

November 10, 2009

Chairman Judah: We'll Go Ahead And Get Started And Start Off With The Invocation From The Church Of Cape Coral.

Good Morning.

Good Morning, Thank You.

Let Us Pray.

God We Gather Today On This Veterans Day Week With Thankful Hearts.

We Thank You For Commissioning Men And Women In The Defense Of Our Freedom.

We Honor Those Who Honor And Protect Us.

In Many Cases Laying Down Their Lives That We May Live, Free To Pursue The Life You've Called Us To.

We Are Mindful For Every Soldier That Takes Oath, Knowing They Might Be Called On To Pay The Ultimate Sacrifice.

For Those Who Have Suffered, We Ask For Super Natural Healing, Favor And Peace.

The Example Of These Veterans Provides For Us Today, A Glimpse Of The Perfect Sacrificial Love That We Know Comes From You.

We Thank You That You Love Every Person In Lee County.

We Know That We Can Never Repay Love And Sacrifice And Grace That You Have Shown To Us, And So We Ask That Today You Would Help Us To Simply Live Our Lives Back As A Gift Of Gratitude To You.

May Every Discussion, Every Decision, Every Conversation And Yes, Lord, Maybe Even A Disagreement Be Anchored In The Attitude And Love That We Have Been Shown By You.

I Pray This In Jesus' Name, Amen.

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.

Please, Be Seated.

I'm Going To Ask That John From Veteran Services Step Forward Please.

John, Hopefully You're Here.

Where Are You? There He Is.

No, That's Not John.

You Were In The Dark There.

John Can't Make It Today? Nice To Have You Here, Sir.

Certainly A Privilege For Our Board To Honor Veterans Past And Present, With Veterans Day Coming Up Tomorrow.

The Resolution Reads As Follows, Before I Get Started, Other Veterans In The Room, If I Could Ask That You Please Step Forward Up To The Podium, Those That Have Served In Armed Services, We Would Be Grateful To Have You Up Here At The Podium.

Certainly Appreciate And Thank You For Your Service, And We Would Like To Regular You Being Here In The Commission Chambers This Morning.

Good Morning, Ron.

Thank You All.

The Resolution Reads As Follows.

Whereas Veterans Day Has Been Set Aside As A National Holiday To Honor The 42 Million American Veterans Who Served In The Military Services, And The Over One Million Who Have Paid The Ultimate Sacrifice To Preserve Our Freedom.

24 Million Living Ex-Service Members In The United States, And More Than 64,000 Living In Lee County.

Whereas The Peace, Prosperity An Freedom Are Due In No Small Part To The Sacrifice Of Our Men And Women In Uniform, Whereas Veterans Day Is A Special Time To Remember Those Who Have Served In Our Armed Forces And Its Fitting That Our Residents Join In Honoring Our Sons And Daughters Whose Through Freedom We Enjoy In This World.

Now Be It Resolved By The Board Of Commissioners, We Do Here Proclaim, November 11th, 2009 As Veterans Day In Lee County, And All Residents To Reflect Upon This Day With Appropriate Ceremonies To Honor Those Who Serve A National Purpose To Preserve Justice, Freedom And Democracy.

This Resolution Is Executed This 10th Day Of November Of 2009 I Was Honored To Sign It.

[Applause] Good To See You.

One More.

Commissioner Janes.

Nice To See You.

Stay Here In Front Of Us.

Nice To See You.

Thank You.

You Want To Stay Right There.

Yeah, But I Could Move Over One.

One Second.

Chairman Judah: We're Going To Have You Four Gentlemen Move To The Right Just A Little Bit.

We Got Our Good Looking Guy In Here.

Thank You, We Would Sure Like To Hear A Few Words, Thank You, Gentlemen.

Thank You Very Much.

We Appreciate The Proclamation.

In 20 Days, I Will Celebrate The 45th Anniversary Of My Enlistment In The United States Army.

A Couple Of These Other Fellows Might Predate Me A Day Or Two, But That Soldier Sure Doesn't.

Proud To See Him.

And I Consider Myself Very Lucky In That My Job With Veteran Services Allows Me To Celebrate Veterans Day Every Day, And Multiple Times Every Day In The Service To The 68,000 Veterans Here In Lee County.

Thank You.

Chairman Judah: Thank You, Sir.

[Applause] Thank You All Very Much.

Comm. Bigelow: What A Great Representation, We Have Almost Every Generation Covered There.

From Young To Not So Young.

We Do Know That Women Are Serving Though, And They Were Not Representative, And That's Important To Also Note.

Chairman Judah: Absolutely.

Thank You Commissioner Bigelow.

We'll Move On To The Recap Now.

And We Do Have One Item.

Thank You Doctor, Appreciate It.

And That's Administrative Item 7-A And We'll Get To That For The Action Request At The Appropriate Time.

At This Point We Have A Number Of Cards For A Variety Of Issues.

Commercial Bigelow.

Comm. Bigelow: We Have A Walk-On Ceremony.

Chairman Judah: I Apologise.

Thank You For Bringing It To My Attention, And I Hope You Have The Resolution.

Comm. Bigelow: I Do.

Good Morning.

Mr. Chairman, If I Can Ask Brendan Donahue To Come Forward, He's With The Lee County Health Department.

For The Tobacco-Free Coalition.

Thank You For Being Here.

And Anyone Else.

Gregory, Our Students Working Against Tobacco Coordinator.

Excellent, Excellent.

Wright, Students Working Against Tobacco That's Swat For Short, Right? Good Acronym.

Thank You For Being Here.

Whereas The Work Of The Tobacco-Free Lee Coalition In Partnership With The Lee County Students Working Against Tobacco, Otherwise Known As Swat, Will Not Be Completed Until All Government, Non Government Agencies, Private Workplaces And Public Places Are All Tobacco-Free, And Whereas Citizens Are Guaranteed Under The Federal Constitution, Certain Initial Rights, Among Them, Life, Liberty And The Pursuit Of Happiness.

Yet In The State Of Florida 88 Die Daily Every Day Related To Tobacco Diseases.

Whereas Evidence Shows That As A Direct Result Of Smoke-Free Policy Change There Are Public Spaces Where Smoking Has Been Prohibited, Results In Reduced Incidents Of Cardiac And Stroke Attacks In Local Hospitals.

A Whereas Second Hand Smoke Costs More Than \$9.5 Billion Each Year In The U.S., That's \$9.5 Billion Dollars Each Year In The U.S., In Direct And Incorrect Medical Costs, And Whereas Employees Who Smoke Have Twice The Loss Production Time Per Week For Personal Health Reasons Than Workers Who Never Smoked, At A Cost Of \$27 Billion Dollar To Taxpayers.

To Employers, I'm Sorry.

Now Therefore Be It Resolved To The Commissioners Of Lee County Florida That We Do Here Proclaim In Recognize November 19th, 2009 As The National Great American In Lee County, And We Encourage, We In Fact Besiege All Of Lee County Citizens And Employees To Live Healthier And Happier Lives By Seeking Support And Stopping Usage Of Tobacco Products.

This Has Been Duly Executed This 10th Day Of November 2009, Kind By The Honorable Chairman Of The Board Of Lee County Commissioners, Commissioner Ray Judah.

If You Would Please Come Forward While We Present This To You.

[Applause] Thank You.

How Are You? Ok, One, Two, Three.

That's It.

Chairman Judah: Thank You.

We Would Love To Hear From You.

Ok, One, Two, Three.

That's It.

Chairman Judah: Thank You.

If We Could Hear From You? I Want To Thank You For Having Us This Morning And For This Important Resolution.

And We Accept It On Behalf Of Tobacco-Free Lee Coalition Of Southwest Florida, And The Students Working Against Tobacco.

The Students Working Against Tobacco Have Been Working For 11 Years.

Swat Was To Child Of Dr. Lawtonchild.

We Are Sort Of Riding A Wave Of Social Change Right Now.

Universities, Hospitals, Private Businesses Are Certainly Becoming More Interested In Having Tobacco-Free Grounds, And We Support That Effort And Will Continue To Support That Effort, So Thank You Once Again So Much.

Comm. Bigelow: Thank You, Brendan.

Thank You For Being Here.

Chairman Judah: We Have A Member Of The Swat Team Step Forward.

Time Swat Coordinator For The Lee County School District.

We Were To Have Students Come Today, But Unfortunately Last-Minute Changes And Weren't Able To Make It Out.

But, I Just Want To Inform Everybody Here Of How Excited Some Of These Kids Are To Be Involved, And To Help Make This A Healthier Place For Future Generations.

They're Really Excited.

They're Really Onboard And Coming Up With Great And Wonderful Ideas On Ways That They Themselves Can Help To Make This A Better Place For All Of Us, And A Healthier Place.

I Want To Thank You Guys For All The Efforts The Commission Is Making To Help Us Make That A Reality.

Comm. Bigelow: Good.

Chairman Judah: Thank You For Your Leadership.

Chairman Judah: Thank You Commissioner Bigelow.

Comm. Bigelow: Before We Leave This Moment, I'm Sorry I Wasn't Here Last Week And Commissioner Mann I Appreciate You Reading The Alzheimer's Awareness Month Proclamation.

Because It's Pretty Well Known Or I Made It Well Known That My Grandmother, My Father's Mother Passed Away From Alzheimer's.

But, What's Not Well Known Or Haven't Made Publicly Clear Is My Father, My Grandfather Died Of Emphysema And Cardiac Failure.

And I Too Am A Former Smoker.

I'm Fortunate Enough To Be Able To Kick Habit.

I Think That Actually Makes Light Of The Problem That I Experienced.

I Was Truly Addicted Because Nicotine Is An Addictive Substance.

And I Think You Might Have Noticed When I Read The Proclamation And Took It Very Seriously And Felt Strongly About This Issue.

From Not Just Personal Reasons, But Because I Think As Daniel Makes Clear, You Know, The Generations That Are Coming Behind Us That Will One Day Replace Us Here As County Employees, You Know, They Deserve Something Better Than What We Had When It Came The Right To Breathe Non Polluted Air.

And, That's Really The Focus, Or The Motivator For Me Is Those Who Are Coming Up Behind Us And What We Can Do To Help Pave The Way, And Make You Know Quality Of Life Near Lee County Better For Them.

And This Is, I Think, As Brendan Mentioned, They're Riding A Wave.

I Think This County Government Is Riding A Wave.

Yesterday Commissioner Mann As A Port Authority Commissioner Proposed That We Ban Smoking On Port Authority Property.

Something I Strongly Support, Commissioner Judah Supported That Idea.

So, We Are I Think Johnny On The Spot, If You Will.

Others Have Gone Before Us, The School Board, The Memorial Hospital This Month.

Has Enacted A No Smoking Policy, Total Prohibition On It.

And I'm Sure That Many Of Us Here, If We Were To Poll, I Won't Put Us Through That, But Most Of Us Do Not Smoke, And Those That Don't Smoke, There's A Large Percentage Of Us That Probably Did At One Point.

I Think The Tide Is Turned.

That It's Now Universally More Widely Accepted That Smoking Has To Be Done Away From And Out Of The Air Space Of Those Who Choose Not To Breathe It.

So, I'm Encouraged That We Will Be Making Policy Changes And Collaboration, And Cooperation With The Smoke-Free League Coalition.

I Want To Be Sure That I Got That Out There, And Offered Some Public Support For I Think A Very Important Issue.

Chairman Judah: Thank You Commissioner.

Well Stated.

Thank You For Reading The Resolution.

Ok, We'll Move Forward For Public Comment On The Consent Administrative Agenda.

David, Good Morning.

For The Record, David Uric.

What It Means To Be A Biker, I Was A Biker Before I Married My Wife, Which Is Now 54 Years Ago.

So, However, Life Has Cycles That Not Meaning That As A Pun, But, I May Be On A Three-Wheel Cycle After They Take Away My Driver's License, And I Think We Need To Be Aware Of The Fact That Our County Roads And Byways Need To Be Safe For Both Walking And Biking.

I Thought We Would Resolve This Issue Two Years Ago When I Went To Some Meetings On This.

But, Apparently We Are Just Meeting The Minimal Standards And With Lee D.O.T. And We Need To Upgrade Them To The Enhanced Standards.

Thank You, David.

Chairman Judah: Mike Flanders.

Good Morning, Councilman.

Good Morning Commissioner.

I'm Mike Flanders, Security Councilman For The City Of Fort Myers.

I'm Here To Give The City Support To Item 3-A Which Is The Concur With The Range Of The Competitive Negotiations Committee For The Design Of The Fort Meyers Lee County

Library.

As You Know The City Of Fort Meyers Has Made A Commitment To Downtown Over The Years, We've Spent Nearly \$50 Million In Infrastructure And Streetscape Projects, And I'm Happy To Tell You That All That Will Be Through In The Next 30 Days.

An That's Been About A Four-Year Project That We've All Labored Through, But I Think We Can See The Rewards Are There.

And The Projects Will Be Clear The Roads In The Next 30 Days.

We've Also Committed \$4 Million To The Site Purchase For This Library.

We're Excited About This Project.

The Site Selection Meets Our 2003 Master Plan For Downtown.

Which Requires An Anchor Site On The East Side Of Our Historic District To Generate A Lot Of Pedestrian Activity, And A Lot Of Injection Into The Do You Want.

It's A Great Project, We Look Forward To Working With The County Over The Next Year.

And The Design Process, And We're Excited And We Hope You Will Continue To Go Forward.

Thank You.

Chairman Judah: Thank You So Much For Your Assistance, Mike, Appreciate It.

Tony Ferrell.

Good Morning.

Good Morning, How Are You All.

Chairman Judah: Fine, Thanks.

Comm. Bigelow: How Did You Get Here This Morning.

I Rode My Bicycle.

I Wrote What I Wanted To Say, Because I Will Forget.

I'm A Lee County Citizen, Most Of You Know Me.

I'm A Licensed Architect.

I'm A Local Business Owner.

I'm Passionate About My Art.

I Love To Paint.

I'm Passionate About My Profession.

I Bake A Really Good Loaf Of Bread And I Love To Ride My Bicycle.

I'm One Of A Growing Number Of Professionals Who Choose Alternative Modes Of Transportation In Lieu Of Driving My Car.

I've Used My Car Three Times Since The Beginning Of July.

I Admit That I Grouse About It Every Time.

I Prefer To Ride My Bicycle Because It's Fun, It's Easy, It's Convenient, It's Cheap.

I Think I Brought Some Consternation To The Office When I Would Show Up In Front Of Ron And Kevin In The Morning And I Had A Big Grin On My Face At The Beginning Of The Workplace.

I Ride My Bike Because It's Less Stressful, Except For The Few Occasion When I Find Myself Facing A Poorly Designed Intersection That Puts My Life At Risk, And Some Of You Know I Have Been Hit By A Car When I Was Using A Pedestrian Crosswalk Near Lee County.

For 12 Weeks This Summer I Explored The Pacific Coast, Traveling Roughly 1500 Miles.

Mostly By Bicycle And On My Own.

I Went There To Experience Places That By Varying Degrees Provided Their Citizens Broad Choices For Alternative Means Of Transportation.

I Came Away From The Experience With Several Conclusions, And I Wanted To Share Just A Few Of Them Here With You.

Lee County Is A Lot Flatter Than The Pacific Coast.

Our Weather Is A Lot Milder.

Towns With Populations Near 1,000 Had Marked Designated Bike Lanes, Mass Transit And Sidewalks.

And When Spaces Are Available For Safe And Convenient Walking And Cycling, I Found People Walking And Cycling Everywhere.

The People That Lived In Those Places Seem To Drive Their Vehicles With A Lot More Care, Because They Expect To Share Their Environment With People Who Are Walking And Cycling.

I Don't Have Statistics Specific For Lee County, But 32% Of Americans Do Not Have A

License To Drive A Car.

That's A Pretty High Number.

22% Of Floridians, I Suspect Were On The Higher Side Of 22%, Because We Have A Large Elderly Population Here Who Do Not Drive.

23% Of Traffic Related Fatalities Are Pedestrians And Cyclists.

And While No One Seems To Be Able To Tell Me How Much Money We Spend On Transportation Projects, I Understand That We Only Spend \$1.12 Per Person Every Year On Bicycle And Pedestrian Infrastructure.

Florida Has Over Three Pedestrian Deaths Per 100,000 People.

Florida Does Not Have A Very Good Track Record.

Lee County's Track Record Is Worse Than That.

So I Think That We Need To Set Our Standards Higher Than The Florida Standard, If We're Going To Make A Change.

Given Our Fair Climate, Our Flatter Rain, And The Downturn Of The Economy, I Expect That We'll Find More People Biking And Walking And Not Fewer.

I Wanted To End With This Chinese Proverb I Don't Know How Many People Have Read The News, But In The Last Three Days There Have Been Three Extreme Crashes, Three Days, Two Pedestrian Deaths And One Bicyclist Taken By Helicopter To Trauma And I Don't Know What That Person's Condition Is, The Pro Verb Reads, If We Don't Change Our Course, We Will End Up Where We're Headed.

Chairman Judah: Thank You.

Good Morning, Peter.

Good Morning, Tomorrow's Pretty Special Day For Me.

My Flag Already Fly At Half Mast.

My Great Grandfather Was Wounded.

I Had Uncles Who Fought And Wounded In France, During World War I, And Others Who Fought In Virtually Every Theater Of World War II.

Lost A Cousin In Korea.

I Spent Almost 20 Years In Various South And Southeast Asia.

And My Son Who Is No Longer With Us, Designed A Ship Which Is Currently On Its Way To

Deployment In The Pacific To Help Protect Us For The Future, And Preserve The Rights We Have.

Do What We're Doing This Morning.

My Flag Will Probably Stay At Half-Mast, In Honor Of Our Boys Who Are Still Out There Fighting And Dying To Preserve What We Have.

But This Morning I Really Rise To Speak In Support Of Our Quality Of Life And Our Safety Of Our Young People.

We Need To Protect Kids To Be Able To Walk To School, And To The Parks.

We Need To Protect The Ability Of Old Folks Like David And I Who Won't Be Driving Very Much Longer.

To Be Able To Get To Where We Have To Go Without Being Dependent On Our Cars.

When My Kids Were Young, We Bought A Home In A Place In Northern Virginia, Where The Kids Could Literally Ride From School To Park To Playground, To The Candy Shop Without Crossing A Major Street.

I Mean, It's Possible.

There Are 10s Of Thousands Of Miles Of Trails Through The North Woods That Allow People To Bike And Ride And Walk Safely.

We Have To Have A System Which Is More Than A White Line On The Side Of The Road.

We Have To Have A Place Where People Can Comfortably And Safely Have An Opportunity To Travel Throughout Our Community And To Adjacent Communities.

We Also Need An Opportunity To Have Decent Shelters So That People Will Utilize Mass Transit When It Is Made Available To Us.

We Have To Rethink, I Think The Vision For Lee.

I Understand Carven Already Working On The Process Of A Better Vision For Lee County.

And That Lee County Has To Be One Which Is Transit Oriented And Allows Us To Join Our Neighborhoods And Our Counts Together, So That We Have A True Transportation System That Is Safe, Reliable And Pleasant To Use.

I Urge Your Support For The Resolution.

Chairman Judah: Thank You, Sir.

Paul Andrews.

Good Morning, Sir.

Good Morning, Commissioners.

I Didn't Fly In This Morning, But I Brought Any Prop With Me.

My Name Is Paul Andrews And Beginning My Second Decade As A Resident Of Lee County Having Migrated From Western New York, Where We Get Three Days Of Good Bicycling.

I've Done My Best To Get As Many Mimes In As I Can.

I Was On The Board Of Directors For Rails To Trails In Western New York, And We Did Provide Great Green Space For People.

Down Here I've Been President Of The Local Captiva Audubon And I'm The Nature Guy.

When You See Me And My Feathered Friend, Please Note My Protection On My He, It's Called A Brain Bucket, I've Been Called A Bird Brain.

I've Been Called A Feather Brain, A Feather Head.

Just Crazy Bird Guy.

But The Bottom Line Is You Have In Front Of You Today, A No-Brainer.

You Have The Ability To Provide Safe Pedestrian Bicycle Routes In Southwest Florida.

So Today I Join My Local Audubon Friends For The Support Of The Complete Streets Resolution.

Thank You For Your Yes Vote Today.

Thank You.

Chairman Judah: Thank You, Sir.

Jill Beck Followed By Dr. Judith.

Ly There.

Thank You.

Good Morning.

I'm Joe Beck, I'm A Registered Architect, Urban Designer And Cyclist.

I Cycled Here Again This Morning.

I'm Speaking About The Complete Streets.

The Complete Streets Is Essential To Integrate The Goals Of The Smart Growth Committee.

Stated That Support Smart Growth, It Has A Series Of Goals They Have And Complete Street Is One Of Those Critical Elements That Actually You Want The Support Of What The Community Is About.

I've Worked With Mr. Daltrey.

I'm Creating Those Graphic Image Of What An Urban Village Could Be.

Here's An Example You've Probably Seen These.

I've Done Drawings For The North Fort Meyers Community Design Panel And Looking To Create Their Downtown.

And Integrating Both Automobiles And Pedestrians And Cyclists All Within An Urban Space To Make The Critical Feel What A City Could Be.

Lee County Is Based Our Code Currently Bases On The Automobile Going 35 Miles An Hour In The Air-Conditioning.

That Paradigm Is Hostile To Anything Else Besides The Automobile.

The Complete Street Resolution Actually Looks At Integrating, How Do You Integrate The Automobile With The Cyclist? How Do You Integrate With The Pedestrians Creating A Safe, Urban Environment That You Don't Actually Look At The World At 35 Miles An Hour, But You Can Look At The World At 2.5 Miles An Hour Walking.

The Complete Streets Is Essential To Integrate Those Multi Transportations.

Your Automobile, Your Cycling, Your Walk.

The Ada People.

And In Our Future, Gas Will Only Go Up.

We Saw Back Couple Years Ago, Gas Was At \$4 A Gal Ron.

The Am Of People Driving Were Like, Oh, Wow, That's Expensive To Drive.

And We Look At The Numbers Actually Coming Down.

How Do I Create Something Different, Not To Spend So Much Money On Gas? Now, I'm Not Naive Saying That Gas Is Always Going To Be Low.

I Believe Gas Will Go Up By \$10 A Gallon.

When It Reaches Those Levels, If We Don't Have The Infrastructure In Place To Support

Over Modes Of Transportation In Our Urban Environment, Well, We'll Be In Trouble.

So I'm Requesting That You As The Board Of County Commissioners Support The Complete Resolution Which Suns What We're Up To As A County.

Creating Safe Streets.

Thank You Very Much.

Thank You, Sir.

Dr. Judith Hartner.

Good Morning.

Judith Hartner.

I Also Come To Speak In Support Of The Complete Streets Resolution.

Earlier Commissioner Bigelow Talked About How We Have A Wave Of Moving Societal Moving Away From Tobacco.

And Much Of That Has Happened Through Policy Change.

You Have Before You Today In The Complete Streets Resolution, Another Policy Change That Will Be Critical For The Public Health And Community Health Of This County.

Because Hen We Start Making The Streets Safe For Bicyclists For Pedestrians For Alternate Means Of Transportation, People Will Take Advantage Of It And We Will Begin To Systematically Foster Increased Physical Activity And Address The Obesity Epidemic.

So I Have Two Good Reasons To Support, And I'm Sure You Will Hear More Data On The High Fatality And Injury Rate We Have, For Pedestrians And Bicyclists.

But This Is A Policy Change That Ultimately Will Promote Increased Physical Activity In Lee County.

Chairman Judah: Thank You, Dr. Hartner.

Dr. Lowell.

Good Morning.

Good Morning, And Thank You For The Opportunity To Speak About The Complete Streets Resolution.

I'm Doctor Lowell Gerson.

I Also Am Professor, Senior Associate Editor Of Academic Emergency Medicine.

I Represent Emergency Medicine On The American Geriatric Society Council And Surgical Specialties And I Was A Visiting Senior Scientist At The National Center For Injury Prevention And Control Of The C.D.C.

I Have A Very Long Background In Public Health, In Clinical Preventive Services.

The Injury Prevention Coalition Has Been Working To Prevent Injuries In Lee County Since 1995.

Our Group Is Comprised Of More Than 80 Different Health Professionals And Organizations.

Our Mission Is To Help Make Lee County A Safe Place To Live, Work And Play.

Federal Government And Many Public And Private Public Health And Medical Organizations Have All Recommended Exercise, Including Bicycles, As Part And Walking As Part Of A Healthy Lifestyle Leading To A Better Quality Of Life And Length Of Life.

However, Those Engaging In Walking And Biking, Should Not Have To Do So In An Environment In Which These Activities Pose A Health Hazard Or In Themselves.

Over The Past Five Years, 95 Pedestrians, 32 Bicyclists And 88 Motorcyclers Have Died On Lee County Streets And Rose.

That's 215 Preventable Deaths.

It's Crucial That Lee County Roads Be Safe For All Who Use Them.

Including Pedestrians And Bicyclist In The Injury Prevention Coalition Strongly Endorses The Goals Of The Complete Street Resolution, And Encourages The Commission To Pass The Resolution.

Thank You Very Much.

Thank You, Doctor.

Jane Macneil.

Hi, Good Morning.

Good Morning.

My Name Is Jane Mcneil.

I'm A Member Of The Estero Council And President Of The Civic Association.

It's Especially Heartening During These Last Years In Lee County To See Such Talented Bocc Leadership To Be Joined By Talented, Selfless Volunteers With Great Work Ethic, Making This A Better Place.

On The One Hand The Bocc Built Up Its Reserves So Would Not Hit The Skids Along With Our National Economy.

On The Other Hand, Capable, Committed Volunteer Leadership Has Participated In Articulating Many Of The County's Critical Issues.

We See The Work Of One Group Building On That Of Another.

Perhaps Farsighted Volunteers Will Rekindle A Renewed Urban Planning Component Of The County.

Perhaps Emphasis Will Be Directed Not So Much At Creating New Communities, Out Of Field And Forest.

But Adding Densities To Existing Communities, Based Upon Design Of New Means Of Transportation, Including Bike Lanes And Walkways.

And Bus Shelters.

Such Changes Would Solve A Boat Load Of Environmental Issues, And Substantially Enhance Lee's Appeal.

The Eccl And The E.C.A.

Endorse And Support The Bike Walk And Leadership With The Endorsement Of The Complete Streets Act Bill.

Certainly At The Forefront Of The Bill Is A Record Of Appalling Lack Of Safety Afforded Pedestrians And Bicyclists In This County And State.

Correctly Foresaw The Need Of A Coherent Integrated Transportation System Coming Down The Pike.

If I May Pun.

We Surely Believe You Commissioners And County Staff, Agree With Their Careful Work To Date, Advances Lee's Position In Receiving As Many Funding As Possible For The County.

Our Bike Waist And Walkways Provide Shade And Landscaping Too.

Our Support Of Bike Walk Lane Will Considerably Advantage The County's Pop Plus.

Thank You So Much.

Chairman Judah: Dr. Dean Thank You For Allowing Me To Address The County Commissioner.

Thank You Having Seen, Personally In The O.R.

It's A Great Initiative.

I Am Here Today To Talk About The Complete Street Initiative And Support For The Safety And Accessibility For Our Users In Our Community Of The Roads.

Lee Memorial Health Systems And Pushing For The Pedestrians And Bicyclists That We Have Here Today As Seen These As A Current Victims Who Arrive To Me At The Trauma Center, With Multi System Injuries.

Although The Share The Road Concept Is A Good Concept, And It Shows That We At Least Have A Start, It's Still Not Well Enough For What I See Here In Our Community.

I Live On Brier Cliff Road, And I Can Tell You From My Experience, My 8-Year-Old And 5-Year-Old, One Being A Little Bit Morbidly Obese, Try To Encourage Her To Ride Her Bicycle, She Would Not Be Able To Use Other Than Our Driveway.

And That Being Your District, Mr. Judah.

The Road Concept Has A Good Intent.

We're Looking For A Safe Environment.

To Use These Roads As Access To Encourage A Health Behavior, To Decrease Morbid Obesity, So They Don't Wind Within The Trauma Center.

National Obesity And In Our County Alone Shows Two Times The National Average, In Last Year We Saw Almost 180 To 200 Pedestrians And Bicyclists That Cycle To Our Center.

These Don't Include The Minor Bumps And Bruises Because Allows Us To See The Multi System Injured Patient.

The Citizens Doing The Right Thing By Trying To Share The Road Which We Have No Access To Sidewalks Or Bicyclists To Maintain Either On The Road Is Dangerous, And They Either Have To Subject Themselves To The Culverts Or Walk On To The Side Of The Area.

I Would Encourage Also For Our Elderly Population, Even To Go Get A Gallon Of Milk In Their Tri-Wheels Is A Tedious Task.

I Would Like You To Please Look At This From A Health Standpoint And From A Citizen Standpoint And Adopt The Resolution For Safety For Our Citizens And Provide A Complete Street Environment For Better Community And Growth.

Also You Know, If We Look At It From A Standpoint Even Allow You Know, I Think We Give The Better Access In The Waters Than We Do Our Own Citizens Here In The Community.

I Think It's A Really Concern.

The Only Place To Drive Is My Children Is To Put Them In My Vehicle And Take Them To

Lakes Park For A Complete Safe Environment.

Thank You.

Chairman Judah: Thank You, Sir.

Carla Letourneau.

Thank You, A Coalition Working To Complete Lee County Streets.

I Want To Recognize Someone Who Isn't Here, Dan Moser, He Is Actually Teaching The Area's Worst Drivers This Morning.

About How Their Behaviors Impact On Bicyclists And Pedestrians.

He's With Us In Spirit, And He Had Been The Long-Time Champion And Advocate For Safer Streets In Lee County.

And We All Are Really Happy To Be At This Point In The Process.

Yesterday There Was A National Report Released Called Dangerous By Design In Previous Years It's Been Called Main Streets And Periodically, They Look At All 360 Metro Areas In The Country, And Measure The Risk For Walking In Those Communities.

And Florida Is The Most Dangerous State In The Country.

Three Times The National Average.

And Lee County Is Higher Than The State-Wide Rate.

We've Already Heard Some Of The Numbers Of How Many People Here Are Killed Both Pedestrians And Cyclists But We Also Have Many More Injuries For Every Pedestrian That's Killed, There's 13 More Who Are Injured And With Cyclists There Are 19 More Who Are Injured.

Many Of Whom End Up In The Emergency Room.

So Fatalities Are Just The Tip Of The Iceberg Of The Problem.

Lee County Ranks 23rd Of The 360 Me Throw Areas.

But, They've Highlighted The 10 Worst Large Cities In The Country, Or Metro Areas, And Four Of Those Are In Florida.

And Our Fatality Or Our Danger Index Is Higher Than All But The Top Two.

So We Have A Problem, And Part Of The Problem Is A Disconnect Between The Funds, That Are High Rate Of Fatality, And The Funding To Address The Safety Problem.

Only Spending \$1.12, Way Out Of Proportion To Who Is At Risk Here Of Getting Killed.

But The Report Points Out That Most Pedestrian Deaths Are Preventable.

And By Adopting Complete Streets Policies, We'll Have Safer Streets, And It Is One Of The Key Recommendations Of The National Report.

And They've Gone To Great Lengths To Highlight Other Communities Who Have Adopted Complete Streets, And Show The Measurable Results That They've Gotten, And St.

Petersburg Right Up The Road From Us Has Great Results, They've Reduced Their Pedestrian Crashes By 50%, By Some Of The Policies They've Put In Place.

Including A New Crosswalk Safety Improvement That Actually Won A National Award Last Week.

Another Proven Tool Is The Round About.

And I Know From Listening To Your Strategic Planning Discussion, This Is Something That Members Supported.

The Report Says That Round About Reduce Injury Crashes, By 75%.

And You May Have Been Thinking Of Those In Terms Of For The Motorist, But In Fact, They Also Improve The Safety For Pedestrians And Cyclists.

So, I Urge You To Support The Complete Streets Resolution Before You Today.

It's The First Step.

The Hard Part There Be Implementation.

It Really Does Require Paradigm Shift To Thinking Of Moving Away From A Car Centric Approach And A Focus To Equal Priority On All The Users Of Our Roadway.

And The Reporting Process That's Put In The Resolution Also Is Important For Ensuring Transparency And Accountability Which Will Be Important For The Success Of This.

I That I Think All For Your Support.

Chairman Judah: James Davis.

Good Morning.

I Will Like To Begin By Thanking Everyone For Their Comments Thoughts And Prayers Given To Veterans Today.

You Know, I Joined The Army In 2004, Spin Years Training, And Over Two Years In Afghanistan Defending And Protecting These Very Streets We're Talking About Here Today

With This Complete Streets Resolution.

I Would Like To Say This Is One Of Many Steps That I Believe Will Enhance The Future Of Lee County.

Not Only Am I A Veteran, I'm Also A Student At Florida Gulf Coast University And Recently Part Of A Study That Took A Look At The Quality And Utilization Of The Streets Across The County.

Our Findings Were Surprising To Say The Least.

After Reviewing The Approximately Locations I Found That The Quality Is Well Below What People Consider Standard, And Compromises Safety Across The Board.

The Goal Is Laid Out By This Resolution, The Goals Will Improve The Safety And Quality Of Our Streets.

Will Further Lead To Improving Our Community.

I Would Like To Say I'm A Firm Believer That This Is One Of The First Steps, I'm Proud To Refer To Myself As A Member Of The Future Of This Community.

And I Urge This Board To Support This Investment In That Future.

Thank You.

Chairman Judah: Thank You, Sir.

And For Your Service To Our Country.

Gary Ververt.

Good Morning, Sir.

Good Morning, Mr. Chairman.

Good Morning Commissioners.

And I Too Am Pleased That I'm Able To Be Here To Speak In Front Of You In Terms Of Speaking For The Cleaning Streets Resolution.

Before I Say That Though, I Wanted To Thank You Also For The Veterans Resolution This Morning.

Being A Vietnam Era Veteran Coming Back In 1968 You Weren't All Welcomed As You Are Today.

And Certainly Nice That Recognition, Although 30 Years Later, You Know How Great It Really Is, Thank You.

Less Get On To Complete Streets.

The Complete Streets Resolution.

Let Me Say This.

You Have In Front Of You The Opportunity This Morning To Change Lee County, Make It A Much Safer Place.

And We're All Here, From What I Have Heard, Rarely Anyone Speaking Against It And I'm Going To Speak Forward Too, Because The Complete Streets Resolution Complies With The National Complete Streets Frame Work Which Means We're Now Heading In The Right Direction, The Direction Everyone Else In This Country Is Heading, What We Have Heard For A Long Period Of Time.

It Provides A Process For Incorporating Transportation System Into Planning.

It Provides For Alternative Transportation Systems To The Automobile.

It Provides For The Reduction Of Our Very Large Carbon Footprint That We Are Leaving Within Our Environment, And Above All, It Complies With The Complete Streets Provides For The Safety Of All Who Use Them, So That What Happened Yesterday, May Not Happen Again Or In The Amount Of Times That It Does Happen In Lee County.

So I Urge That You Move Forward, And Pass The Clean Streets Resolution.

Thank You.

Chairman Judah: Thank You, Sir.

Marcus Banyan Fold By Dr. Margaret Banyan.

Good Morning.

Good Morning.

My Maim Is Marcus Banyan And Guy To Fort Meyers High And I'm 16 Years Old.

I've Been Speaking In Support Of Item 1-A One Admin Agenda Of The Adoption Of The Complete Streets Resolution.

Because I Don't Have A Car, I Don't Have Many Options To Get Around.

If I Want To Go To Subway After School, I Have To Get A Ride Or Cross Highway 41 Which Is Dangerous To Cross.

There Are No Crosswalks, Hardly Any Lights And No Place To Rest In The Middle Of Six Lanes Of Traffic.

Also, There Are Many Overweight Teens My Age That Need To Get Exercise, Walking And Bicycling And It Would Be Better For Them To Be Able To Bicycle And Walk, Rather Than Sit In A Car.

If You Pass The Resolution, I Will Be Able To Get Around The Town More Easily And Safely, And I Will Be Able To Get Places Without A Car.

Please Adopt This Resolution For The Benefit Of All People In Lee County, And For Teenagers Like Me Who Don Have A Car.

Thank You For Listening To Me.

Chairman Judah: Thank You, Marcus.

Dr. Margaret Banyan.

Good Morning.

Good Morning.

I Didn't Really Have To Pressure Marcus To Be Here This Morning.

He's Experienced Some Of The Really Great Complete Streets.

So, He Was Happy To Come And Speak With You.

I'm Here Today In Support Of Item 7-A And Item 1-A On The Administrative Agenda.

So In Term Of Item 7-A, Myself And Many Of My Neighbors, Enthusiastically Support Accepting Federal Funds To Increase Availability Of Bus Shelters In The County.

We Believe That Additional Shelters Are Really Necessary, And We're Excited To See Them Installed.

This Has Been A Conversation That I've Been Having With A Number Of People For Some Years.

So, There's A Lot Of Energy And Interest In Seeing Bus Shelters.

On A Related Item, I Believe Is Item 1-A On The Administrative Agenda Which Is The Complete Streets Resolution.

As A Faculty Member, I'm Also A Member Of Bike Walk, Reconnected Lee And Co-Chair Of The Smart Growth Committee.

We've All Been In Support Of This Resolution, And Especially The Smart Growth Committee Who Recommend The Resolution To You With A Unanimous Vote.

The Smart Growth Committee Agreed That This Resolution The Right Time Because It Shifts Our Decisions To A Sustainable Future While There's Less Develop And Pleasure.

The Committee Agreed Together That We Have To Take A Bold Stand For The Future Of The County.

There Are A Lot Of Economic Benefits, And That's My Job This Morning Is To Talk About The Economic Benefits To Complete Streets.

And The Relatively Low Cost To Doing So.

For Example We Know That Comparable Houses In Neighborhoods That Are Walkable, Command A Higher Price Than A Neighborhoods That Respect Walkable.

We Know That Giving Penal Options To Walk Bicycle Or Ride Transit Saves Money.

By Reducing Obesity, Reducing Carbon Emissions, Reducing Fuel Costs, And Keep All Residents Healthy And Engaged In Their Communities.

A Lot Of The Conversation That I've Had With People Is How Many Elderly Get Stuck In Their Homes, Because They Simply Don't Have A Car, Can't Drive, Can't Walk To Public Transit, Or Condition Really Ride A Bike Safely And That Has An Impact On Their Social Life Which In Turn Has An Impact On Their Health.

Giving People Options To Walk, Ride Bikes Or Tried Bus Takes Cars Off The Road.

And We Know That Saves Money In Terms Of Reduced Time Spent In Traffic, And Also Saves Money In Reduced Gas Charges.

Finally Some Experts Note That Areas With Walkable Areas Transit, Citizens Will Pay 9% Of Their Income On Transportation, Versus 25% For People Who Live In Communities That Aren't Walkable.

We Also Know Transportation Is Only Going To Get More Expensive As Time Goes On.

We Can Have This Benefit At Relatively Low Or No Cost To Taxpayers, Complete Streets Can Be Designed So They Don't Cost Anymore Than An Incomplete Street Or One That's Just For Cars.

This Is Because The Design Of A Complete Street Incorporates Everything Up Front.

Complete Streets Can Work In Existing Right Of Ways And Cost No More Than The Typical Roadway.

We Don't Expect That All The Streets In Lee County Will Be Retrofitted To Be Complete, Rather That In The Design Phase, When All Users Are Considered, That's What We're Hoping That This Resolution Will Accomplish.

And We Don't Expect That In All Rural Areas, That There Will Be A Typical Urban Street,

Sometimes In A Rural Area, It's Just A Shoulder, A Wide Enough Shoulder Where People Can Ride Their Horses, Or Ride Their Bikes Or Walk.

By Adopting This Resolution.

Chairman Judah: I Ask That You Wrap It Up.

Very Quickly We Hope You Will Leave A Legacy For The County, And Smart Growth Committee Supports That Legacy.

Thank You.

Chairman Judah: Thank You Dr. Banyan.

Leslie? Good Morning.

Good Morning Everyone, I'm Leslie Ames With The American Heart Association, And I Want To Thank You All For Your Is Up And Recognition Of Smoke-Free Lee, And Of Course The American Heart Association Supports That As Well.

And We Ask That You Would Support Complete Streets And That Resolution, Three Years Ago The American Heart Association Started A New Program Called Start.

And The Whole Idea To Improve Cardiovascular Disease Here In Lee County And Across The Nation Through Physical At This Time.

A Quick Statistic For Everyone, An Hour Of Exercise, You Gain Two Hour Of Life.

That's Pretty Powerful.

They've Helped Us Form A Committee That Includes Members Of All Of Lee County In The Community.

Through That Committee We've Developed 134 Walking Paths That Our Nationally Recognized Through American Heart Association Here In Lee County.

Companies That Are Gone Above And Beyond In Wellness For The Employees Are Given Our Fit Friendly Recognition.

It's A National Award.

There Are 1200 In The United States And Six Of Them Are Here In Lee County.

So We Have A Lot To Be Proud Of.

And We Ask You Today That You Would Support Safe Opportunities For Walking And Wellness And You Want The Complete Streets.

Thank You.

Chairman Judah: Thank You.

Good Morning.

I'm Also Here For The American Heart Association Representing The Greater Southeast Affiliate And The National Organization Of American Heart.

We Are Very Excited To Hear The Tobacco-Free Here In Lee Coin.

What We're Doing We Want Our Communes Nationwide To Be Places That Are Easy To Live, Work And Play.

Our 2020 Goal For The Next 10 Years We Will Focus On Improving Cardiovascular Disease, Stroke And Heart Risks.

By Reducing Needs By 20%.

That Is Our Goal.

Will Actually Improve The Health Of Americans And Reduce These Risks By 20%.

We Also Want To Truce Death From Stroke And Heart By 20% By 20 To.

And, I Think Right Now, Our Organization Our Forecasting 1.3 Million Lives We Can Save Nationwide If We Focus On These Risk Factors Such As Obesity And Tobacco Which Are Mentioned Today.

I'm Wondering How Many We Can Have Here In Lee County.

Thank You, I Support Your Initiative.

Chairman Judah: Thank You, Shannon Maylin And Will There Be Anyone Else That Would Like To Speak On The Consent Or Administrative? Good Morning, It's An Honor To Be Here Today To Speak To All Of You.

I Hope Your Morning Is Going Well.

My Name Is Shannon And In Addition To Being A Full-Time Graduate Student I'm Also Coming To You As The Mother Of A Toddler.

The Future Has Become A Very Important Aspect To Our Household.

The Complete Streets Resolution Being Discussed Today Does That.

Its Residents, Its Vacationers And The Unique Ecosystems That Exist Here In This Tropical Paradise.

If You Could Just For A Moment Think Of Where You Grew Up, Did You Ever Go Trick-Or-

Treating And If So How Did You Get There? This Year We Had To Take Our Son Trick-Or-Treating At The Mall Instead Of The Traditional Door To Door For Fear That We Would Get Hit By A Car.

We Weren't The Only Ones Who Felt This Way Because The Mall Was Packed.

And After Talking To Many Other Parents I Realized I It Wasn't Only One Who Felt This Way And That There Are Huge Social And Physical Drawbacks That Stem From Inadequate Pathways.

I Would Love To Walk To The Grocery Store With My Son Just Down The Street, But Right Now It's Not A Safe Option For Us And So We're Stuck At Home Or In Our Neighborhood And Get In The Car.

And I Often See The Look Of Wonder On My Son's Face As To Why We're Stopping Already.

Mommy We Just Got In The Car.

And Again, To You, If You Make Safer Pathways, People Will Use Them.

And By Creating Roadways That Are Safe For All Users Whether Riding In Cars, Walking Or Biking Or Waiting For The Bus, Everyone Win.

There's So Many Examples That Can Be Seen, All Around The Country, And Even Here In Lee County, There Are Ton Of People That You've Seen Who Want This To Happen.

And It's Very Cost Effective.

Bypassing This Initiative Now, While The Overall Economy Is Still Recuperating, The Local Economy Will Be Stimulated In Advantageous Ways.

A Wide Variety Of New Jobs Coming From The Walkable, Livable Movement Which Is Certainly Attractive For An Area With Roughly 2% Of Unemployment.

We Will All Experience The Benefits That Come From Investing In Ours.

The Complete Streets Resolution Great For People And Great For The Environment That We All Depend On And Brings Tons Of Tourist Dollars To The Area.

It's Becoming More And More Important In Today's World, This Would Be A Great Project To Start Undertaking Now.

As A Masters Of Public Administration Candidate, And Graduate Student For Center For Social And Public Policy, I Am Learning How Grants Encourage Partnerships Among Multiple Agencies.

I'm Also Learn About The Importance Of Inner Developmental When It Comes To Projects.

My Strong Partnerships Are Formed Both Public And Private, Such As This.

They Often Bring National Notoriety.

This In Turn Brings Tourists Down To See What All The Good Us About.

By Investing In The Quality Of Life For Its Citizens And Actively Planning For The Future Through Measures That Just The Complete Streets Resolution, The Florida Beaches, We All Associate With Southwest Florida Will Continue To Shine.

They Are After All, What Brought Me Down Here And Probably A Few Others In This Room Too.

Thank You For Your Time.

Chairman Judah: Thank You So Much.

Comments? Ok, In A Will Conclude Public Comment At This Time, Then And Back To The Board For Items To Be Pulled On Consent Agenda, Commissioner Mann.

Comm. Mann: None.

Comm. Janes: None.

Comm. Bigelow: I've Got A Few, Sorry.

Just Making Notes Here.

3-A, 7-A.

11-A And 13-C.

Chairman Judah: Ok, Entertain A Motion.

Comm. Janes: So Moved.

Chairman Judah: Second By Commissioner Mann.

Motion Passes, 3-A, Commissioner Bigelow.

Comm. Bigelow: These Should Go Quickly.

This Is To Concur With The Ranking Of The Competitive Negotiations Committee For The Design Of The Fort Meyers Lee County Public Library.

I Won't Support It If You Would Like To Get A Motion.

Chairman Judah: Entertain A Motion To Move Forward.

Selection Of The Architect Then For Design Of Fort Meyers Lee County Public Library.

Motion By Commissioner Janes, Second By Commissioner Mann And Discussion
Commissioner Bigelow.

Comm. Bigelow: I Want To Be Sure I'm Making It Clear As To Why I'm Voting Against This.

It Has Nothing To Do With The Particular People That Are On The Committee.

Has Nothing To Do With The Architects That Submitted And Were Considered In The
Process, It Is Once Again, Along Standing Objection To The Makeup Of The Committee And
The Failure Of The County Management To Predetermine Criteria By Which The Applicants
Would Be Judged.

This Is A Particularly Interesting Committee Makeup In That We Have, Really Close To
Being Something I Could Almost Support.

It's A Public Works Director Serving Over Construction Design Project Manager.

And That's A Supervisor To Subordinate, And I Believe That Makes Possible Undue
Influence.

Because The Subordinate Has To Rely On His Superior To For Any Promotions Or Pay
Increases.

The Third Member Was The Library Director.

I Liked That The Library Director Was On This Committee.

Makes A Lot Of Sense.

What I Would Have Preferred Though Is That Some Of The Other Invited Participants Such
As Councilman Flanders Who Is An Architect Stanley Cup Member Would Have Been An
Idea Candidate, And Then We Would Have Had I Believe A Fairer Selection Committee
Makeup.

So I Just Wanted To Get That Out There On The Record Mr. Chairman.

Chairman Judah: Sure.

Ok, And Let Me Just Put A Positive Stamp On This Project.

I Can't Thank Councilman Mike Flanders And I Think You Had Been Given The Position Of
Being The Point Person By The Mayor And The Mayor Of The Fort Meyers Council In
Coordinating With Our County Staff, And Along With Don With The City.

I'm Very Thankful With The Partnership The City Saw Fit To See The Benefits Of Moving To
Ward And Acquiring Land.

And Paring With The County So We Could Make Commitment To Build A Library.

It Is A Tough Choice.

There Were A Lot Of Good Architects, And I Think That The Fact Is That Councilman Flanders Did Have Input Along With Don With The City.

I Really Do Want To Thank Jim Lavender As Always For Making It A Very Open And Transparent Process, Receiving The Type Of Input That Was Necessary With Our Partners From The City.

So We Could Move Forward With What I Believe Is Going To Be A Tremendous Anchor Having Said That I Any Further Discussion.

Comm. Bigelow: May I Just Say That I Would Like To Offer A Positive Spin As What Might Be Perceived As Negative Criticism, But, I'm Encouraged That We're Going To Be Designing A First-Class Urban Library.

It's Very Much On The Minds Of Many Citizens That This Be An Urban Library And That Means Something To Architects And So I Look Forward To What Will Be Designed.

Would Also Like To Throw Out The Idea That We Somehow Tried To Accommodate Some Citizens Who Are Very Interested In The Design, Interior Design Of This Facility, Some Folks Have Come To Me, And Asked That We Perhaps Consider A Blue Ribbon Committee That Might Be Engaged To Participate With Architect.

And Our Public Works Director, And Construction Design.

So, I'll Just Put That Out There, Perhaps County Manager Would Think That Appropriate And If So, We Will Move Forward With A That Idea.

Chairman Judah: That's Why We Have An Architect, Public Input.

Yes, Jim.

We Always Have Multiple Public Meetings, Everyone Is Welcome.

We'll Do The Same Thing With The Recreation Center, It's Part Of Our Process.

So Everybody Is Welcome.

Comm. Bigelow: As I Understand It, They Come In Or The Presentations Are At The Rear End Of The Design Process.

I'm Interested.

That's Not True, We Had Eight Public Participatory Meetings Prior To Any Design Being Done.

Comm. Bigelow: In Estero.

It Was Part Of What We Do.

Comm. Bigelow: Could You Share With Me How This Will Work? I've Already Had A Number Of People Contact Me As Well.

Also About Access To And From The Library, As Far As Bicycle And Pedestrian Access.

Before Anything Gets Drawn, When We Have A Blank Slate, We Will Advertise And Hold Public Meetings Around Anyone Is Welcome.

They Don't Have To Be On A Special Committee, They Can Walk Off The Street And Give Us Their Opinion.

Comm. Bigelow: This Is News To Me, I Didn't Know You Had This Pros In Place.

I Would Like To Be Notified Of These Meetings, Time And Place So I Can Let Folks Who Come To Me Know About It.

I Would Like Specifics As To Here's The Date And Here's What The Purpose Of This Meeting Is.

How Is It You Know, I Would Like A Little Meat On Those Bone.

There Will Be A Schedule, And As Soon As We Have A Chance To Negotiate With The Architect, Those Things Will Be Laid Down And It's Not Anything We Haven't Done For The Last 20 Year On Every Public Project That We've Done.

Comm. Bigelow: I Would Like More About How You've Done It In If The Past And How You Plan To Do It.

You Will Know.

Chairman Judah: Council Flanner, Give Our Well Wishes And Appreciation To The Council.

City Of Fort Meyers And The Mayor.

Comm. Janes: Comments To The People That Put Together This Project.

To Be Commended.

There's Been A Tremendous Amount Of Work, And Has Not Been Without A Lot Of Sweat, Hard Work And What Not, To Goat Where We Are Today.

Unfortunately, We're Still At A Place Where At Least Some Of The People That Are Involved Are Concerned About Some Of The Grits Involved In The Project.

That's Understandable.

But I Want To Say As A Whole, It's An Excellent Project, And I'm Looking Forward To Actually Breaking Ground And Getting The Project Moving.

It Is Needed And I Hope That We Don't Foster Anymore Unneeded Or Unusually Unneeded Delays Looking For It Ins And Grits, Or As In The Case, A Quart Of Strawberries.

Chairman Judah: Thank You Commissioner Janes.

Jim, Thank You To Your Staff, The Discussion Took Place About The New Terminal.

I Know You've Taken To Heart The Seriousness Of Taking A Look At Thermal Other Type Of Criteria With Regards To Energy Conservation Measures.

Any Further Discussion? Any Objection.

Comm. Bigelow: Yes.

Chairman Judah: Motion Passes 3-1, Item 7-A.

Comm. Bigelow: This Is To Approve A Budget Amendment Resident Lights To Accept Federal Transit Administration.

Call It \$1 Million For Fiscal Year 2010 Bus Shelter Program.

Good Morning Steve, Will These Bus Shelters Be Smoke-Free Facilities? Will We Be Banning Smoking? We're Working Commissioner On Discussing That Issue Right Now, As You Know We Serve A Large Portion Of The Public In Lee County, And Frankly We're Struggling With How Do You Control That Smoking Issue In And Around Our Facility.

So, It Is At The Top Of Our Agenda.

We In Fact Are Meeting On It This Week.

How You Know, We Certainly Can Ask People, You Know To Respect Others At Our Bus Shelters.

The Policing Of That Of Course Is Near Impossible.

But, We Certainly Will Encourage That, And We'll Put Appropriate Signage On Those Shelters To At Least Request It.

I Think That's All It Would Take Is Signage Because It Becomes Self-Regulating.

The Sign Is There.

Peer Pressure Takes Over And Is A Problem.

Smoking Within 50 Feet.

I'm Concerned About The Actually Shelter Itself, If We're Building A Semi-Enclosed Space, Then Perhaps It's More Appropriate Than People Not Be Allowed To Sit There Within The Confines Of This Shelter.

Sounds Like It's Already Been Considered, So I Appreciate That.

Steve, Can You Bring Us Up To Speed As To Where We Are With Trying To Bring Bus Shelters To Our Bus Stops, And In Lying Of The Fact That We've Had This On Several Of Our Agendas Over The Past Six Month.

Let Me Give You A Quick Update Where We Will Today.

In July And August Which Updated You On The Shelter Program And Talked About Trying To Identify Additional Locations And How We Would Proceed With The Program.

Today's Item Is Really A Continuation Of That Project And Moving It Into Action.

At This Point In Time We've Completely Installed Five Sheller Locations.

We Have Run Into A Slight Problem.

But Otherwise Those Five Shelters Are Complete.

We Have Two Locations, And We're Just Waiting On Agencies To Make Their Final Notations On That.

Six Locations Are At 30% Design.

We've Started To Work Through Process.

We Have Noticed A Proceed For Contractors To Start Working On An Additional 25 Locations, And As The Blue Sheet Item Indicates, We Plan To Install 44 Shelters By This Time Next Year.

By The End Of The Fiscal Year And We Have No Reason To Believe That Can't Be Accomplished.

We Have A Few Right Of Way Issues We Run Into From Time To Time But We're Working Those Through.

We Have A Person On Our Staff Dedicated To This Project 100% To Get It Accomplished.

So, We Think That The Project Finally Is Moving Ahead.

You Should Start To See Shelters Being Erected Throughout The County And Particularly On The Main Thorough Fares.

Excellent, I Appreciate.

That's Positive.

Just To Make One Other Comment, This Project Over The Next Year, I Think Will Contribute \$1.75 Per Capita, To The Improvement Of Our Streets For Bus Riders Who Of Course Are Also Pedestrians, And Bicyclists.

Excellent.

Comm. Bigelow: One Last Question Or Observation.

We Discussed The City Of Fort Meyers Bus Shelters In The Neighborhood, The Plexiglass Was Partially Broken Off.

I Haven't Seen Much Happening In That Area, The Graffiti, Previously Graffitied, Broken And Somebody Tried To Take Off And Then Looks Like It's, Like Just Looks Bad.

I'll Follow-Up Again With That.

I Know I Spoke With Our Staff Thousand Get The Broken Plexiglass Out Of Those Shelters.

It's Not A Standard Piece Of Material That Goes In There But The Sharp Edge, We Would Want To See Removed At Least To Make Them Safer.

They Would Look A Lot Better.

Appreciate That.

I Appreciate The Positive News Here.

And Would Like To Encourage To Continue With This.

It's Important.

Thank You.

I'll Move The Item.

Chairman Judah: Motion By Commissioner Bigelow, Second By Commissioner Mann.

In Discussion, Steve, A Long Time Coming.

If I Could Reach Across And Give You A Great Big Hug, I Can't Thank You Enough For All That You've Done To Get Us To This Point.

I Think It's A Tremendous Accomplishment For This Community To Let People Know The Use Of Public Transportation System That We're Going To Provide The Necessary Shelter From Inclement Weather.

It Just Provides The Kind Of Respect To Those That Use Our Transportation System Perhaps

Make It More Friendly For Others To Use It.

So, Thank You So Much.

Comm. Bigelow: We've Discussed Before, Really Important To This Program That These, That The Advertising Program Pays For 100% Of The Operating Cost For Maintenance Of The Passenger Amenities.

This Is Good Stuff, And I'm Looking For Ward To Ensure That Is There To Fund It.

Great Funding Source.

Chairman Judah: Any Objection? Hearing No Objection, Motion Passes.

Item 11-A.

Commissioner Bigelow.

Comm. Bigelow: This Will Be Quick, To Concur With The Selection Committee's Ranking Or Selection Of 14 Of The 33 Firms That Submitted Or Responded To Requests For Interest.

This Is For Miscellaneous Land Survey And Mapping Services.

The Committee Made Up Of One, Two, Three, Four, Five Folks.

Again, It's I'll Just Say I Object To The Makeup Of The Committee For The Potential Of Undue Influence.

Chairman Judah: Motion By Commissioner Janes, A Second By Commissioner Mann, Discussion? Objection? The Motion Passes 3-1, Commissioner Bigelow Dissenting.

Look Forward To Each Individual For Final Approval.

13-C.

Commissioner Bigelow.

Comm. Bigelow: This Is To Approve Monthly Payment Up To The Amount Of \$1.5 Million To The City Of Fort Meyers, For Approximately 1.9 Million Gallons Of Sewage They Street For Lee County Citizens.

An Another \$200,000 Roughly Flat Free Of A C.I.P. Project.

Doug, This Is Something That Takes Me Back To Some Of My Earliest Days On The Board.

These Are Two Facilities That's The One On Billy's Creek And The One On Central Fort Meyers, Boy Scout And Similar, And Those Two Facilities, If I'm Incorrect In The Statement, Please Just Say You're Flat Out Wrong.

But They're Near And Sometimes In Excess Of D.D.P. Capacity Or Permitted Capacities, Is My Understanding That There Are Really Strange Systems, And One On Billy Creek.

Is Discharged.

You Know After Treated Into Billy's Creek.

Contributing To The Decline Of That Tributary And The River.

Can You Give Me Some Assurances Or Some Kind Of Hope That Something Is Going To Change Here? That What's The Plan To Help Relieve The Pressure On These Systems, And Maybe Not Be Such A Significant Contributor To The Decline Of Our Environment? Good Morning, Commissioners.

Lee County Utilities.

The Only Time That The Capacity To The Best Of My Knowledge.

Any Time The Capacity Of These Systems Is In The Rainy Season.

Both Subject To High Infiltration During Heavy Rains.

There Has Been A Significant Program By Both The City Of Fort Meyers And Lee County Utilities To Correct The Inflow Into The System And Infiltration Into The System, The Fact That County Forced Main Replacement Project That Was Authorized A Few Weeks Ago Is A Project That Is To Go Out And Repair An Aging System In Order To Eliminate Excess Flows Coming In Through The Ground Or Through The Surface Of A Rain.

I Think That's Having A Significant Impact, And As Far As The Discharge Into The Water Shed, It's A Significant Problem, We Are You Know, We Are Working With The City Of Fort Meyers To Determine How Best To Utilize The Maximum Amount Of Treated Effluent, They Are Looking At Deep Injection Wells As A Possible Disposal Method To Minimize Discharge To The River.

So Everything Is Being Looked At, We're Making Great Steps With Eliminating Some Of The Excess Flows With Some Of The Rainy Season And We'll Continue To Look At Twice Reduce Discharge To The Water Shed.

Ok, Well, Speaking For This Commissioner, These Are In My District.

The District I Represent.

This Is Really Important To Me, That We Especially The One On Billy's Creek Which Is The Oldest Of The Two, It Needs Some Help.

I Would Like To Know The Calgary Is On The Way At Least, That You Know Something Will Be Done.

Mr. Chairman, Member Of The Board I Recently Flu Over The Outbreak On The Shores Of

Sanibel.

Fortunately, The Dead Fish Aren't Landing On The Shores, There Because The Winds Have Been Favorable In Blowing Them South.

But We Are Contributing To Our Own Demise Here, And This Red Tide Event, The Severity Of This Red Tide Event Is About 10 Times What It Was In The 80s.

In Our Population Is Doubled, And Yet We're Realizing The Effect.

Karen, I Don't Know What's Going On At The Table There.

But There Seems To Be Some Need To Laugh About Something.

Chairman Judah: I Don't Think Staff Is Laughing, Commissioner Bigelow Please Feel Free To Proceed.

Comm. Janes: I Didn't See Anything.

Comm. Bigelow: I Did.

The Point Here Is That The Damage To Our Environment Or The Decline Of The Health Of Our Environment Is So Exceeding The Am Of Population That We're Adding To Our Lands, If We Are To Double Again Our Population Which Is What We Expect Before We Were Built Out, With Then We've Pretty Much Ensured As We Keep On Track, We're Going To Wipe Out Our Estuaries.

So, It's Issues Like This When They Come Up On The Agenda, And I Know It's Something That You Know We're Contributing To.

By Approving This.

This Continuing Process Of Pollution.

Chairman Judah: Can You Clarify That, Please? How Are We Contributing To The Quality? The Creek Plan, That The City Of Fort Meyers Manages, And That We As Lee County Citizens Send Waste Sewage To.

Chairman Judah: Where Would You Rather Have It Sent To.

I Would Like To Know That We Would Somehow Partner With The City And Try To Relieve That Systems, The Pressure On That System And Come Up With Some Other Way Than Sending Effluent, Fecal Matter Down The Tributary, That Is Billy Creek, To The Caloosahatchee River.

Mr. Chairman, I'm Telling You, This Is An Ongoing Process Of Contributing To Our Own Demise.

And I Would Like To Know That There's Something We're Going To Be Doing, Or That We

Were Contemplating, At Least Giving Thought To The Idea That We'll Have A Different Scenario One Day.

Chairman Judah: Perhaps You Can Elaborate.

I Think It's 70% That's Actually Treated For Irrigation Purposes.

Perhaps You Can Follow-Up On Maybe Elaborating What's The Prospects For The City Of Fort Meyers, With Regards To Again Using As This County Treated Waste Discharge.

Comm. Bigelow: Ok.

Some Over 70%, Probably Closer To 80% Of Lee County Communities Is Utilized For Reuse Irrigation.

Commissioner Bigelow, We Are A Partner With The City Of Fort Meyers In Their Plan, We Certainly Are Not Responsible For Operating Them.

The City Of Fort Meyers Meeting All The Compliance Issues, And The Only Come Plays On Issue That They Have Had Is The Flow Issue Created By The I.N.I.

During The Rainy Season.

But Certainly Regulated The Meets The Standard.

From E.P.A., And Both Utilities Recognize That, We're Both Planning For The Future To The Best Of Our Ability And The Best Of Our Economic Capabilities.

But I Can't Give You Any Specifics Right Now, I Know The City Of Fort Meyers Is Put On Hold.

Their Waste Water Treatment Plan Which Would Be Designed To Take On Some Of The Pressure Off The South Plant.

The Gateway We're Looking At Ways To Redirect Flow To The Gateway Facility Which Will Reduce Flows To The Central And South Plant.

And Right Now Those Are The Only Things Specific Things Can They Tell You That Are Being Done.

The 70% Indication That You Give There, Is Lee County's Own Systems.

Our Systems, That's Not These Two Systems.

These Systems Are What, Very, Very Small Percentage On Reuse.

I Agree, This Is The City Of Fort Meyers Plants, But We Are Contributing A Lot Of Waste To Them.

You Know What Is Our Plan To Work With The City To Perhaps Send What's The County's Waste, To An Eastern Plant.

How Could We Help Them, You Know, Maybe Put Their East Plant Back On Track Somehow.

I Mean, We Can't Just Say It's Their Problem.

We Send Waste To Them, They Have To Fix It.

I Think That's Not Going To Get Us To Where We Need To Be, Which Is To More Aggressively Defend The Environment.

Namely Our Estuaries.

We Talk About How The District Is Dumping On Us And D.E.P. Is Considering New Classification Of Water Bodies And How That Will Have An Effect On Our Water Quality Here In Southwest Florida.

But, We Too Are Contributors.

We Are Significant Players Contributing To The Demise Of Our Environment.

Especially Our Water Quality.

I'm Sorry I Have To.

Chairman Judah: I Just Want To Share Your Personal Opinion On That, But It's Your Own Personal Opinion.

Comm. Bigelow: It's A Fact.

Chairman Judah: It's Not A Fact.

Comm. Bigelow: When I Flew In The Helicopter I Was With Two Scientists.

Comm. Mann: Can We Entertain A Motion.

This Is Just A Budget Item.

We're Not Redesigning The Whole Flow System.

It's A Privileged Motion.

Chairman Judah: A Motion To Call A Motion? Call A Question? Second By Commissioner Janes, Discussion, Objection, Hearing No Objection, Motion Passes.

To Move The Item, Motion By Commissioner Mann, Do We Have A Second, Second By Commissioner Janes, Discussion, Objection, Motion Passes 3-1, Commissioner Bigelow Dissenting.

Comm. Bigelow: No.

Chairman Judah: We Go On To The Administrative Agenda.

Go To 1-A.

Resolution And 10-Point Work Program.

Hi, Wayne.

Good Morning, Mr. Chairman, Members Of The Commission.

I'm Drexler Of Smart Growth.

You Have Before You An Item To Be Acted On Which Staff Recommendation Is To Approve, Adopt The Complete Streets Resolution.

You Have Also Before You Example Of The Work Program That Could Be Taken To Carry It Out Because That Gets To The Question Of How Did We Do This.

As A Bureaucrat That's The One I Snap Like A Fitch Going For The Fly.

Other People Remind Me, Wait A Minute, We're Supposed To Have A Policy Direction Here And We Ended Up Making The Resolution First.

Quick History Of How We Got Here.

First, The Smart Growth Committee When It Was Set Up, Smart Growth Initiative Was Take A Look At The County And See What Changes Need To Be Made, In Order To Have A Sustainable Community For A As Far In The Future As We Can See And Goals Were Quickly Established For Land Use, For Natural Resources And For Community Character And The Most Important Of All Those Was The Community Character.

In Fact One Of The First Outputs Of The Smart Growth Committee Was Support For The Human Services Committee.

The Four Goals Work Together Notice, They're Not Independent And Before You, This Resolution Is An Example Of Bringing The Goals To Because Over A Year Ago I Was In The Audience When The Discussion Was Where To Line Or Not Line Highways For Bicycle Paths.

And I Immediately Hopped Up And From The With A I Said It Was In Effect, That's The Wrong Question.

The Right Question Is How We Tie The Communities, Land Uses And Transportation Together In Character, In Which We See Ourselves And You Sent Me Fourth To Do Good Things, And I Took It To The Smart Growth Committee And The Resolution Before You The Results Of All That Work.

When I Brought Before You In August, To Accept, That Was In Effect To Let Me Bring Before You And Which Happens In September And October Other Pieces To Demonstrate That We're Just Not Talking About Walk.

We're Not Talking About Bicycle Paths.

We're Talking About The Complete Community Together, And How We Expect Our Destinations With Our Travel.

Much Is In Place.

You Had Much In Place Before There Was A Smart Growth Initiative.

You Had A Lot More Since.

Right Now Funding For Stand Alone Transportation, For Bicycle And Pedestrian, That's Nothing New For Them.

They Have Gotten The Assistance That You've Been Able To Give, And A Little Bit More.

But If We Continue The Path Of Just Building Bicycle Paths And Walks, We Will Be Doing This For 400 Years Based On Current Rates.

So, You Have A Work Plan Before You That Brings That To A Lot Faster Conclusion, Item Not One Being Requested To Be Adopted.

It Serves An Example.

There's A Lot Of People With Issue On The Work Plan And I Figure The Right Time To Deal With A Work Plan, Get The Resolution Before You.

But The Purpose Of The Work Plan Is To Give An Example Of How It Can Be Done, And We Know It Can Be Done Because When We Present It To You In September, An Example Of What We Were Doing, Under The Rest Of The Program For Community Planning, You Saw A Paragraph That Had Two Sides To It.

The One Was A 1910 Photograph Of Fir Street And It Was The Same Street, 2009, The Building Was The Same.

The Vehicles Have Changed But The Pedestrian Access Was Still There, Recognize The Importance Of Sustaining The Community Over 99 Year Of Things That Tie The Stores To The And The Transportation System Together, Lose Your Ability, Your Personal Mobility And Where There's More Common Downtown Than 1910 Versus 2009.

So But The Resolution Before You Isn't A Question Of How It Can Be Done, Because It Can Be Done, It's Your Decision Whether Or Not To Make This Policy To Say It Shall Be Done.

Chairman Judah: You And You Committee Have Done A Phenomenal Job.

It's Taken A Number Of Years To Get To This Point.

I Appreciate Your Efforts.

It's All Come To Fruition Today.

I Want To Get A Dollar If I Case, You're Asking To Support The Resolution, But What About The 10-Point Plan.

I Don't Want To Just Review It, I Want To Adopt It.

At The Same Time Being Drafted, The County Manager Was Developing A Strategic Vision Which This Would Fit In Very Well, For Be It For He The To Pre-Empty The Steps On Strategic Plans Which Come Back To You Over The Next Several Months.

So This I Said Serves As An Example.

It Does Get From A Beginning To An End.

But I Would Defer To The Departments And It Is Kind Of Given A Take Back And Forth That's Going To Be Required.

To Actually Bring Back To You An Effective Plan That's Tied To A Way That The Revenues Are Raised And Applied To The Outcomes.

So The Direction Would Be To Adopt The Resolution.

Review The 10-Point Plan And County Management Will Be Bringing That Back Within A Reasonable Time Frame? Ok.

All Right.

Board Members? Comm. Bigelow: With Respect To The Hen-Point Plan This, Ask To Request It Is To Review It.

Shall We Review It? If It Gets To Every I Like To Believe That This Plan Before You, The Resolution Before You Will Result In A Series Of Steps That Gets Any Household's Doorway To Their Destination In A Safe And Effective Way At The End Of This Process.

Comm. Janes: That's The Key That It Takes Several Steps.

This Is A Process.

And As Such, It's Going To Take A Series Of Steps, Implementation Components That Need To Be Done Before We Can Move Much Further.

Yes, Sir.

Chairman Judah: The Policy Is First And Foremost.

Comm. Janes: Absolutely, We Need To Set The Policy.

Comm. Mann: Move The Item.

Chairman Judah: Second By Commissioner Janes, Discussion? Yes, Commissioner Bigelow.

Comm. Bigelow: In Light Of The Fact That We Had Such A Healthy Turnout I Would Like To Make A Couple Of Comments.

I Was Struck By Many Of The Comments, Not The Least Of Which Was Tony Ferrell Who I Happen To Observe Riding Her Bike Up To The Courthouse, And Chain Her Bike Up To The Railing.

To The Front Steps Because We Don't Have Bike Parking Facilities Here On The City Block.

Do We? I'm Sorry, Guys.

We Do Somewhere.

Good.

Thank You, Joe.

I Had The Opportunity To See Tony Not Only Talking The Talk, But How Shall I Say This, Biking The Walk.

She Spoke Very Passionate This Morning.

She's A Victim Of What's Wrong With The Way We've Been Focused On Accommodating Automobiles In Our County.

It's Been Quite Literally To The Execution Of Other Alternative Modes Of Transportation.

We Heard From Lee Ran The Director And We Talked A Lot Lately About How Behind The Ball We Are About Trying To Accommodate Shelters At Stops.

We Don't Have Alternatives That Are Worthwhile Really, In A Lot Of Respects When You Compare It To How Easy It Is To You Know Get In Your Car And Just Ride, Man, Ride, You Know.

I'm Really Encouraged By What We're Doing Today Because It Will Now Be A Requirement.

A Policy Directive To Our County's Transportation Department That We Can't Just Keep Building To Accommodate The Cars To The Exclusion Of Other Means Of Transportation.

I Would Like To Point Out Something Else That We Recently Discussed And I'm Sorry If I'm Wearing Out Everyone's Patience Here.

We Decided We Were Going To Spend Up To \$2 Million To Continue Buying Right Of Way There.

When The Finding For That Road Is Not Identified, It's Probably Not Attainable.

It's Probably A Very Unaffordable Road.

We Know How Unpopular That Is.

I Suggested Instead We Spend At A Money On Advancing Estero Boulevard.

This Resolution I Hope Will Apply Most Immediately To That Road And Ma I Can A Priority Of Accommodating Pedestrians, Bicyclists And Mass Transit.

And I Think If We Were To Do That, If We Were To Put Money On This Problem Down On Fort Meyers Beach, And We Were To Implement This Policy Directive, I Think We Would Start To Realize That By Simply Providing Attractive, Safe Alternatives, That The Number Of Cars Would Reduce On That Stretch Of The Boulevard, On The Island During The Peak Season Because Tourists Of Course Want To Be Here To Experience This Environment.

And What Better Way To Do It Than On An Open Air Trolley, On A Bike Or On A Sidewalk? But The Problem Is That You Sit In Your Car And Along Around And It Doesn't Look Safe To Be Doing Anything But What You're Doing, And That Is Bumper To Bumper Sitting In The Air-Conditioning Of Your Car.

I'm Really Encouraged By This.

It's A Grassroots Effort.

This Is When Government Really Shines.

When Citizens Come Forward With Something, And Ask Us To Respond In Kind.

So I Would Like To Applaud Everyone That's Been Involved.

Carla Letourneau Mentioned Dan Moser, Commissioner Judah You Know Better Than Anybody Up Here How Fought Tooth And Nail.

You Yourself Have Been A Huge Champion Of This Initiative.

So Not Only Do The Folks Who Have Worked So Hard Deserve Credit, You Mr. Chairman Deserve A Lot Of Credit For Your Tire Let's Years Of Trying To Make This A Reality.

So, I'll End With That.

Chairman Judah: Thank You Commissioner Bigelow.

For Point Of Clarification, Addressing The Concerns About Estero Boulevard.

The County Is Currently Doing A Complete Survey Of The Entire Length Of Estero Boulevard To Determine The Kind Of Right Of Way, Spending \$1 1.5 Million Next Year, Requesting That Include Crosswalks, Turnouts For The Trolley.

Enhanced Shoulders For Bicyclists And That's Just The Beginning But We're Taking Steps To Move Forward In That Direction.

Comm. Mann: Just A Couple Thoughts Before We Vote On This.

I'm Going To Support It.

I Appreciate All The Folks That Spoke On It This Morning With Such Emotion And Passion.

I Know You Believe In This Cause.

I Think We All Do Too.

Too Bad We Didn't Adopt This 50 Years Ago.

It's Almost A Caveat, Don't Take This In I Way As Being Anything Less Than Totally Supportive.

But Bicycles For Instance, And Tony, I'm Glad You're Safe Here This Morning.

You Heard Hear On Every Motorcycle Wreck, The Person Who Ran Into Them Said, I Just Didn't See Him.

When We Adopt This, It's Going To Be A Long Time, And We Can't Start Flooding A Bunch Of Bicycles Out There Or Pedestrians On U.S. 41or Palm Beach Boulevard.

There's A Lot Of Traffic Out There And You're Going To Get Killed.

The Same Thing Is Said, They Say About Motorcycles About Bicycles.

When That Sad Crash Occurs, I Just Didn't See Him.

I Don't Know What The Rules Or Regulations Are, But In Addition To Chinese Proverbs What Not, Somebody One Said, The Lord Helps Them Who Helps Themselves.

I Would Hope That The People That Ride Bicycles, Would Wear The Brightest Colored Clothes And The Antennas That Stick Up Other Your Head With Little Flag Or Marker On Them.

We're Going To Have Crashes In This Society With So Many Vehicles, And So Many Roads, And So Many People On Them.

So I'm Just Saying Be Careful Out There, We Will Help You In The Future, But I Think Things That Common Sense Dictate.

I Hope We Can Do More Of This.

So That's All.

I'm Still For It.

Chairman Judah: Will Have Hard Work Going Into This Vote Today.

Hearing No Objection, Motion Passes.

Very Good.

May I Have One Question? The Successes Are Many.

Let Me Take The Opportunity To Thank My Smart Growth Committee Because This Is Their Labor Of Passion And We Want Into Great Detail.

Let Me Thank All The County Deposits This Which I Got Nothing But Constructive Comments.

And I Would Like To Thank Particularly The Walk Safely Bike Lee County Safely, Bikable, Walkable Lee County In Carla For The Fact That She Never Let Up.

Now World Peace Is What We're Going To Assign Her Next.

Because There's No Way We Won't Have It.

Thank You Very Much Mr. Chairman.

Chairman Judah: Well Stated.

Car La We Thank You.

So Many Of The Volunteers.

Before We Move On To The Next Item, I Would Be Remiss If I Didn't Extend My Appreciation, I See Sheldon Kay And I Didn't See Him Earlier Along With His Wonderful Library Staff.

Who As Facilitators On The New Downtown Library, Thank You Very Much To You And Your Staff.

We Move On To Item Administrative Idea 7-A.

Look Like We Have A Good Contract Before Us And Jim, You Ratcheted It Down On Potential Vendor Here.

County Administration For The Record.

We Did Conclude Negotiations, A Week Or Go Or So.

I Think It Was Very Successful.

All The Details Are Attachment One.

And I'm Willing To Entertain Any Question.

If You Don't Have A Copy, I Have Extras Here.

Chairman Judah: Any Questions Of Jim.

Comm. Bigelow: Yes.

Jim The First Blue Sheet Indicated That We Were To Be Considering Wasting A Performance Bound Requirement.

Yes, That Was Changed.

Comm. Bigelow: So We're Not Waving A Performance Fund.

That's Correct.

Comm. Bigelow: Ok.

And This Is A \$9.1 Reduction From The Previous Contract.

Correct.

Comm. Bigelow: And What Was Their Offer When You Brought It To Us At An M.M.P. The First Time.

Bob In The Summer.

That's Over \$650,000 Savings Per Year.

For Two Years.

Comm. Bigelow: So This Is Significantly Better Than That.

That's Correct.

Comm. Bigelow: Wow, Big Time.

Ok.

Appreciate That.

Comm. Mann: Mr. Chairman, Just A Thought.

I Think This Looks Good To Me.

When We're Talking About Information Technology, I Have A Hard Enough Time With Receiving And Send Mail, But Wouldn't Help Me A Whole Lot.

But The Point I Had Made And I Think You Responded To It Well, Earlier On As We Discussed This Was In This Day, I Know It's Getting More Efficient And Less Expensive Every Year And Does More With The Same Energy.

And That's What I Was Confident Can Happen In Renewing This Contract If We Held The Feet To Fire, And I Think We've Done A Good Job On That A \$9 Million Dollar Savings, But In This Time, That's A Big \$2 Million, So Thank You Very Much.

Entertain A Motion I'm Sorry, Did We Have A Motion.

You Have To Move The Change First, And Then Approve The Item.

Chairman Judah: Motion To Support The Change.

Yes, On The Blue Sheet.

Chairman Judah: With Regards To The Recap.

All Right, Yes, Thank You.

Motion By Commissioner Mann, Second By Commissioner Janes.

Hearing No Objection, Motion Passes.

Now To Entertain A Motion, Motion By Commissioner Janes, Second By Commissioner Mann.

Under Discussion, Thank You County Attorney's Office.

Commissioner Bigelow.

Comm. Bigelow: Forget To Bring This Up Previously But There's A \$952,000 Immediate Saves Right That I Guess Will Be A Budget Transfer So We're Getting Money Back? No.

This Is \$52,000 Savings For This Fiscal Year.

The Contract Stars At The End Of February, So It's Several Months Of Saves.

Comm. Bigelow: Nearly A Million Dollars Back From That Budget.

Correct.

Chairman Judah: Hearing No Objection, Motion Passes, Jim, Thank You.

Thank You For Doing Such A Tremendous Job For The County And We Appreciate On Behalf Of All The Departments, The Good Work They Provide For Our County.

We Go On To The Next Item.

12-A.

Motion By Commissioner Janes, Second? Comm. Mann: I'll Second It But I Want To Know Something About It.

Chairman Judah: A Second By Commissioner Mann.

Discussion, Commissioner Mann.

Comm. Mann: Yeah.

Any Time I'm Sorry, I Got The Resolution, But I Need For You Just To Give Me The Simple Explanation.

We Try To Have These Limited Access Corridors And Now Are We Trying To Violent That Essential Premise By Doing This? No Commissioners Is The Authority Answer.

Harry Campbell For The Record.

Periodically, As Developments Occur And Logical Access Opponents Are Established, We Bring Before You Relates To Add Access Points That Are Logical, An Make Sense For Public Access.

This Is One That We're Recommending To You Because It Will Relieve The Load On The Challenger In Six Mile Signal.

This Is About 660 Feet Of Challenger In Six Mile.

By Giving More Access Points, We're Making It Safer? Because It Is A Write In, Write Out And The Analysis That The Consultants Applied As Well As Other Analysis In The Guys That It Will No Degrade The Capacity Of Six Mile.

In Fact It Helps Take That Right Turn Load That Will Normally Be.

Coming Out Of Challenger.

It Takes That Load, Moves It To The Right In, Right Out Movement.

It Also Allows The Right In Access Which Relieves The Load On Six Mile Turning On The Challenger.

Now We Can't Get This Up, This Is North Of Challenge Person This Location Is 60 Feet North Of The Full Open, That's South Of Challenger To Be A Future Signal.

Ok, On The This Project Is In The City, But This Is On The East Side Of Six Mile.

It Is On The East Side Of Six Mile.

Comm. Bigelow: That's What Confused Me.

Comm. Mann: I Would Welcome Your Personal Comments On This Because You've Worked On This For A Long Time, I Know You're Very Familiar With It And Supportive Of Trying To Keep Limited Action.

Chairman Judah: I Appreciate The Comments, This Is A Write In, Write Out Only.

It Is, Commissioners.

There's Also Agreement Between Both Of Them.

L.C.S That Control The Parcels As Well As The Center Where The Publics Is Going In To Modify Or Close That Access Should Be Found To Cause A Problem.

So We're Requiring A Covenant To Be Executed Attached To Your Paperwork.

We Don't See This As Being A Safety Problem Unless And Unusual Condition Occurs.

And It Does, The See It Does Relieve The Congestion That Will Occur In The Future, The Challenger And A Six Mile Signal.

Chairman Judah: I Can Appreciate The Thought Behind This.

Evidently The Developers Dime, They Will Have To Pay For The Closure Of The Right.

But Boy That Gets Dickey.

Try To Close Any Kind Of Access, But Is There Any Kind Of Performance Bond? Or.

That Provides The Necessary Legal Trail, So That We Can Exercise Our Police Power And Require That To Occur.

At This Time We Didn't Feel Because It Could Be 20, 30 Years Before There's Any Crash Problems.

With That Write-Out Movement, So Maintaining A Bon For That Long Period Of Time Is On Us, It Would Be Lost In The Paperwork.

Chairman Judah: All Right, But Tough The Provision With The Covenant To Close It.

All Right, I Can Go For It.

Comm. Mann: Mr. Chairman.

Chairman Judah: Commissioner Bigelow.

Comm. Bigelow: What Is The Road 660 Feet South Of That? Is That Just Access For The Project.

That Is A Second Connection For The Other Development That Is Going To Occur South Of There.

There Is Separate Parcels To The South, Would Be Developed And They Would Share Access To That.

That Potentially If Full Development Was Realized, 10, 20 Years From Now That Could Be A Signal.

Comm. Bigelow: At That Southern.

Yes.

Comm. Bigelow: That Lines Up With What Road On The Other Side Of.

Help Me With The Name Of The Cross Street.

It's Burn Wood, The Name Of The Cross Street.

Comm. Bigelow: And That's A If Full Median.

Yes.

Comm. Bigelow: Well, So, We're Going To Expect More Of These As This Continues To Build Out Commercially Along There.

In This Section, We Are Built Out In Terms Of Access That We Would Recommend In This Segment.

Immediately Opposite On The West Side Of The Road Is A Right In, Right Out.

This Aligns With The Previously Approved And It Is Functioning As Well.

Chairman Judah: Entertain A Motion Or Did We Already Have One? Commissioner Janes, Commissioner Mann, Further Discussion? Hearing No Objection, Motion Passes.

Comm. Bigelow: Fort Meyers Would Approve This Project.

Yes, We Coordinated With City Of Fort Meyers On The Project.

Obviously Development Order From The City And Then We Issue A Right Of Way.

Following Execution Of This Covenant But Does Require Four Votes For Modification And

The Resident Lights.

That The Row Is Today, Super Majority.

Yes, Super Majority So You Would Require Four Votes.

Super Majority, It's Four Votes.

Got To Be Four Votes.

Chairman Judah: We Believe We Have The Four Votes.

Just To Make It Clear For The Report, Unanimous Support, Commissioner Hall Absent.

Thank You Harry.

Administrative Item 14-A.

Entertain A Motion, A Motion By Commissioner Jane, Do We Have A Second? I'll Second For The Purpose Of Discussion.

Regard To The.

We Need To Go Ahead And Accept The Operation Maintenance.

Any Further Discussion.

Comm. Mann: Question Would Be I Didn't Know About This.

It's Another Financial Item.

A Recurring Operational Financial Expense Here.

How Much Is This Going To Cost? What I Can Tell You Is That We Will Be Entering Into A Developers Agreement With The Property, With The Red Sox And Any Subsequent Developers To Share The Cost, Because The Whole System Is Going To Be Born For Both The Stadium And The Commercial Project, So There Will Be An Agreement That Share The Cost.

Be Boston Or The Present Land Owner, Who Are We Going To Share With? Red Sox.

There's Two Answers To That Question.

Right Now, As Soon As The Property Sold Off, It Will Be Shared For The Red Sox.

For The Stadium.

Once The Property Is Sold Off, Those Individual Track Owners Will Be Part Of An Association.

That Association We Partner With The County Under Agreement Will Indicate Their Cost.

Comm. Mann: I'm Trying To Think In Our Contract With The Sox, I Don't Recall Any Reference To This Particular Obligation, So I'm Not Certain How We Can Assume That They Are Obligated Than That With The Extra Land They Bought.

Let Me Back Up A Second.

The Surface Water Management System Will Operate Over The Whole 126 Acre.

We Will Be Obviously Owners Of 06 Of Those Acres.

Whoever Comes In Later And Purchases The Track For The Commercial, If They Sell It Off, Those Property Owners Will Then Become.

When Who Is Going To Own All The Tracks.

A Lion's Share.

We Would Be The Lion's Share.

And The Surface Water 98% On Our Property.

Comm. Bigelow: That's Nice Of Us.

Comm. Mann: Not Just An Expense Item That I Had Anticipated.

I Long Ago Learned To County To Three, I Know We Would Have Three Votes On This Project.

Chairman Judah: We Need To Operate On A Comprehensive System And We Have The Lion's.

It's Something We're Picking Up The Tab For I One Told On Early On.

I'm Reluctant To Give It My Report, But Knowing If I Doesn't Pass Today, It Will Pass Later.

I Will Support It Today To Get Down The Road With It.

Chairman Judah: Do We Have The Motion Already? Motion Second, I'm Sorry.

Any Further Discussion? Commissioner Bigelow.

Comm. Bigelow: No, I Was Saying I Second It.

Chairman Judah: You Seconded It? I Thought I Seconded It.

Comm. Bigelow: I'm Not Going To Fight Over The Second.

Chairman Judah: Any Further Discussion? Any Objection? Hearing No Objection, Motion Passes.

Thank You.

We Go On To The Commissioner Items.

Commissioner Mann.

Comm. Mann: Yeah, One That Troubles Me And I'll Tell You Has To Do With The Oak Tree Out Front.

I Know The Last Thing I Was Hoping I Wouldn't Bring Up.

I Hope You Will Help Me Pursue This Bill.

We've Already Given The Body English, The Language To Pronounce The Death Certificate On The Tree Out Front.

And This All Came To Us Because The Huge Branch And A Lawyer Said We're Going To Get Sued And Our Experts Told Us It's Going To Keep Doing It.

It Will Fall Apart.

I Don't Know Why I Didn't Do This Earlier.

But This Morning Walking In The Door Up Front Steps Around The Tree, And I Keep Looking At That With Sadness, Tears In My Eyes.

And I Studied The Big Gash Where The Limb Fell Off.

And We've Been Told We've Got Termites That Are Causing That And Old Age.

The Reason It Fell Apart, And This Isn't Rocket Science My Friends.

Right Smack-Dab In The Middle Of That Break Is A Hole An Inch Through Where We Bored Entered To Protect That Tree, We Bored A Hole All The Way Through And Put A Steel Rod All The Way Through And Now It Is Indeed Rotted Inside Of Your Arm Down There, And Is It Any Surprise That With No The Darn Thing Fell Down, No, Because We Caused It A Crash.

If That Tree Limb Didn't Fall Down, We Would Have Never Had The Discussion On Taking The Rest Of It Down, We Wouldn't Have Had Our Expert To Tell Us That Thing Has Got To Go.

I'm An Expert, I've Got At Least A Dozen Of These Same Trees In My Yard.

I've Grown Up Here.

I Know What Oak Trees Are Capable Of.

If We Had Put Bans Across The Outside Properly Instead Of Drilling A Hole In Which It Is Guaranteed, That We Would Have Been Just So Happy And Moved On Down The Street.

I'm Asking This One More Time Since We Haven't Taken An Official Motion To Look At This, We Killed That Limb, Mr. Chairman By Our Own Protective Measures That Were Not Properly Ex-Cued.

I'm Angry At Myself Not Picking Up At That, I'm Angry At All Of Us And I Want You To Explain To Miss Helen Hendry And Mrs. Davis And All The Little Ladies In Tennis Shoes, When Right Now It Is So Healthy, This Is A Time Of A Season When They Go Into Hibernation, But It's Got More Oak, More Acorns Coming Out Of Of This Year, It Is So Filthy Green On The Rest Of The Can Know What I Know About Tree And And Oak Fleece Particular That This Is The Right Thing To Have Done.

I Do Give It A Little More Thinking.

I Would Like That Second Opinion Before We Saw It's A Goner.

That's Why My Thought, I Would Everyone To Go Because That's Why It Fell, Not Because Of Termites.

Not Base It's A Sick Old Tree.

I Think Its Still A Very Healthy Tree That Can Be Saved, And I Hope Before We Start Filling, That We Give It A Little Bit More Thought.

Chairman Judah: Would Administration Hope To Respond At This Time.

Are You Against Thought.

Commissioner I Think Last Week When We Discussed This Item I Did Mentioned The Cables, And I Think You're Right.

But The Cable Wasn't Just Through That Limb, There's Cables Throughout That Tree.

Rightly Or Wrongly In The Past, I Don't Know.

Whether It Should Have Been Done Or Shouldn't Have Been Done, I Don't Know.

We're In The Situation And Maybe David Can Jump In Here Also, But, Right Now We Do Have An Expert That Has Told Us, Used Highly Sophisticated Special, To Test The Tree, The Stability Of The Tree, And It Is Not Stable The.

Comm. Mann: According To Him.

According To Him.

We Have Had That Person, But He Is A Scientist, Arborist.

Scientist -- Comm. Mann: Here's My Problem, Miss Hall, With That.

And This Is A Science That I've Never Heard Of Before, And I Don't Think Anybody In The Room Her Of Before Where You Drill A Tiny Hole In It And Shake The Tree, Shows Up On A Graph Somewhere And Said I Need To Know More About That.

That Is One Little Tool Brought In After We Killed The Limb And We Applied It Somewhere Else.

I Don't Know How It's Applied.

I Don't Know If It's The Am Of Moisture And Rain.

We've Had A Dry Year.

What Other Factors There.

How It Works.

If It Was Up North Or If It Was In North Florida.

We Don't Know Anything About This Machine, But We Heard It's A Machine That Measures Whether A Tree Is Sturdy.

I Measure Trees That Are Sturdy By Looking At Them, And They're Still There And Green And Producing And We Bring In One Ex-Party Because We Killed That Limb And He Says It's No Good.

I'm Just Saying I Would Like To Talk To That Expert And I Would Like A Second Opinion.

Chairman Judah: Answer Perhaps You Can Make Arrangement, To Brick In The Arborist To Meet With Commissioner Mann.

Yes Commissioner, We Can Certainly Do That.

Comm. Mann: It Would Be Helpful To Know More About That.

Maybe I Might Be Convinced.

The Point I've Got To Make One Last Time, The Reason This Issue Is Before Us Is Because The Limb Fell Off.

The Reason That Limb Fell Off Is Because Through Action We Killed It.

Eye Still Healthy And Still With Us.

Before We Chop It Down, I'm Just Asking, Let's Be Mighty Damn Sure.

Thank You.

I Agree With You Commissioner.

There's Cement Around It.

It's Not Like Being Out In Your Own Backyard And There's A Lot Of Cable Through There, Through That Tree.

If You Put The Little And Around The Rest Of The Tree, Then You Will Allow For The Sap To Continue Flowing.

And You Don't Drill A Hole Through It And Put A Steel Spike In There And Wait For It To Rot.

There Are Other Ways We Could Have Approached This And I've Seen It Done And Yes, Again, I Consider Myself Somewhat Of An Expert After 68 Years Here Watching These Trees Grow.

I'm Sorry I Told You I Was Going To.

Chairman Judah: That's Fine.

Comm. Mann: I'm Hushing.

Chairman Judah: Commissioner Bigelow.

Comm. Bigelow: The Tree Is Nearly As Old As The County Is.

Comm. Mann: Older.

Comm. Bigelow: Ok I'll Accept That.

I Struggled With It, But When The Limb Fell, It's A Hazard That I Share That If We Don't Recognize It As Such, We're In A Really Bad Legal Sticky Wicket.

I Met Yesterday With Holly, And Members Of Our County Government Or County Management Committee, That's Looking At This, And The Whole Landscaping Plan For The City Block.

It Was Help Me, Who? Clay Simmons Suggested Maybe We Sprout 125.

Comm. Mann: I'm Already Planned It, 14 Acorns Off That Tree.

Comm. Bigelow: I'm Thinking We Can Come Up With More Than 125 Saplings And Sell Them, I Know I Would Pay \$125 To Have One And Maybe We Can Fully Fund The Landscaping Relandscaping Of This City Block.

But I Think The Tree Unfortunately And Something New Will Come Of It.

I Was Trying The Make Several Week Ago That We Can Use As A Time To Start Anew.

To Recognize That The Tree Was Only Going To Live For So Long And It's A Historical Marker In Lee County, But It Can Only Live For So.

Why Don We Come Up With A Way To Respectfully See That We End Its Life As It's Trying To Do.

And Start With A New.

I'm With You, You Know, And Let Me Also State This, Because I Agree The County Has Contributed To The Decline Of That Tree.

I Absolutely Agree With That, And I Will Be Glad To Sit Here For Another Hour And -- No, No, No.

I'm A Little Upset With Your Earlier Action.

I Tried To Point Out How The County Is Contributing To The Decline Of Our Estuaries.

It's Important To Me.

But, I'm Going To Indulge You.

If It Takes More Discussions, I Would Like More Discussion On It.

I Think We've Satisfied The Situation From A Safety Percentage, But I Would Hope You Would Indulge Me On Future Discussions.

Thank You.

Chairman Judah: Karen, If You Wouldn't Mind To Get The Arborist, Because We're Not Arborists.

We Have All Have Various Amounts Of Experience, But It Would Be Important To Have The A Appropriate Staff.

Those Of You Strengthen Tree.

Evening All That Information Needs To Be Brought Out As To Why That Approach Was Taken.

Then We'll Have You Get Back To Us.

Comm. Mann: Thank You Mr. Chairman For Letting Me Share My Tears.

Chairman Judah: Absolutely All Right Commissioner Janes.

Any Commissioner Items.

Comm. Janes: No.

Comm. Bigelow: Well Yes, I'm Sorry.

I Have I'm Sorry I Missed Last Week's Strategic Planning Discussions.

I Understand That And I Tried To Find Out If You Rescued Storm Water, And We're Trying Find New Sources Of Funding To Try To Deal With Some Our Problems Here In Lee County.

I Would Like To Throw Out Food For Thought, That We Revisit That Issue.

It's Appropriate We Do That.

I Think It's Appropriate We Do That.

I Believe It Will Not Help Us One Bit In The Long-Term Recovery Of Our Aquatic Environments Here.

I Would Like To Request The Board's Indulgence.

Chairman Judah: That Was A Point Brought Forward In The Presentation, And I Would Welcome That Discussion.

We Can Bring That Up To The Next M.M.P.

Comm. Janes: I Would Like To Move Through The Whole Agenda Before We Start Coming Back Bringing Back Issues.

If He Will Just Throw That Out, Then We Can Go Back And Revisit Those Issues, If They Need More Conversation.

It Isn't Fair For The Rest Of The Staff To Go Through All This Prep Then Never Know Whether Your Issues Will Be Heard.

Chairman Judah: I Respect What You're Saying, All I'm Pointing Out Is It Was Something That Was In The Report, And Seemed Appropriate That Since It Was An Item That Staff Brought To Your Attention.

Comm. Janes: I Have No Problem With That.

Comm. Bigelow: Commissioner Jane, If It's To Bring It Up In Some Other Form, In Look Of What The County Manager Is Doing, That's Fine With Me.

I Just Would Like To.

Comm. Janes: I Agree It Should Be Brought Up.

We Did Tag Some Days On, If There Were Issues That.

I'm A Little Bit, I Need More Clarification If This Issue Needs To Come On To Strategic Plan Or Do Up An M.M.P. On It.

Comm. Bigelow: I Agree Maybe We Should Fold It In.

If We Could Do That, I Appreciate You Do That Somehow.

Comm. Bigelow: It's Important, It's Something That Won't Take Too Much To Re-Enact.

But It Was Shelved An Mothballed.

It's A Matter Of Bringing It Back For Consideration For New Board To Consider.

Comm. Janes: Welcoming That Since 1991.

Is, I Would Like For War To That Discussion.

Ok, We'll Bring It Back At The End Then.

Comm. Bigelow: We've Previously Looked At The List Of Florida Lobbyists.

One That I Don't Think Unfortunately I Wasn't Mindful Enough Of It That The Stay Alive Just Driving Initiative Using Self-Phones Is Very, Very Dangerous.

We're Talking About How Can Needing Them, Coming Face To Face With Pedestrians, We'll Probably Realize More Of It Because Of This New Technology And Tends To Drive While I Would Like To Ask That We Ask County Management To Allow The State To Do Something About The Increase In The Prevalences, Texting.

That Will Have To For Us.

It May Be Too Late For This Coming Session.

If It's Not Too Late, Debra, I Couldn't Agree With You More.

State Needs To Take A Bolder Leadership Role In It.

We'll Include That On The List Of Legislative Priorities.

Comm. Bigelow: And Lastly I Think We're All Being Contact By Some Folks Who Are Interested In Single Member Districts.

Chairman Judah: I Haven't Been.

Comm. Bigelow: Ok, I Have Been.

Have You Been Commissioner Janes In I'm Just Curious.

Comm. Bigelow: It Was To Make It A 10-Member Body.

I've Asked Previously That We Bring This Back To The Board So That We Can Consider Whether We Put It On A 2010 Ballot, Like To Test The Waters Again To Have Us Consider That And I Suppose It Would Be Through An M.M.P. Agenda Item.

Chairman Judah: I Don't Know With The It's Worth Going To M.M.P.

Clearly If You Would Like To Bring It Back To The Board To Consider, It Should Come Up To Public Hearing.

It Was A Pretty Clear Vote, And We Have Had An Enormous Am Of Discussion On It.

I Was With Commissioner Bigelow On Wanting To Put It On The Ballot.

The Rest Of You Were Not Supportive That.

I Don't Know See Unless There's Some Indication How This Is Going To Accomplish Anything But Taking It To An M.M.P And Going Through All The Pain And Anguish Again.

Until There Were Three Votes Here, It Would Be Cruel And Unusual Punishment To Bring Them Here And Get Them Excited.

From Every Indication When We Last Visited This, I Didn't Have A Chance Of Succeeding.

Chairman Judah: Never Get Enough Pain And Suffering.

Never Deny Us To Have More.

It's Hard To Deny Any Commissioner That Wishes To Bring A Back.

Comm. Mann: Commissioner Items Next Week When We've Got Five Of Us.

That's Fair.

Comm. Bigelow: One Last Item That Just Came To My Mind.

I Know Next Week We're Deciding Our Next Chair And Vice Chair.

And I Think, According To The Rules Of Order We Don't Debate It.

We Simply Make Nominations.

Correct, And Then Hold A Row Is.

I Guess This Would Be One Of My Last Opportunities To Perhaps Discuss It Before We Can't

Discuss It.

I Guess I Would Just Like To Know, Since I Can't Ask Privately, What The Interest Is, I Will Like To Ask The Current Chairman If He Would Be Interested In A Third Term.

Chairman Judah: You Know, No.

Item Been A Wonderful Two Year And The Recognition Commissioner Bigelow.

But, It's Time To Pass Off The Baton And Continue To Work As A Team And Hopefully Keep Moving Downfall.

Comm. Bigelow: That's All I Have, Thank You.

Chairman Judah: But Thank You.

Ok, I Guess It's Up To Me Now.

You've Had A Chance To Comment.

You Know, I'll Try To Be Quick On This, With The Board's Concurrence Give The Board A Briefing And Probably At M.M.P.

With Regards To A Settlement Agreement Between E.P.A. Is A Number Of Environmental Grounds To Finally Get The State Of Florida To Set Numeric Limits On Discharge Elements Not Such As Nitrogen.

The Stated Advocate For A Number Of Years.

With Regards To Protecting The Water Quality Of Our Tributary Streams, Creek.

Rivers, You Were Speaking To Some Extent Today.

Commissioner Bigelow.

The State Right Now Is Taking A Very Adversarial Position In Wishing To Challenge The E.P.A.

With The Settlement Agreement, That Evidently Will Be Proposed In January.

And To Be Adopted In October Of Next Year.

If The State Is Unwilling To Take Care Of Our Systems, The Streams And The Creek And Rivers And I Can Understand Why The E.P.S. Is Stepping In, And I Just Think It Would Be Helpful For This Board To Know What The Standards Are, Their Proposal To Impose On The State Of Florida.

So Perhaps If We Can Get That Presentation From The Attorney's Office.

This Is The Issue Of The Reclassification.

Chairman Judah: Separate And Apart From That.

Comm. Bigelow: It's To Set Limits.

Chairman Judah: Numeric Standards On.

Comm. Bigelow: You've Got Me Out Of Sorts Here.

I'm Not Sure I Understand.

Chairman Judah: It's A Settlement Agreement Worked Out Because Of The State's Resistance To Develop Numeric Standards And It's Something That The State Needs To Develop.

And It Appears With The Input That We're Getting From Members Of Legislature They're Going To Fight It.

As Opposed To Regarding That We Have Probably More Impaired Water Bodies In The State Of Florida Than Any Other State In The Country.

What I'm Hopeful Of We Can Make The Briefing And Get The Determination On Our Own As To The Support That E.P.A. Needs To Push Stew Conditions Of The Settlement Agreement.

Mr. Chairman, Sounds To Me Like You're Leading Up To Another Letter From Us Or Resolution Or Something To Somebody That Usually Turns A Deaf Ear To Us Anyway.

Chairman Judah: Let's Hope They Don't.

I Think The E.P.A. Needs To Know That The State Legislature Doesn't Speak For The Community Throughout The State, Quite Frankly.

If They're Not Going To Step Up And Take Care Of Our Rivers And Streams, Then, You Know, Our Local Community Will Need To Do So.

But To Just.

I'm Not Trying To Debate The Merits Of The Issue.

I'm Just Looking At The Procedure And What Role We Can Play.

I Know You're Angry And Upset And Always At The Point On These Issues, And That's Good.

But The Legislature Has Routinely Ignored.

Chairman Judah: This Wouldn't Go To The Legislature.

Comm. Mann: It's The State That Has To Agree To This, Right.

Chairman Judah: Well No, But The State Has Positioned Themselves To Fight It.

And E.P.A. Would Appreciate Knowing That Lee County Is Ups Their Efforts.

That.

Comm. Mann: Still Doesn't Mean That They Can Force The Agreement, The State Has To Agree To It.

Chairman Judah: No, This Is An Agreement That Is Between The Environmental Groups E.P.A. And They Are Going To Come Up With Proposals That The State Will Be Required To Impose.

They're Going To Set The Limits For The State If They're Not Going To Set It Themselves.

Comm. Mann: I Misunderstood, I Thought This Was The Agreement That You Were Saying The State Had To Be A Part Of And We Were Reluctant To Embrace This.

Chairman Judah: As I See It, The State Has Been Ignoring Their Responsibility And This Is The One Federal Government Will Impose On The States.

We Can Get A Clarification From The Attorney's Office.

I Will Offer To Be Briefed If You Would Please Let Your Assistant Know Who We Should Schedule Meetings With.

Chairman Judah: This Is One Where The Attorney's Office Needs To Brief Us At The Next M.M.P.

Comm. Mann: I Don't Have A Problem With That.

To Understand The Role For Us And The County And The State.

Chairman Judah: That's All I Was Asking For.

One Last Item, The Senate In Congress Will Be Debating The Strong National Clean Energy And Climate Change Policy.

The House Has Already Approved It.

What I Would Ask Is That We At Least Give Administration A Chance To Putting To A Resolution.

Obviously What I Hope This Word Would Do Accepting A Letter To The Our Congressional Delegation, To Support The National Clean Energy And Climate Change Policy, But Before I Was Going To Ask For A Vote Today.

Obviously It's Important That This Board Be Properly Brief.

On The Points Of That Policy.

You Will Have An Opportunity To Voice That Concern.

But.

Comm. Bigelow: We'll Take Both Those Items Together Or One After The Other.

Chairman Judah: Sure.

The One Is The Administration Is Going To Need To Work On Reviewing The Proposed Policy.

While The Point And Bring It Back To This Board For Discussion And Possible Action.

Comm. Bigelow: Ok.

Ok I Appreciate Your Patience.

Committee Appointments Commissioner Mann? Commissioner Bigelow? Thanks.

Comm. Mann: This Would Be Debra Reardon On The Community Action Agency.

Motion By Commissioner Mann, Second By Commissioner Bigelow.

Motion Passes.

Anything Else? Thank You Commissioner Mann And You Did Not Have Any At This Time, Commissioner Bigelow.

Comm. Bigelow: I Have To Ask You Something.

Is Thomas Hagan Someone You Were Going To Reappoint For Construction Licensing.

Comm. Mann: I Can't Answer That, I Don't Know.

Comm. Bigelow: I Thought I Had Seen It.

Comm. Mann: Hayden? Comm. Bigelow: We Received Consider Upon Dense Previously But.

Comm. Mann: I Have To Check With My Chief Of Staff.

Comm. Bigelow: Then I'm Not Going To Make That Appointment.

Robert Cruz, Reappointment To The Construction Licensing Board.

William Mantis, Lee Ford To The Smart Growth Committee And Bill Hammond, Not That

One, Reappointment To The Smart Growth Committee.

Chairman Judah: Motion By Commissioner Bigelow, Second By Commissioner Mann, Motion Passes.

Make A Motion To Don Gord For The Buzz Advisory Committee, Motion By Commissioner Mann, Second By Commissioner Bigelow.

Motion Passes.

Move On To County Manager Items.

We Meet Again At 1:30 Today? Ok And What There Be Topics? What Will Be The Topics At 1:30? How Many Resources, Benefits And Purchasing.

Chairman Judah: Ok, County Attorney.

Commissioners We Have An Item That We Would Like To Have Your Indulgence And Listening To Mr. Peterson On And Providing Direction.

Chairman Judah: Thank You.

Jack Peterson, County Attorney's Office.

Commissioners, You're Familiar With The Lawsuits From The Employees Of Phenomenal Management.

They've Filed Two Suits, One Is On Appeal That You Authorized A Couple Weeks Ago, That The Courts Order There Return The Employees To Work.

There Is A Second Suit Filed Before A Separate Court Across The Street That Challenged The Entire Termination Process That The County Utilized And Has Used For A Number Of Years.

Authorized By The Personnel Moon Newell.

We Have Found A Number Of What We Consider To Be Flaws In That Court's Order.

We Would Like To Take It Up To The Second District Court Of Appeal.

I'm Asking For A Motion To Authorize That Appeal, In Case Number 09 Ca1574.

Chairman Judah: We've All Been Briefed.

Comm. Bigelow: Previously But Not On This One Right.

Not On This Case, The First Case Is What Is Called The Whistle Blower Case.

This Is A Case That Challenges The Termination Process Itself.

Comm. Mann: I Request That Be Briefed Personally On This Before I Take It Up On This Time.

Our Brief Would Be Due At The End Of The Month.

But We Could Do It Next Tuesday.

Chairman Judah: We'll Make Sure You Schedule It.

Comm. Bigelow: Wait A Minute.

He's Saying.

Comm. Mann: I Just Want To Brief Him Between Now And Next Tuesday Privately.

Chairman Judah: Sure.

Comm. Bigelow: Said Next Tuesday.

No, I'll See You In Chambers.

Chairman Judah: But You're Requesting The Action Next Tuesday.

Chairman Judah: Anything Else? All Right, And Nothing Else To Be Brought Before Board?
No.

Chairman Judah: Then We Are Adjourned.