round.

They Are Here Doing Business And In Our Contract We're Showing The Red Sox Occupancy Is From January To April.

That Leaves The Rest Of The Year For Anyone To Do Special Events, Whether It's The County Or Red Sox, But These Are Non-Baseball Potential And It Doesn't Exclude The Sporting Activities That Comes Under The Sports Authority.

It Will Basically Say Red Sox Occupy From January To April.

I Think That's Worthy Of Notice.

And Then Everything Else Seems To Be Along The Lines Of What Our Contracts Are With The Twins, As Far As The Concessions Go, The Signage And Ticket Sales And Things Like That.

Is There Anything Different, John, Or Anything You Want To Note On? When I Looked At This And The Other Contracts, They're Pretty Similar.

The Major Changes Between The Twins Is Obviously This Is A 30-Year Deal.

When We Renegotiated Their Agreement In '94 It Was For 15.

It Is More And The Participation With The Red Sox With The Capital Is More.

Other Than That It Is The Same As The Twins.

Comm. Hall: Thank You Very Much, Mr. Chairman.

Chairman Judah: Commissioner Bigelow? Comm. Bigelow: I Have A Question Backing Up To The Capital Improvements Agreement.

We Have New Exhibit E Spells Out That This Year One We'll Get \$37,500 And That Stays The Same For Five Years.

\$62,500 For The Following Four Years.

-- Five Years, Sorry.

I Don't See In Here That It Says The Red Sox Shall Contribute.

It's Interesting Wording Here.

It Says That The County Shall Contribute To The Capital Improvement Fund In The Amount Equal To The Amount Contributed By The Red Sox As Of Such Date In Respect To Each Calendar Year In Accordance To The Schedule Of Contributions, But It Doesn't Seem To Say They Shall.

It Says That -- There's The Schedule And It Looks Like It's Voluntary.

That's My Concern.

It Is Not Voluntary.

It's Mandatory Based On Both Contributing.

There's A Lot Of Shalls In Here For What The County Which Had To Do.

We Can Change It To Shall.

Chairman Judah: What Page And Number? Comm. Bigelow: Page 17, B-1.

Somewhere In There.

I Would Prefer It To Say The Red Sox Shall Make The Contribution.

In The Amount Equal To The Amount Which Red Sox Shall Contribute As Of Such Date.

Comm. Mann: I'm Not Certain.

This Is Lawyer Mann Asking.

I Don't See How We Can Be Compelled To Contribute Unless They Had Indeed Contributed.

Comm. Bigelow: Right.

That's Lawyer Mann's Interpretation.

Comm. Hall: That's Why They Have Exhibit E Attached.

Comm. Bigelow: Well, It Doesn't Seem To Put It On -- Chairman Judah: If I Understand Correctly, The Capital Improvements Are Going To Need To Be Made.

It Doesn't Help If It's Mandatory For The County With An Understanding With A Match From The Red Sox, But There's No Indication That They Shall Provide The Match.

I Think The Way To Correct That Interpretation Would Be To Change The Language To The County And The Red Sox Shall.

There You Go.

Fine.

Chairman Judah: I'm Certain The Legal Counsel Is Here And We'll Hear From Them.

Very Good.

Okay.

Comm. Bigelow: How Do We Come Up With \$37,500 For The First Five Years And \$62,500 -- How Do These Numbers Get Generated? I Think The Reason For The Funding Is To Reach The \$6 Million Total With \$3 Million Coming From Each, That's Why The Numbers Are The Way They Are.

Comm. Bigelow: So After Year 29, We Should Have A Total Of \$6 Million? It Reaches A \$3 Million Total For Each Entity To Contribute.

Comm. Bigelow: Total Of 6 After -- The Reason It's A Sliding Scale Is You Don't Anticipate Large Projects After The Opening So It Balloons Out Towards The End.

Is This Come Kind Of Alternative To What I Was -- The Annual Payments By The Sox Would Escalate Each Year -- This Is In Addition To That.

But Initially The Development Agreement Said The Sox Would Increase The Annual Payment By 3% Each Year.

Now It Goes To Every Five Years.

This Was A Trade Off For Them To Participate More In The Capital.

Again, As Commissioner Judah Said, We Tried To Keep This In Reason With As Close To The Twins' Agreement As Possible.

This Is One Of The Things That's Different.

So This Is Where We See The Dollars Being Made Up.

And I Have To Remind You That This Schedule Is The Schedule, But In The Wording In The Agreement It States That We Will Each Come Up With A Capital Budget That Very Well May In Fact From Time To Time Be More Than Is On This Schedule.

So You Can't Make A Schedule Of What You Don't Know What The Dollars Are.

Or What The Costs Will Be.

That's Simply Because There's Unexpected Things That May Occur.

There May Be A Hurricane Or Whatnot.

Chairman Judah: Speaking Of Hurricanes, I'm Glad You Mentioned That.

We Have It Covered With Public Safety That It Could Be Used For -- Staging Area Is Probably What It Would Be Used For.

Chairman Judah: Commissioner Bigelow, Any Other Issues At This Time? Comm.

Bigelow: Well, I'm Still Very Troubled By The Fact That We Moved From A 3% Escalation Annually To A 3% Every Five Years.

In The End That's A Big Dollar Difference.

So Over Some 30 Years They're Contributing \$16 Million To -- But The Difference Is They May Very Well Indeed Be Contributing Much More Based On What The Capital Needs Are.

Comm. Bigelow: I Understand That.

And Yet That's \$16 Million Over 30 Years To Release The Facility Which Is Going To Cost Us -- I Don't Know.

I've Been Told In Private Discussions 50-70, We're Going To Try And Hold It Under 70.

We're Going To Agree To Lease The Facility.

We're Going To Landlord The Facility For A Tenant, Which We Don't Even Know Where We'll Be Located, How Much It Will Cost To Build It, How We're Going To Fund It.

Where We're Going To Get The Money, How It Will Impact Our Beaches And Ability To Market Ourselves As A Tourist Destination And -- I Don't Know.

I Think, Commissioner, This Is Going Back To The When We Brought The Twins Here In '91.

It Was The Same Situation.

We Didn't Know Where The Property Was.

We Really At That Point In The Beginning Didn't Know Where The Funding Was Coming From.

I Think We Have Many More Answers With This Project Than We Did In The Past And We Just Got To Take Each Step At A Time.

I Believe Depending On What -- Part Of The Project You're Talking About, I Think There Are Answers.

There Are Answers On The Potential Funding And How It's Going To Be Done.

But Until We Know What The Gmp Is Going To Be, It Can't Be Laid Out Yet.

But I Don't Think There's Anyone On The Team That Doesn't Feel Confident That Projects Going To Be Done Within The Project That Is Available.

Comm. Bigelow: An Eyebrow Razer, That's For Sure.

In '91 We Were Talking About Getting One Team.

We Have Two Currently And Trying To Maintain That.

By Building And Agreeing To This We Then Have A Facility That Will Be Vacant And Looking For A Tenant.

Commissioner, There Is The Potential That The City Of Palms Won't Be Vacant.

The Red Sox Will Be There For At Least Three Years And Our Goal Would Be To Have Someone In There The Very Next Spring, If Not Before.

Comm. Bigelow: How's That Going? Pardon Me? Comm. Bigelow: How's That Going? Well, We're Trying To Take Care Of One Thing At A Time.

I'd Say We're Moving On It, But Today Is A Crucial Day To Get This Done And Then That Sets Several Wheels In Motion And That Will Be One Of Them.

Comm. Bigelow: Thank You.

Chairman Judah: We'll Get Into More Involved Discussion In A Second With Regard To Specific Questions.

Andrea And Jay, On Page 8 Where You Mentioned A Change In Language Under Parking.

You Inserted Language, Except This May Be Otherwise Agreed By The Parties In Writing.

I Had Expressed Concern In Private Discussions If You Look At The Middle Of That Paragraph, It Talks About The County Shall Be Entitled To Retain Parking Revenues For Any Red Sox Event -- (Reading Paragraph) And We Need To Obtain Gross Revenues Because We Have To Keep Up With The Maintenance And Fire Protection And Law Enforcement And That Is Not Quite Covered As I Had Hoped.

It Doesn't Say Gross, It Says Net And You Inserted The Language That We'll Have Discussions With The Red Sox, But I'm Not Sure Where It Will Be To Cover Our Costs.

What That Means Is Many, Many Times We're Going To Have Events Out There That Don't Require Parking.

At The City Of Palms Now We Have The Local High School All-Star Game There.

We Always Tell The Red Sox We've Got An Event Coming Up.

They Usually Always Ask How Many Are You Expecting In Attendance? We Say It's Pretty Much Moms And Dads And Grandmas.

Chairman Judah: Talk About The Events When You Do Have A Lot Of Parking.

Programs.

When We Do -- Sure.

And We Will.

Is The Reason That It Says Net For The Red Sox Is Because There Is The Potential That We Could Want Them To Do The Parking For Us And We Would Receive Everything After Their Expenses.

And We're Talking Again About The Rotary Club.

We Might Very Well Have A Concert And We In Lee County Decide We Don't Want To Hire County Workers Or We Don't Want To Take On That Expense.

Let's Work With A Rotary Club To Do That For Us And We Will Get The Net.

That's How It's Intended.

Comm. Hall: It Kind Of Says That, But I Think He's Articulated It Clearer.

It Does Say -- (Reading) Whether Those Are Our Operating Expenses Or -- You Could Say It One Of Two Ways.

And I Think What Commissioner Judah Is Saying He Would Like It To Say Gross.

Commissioner, There's No Objection To That.

We Can Change The Language.

Chairman Judah: Thank You.

Commissioner? Have We Made Any Money On These Other Events? I Mean Take The Last 12 Months, I Don't Remember A Whole Lot Of Rock Concerts Out There And Parking Problems.

What Kind Of Extra Revenue Would You Estimate We Made In The Last 12 Months Out There And If You Want To Go Back Beyond That? I'd Need To Get Back To You.

But Let Me Throw Out Some Of The Things.

My Feeling Is Frankly There Is Very Little Non-Spring Training Revenue That Comes To The County Or Anybody By That.

And I Think I Read In This Contract In Reality The Sox Will Control The Premises Year Round And They're The Ones That Can Bring In The Rock Concerts Or Whatever Else They Want To Have There.

Billy Graham, Any Kind Of Thing That Is Brought.

The Sox Have The First Dibs On The Use Of The Facility.

They're Renting It Year Round.

We Have To Ask Them For Permission To Use Something For Babe Ruth Or The Grandma And Grandpa Come Out And See The Kids Do Something.

But The Bottom Line Is There's Not A Lot Of Money Here.

I Don't Believe There's A Lot Of Money.

If You Were To Drive By The Lee County Sports Complex In The Last Week You Can See They're Having A Camper Show And Lee County Sports Complex Are Always Using That Parking Lot For A Ton Of -- Not Necessarily To Park Cars, But To Generate Revenue.

Give Me A Wild Guess.

Do We Make \$250,000 A Year In Net Revenue? I Doubt It's That Much.

I Don't Want To Get Hung Up On This Extra Revenue Or Parking Required Because It's Not That Much.

Chairman Judah: There's A Big Difference Between Gross And Net And We All Understand That.

I Just Want To Make Sure Maintenance, Law Enforcement And All That Is Covered Without Having To Dip Into The General Fund.

We Feel It Is.

Chairman Judah: If We Can Go Into The Language With The Gross? Yes, Commissioner.

The Change Will Be Made.

Chairman Judah: I Appreciate The Red Sox Are Handling The Concessions.

There May Be Times With Non-Red Sox Baseball Events The County Will Pursue And The Gross Revenue Of Any Of The Concessions Goes To The Red Sox.

It's Exactly The Same.

By That I'll Use The High School Because I Use It Because It's A Real Activity.

The High School All-Star Game That We Have.

We Always Tell The Red Sox We Have This Game Coming In, Do You Want To Run Concessions? They Say How Many? We Tell Them.

They Say No.

Then We Can Bring In A Vendor And We Keep All Of The Money Ourselves.

The Red Sox Only Gain Revenue If The Red Sox Concessions With Their Equipment Is Being Used.

Chairman Judah: And That's Appropriate.

Do You See The Work Covered With Non-Red Sox -- Yes, Commissioner, We Do.

Chairman Judah: One Last Question, If I Could.

Page 10 Again Under Concessions.

It's D And In Delta.

[Reading] That Should Be Gross.

There Again It's The Red Sox If Indeed The Red Sox -- Commissioner There's No Problem With Changing That To Gross.

Chairman Judah: Thank You.

Thanks For Being Here Mike.

I Appreciate It Very Much.

This Is A Delicate Balance With The Tdc And General Fund.

I Want To Make Sure This Is Self Sustaining.

When You Said It Was A Delicate Balance -- Chairman Judah: And That's Why I Wanted To Qualify That.

It Could Have Been And I Don't Want It To Be.

We Don't Want It To Affect The General Fund.

That To Me Makes A Huge Difference To Make Sure We Have The Appropriate Funding And Appropriate Source Of Funding For The Maintenance, Upkeep, Insurance And Law And Fire Protection.

One Last, If I Could.

I Appreciate The Patience.

Page 14, 9.

Fantasy Camps.

All Revenue Shall Be The Property Of The Red Sox, But We're The Ones That Maintain The Fields After The Fantasy Camp Games Are Played.

We Have To Provide The Maintenance, Upkeep, Law Enforcement -- It Goes On And On.

As I Indicated To You Yesterday, Commissioner, We Do Not See, And This May Be Debatable, But I Do Not See Great Or Additional Cost To A Fantasy Camp Because It's Easier To Maintain A Baseball Facility When It's Being Used Than If It Isn't Being Used.

But If You Would Like To Speak With The Red Sox About That, We Can Do It.

Chairman Judah: I Want To Encourage Fantasy Camps, It's No Question.

We Have One A Year? More Than That, I Believe.

And The Language Here Is The Same As The Existing Lease.

The Other Thing -- And I'm Sure You All Understand, The Fantasy Camps, 99.9% Are Tourists.

They're Here Staying In Hotels.

They Are Participating In The Fund That Maintains The Whole Facility.

Chairman Judah: Well, If I Could Get That Language Changed In The Other Two Matters, I Can Certainly Move On.

Those Are More Of An Impact.

Okay.

Well, Let's -- Any Further Comments? Andrea? No.

Chairman Judah: Jim, Do You Want To Elaborate On Any Matters With Regards To The -- You're Going To Be Responsible -- You May Want To Elaborate Because We've Received A Request, Because If This Project Goes Forward, And I Hope It Does, There's An Opportunity We Might Go To The Management Construction Process Because It Could Be A Cost Savings, But As Opposed To One Contractor We Could Get Several To Provide More Work To The Companies Out There That Could Assist In Providing Jobs And Economic Benefits To The Community.

The Proposal We Received And We Received 10 For Construction Manager And A Lot Of The Folks Have Already Partnered Up.

Our Challenge Would Be How To Get As Many People Involved As We Can And Keep Our Costs Down And Not Pay Redundant Fees.

I Don't Want To Bring Something That Doesn't Make Sense Economically.

We Are Looking Through Those And I Believe We Have The Short List Meeting In January.

Let Me Remind The Board, In 2003 When The City Took The Title To The City Of Palms It Was A Liability.

And We've Turned The Facility Around To Where It's An Asset And Lots Of Other Teams Will Be Interested In That Facility.

It's A First Rate Spring Training Facility.

On That Point, Lots Of Other Teams Will Be Interested So Have They Contacted Us? No, But There Are Discussions And There's Nothing Fundamentally Wrong Any Longer With The City Of Palms Park.

In 2003 I Would Not Have Made That Statement Because There Was Deferred Undone Maintenance By The City Of Fort Myers For The Past 11 Years And We Had To Catch Up To That And It's Done Now And I Can Open My Arms And Say Welcome To City Of Palms.

It's A First Rate Spring Training Facility.

It's No Longer A Liability.

Did I Hear You Say There There Are Discussions With Teams? I Thought You Said -- Yes.

There Have Been Discussions.

So We Have Been Contacted By Other Major League Teams To Locate There? I Mean That's Important For Me.

This Is In My District -- It's Ongoing.

Okay.

Chairman Judah: I Concur With You And On Board With What You're Saying Because This Has To Be A Comprehensive Approach That Doesn't Leave That Stadium Empty.

The Red Sox Have Stepped Up And Can Make A Major Contribution To Other Baseball Teams To Show It Is In Their Benefit To Have The Kind Of Sports Complex That Phoenix Has Been Able To Achieve In The Cactus League And There's No Question That There's Major League Baseballs That Would Be Interested To Partner With Lee County With The City Of Palms Park.

Let Me Give You My View On This.

This Would Be A Different Decision For Me If The Red Sox When We Were Discussing The Development Agreement Agreed To Co-Locate At The City Of Palms Park.

And We Had Another Major League Team That We Were In Decision With So We Knew By Making This Long-Term Commitment With The Sox And Committing Dollars To Build It And Tourist Tax Dollars That We'll Probably Take From Maintenance And Marketing Efforts In Order To Pay It.

I Would Be Much More Comfortable That We Weren't Agreeing To Do Something That Will Only Create Bigger Problems For Us Down The Road.

But We Don't Have That Situation Before Us.

We Don't Have An Agreement By The Sox Or Willingness By The Sox To Co-Locate With The City Of Palms -- Chairman Judah: Let Me Say For The Record.

They Are Willing To Co-Locate In The Interim Before The Stadium Is Built For Them.

You Will Hear That From Them On The Record.

That Would Be Good.

It Sounds Like Today He's Willing To Say That He Will Do So.

I Would Feel More Comfortable If I Could See That In Writing.

Chairman Judah: Subject To A Lot Of Improvements That Have To Be Made To Facilitate That Happen.

I Don't Want To Make A Ghost Town Out Of The City Of Palms Park And I'm Afraid By Agreeing To Move The Sox And Spend The Amount Of Money In This Environment Is Going To Lead Us To That Day And I'm Troubled By That Potential.

And So No One Is Coming Forward With Any Written Agreements Willing To Sign On It
Chairman Judah: I Appreciate The Line Of Thought.

The Red Sox Were More Than Likely Going To Leave The City Of Palms.

It Wasn't We Were Taking Them Away From The City Of Palms Park In Downtown Fort Myers.

I Know You Understand That.

I Do Understand That And That's Why They Were Talking To Other Counties.

And I'm Thrill Today Have The Sox And Have The Opportunity To Retain Them, But I Tell You, I'm Really Concerned About What Becomes Of The Other Facility, World Class Facility, City Of Palms Park.

And If We Are Aren't Creating Problem That We Even Come Close To Solving By Will To Go Agree To This Lease Before Us Today.

And Then We Look At The Cost Of This Particular Lease To Us All I Come Up With Is Question Marks.

How Much? Where Is It Coming From? What Sources Are We Going To Tap? At What Cost Does Tapping The Sources Create -- What Are The Unintended Consequences Of These Actions? And I Only Come Up With More, Not Fewer.

Chairman Judah: Commissioner Hall? Comm. Hall: I Was On The Fort Myers City Council And I Was Working For The City Of Fort Myers When We Built The Red Sox Stadium Understand The Previous Ownership And Worked With The Rotary And Got It Started And All The Wonderful Things And Relationship We Had.

And When I Got On The City Council The First Thing I Did Was Do A Walk Through And Horrified In The Condition Of The Stadium.

When Administrations Changed The Stadium Was No Longer A Priority For The City Of Fort Myers And It Was Obvious.

There Was Leaks In The Walls, Major Damage Being Done.

Roof Issues.

Things Under Warranty That Were Not Taken Care Of.

Hundreds Of List Of Things To Do.

And I Met With The Fort Myers Manager And He Gave Me A List.

There's On Record Several Memos That I Sent Requesting That We Meet With The Red Sox And Address The Stadium And If With Did Not Doing, They Would Not Stay.

It Was Clear There Was No Way They Would Renew Their Lease.

To The Mayor's Credit He Talked To The County And Said We Are Not Financial Prepared To Make Up The Difference Of What We Allowed To Occur Over Time.

So The County Went In There And Agreed To Take It Over And Keep Major League Baseball And Spring Training In Southwest Florida.

It's Been A Great Relationship With The City Of Fort Myers.

There Was A Lot Of Controversy Of It Coming Over To The County, But The Bottom Line Was -- In That Point In 2003 The Red Sox Let Us Know Then, We Will Be Challenged In This Stadium.

We're A Big Organization And Coming To The Table With A Lot Of Different Programs Than You See In Major League Baseball.

So This Whole Idea That The Red Sox Have Not Been Communicating Since 2003 I Do Not Buy Into.

Maybe I Choose To Be More Involved.

I Get To The Spring Training Games And Take The Opportunity To Chat And Talk About More Than Just Baseball And Get A Sense Of What's Going On.

The Red Sox Is A Huge Economic Boost To Our Economy.

The Minnesota Twins, Both Of These Teams Give So Much Back To Our Non-Profit Organizations.

We Need To Make Sure Are The Taxpayers Being Covered? Will This Be Good For Lee County? We Might Like Baseball, And I Didn't Even Know Who Any Of The Players Are.

But I Recognize The Opportunity To Have Two Major League Baseball And Hopefully A Third Team.

What It Does For Our Youth And Domino Effect In This Community Is Huge.

I Believe The Staff With The Input Of The Various Commissioners Has Done A Great Job With The Lease.

We Want To Make Sure We Retain Our Relationship With The Twins.

They've Overshadowed A Little Bit With All The Conversation About The Red Sox, But We Are All On -- Trying To Stay On Equal Playing Field.

It Is Imperative That We Try To Build This Energy In Southwest Florida So We Don't -- So Florida Doesn't Lose Spring Training And It's The Bigger Issue Here That We're Talking With The State About And The State Recognized How Big It Is To Keep Spring Training In The State Of Florida And What It Means To Our Economy.

I Don't Want To Lose Track Of These Important Issues.

Thanks To The Chairman That He Gave Me The Opportunity To Be The Chair On The Council.

We Were Listening To The Public About The Concerns About The Beach And Shoreline.

They Met For Almost Three Hours.

They Made Recommendation To Move The 6.6% Of Beach And Shoreline Over The To City At This Time.

If You Look At All The Information That They Provided For Us, We've Never Funded Beach Shore Line Restoration Maintenance, Water Monitoring More Than \$3.2 Million Ever.

The Balance Of The Money Has Gone To The Capital Projects.

A Request For The Mound House, A Pier, A Bridge Over The Sand.

But We've Never Really Had At The Top Of Our Revenues, More Than \$3.6 Million In The Account.

It Was When We Made The 2 Cent Change Is When You Saw The Numbers Jump.

And A Number Of Projects Probably Got Funded.

We Will Have A Workshop To Allow The Tdc Board Along With The Community, A Lot Of Residents From Sanibel Have Concerns, And The Coastal Communities Are Very Concerned.

They Don't Want To See Us Pull Back On That Funding.

We Assured Them We're Not Going To Pull Back On The Funding.

But I Think You'll Be Surprised When You Look At Each Of The Categories With The Funds We Have Available And The Change Of What Has Been Occurring.

Andrea Provided Us With Language Of How We Have To Use The 2 Cents.

We Somehow In The Midst Of Everything Haven't Addressed It The Way We Should.

So I Wanted To Assure -- I Believe The Board Has Committed And Knows Exactly Where The Funding Is Coming From The Stadium.

We Have Support.

There Is Many People Moving The 3.6% That Leaves The Shoreline With The Other Percent.

I Feel Confident We Know Exactly Where The Capital Is Coming From The Stadium And How We're Going To Fund It And That Is Not With Property Tax Dollars.

Chairman Judah: I Want To Thank You, By The Way, For Chairing The Meeting Last Friday.

You Did A Superb Job.

And They Achieved The 20% And Not Undercut The Beach Maintenance.

The Chair Would Entertain A Movement For What We Already Discussed? Moved By Commissioner Hall? Seconded By Commissioner Janes? Under Discussion? Commissioner Mann? Comm. Mann: This Is A Huge Financial Commitment And As Commissioner Bigelow Pointed Out We Don't Know Depending On What Tv 6:00 News You Watch Or What You Read In One Of The Papers, It Could Be Anywhere From \$50 Million To \$100 Million.

It Deserves The Discussion We Had This Morning And Deserves The Previous Discussions We Had And Frankly I Wish We Had A Lot More Time And Could Have Spent A Lot More Time With Mr. Dee.

I'd Love To Meet The Owner.

I Will Not Be Available This Afternoon When He Gets There And Tell Him I'm Sorry About That.

But There's Things I Need To Put On The Record.

I Want This To Work Out.

I Want To Say That First Off.

I Truly Do.

When I Gave You The Hand Shake, I Meant That Sincerely.

There Are Issues As One Of Five Commissioners I Could Not Par Tas Pat In Things -- Participate In Some Of The Things.

I Was Not Present When This Agreement Was Arrived At.

I Really In The Short-Term And Long Term Hope This Does Come Together Because It Is Beneficial To Our Community To Have A Team Like The Sox.

They Are World Champions Even Though There Was A Little Blip This Season, They're The Caliber Of Folks That Really Brings Attention To Us.

It Helps With The Tourism And Good For All The Things People Have Talked About.

This Doesn't Mean I Will Vote For This Today.

With A Couple Of Changes I Might Be Able To.

I Doubt I Will Be Able To Get Them, But I'll Let You Know What I'm Thinking Here.

One Of The Advantages, Mr. Janes, With Being Over 60 Is You Don't Have To Read About History, You've Actually Lived It.

And Even Though My Short-Term Memory Is Going, I Can Remember 30 Years Ago And That's When The Sox Came To Town Under Previous Ownership And Everyone Was Glad To Get Them At The Time, But The Fact Of The Matter Is That Arrangement With The City Of Fort Myers Turned Out To Be The Most Expensive Financial Disaster Ever Experienced In The History Of The City Of Fort Myers.

That's Why We Own That Stadium Today Is Because They Ran Out Of Money, Could Not Maintain It Or Do Anything With It And It Was Becoming An Embarrassment For The City, For The County, For Everybody Around Here.

So We Took It Over Because We Had This Source Of Dollars In The Tdc To Be Able To Pick Up Some Of The Short Fall That The City Of Fort Myers Had No Hopes Of Being Able To Meet.

Nonetheless, I Remember A \$29 Million Mortgage Payment.

It Was So Bad, The City Was So Glad To Get Rid Of It They Kept The Mortgage And Are Paying It Today With Millions Of Dollars Left To Pay When We Took It Over In Essence For Free And We Picked Up Maintenance Largely With The Tdc Dollars, But It Was A Terribly Expensive Part Of The City.

Fast Forward 30 Years And We're About To Assume Another 30-Year Contract.

The Only Reason We Can Entertain That Is Because Of The Tourist Development Council Money Available And We're Talking About Using One Fifth Of That As A Maximum.

Fact Is If Disaster Count On Us Down The Road, We Can Look At That Tdc Money, Pull From Marketing, Maneuver That Around And Still Probably Be Able To Pull This Whole Thing Together Where Without Relying On Avalon Taxes.

Let Me Point This Out.

Of All The Emails That I've Gotten And I Ask My Aid To Check On This Yesterday, I've Only Received 43 Emails From The Public As Long As The Last Three Or Four Since This Subject Has Been Hot.

There Were 43.

Everyone, Every Single One Encouraged Me To Not Go Along With A New Red Sox Deal.

I Didn't Have One That Said, Wow, This Is The Greatest Thing.

We Need To Do This.

I Was Astounded.

I Had Been Reading Letters To The Editor And I Don't See A Big Public Outcry To Move In Is This Direction, But I Was Astounded. There's Not The Ground Swell Of Support.

And Even Without That, We're Still Called Upon Weekly To Make Decisions That We Think Are In The Best Interest.

Here Is Something That I Get Caught Up And It's Mostly The Cost Of Living Adjustments.

There's No Balance Here.

All Of The Pluses We Are Look At Today Are To The Benefit Of The Sox.

All Of The Responsibilities Are Ours.

Let Me Walk Through A Couple Of Those.

The Sox Get The Year-Round Nonbaseball Activities That I Made Reference To Before.

And If They Make Any Money On Any One Of Them, We Get 20%, They Get 80% And It's Net After All Expenses.

The Sox Shall Manage All The Ticketing, Understandable.

And They Can Also Adjust The Cost Of The Ticket Every Year.

And They Get The Benefit Of That.

On Parking, The Sox Retain All Fees And They Can Increase The Cost Of The Parking.

Any Time Or Every Year.

The Control Of Food, Merchandise, T-Shirts, Revenues Are The Sole Property Of The Sox And They Can Increase Them Any Year Or Every Year.

The County Shall Equip For Broadcast.

We Pay All The Expenses To Be Able To Broadcast On Tv And Radio And The Sox Shall Receive All Revenues.

The County, On The Other Hand, Pays For All Equipment.

We Provide Law Enforcement And Fire Protection Outside The Stadium.

They Provide Law Enforcement Inside.

The County Shall Be Provided For The Cost Of All Utilities, No Matter What The Cost In The Future.

And There's Several Items That Say The Same Thing.

So It Goes Back To This Cost Of Living Adjustment, Cola.

You See It In Every Contract You Look At In America Today.

It Is Standard Business Procedure.

Commissioner Hall You Said This Is A Business Decision.

Any Business Would Have A Cost Of Living Adjustment On An Annual Basis.

Most Recently They've Been 3% Annually Or The Cost -- The Consumer Price Index, Which Ever Is The Most.

But Is A Standard Operating Procedure In Leases.

But The Sox Have The Advantage Of Increasing Every Component Of The Revenues They Have And We Only Get To Increase Our Rent That We're Charging Them Once Every Five Years By A Maximum Of 3%.

This Is Elementary School Mathematics, But The Sox Can Increase -- If They Just Increase All The Things I Mentioned 3% A Year, They Will Increase Their Revenue 90% During The Length Of This Contract.

If We Get To Do 3% Every Five Years, We Will Get 15% As Our Cost Without Control At All Of Ours.

It's So Out Of Balance.

I Wish I Could Have Participated In Discussion Here, But It's A Huge Imbalance Here And It's Not Something I Would Vote For Myself.

I Would Never Enter Into A Contract Like This Myself.

Again, There Is A Great Deal Of Comfort Having The Tdc Money Available, But I Can

Promise You We Will Lean On That A Whole Lot.

I Am Concerned Also Whatever We Do For The Sox And Their Own Contract, It's Like What We Call A Most Favored Nation Clause.

Whatever We Do For Somebody Else That's Better, They Are Entitled For The Same Thing.

Whatever We're Doing For The Sox, We're Going To Have To Do For The Twins Or Baltimore Or Whoever Hopefully Takes Over The Other Stadium.

So There's Just Some Factors Here That Have Major Financial Implications To Us Looking Ahead 30 Years, None Of Us Will Be On This Commission In 30 Years, Although Commissioner Judah I Know You're Planning On It, But It's Not Likely.

Whatever We Do Here Today Is Going To Affect Them And Tie Their Hands To This Contract For 30 Years Coming And We Don't Have Any Flexibility.

We Have All The Responsibility And All The Revenue Enhancement Goes To The Other Side Of The Contract.

The Party -- The Second Party Or The First Party, Which Ever Party.

That's My Struggle.

I Will Say Once Again How Much I Hope This Ultimately Works Out, But Without Some Fairly Fundamental Changes Along The Lines, I Can't Support It Today.

Chairman Judah: Thank You, Commissioner Mann.

John Yarbrough.

There's Some Comments I'd Like To Make And I'd Like To Back Up To The Points About The Sox Leaving The City Of Fort Myers Early.

The Sox Entered An Agreement With The City Of Fort Myers In 1992.

They Fulfilled That 15 Year Agreement In 2007.

They Will Actually Be Staying Beyond Their 15-Year Agreement For Another Two Or Three Years.

So The Red Sox Have Not Left The City Of Fort Myers Early, They Have Fulfilled Beyond Their Original Commitment.

In Addressing Some Of Your Questions, Commissioner Mann, And I'd Be Happy To Go Through Some Of Them With You.

Utilities, The Red Sox Pay 100% Of The Utilities Of Their Exclusive Space.

100%, 365 Days A Year.

Lee County Does Not Pay For The Red Sox Clubhouse All Year.

Their Offices All Year.

The Weight Room All Year.

None Of The Exclusive Use Areas.

100% Red Sox Pay.

In Fact In The Agreement It States There Will Be A Separate Meter For Each Of These Facilities.

So That's Taken Care Of.

You Mentioned Tv Revenue.

Lee County In This Agreement Is -- Has The Ability And Will Charge Each Visiting Team That Televises A Fee.

We Will Continue To Do That.

The Red Sox Don't Charge Us.

That's Our Deal Between Lee County And Whomever The Visiting Team Is.

Parking, As I Believe Commissioner Judah Mentioned Earlier, Rotary Is Making The Money.

That's One Of The Things That The Red Sox Wanted To Do Was Continue A Relationship That's Been Long Term Actually With Someone, A Group From The City Of Fort Myers.

So It's Not The Red Sox Making All The Money On Parking.

Maybe The County Could Have Said No, We Want To Take A Share Of The Parking, Then Rotary Wouldn't Have Gotten It.

So I'm Not Debating It With You, But There Is Another Side To All Of This.

Comm. Mann: Let Me Just Touch On That.

I Myself As A Member Of The Rotary Club Have Been Out There Doing The Parking Thing.

The Way It Works Is The Sox Still, They Set The Fee On Parking And They Collect The Money And Contract Out.

And As Commissioner Hall Pointed Out, I Appreciate Her Waving The Flag For Rotary, All

Of Their Money Goes To Service Projects, But There's Still A Huge Benefit Of Controlling The Parking Revenues And The Main Beneficiary There Are The Sox Themselves.

No Argument There.

This Agreement Is Exactly The Same, Exempt For The Changes We Made That We Entered Into With The Red Sox In 2003.

It's Also The Same Agreement Exempt For The Changes We Noted With The Twins.

Your Point About The Most-Favored Nation, We Changed That In Here.

The Language Is Not The Same As With The Twins.

In The Red Sox Agreement It States That The Only Thing That, A Point They Can Make About Most-Favored Is Our Charging.

In Other Words, If We Were To Bring In Another Team And Charge Them Less For An Equal Facility, You Can't Do That.

But As Far As Keeping Up With The Joneses, That Part Is Out Of The Agreement.

I Think That This Agreement Is Not Perfect, But I Think It's The Best Agreement That Lee County Has Done With A Major League Baseball Team Since We've Been Doing Them And I'm Certain That, You Know, Through The Next Three Or Four Years There May Be Things That We Want To Address, They Want To Address, Before The Agreement Even Becomes Effective.

But I Don't See This As A One-Way Street.

It's A Lot Of Give And Take And It Depends On, You Know, Your View Of Each Red Sox Or The County As To How You View It.

But I Really Do Want To Get It Out That The Red Sox -- And They Don't Need Me To Speak For Them, Obviously, But They Have Fulfilled Their Commitment For The City Of Fort Myers And Stayed Longer Than The Original Lease Intended.

I Don't Think There's Another 30-Year Lease Such As We're Getting In All Of Baseball With The Potential Of 50 I Know, There's Nobody.

So Maybe If The County Really Wanted, And I Don't Think We Do, Wanted To Change The Terms, But Not Hold Them So Long, Make Them 15, Probably Numbers Could Be Different.

I'm Not Sure That's A Smart Thing To Do, But That's Your All's Call.

Chairman Judah: Thank You.

Commissioner Bigelow? Comm. Bigelow: I'm Trouble Will By What You're Addressing.

I Think Commissioner Hall Alluded To It, But Is There Public Criticism Being Waged Against The Red Sox For Them Not Fulfilling Their Agreement? I Think There Has Been.

Comm. Bigelow: I Haven't Seen It.

I Didn't Mean To Apply That.

I Haven't Heard That.

I Haven't Heard That Criticism Level Against The Red Sox.

Comm. Hall: Listen To The Reports In The Media.

Chairman Judah: Andrea, On Page 1 You Mentioned To Me About The Language Change In The First Whereas? Yes.

Chairman Judah: Page 8, We Are Now In Agreement That The Middle Of The Paragraph Of Parking 4-B, That Will Be Changed From Net To Gross? I'm Sorry, The New Line Will Read The County Shall Be Entitled To Maintain Revenues -- (Reading).

Chairman Judah: That's Fine.

If We're Going To Be On The Hook To Provide For Maintenance That Is Addressed Up Front.

And Page 10, Item D, It Goes To Page 11.

The Paragraph There, Retain Revenue.

It Will Read Gross.

Chairman Judah: Entitled To Retain The Gross Revenue? Yes, Sir.

Chairman Judah: Okay.

Page 17.

We're Going To Put As What Commissioner Bigelow Indicates, Capital Improvements, The County And The Red Sox Shall Contribute.

Yes, Sir.

Chairman Judah: Page 26, From A Comma To A Period.

Anything Else I Haven't Covered? That Has Been Understood That That Is Include On The Motion On The Changes To The Lease Agreement.

Yes, Sir.

Chairman Judah: Commissioner Bigelow? Comm. Bigelow: I Just Want To Say Something.

I'm Probably Going To Repeat Myself And I Apologize In Advance And Perhaps You'll Hear In My Voice.

You Know, I So Want To Be A Part Of This And Agree To Take This Giant Leap Of Faith For The Red Sox And I Mean, I Really, Really Do, But I Am Really Worried That This Field Of Dreams May Very We'll Be A Field Of Nightmares For The City Of Palms Park And For That Potential I Would Probably Be Moving On Even With All Of The Financial Unfairness I Think This Weighs Upon The County.

So It's Necessary For Me To Express As Well As I Can That I Want To Play Ball.

I Really Do.

But I Just Can't Do It.

Keep In Mind That The District I Represent, I Think We're All Familiar With How We Hold Them Near And Dear To Our Heart.

This Is My Hometown.

City Of Fort Myers, City Of Palms Park Is A Problem That I Think We Will Have To Face If We Can't Fulfill A New Agreement With Some Other Team That We May Or May Not Be Talking To.

I Wish I Had Known Before That We Had Some Conversations And I'm Troubled That Why This Commissioner Wouldn't Be Private Have I To Some Of That -- At Least Given Some Heads Up To It Before Today.

I'll Leave It There.

Chairman Judah: Okay.

Any Objections? Discussions? Hearing None, Motion Passes. 3-2 Commissioner Mann And Big Dissent.

I Would Like To Offer A Courtesy To Mike Dee Who Has Taken Time To Address The Board.

I Believe Mike You Perhaps Should Actually Come Forward And Give On The Decision That's Been Made By This Board An The Partnership And Let Me Thank You For Taking The Time To Be Here And Making Arrangements For President Henry To Be Here This Afternoon And Meet With The Board Members.

Nice To Be Here.

Nice To Be With You As Always.

Happy Holidays To Everyone.

You Will Be Please Today Know I Often Times When I Address You At This Time Of The Year Tell You It Was 12 Degrees In Boston So It's Especially Nice To Be Here In Lee County Today.

We Appreciate The Steps That The Commissioners That You've Just Taken And Are Excited About In Embarking On The Next Chapter Of The Red Sox Here In Lee County.

We Also Appreciate The Spirit Of Debate.

We Recognize This Is A Big Commitment For The County And From Our Point Of View We Feel There's Been Numerous Steps Taken To Make It Fair And Balanced.

The County Will End Up With A Yet Another True, Great Civic Asset.

I Had The Opportunity To Attend The Celebration Of Terry Park Several Years Ago And -- Which Was A Great Celebration About The History And Teams That Have Taken Place In Terry Park And I Did Find Out At That Particular Celebration I Think Jay Y Was Born There.

I Was.

You May Die There One Day.

Yea.

It Brings To Mind The Fact That These Facilities Truly Are Civic Assets And We're Truly To Be A Tenant And Be A Partner And Maintain It And Bring Value Throughout The Year To The County, But We Encourage And Admire The Effort That The County Has Made In Making Sure That These Facilities Are Working And Working On Behalf Of The County, On Working On Behalf Of Tourism, Not Just February And March When We're Here.

I'm Astounded Especially This Year The Number Of Events I See Going On At City Of Palms Park Throughout The Year.

I Think That's A Great Testament Of The Effort Of Your Staff And The Desirability Of Lee County For Of A Destination Of These Types Of Events.

It Can Only Get Better With The Addition Of A New State Of The Art Facility To Compliment The Existing Facility.

We're Thrilled.

Thank You So Much.

We're Also Thrilled By The Way With The Start And The Tremendous Momentum That The

Process Has Already Created.

We Did Vote It Back To Approve The Facility Development Agreement And It Didn't Take Long For Jim Lavender And His Staff To Get To Work For Advertisements For Construction Management, And Architecture Design And Land Submissions.

It Has Been -- Just The Construction Managements Submittals Are The First Ones In, But Based On The Level Of Interest And The Types Of Companies National And Locally This Will Be A Great Job Creation Source Here In The County At A Time I Know It's Desperately Needed And The Next 36 Months Will Have This Project In Full Force.

We Were Convinced By Members Of The Commission That There Would Be A Lot Of Interest By Land Owners And We Believed It When We Told Us, But I Must Say Based On Some Of The Letters It's Surpassed What Some Of Our Expectations May Have Been.

We Think There Will Be A Great Site To Construct This Facility In A Place Where It Could Be An Economic Engine And Job Creator For The Local Community.

We're Thrilled To Be A Part Of It And We Have One Special Presentation Today.

If I Can Ask My Colleague Todd Stevenson To Come Up And Join Me For A Minute.

This Was An Interesting Year To Say The Least, As We Went Through The Very Public Process Of Determining The Next 30 Years Of Where The Red Sox Would Be Holding Spring Training.

We Are Very Happy That It Ended Up Here Back At Home In Lee County Where We Belong And We Had A Presentation That We Put On Ice While We Were In The Midst Of That Discussion That We'd Like To Present To You Today In The Holiday Spirit.

I Couldn't Help But Notice As I Came In That There Were Several Citizens Out The Admiring The 2004 World Series Championship Ring That We Presented To You In 2005 In Commemoration Of That World Series Championship And We're Thrilled Today To Present To You The 2007 Version Of That.

[Applause] I Think The Trophy Case Is Big Enough For Maybe Four Or Five More, So We're Going To Work On That.

Comm. Hall: Mike, I Was Going To Say Eventually We'll All Get One.

That We'll Be Able To Wear Around Town.

Thank You.

Beautiful.

Chairman Judah: Jim, Lavender, Andrea This Has Been A Real Team Effort To Get Us To This Position.

Don Lewis If You Would Please Step Forward.

We Have Other People That -- This Has Been An Incredible Group Effort To Get Us To This Point As I Said And I Would Like As I Take A Photograph To Have Some Of The Staff People Working Behind The Scenes.

Well, Stacey Is Coming Up And Let Me Make Sure As I Understand Mr. Henry Will Be Available At 2:00? He Will Be Here At 2:00 For Meetings With Whoever Is Available.

Chairman Judah: And I Think Certainly For The Media, I Would Like To Give Them An Opportunity To Ask Any Questions About The Future Plans? Chairman Judah: What We'll Do And I Know Administration Will Make Preparations For Putting The 2007 World Series Range In The Case Downstairs In The Lobby So It's Available For All To See.

We Thank You.

It's A Very Generous Offer.

Don, Absolutely.

Come Up Here, Don.

Without You Providing The Opportunity For Staff To Spend Extraordinary Hours, We Wouldn't Be Here Today.

To Accomplish What We Have.

We're Hopeful That Stacey Will Be Here Shortly.

How Long Can It Take To Come Upstairs? Well, Mr. Chairman In This Moment Of Pause, I Would Like To Invite Anybody Watching Anyone Here Today To Attend The First Presbyterian Church At 1:00, 4:00 And 7:00 This Very Day Where We're Going To Have A Very Beautiful And Inspirational Christmas Program Where You Can Sing Along And At The End We'll See Santa And Enjoy Yourself.

Chairman Judah: A Public Announcement There.

I Do Apologize For The Time Delay Here, But There Are Not Too Many Moments Like This.

And Is Andrea On Her Heels? Very Good.

If You Could Step Forward.

Thanks So Much.

We'll Need To Have The Cameramen If They Can Park To The Right And Left Respectively.

Thank You.

Chairman Judah: Thank You Stacey For Coming Up Here.

[Applause] Chairman Judah: We Go To The Administrative Agenda.

This Should Be A Quick Item.

[Reading From Agenda] Comm. Hall: Mr. Chairman, I Appreciate The Board Taking The Time To Do This.

Commissioner Mann Pulled From The Agenda A Construction Management Firm And Some Insinuation That This Firm Was Selected Over And Over Again And Appeared Several Times In A Different Order Over Several Months And Thought There Was Favoritism Given, And I Want To Thank Jim Lavender Providing The Board With A List Of Our Continuing Contracts.

We Approved A Continuing Contract List Of 12 Contractors.

Those Contractors Have Been Giving Work Throughout The County.

It's Been A Fair And Balanced Process.

The Particular Firm That Was Insinuated That Was Given More Than Their Fair Share, I'm Here To Tell You That \$27 Million Worth Of Work Plus That Have Been Given To Contractors Only \$2 Million Has Been Given To That Particular Firm And They Rank 7 Out Of The Contractors Presented.

There Is No Favoritism And If You Look At The List And How The Work Is Being Disbursed I Think Our Staff Has Done A Fair Approach Of Handing Out Work To The Firm That Can Handle The Job.

Another Thing I Was Concerned About Was There Was Another Comment Made That Commissioner Mann Thought It Was Time For A Review Internally And Asked For That Review Over Two Years And Hasn't Gotten It And Tired Of Not Getting The Information.

On August 6, 2007 There Was A Management Process And He Provided A Request For Qualifications For Contractors And Other Services, Radio Quests For Proposal, Construction Manage Requests And Provided The State Statutes That Governed Each Of The Categories.

Also Provided The Contractors From 1999 And 2000 And The Amount Of Work It Saved The County.

He Also Provided The Meeting From 1997 To 2007 Direct Purchase Materials That We Do Not Pay Sales Tax On.

Additionally He Provided The Memo That Is Was Dated September 19, 1994 That He Initiated The Change From A Hard Bid To This Process And Talked About The Board Actually Approving That And Supporting That So We Could Save Additional Dollars.

So That Meeting Was Held And Tremendous Amounts Of Information Was Given And At That Time Commissioner Mann Stated While He Wanted To See The Board Be More Aggressive And Wanted Them To Make Sure They Were Doing A Good Job And Making Sure We Were Negotiating Effectively, He Stated He Was Comfortable Now With All This Understanding That This Was A Good Process For Lee County And Our Tax Payers.

But Between August And January We Have Another Managements Planning Meeting Of January 7th, 2008, Where Again Mr. Lavender Provided Construction Management Process, The Fees Paid To Construction Managers And If We Wanted To Change The Process.

And He Provided The Fees For The Various Facilities, Showed Comparisons For Some Counties And Lee County.

He Provided All The Fees That Have Paid Between 1995 And 2009.

-- 2007.

And There Was Concurrence That This Was Still A Good Process.

I Realize We Have Issues That Come Before Us At Different Times Of The Week That We Become Emotional, But We Make Comments Coming From The Board That We Talk About Various Industries And Particular Contractors And Vendors And These People Have Integrity.

They Employ Several Hundred People Within Our Community And I Think It's Fair If We Make These Insinuations That We Bring It Back To A Public Meeting And Bring The Facts.

But More Importantly The Insinuation Of Our Staff That Would Give Favoritism, Provide A Favorable Percentage To One Vendor Or Another, I Hope That These Facts And The Past Information That's Been Provided To This Board In Great Detail Will Assure The Taxpayers And This Board That Our Staff And These People That We Work With Do Have Integrity.

That They Are Doing The Best Job They Can For The Taxpayer Of Lee County And That This Process And Vendors Work Hard To Ensure That Every Project Comes In At A Price That Is Fair, Balanced And We Are Not Double Paying.

We Are Not Giving Favorable Prices To Anyone.

Subcontractor, Contractor, Copy Machine Maker, Architect Or Engineer.

I Don't Know How Much More The Facts Can Present Themselves And I Hope We Can Try To Limit Our Emotional Comments Because Of Whatever Is Happen Anything Our World That Day To Really Respecting The Fact That The Hard Work Of These -- This Industry And These People.

They Represent A Large Population Of Taxpayers In This County And They're On Their Knees Right Now.

Lee County Made A Commitment To Get As Much As Work As Possible And We're Seeing A Lot Of Architects And A Lot Of Engineers.

I Think It's Easy To Think You're Seeing The Same Ones Over And Over.

There's Also Some Insinuations That This Firm Was Given Work Illegally Through The Contract Process, But It Is Clear There Was A Bid Process That Did Occur On Projects That Did Occur Over A Million Dollars And There Hasn't Been Any Impropriety Of This Particular Firm Receiving Benefit Under Continuing Contract Or The Bid Process.

I Appreciate The Board Giving The Opportunity To Bring This Forward And Hope To Continue To Do The Best Job We Can.

And If Someone Has A Suggestion To Do It Better, We're Open Minded To Do That.

If We Need Another Management Meet To Go Talk A Little About The Evaluation Sheets, The Pros And Cons, I'm Happy To Have That.

I Don't Disagree With All Of Your Comments, But I'm Happy To Talk About That Subject Separate From The Others.

I Don't Know What Information Has Not Been Provided To This Board In An Effective Manner.

Chairman Judah: It Is Important To Get This Information On The Record For The Public To See.

Jim, Thank You For Compiling The Information Material.

Commissioner Bigelow? Comm. Bigelow: I'd Like To Ask Mr. Lavender Something About One Of The Documents He Provided In The Backup Of This Item.

It's Titled Contract Savings For Public Works Process As Of November 5, 2008.

How Are These Projects -- Contracts -- How Do We End Up With These Construction Managers? These Were Advertised And The Process You See -- What You Saw Today, The Committee Short Listing, The Ranking, Coming To The Board.

They Follow Florida Statutes.

Comm. Bigelow: Okay.

I Particularly Highlighted The Savings Because When We Come To The Board With A Guaranteed Maximum Price, You Don't See The Final Cost Of The Project.

So It's Only At Times Like These That I Get To Show You How Much We Came Under The Guaranteed Maximum Price.

We've Been Below The Gmp.

So We Approve The Top And If It Comes Under That You Get Your Contract Savings? Right.

So These Projects, All These Projects Date Back To Some Time In Our Past? Roughly '96, '97.

And These Were All Advertise Ed -- Advertised And We Have Letters Of Qualification And We Go Through The Process To End Up With One.

Why Is This Phase One Baseball Stadium Isn't On Here? That Was Approved By The Board August 5, 2008.

It Should Be On The List.

Our Contracts Manager Cindy Logan Simply Pulls It Off The Data Base.

It Should Be A Complete Listing Of Projects.

Comm. Bigelow: That Was A \$2 Million Project.

What About Riverdale Lib Brother -- Library Replacement.

It Should Have Been On There.

Comm. Bigelow: It's Not On There.

I Can't Answer That.

Comm. Bigelow: That Was A \$790,000 Project To Chris Teleconstruction.

Thank You.

Chairman Judah: Certainly You're Doing The Best You Can To Distribute The Work To The Contractors.

We Have Wonderful Contractors And Their Commitment With Regards To Funding To A Lot Of Charitable Organizations Throughout The Year.

Hopefully As We Proceed In The Future, We Will Keep That Into Account.

Okay.

All Right.

That's The Informational Item.

We Will Go On To The -- I Guess We Need To Go To The Public Hearing Portion Of The Agenda Today And The First Item, 9:30 Public Hearing Item.

Number 1.

Are We On A Break? Jude No.

Good Morning.

Donna Mary Collins County Attorney Office. I Have An Adopt A Plan This Morning And I Enter It Into The Record At This Time.

This Morning We're Going To Have An Adoption Hearing Of The 2008 Update For The Lee Plan Capital Improvement Element And Minor Amendment To Further Clarify School Con Currency As It Relates To The Improvement Element.

Also, I'd Like To Notify Members Of The Public Present Today If You Sign In On The Sheet At The Back Of The Chambers, You Will Be Put On The Mailing List Sent To The County Committee Affairs And They Will Provide You With Advance Notice Of This Compliance.

That Sign-In Sheet Is On The Back Table In The Chambers.

Chairman Judah: We Have A Motion.

First By Commissioner Hall? Second By Commissioner Janes? Anyone From The Public Wish To Comment? Seeing None? Back To The Board.

Any Objections? Discussions? Hearing None, Motion Passes. We'll Go On To The Next Item.

Conduct Second Public Hearing On And Adopt The Fourth Amendment To The Fgcu Campus Development Agreement.

Yes, I've Reviewed The Application And Find It Is Legally Sufficient To Proceed Today.

I Am Entering This Into The Record.

This Amendment Provides Further Detail Of Water Sewage Provided.

Chairman Judah: We Have A Motion By Commissioner Hall? Second By Commissioner Janes? Anyone Here From The Public Wish To Comment? Thank You, Joe For Being Here.

Anyone From The Public Wish To Comment? Seeing None? Back To The Board.

Any Objections? Discussions? Hearing None, Motion Passes. That Finishes The Public Hearing Portion Of This Morning.

We'll Go To The Walk On.

Walk On Item 2.

Commissioner Hall You Want To Comment? Comm. Hall: We've Taken The Lead On Water Resource Issues.

The Caloosahatchee Program Under The Everglades And The Southern Conveyance With Commissioner Judah And We've Had A Lot Of Other People Come Out With Other Programs That Really Do Fall Into The Caloosahatchee Watershed And We Thought The Timing Was Good For Us To Be Able To Put Forward The Lee County Program And Combine -- Sanibel Sent Us A Letter And Combine What Our Work Program Would Be This Year Rather Than -- And Take Into Consideration All The Other Ideas That We Had.

Wayne Daltry, Tamara, John, All Worked On This With Input From Commissioner Judah And Myself And We Wanted To Present It To The Board.

A List Of Things That We Feel We Will Be Touching In This Coming Year Legislatively And Through The South Florida Water Management Commission.

It's A Lee County Work Program That Touches All Of The Areas Including Some Of The Federal Issues That We Have.

It's Really -- I Guess We Would Like To Look For An Adoption For This? Chairman Judah: Motion By Commissioner Hall To Approve Item 2? Second By Commissioner Janes.

Let Me Thank You For Your Good Work.

This Is Huge In Coordinating With Council And Outside Consultants, Natural Resources And Being Involved In Structuring The Language Within This Resolution.

You've Done A Lot Of Work.

I Wish We Could Spend More Time On It This Morning, But You've Covered The Whole Territory.

We Will Get A Commitment And Continued Efforts To Continue Our Water Resources.

Any Member From The Public Wish To Comment On Walk On Item 2? Okay Back To The Board? Any Objections? Discussions? Hearing None, Motion Passes. We'll Go On To Commissioner Items.

Commissioner Hall? Comm. Hall: The Tdc Has Made The Recommendation That We Move The 6.6% From The Stadium -- From The Beach And Shoreline To The Stadium Account.

In Order To Accomplish That We Need Andrea Bring Forward An Ordinance Change.

Chairman Judah: Motion By Commissioner Hall? I'd Like To Instruct To Do That, But We'll Have More Information On What That Means.

To Authorize Her To Bring It Forward For Our Purposes.

Chairman Judah: Do We Have A Second? Seconded By Commissioner Mann.

Any Objections? Discussions? Hearing None, Motion Passes. Comm. Hall: I Have No Other Commissioner Items.

I Think It's Terribly Important And We All Do It.

We Talk About Tdc Moneys.

Chairman Judah: Don't Get Long On This.

I Only Have A Couple Minutes.

Okay.

Go Ahead.

We'll Talk About It Another Time.

Chairman Judah: I Have A Speaking Engagement To Get To And I Should Have Been There 15 Minutes Ago.

And We're All Set.

We Had The Motion.

I Think It's A Good First Step.

Commissioner Items? No.

Chairman Judah: Commissioner Bigelow.

I Want To Thank Our Lee County, We Received The 2008 Power Engineering Magazine Award Again For Our Facility Honored For Its Excellence Right Here In Lee County.

Committee Appointments.

Commissioner Janes.

Comm. Janes: Commissioner Mann Asked Me To Do This And I'm Pleased To Do That.

[Reading Committee Appointments]. Chairman Judah: Motion By Commissioner Janes? I Was Wondering If We Needed Two Motions, But I Guess Not.

I Have Five.

[Reading Appointments].

Chairman Judah: Motion By Commissioner Bigelow? Second By Commissioner Hall? Any Objections? Discussions? Hearing None, Motion Passes. I Have No Committee

Appointments.

Just Briefly We Have A House Keeping Item And A Piece Of Litigation, The School Impact Fee Litigation.

There Was An Injunction Bond Posted In The Amount Of \$50,000.

The Injunction Has Been Dissolved And The Bonding Company Won't Release The Bond Unless We Sign Off On It.

I'm Requesting If They Don't Accept The County Attorney Signature If The Chairman Would Sign The Release By The Bond? Chairman Judah: Motion By Commissioner Hall? Second By Commission Janes Any Objections? Discussions? Hearing None, Motion Passes. Andrea, You Really Stepped In To Show The Responsibility With Regards To The Lease Agreement.

Please Extend Our Appreciation To Dave In Getting The Ball Rolling Initially.

We Will Recess Until 5:00 P.M.

Good Evening, Scott, We Are Here For Agenda Item Number One To Consider Adopting The Uniform Method Of Collecting Non-Ad Valorem Assessments.

Pine Island, Port Carlos Cove Dredging Msbu, And Saint Carlos Island Drainage Msbu.

I Have Examined The Affidavit Of The Notice Of Intent On November 28th, And I Find It Legally Sufficient As To Form And Content And Enter It Into The Record.

Chairman Judah: Ok We Will Go To The Public, If They Would Like To Comment On The Resolution. I'll Call The Vote, All In Favor?

Opposed?

The Motion Passes.

Michael Jacob, Assistant County Attorney, I Have Your Second Public Hearing Item.

The First Of Two Required Public Hearings.

I Have Reviewed The Affidavit Of Publication And They Are Legally Sufficient And I Will Enter Those Into The Record.

This Is A Request To Remove An Ordinance, We Are Asking You Direct It To The Second Public Hearing January 13th At 5:05.

Bobby Stewart Is Here To Answer Any Questions You Have.

Chairman Judah: Any Questions From The Board?

Before The Second Public Hearing Can We Hear As To Whether Or Not There's A Possibility To Amending The Map.

Good Question.

Bobby?

It's Possible, But My Understanding We Would Have To Take A Study, Submit That To Fema For Them To Do Further Mapping Based On A Study We Did Locally Here.

I Don't Think Fema Will Come Back And Do Another Study, They Are Trying To Do Their Entire Countrywide Mapping Programme And They Have Moved On From Here And That Consultant Is Done.

Chairman Judah: Can We Maybe Find Out Why Fema Didn't Send A Track Record Of Flooding.

According To The Email That I Saw Back To The Reporter That Was Asking.

I Think We Were Copied On, Because Of Monetary Constraints Beyond The Limits Of What They Hired The Guy To Study.

I Think It Was Based On A Local Study.

I Know It's Doable, Somehow.

Comm. Hall: I Will Move We Direct The Ordinance January 13th 2009 At 5:05.

Chairman Judah: I Have A Motion.

Second By Commissioner Janes.

Anyone From The Public Wish To Comment?

Seeing None, Back To The Board.

For Discussion?

Hearing No Objection The Motion Passes, Thank You, Michael.

Mr. Chairman, There Is A Comment, Do You Want To Mention That?

I Apologize.

Motion By Commissioner Hall.

Second By Commissioner Janes.

Hearing No Objection The Motion Passes.

Thank You.

All Right We Are Now At --

Go Ahead Commissioner Janes.

Comm. Janes: Sorry, I Was Interrupting, I Shouldn't Have.

Chairman Judah: We Are Now At The Point Of The Agenda, I Believe We Finished The Public Hearing Portion, We Do Offer An Opportunity For Members Of The Public Who Wish To Speak On Any Items Pertaining To Their Interest And Concern In The County.

Good To See You, Sir.

Good Evening.

Good To Be Here.

Rarely Does The Voice Of The People Intersect With The Voice Of The Body Politic But Here Today I Have The Opportunity To Address You And Ask For Your Help.

Please Do Not Fail Me.

My Name Is Harold Mayer.

I Am An Advocate, I Work Largely In The Area Of Mental Health Upon The Linguistic Instructions Societies Offer Their Members That We Know Our Positions.

I Would Like To Proceed My Request For Help With Two Brief Anecdotes.

In The 1930's As A Child, Grace Paily, Author Traveled With Her Mother To The Graduation Of A Relative.

There She Experienced A Culture Very Strange To Her.

Religious, But Attended Sabbath Services, Leaving Temple She Noted Members Forcing People Off The Sidewalks In The Gutters.

Law In That Culture Reserved Sidewalks For People Linguistically Referenced As White And Required Others Vacate The Sidewalks When Whites Are Present.

Some Took Pleasure Enforcing The Law.

Who Has Allowed What Interests Me Greatly.

1967, Constitutional Revision Committee, He Suggested A Revision To Florida's Basic Rights.

If You Would Like A Concise History Of Rights All You Need Do Is Read The History Of The Basic Rights Amendment To Florida's Constitution And You Have The Most Precise History Of Rights You Have Anywhere.

His Son Lost A Leg In A Skiing Accident, He Was Personally Aware Of The Prejudices His Son Encountered Because Of His Physical Disability.

He Did Not Note His Linguistics.

Did You?
The Word Physical Is Exclusionary.

He Did Not Ask For The Rights Of People With Disabilities To Be Added To Florida's Constitution But Only That Half With Physical Disabilities To Florida's Constitution, Discriminates Against People Whose Disability Is Not Physical.

In 1997 I Worked To Remove The Prejudice He Entered Into Florida's Constitution, As Black And White Divided Before, The Modifier Physical Divided The Disability Community, Offering Right To One Half, Denying Rights To The Other.

I Failed.

It's Still There.

I'm Very Sorry For The Failure.

I Could Not Address The Committee And Explain The Prejudice, A Simple Modifier Can Impose.

That Prejudice Lies So Deeply In Our Culture It Prevails To This Day.

I Would Like Your Help In Removing The Linguistics Behind That Prejudice.

Earlier This Year The U.S. Supreme Court Declared The Gun Laws Of Washington D.C. Unconstitutional.

The Connection To Mental Health?
Nothing In That Decision Invalidated Prohibitions Against Felons And The Mentally Ill From Purchasing Firearms.

Felons Is A Legal Term Of Art.

Any Law Student Can Research It And Define It.

The Mentally Ill Is A Term Of Prejudice.

It Is Not A Legal Term Of Art.

Mr. Scuderia Errored.

No Such Law Exists.

The Torrent Of Silence That Followed His Declaration Was Deafening.

I Have Never Been So Frightened In My Life At Silence Before.

Had He Dared In A Statement, The Blacks May Not Purchase Firearms, Or The Jews, The

20th Century Having Corrected Itself Would Have Stopped Him And His Law Clerks Long Before Daring The Words Publicly.

I Do Not Know How You Can Help Address His Error And The Error In Florida's Constitution. But I Am Asking You To Do So.

To Date I Have Addressed Sculia's Error With More Than 100 People.

All Have Declined To Help.

The "New York Times" Declined, Though Their Reporter Phoned My Home To Congratulate Me On Educating Her About The Meaning Of The Term "The Mentally Ill", Her Editors Clearly Didn't Permit Her To Pursue Sculia's Error On Their Pages.

The "L.A. Times" Declined.

"Washington Post" Declined.

Every Major Mental Health Advocacy Has Declined.

The News Press Has Declined.

Wink Tv Has Declined.

Law Journals And Judges Who I Have Appealed Also Declined.

The Professor Of Law Told Me It Was My Problem, It Was Not Hers As A Law Professor.

The Reality Of Course Laws Prevent People Who Have Been Legally Declared A Danger To Themselves Or Others As A Result Of A Mental Health Problem From Purchasing Firearms.

Chairman Judah: I Will Need To Have You Wrap It Up If You Could Please.

I Have One More Sentence.

Chairman Judah: Certainly.

The Pertinent Term, A Term Of Respect.

Sculia's Error Stands As An Error In The Constitution.

Please Do Not Fail Me And I Thank You For Your Time.

Chairman Judah: Thank You For Taking The Time To Be Here.

If We Can Get A Copy Of That For Minutes, I Would Appreciate It.

Thank You Harold.

Give Our Best To Cathy.

I Don't Believe There Was Anyone Else Who Wishes To Comment.

So We Are Adjourned.