

THE VILLAGE OF ESTERO COUNCIL MEETING
WEDNESDAY, JANUARY 8, 2020
9:30 A.M.

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CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

09:30:30 >>Mayor Ribble: GOOD MORNING.
09:30:30 I'D LIKE TO CALL OUR MEETING TO ORDER FOR JANUARY 8, 2020.
09:30:37 THIS MORNING WE'RE HONORED TO HAVE PASTOR KEVIN MORRIS FROM
09:30:40 THE HOPE UNITED PRESBYTERIAN CHURCH HERE TO DO OUR
09:30:45 INVOCATION.
09:30:46 PASTOR?
09:30:46 >> THANK YOU, MR. MAYOR.
09:30:48 WILL YOU PLEASE BOW YOUR HEADS AND PRAY WITH ME?
09:30:54 DEAR WISE AND LOVING GOD, FIRST LET US SAY THANK YOU ON
09:31:00 BEHALF OF ALL WHO ARE GATHERED HERE TODAY.
09:31:04 THANK YOU FOR YOUR MANY AND ABUNDANT BLESSINGS OF THIS PAST
09:31:08 YEAR.
09:31:10 FOR 2020, THANK YOU FOR LIFE ITSELF.
09:31:15 FOR THE MEASURE OF HEALTH WE NEED TO FULFILL OUR CALLINGS,
09:31:19 FOR SUSTENANCE AND FOR FRIENDSHIPS.
09:31:23 THANK YOU FOR THE ABILITY TO BE INVOLVED IN USEFUL VILLAGE
09:31:26 WORK AND FOR THE HONOR OF BEARING APPROPRIATE
09:31:32 RESPONSIBILITIES.
09:31:34 THANK YOU FOR LOVING US EVEN SO FROM YOUR BOUNDLESS AND
09:31:41 GRACIOUS NATURE.
09:31:43 IN THE SCRIPTURES YOU HAVE SAID THAT CITIZENS OUGHT TO OBEY
09:31:47 THE GOVERNING AUTHORITIES.
09:31:50 SINCE YOU HAVE ESTABLISHED THOSE AUTHORITIES TO PROMOTE
09:31:53 PEACE AND ORDER AND JUSTICE.
09:32:00 THEREFORE I PRAY FOR THE VARIOUS LEVELS OF CITY OFFICIALS
09:32:03 AND IN PARTICULAR FOR THIS ASSEMBLED COUNCIL.
09:32:07 I AM ASKING THAT YOU'D GRACIOUSLY GRANT THEM WISDOM TO
09:32:12 GOVERN AMID THE CONFLICTING INTEREST AND ISSUES OF OUR TIMES
09:32:18 A SENSE OF WELFARE AND TRUE NEEDS OF OUR PEOPLE.
09:32:21 A KEEN THIRST FOR JUSTICE AND RIGHTEOUSNESS.
09:32:26 CONFIDENCE IN WHAT IS GOOD AND FITTING.
09:32:32 THE ABILITY TO WORK TOGETHER IN HARMONY EVEN WHEN THERE ARE
09:32:36 HONEST DISAGREEMENTS.
09:32:37 AND FINALLY, PERSONAL PEACE IN THEIR LIVES AND JOY IN THEIR
09:32:44 TASKS.
09:32:44 I PRAY FOR THE AGENDA SET BEFORE THEM TODAY AND FOR THE
09:32:50 OTHER OFFICIAL AGENDAS THROUGHOUT THIS MONTH.

09:32:55 PLEASE GIVE AN ASSURANCE OF WHAT WOULD PLEASE YOU AND
09:32:58 BENEFIT THOSE WHO LIVE AND WORK IN AND AROUND OUR BELOVED
09:33:02 VILLAGE OF ESTERO.
09:33:04 MAY THY WILL BE DONE, AMEN.
09:33:09 >> THANK YOU, PASTOR.
09:33:10 NEXT I'LL ASK HOWARD LEVITAN TO LEAD US IN THE PLEDGE OF
09:33:16 ALLEGIANCE.
09:33:17 >> I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF
09:33:20 AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION
09:33:24 UNDER GOD INDIVISIBLE WITH LIBERTY AND JUSTICE FOR ALL.
09:33:32 >>Mayor Ribble: MADAM CLERK, CAN YOU PLEASE CALL ROLL?
09:33:36 >>Howard Levitan: HERE.
09:33:37 >>Jon McLain: HERE.
09:33:38 >>Jim Boesch: HERE.
09:33:40 >>Nick Batos: HERE.
09:33:41 >> JIM WILSON IS ON AN EXCUSED ABSENCE.
09:33:44 >>Vice-Mayor Errington: HERE.
09:33:46 >>Mayor Ribble: HERE.
09:33:46 DO WE NEED TO DO ANYTHING FOR JIM WILSON?
09:33:49 >> NO.
09:33:49 HE IS ON AN EXCUSED ABSENCE AND THAT'S THE POLICY OF THE
09:33:54 COUNCIL CONSIDERING HIS SITUATION.
09:33:56 >> ALL RIGHT.
09:33:56 THANK YOU, MR. SAUNDERS.
09:33:58 NEXT IS APPROVAL OF THE AGENDA.
09:33:59 DOES ANYONE HAVE ANY ADDITIONS OR DELETIONS OR CHANGED?
09:34:03 >> MR. MAYOR, THE SECOND PUBLIC HEARING TODAY, THE
09:34:07 ANNEXATION ORDINANCE, WE'RE REQUESTING A CONTINUANCE UNTIL
09:34:12 JANUARY 22 AT 9:30.
09:34:16 >>Mayor Ribble: OKAY.
09:34:17 ANY OTHER DELETIONS OR ADDITIONS?
09:34:19 OKAY.
09:34:20 I'D LIKE TO HAVE A MOTION ON THIS ITEM.
09:34:22 SO WE'LL MAKE THE MOTION.
09:34:24 >> SO MADE.
09:34:25 >>Mayor Ribble: SECOND BY MS. ERRINGTON.
09:34:29 PLEASE CALL THE ROLL.
09:34:33 >>Howard Levitan: AYE.
09:34:34 >>Jon McLain: AYE.
09:34:36 >>Jim Boesch: AYE.
09:34:37 >>Nick Batos: AYE.
09:34:40 >>Vice-Mayor Errington: AYE.
09:34:42 >>Mayor Ribble: AYE.
09:34:43 >>> NEXT ON THE AGENDA IS THE PROCLAMATION.
09:34:57 WE'RE FORTUNATE TO HAVE COMMUNITIES -- (OFF MICROPHONE)
09:35:03 TO ADDRESS PERSONAL FINANCIAL PROBLEMS.
09:35:05 PROBABLY GOING TO BE GIVING ONE OF THESE OUT EACH AND EVERY
09:35:07 WEEK AFTER TODAY BECAUSE THE PELICAN LANDING AND COLONY

09:35:11 GROUP THAT'S WITH US HERE TODAY IS THE FIRST ONE WE'RE GOING
09:35:13 TO GIVE OUT.
09:35:14 I HAVE ATTENDED SEVERAL OF THESE TYPE OF MEETINGS IN THE
09:35:20 ACTUAL GATED COMMUNITY THAT HAS A FOUNDATION OF 5013C AND
09:35:30 ONE IN WEST BAY THAT IS VERY ACTIVE IN THE COMMUNITY AND
09:35:33 DOES A GREAT JOB OF COLLECTING FROM THEIR MEMBERS AND GIVING
09:35:36 MONEY BACK TO THE COMMUNITY.
09:35:37 SO I DO WANT TO MAKE THAT NOTATION AND AS YOU KNOW, YOU
09:35:41 PROBABLY READ MARILYN HAD IT ON THE FACEBOOK, WE HAVE THE
09:35:46 ESTERO FOREVER FOUNDATION WE'RE JUST STARTING AS A GROUP
09:35:49 HERE IN OUR COMMUNITY TO HELP WITH THE NEEDS OF GROWING
09:35:55 ESTERO AND NOT TAKING TAXPAYER MONEY TO DO SOME OF THE
09:35:59 PROJECTS I'D LIKE TO DO.
09:36:01 SO ALL THESE TYPE OF FOUNDATIONS AND 5013C'S REALLY KEEP THE
09:36:10 TAXES DOWN BY THOSE WHO HAVE THE MEANS TO GIVE TO KEEP ON
09:36:14 GIVING.
09:36:14 SO, JIM, I KNOW YOU HAVE THE MEANS TO GIVE SO KEEP ON
09:36:17 WRITING THOSE CHECKS.
09:36:18 IT'S VERY MUCH APPRECIATED.
09:36:20 [LAUGHS]
09:36:22 MIKE IS THE PRESIDENT.
09:36:23 WOULD YOU COME UP, MIKE?
09:36:24 LET ME READ THE PROCLAMATION.
09:36:26 IT'S A LONG ONE.
09:36:34 HOPEFULLY YOU BROUGHT A SANDWICH AND A BEVERAGE BECAUSE THIS
09:36:37 IS GOING TO TAKE A COUPLE MINUTES.
09:36:41 WHEREAS THE BRIDGE FUND IS A LOCAL 5013C NON-PROFIT TAX
09:36:50 EXEMPT CHARITY FOUNDED IN 2012 BY A SMALL GROUP OF RESIDENTS
09:36:54 OF PELICAN LANDING AND THE COLONY WHO WERE CONCERNED THAT
09:36:57 SOME OF OUR NEIGHBORS WERE EXPERIENCING SHORT-TERM FINANCIAL
09:37:00 CRISIS WITH NO PLACE TO TURN.
09:37:02 AND WHEREAS THE BRIDGE FUND'S STATED MISSION IS TO HELP
09:37:04 BRIDGE THE GAPS THAT EXIST IN OUR GREATER BONITA
09:37:09 SPRINGS/ESTERO COMMUNITIES TO HELP SUPPORT SYSTEMS BY
09:37:12 HELPING PEOPLE EXPERIENCING PERSONAL CRISIS AND SUPPORTING
09:37:15 PUBLIC EDUCATION NEEDS.
09:37:17 AND WHEREAS THE BRIDGE FUND WORKS IN A UNIQUE COLLABORATIVE
09:37:20 WAY WITH THE NETWORK OF OVER 40 CHARITIES AND SCHOOL
09:37:24 PARTNERS AND I'LL NAME THOSE FOR YOU IN A MINUTE HERE SO YOU
09:37:27 KNOW THEY'RE DOING IT.
09:37:29 [LAUGHS]
09:37:29 I HAVE A BIG LIST.
09:37:31 I PRINTED IT OUT FROM THE GREAT WEBSITE.
09:37:33 YOU HAVE A GREAT WEBSITE AS WELL.
09:37:35 WHEREAS THE BRIDGE FUND IS RUN ENTIRELY BY A GROUP OF
09:37:37 DEDICATED VOLUNTEERS RESIDING IN PELICAN LANDING AND THE
09:37:41 COLONY HELPING TO KEEP ADMINISTRATIVE EXPENSES BELOW 2%.
09:37:46 WHAT CHARITY CAN BRAG ABOUT THAT?

09:37:49 BELOW 2% IS A HUGE, HUGE EFFECTIVE WAY OF RUNNING A CHARITY.
09:37:53 THAT'S JUST PERFECT.
09:37:54 I CAN TELL YOU.
09:37:55 I WORKED WITH UNITED WAY FOR 35 YEARS AND THEY'RE NO WHERE
09:37:58 NEAR 2%.
09:37:59 YOU FOLKS ARE DOING A GREAT JOB OF THAT.
09:38:01 THE BRIDGE FUND IS FUNDED ALMOST ENTIRELY OF PERSONAL
09:38:04 DONATIONS FROM LOCAL RESIDENTS, AND WHEREAS THE BRIDGE FUND,
09:38:09 SINCE ITS FOUNDING HAS APPROVED OVER 1200 AWARDS TOTALING
09:38:14 OVER \$1 MILLION AND BENEFITING MORE THAN 400 FAMILIES AND
09:38:18 INDIVIDUALS IN ESTERO AND THE SURROUNDING COMMUNITIES AND
09:38:22 THEY'RE THE KEY SUPPORTING ROLE FOR OUR SCHOOLS.
09:38:24 SO THE REST IS WHERE I'M OFFICIALLY GIVING YOU THIS.
09:38:29 I'M GOING TO SAVE YOU TWO PARAGRAPHS.
09:38:31 SO, MIKE, IF YOU WANT TO SAY A FEW WORDS.
09:38:33 I'M NOT DONE YET.
09:38:34 GIVE ME ONE MORE MINUTE.
09:38:36 I WANT TO READ A COUPLE OF THESE SO YOU KNOW WE'RE NOT
09:38:40 MAKING IT UP.
09:38:41 TAKE A LOOK AT THE LIST ON THE WEBSITE.
09:38:42 IT'S ON THE LAST PAGE.
09:38:44 I'M NOT GOING TO READ ALL 40 OF THEM.
09:38:46 JUST HIT THE KEY ONES.
09:38:47 FAMILY HEALTH CENTERS, NEW HORIZON, SALVATION ARMY.
09:38:52 HERE IS ONE.
09:38:52 ESTERO HIGH SCHOOL.
09:38:55 HABITAT FOR HUMANITY.
09:38:57 WE ALL KNOW THAT ONE.
09:38:59 BONITA SPRINGS HIGH SCHOOL.
09:39:03 THREE OAKS MIDDLE SCHOOL AND I'LL SAVE THE REST OF THE TIME
09:39:06 FOR YOU.
09:39:07 I YIELD THE MIC TO YOU, MY FRIEND.
09:39:11 >> THANK YOU VERY MUCH, MAYOR RIBBLE.
09:39:13 WE'RE PROUD TO BE DOING WHAT WE'RE DOING AND WE'VE DONE IT
09:39:17 FOR ABOUT SEVEN YEARS AS THE PROCLAMATION INDICATED, WE
09:39:21 RAISED AND DISTRIBUTED MORE THAN A MILLION DOLLARS AND PLAN
09:39:25 ON CONTINUING THIS PROCESS OF GOING FORWARD.
09:39:31 WE FORTUNATELY HAD A LOT OF SUPPORT FROM OUR LOCAL
09:39:34 COMMUNITIES AND WE'RE VERY HAPPY THAT WE'RE ABLE TO DO THIS
09:39:42 THROUGH ALL THE PARTNERS THAT YOU MENTIONED.
09:39:43 SO WE HAVE -- THANK YOU ALL VERY MUCH AND THANK THE VILLAGE
09:39:49 OF ESTERO FOR RECOGNIZING WHAT WE'RE DOING.
09:39:52 >>Mayor Ribble: I WANT TO ADD ONE MORE THING.
09:39:55 THOSE DONORS ARE ALL RESIDENT CITIZENS.
09:39:58 THEY'RE NOT DEVELOPERS, THEY'RE NOT BUSINESSES.
09:40:02 THEY'RE RAISING THE MONEY ASKING THEIR NEIGHBORS TO HELP
09:40:05 FUND THE FOUNDATION.
09:40:06 OR 5013C.

09:40:08 THAT'S GREAT NEWS FOR YOU GUYS.
09:40:11 YOU CAN BE PROUD.
09:40:13 TELL JUNE I WANT TO CONGRATULATE HER.
09:40:16 I DON'T KNOW WHY SHE DIDN'T SHOW UP BUT I'M GLAD YOU GUYS
09:40:20 CAME.
09:40:21 THANK YOU.
09:40:21 [APPLAUSE]
09:40:29 >> (OFF MIC).
09:40:38 >> ALL RIGHT.
09:40:38 I'LL MAKE NOTE OF IT.
09:40:45 THANK YOU, MIKE.
09:40:50 KATY, WHAT'S NEXT WHILE I'M WALKING UP?
09:40:57 >>Vice-Mayor Errington: PUBLIC COMMENTS.
09:40:58 >>Mayor Ribble: YOU WANT TO MAKE THAT ANNOUNCEMENT?
09:41:00 >>Mayor Ribble: SURE.
09:41:04 YOU -- CAUGHT ME OFF GUARD.
09:41:05 DO WE HAVE ANYONE WANTING TO MAKE PUBLIC COMMENTS?
09:41:08 >> YES, WE DO.
09:41:09 FIRST PERSON IS BARBARA SAXTON AND I BELIEVE OLIVIA SHILLING
09:41:13 IS JOINING HER, PERHAPS.
09:41:16 OR COMING UP SEPARATELY.
09:41:26 YOU HAVE THREE MINUTES TO SPEAK.
09:41:27 >> GOOD MORNING, COUNCIL.
09:41:31 WE ARE CHAIRS OF RIVER ROADS AND WITH ME IS OLIVIA WITH THE
09:41:34 ESTERO GIRL SCOUTS, TROOP 124.
09:41:37 AND SHE IS GOING TO HELP ME TODAY WITH A LITTLE
09:41:40 PRESENTATION.
09:41:40 I'LL TELL YOU A LITTLE STORY FIRST AND THEN WE'LL GET INTO
09:41:44 WHY WE'RE HERE.
09:41:45 TAKE THESE OFF HERE.
09:41:52 IN CASE YOU DIDN'T KNOW, GOPHER TORTOISES ARE FOUND IN 60
09:41:55 COUNTIES IN FLORIDA AND ARE RAPIDLY DISAPPEARING.
09:41:58 THE GOPHER TORTOISES ORIGINATED IN NORTH AMERICA 60 MILLION
09:42:01 YEARS AGO.
09:42:02 THAT'S HARD TO BELIEVE.
09:42:04 MAKING IT ONE OF THE OLDEST LIVING SPECIES AND THEY LIVE
09:42:07 UPWARDS TO 80 YEARS.
09:42:11 PROBABLY OUTLIVING SOME OF US IN THE ROOM AND I HAVE TO
09:42:14 MENTION THEY EAT PLANTS, JUST AS A SIDE NOTE.
09:42:17 THE GOPHER TORTOISES TYPICALLY THRIVED IN OUR HABITAT WHICH
09:42:21 ONE STRETCHED ACROSS THE SOUTH UNBROKEN FROM FLORIDA TO
09:42:27 TEXAS.
09:42:28 60% OF THE ACRES REMAIN.
09:42:30 THIS DRASTIC REDUCTION ALONG WITH EVER-INCREASING
09:42:34 DEVELOPMENT HAS MADE THE GOPHER TORTOISES A THREATENED
09:42:37 SPECIES IN FLORIDA.
09:42:38 THESE GENTLE REPTILES DIG DEEP BURROWS FOR SHELTER AND THEIR
09:42:43 LARGE LIMBS EXCAVATE UP TO 33 FEET LONG.

09:42:48 THEY SHARE THOSE BURROWS, BY THE WAY, WITH 350 OTHER
09:42:51 SPECIES.
09:42:53 THEY ARE CONSIDERED A KEYSTONE SPECIES MEANING IF THEY
09:42:56 DIDN'T EXIST, THE 350 SPECIES PROBABLY WOULD NOT SURVIVE.
09:43:01 RIVER OAKS PROPERTY, AS YOU KNOW, IS A PROPERTY THAT WE ARE
09:43:05 ALL HOPING THAT YOU PURCHASE, PRESERVE AND PROTECT AND
09:43:13 ESPECIALLY OUR GOPHER TORTOISES.
09:43:14 IT IS IDENTIFIED BY BOTH THE NATIVE PLANTS SOCIETY AND THE
09:43:18 NATIONAL WILDLIFE FOUNDATION AS A PLACE WHERE GOPHER
09:43:21 TORTOISES CURRENTLY LIVE.
09:43:23 THE LAND IS CURRENTLY COMPROMISED AND IN NEED OF OUR HELP,
09:43:27 RIGHT?
09:43:27 AND IN NEED OF YOUR HELP.
09:43:29 HENCE WHY WE'RE HERE TODAY.
09:43:32 THE ESTERO GIRL SCOUTS GOT TOGETHER, DID A NICE LITTLE
09:43:38 PROJECT AND LEARNED ABOUT GOPHER TORTOISES AND MANY OF THEM
09:43:40 HAVE BEEN OVER TO RIVER OAKS AND THEY SUPPORT THE
09:43:48 PRESERVATION OF THE RIVER OAKS PROPERTY AND DONATED MONEY TO
09:43:51 THE CAUSE.
09:43:52 THEY ARE ALSO HOPEFULLY GOING TO JOIN US ON NATIONAL GOPHER
09:43:55 TORTOISE DAY WHICH IS APRIL 10 AND WE ARE HOPING TO
09:43:58 CELEBRATE THAT DAY, THE GIRL SCOUTS AND MANY OF THE
09:44:03 COMMUNITY MEMBERS, AT RIVER OAKS.
09:44:05 OLIVIA?
09:44:06 I TOLD HER SHE HAD THREE MINUTES.
09:44:10 [LAUGHS]
09:44:10 I ASKED FOR LENIENCY FROM THE CLERK BUT SHE WOULD LIKE TO
09:44:14 TALK TO YOU AS WELL.
09:44:15 THANK YOU.
09:44:16 THERE YOU GO.
09:44:17 >> THE GIRL SCOUTS AND I HAD A LOT OF FUN DOING THIS PROJECT
09:44:24 AND WE'D LIKE TO KEEP ON PRESERVING THE TORTOISES.
09:44:27 >> THANK YOU.
09:44:29 WE DO HAVE A STORY BOARD.
09:44:31 THIS IS THE MOMS OF MANY OF THE GIRL SCOUT LEADERS -- OR
09:44:35 TROOPS OF ESTERO.
09:44:37 AND ONE OF OUR RESIDENTS.
09:44:39 HE IS NOT A GIRL SCOUT.
09:44:41 [LAUGHS]
09:44:42 NOT THAT I KNOW OF ANYWAY.
09:44:44 THESE ARE ALL MESSAGE BOARDS FOR YOU.
09:44:46 THEY WERE CREATED FOR YOU.
09:44:48 THIS IS WHAT THIS CLASS WAS ALL ABOUT SO WE WOULD LIKE TO
09:44:51 LEAVE THEM WITH YOU AND WE HOPE THAT YOU'LL ACTUALLY READ
09:44:54 THEM AND MAYBE MAKE A COMMENT OR TWO WITH OUR GIRL SCOUTS IN
09:44:59 THE FUTURE ABOUT HOW MUCH YOU APPRECIATE THEIR EFFORTS HERE
09:45:03 IN ESTERO.
09:45:05 THANK YOU.

09:45:06 >>Mayor Ribble: COULD YOU HAVE THEM COME UP TO THE PODIUM AND
09:45:09 TAKE SOME PICTURES SO WE CAN SHARE THESE ON THE WEBSITE?
09:45:19 BARBARA, YOU GOING TO GET IN THE PICTURE WITH THEM?
09:45:23 >> I'LL GO ON THIS SIDE HERE.
09:45:48 >>Mayor Ribble: OKAY, BARBARA.
09:45:50 THANK YOU VERY MUCH.
09:45:50 THANK YOU, LADIES.
09:45:51 THAT WAS GREAT.
09:45:56 NEXT --
09:45:57 >>Mayor Ribble: OH, YOU HAVE SOMEBODY ELSE?
09:45:59 >> YES.
09:46:00 JEFF MEEKER.
09:46:07 >> GOOD MORNING.
09:46:08 JACK MEEKER FROM COPPERLEAF.
09:46:11 I WANT TO THANK YOU FOR YOUR LEADERSHIP AND MAKING THIS A
09:46:14 GREAT COMMUNITY TO LIVE.
09:46:17 WY JUST WITNESSED -- WE JUST WITNESSED SOME OF THAT RIGHT
09:46:20 NOW.
09:46:20 I'LL ASK AGAIN FOR YOUR HELP IN ANOTHER PROJECT THOUGH.
09:46:24 YOU FINALLY READ -- THERE IS A PROPOSAL TO INCREASE THE
09:46:29 TRAFFIC IN THIS AREA BY BRINGING IN A TOLL ROAD.
09:46:33 I UNDERSTAND IT'S COMING FROM POLK COUNTY COMING SOUTH AND I
09:46:37 THINK IT'S GOING TO BE VERY DETRIMENTAL TO OUR COMMUNITY.
09:46:42 I THINK THE INCREASE IN TRAFFIC AND THE FACT THAT IT'S GOING
09:46:45 TO BE A LOT OF FREIGHT.
09:46:50 THERE IS A LITTLE PUSH IN OUR AIRPORT TO MAKE IT A BIG
09:46:55 FREIGHT TERMINAL EITHER HERE OR OSU OR IMMOKALEE.
09:46:59 THE EFFORT FAILED IN MIAMI-DADE.
09:47:02 THAT AIRPORT WAS ABANDONED AND NEVER FINISHED.
09:47:06 I THINK THE POWERS THAT BE ARE LOOKING TO DO THE SAME HERE,
09:47:10 AND I THINK THAT WOULD BE BAD.
09:47:12 IF WE HAVE THE HUGE FREIGHT TRAFFIC IN OUR AREA, THAT'S A
09:47:18 24/7 OPERATION EVERY DAY.
09:47:21 NIGHT TIME.
09:47:23 WE LIVE IN COPPERLEAF ON THE -- ON THE PATH THAT LEADS
09:47:33 DOWNWIND TO THE LANDING STRIP AT FORT MYERS.
09:47:37 THE PLANES ARE BETWEEN 1,000 AND 2,000 FEET WHEN THEY COME
09:47:43 OVER.
09:47:43 I'M CONCERNED WE GET ONE OF THOSE NASTY NIGHTS THAT'S FOGGY
09:47:48 AND HUMANS -- WHAT THE PLANE IS WHAT THEY ARE.
09:47:54 I'M AFRAID OF WHAT COULD HAPPEN.
09:47:55 SO I THINK WE DON'T NEED THAT TO CONTINUE THE NICE LIFE WE
09:47:59 HAVE HERE IN ESTERO AND FOR OUR JOBS AND EVERYTHING ELSE
09:48:04 THAT WE NEED IN OUR COMMUNITY.
09:48:06 SO I'M LOOKING FOR YOUR LEADERSHIP AND THAT'S WHAT IT IS.
09:48:10 THAT'S WHAT IT WILL TAKE TO HELP SPEARHEAD AND ANTAGONISTIC
09:48:20 OPPOSITION TO THIS AIRPORT AND THIS ROUTE.
09:48:25 I THINK IT'S WITHIN YOUR PURVIEW TO DO IT.

09:48:29 WE SUCCEEDED IN THE THREAT OF A ROCK MINE OVER IN EDISON
09:48:35 FARMS AND WE ELIMINATED THE PROPOSED INTERCHANGE WITH 75 AND
09:48:42 COCONUT ROAD.
09:48:44 I KNOW IT CAN BE DONE.
09:48:45 IT TAKES EFFORT AND DEDICATION BUT YOU GUYS ARE DOING A
09:48:49 GREAT JOB IN MAKING THIS A WONDERFUL PLACE TO LIVE.
09:48:52 SO I'M ASKING FOR YOUR HELP.
09:48:53 THANK YOU.
09:48:55 >>Mayor Ribble: OKAY, JACK.
09:48:57 THANK YOU.
09:48:58 ANYBODY ELSE?
09:48:59 NO?
09:48:59 NEXT ON THE AGENDA IS CONSENT AGENDA.
09:49:01 DO ANY OF THE COUNCIL MEMBERS HAVE COMMENTS OR QUESTIONS
09:49:05 REGARDING THE FINANCIAL REPORT OR THE COUNCIL MEETING
09:49:08 MINUTES?
09:49:10 HEARING NONE, I'LL ENTERTAIN A MOTION TO APPROVE.
09:49:13 >> SO MOVED.
09:49:15 >>Mayor Ribble: KATY AND SECOND BY MR. McLAIN.
09:49:17 WE DON'T NEED A ROLL CALL ON THIS, RIGHT?
09:49:20 >> NO.
09:49:21 AS LONG AS YOU HAVE ALL THE PAPERS SAYING AYE.
09:49:26 >>Mayor Ribble: RESPOND BY SAYING AYE?
09:49:28 THERE WE GO.
09:49:29 VERY GOOD.
09:49:32 NEXT IS THE RIVER RANCH ROAD IMPROVEMENTS PLANNING AND
09:49:38 DESIGN AND PERMITTING CONTRACT CN-2019-04.
09:49:43 >>Steven Sarkozy: THANK YOU.
09:49:44 MAYORS OF COUNCIL, THIS IS A PROPOSED CONTRACT WITH THE
09:49:48 ENGINEERING FIRM OF CW3 TO PROVIDE ENGINEERING SERVICES FOR
09:49:56 THE PLANNING AND DESIGN OF RIVER RANCH ROAD IMPROVEMENTS.
09:50:00 WHAT WE'RE TRYING TO DO IS LINE UP A SERIES OF PROJECTS THAT
09:50:04 WOULD BE SUBJECT TO COUNCIL APPROVAL FOR THE C.I.P. AND IN
09:50:11 ORDER TO GET GOOD DATA, WE NEED TO UNDERSTAND BASICALLY WHAT
09:50:15 PROJECTS ARE GOING TO COST.
09:50:17 WE KNOW RIVER RANCH ROAD HAS A NUMBER OF DIFFERENT ISSUES
09:50:21 INCLUDING THE LACK OF SIDEWALKS, THE FLOODING IN THE AREA AS
09:50:24 WELL AS SOME ROAD PROBLEMS ASSOCIATED WITH HEAVY DEMAND AT
09:50:30 THE HIGH SCHOOL SITE.
09:50:32 THIS PROJECT WILL ALLOW US TO GET OUR ARMS AROUND THAT AND
09:50:35 TEE IT UP FOR COUNCIL ACTION IN THE FUTURE.
09:50:39 >>Mayor Ribble: OKAY.
09:50:39 DOES COUNCIL HAVE ANY QUESTIONS?
09:50:42 ANY COMMENTS?
09:50:47 OKAY.
09:50:47 PUBLIC COMMENT?
09:50:50 >> NO.
09:50:51 >>Mayor Ribble: NO ONE.

09:50:51 I'LL ENTERTAIN A MOTION.
09:50:52 >> MAKE A MOTION TO APPROVE.
09:50:54 >>Mayor Ribble: SECOND BY MR. McLAIN.
09:50:56 PLEASE CALL THE ROLL.
09:51:02 >> COUNCIL MEMBER LEVITAN?
09:51:05 >> AYE.
09:51:07 >> I'M SORRY.
09:51:10 BATOS.
09:51:12 >>Nick Batos: AYE.
09:51:13 >>Jon McLain: AYE.
09:51:14 >>Jim Boesch: AYE.
09:51:16 >>Vice-Mayor Errington: AYE.
09:51:17 >>Mayor Ribble: AYE.
09:51:18 >>> NEXT ITEM IS CONSIDERATION OF A LIEN MITIGATION REQUEST
09:51:25 BY CELEDONIO VARELA RELATING TO THE PROPERTY AT 8401
09:51:37 MOCKINGBIRD LANE.
09:51:40 >>Steven Sarkozy: WE ARE TRYING TO KEEP PROPERTY AT A HIGH
09:51:42 LEVEL OF MAINTENANCE SO THAT WE PROTECT PROPERTY VALUES AND
09:51:49 CONSIDERATION OF NEIGHBORS.
09:51:50 THE PROPERTY THAT HAS BEEN POINTED OUT BY THE MAYOR AT 8401
09:51:55 MOCKINGBIRD LANE HAS BEEN THE SUBJECT OF SOME OF OUR CODE
09:51:59 ENFORCEMENT ACTIVITY.
09:52:02 I'D LIKE TO TURN THIS OVER TO DEREK ROONEY FOR THE
09:52:07 BACKGROUND ON THE ITEM AS WELL AS THE PROPOSED SETTLEMENT
09:52:11 AGREEMENT.
09:52:12 DEREK?
09:52:14 >>Derek Rooney: ABSOLUTELY.
09:52:14 PURSUANT TO THE COUNCIL'S DIRECTION ON THE MITIGATION POLICY
09:52:18 AND OUR ENFORCEMENT AT THE MAXIMUM STATUTORY ALLOWANCES,
09:52:22 THIS PARTICULAR PIECE OF PROPERTY WAS CITED FOR OVERGROWTH
09:52:27 AND A SHED STRUCTURE THAT NEEDED DEMOLITION BACK IN 2017.
09:52:33 IT WAS FOUND IN VIOLATION APRIL 2017 FOR THREE SEPARATE
09:52:37 VIOLATIONS AT \$250 A DAY.
09:52:39 THOSE VIOLATIONS ACCUMULATED TO OVER \$157,000 WHICH EXCEEDS
09:52:43 THE VALUE OF THE PROPERTY IN QUESTION.
09:52:46 THE PROPERTY OWNER HAS ALLEGED HE DID NOT RECEIVE
09:52:52 NOTIFICATION OF THE INITIAL VIOLATIONS.
09:52:57 WHEN HE REALIZED THE PROPERTY WAS IN VIOLATION, HE BROUGHT
09:52:59 THE PROPERTY INTO COMPLIANCE WHICH IS NOW UNDER YOUR
09:53:02 MITIGATION POLICY WOULD ALLOW HIM TO REQUEST REDUCTION IN
09:53:11 THE FINES.
09:53:12 THE PROPERTY OWNER IS HERE TO SPEAK ON THE ITEM IF
09:53:15 NECESSARY.
09:53:16 I HAVE RECOMMENDED A REDUCTION SCHEDULE OF \$2,000 TAKING
09:53:22 INTO ACCOUNT THE NATURE OF THE VIOLATION HERE WHICH IS
09:53:25 ESSENTIALLY HIGH GRASS PLUS THE VILLAGE'S COSTS IN
09:53:32 PROSECUTING THE CASE THAT HAS GONE TO THE SPECIAL MAGISTRATE
09:53:35 AND HE AGREED WITH THE RECOMMENDATION.

09:53:37 I BROUGHT THAT TO YOU FOR YOUR CONSIDERATION AND WE'RE HERE
09:53:40 IF YOU HAVE QUESTIONS.
09:53:41 >>Mayor Ribble: COUNCIL?
09:53:42 ANY QUESTIONS?
09:53:46 >> THE LAST TIME WE HAD THIS COME UP, DEREK, ONE OF YOUR
09:53:50 COLLEAGUES BROUGHT IT UP AND I THINK WE ALL FELT IF WE'RE
09:53:56 GOING TO DO THIS HERE, WE'RE REDUCING THEIR FEES
09:54:00 SUBSTANTIALLY.
09:54:01 THEY SHOULD BE HERE TO TELL US WHAT THE STORY IS.
09:54:05 >>Mayor Ribble: HE IS HERE TODAY.
09:54:08 >>Derek Rooney: MR. VARELA?
09:54:12 HE IS HERE TO SPEAK AND I BELIEVE HE HAS A TRANSLATOR WITH
09:54:15 HIM AS WELL.
09:54:17 >> GOOD MORNING.
09:54:20 >> PLEASE STATE YOUR NAMES.
09:54:22 >> HELLO.
09:54:22 MY NAME IS CELEDONIA VARELA.
09:54:29 >>Derek Rooney: CAN YOU ASK HIM TO GIVE A BRIEF PRESENTATION
09:54:32 OF WHAT HIS -- HOW HE CAME TO LEARN ABOUT THE VIOLATIONS AND
09:54:36 CORRECTED THE VIOLATIONS AND WHAT HE IS ASKING FOR TODAY?
09:55:00 >> (SPEAKING IN SPANISH)
09:55:09 HE SAID THE THING WAS THAT HE LEFT HIS BROTHER THERE WHEN HE
09:55:12 WAS OUT OF TOWN WORKING FOR A PERIOD OF TIME, AND HE CALLED
09:55:16 HIS BROTHER AND ASKED HIM IF HE HAD ANY LETTERS
09:55:22 OR -- ANYTHING ABOUT THE PROPERTY AND HIS BROTHER WOULD TELL
09:55:25 HIM NO.
09:55:25 HE ACTUALLY FOUND OUT AND FIXED THE PROBLEM, BUT BY THEN, IT
09:55:35 HAD ACCUMULATED, THE FINES.
09:55:38 >> ANY QUESTIONS?
09:55:41 >> DOES THE APPLICANT UNDERSTAND THAT NOT ONLY DOES IT CAUSE
09:55:47 A PROBLEM ON HIS PROPERTY BUT IT CAUSES A PROBLEM ON ALL THE
09:55:51 OTHER PEOPLE.
09:55:52 THAT PROBABLY IS MORE BLATANT THAN THE PERSON'S PROPERTY
09:55:56 ITSELF.
09:55:59 >> (SPEAKING IN SPANISH)
09:56:12 YES.
09:56:14 >> IF WE APPROVE THIS TODAY, WE WOULD NOT EXPECT EVER TO
09:56:18 HAVE ANY OF THESE OFFENSES COME AGAIN ON THIS PARTICULAR
09:56:22 PROPERTY.
09:56:25 IF HE IS THE OWNER.
09:56:28 >> (SPEAKING IN SPANISH)
09:56:35 HE SAID NO.
09:56:42 HE FIXED THE PROPERTY ALREADY.
09:56:47 IT'S IN A NICE STATE.
09:56:50 >> VERY GOOD.
09:56:53 JON?
09:56:54 >>Jon McLain: MY CONCERN IS THESE VIOLATION WENT ON FOR A
09:56:57 SUBSTANTIAL PERIOD OF TIME.

09:56:58 I BELIEVE WE HAVE TO HOLD PROPERTY OWNERS TO A CERTAIN
09:57:02 STANDARD.
09:57:03 IT DOESN'T MAKE SENSE THAT YOU OWN A PIECE OF PROPERTY AND
09:57:06 YOU JUST LET IT, YOU KNOW, GET OVERGROWN.
09:57:10 THAT, AS THE OTHER COUNCIL MEMBERS INDICATED, DOESN'T
09:57:19 ENHANCE WHAT IS GOING ON IN ESTERO.
09:57:21 WE'RE TRYING TO MAKE IT A MODEL PLACE TO LIVE AND WE HAVE
09:57:24 ABSENTEE LAND OWNERS BUYING PROPERTY AND THEN WALKING AWAY
09:57:29 FROM IT AND LETTING IT GET OVERGROWN.
09:57:33 IT'S DIFFICULT FOR ME TO THINK LET'S JUST WAIVE ALL THESE
09:57:37 FEES AT \$2,000.
09:57:40 I'M INCLINED TO SAY WE NEED TO, YOU KNOW, MAKE MORE OF A
09:57:45 STATEMENT.
09:57:46 MAYBE NOT THE WHOLE \$150,000 BUT SOMETHING IN BETWEEN THAT
09:57:52 MAKES SENSE TO ME.
09:57:54 DISREGARDING THE NORMAL MAINTENANCE THAT WE EXPECT JUST
09:57:57 DIDN'T HAPPEN, AND THEREFORE I THINK WE NEED TO LOOK HARD AT
09:58:00 WHAT THE PENALTY SHOULD BE ON THIS.
09:58:04 >> (SPEAKING IN SPANISH)
09:58:30 HE SAID THAT IT'S A -- HIS PROBLEM BECAUSE HE CONFIDED IN
09:58:38 HIS BROTHER.
09:58:39 HIS BROTHER STAYED THERE BUT HIS BROTHER WAS THE ONE THAT
09:58:43 LET HIS PROPERTY GO DOWN UNTIL HE THREW HIS BROTHER OUT,
09:58:47 THAT'S WHEN HE FIXED ALL THE PROBLEMS THAT WERE ON HIS
09:58:50 PROPERTY.
09:58:52 >>Jon McLain: I UNDERSTAND BUT I THINK AS A LANDLORD YOU
09:58:56 HAVE TO INSPECT THE PROPERTY REGULARLY AND HE DIDN'T DO
09:58:59 THAT, AND THAT'S AN ISSUE.
09:59:00 >>Mayor Ribble: OKAY.
09:59:00 ANY OTHER QUESTIONS?
09:59:03 >>Vice-Mayor Errington: I HAVE A COMMENT.
09:59:04 THE PROPERTY WAS ACQUIRED IN 2003.
09:59:08 THAT WAS BEFORE THE VILLAGE WAS INCORPORATED.
09:59:11 SO THE RULES WERE A LITTLE MORE LAX THEN.
09:59:15 DO YOU AGREE?
09:59:17 >> YEAH.
09:59:18 >>Vice-Mayor Errington: OKAY.
09:59:18 SO THEN WE BECAME A VILLAGE AND NOW WE ARE TRYING TO SET
09:59:24 STANDARDS FOR WHAT WE WANT THE VILLAGE TO LOOK LIKE.
09:59:27 NOW MAY I ASK YOU, HAVE YOU TORN DOWN THE SHED?
09:59:32 IS THE SHED GONE?
09:59:33 >> (SPEAKING IN SPANISH)
09:59:36 HE FIXED EVERYTHING THAT WAS ON THE VIOLATIONS.
09:59:42 THE FENCE, THE SHRUBS.
09:59:46 >> IS THE SHED GONE?
09:59:48 >>Vice-Mayor Errington: THE SHED IS GONE?
09:59:49 >> NO SHED THERE?
09:59:51 >> NO, SIR.

09:59:53 >>Vice-Mayor Errington: SO AND YOU'RE TRYING TO KEEP THE GRASS
09:59:56 CUT.
09:59:56 DO YOU FULLY APPRECIATE AND CAN YOU TELL EVERYBODY YOU KNOW
10:00:00 AROUND THAT THIS IS A NEW VILLAGE AND WE HAVE NEW STANDARDS?
10:00:05 IS THAT A POSSIBILITY?
10:00:06 IS THINGS ARE NOT THE WAY THEY USED TO BE.
10:00:15 >> (SPEAKING IN SPANISH).
10:00:28 >>Vice-Mayor Errington: ANY SUGGESTIONS, THE LETTERS THAT WENT TO
10:00:30 YOUR BROTHER, I DON'T KNOW WHAT KIND OF TERMS YOU HAVE HAD
10:00:34 WITH YOUR BROTHER, BUT THOSE LETTERS SHOULD HAVE BEEN
10:00:39 FORWARDED TO YOU SO IS THERE A WAY THAT -- ARE YOU PLANNING
10:00:46 ON RENTING THIS AGAIN?
10:00:50 THE PROPERTY, WILL IT BE RENTED AGAIN OR LEASED OUT OR
10:00:53 LETTING SOMEBODY LIVE THERE?
10:00:58 >> HIS MOM AND DAD IS GOING TO LIVE THERE.
10:01:03 >>Vice-Mayor Errington: IF THEY GET LETTERS IN THE FUTURE, WHAT
10:01:07 ARE THEY GOING TO DO WITH THEM?
10:01:11 >> HE IS RESPONSIBLE FOR CHECKING IT.
10:01:17 CHECKING ON THE HOUSE.
10:01:19 >>Vice-Mayor Errington: WHERE -- DO YOU LIVE IN NAPLES?
10:01:25 >> BONITA SPRINGS.
10:01:26 >>Mayor Ribble: ANYONE ELSE HAVE ANYTHING?
10:01:28 GO AHEAD, HOWARD.
10:01:31 >>Howard Levitan: COUPLE POINTS.
10:01:32 PART OF THE PROBLEM HERE IS THAT ON THE PROPERTY APPRAISER'S
10:01:36 SITE WHICH IS WHAT ISSUES THE TAX BILLS, IT DIDN'T HAVE THE
10:01:40 CORRECT ADDRESS AND THAT'S THE ADDRESS THAT STANLEY USED FOR
10:01:43 THE CERTIFIED MAIL LETTERS.
10:01:46 SO I THINK WE OUGHT TO PUT PEOPLE ON NOTICE, THE PUBLIC ON
10:01:53 NOTICE THAT IF YOU'RE NOT RECEIVING TAX BILLS THROUGH THE
10:01:57 MAIL, THEN THERE IS A PROBLEM AND IN THE FUTURE WE DON'T
10:02:05 NECESSARILY -- THE LAW SAYS WE HAVE TO SEND IT TO THE
10:02:08 ADDRESS ON THE TAX BILL SO IF YOU'RE NOT GETTING YOUR TAX
10:02:13 BILLS AND YOU HAVE TO GET THEM THROUGH OTHER MEANS, YOU'RE
10:02:17 ON NOTICE THAT THAT'S A PROBLEM AND THAT FROM A CODE
10:02:22 VIOLATION STANDPOINT, THIS WON'T BE AN EXCUSE IN THE FUTURE
10:02:26 FOR US.
10:02:27 SO I'M TRYING TO PUT EVERYBODY ON NOTICE ABOUT THAT AND THAT
10:02:30 AS WE MOVE FORWARD, WE MAY NOT TAKE THAT AS AN EXCUSE.
10:02:37 THE OTHER THING IS I DON'T WANT THIS TO SET A PRECEDENT.
10:02:42 I DON'T THINK \$2,000 IS THE RIGHT ANSWER IN SOME
10:02:45 CIRCUMSTANCES AND MAY BE MORE THAN IS NECESSARY IN OTHERS.
10:02:48 SO WE'RE NOT SETTING ANY KIND OF PRECEDENT BY APPROVING THIS
10:02:55 AGREEMENT.
10:02:59 >> CORRECT.
10:02:59 NO.
10:03:01 YOU HAVE NOT ADOPTED A SCHEDULE OR FINE.
10:03:08 >>Mayor Ribble: WOULD SOMEBODY LIKE TO MAKE A MOTION?

10:03:10 >> I'M NOT SETTING A MOTION FOR A STANDARD ON THIS
10:03:13 PARTICULAR CASE.
10:03:14 BECAUSE OF THE LENGTH OF TIME THAT IT WENT AND THE PROXIMITY
10:03:17 OF THE OWNER TO THIS PROPERTY SHOULD HAVE BEEN ABLE TO GET
10:03:20 TO THAT PROPERTY AND LOOK AT IT.
10:03:21 I'D LIKE TO MAKE A MOTION THAT WE IMPOSE A FINE OF \$5,000
10:03:31 >> OKAY.
10:03:32 WE'RE ASKING FOR \$2,000.
10:03:34 CAN WE DO THAT?
10:03:35 >> YOU CERTAINLY CAN.
10:03:36 I'M SORRY.
10:03:36 I DIDN'T WANT TO -- THERE IS ALSO THE ADMINISTRATIVE COSTS.
10:03:41 >> WHAT'S THE COST?
10:03:44 >> IS THAT IN ADDITION TO THE \$2,000?
10:03:46 >> THAT'S NOT INCLUDED.
10:03:48 >> SO \$5,000 PLUS THE ADMINISTRATIVE COSTS THEN.
10:03:55 >>Mayor Ribble: DO WE HAVE A SECOND ON THE MOTION?
10:03:57 MOTION FAILED.
10:03:58 HOWARD?
10:03:59 >>Howard Levitan: I'D MAKE THE MOTION TO THE ORIGINAL
10:04:01 RECOMMENDATION OF \$2,000.
10:04:06 >>Vice-Mayor Errington: SECOND.
10:04:07 >>Mayor Ribble: SECOND BY KATY ERRINGTON.
10:04:13 >>Mayor Ribble: LET'S TAKE A ROLL.
10:04:17 >>Jon McLain: NO.
10:04:18 >>Jim Boesch: AYE.
10:04:20 >>Nick Batos: AYE.
10:04:22 >>Howard Levitan: AYE.
10:04:23 >>Mayor Ribble: AYE.
10:04:25 I'D LIKE TO MAKE A COMMENT THAT I REALLY APPRECIATE THE
10:04:28 SWEATSHIRT HE HAS ON TODAY.
10:04:32 IT'S A SHAME THE EAGLES LOST BUT I'M GLAD THEY'RE HERE IN
10:04:36 SPIRIT.
10:04:37 THANK YOU AND WE DON'T EVER WANT TO SEE YOU AGAIN UNLESS
10:04:39 YOU'RE SITTING IN THE AUDIENCE.
10:04:41 >> THANK YOU VERY MUCH.
10:04:44 >>> THE NEXT ITEM IS CONSIDERATION OF A SETTLEMENT AGREEMENT
10:04:47 BETWEEN CHHCLA INVESTMENTS, LLC AND THE VILLAGE OF ESTERO
10:04:54 PERTAINING TO THE PROPERTY AT 20170 SOUTH TAMIAMI TRAIL AT
10:05:00 THE INTERSECTION OF U.S. 41 AND TRAILSIDE DRIVE.
10:05:05 >>Steven Sarkozy: THANK YOU, MAYOR.
10:05:06 MEMBERS OF COUNCIL, THIS INVOLVES A VERY VISIBLE CORNER AT
10:05:10 THE CORNER OF U.S. 41 AND TRAILSIDE.
10:05:16 IT WAS FOUND IN OUR CODE ENFORCEMENT ACTIVITY THAT A GRANITE
10:05:20 SALES BUSINESS WAS OPERATING WITHOUT THE PROPER USE PERMITS.
10:05:24 THIS WENT THROUGH THE PROCESS AND THERE HAS BEEN A
10:05:30 SETTLEMENT PROPOSED AND I'D LIKE TO TURN IT OVER TO MARY
10:05:33 GIBBS TO PROVIDE FURTHER BACKGROUND AND DESCRIPTION OF THE

10:05:36 PROPOSED SETTLEMENT.
10:05:38 >>Mary Gibbs: GOOD MORNING, COUNCIL.
10:05:40 YOU MIGHT REMEMBER THIS PROPERTY LOCATION THAT WAS THE SITE
10:05:43 OF A FORMER GRANITE BUSINESS THAT WAS OPERATING WITHOUT THE
10:05:47 USE PERMIT, AND THIS WHOLE SETTLEMENT AGREEMENT CAME ABOUT AS
10:05:51 A RESULT OF THE CODE ENFORCEMENT ISSUE.
10:05:53 SO AS THE MANAGER SAID, THEY WERE CITED FOR NOT HAVING THE
10:05:58 USE PERMIT AND THEY WERE OPERATING WITHOUT THE PERMIT.
10:06:02 THIS IS KIND OF A LONG HISTORY SO I'LL JUST SUMMARIZE BY
10:06:05 SAYING THAT THE CODE ENFORCEMENT CASE WENT TO THE
10:06:11 MAGISTRATE.
10:06:11 IT WAS CONTINUED BECAUSE IT WAS DETERMINED WHEN THEY
10:06:14 ACTUALLY APPLIED FOR THE USE PERMIT THAT THEY'D NEED TO FIX
10:06:19 VARIANCES FOR THE PROPERTY.
10:06:24 SO THEY APPLIED FOR THE PERMIT AND VARIANCES HAD TO GO THROUGH
10:06:27 THE PROCESS WHICH TAKES LONGER, SO CODE ENFORCEMENT AND THE
10:06:31 MAGISTRATE CONTINUED IT SEVERAL TIMES BECAUSE THEY HAD TO HIRE
10:06:34 AN ENGINEER TO GET THE VARIANCE APPLICATION IN.
10:06:38 SO THIS WENT ON FOR QUITE SOME TIME.
10:06:45 THE VARIANCES WORKED THEIR WAY TO THE PLANNING AND ZONING
10:06:49 BOARD WHICH WAS NOVEMBER 2019.
10:06:51 ACTUALLY THAT WAS AUGUST 2019.
10:06:55 THE VARIANCES WERE DENIED BY THE PLANNING AND ZONING BOARD.
10:07:00 SO AFTER DENIED, THE APPLICANT FILED THE REQUEST FOR RELIEF
10:07:04 WHICH IS UNDER THE FLORIDA STATUTES.
10:07:06 THERE IS A PROCESS THAT YOU CAN FILE AND YOU HIRE A MEDIATOR AND
10:07:10 BOTH PARTIES GO IN AND TALK TO THE MEDIATOR AND SEE IF YOU CAN
10:07:14 GET THIS RESOLVED.
10:07:16 WE HAD A MEDIATOR AND WE HAD A MEETING NOVEMBER 21 AND THE
10:07:21 MEDIATION IS VERY INFORMAL.
10:07:23 SO WE HAD THE APPLICANT THERE, MR. COMPERO AND THEIR ATTORNEY
10:07:30 AND DEREK ROONEY AND NANCY STROUD, AND I WAS THERE AS WELL.
10:07:35 WE MEET WITH THE MEDIATOR, BOTH SIDES GO OVER THEIR ISSUES
10:07:39 AND A COUPLE OF THINGS CAME TO LIGHT ABOUT THE BUILDING AND
10:07:44 SOME NON-CONFORMITIES THAT WE WERE NOT AWARE OF AT THE TIME
10:07:47 THE PLANNING AND ZONING BOARD HEARD THAT.
10:07:49 SO AFTER WE MET WITH THE MEDIATOR HALF A DAY, WE HAD A VERY
10:07:53 PRODUCTIVE MEETING.
10:07:53 WE REACHED A POTENTIAL AGREEMENT.
10:08:00 THAT'S WHAT GETS DRAFTED UP AND IS IN THE REVIEW.
10:08:03 UNDER THE STATUTE THIS IS ONLY THE RECOMMENDATION OF COUNCIL.
10:08:05 THAT'S UP TO THE COUNCIL.
10:08:08 SO UNDER THE STATUTE YOU CAN APPROVE, REJECT OR MODIFY IT IF
10:08:12 YOU FEEL THAT IT'S NEEDED.
10:08:14 JUST TO EXPLAIN REAL QUICKLY WHAT THE AGREEMENT IS, UNDER THE
10:08:22 TERMS OF THE AGREEMENT, WE FEEL THAT THE PROPERTY WILL BE
10:08:25 UPGRADED BECAUSE IF YOU'VE SEEN THE PROPERTY NOW, IT'S ALL
10:08:28 PAVED OVER.

10:08:30 AND, YOU KNOW, AT THE TIME IT WAS KIND OF AN EYE SORE.

10:08:32 SO UNDER THE AGREEMENT IT WILL BE UPGRADED.

THEY WILL BE INSTALLING LANDSCAPE BUFFERS ON U.S. 41 AND TRAILSIDE, AND THERE IS A TIMEFRAME THAT THEY HAVE TO DO THIS WITHIN 60 DAYS OF GETTING THEIR DEVELOPMENT ORDER. AND THERE IS A LANDSCAPE PLAN THAT'S ATTACHED TO THE AGREEMENT SO YOU CAN SEE WHAT THE LANDSCAPING IS GOING TO BE.

WE ALSO HAVE A STIPULATION THAT THE -- ANY USE ON THE PROPERTY HAS TO BE CONSISTENT WITH THIS VARIANCE SITE PLAN. THE APPLICANT AGREED THAT THEY WOULD NOT DO THE OUTDOOR STORAGE BECAUSE THAT WAS KIND OF THE ISSUE WITH THE GRANITE THAT MADE IT LOOK VERY INDUSTRIAL AND THAT'S WHAT THE PLANNING AND ZONING BOARD REALLY HAD A CONCERN WITH THE PROPERTY LOOKING INDUSTRIAL BEING THAT IT'S KIND OF A PRIME CORNER.

SO THERE WILL BE NO OUTDOOR STORAGE.

THE OUTDOOR DISPLAY WILL BE LIMITED TO THE AREA ON THE SITE PLAN THAT'S HIGHLIGHTED IN YELLOW.

SO IT MEETS THE SETBACKS AND IT'S A SMALL AREA.

SO WE FEEL THAT THOSE WERE IN GOOD CONCESSIONS.

THERE IS ALSO AN ISSUE WHERE THERE IS A CHAIN LINK FENCE ON THE PROPERTY AND THAT IS ACTUALLY PARTIALLY ON VILLAGE RIGHT-OF-WAY ON TRAILSIDE, AND SOME OF THE PAVEMENT THAT WAS DONE BEFORE, YEARS AGO, KIND OF SPILLED OVER INTO OUR RIGHT-OF-WAY.

SO THAT PAVEMENT IS GOING TO HAVE TO BE REMOVED AND THE CHAIN LINK FENCE WILL HAVE TO BE REMOVED.

THE APPLICANT IS SHOWING THEY MAY DO A FENCE OR MAY NOT. THAT FENCE IS OPTIONAL.

IT WOULD BE A DECORATIVE FENCE IF THEY DO THAT.

BEFORE THEY CAN DO ANY DEVELOPMENT ON THE SITE THEY HAVE TO REMOVE THE CHAIN LINK FENCE AND THE PAVEMENT OUT OF THE VILLAGE RIGHT-OF-WAY.

THEY FILED LIMITED DEVELOPMENT ORDER IS ALREADY FILED BUT IT WILL HAVE TO BE CHANGED A LITTLE BIT TO BE CONSISTENT WITH THIS AGREEMENT.

IT BASICALLY MEMORIALIZES THIS AGREEMENT AND THE SITE PLAN.

AND THEN THE VARIANCES WILL BE WITHDRAWN BECAUSE THEY WON'T BE NEEDED.

AND THAT IS THE -- KIND OF THE SUMMARY OF WHAT THE STIPULATIONS ARE.

>> MARY, I HAVE NOT BEEN INVOLVED IN THE MEDIATION AND LEGAL STUFF AND SO FORTH.

IT SEEMS TO ME THIS APPLICANT HERE IS SOMEONE WHO HAS BEEN OPERATING ILLEGALLY ACCORDING TO OUR STANDARDS AND SO NOW HE FINALLY HAS THE -- OR THE ENTITY HAS TO FINALLY COME UP AND SAY, OKAY, I AGREE THAT I HAVE TO OPERATE LEGALLY.

THE LEGAL PARTIES GET INVOLVED AND THEY SAY OKAY.
10:11:03 THAT'S WHAT IT'S ALL ABOUT.
10:11:06 BUT IT SEEMS TO ME THIS ONE HAS BEEN OPERATING ILLEGALLY ALL
10:11:09 THE WAY ALONG THE LINE.
10:11:11 AND I SEE THE FINAL THING IS THAT AFTER ALL IS SAID AND
10:11:17 DONE, HE GETS HIS TOTAL WAY.
10:11:19 WE EVEN PAY FOR THE LEGAL FEES FOR THIS PERSON AND I'D THINK
10:11:25 IF THEY WERE IN ESTERO, THIS IS THE BEST WAY TO OPERATE.
10:11:30 KEEP ON OPERATING AND GET YOUR LAWYERS INVOLVED IN
10:11:34 EVERYTHING ELSE AND YOU FINALLY MAKE SOME TYPE OF AGREEMENT
10:11:36 WHERE WE PAY FOR THE LEGAL FEES AND HE PAYS FOR HIS LEGAL
10:11:40 FEES.
10:11:41 HE OPERATES FOR TWO OR THREE YEARS OR FIVE YEARS OR HOWEVER
10:11:46 LONG YOU CAN KEEP A LEGAL ACTION GOING.
10:11:49 I'M MAYBE WRONG IN MY THINKING BUT AS I READ THIS LAST
10:11:53 NIGHT, I SAID I DON'T UNDERSTAND THIS.
10:11:56 HOW DOES SOMEONE WHO OPERATES ILLEGALLY END UP GETTING
10:12:00 EVERYTHING -- OKAY, FINE.
10:12:03 I'LL OPERATE LEGALLY NOW AND YOU PAY FOR YOUR LEGAL FEES AND
10:12:06 I PAY FOR MY FEES.
10:12:10 >>Mary Gibbs: LET ME CLARIFY A COUPLE THINGS.
10:12:12 THIS IS CONFUSING.
10:12:14 THE LEGAL FEES, THE OWNER PAYS HIS OWN LEGAL FEES.
10:12:17 THE ONLY THING THAT THE COST IS SPLIT ON IS THE COST OF THE
10:12:23 MEDIATOR UNDER FLORIDA STATUTE.
10:12:24 WE HAVE TO SPLIT THE COST.
10:12:25 WHEN THE MEDIATOR CAME FOR HALF A DAY, WE PAY HALF, THEY PAY
10:12:30 HALF.
10:12:30 IT'S A FEW HUNDRED DOLLARS.
10:12:32 ALL OTHER LEGAL FEES, THE PROPERTY OWNER PAYS HIS OWN LEGAL
10:12:36 FEES.
10:12:36 SO THE ATTORNEY HE HAS SITTING HERE TODAY AND ALL THROUGH
10:12:39 THE PROCESS THEY PAY FOR.
10:12:43 OCCUPYING THE PROPERTY WAS DONE BY THE TENANT AND, YOU KNOW,
10:12:46 I DON'T WANT TO GET INTO TOO MUCH IN THE LEGAL ISSUE BUT
10:12:49 THERE IS THE TENANT -- I BELIEVE WAS EVICTED BY THE PROPERTY
10:12:53 OWNER WHEN THIS BECAME PROBLEMATIC AND NO PROGRESS WAS BEING
10:12:59 MADE.
10:13:00 THERE IS LEGAL WRANGLING BETWEEN THE PROPERTY OWNER AND THE
10:13:02 TENANT.
10:13:03 THE PROPERTY OWNER DOES UNDERSTAND THAT THEY HAVE TO KEEP
10:13:08 THE PROPERTY IN COMPLIANCE.
10:13:09 THERE WAS CONFUSION IN THE VERY BEGINNING WHEN THE TENANT
10:13:13 CAME IN WHO IS FROM ANOTHER COUNTRY SO THERE WAS A LITTLE
10:13:17 LANGUAGE BARRIER.
10:13:19 THEY FOUGHT BECAUSE THIS IS WAY BACK WHEN WE JUST STARTED
10:13:25 DOING PERMITTING HERE.
10:13:27 THEY HAD GONE TO THE COUNTY TO SEE ABOUT GETTING A USE

10:13:30 PERMIT.
10:13:31 HE ALLEGEDLY THOUGHT THEY HAD THEIR PERMITS.
10:13:34 THERE WAS A LITTLE CONFUSION ABOUT THAT.
10:13:37 >>Mayor Ribble: SO YOU'RE SAYING THE MEDIATION FEES WILL BE
10:13:40 LESS THAN \$1,000 FOR THE VILLAGE?
10:13:45 >>Mary Gibbs: I DON'T HAVE THAT.
10:13:47 >>Mayor Ribble: WHAT HAPPENS IF THE MEDIATION FAILS?
10:13:49 >> LET ME STEP IN A LITTLE BIT.
10:13:51 SO THE BACKGROUND THAT MS. GIBBS IS GIVING NOW IS ACCURATE.
10:13:55 THE ISSUE WAS ORIGINALLY -- I THINK EVERYONE REMEMBERS THERE
10:14:01 WAS A BUNCH OF OUTDOOR STORES AND THERE WAS A QUESTIONABLE
10:14:08 ISSUE.
10:14:09 THE PROPERTY OWNER HAS MADE ALLEGATIONS IN THEIR PETITION
10:14:15 THAT THEY HAD GONE TO THE COUNTY.
10:14:17 THIS WAS DURING THE TRANSITION TO GET THOSE PERMITS.
10:14:19 WE DEALT ALMOST EXCLUSIVELY WITH THE TENANT AT THE TIME.
10:14:23 THE TENANT HAD BEEN TRYING TO GET THE PERMITS THROUGH THE
10:14:28 VILLAGE.
10:14:28 WE HAD TALKED ABOUT EXISTING NON-CONFORMITIES AND THE
10:14:34 STRUCTURES IN THE RIGHT-OF-WAY SO ALL THESE ISSUES GOT
10:14:36 VERY -- WENT ON FOR QUITE A WHILE BEFORE THE PROPERTY OWNER
10:14:40 ESSENTIALLY STEPPED IN AND EVICTED THE TENANT.
10:14:46 AT THAT TIME THE PROPERTY OWNER FILED THE DISPUTE RESOLUTION
10:14:51 ACT WHICH IS MANDATORY.
10:14:52 WE CAN'T GET OUT OF IT.
10:14:53 WE HAVE TO SPLIT THE COSTS.
10:14:55 WE GO THROUGH THE PROCESS AND HOPEFULLY COME TO A
10:14:58 RESOLUTION.
10:14:59 WHAT THE ALLEGATIONS AND THE PETITION WERE WAS THAT MOST OF
10:15:03 THE ISSUES THAT REQUIRED A VARIANCE UNDER OUR CODE DO NOT
10:15:06 REQUIRE A VARIANCE BECAUSE THEY ALLEGE IT HAD EVIDENCE THAT
10:15:10 THE STRUCTURES AND BUILDINGS WERE IN EXISTENCE BEFORE ESTERO
10:15:14 AND LEE COUNTY AND THE FLORIDA BUILDING CODE AND THEY'RE
10:15:17 LEGAL NON-CONFORMITIES.
10:15:20 WHAT THIS SETTLEMENT TRIED TO DO AND WE WENT A LITTLE BEYOND
10:15:27 WAS TO TRY TO ANTICIPATE FUTURE ISSUES WITH THE PROPERTY.
10:15:32 THIS IS A VERY UNUSUAL PROPERTY AND IT WAS USED FOR MANY
10:15:35 YEARS IN THE OUTDOOR DISPLAY OF VARIOUS ITEMS, WHETHER IT
10:15:38 WAS USED CARS OR THE GRANITE.
10:15:42 WHAT'S REALLY CHANGED IN THIS, THE MOST SIGNIFICANT PART OF
10:15:45 THIS SETTLEMENT IS THAT OUTDOOR STORAGE WHICH IS A RIGHT
10:15:49 UNDER THE ZONING DISTRICT HAS BEEN MOVED.
10:15:55 IF THIS SETTLEMENT DOES NOT GO FORWARD, THE APPLICANT IS
10:16:00 FREE TO CHALLENGE CODE ENFORCEMENT OR MAKE A CLAIM AGAINST
10:16:05 THE VILLAGE SAYING THEIR RIGHTS ARE NON-CONFORMING AND WE'LL
10:16:08 PROCEED UNDER THAT BASIS.
10:16:11 IF THEY CAN PROVE THEIR ALLEGATIONS WITH RESPECT TO THE
10:16:16 NON-CONFORMITIES, A LOT OF THE THINGS WE HAVE BEEN TRYING TO

10:16:19 ADDRESS THE PAST FEW YEARS WILL NOT BE THINGS WE'LL BE
10:16:21 ADDRESSING.
10:16:22 WE'LL BE TALKING ABOUT ISSUES AS THEY POP UP WITH FUTURE
10:16:25 TENANTS BECAUSE AT THIS POINT, THE ISSUES HAVE BEEN
10:16:28 RESOLVED.
10:16:28 THE ONLY THING -- AND I THINK WE'RE ALL IN AGREEMENT IS TO
10:16:31 REMOVE THE STRUCTURES THAT HAVE BEEN BUILT IN OUR
10:16:34 RIGHT-OF-WAY.
10:16:34 I WANT TO GIVE A LITTLE CONTEXT.
10:16:36 I DON'T WANT TO GET INTO TOO MUCH MORE.
10:16:44 >> I DON'T KNOW WHAT THE DIFFERENCE IS BETWEEN OUTDOOR
10:16:47 STORAGE AND OUTDOOR DISPLAYS.
10:16:49 IF YOU WERE DISPLAYING GRANITE BECAUSE PEOPLE CAME AND
10:16:53 PICKED THEIR GRANITE, I THINK THAT'S OUTDOOR DISPLAY.
10:16:59 I DON'T KNOW WHETHER THAT'S OUTDOOR STORAGE AS WELL.
10:17:02 I DON'T KNOW WHAT YOU'VE GOT BY GETTING OUTDOOR STORAGE TO
10:17:06 MOVE WHEN THEY CAN -- WHEN THEY'RE FREE TO DISPLAY IT.
10:17:09 IF YOU HAD A USED CAR LOT AND PUT THE USED CARS ON THERE,
10:17:13 THAT'S OUTDOOR DISPLAY.
10:17:17 WHETHER IT'S ALSO THEY'RE STORING CARS, THAT'S ANOTHER THING
10:17:20 COMPLETELY.
10:17:21 I DON'T KNOW WHETHER THAT HELPED MUCH, BUT MAYBE THAT'S WHY
10:17:25 ROSS GAVE IT TO US.
10:17:27 THAT WAS A GREAT DEAL WORTH.
10:17:29 I HAVE A COUPLE QUESTIONS ABOUT -- IT SAYS THAT THEY HAVE 60
10:17:35 DAYS OR 90 DAYS TO GET AN LDO AND DO -- SOME IMPROVEMENTS.
10:17:43 THAT'S AN EXCLUSION FOR THE SIX-FOOT DECORATIVE FENCE.
10:17:46 IT DOESN'T SAY WHEN THE FENCE HAS TO GET DONE.
10:17:50 >>Mary Gibbs: WELL, THE FENCE IS OPTIONAL.
10:17:51 THE FENCE WAS ON THE SITE PLAN BUT IT'S OPTIONAL FOR THE
10:17:54 APPLICANT.
10:17:55 HE WASN'T SURE HE WAS GOING TO DO THAT.
10:17:58 IT'S ALREADY SHOWN --
10:18:01 >> HE DIDN'T DO THAT ONE EITHER.
10:18:03 >>Mary Gibbs: NO.
10:18:04 PROBABLY NOT.
10:18:07 >> THEY DIDN'T REQUEST A FENCE.
10:18:09 >>Mary Gibbs: THEY SHOWED THE FENCE INITIALLY WHEN THEY
10:18:12 STILL HAD THE BRAND UP THERE.
10:18:15 THEY'D HAVE THE FENCE AND LANDSCAPING.
10:18:18 THE PROPERTY OWNER SAID IF I'M GIVING UP SOME OF THESE
10:18:22 THINGS AND THE OUTDOOR STORAGE, I MAY NOT NEED THE FENCE.
10:18:27 WE SAID, YOU KNOW, AS LONG AS WE GET THE NICE BUFFER, WE
10:18:31 DIDN'T CARE THAT MUCH ABOUT THE FENCE.
10:18:34 >> ONE MORE QUESTION AND THEN A COUPLE MORE QUESTIONS.
10:18:38 THERE IS A STATEMENT IN HERE THAT EVERYBODY AGREES THAT
10:18:44 WE'RE NOT GOING TO TALK ABOUT, THE BILLBOARD.
10:18:46 WHAT IS THE STATUS OF THE BILLBOARD?

10:18:48 THAT PROBABLY DISTURBS ME MORE THAN ANYTHING.
10:18:51 AT WHAT POINT DOES THE BILLBOARD -- DO WE HAVE A RIGHT TO
10:18:55 SAY NO, WE DON'T WANT THE BILLBOARD ANYMORE.
10:18:59 >>Mary Gibbs: WELL, THE BILLBOARD HAS A STATE PERMIT FROM
10:19:03 F-DOT AND IT'S BEEN UP FOR MANY YEARS.
10:19:05 I DON'T REMEMBER EXACTLY BUT IT'S BEEN A LONG TIME.
10:19:08 WE ASKED IF THEY WANT TO REMOVE THE BILLBOARD AND THEY SAID
10:19:12 NO.
10:19:13 THEY DO HAVE THE PERMIT.
10:19:16 WE CHECKED THAT.
10:19:17 I THINK THAT'S SOMETHING FOR THE COUNCIL TO TALK ABOUT
10:19:20 LATER.
10:19:20 OUR COMP PLAN SAID WE PROHIBIT NEW BILLBOARDS AND WE WOULD
10:19:24 REVIEW WHAT WE HAVE FOR EXISTING BILLBOARDS.
10:19:30 >> AT WHAT POINT IF THERE IS A REQUEST WITH A PROPERTY WITH
10:19:36 A BILLBOARD ON IT, WHAT RIGHTS DO WE HAVE WITH RESPECT TO
10:19:40 THE BILLBOARD?
10:19:41 >>Mary Gibbs: THAT'S A GOOD LEGAL QUESTION.
10:19:44 >>Howard Levitan: YOU HAVE THE ANSWER FOR THAT, BURT?
10:19:48 >>Burt Saunders: I THINK THERE ARE A LOT OF ISSUES
10:19:50 ASSOCIATED WITH THAT.
10:19:51 IS THERE A SEPARATE LEASE?
10:19:53 >>Mary Gibbs: I BELIEVE THERE IS A LEASE, YES.
10:19:56 >>Howard Levitan: SO THAT'S ANOTHER ONE WE DON'T GET.
10:19:58 IT'S NOT PART OF THE CASE.
10:19:59 I UNDERSTAND THAT.
10:20:01 LAST QUESTION.
10:20:02 WHAT ARE THE USES ALLOWED IN THAT DISTRICT?
10:20:06 >>Mary Gibbs: WELL, THE USES ARE THE C1 DISTRICT.
10:20:09 THAT'S A BROAD RANGE OF USE.
10:20:12 IT ALLOWS RESIDENTIAL AND A LOT OF COMMERCIAL.
10:20:15 DOES NOT ALLOW INDUSTRIAL.
10:20:17 SO IT COULD BE -- BUT IT ALLOWS ALSO THINGS LIKE
10:20:21 RESTAURANTS, ICE CREAM STORES.
10:20:24 BUT IT'S A BROADER RANGE OF USES.
10:20:27 THE CONCERN WITH THE USES, I THINK IS MITIGATED BY THE FACT
10:20:32 THAT THIS LAW IS SO SMALL.
10:20:34 A LOT OF THE USES SHOWN ON C1, YOU WOULDN'T BE ABLE TO FIT
10:20:37 ON THE PROPERTY.
10:20:42 >>Howard Levitan: THE LAST QUESTION, WHEN IT WENT TO THE
10:20:44 PLANNING AND ZONING BOARD, WHY WAS THIS -- AS VARIANCES,
10:20:48 WHAT WAS THE REASONING BEHIND -- HOW COULD THEY HAVE FOUND
10:20:54 THAT IT DIDN'T CONSTITUTE A HARDSHIP BECAUSE OF THE
10:20:59 CONFIGURATION OF THE PROPERTY?
10:21:01 >>Mary Gibbs: I'LL TELL YOU WHY.
10:21:02 BECAUSE THE STAFF SAID AT THE TIME WE DIDN'T FEEL THERE WAS
10:21:05 A HARDSHIP AND THE APPLICANT DID ARGUE, WE DIDN'T CREATE
10:21:10 THIS LAW.

10:21:11 THIS IS THE WAY THE LAW IS CONFIGURED.
10:21:13 IT'S AN ODD LAW BUT WE DIDN'T FEEL THEY MET ALL THE CRITERIA
10:21:17 FOR THE HARDSHIP.
10:21:18 WE SAID TO THE PLANNING AND ZONING BOARD WE DIDN'T FEEL
10:21:21 THERE WAS A HARDSHIP.
10:21:22 THE PLANNING AND ZONING BOARD FELT IT LOOKED A LITTLE TOO
10:21:27 INDUSTRIAL AND THAT IT DIDN'T COME TO LIGHT UNTIL AFTER
10:21:33 THAT, WHEN THE APPLICANT DIDN'T DO ANY MORE RESEARCH WHEN
10:21:36 THEY FILED A REQUEST FOR RELIEF, THAT THE BUILDING.
10:21:39 THEY ASKED FOR BUILDING SETBACK VARIANCES BUT IT TURNED OUT
10:21:43 THEY DIDN'T NEED THEM.
10:21:44 WHEN THEY LOOKED AT AERIALS FROM 1960, THE BUILDING HAS BEEN
10:21:48 THERE FOREVER.
10:21:49 THAT DIDN'T COME TO LIGHT REALLY AT THE PLANNING AND ZONING
10:21:52 MEETING.
10:21:52 I FELT LIKE THEY DIDN'T HAVE ALL THAT INFORMATION AT THE
10:21:56 TIME.
10:21:56 >>Howard Levitan: IF WE DID GO BACK TO COURT ON THE
10:22:02 VARIANCES ASPECT AND CONTINUED THAT FIGHT, WE'D PROBABLY
10:22:06 LOSE THAT.
10:22:07 >>Mary Gibbs: I DIDN'T SAY THAT.
10:22:09 >> IT'S A POSSIBILITY.
10:22:12 >>Howard Levitan: (OFF MIC).
10:22:18 >>Jim Boesch: ALL THIS LEGAL STUFF IS GOOD BUT LET'S GET TO
10:22:20 IT BASICS.
10:22:21 IN 2009 HE WAS DENIED.
10:22:29 DENIED A PERMIT BY THE ZONING BOARD.
10:22:32 >>Mary Gibbs: 2019 THE VARIANCES WERE DENIED.
10:22:36 >>Jim Boesch: THIS REPORT SAYS 2009 HE WAS DENIED BY THE
10:22:40 ZONING BOARD.
10:22:44 PLANNING AND ZONING BOARD.
10:22:49 >>Mary Gibbs: 2019.
10:22:50 LAST AUGUST.
10:22:52 >>Jim Boesch: OKAY.
10:22:53 WE HAVE THE PROPERTY THAT'S UNWORTHY AND WE CHARGE HIM
10:23:05 \$2,000 WITH LARGE FEES THAT CAME UP UNRESOLVED.
10:23:08 HERE IS A CLIENT THAT'S BEEN DOING THIS FOR HOW LONG AND
10:23:12 THEN HE HAS NO PERMIT TO TO THIS, LET'S SOMEBODY COME ON TO
10:23:19 THE PROPERTY DESPITE THE FACT HE HAS TO GET A PROPER PERMIT
10:23:22 AND SO FORTH, AND NOW HE COMES TO US.
10:23:29 I AGREE HE IS NOW GOING TO MEDIATION BUT HOW COME HE DOESN'T
10:23:33 PAY A FEE FOR ABUSING THIS PARTICULAR SITUATION FOR SO LONG
10:23:37 AND HIRES LAWYERS AND THEN THEY GO TO MEDIATION AND SOLVE
10:23:42 THIS WHOLE PROBLEM THAT'S BEEN GOING ON FOR SO LONG.
10:23:45 THERE IS NO COST OR FINE AFTER HE HAS BEEN REFUSED BY THE
10:23:51 MAGISTRATE.
10:23:52 >>Mary Gibbs: I THINK HE WILL STILL HAVE TO GO BACK ONCE WE
10:23:55 GET THIS RESOLVED.

10:24:00 >> THE CASE IS STILL PENDING.
10:24:02 UNLIKE THE CASE THAT WAS HEARD PREVIOUSLY, THE CASE IS STILL
10:24:05 PENDING BEFORE THE MAGISTRATE.
10:24:07 A LOT OF THE ISSUES RAISED IN THE PETITION THAT STARTED THIS
10:24:11 PROCESS WERE NEVER RAISED DURING THE CASE BEFORE THE SPECIAL
10:24:17 MAGISTRATE.
10:24:18 THE TENANT WAS NOT MAKING ANYTHING IN REGARD TO THE EXISTING
10:24:23 STRUCTURE OR THE FUTURE RIGHTS OF THE PROPERTY AND ONLY
10:24:25 TRYING TO GET HIS PERMIT.
10:24:27 HE WAS SAYING WHATEVER NECESSARY, BE DONE.
10:24:30 IT MAY BE HELPFUL AT THIS POINT TO HAVE THE OWNER COME UP
10:24:34 AND SPEAK ON THAT.
10:24:35 THE OWNER, SINCE TAKING CONTROL OF THE PROPERTY AND
10:24:39 THE -- HAD ALLEGED DIFFERENT ISSUES.
10:24:41 IT'S NOT THE SAME SITUATION AS THE PRIOR ONE WHERE IT HAD
10:24:45 GONE THROUGH AND THERE IS NO FINES.
10:24:48 >>Jim Boesch: NO FINES OUTSTANDING BUT IGNORANCE IS NO
10:24:50 EXCUSE IN TERMS OF THE LAW THAT WE'RE TALKING ABOUT.
10:24:53 THE POINT IS THAT HE DOES THIS THIS LONG PERIOD OF TIME.
10:24:57 HE DOESN'T PAY ANYTHING.
10:25:00 WE MAKE A DEAL WITH HIM AND ALLOW HIM TO GO FORWARD AND HE
10:25:05 PAYS LAWYERS AND THAT'S THE CASE.
10:25:06 HE COMES HERE AFTER HE ABUSED PRIVILEGES, AND ACCORDING TO
10:25:11 US AND PLANNING AND ZONING, AND YET HE DOESN'T PAY A FINE.
10:25:15 SOMEONE COMES TO US WHO ABUSED THE PROPERTY, HAS SUBSTANTIAL
10:25:21 FEES AND WE CHARGE THE RESIDENT \$2,000.
10:25:25 I'M ASKING HOW IS THIS FAIR -- HOW CAN WE EXPLAIN THIS TO
10:25:28 THE PEOPLE THAT SOMEBODY'S GOT FINANCIAL AID TO GET LAWYERS
10:25:33 AND EVERYTHING ELSE.
10:25:34 HE ENDS UP GOING THROUGH A LONG PROCESS.
10:25:38 BASICALLY HE'LL OPERATE ON THE PROPERTY SO WE'LL RELIEVE
10:25:42 SOME OF THE STUFF.
10:25:44 HE GETS GOING AND HE DOESN'T PAY ANYTHING AND THE OTHER
10:25:50 PERSON HAS TO PAY \$2,000.
10:25:53 >>Mary Gibbs: HE DID HAVE FEES HE HAD TO PAY FOR FILING FOR
10:25:57 THE VARIANCES.
10:25:59 I BELIEVE THOSE WERE ACTUALLY HIGHER THAN PROBABLY WHAT THE
10:26:04 PRIOR FINE WAS.
10:26:05 HE HAS PAID --
10:26:08 >>Jim Boesch: HOW MUCH?
10:26:10 >>Mary Gibbs: I DON'T REMEMBER.
10:26:11 I DON'T WANT TO SAY.
10:26:12 I KNOW IT WAS A FEW THOUSAND DOLLARS.
10:26:16 >>Jim Boesch: ALREADY?
10:26:17 >>Mary Gibbs: YES.
10:26:19 >>Vice-Mayor Errington: MARY, I HAVE A FEW COMMENTS AND QUESTIONS.
10:26:21 THIS PROPERTY HAS FOUR TENTHS OF AN ACRE.
10:26:24 IT'S SHAPED LIKE A PIE, KIND OF.

10:26:28 IT HAS HAD GRANITE STORAGE ON IT AND IT'S BEEN A FACILITY
10:26:34 THAT HAS BEEN A PLACE WHERE PEOPLE CAN COME PICK OUT
10:26:38 GRANITE.
10:26:39 THE FENCE IS NOT THERE, THEN PEOPLE CAN NOT PICK UP GRANITE
10:26:45 AND TAKE IT AND HAUL IT OFF.
10:26:47 YOU HAVE TO HAVE BIG PIECES OF EQUIPMENT IN THERE TO LOAD
10:26:52 THAT ON TO SOME KIND OF VEHICLE.
10:26:56 I'M GOING TO GO BACK TO WHEN THAT PROPERTY WAS A CAR LOT.
10:27:01 THAT WAS WHEN THE VILLAGE WAS INCORPORATED.
10:27:03 IT WAS USED CARS.
10:27:07 AND THAT PROPERTY WAS SOLD, ACCORDING TO RECORDS, FOR
10:27:15 \$357,000 AND NOW IT'S \$175,000 SO THE PROPERTY DROPPED IN
10:27:19 VALUE.
10:27:20 I TALKED TO SOME PEOPLE WHO LIVED IN THE AREA FOR MANY YEARS
10:27:23 THERE.
10:27:23 I WAS TOLD BEFORE THE CAR LOT WAS THERE THAT THAT WAS A
10:27:33 SERVICE STATION AND THAT'S WHY IT WAS DIVIDED THE WAY IT IS.
10:27:37 UNDERNEATH THE ASPHALT THERE TODAY IS PROBABLY AN OIL PIT
10:27:43 WHERE THEY USED TO TAKE MOTOR OIL OUT OF CARS AND LET IT
10:27:48 DRAIN INTO THE PIT AND ALSO GASOLINE TANK THAT'S STILL
10:27:52 THERE.
10:28:00 THAT'S BEEN COVERED UP AND NOT LOOKED AT, SO ANY KIND OF
10:28:04 ENVIRONMENTAL CHECKING OUT TO MAKE SURE IT'S OKAY HAS BEEN
10:28:09 DONE.
10:28:10 >> HAVE WE LOOKED AT THAT?
10:28:12 A USD TANK THERE?
10:28:14 >>Mary Gibbs: I'M NOT AWARE THAT WE HAVE LOOKED AT THAT.
10:28:18 WE OUGHT TO CHECK THAT ALLEGATION OUT.
10:28:20 >>Mary Gibbs: TYPICALLY I THINK D.E.P. HAS THE UNDERGROUND
10:28:28 STORAGE TANK REMOVALS.
10:28:30 >>Vice-Mayor Errington: THIS GOES BACK SEVERAL YEARS AND THEY
10:28:33 CAN'T SELL THE PROPERTY BECAUSE THE DEEDS KEEP GETTING
10:28:36 DISQUALIFIED.
10:28:37 THEY'RE FIVE TIMES -- FIND MY NOTES HERE THAT THE PROPERTY
10:28:41 WAS DISQUALIFIED.
10:28:43 IT'S A PROPERTY THAT DOES NOT LEND ITSELF TO WHAT ESTERO
10:28:50 WANTS TO BE.
10:28:55 >> WHAT DOES DISQUALIFIED MEAN?
10:29:03 >>Vice-Mayor Errington: IT SAYS ON THE APPRAISER SHEET THAT IT'S
10:29:06 DISQUALIFIED.
10:29:07 >> THAT MIGHT BE A SALE TO A RELATED PARTY.
10:29:10 NOTHING TO DO WITH THE ENVIRONMENTAL STATUS.
10:29:14 >>Vice-Mayor Errington: I'M NOT TALKING ABOUT ENVIRONMENTAL,
10:29:16 HOWARD.
10:29:16 THAT'S PAST THAT.
10:29:17 THAT'S OVER THAT.
10:29:18 THERE ARE SOME ISSUES WITH THIS PROPERTY THAT IF IT WERE TO
10:29:22 GO BACK TO BEING A GRANITE PLACE, YOU -- I JUST CAN'T FAVOR

10:29:30 DOING ANYTHING WITH THIS PROPERTY WITH THE OLD BUILDING
10:29:35 THAT'S ON THERE.
10:29:36 IT'S ANCIENT.
10:29:38 IT'S AN EYE SORE.
10:29:40 AND WHAT DOES IT DO TO ENHANCE THE PROPERTY AROUND IT?
10:29:47 >>Mary Gibbs: WE WERE ACTUALLY TOLD WHEN THIS WENT TO THE
10:29:50 PLANNING AND ZONING BOARD, WE WERE TOLD BY JOHN YARBOROUGH
10:29:58 THAT THEY TOOK THE CYPRESS KNEES AND TURNED THEM INTO
10:30:04 PROPERTY.
10:30:05 IT HAS AN INTERESTING HISTORY.
10:30:08 I WASN'T AWARE OF A GAS STATION.
10:30:10 >> WE OUGHT TO CHECK THAT ALLEGATION OUT.
10:30:13 THAT COULD BE HEAVY DRAMA.
10:30:17 WE'RE CHANGING THE WATER QUALITY AND WE'RE GOING TO ALLOW IT
10:30:21 TO RUST AND ROT IN THE GROUND AND THEN OIL THAT'S NOT
10:30:26 BEEN -- TESTED FOR OIL THAT WAS A DRAIN PIT.
10:30:29 THAT'S PRETTY SERIOUS.
10:30:36 >> WHY DON'T WE ASK THE ATTORNEY?
10:30:38 >>Mayor Ribble: THERE WILL BE A TRACK RECORD OF THE SALE OF
10:30:40 THE PROPERTY.
10:30:41 >>Howard Levitan: I'M SURE THERE IS A TITLE.
10:30:42 >>Mayor Ribble: WE HAVE TO CHECK IT OUT.
10:30:43 IT'S AN ALLEGATION.
10:30:44 WE OWE IT TO THE CONSTITUENTS TO CHECK IT OUT.
10:30:48 >>Howard Levitan: I AGREE.
10:30:50 >>Mayor Ribble: ANYTHING ELSE, KATY?
10:30:53 >>Vice-Mayor Errington: NO.
10:30:54 THANKS.
10:30:56 >>Jon McLain: I THINK WE SHOULD PROBABLY HEAR FROM THE OWNER
10:30:58 AND HIS ATTORNEY.
10:30:58 MY CONCERN -- I ECHO THE CONCERNS OF JIM AND KATY.
10:31:04 I'M CONCERNED THAT'S A PROMINENT AREA THERE AND REDOING THE
10:31:12 MEDIANS AND TRYING TO BEAUTIFY THE AREA.
10:31:14 THIS IS AN APPROACH TO GET IT INTO A LITTLE BIT BETTER LOOK.
10:31:19 I WOULD WONDER IF THE OWNER COULD ADDRESS WHAT KIND OF USES
10:31:26 ARE THEY PLANNING FOR THE PROPERTY?
10:31:28 ANOTHER CAR LOT?
10:31:30 THEY MAY HAVE PLANS FOR IT.
10:31:32 I'D LIKE TO HEAR WHAT THOSE ARE GOING TO BE IN THE FUTURE.
10:31:40 >> MORNING, MR. MAYOR.
10:31:41 MEMBERS OF THE COUNCIL.
10:31:43 I'M RUSS WITH THE FRANKLIN LAW FIRM TODAY REPRESENTING THE
10:31:48 OWNER OF THE PROPERTY.
10:31:49 THE SUMMARY PROVIDED BY MR. ROONEY AND MS. GIBBS IS, FROM
10:31:53 OUR PERSPECTIVE, ACCURATE IN TERMS OF HOW WE GOT HERE AND
10:31:58 WHAT THE ISSUES ARE AND HOW WE'RE TRYING TO RESOLVE THEM.
10:32:01 TO ANSWER YOUR QUESTION, COUNCIL MEMBER McLAIN, THE USES
10:32:06 THAT ARE ALLOWED ON THE SITE ARE THOSE PERMITTED IN THE C-1

10:32:09 DISTRICT WITH THE EXCEPTION OF OPEN STORAGE.
10:32:13 AT THIS POINT THE TENANT THAT WE HAD, THE CLIENT HAD, HAS
10:32:18 VACATED THE PREMISES.
10:32:20 LEFT THE GRANITE BUSINESS.
10:32:22 IT'S NO LONGER THERE.
10:32:22 WE'RE SEARCHING FOR A NEW TENANT FOR THE FACILITY.
10:32:26 WHO THAT MIGHT BE, WE DO NOT KNOW AT THIS POINT.
10:32:29 >>Mayor Ribble: DO YOU KNOW IF THERE IS ANY GASOLINE TANKS OR
10:32:33 OIL?
10:32:34 >> PERSONALLY I DO NOT.
10:32:35 I DON'T THINK IT'S PART OF THE SETTLEMENT.
10:32:37 NOT AN ISSUE THAT CAME UP IN THE SETTLEMENT.
10:32:43 >>Mayor Ribble: ANY OTHER QUESTIONS?
10:32:46 >> HOW DO YOU RESPOND TO THE STORAGE DISCUSSION THAT HOWARD
10:32:50 HAD?
10:32:51 HOW DO YOU -- HOW DOES YOUR TENANT LOOK AT THAT, STORAGE
10:32:55 VERSUS DISPLAY.
10:32:56 THAT SEEMS A LITTLE FOGGY TO ME.
10:32:58 HOW WOULD YOU GO FORWARD WITH THAT?
10:33:02 >> I'D RELY ON MS. GIBBS WHO DOES THE INTERPRETATION OF YOUR
10:33:07 CODE.
10:33:08 I DON'T THINK IT'S MY POSITION TO ADVISE YOU TO YOUR CODE.
10:33:13 I BELIEVE IT'S MARY AND DEREK'S.
10:33:18 >>Mary Gibbs: I CAN ANSWER THAT.
10:33:19 BECAUSE THIS CAME UP AT PLANNING AND ZONING BOARD TOO, AND
10:33:22 THEY FELT THAT WHAT WAS OUT THERE WAS OUTDOOR STORAGE.
10:33:27 WHEN THE GRANITE DISPLAY HAD RACKS IN FRONT OF THE BUILDING,
10:33:31 TO ME THAT'S OUTDOOR DISPLAY.
10:33:34 YOU HAVE RACKS OUTSIDE DISPLAYED FOR SALE.
10:33:36 THE STUFF IN THE SIDE YARD, ACTUALLY I'D CONSIDER THAT TO BE
10:33:39 STORAGE.
10:33:39 IT WASN'T DISPLAYED FOR SALE.
10:33:44 THEY WERE JUST STACKED AND THERE.
10:33:46 SO THAT TO ME IS A DISTINCTION.
10:33:51 WHAT I'D CALL THE MORE INDUSTRIAL LOOK IS THE OUTDOOR
10:33:54 STORAGE AND THEN, YOU KNOW, THE NEAT DISPLAY RACKS WOULD BE
10:34:00 CONSIDERED DISPLAY AND THAT'S GOT TO BE WITHIN THAT SETBACK
10:34:02 AS WELL.
10:34:03 IT CAN'T BE RIGHT UP ON THE FRONT OF THE ROAD.
10:34:12 >> I WAS GOING TO MENTION THAT AS WELL.
10:34:13 THE OUTDOOR STORAGE, WE'RE AGREEING IT WOULDN'T BE DONE ON
10:34:17 THE SITE.
10:34:18 IT'S STILL A PERMITTED USE WITH REGARD TO THE OUTDOOR
10:34:21 DISPLAY.
10:34:22 THERE IS A VERY CONFINED LOCATION AS WE CAN SEE IN THE
10:34:25 DOCUMENTS THAT WERE PRESENTED THAT COULD APPEAR ON THE SITE.
10:34:33 >> IS THAT CORRECT?
10:34:36 FROM READING THE AGREEMENT, WHAT YOU'RE SAYING ESSENTIALLY

10:34:39 IS THAT THE BUILDINGS ON THE SITE WERE PRESENT WAY BACK IN
10:34:44 TIME AND THEY ARE LAWFUL NON-CONFORMING STRUCTURES THAT
10:34:50 DON'T HAVE TO MEET SETBACK REQUIREMENTS.
10:34:55 >> THAT'S ESSENTIALLY CORRECT.
10:34:56 THAT'S AN ARGUMENT THAT CAME UP.
10:34:59 THE TENANT WAS PURSUING THIS FOR A COUPLE YEARS.
10:35:04 THE OWNER ULTIMATELY STEPPED IN MID-2019 AND HIRED ME AND
10:35:08 THAT WAS AN ARGUMENT WE PRESENTED AT THAT POINT.
10:35:12 >> BASED ON THE FACT THEY'RE IN A C-1 ZONE WITH ZONING
10:35:15 DISTRICT, YOU HAVE A PROPERTY.
10:35:19 YOUR CLIENTS HAVE A PROPERTY RIGHT TO USE THOSE STRUCTURES
10:35:23 IN ACCORDANCE WITH THE USES ALLOWED IN A C-1 DISTRICT
10:35:28 WHETHER WE LIKE IT OR NOT.
10:35:29 >> ESSENTIALLY CORRECT, YES.
10:35:32 >>Howard Levitan: WE WOULD BE HELD LIABLE WERE WE TO SAY,
10:35:37 NO, YOU CAN'T USE IT.
10:35:38 >> AGAIN, I'LL LET YOUR OWN ATTORNEY ADVISE YOU ON THAT
10:35:41 ISSUE.
10:35:43 >>Howard Levitan: I UNDERSTAND.
10:35:44 >>Mayor Ribble: ANY OTHER COMMENTS?
10:35:45 KATY?
10:35:47 >>Vice-Mayor Errington: YES.
10:35:51 YOU KNOW YOU'RE CAUGHT IN A BIND.
10:35:53 YOUR CLIENT.
10:35:55 CORRECT?
10:35:59 >> WE HAVE A PIECE OF PROPERTY THAT'S BEEN INVOLVED IN CODE
10:36:02 ENFORCEMENT AND OTHER VARIANCE PROCEEDINGS NOW FOR ABOUT
10:36:04 THREE YEARS PERHAPS.
10:36:10 WE DO NOT HAVE A CURRENT TENANT AND WE NEED TO RESOLVE THIS.
10:36:14 OTHERWISE THE PROPERTY IS UNUSABLE.
10:36:16 >>Vice-Mayor Errington: YOU HAVE FOUR TENTHS OF AN ACRE IN ESTERO
10:36:19 AND A MONSTER OUTDOOR ADVERTISING SIGN ALMOST IN THE MIDDLE
10:36:23 OF IT.
10:36:23 YOU HAVE TO FIND SOMEBODY WHO IS WILLING TO COME IN AND WORK
10:36:30 AROUND THAT SIGN AND MAKE IT PRETTY AND SOMETHING TO BE
10:36:33 FEASIBLE FOR THEM TO MAKE SOME MONEY THERE, MAKE A PROFIT.
10:36:40 I'D LIKE TO SUGGEST THAT WE GO WITH THE E.P.A. AND FIND OUT
10:36:48 WHAT'S UNDERNEATH THE DIRT.
10:36:51 LET'S DO THAT BEFORE YOU ASK US TO MAKE A DECISION HERE
10:36:55 TODAY.
10:36:56 WE NEED TO KNOW WHAT'S UNDERNEATH THERE.
10:36:59 THIS GOES BACK TO MANY YEARS.
10:37:04 IN ALL FAIRNESS, IF WE APPROVED WHAT YOU ARE ASKING AND WE
10:37:09 ARE APPROVING WHAT IS UNDERNEATH IN THE GROUND, THAT WE'RE
10:37:14 LIABLE.
10:37:14 WE'RE RESPONSIBLE IF IT DRAINS INTO THE RIVER.
10:37:18 IF THERE IS SOMETHING.
10:37:19 IF NOT, WHATEVER.

10:37:23 >> I'D LIKE TO MAKE THE COUNCIL AWARE OF ANOTHER POSSIBILITY
10:37:27 HERE WHICH IS THAT ASSUMING THIS AGREEMENT DOES NOT GET
10:37:30 APPROVED AND HE MAKES THE ARGUMENTS ABOUT THE EXISTING
10:37:36 INVESTED RIGHTS OF THE PROPERTY WITH RESPECT TO THE
10:37:39 BUILDINGS AND THE FACT THAT THE USE THAT WAS IN VIOLATION IS
10:37:41 NO LONGER OCCURRING, THE CASE GETS DISMISSED AND THEY CAN
10:37:45 SUBMIT FOR ANY OTHER LAWFUL USE UNDER THE C-1 ZONING.
10:37:50 AND NONE OF THESE ISSUES GET ADDRESSED.
10:37:54 >> YOU STILL HAVE THE ISSUE OF THE ENCROACHMENT.
10:37:56 >> YES.
10:37:57 BUT THEY'RE GOING TO REMOVE THAT EITHER WAY OR THE VILLAGE
10:38:03 WILL FILE AN INJECTION.
10:38:10 SO THERE IS ALSO THE POSSIBILITY, MADAM VICE MAYOR THAT THE
10:38:15 SOLUTION IS THIS SOLUTION GOES AWAY, THE CASE NEVER PROCEEDS
10:38:19 UNDER THE SPECIAL MAGISTRATE AND THE PROPERTY GOES BACK TO
10:38:22 SOME OTHER USE THAT WE DON'T GET THE ENHANCED BUFFERS AND
10:38:28 SOME THINGS THE VILLAGE IS BENEFITING FROM.
10:38:33 >> I DON'T UNDERSTAND THAT.
10:38:34 IF IT HAS TO COME BEFORE THE PLANNING AND ZONING BOARD.
10:38:38 >> IT DOES NOT.
10:38:40 >>Vice-Mayor Errington: IT DOES NOT?
10:38:41 >> NO.
10:38:43 >> I WANT TO SUGGEST SOMETHING THAT MIGHT EASE COUNCIL
10:38:50 WOMAN'S ERRINGTON'S CONCERNS.
10:38:52 REGARDLESS OF WHETHER THIS IS APPROVED OR NOT, IF THERE IS
10:38:55 AN UNDERGROUND LEAKING GAS TANK, THAT'S THE VIOLATION OF THE
10:38:59 STATE AND PROBABLY FEDERAL LAW AS WELL AS YOUR ORDINANCES.
10:39:06 IF YOU APPROVE THE AGREEMENT, WE COULD GO BACK AND HAVE
10:39:09 STAFF TAKE A LOOK AT WHETHER THIS REALLY WAS USED AS A GAS
10:39:12 STATION.
10:39:13 IF IT TURNS OUT IT WAS, THERE WILL BE SOME TRACK RECORD OF
10:39:17 THE TANKS BEING REMOVED.
10:39:20 SO I DON'T THINK APPROVING THIS IS GOING TO PROHIBIT YOU
10:39:24 FROM MAKING SURE THERE IS NO ENVIRONMENTAL HAZARD.
10:39:30 THIS WILL NOT ELIMINATE THE REQUIREMENTS TO ELIMINATE ANY
10:39:34 ENVIRONMENTAL PROBLEMS ON THE PROPERTY.
10:39:38 >> ONE QUESTION. I'M GOING TO GO BACK TO WHAT HOWARD SAID IN
10:39:44 TERMS OF THE C-1.
10:39:46 HE HAS THE RIGHTS OF THE C-1 REGULATIONS FROM BEFORE AND
10:39:55 THAT'S THE LAW.
10:39:57 >> YEAH.
10:39:58 NOTHING YOU'RE DOING TODAY IS AFFECTING THE EXISTING ZONING
10:40:02 ON THAT PROPERTY.
10:40:04 THE ONLY THING HAPPENING IS THE PROPERTY OWNER IS AGREEING
10:40:08 TO NOT PURSUE ONE OF THOSE ALLOWED USES.
10:40:11 >> PLUS, WE'RE GETTING SOME BUFFER AND WE'RE GETTING THE
10:40:14 ENCROACHMENTS REMOVED WHICH WE PROBABLY COULD HAVE GOTTEN
10:40:18 ANYWAY.

10:40:18 THIS IS A BETTER -- BOTTOM LINE IS THIS IS INCREMENTALLY
10:40:24 BETTER FOR US THAN CONTINUING LITIGATION ON VARIANCES THAT
10:40:27 WE'LL PROBABLY LOSE.
10:40:31 SO I GUESS I'D LIKE TO MOVE THAT --
10:40:36 >> WE NEED PUBLIC COMMENT HERE.
10:40:39 >> I HAVE NO ONE.
10:40:40 >> I MOVE THAT WE AGREE TO THIS AGREEMENT.
10:40:44 >>Mayor Ribble: SECOND?
10:40:45 >> I'LL SECOND IT.
10:40:47 >>Mayor Ribble: SECOND BY NICK BATOS.
10:40:54 >>Nick Batos: AYE.
10:40:56 >>Jim Boesch: NAY.
10:41:00 >>Jon McLain: AYE.
10:41:03 >>Howard Levitan: AYE.
10:41:07 >>Vice-Mayor Errington: AYE.
10:41:08 >>Mayor Ribble: AYE.
10:41:11 I ALSO WANT TO CLOSE THIS BY SAYING WE NEED TO FOLLOW UP ON
10:41:14 THE USE OF THAT PROPERTY PREVIOUSLY IF IT WAS A GAS STATION
10:41:19 AND THAT -- THERE SHOULD BE A RECORD OF THAT IF THEY PULLED
10:41:23 THE TANKS OUT, OR WHATEVER.
10:41:27 >> WHO IS GOING TO DO THAT?
10:41:29 >>Mayor Ribble: STAFF.
10:41:30 I'D LIKE TO DO THAT WITH MY LIFETIME AREA.
10:41:32 CAN WE MAKE THAT HAPPEN?
10:41:33 [LAUGHS]
10:41:33 APPRECIATE IT.
10:41:36 >>> OKAY.
10:41:36 NEXT WE HAVE ON THE AGENDA THE READING OF ORDINANCE 2020-1
10:41:41 RELATING TO PROVIDING FOR THE PROHIBITION OF MICROMOBILITY.
10:41:48 THAT'S A BURT SAUNDERS TERM OF MOTORIZED SCOOTERS.
10:41:52 THIS IS NOT A PUBLIC HEARING AND PUBLIC TESTIMONY WILL NOT
10:41:55 BE TAKEN TODAY.
10:41:56 THE SECOND READING OF PUBLIC HEARING OF ORDINANCE 2020-01 IS
10:42:00 RECOMMENDED TO TAKE PLACE ON JANUARY 22 IN THIS ROOM.
10:42:05 WILL THE CLERK PLEASE READ THE ORDINANCE?
10:42:09 >> THE ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF
10:42:14 ESTERO, FLORIDA, PROVIDING FOR PURPOSE AND PENALTY AND
10:42:18 CONFLICT, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.
10:42:29 >>Mayor Ribble: STEVEN SARKOZY, YOU WANT TO DO THIS OR BURT
10:42:30 DO IT?
10:42:31 BURT, YOU WROTE THE ORDINANCE SO I THOUGHT IT WAS
10:42:36 APPROPRIATE FOR YOU.
10:42:37 >>Steven Sarkozy: LET ME START BY SAYING THIS IS A VERY
10:42:39 SIMPLE ORDINANCE.
10:42:40 IT PROHIBITS THE USE OF MICRO MOBILITY DEVICES THAT ARE
10:42:44 DEFINED BY STATE LAW AND MOTORIZED SCOOTERS ON YOUR
10:42:52 SIDEWALKS AND MULTI-USE PATHWAYS.
10:42:55 IT'S RATHER BROAD IN THAT PERSPECTIVE.

10:42:59 THERE IS QUITE A BIT OF CORRESPONDENCE FROM FOLKS THAT HAVE
10:43:04 MOTORIZED BICYCLES AND THEY CAN'T EXCEED 20 MILES PER HOUR
10:43:08 SO YOU DO HAVE RESIDENTS THAT USE THOSE TYPES OF BICYCLES
10:43:15 THAT WOULD BE ILLEGAL ON YOUR PATHWAYS AND SIDEWALKS.
10:43:21 THEY'D HAVE TO USE THEM ONLY ON THE STREETS AND HIGHWAYS.
10:43:25 THIS MAY BE OVERLY BROAD BUT I WANTED TO START WITH THAT
10:43:29 BECAUSE I'M NOT SURE WHERE YOU WANTED TO GO WITH THIS.
10:43:34 THEY'RE DEFINED BY STATE LAW AND IT'S IN YOUR LIST OF
10:43:37 THINGS.
10:43:38 IT'S BASICALLY MOTORIZED TRANSPORTATION MADE AVAILABLE FOR
10:43:44 PRIVATE USE BY WEBSITE OR SOFTWARE.
10:43:47 YOU SEE A LOT OF THOSE SCOOTERS ARE IN -- OTHER TYPES OF
10:43:53 MOBILITY DEVICES THAT YOU USE YOUR CREDIT CARD AND YOU RENT
10:43:57 IT AND YOU RIDE IT FOR A LITTLE BIT AND YOU LEAVE IT ON THE
10:44:01 SIDEWALK AND SOMEBODY ELSE CAN DO THE SAME THING.
10:44:06 THEN YOU HAVE MOTORIZED SCOOTERS AS YOUR SECOND DEFINITION
10:44:09 THERE.
10:44:09 THAT'S WHERE YOU GET INTO THE MOTORIZED BICYCLES.
10:44:16 THOSE ARE POWERED BY A MOTOR WITH OR WITHOUT A SEAT OR
10:44:21 SADDLE.
10:44:23 BOTH OF THOSE ARE MADE ILLEGAL TO USE ON YOUR SIDEWALKS AND
10:44:29 PATHWAYS IN THE DRAFT IN FRONT OF YOU.
10:44:31 THIS IS A STARTING POINT FOR DISCUSSION.
10:44:36 >>Mayor Ribble: MADAM CLERK, DO YOU WANT TO READ THE
10:44:38 ORDINANCE PLEASE?
10:44:40 >> THOUGHT I DID.
10:44:41 >>Mayor Ribble: OH, OKAY.
10:44:43 I WAS SLEEPING OVER HERE.
10:44:44 OKAY.
10:44:45 MOVE RIGHT ALONG.
10:44:46 COMMENTS FROM COUNCIL?
10:44:49 HOWARD?
10:44:49 >>Howard Levitan: THANK YOU.
10:44:51 WHEN WE DID THE WORKSHOP ON IT, I ASKED BURT ABOUT THE
10:44:58 SANTIBEL ORDINANCE IN LOOKING AT THE PAPER AND THE LOCAL
10:45:02 PAPER THERE, THEY HAD A BIG DISCUSSION ABOUT THIS ISSUE
10:45:10 PARTICULARLY ABOUT E-BIKES OVER THE SUMMER.
10:45:13 IT WENT ON FOR SIX MONTHS BEFORE THEY ACTUALLY BROKE THE
10:45:19 ORDINANCE.
10:45:21 THEY EXCLUDED E-BIKES FROM THE PROHIBITION FOR PEOPLE THAT
10:45:30 WERE 18 OR OVER ON THEIR SHARED USE PATHS.
10:45:37 DIDN'T SAY ANYTHING ABOUT SIDEWALKS SO I ASSUME THAT MEANS
10:45:39 THEY CAN'T USE THEM ON SIDEWALKS.
10:45:41 ONLY ON THE SHARED USE PATHS.
10:45:44 FOLLOWING UP, HUGE DISCUSSION THERE IN THE NEWSPAPER AND THE
10:45:48 EDITOR AND ALL THAT.
10:45:49 WE STARTED TO GET SIMILAR LETTERS OVER THE WEEKEND FROM OUR
10:45:56 RESIDENTS SAYING, YOU KNOW, THEY WANT TO USE E-BIKES ON

10:46:01 SIDEWALKS.
10:46:02 RIGHT NOW AS I LOOKED AT THE STATE, YOU CAN RIDE A BIKE ON A
10:46:12 SIDEWALK IN FLORIDA, BUT YOU ARE TREATED AS IF YOU'RE A
10:46:17 PASSENGER SO YOU HAVE TO GIVE WARNING WHEN YOU ARE
10:46:22 APPROACHING SOMEBODY AND PASSING THEM.
10:46:26 ONE OF OUR GATED COMMUNITIES DISALLOWED THAT ON THEIR
10:46:29 SIDEWALKS.
10:46:30 THAT'S WHY THEIR OWN USE.
10:46:35 OUR ORDINANCE ONLY APPLIES TO PUBLIC SIDEWALKS SO THAT
10:46:39 WOULDN'T NECESSARILY GOVERN IN A GATED COMMUNITY EXCEPT
10:46:43 THOSE GATED COMMUNITIES THAT USE CED'S BECAUSE AT SOME POINT
10:46:48 THOSE ROADS ARE REALLY PUBLIC ROADS BY LAW.
10:46:53 THIS IS A COMPLICATED SUBJECT.
10:46:57 I ASK BETWEEN FIRST READING TODAY AND SECOND READING, WE
10:47:00 START TO CONSIDER -- MAYBE STAFF CAN COME UP WITH A POSITION
10:47:04 ON THAT AS TO WHETHER OR NOT WE SHOULD HAVE SOME KIND OF
10:47:08 PROVISION FOR MOTORIZED BIKES.
10:47:11 I THINK IT IS GOING TO GET POPULAR.
10:47:13 >>Mayor Ribble: I WANT TO MAKE A COMMENT ABOUT THIS.
10:47:15 AS WE KNOW, WE HAVE A DISCUSSION ON THIS LAST TIME AND
10:47:17 CHARGED OUR ATTORNEY WITH THE CHALLENGE OF PUTTING IT IN THE
10:47:23 ORDINANCE.
10:47:23 I THINK HE DID A GREAT JOB PUTTING IT TOGETHER.
10:47:27 WHEN THIS TOPIC ORIGINALLY CAME UP BECAUSE OF THE SCOOTER
10:47:31 BUSINESS WHERE YOU HAD VERBALIZED THAT NICELY ABOUT PEOPLE
10:47:36 RIDING THE SCOOTERS AND THEY PUT THEIR CREDIT CARD IN AND AT
10:47:40 THE END OF THE STREET, IN MOST OF THE CITIES I VISITED,
10:47:46 THERE ARE SIX OR SEVEN OR EIGHT SCOOTERS ON EVERY CORNER AND
10:47:50 SOMEBODY USES IT AND THEN THEY DROP IT OFF SOME PLACE ELSE
10:47:54 IN THE COMMUNITY AND THIS THING GETS TO BE A BIG PILE OF
10:47:57 CLUTTER.
10:47:58 IT'S THAT WAY IN TALLAHASSEE AND WASHINGTON, D.C. AND THOSE
10:48:01 ARE REALLY THE ONLY TWO AREAS I'VE BEEN THAT HAVE THE
10:48:04 SCOOTERS, BUT GOING TO THE MPO MEETING AND THE ATTORNEY FOR
10:48:09 THAT, YOU KNOW THIS HAS COME UP AT THE MPO MEETINGS ABOUT
10:48:12 BEING A PROBLEM.
10:48:15 SANABELL WAS THE FIRST ONE TO GET INVOLVED AND THEN FORT
10:48:21 MYERS FOLLOWED SUIT.
10:48:22 WE WERE UP IN TALLAHASSEE THREE WEEKS AGO AND THE TOPIC CAME
10:48:25 UP AGAIN, WHAT ARE WE GOING TO DO ABOUT THIS.
10:48:29 SOME FOLKS EXTENDED THIS TO THE BICYCLE -- THE MOTORIZED
10:48:33 BICYCLE WHERE YOU PEDAL IT FOR A TIME AND THEN THE ELECTRIC
10:48:37 TAKES OVER OR YOU HAVE A COMBUSTIBLE ENGINE.
10:48:41 THAT I THINK WE NEED TO TALK ABOUT.
10:48:42 THE PIECE I'M MOSTLY CONCERNED ABOUT IS WE DON'T NEED A
10:48:45 VENDOR COMING IN HERE AND STARTING THE SCOOTER BUSINESS AND
10:48:48 GETTING THIS INTO THE CLUTTER BUSINESS.
10:48:51 THE OTHER THING IS I WITNESSED A HORRIBLE ACCIDENT.

10:48:53 I THINK I VERBALIZED THIS.
10:48:55 IT'S BEEN IN THE RECORDS AND IT'S ON THE TAPE AT A MEETING A
10:48:59 COUPLE MONTHS AGO WHEN I WAS UP IN OCTOBER IN WASHINGTON,
10:49:02 D.C. STANDING AT THE PHOENIX HOTEL.
10:49:04 AND IT WAS POURING DOWN RAINING AND SOME BUSINESS GUY HAD
10:49:07 ONE OF THESE SCOOTERS AND HE HAD A BRIEF CASE AND A NAP SACK
10:49:15 AND THE WHEELS ON THESE SCOOTERS, I DON'T KNOW IF IT'S THREE
10:49:19 OR FOUR OR FIVE INCHES BUT THEY'RE NOT REAL BIG WHEELS.
10:49:23 THEY CAN'T GO OVER A SURFACE LIKE A POTHOLE OR A CURB
10:49:27 WITHOUT THE PERSON GOING OVER THE HANDLE BARS AND THAT'S
10:49:31 WHAT HAPPENED TO THIS INDIVIDUAL IN FRONT OF OUR VERY OWN
10:49:35 EYES.
10:49:35 I CAN SEE IT'S A PROBLEM AND IN D.C., IT'S VERY TOUGH TO
10:49:39 REGULATE BECAUSE THE PARKS DEPARTMENT CONTROLS MOST OF THE
10:49:43 SIDEWALKS UP THERE.
10:49:44 THESE GO ALL OVER WASHINGTON, D.C. AND THERE IS NO CONTROL
10:49:50 OF THE BUSINESS.
10:49:50 I THINK IT WILL BE A PROBLEM FOR US AND SO THAT'S WHERE I'M
10:49:54 COMING FROM WITH THE SCOOTER PART OF IT.
10:49:56 NICK?
10:49:58 >>Nick Batos: I AGREE WITH YOU THAT HAVING RENTALS -- I
10:50:03 DON'T KNOW THAT I'D SEE THIS COMING TO US BUT IF IT DID, I
10:50:08 CAN SEE IT AS A BIG PROBLEM.
10:50:09 I AGREE THAT WE CHANGE THE ORDINANCE SO IT DOES PROHIBIT THE
10:50:13 LEASE OR RENTALS OF THESE THINGS BUT IF SOMEBODY OWNS IT, AN
10:50:21 ELECTRIC BICYCLE, THEY'D BE ALLOWED TO USE IT.
10:50:25 THE LETTERS I RECEIVED MADE SENSE TO ME WHERE IF A PERSON IS
10:50:28 YAWSING ONE OF -- USING ONE OF THESE BICYCLES AND WE'RE
10:50:31 FORCING THEM ON TO THE STREET, WHICH I THINK COULD BE A LOT
10:50:35 MORE DANGEROUS, THEN WHAT WE'D END UP HAVING ON THE
10:50:39 SIDEWALK, I THINK WE SHOULD ALLOW THEM ON THE SIDEWALKS BUT
10:50:43 ONLY IF THEY'RE OWNED BY THE INDIVIDUAL SO BE TREATED LIKE A
10:50:49 BICYCLE.
10:50:51 >>Vice-Mayor Errington: SO ARE YOU SAY ING THEY SHOULD BE ALLOWED
10:50:55 ON A BICYCLE PATH?
10:50:56 OR THE WALKING PATH?
10:51:03 >>Nick Batos: THE QUESTION IS NOT ON BICYCLE PATHS.
10:51:05 THEY'RE ALLOWED THERE.
10:51:06 >>Vice-Mayor Errington: LET'S GO TO ESTERO PARKWAY.
10:51:08 WHERE WOULD YOU PERMIT IT THERE?
10:51:11 >>Nick Batos: I THINK EITHER ON THE SIDEWALK OR THE STREET
10:51:13 IF THAT'S WHERE THEY WANTED TO GO.
10:51:19 >>Vice-Mayor Errington: SO ON THE SIDEWALK INSTEAD OF THE BIKE
10:51:21 PATH.
10:51:23 >>Nick Batos: RIGHT NOW A REGULAR BICYCLE IS ALLOWED ON THE
10:51:26 SIDEWALK.
10:51:26 A REGULAR BICYCLE IS ALWAYS ALLOWED ON THE SIDEWALK.
10:51:31 SINCE THESE ARE GOVERNED BUT THEY CAN NOT EXCEED 20 MILES

10:51:37 PER HOUR, PEOPLE ARE USING THEM IN PLACE OF BICYCLES BECAUSE
10:51:39 OF THE ASSISTANCE THAT THEY GET FROM IT.
10:51:46 I SEE NO REASON WE SHOULDN'T ALLOW IT.
10:51:49 IT SHOULDN'T BE SOMETHING WE'RE GOING TO LEAVE AND DUMP AND
10:51:51 HAVE THE COMPANY PICK IT UP THE NEXT NIGHT.
10:51:53 THIS IS THEIR OWN BICYCLE AND THEY'LL TREAT IT LIKE THEIR
10:51:57 OWN PIECE OF PROPERTY.
10:51:58 LOCK IT UP IN A STORE AND PICK IT UP AND GO BACK HOME.
10:52:03 >>Vice-Mayor Errington: WHAT IF I'M WALKING MY DOG AND AN ELECTRIC
10:52:07 BIKE COMES BEHIND ME?
10:52:10 >>Nick Batos: SAME AS A BICYCLE.
10:52:11 >>Vice-Mayor Errington: GOING 20 MILES PER HOUR.
10:52:13 >>Nick Batos: THAT'S A SPEED OF A BICYCLE GOING.
10:52:20 >>Jon McLain: IT SEEMS LIKE WE HAVE TWO ISSUES HERE.
10:52:23 MAYBE WE DO AN ORDINANCE THAT PROHIBITS THAT IF WE'RE
10:52:26 LEGALLY ABLE TO DO THAT.
10:52:27 THIS BICYCLE THING AND MOBILITY DEVICES IS PRETTY COMPLEX
10:52:31 AND EVOLVING RIGHT NOW.
10:52:32 I'M A BICYCLE ADVOCATE AND I CAN TELL YOU THAT A ROAD BIKE
10:52:41 CURRENTLY WITH NO MATTER CAN GO 20 MILES PLUS.
10:52:45 THE EXPERIENCED RIDERS PROBABLY WOULDN'T RIDE ON SIDEWALKS
10:52:48 THEN BUT THEY CAN GO 25.
10:52:50 YOU SEE GUYS IN PACKS GOING 25 MILES PER HOUR.
10:52:53 I HAVE DONE -- LOOKED AT E-BIKES MYSELF AND SOMEWHERE WITH
10:53:02 LOCAL DEALERS, THE NEWER E-BIKES ARE CAPABLE WITH HUMAN
10:53:05 ASSISTANCE.
10:53:06 NOT A MOTOR BUT HUMAN ASSISTANCE WITH THE BATTERY POWER,
10:53:09 THEY ADVERTISE THEM TO GO 28 MILES PER HOUR.
10:53:11 I WOULD THINK THAT -- I HAVE RIDDEN ON SIDEWALKS MYSELF.
10:53:16 THAT'S AN EXCESSIVE SPEED AND I DON'T THINK YOU'LL FIND
10:53:19 BICYCLE RIDERS ON AN E-BIKE GOING THAT FAST.
10:53:23 IT'S TOO BUMPY ON THE SIDEWALK.
10:53:25 THEY'RE VERY SIMILAR TO A REGULAR BICYCLE.
10:53:27 I JUST WONDER IF WE REALLY NEED THIS ORDINANCE NOW.
10:53:34 MAYBE WE DO THE ORDINANCE FOR THE VENDOR TYPE THINGS.
10:53:37 I DON'T KNOW IF WE HAVE ANY ISSUES ON BICYCLES AT THIS
10:53:40 POINT.
10:53:40 I DON'T WANT ANYBODY GETTING RUN OVER.
10:53:43 I DON'T KNOW IF WE NEED TO CLUTTER UP THE AGENDAS WITH, YOU
10:53:47 KNOW, ORDINANCES THAT THEY NOT BE APPLICABLE.
10:53:50 WE DON'T HAVE A LOT OF PUBLIC AREAS WHERE PEOPLE ARE RIDING
10:53:52 BICYCLES.
10:53:55 >> TWO CONCERNS I HAVE.
10:53:57 FIRST OF ALL, I AGREE WITH THE MAYOR THAT -- TALK ABOUT A
10:54:01 SCOOTER THAT'S GOING ELECTRIC ON A SIDEWALK AND DEPENDING ON
10:54:05 THE SPEED, IT COULD BE DANGEROUS.
10:54:09 IN OUR COMMUNITY, BIKES DON'T GO ON THE SIDEWALKS SO I DON'T
10:54:12 THINK THAT'S A PROBLEM.

10:54:13 BUT ONE THING THAT -- CCD'S, I KNOW OUR COMMUNITY HAS DONE
10:54:24 CCD'S.
10:54:25 ARE THEY RESTRICTED?
10:54:27 >> THE CDD MAY BE A PUBLIC ROAD.
10:54:29 EVEN THOUGH YOU HAVE GATES ON IT.
10:54:35 BY VIRTUE OF THE FACT THEY USED THE CDD TO DEVELOP THE ROAD,
10:54:38 SOME COMMUNITIES DID.
10:54:39 OTHERS LIKE THE BROOKS OWN THEIR ROADS, THOSE ARE CLEARLY
10:54:45 PRIVATE ROADS.
10:54:46 PLACES LIKE COCONUT POINT, THE SHOPPING CENTER IN MIROMAR,
10:54:50 WHICH WOULD PROBABLY BE PLACES WHERE THOSE VENDORS WOULD
10:54:56 WANT TO SET UP AND HAVE SCOOTERS TO GO AROUND TO THOSE
10:54:59 PLACES.
10:55:00 THOSE ARE PRIVATE ROADS.
10:55:02 THIS ORDINANCE WOULDN'T GOVERN THAT.
10:55:04 SO, YOU KNOW, THESE ARE THE KINDS OF THINGS WE HAVE TO THINK
10:55:08 ABOUT WHEN WE DO THAT.
10:55:10 IF WE WANT TO HAVE RULES THAT GOVERN THE SCOOTERS, WHICH I
10:55:15 AGREE WITH BILL.
10:55:16 I THINK THIS IS EXACTLY THE THING WE SHOULDN'T BE DOING.
10:55:20 WE SHOULD MAKE THE RULES SO THEY APPLY TO ALL PROPERTY IN
10:55:25 ESTERO.
10:55:25 NOT JUST THE PUBLIC ROADS.
10:55:29 >> BURT, COULD YOU LOCATE AND RESEARCH WHETHER THE SIDEWALKS
10:55:34 IN THE CDD GOVERN COMMUNITY, ARE THEY PUBLIC ROADS OR NOT?
10:55:42 >>Burt Saunders: WE CAN CERTAINLY TAKE A LOOK AT THAT.
10:55:44 IT MAY DEPEND ON THE DOCUMENTS THEMSELVES WHETHER IT'S
10:55:47 PRIVATE OR PUBLIC.
10:55:48 THERE MAY BE INDIVIDUALITY THERE.
10:55:51 IT SOUNDS LIKE WE CAN TAKE A LOOK AT THAT BUT IT SOUNDS LIKE
10:55:54 YOUR MAJOR CONCERN IS YOU DON'T WANT THESE GUYS RENTING OUT
10:55:59 TO PEOPLE THESE TYPE OF SCOOTERS WHERE YOU'RE STANDING UP
10:56:02 AND HAVE A BAR AND YOUR LITTLE FEET LIKE THIS AND ZIPPING
10:56:07 AROUND.
10:56:07 WHEN YOU'RE FINISHED, YOU DROP IT OFF AND LEAVE IT AT THE
10:56:11 SIDEWALK.
10:56:12 IT SOUNDS LIKE THAT'S WHAT YOU'RE TRYING TO GET AT
10:56:15 REGARDLESS OF WHERE THEY ARE ON A CDD OR NOT, AND THE
10:56:20 MOTORIZED BICYCLES DOES NOT APPEAR TO BE THE ISSUE NOW.
10:56:27 >> WHICH IS WHAT SANIBEL DID BY EXCLUDING THE BIKES.
10:56:34 >>Mayor Ribble: MY MAIN THING IS ELIMINATE THE SCOOTER
10:56:36 BUSINESS.
10:56:37 WE DON'T NEED THEM COMING TO ESTERO.
10:56:40 BUT THIS -- I'M OKAY WITH CHANGING THIS ORDINANCE FOR THE
10:56:44 NEXT READING, BUT I'M TELLING YOU HERE.
10:56:48 I JUST TALKED TO A COUNCIL MEMBER THERE THIS MORNING THAT I
10:56:52 HAVE A LOT OF RESPECT FOR AND HE IS A BRIGHT INDIVIDUAL.
10:56:55 HE TOLD ME IT'S COMMON BECAUSE THE ELECTRIC BIKE.

10:57:00 HE SAID HIS MOTHER COMES OVER HERE EVERY WINTER AND SHE IS
10:57:03 OUT RIDING HER BICYCLE.
10:57:06 NOT EVERYBODY IS RIDING BIKES LIKE YOU'RE TALKING ABOUT IN
10:57:09 THE STREET WITH PANTS WITH THE SPANDEX ON.
10:57:12 YOU'LL NEVER CATCH NICK AND I IN SPANDEX IN A BIKE.
10:57:16 YOU MAY CATCH US ON A BICYCLE RIDING CASUALTY.
10:57:20 YOU MIGHT CATCH US OUT THERE CASUALLY RIDING OUR BIKE OR
10:57:24 SPOUSES RIDING THEIR BIKES, BUT THE CONCERN THEY'RE HAVING
10:57:28 IN SANIBEL NOW IS THE ELECTRIC -- SOME OF THE COMBUSTIBLE
10:57:32 WHERE YOU PEDAL SO LONG AND A LITTLE COMBUSTIBLE ENGINE
10:57:36 TAKES OVER.
10:57:38 I SAW ONE ON THE ROAD BEFORE I CAME HERE, STEVE.
10:57:40 GOING UP THE SIDEWALK.
10:57:41 IT WAS THE ONLY GENTLEMAN PROBABLY MY AGE GOING ALONG WITH A
10:57:46 MOTORIZED BICYCLE.
10:57:47 THE PROBLEM IS WHEN YOU'RE GETTING SOME FOLKS OUT HERE IN
10:57:51 SEASON AND THEY'RE RIDING THEIR BIKES AND NOW COMES SOMEBODY
10:57:56 IN A MOTORIZED THING, IT SCARES THE HECK OUT OF THESE
10:57:59 PEOPLE.
10:57:59 THE SENIORS ON THE BIKES AND IT'S A CHALLENGE FOR THEM TO
10:58:04 MANEUVER.
10:58:05 THAT'S WHAT THE PROBLEM WILL BE.
10:58:07 WE DON'T HAVE TO DO THIS ALL TODAY.
10:58:08 WE CAN TAKE IT ONE PIECE AT A TIME.
10:58:12 I'D LIKE TO GET OUR FOOT IN THE DOOR COMING UP WITH THE
10:58:14 MOTORIZED SCOOTER ORDINANCE.
10:58:17 >>Vice-Mayor Errington: I AGREE WITH YOUR COMMENTS.
10:58:18 I LIKE THEM.
10:58:19 I WANT TO EMPHASIZE THAT WE STILL NEED TO PLACE A MAJOR
10:58:25 EMPHASIS ON THE PEOPLE WALKING ON THE SIDEWALK.
10:58:27 THAT'S SAFETY, SAFETY, SAFETY.
10:58:29 THAT'S WHAT WE HAVE TO HAVE SO I WITNESSED EIGHT PEOPLE LAST
10:58:37 WEEK TRYING TO CROSS THE MEDIAN GETTING ACROSS U.S. 41.
10:58:41 THERE WERE FOUR CHILDREN AND THE REST WERE ADULTS.
10:58:44 THEY WERE ON THE CONCRETE OF THE MEDIAN AND RUNNING ACROSS
10:58:48 TRYING TO GET TO THE BUS STOP.
10:58:49 THIS IS BEGINS TO HAPPEN.
10:58:51 I'VE SEEN MOTORIZED BIKES ALREADY UP NEAR ESTERO GRAND.
10:58:57 THEY'RE OUT THERE BUT HOW DO YOU REGULATE THAT WITH THE
10:59:00 PEOPLE WHO ARE WALKING?
10:59:03 THAT'S MAJOR.
10:59:05 IF YOU HAVE A CHILD IN A LITTLE STROLLER AND WANT TO GO FOR
10:59:08 A WALK AND SUDDENLY HERE COME THESE BIKES.
10:59:15 WE HAVE TO THINK ABOUT ALL THIS.
10:59:18 >>Mayor Ribble: JUST COMMENT ON THE SAFETY ASPECT WITH
10:59:21 ELECTRIC BIKES.
10:59:29 MAYBE IT'S APPROPRIATE FOR US TO HAVE A HELMET ORDINANCE IN
10:59:36 HERE AS PEOPLE START TO RIDE MORE.

10:59:37 THAT MAY BE FOR SAFETY.
10:59:39 YOU FALL OFF A BIKE AND MAY BREAK A LEG.
10:59:42 LOT OF PEOPLE WHEN THEY FALL OFF THE BIKE AND HIT THEIR HEAD
10:59:48 LIKE OUR WEATHER CASTER AND THEY HIT THEIR HEAD.
10:59:53 SO MAYBE WE SHOULD LOOK AT A HELMET ORDINANCE AND SAVE SOME
10:59:56 LIVES POSSIBLY.
10:59:57 >> THE STATE SAID ANYBODY UNDER 16 HAS TO HAVE A --
11:00:04 >> I THINK WE ALL AGREE ON BIKES ON THE SIDEWALK.
11:00:09 FOR INSTANCE, WE HAVE SEVERAL DISABLED PEOPLE THAT HAVE THE
11:00:13 THREE-WHEELS BIKES AND THEY RIDE ON THE SIDEWALKS.
11:00:16 NOBODY CAN TELL THEM RIDE IN THE STREETS.
11:00:23 >>Mayor Ribble: THAT'S AN EXCEPTION IN THE ORDINANCE.
11:00:25 >> I THINK WE SHOULD PROBABLY PUT A SPEEDING SIGN ON THE
11:00:28 SIDEWALK.
11:00:30 >> I THINK THE MORE REGULATIONS WE HAVE, THE BETTER.
11:00:33 >> MR. MAYOR, CAN I ASK.
11:00:35 WE HAD SO MUCH CONVERSATION ON THIS.
11:00:37 I'M NOT SURE EXACTLY WHAT THE MESSAGE IS.
11:00:47 I THINK WE'RE ALL OPPOSED TO COMPANIES COMING IN AND LEASING
11:00:49 AND RENTING IT.
11:00:54 >>Mayor Ribble: I THINK THE WAY THE ORDINANCE IS DRAFTED NOW,
11:00:57 IT INCLUDES MOTORIZED SCOOTERS.
11:01:00 >> IT SHOULD BE CHANGED FOR THAT.
11:01:03 >> WHAT WE'LL DO IS MAKE IT CLEAR THAT YOU CAN NOT LEASE
11:01:09 THOSE TYPES OF SCOOTERS WHERE YOU'RE STANDING UP AND PEOPLE
11:01:13 USE THOSE AND LEAVE THEM ON THE PATHWAYS.
11:01:17 WE'LL MAKE SURE THAT IS PROHIBITED.
11:01:19 WE WANT TO ADDRESS MOTORIZED BICYCLES AND THIS WILL EXCLUDE
11:01:24 THAT.
11:01:26 >>Vice-Mayor Errington: WILL THAT INCLUDE -- I'M NOT SURE WHAT YOU
11:01:30 CALL IT.
11:01:30 THE LITTLE VEHICLE THAT HAS NO HANDLEBARS OR ANYTHING.
11:01:34 >> MOTORIZED SKATEBOARD?
11:01:36 >>Vice-Mayor Errington: YES.
11:01:37 THAT ONE WITHOUT ANY HANDLEBARS.
11:01:40 I SAW ONE COMING OVER THE -- THAT CAME OVER THE ESTERO
11:01:44 PARKWAY BRIDGE JUST RECENTLY.
11:01:48 OH, THIS KID WAS REALLY MOVING.
11:01:51 SO, HEY.
11:01:54 THEY'RE GOING TO FIGURE OUT A WAY TO GET AROUND ALL THIS.
11:01:58 >> THERE IS ANOTHER POINT TO THIS TOO.
11:01:59 IT'S ENFORCEMENT.
11:02:02 WE HAVE TO BE REALISTIC.
11:02:03 WE'RE NOT GOING TO HAVE ENOUGH ENFORCEMENT PEOPLE LOOKING
11:02:07 FOR THESE PEOPLE.
11:02:08 SO IF WE'RE TALKING ABOUT SOMETHING WE CAN'T ENFORCE, WE
11:02:13 HAVE TO.
11:02:14 >>Mayor Ribble: TOTALLY DISAGREE.

11:02:16 I GOT INVITED TO AN EVENT THE OTHER DAY AND I CALLED THE
11:02:24 SHERIFF UP AND SAID WE NEEDED TWO OFFICERS AT THE EVENT, AND
11:02:27 GUESS WHAT, THEY SHOWED RIGHT UP.
11:02:29 WE FORGET WE'RE PAYING A PRETTY NICE-SIZED FEE TO THE
11:02:33 SHERIFF'S OFFICE OF LEE COUNTY FOR OUR PROTECTION HERE.
11:02:35 THAT MEANS WE ALL HAVE THEIR PHONE NUMBERS, WE CALL THE
11:02:38 NUMBER, WE GOT A PROBLEM, THERE IS A PERSON OUT HERE DOING
11:02:41 THIS.
11:02:41 THEY COME OUT THERE AND ENFORCE OUR ORDINANCE.
11:02:45 THAT'S WHAT WE PAY THEM FOR, NICK.
11:02:47 WE'RE NOT GIVING THEM A BIG CHECK JUST TO DRIVE UP AND DOWN.
11:02:51 >> I HAVE ONE LAST COMMENT TO MAKE.
11:02:53 MY COMMUNITY DOES NOT PERMIT BICYCLES ON SIDEWALKS.
11:02:57 THAT'S A GIVEN.
11:02:58 YOU'RE TOLD ABSOLUTELY NOT.
11:03:02 LAST WEEK I WAS WALKING MY DOG AND I HEAR THIS BELL RINGING
11:03:06 BEHIND ME AND IT'S A MAN ON THE SIDEWALK IN A BICYCLE.
11:03:11 HE HAD HEALTH ISSUES AND HE DECIDED HE WAS GOING TO RIDE ON
11:03:14 THE SIDEWALK.
11:03:16 MY LITTLE DOG IS AT A POINT IN HIS LIFE WHERE HE CAN'T HEAR
11:03:21 WELL AND CAN'T SEE WELL.
11:03:22 HE WAS ALL OVER THE PLACE.
11:03:27 >> CAN HE COUNT ON YOU?
11:03:29 >>Vice-Mayor Errington:
11:03:29 [LAUGHS]
11:03:30 THIS IS WHAT I'M SAYING.
11:03:32 IF I HAD NOT GOTTEN OUT OF THE WAY AND MY DOG HAD RUN IN
11:03:36 FRONT OF HIS BICYCLE WHEEL AND HE WRECKED AND LET'S SAY
11:03:41 SOMETHING BAD HAPPENED, WHO IS LIABLE?
11:03:44 >>Mayor Ribble: THE DOG.
11:03:47 >>Vice-Mayor Errington: NOT THE DOG.
11:03:48 [LAUGHS]
11:03:48 NO.
11:03:48 SEE.
11:03:49 THE COMMUNITY SAYS YOU'RE NOT SUPPOSED TO RIDE ON THE
11:03:52 SIDEWALKS.
11:03:52 HE WAS DOING THAT ILLEGALLY AND YET MY DOG WOULD HAVE
11:03:56 CREATED AN ACCIDENT.
11:04:01 WE'RE LOOKING AT THINGS LIKE THAT.
11:04:03 THE LEASH THAT COULD HAVE TRIPPED THIS MAN.
11:04:07 >>Mayor Ribble: I HATE TO TELL YOU BUT OUR COLONY IN PELICAN
11:04:11 LANDING HAS THE SAME RULES AT OUR DOCKS.
11:04:15 >> THOSE ARE ALL ENFORCED BY SANCTIONS.
11:04:21 IT HAS NOTHING TO DO WITH THE LEGAL ASPECTS.
11:04:24 >>Mayor Ribble: OKAY.
11:04:25 JIM IS IN A HURRY.
11:04:26 HE WANTS TO GO TO THE RESTROOM.
11:04:29 LET'S CLOSE THIS THING OUT WITH A MOTION ON CHANGING THE

11:04:33 ORDINANCE.
11:04:35 >> WE HAVE TO MOVE TO PASS FIRST READING FIRST.
11:04:38 >> OR WE CAN -- HAVE THEM COME BACK WITH ANOTHER ONE.
11:04:44 >>Mayor Ribble: THAT'S WHAT I THINK WE SHOULD DO.
11:04:47 >> LET'S APPROVE THIS ON --
11:04:50 >> THE ADVERTISEMENT IS NOT -- ONCE THE MEETING IS OVER I
11:04:54 HAVE IT READY TO SEND.
11:04:56 I HAVEN'T SENT IT YET.
11:04:59 >> I'D RATHER DO THIS BETWEEN FIRST AND SECOND READINGS.
11:05:04 I'LL MOVE TO PASS THIS ON FIRST READING WITH THE CHANGES
11:05:07 THAT WE HAVE DISCUSSED.
11:05:09 >> THAT'S WHAT I WAS GOING TO DISCUSS.
11:05:10 THAT WOULD SAVE SOME TIME.
11:05:13 >>Mayor Ribble: DO WE HAVE A SECOND?
11:05:15 NICK SECONDED.
11:05:16 MADAM CLERK?
11:05:22 >>Howard Levitan: AYE.
11:05:23 >>Jon McLain: AYE.
11:05:25 >>Jim Boesch: AYE.
11:05:27 >>Nick Batos: AYE.
11:05:29 >>Vice-Mayor Errington: AYE.
11:05:29 >>Mayor Ribble: AYE.
11:05:30 >>> MOVING RIGHT ALONG.
11:05:31 ITEM 9 HAS BEEN POSTPONED FOR TWO WEEKS.
11:05:37 SO NOW WE'LL TAKE PUBLIC COMMENTS.
11:05:39 ANYONE?
11:05:40 >> I HAVE NO ONE SIGNED UP TO SPEAK FOR PUBLIC COMMENT.
11:05:46 MAYBE ONE.
11:05:49 >>Mayor Ribble: OUR TRANSPORTATION DIRECTOR HAS JOINED US
11:05:52 HERE TODAY.
11:05:52 >> YEAH.
11:05:53 IT'S FORTUNATE I HEARD THE DISCUSSION ON THE SIDEWALKS AND
11:05:57 BIKES AND SO FORTH.
11:05:58 I WANT TO MAKE A REQUEST PLEASE.
11:06:02 I'M THE CHAIR OF THE CYPRESS SHADOW CED.
11:06:05 WE OWN THE ROADS AND THE SIDEWALKS.
11:06:12 SO I'M CONCERNED ABOUT ANY ORDINANCE THAT YOU MAKE REGARDING
11:06:20 PUBLIC SIDEWALKS AND WHETHER IT -- I THINK IT AFFECTS WHAT
11:06:27 WE DO.
11:06:31 >>Mayor Ribble: I THINK BURT WILL LOOK INTO THAT.
11:06:33 >> YEAH.
11:06:33 SO JUST TAKE THAT INTO CONSIDERATION BECAUSE IF IT DOES,
11:06:37 THEN IT'S NOT ONLY THE CORE GROUP BUT MANY OF YOUR
11:06:42 COMMUNITIES IN ESTERO THAT SHOULD BE AT LEAST KNOWLEDGEABLE
11:06:49 ABOUT WHAT IS GOING ON AND WHAT THE EFFECT MAY BE.
11:06:56 OTHERWISE I SUPPORT YOU.
11:06:58 >> I ALSO NEED YOU TO STATE YOUR NAME.
11:07:01 >> LOU FREDERELI.

11:07:05 ESTERO, FLORIDA.
11:07:07 >>Mayor Ribble: NOW IT'S TIME FOR COUNCIL SHOW AND TELL.
11:07:10 NICK?
11:07:10 YOU HAVE ANYTHING?
11:07:12 >>Nick Batos: NOTHING.
11:07:13 THANK YOU.
11:07:15 >>Jim Boesch: I'D LIKE TO ANNOUNCE THAT THE ESTERO
11:07:20 FOUNDATION HAS BEEN ORGANIZED AND ANNOUNCEMENTS WILL BE
11:07:25 MADE.
11:07:25 SO MARK ON YOUR CALENDAR THE DINNER PROGRAM AND WE'LL GO
11:07:36 OVER MOST OF THE DETAILS FOR THINGS WE'RE LOOKING TO
11:07:40 ACCOMPLISH.
11:07:40 FEBRUARY 20, THURSDAY NIGHT.
11:07:41 PLEASE WRITE THAT ON YOUR CALENDAR.
11:07:44 WE'LL BE CONTACTING YOU.
11:07:50 6:00.
11:07:54 >>Howard Levitan: PASS.
11:07:56 >>Jon McLain: JUST A QUICKIE.
11:07:59 ESTERO PARK HAS BEEN STARTED IF YOU HAVEN'T BEEN OUT THERE.
11:08:03 THEY'LL BE DOING WORK PRETTY QUICKLY.
11:08:05 I DO RECOMMEND THAT WE NEED TO HAVE A BRIEF SUMMARY OF
11:08:10 EVENTS AND POSSIBLE DATES ON OUR WEBSITE.
11:08:14 I'M GETTING QUITE A FEW PHONE CALLS SO IT MIGHT BE WORTH
11:08:18 WHILE TO GET SOMETHING ON OUR WEBSITE THAT GIVES THE STATUS
11:08:21 OF HEY, WE STARTED IT, AND WE'LL DO THE GROUND -- WHATEVER
11:08:25 IT IS.
11:08:26 I CAN WORK WITH A SUMMARY OF THAT.
11:08:28 THAT'S ALL GOOD NEWS.
11:08:29 HOPE IT GOES ALONG QUICKLY.
11:08:34 >>Vice-Mayor Errington: U.S. 41 LANDSCAPING IS LOOKING GOOD.
11:08:36 IT'S ALMOST COMPLETED.
11:08:38 SO GREAT.
11:08:40 >>Mayor Ribble: OKAY.
11:08:42 I'LL MAKE A QUICK COMMENT.
11:08:45 PHIL FLOOD IS HERE TODAY.
11:08:46 I JUST WANT TO MAKE A COMMENT THAT I THINK YOU'LL BE
11:08:49 PLEASANTLY SURPRISED WHEN HE DOES THE PRESENTATION ON THE
11:08:54 C-43 RESERVOIR.
11:08:57 PETE SIMMONS AND MEANT SPENT A WHOLE DAY GOING THROUGH THE
11:09:03 18 SQUARE FILE RESERVOIR.
11:09:05 IT WAS TOTALLY AMAZING.
11:09:07 KEEP YOUR SEAT BELT ON.
11:09:08 HE'LL PROBABLY BE ON IN ANOTHER 10 MINUTES.
11:09:10 STEVE, YOU HAVE ANYTHING FOR US?
11:09:15 >>Steven Sarkozy: NOTHING.
11:09:16 >>Burt Saunders: NOTHING.
11:09:17 >>Mayor Ribble: THANKS FOR THE WORK ON THE ORDINANCE.
11:09:20 YOU DID A GREAT JOB PUTTING THIS TOGETHER AND I APPRECIATE

11:09:24 YOU SPENDING THE TIME YOU DID WITH ME ON THE PHONE.
11:09:26 WANT TO GIVE YOU THE KUDOS.
11:09:29 WE'LL ADJOURN OUR REGULAR SESSION.
11:09:32 HOWARD, DO WE NEED TO CALL A BREAK?
11:09:35 TEN-MINUTE BREAK.
11:09:37 LET'S MEET BACK HERE AT 20 AFTER.
11:09:40 THAT WILL GIVE US 12 MINUTES.
11:21:50 12-MINUTE BREAK IS OVER.
11:22:01 MR. ESTERO IS HERE.
11:22:06 YOU'LL LIKE MR. FLOOD'S PRESENTATION BUT HE IS NOT ON YET.
11:22:11 WE'LL START OUR WORKSHOP SESSION AND FIRST UP IS THE UPDATE
11:22:16 ON THE LAND DEVELOPMENT CODE.
11:22:18 >>Steven Sarkozy: THANK YOU, MAYOR.
11:22:19 MEMBERS OF COUNCIL, WE HAD SEVERAL REQUESTS FOR AN UPDATE AS
11:22:24 TO HOW WE'RE DOING ON THIS MAJOR PROJECT.
11:22:27 WHEN WE PASSED OUR COMPREHENSIVE PLAN, THE NEXT STEP WAS TO
11:22:31 UPGRADE OUR LAND DEVELOPMENT CODE.
11:22:34 THAT HUGE BODY OF WORK THAT IS REALLY ON MARY GIBBS'
11:22:43 SHOULDERS.
11:22:44 I'LL ASK HER TO PROVIDE A BRIEF UPDATE FOR THE COUNCIL.
11:22:48 >>Mary Gibbs: GOOD MORNING AGAIN.
11:22:51 WE HAVE BEEN WORKING ON THIS LAND DEVELOPMENT CODE UPDATE
11:22:54 FOR SOME TIME AND I REALIZED IN TALKING TO STEVE THE OTHER
11:22:58 DAY THAT THERE IS A LOT OF WORK GOING ON BEHIND THE SCENES,
11:23:02 BUT YOU MAY NOT BE AWARE OF IT BECAUSE WE HAVEN'T SHARED
11:23:06 THAT WITH ANYONE.
11:23:07 ONCE YOU ADOPT A NEW COMPREHENSIVE PLAN, YOU HAVE A YEAR TO
11:23:12 GET YOUR REGULATIONS IN PLACE THAT HAS TO BE CONSISTENT WITH
11:23:16 THE PLAN.
11:23:16 THERE ARE SOME THINGS WOO EHAVE TO CHANGE.
11:23:19 WE BELIEVE THAT SINCE THE STATE DID NOT FIND OUR PLAN
11:23:24 EFFECTIVE UNTIL NOVEMBER, WE ACTUALLY A YEAR WE CAN DO THIS.
11:23:28 WHAT WE'RE TARGETING IS TO GET BACK TO THE COUNCIL.
11:23:32 WE'D LIKE TO GET THE COMPLETE PLAN TO THE COUNCIL BY JULY.
11:23:37 WHAT WE'D LIKE TO DO IS HAVE A WORKSHOP AT THE PLANNING AND
11:23:41 ZONING BOARD SOMETIME IN APRIL AND THIS WORKSHOP WITH THE
11:23:43 COUNCIL IN MAY.
11:23:44 THAT'S OUR TENTATIVE PLAN AT THE MOMENT.
11:23:49 JUST TO GIVE YOU AN IDEA OF WHAT WE'VE BEEN WORKING ON SO
11:23:52 YOU'LL KNOW WHAT YOU'LL SEE, THE STAFF HAS BEEN WORKING WITH
11:23:54 THE CONSULTANT -- WE HAVE TO GET EVERYTHING TO THE POINT
11:23:57 WHERE IT'S EVEN READY FOR YOU TO REVIEW.
11:23:59 IT'S NOT READY AT THIS POINT FOR YOU TO -- THE SAUSAGE IS
11:24:02 NOT COMPLETED.
11:24:04 SO WHAT WE'RE WORKING ON IS TRYING TO FIND A WAY TO TAKE THE
11:24:09 COUNTY CODE WHICH BECAME OUR CODE AND CONSOLIDATE THAT AND
11:24:13 MAKE IT MORE USER FRIENDLY.
11:24:16 IF YOU REMEMBER, THE COUNTY'S LAND DEVELOPMENT CODE THAT

11:24:19 BECAME OURS IS 1,000 PAGES LONG.
11:24:21 WE DON'T WANT A 1,000 PAGE CODE BECAUSE WE'RE A SMALL CITY.
11:24:26 WHAT WE'RE TRYING TO DO IS TAKE WHAT'S IMPORTANT OUT OF THAT
11:24:30 CODE AND PUT IT IN OUR OWN CODE.
11:24:32 SO KEEPING THE THINGS SPECIFIC TO ESTERO AND THEN ELIMINATE
11:24:42 THE THINGS NOT APPLICABLE.
11:24:44 AND WE HAVE TO REVIEW THE NEW COMPREHENSIVE PLAN BECAUSE WE
11:24:48 HAVE NEW LAND USE CATEGORIES AND THAT'S NOT REALLY
11:24:52 ADDRESSED.
11:24:52 WE HAVE TO MAKE UPDATES AND CHANGES BASED ON THAT.
11:24:55 WHAT WE THINK IS MOST IMPORTANT IS WE WANT TO MAKE THIS A
11:24:59 USABLE DOCUMENT.
11:25:00 IT'S A TECHNICAL DOCUMENT AND IT WILL PUT YOU TO SLEEP IN A
11:25:04 NANO-SECOND IF YOU HAVE TO READ IT MUCH.
11:25:06 WE WANT IT TO BE USER FRIENDLY SO WE'RE TRYING TO REORGANIZE
11:25:10 IT SO PEOPLE USE IT -- RIGHT NOW YOU HAVE TO GO TO THREE TO
11:25:16 FOUR PLACES TO TRY TO FIND OUT WHAT TO DO WITH THIS
11:25:20 PROPERTY.
11:25:20 IT'S VERY UNFRIENDLY.
11:25:22 THE MAIN THING IS WE'RE TRYING TO REORGANIZE IT AND THE
11:25:24 COUNTY CODE HAS 34 SEPARATE CHAPTERS.
11:25:30 WE'RE TRYING TO CONSOLIDATE THAT INTO ABOUT NINE AND GROUP
11:25:34 THEM TOGETHER SO IT MAKES SENSE.
11:25:36 WE'VE GOT A CHAPTER COMING ON PROCESSES.
11:25:39 A CHAPTER ON ZONING.
11:25:41 A CHAPTER ON DEVELOPMENT REGULATIONS AND THEN A
11:25:45 MISCELLANEOUS CHAPTER.
11:25:47 THE CHAPTER ON THE PROCESSES, WHAT WE'RE TRYING TO DO IS PUT
11:25:50 ALL THE PROCESSES TOGETHER IN ONE LOCATION BECAUSE RIGHT NOW
11:25:53 IN THE CODE, YOU'VE GOT TO GO TO DIFFERENT PLACES TO FIGURE
11:25:55 IT OUT.
11:25:57 DO I HAVE TO GO TO DESIGN REVIEW BOARD, PLANNING AND ZONING,
11:26:02 WHAT GOES TO COUNCIL.
11:26:04 SO NANCY STROUD IS REALLY THE LEAD ON THAT SECTION AND SHE'S
11:26:09 BE WORKING PRETTY STEADILY ON THAT.
11:26:12 WE'LL PROBABLY HAVE SOME QUESTIONS OR THINGS WE WANT COUNCIL
11:26:14 DIRECTION ON OR SOME THINGS THAT WE'RE CHANGING WHEN WE COME
11:26:18 BACK TO THE COUNCIL.
11:26:19 WE'LL BE EXPLAINING WHAT THINGS ARE CHANGING FROM THE
11:26:22 CURRENT CODE.
11:26:23 IF WE'RE CHANGING PROCESSES, WE'LL LET YOU KNOW AND GET YOUR
11:26:28 DIRECTION AND INPUT AND BUY-IN ON THAT.
11:26:31 FOR EXAMPLE, ONE OF THE THINGS WE'RE LOOKING AT IS SHOULD
11:26:34 THE STAFF HAVE MORE -- RIGHT NOW A LOT OF FOLKS GO TO DESIGN
11:26:38 REVIEW BOARD, PLANNING AND ZONING AND THEN COUNCIL.
11:26:43 ARE THERE LITTLE THINGS THAT SHOULD BE DONE BY STAFF, LIKE
11:26:47 IF SOMEBODY NEEDS A SETBACK, WOULD LIKE THEIR PROPERTY THAT
11:26:51 ENCROACHES BY TWO INCHES.

11:26:53 IS THAT THE TYPE OF THING THE STAFF CAN LOOK AT.
11:26:56 THOSE WILL BE THE POLICY THINGS THAT WE'LL COME BACK TO
11:26:59 DISCUSS YOU LATER.
11:27:00 WE HAVE A BIG CHAPTER ON THE ZONING WHERE WE HAVE TO LOOK AT
11:27:04 ALL THE ZONING DISTRICTS BECAUSE THE COUNTY HAS 64 ZONING
11:27:07 DISTRICTS.
11:27:08 WE DON'T NEED THAT MANY.
11:27:10 WE'RE CONSOLIDATING THAT.
11:27:14 WE'LL HAVE A NEW MAP AND AN EXPLANATION OF WHAT THE USES ARE
11:27:16 IN THE DISTRICTS.
11:27:18 THAT IS VERY TIME CONSUMING.
11:27:21 I CALL THAT TEDIOUS BUT I'VE ACTUALLY CALLED IT WORSE.
11:27:24 IT'S MIND-NUMBING TO HAVE TO DO THAT, BUT IT'S VERY
11:27:29 IMPORTANT AND HAS TO BE DONE.
11:27:30 IN THE ZONING CHAPTER WE HAVE THINGS THAT ARE OF INTEREST TO
11:27:34 THE COUNCIL.
11:27:35 TEMPORARY PERMITS, WHAT KIND OF THINGS DO WE WANT.
11:27:40 CAR SALES AND RV SALES ON LOTS?
11:27:42 PROBABLY NOT.
11:27:43 HOW DO WE ADDRESS ALCOHOLIC BEVERAGES.
11:27:45 THOSE ARE THINGS THAT THE COUNCIL SAID BEFORE YOU'RE
11:27:49 INTERESTED IN.
11:27:50 THAT'S INCLUDED IN THE ZONING CHAPTER AND IF WE HAVE
11:27:55 CHANGES, WE'LL BRING THAT TO YOUR ATTENTION.
11:27:57 AND THE DEVELOPMENT REGULATIONS OR THE MUNDANE THINGS THAT
11:28:01 ARE VERY IMPORTANT, PARKING.
11:28:03 WHAT'S THE LANDSCAPING.
11:28:09 OPEN SPACE AND THEN THE ARCHITECTURAL STANDARDS.
11:28:12 WE'LL PROBABLY HAVE TO HAVE A LITTLE DISCUSSION WITH THE
11:28:15 COUNCIL.
11:28:18 DO WE WANT TO BROADEN IT UP A LITTLE BIT AS RECOMMENDED BY
11:28:21 THE OLD DESIGN REVIEW BOARD.
11:28:25 IF WE DO, HOW MUCH.
11:28:27 MAYBE WE DON'T WANT TO OPEN IT UP TO MODERN AND
11:28:30 CONTEMPORARY.
11:28:31 WE WANT TO HAVE THAT DISCUSSION.
11:28:33 WE HAVE THE MISCELLANEOUS CHAPTER WHICH IS THE ENVIRONMENTAL
11:28:38 REGULATIONS, THE FLOOD PLAIN.
11:28:41 AND CARRY FORWARD THE IMPACT FEES, CONCURRENCY AND THEN THE
11:28:45 SIGNS.
11:28:46 SO THOSE THINGS WILL BE INCLUDED AND THEN WE ALSO MAY HAVE
11:28:50 TO HAVE A DISCUSSION OF WHAT'S NOT INCLUDED BECAUSE RIGHT
11:28:54 NOW THE BUILDING CODE IS IN THE LAND DEVELOPMENT
11:28:57 REGULATIONS.
11:28:58 IT'S REALLY A STATE CODE SO IT SHOULD BE A SEPARATE
11:29:02 DOCUMENT.
11:29:03 SAME THING WITH CODE ENFORCEMENT.
11:29:05 RIGHT NOW WE HAVE AN ORDINANCE ON CODE ENFORCEMENT SO THAT

11:29:08 MAY NOT REALLY NEED TO BE INCLUDED IN THE LAND DEVELOPMENT
11:29:12 CODE.
11:29:13 SO THOSE TYPE OF THINGS WILL BE COMING BACK IN A BIG PICTURE
11:29:18 TO GIVE YOU AN IDEA.
11:29:19 THIS IS A SNEAK PREVIEW OF WHAT WE'RE WORKING ON AND WE
11:29:23 WANTED TO JUST GET YOU AN IDEA THAT, YOU KNOW, WE HAVEN'T
11:29:26 BEEN SITTING AROUND EATING DONUTS WHILE YOU WERE ON
11:29:31 CHRISTMAS BREAK.
11:29:31 I WAS SPENDING HOURS WITH THE CONSULTANTS ON THE PHONE
11:29:34 TRYING TO FIGURE OUT ZONING DISTRICTS.
11:29:36 AS YOU CAN PROBABLY TELL BECAUSE I'M MIND NUMBED.
11:29:40 IT'S BEEN VERY BUSY.
11:29:43 WE'RE GOING TO KEEP WORKING ON IT AND WE WANT TO GIVE YOU AN
11:29:48 UPDATE BEFORE WE COME BACK IN THE SPRING WITH A WORKSHOP FOR
11:29:51 PLANNING AND ZONING COUNCIL.
11:29:54 >>Mayor Ribble: THANK YOU.
11:29:56 >> I LIKE THE IDEA, MARY, THAT WE'RE GOING FROM 99 TO SIMPLE
11:30:03 SOLUTION THAT -- SO I WAS THINKING WHILE YOU WERE TALKING
11:30:07 THAT INSTEAD OF THE ACRONYM THAT WE KNOW AS KISS, WE SHOULD
11:30:13 CALL IT KEEP IT SIMPLE RESIDENTS.
11:30:18 SO WE ALL HAVE A NICE -- THEY WANT TO ZONE SOMETHING, THEY'D
11:30:23 HAVE A DOCUMENT RELATIVELY EASY TO LOOK AND GET THE ANSWERS.
11:30:27 >>Mary Gibbs: THAT'S A VERY LOFTY GOAL.
11:30:31 WE'LL KEEP THAT IN MIND.
11:30:33 [LAUGHS]
11:30:34 THE IMPOSSIBLE DREAM.
11:30:36 >>Vice-Mayor Errington: THANK YOU VERY MUCH FOR THE UPDATE.
11:30:39 IN MY HEARING YOU CORRECTLY THAT WE CAN HAVE THIS FINISHED
11:30:42 BY WHEN?
11:30:44 >>Mary Gibbs: THE TARGET IS TO HAVE IT DONE BY JULY.
11:30:49 >>Vice-Mayor Errington: YAY.
11:30:50 OKAY.
11:30:50 THANK YOU.
11:30:51 >>Mary Gibbs: THAT'S TENTATIVE.
11:30:54 I MAY HAVE TO MOVE IN AND JUST SLEEP UPSTAIRS FOR A WHILE.
11:31:00 >>Mayor Ribble: ANY OTHER COMMENTS FOR MARY?
11:31:03 OKAY.
11:31:03 THANK YOU VERY MUCH.
11:31:06 OKAY.
11:31:06 MR. PHIL FLOOD.
11:31:08 YOU'RE NOW UP.
11:31:10 AND YOU HAVE A MAP HERE COMPLIMENTS OF MR. FLOOD TO FOLLOW
11:31:15 ALONG.
11:31:16 >>PHIL FLOOD: THANK YOU VERY MUCH, MAYOR AND COUNCIL MEMBERS
11:31:18 FOR HAVING ME AND ALLOWING ME TO COME IN.
11:31:21 I HAD A GREAT TIME WITH YOU AND OTHER MAYORS AND YOU ASKED
11:31:26 ME TO GIVE YOU -- THE COUNCIL AND TELL THEM ABOUT IT.
11:31:29 I WANTED TO EXPAND AND TALK ABOUT ALL THE KEY PROJECTS.

11:31:32 THE GOVERNOR'S PRIORITIES AND WHAT OUR KEY PROJECTS ARE.
11:31:36 THAT'S WHAT WE HAVE OVER HERE.
11:31:37 SO TO GET STARTED, JUST REMIND EVERYBODY IN THE SOUTH
11:31:42 FLORIDA WATER MANAGEMENT DISTRICT, WE COVER 16 COUNTIES.
11:31:47 WE HAVE A BUDGET OF ABOUT \$990 MILLION.
11:31:50 SLOWLY CREEPING BACK UP FROM WHERE IT USED TO BE YEARS AND
11:31:53 YEARS AGO.
11:31:54 WE SET UP AT A FLOOD CONTROL AGENCY, FLOOD CONTROL DISTRICT.
11:31:58 WE WERE RESPONSIBLE FOR MANAGING 2200 MILES OF CANALS
11:32:02 THROUGHOUT CENTRAL AND SOUTH FLORIDA.
11:32:05 WE WERE ALSO ACTIVELY INVOLVED IN WATER QUALITY.
11:32:10 OUR AREA OF RESPONSIBILITY IS THE EVERGLADES THAT WE'RE
11:32:13 CHARGED WITH.
11:32:14 D.E.P. IS RESPONSIBLE FOR WATER QUALITY.
11:32:17 WE FOCUS LARGELY IN THE EVERGLADES AND TRYING TO CLEAN THE
11:32:22 WATER BEFORE IT GETS INTO THE NATIONAL PARK.
11:32:24 WE WORK WITH THE GOVERNMENTS WITH FUNDING PERMITS TO DO
11:32:28 LOCAL PROJECTS.
11:32:28 WE'RE ALSO RESPONSIBILITY FOR PROTECTING THE STATE'S WATER
11:32:32 SUPPLY AND THE REGION'S WATER SUPPLY.
11:32:37 WE'RE RESPONSIBLE FOR ANY PERMITS FOR MANAGING THE WATER AND
11:32:40 THE WATER QUALITY AND UNDERGROUND.
11:32:45 AND THE BULK OF OUR FUNDING GOES TO ENVIRONMENTAL
11:32:48 RESTORATION PROJECTS.
11:32:50 THAT'S WHAT I'M GOING TO TALK ABOUT TODAY.
11:32:52 I FIGURED I SHOULD PROBABLY REMIND YOU HOW WE GOT IN THE
11:32:55 SITUATION WE ARE TODAY.
11:32:57 I THINK YOU'RE PROBABLY ALL FAMILIAR WITH THESE SLIDES OVER
11:33:00 HERE.
11:33:00 ORIGINALLY BEFORE WE SETTLED THE STATE, THE WATER WOULD
11:33:08 SLOWLY MAKE ITS WAY SOUTH AND SPILL OFF THE SOUTHERN TIP OF
11:33:13 THE PENINSULA THERE.
11:33:15 AS WE DEVELOPED FLORIDA WE REMOVED MOST OF THAT AND DITCHED
11:33:19 AND DRAINED IT.
11:33:20 TODAY YOU CAN SEE THERE IS ABOUT HALF OF THE EVERGLADES THAT
11:33:23 IS LEFT.
11:33:23 THE REST IS LOST IN DEVELOPMENT ALREADY.
11:33:26 IT ALL STARTED WHEN WE BECAME A STATE.
11:33:28 THE FEDERAL GOVERNMENT GIFTED ALL THE WETLANDS WITH THE IDEA
11:33:31 THAT IT WOULD HELP US TO GROW AND PROSPER.
11:33:34 THEY GAVE US WITH THE WETLANDS WITH THE REQUIREMENT THEY'D
11:33:37 BE DRAINED.
11:33:37 SO ALL THE WETLANDS THAT WERE HERE IN THE CENTRAL AND SOUTH
11:33:41 FLORIDA WERE GIVEN TO THE STATE AND THE STATE STARTED
11:33:43 WORKING AND BRINGING PEOPLE DOWN TO WORK ON TRYING TO DITCH
11:33:49 AND DRAIN IT.
11:33:50 AFTER 50 YEARS, THE STATE REALIZED IT WASN'T GETTING DONE
11:33:55 AND THEY CREATED THE EVERGLADES DRAINAGE DISTRICT WHICH

11:33:58 SOUNDS CRAZY BUT IT WAS SET UP TO SPECIFICALLY DRAIN OFF THE
11:34:02 EVERGLADES.
11:34:03 THEY CAME IN AND MADE IMPROVEMENTS TO THE CONNECTION BETWEEN
11:34:07 THE HAPPAHATCHEE AND THE ST. LUCIE.
11:34:14 THEY CREATED A CONNECTION WITH THE ST. LUCIE ON THE EAST
11:34:21 COAST AND PUT IN FOUR LARGE DRAINAGE CANALS DOWN INTO THE
11:34:24 ATLANTIC AND THAT OPENED THINGS UP.
11:34:26 NOT ONLY DRAINED THE WATER BUT IT LOWERED THE WATER TABLE
11:34:30 WHILE PEOPLE WERE MOVING IN THERE AND LIVING ON THE LAND,
11:34:33 GROW.
11:34:33 HAVE BUSINESSES AND AGRICULTURAL FLOURISHED.
11:34:41 THINGS WERE GREAT FOR 50 YEARS AND THE STATE GREW AND
11:34:45 PROSPERED AND THEN WE GOT HIT WITH A MASSIVE HURRICANE IN
11:34:49 1447.
11:34:49 IT WAS FOLLOWED BY A COUPLE LARGE STORMS.
11:34:52 THE GRAPHIC IS THE LEFT, EVERYTHING IN BLUE WAS UNDER WATER.
11:34:58 IN SOME PLACES A FOOT AND TWO DEEP FOR WEEKS AT A TIME.
11:35:02 THE BUSINESSES WERE DEVASTATED, COMMUNITIES WERE INUNDATED
11:35:08 AND THE STATE OF FLORIDA PUT TOGETHER THE CRYING COW REPORT
11:35:11 AND WENT TO D.C. AND SAID WE NEED YOUR HELP.
11:35:13 AND THE FEDERAL GOVERNMENT SAID YES.
11:35:16 YES INDEED.
11:35:17 WE'LL COME DOWN AND HELP YOU.
11:35:18 THEY DID WHAT THEY DID.
11:35:21 WHAT THEY SET OUT TO DO.
11:35:22 CAME TO OUR AID AND THERE WERE PARADES IN CENTRAL FLORIDA,
11:35:26 THEY WERE SO EXCITED THE FEDERAL GOVERNMENT WAS GOING TO
11:35:28 COME HELP.
11:35:29 THEY CREATED A CENTRAL AND SOUTH FLORIDA PROJECT.
11:35:32 WHILE IT WAS PRINCIPALLY ABOUT FLOOD CONTROL, IT HAD A BUNCH
11:35:36 OF OTHER COMPONENTS AND TOOK ALL THE MAJOR LAKES AND
11:35:42 INTERCONNECTED THEM TO CONTROL THE WATER LEVELS.
11:35:45 DRAINED ALL THE WATER INTO THE RIVER AND THEY STRAIGHTENED
11:35:52 THE KISSIMMEE RIVER AND WENT FROM A FLOOD PLAIN TO A CANAL.
11:35:57 CREATED A BIG DIKE.
11:36:00 CONNECTED IT.
11:36:01 PUT IN A LARGE PROTECTION LEVEE THAT RUNS FROM THE LAKE DOWN
11:36:04 TO HOMESTEAD TO PROTECT THE EAST COAST OVER THERE.
11:36:08 IT HAD A NUMBER OF NAVIGATION COMPONENTS AND CREATED THE
11:36:11 WATERWAY WHERE YOU CAN TAKE A BOAT FROM FORT MYERS ACROSS
11:36:16 THE LAKE TO STEWART.
11:36:22 IT HAD A LOT OF COMPONENTS FOR WATER SUPPLY AND MAKING SURE
11:36:26 THERE WAS WATER FOR THE EAST COAST.
11:36:28 WATER GETS SENT AND PUT IN CANALS TO RECHARGE THE AQUIFER SO
11:36:31 THERE IS DRINKING WATER AND PALM BEACH, BROWARD AND DAYTON
11:36:35 COUNTIES.
11:36:35 THERE IS PROTECTION MEASURES FOR LEE COUNTY AS WELL IN THE
11:36:38 LOCATION OF THE FRANKLIN LOT TO PROTECT THE WATER PLANT OVER

11:36:42 THERE.
11:36:42 IT HAD A FEW COMPONENTS IN IT TO IMPROVE FISH AND WILDLIFE.
11:36:47 PRIMARILY SENDING WATER SOUTH INTO A NEWLY FORMED EVERGLADES
11:36:54 NATIONAL PARK.
11:36:55 THE 1950s AND 1960s, THE FEDERAL GOVERNMENT CAME THROUGH AND
11:36:59 CONSTRUCTED A MASSIVE PROJECT AND TURNED IT OVER TO THE
11:37:06 PREDECESSOR OF MY AGENCY AND WE MORPHED INTO THE SOUTH
11:37:10 FLORIDA WATER MANAGEMENT DISTRICT.
11:37:12 SO HERE IS AN OVERVIEW OF HOW IT HAPPENED.
11:37:15 STARTED IN THE 1980s WHEN THE KISSIMMEE RIVER WAS IMPROVED
11:37:19 AND THE CALOOSAHATCHEE RIVER WAS CREATED.
11:37:25 THEN THE LARGE CANALS WERE PUT IN.
11:37:27 THEY IMPROVED WHAT WAS DONE IN THE PAST AND PUT THE MASSIVE
11:37:30 CANALS TO THE SOUTH AND THE TAMiami TRAIL CAME ACROSS WHICH
11:37:35 SERVED AS A DAM MINIMIZING WATER FLOW TO THE SOUTH.
11:37:38 THERE WAS WORK ON THE HOVER DIKE TO IMPROVE IT.
11:37:44 THEN THE FEDERAL GOVERNMENT PUT IN THE BIG PROTECTIVE LEVEE
11:37:48 AND THAT'S DESIGNED TO KEEP THE EVERGLADES RIGHT THE SO IT
11:37:50 DOESN'T ENCROACH ON PALM BEACH, BROWARD AND DADE.
11:37:53 EVERYTHING HAS GROWN AND BUILT RIGHT OUT TO THE PROTECTIVE
11:37:56 LEVEE OUT THERE TODAY.
11:38:00 THEY ALSO PUT A PROTECTIVE LEVEE IN THE AGRICULTURAL AREA
11:38:07 AND IT WAS REALLY IMPORTANT TO PROVIDE PRODUCE IN THE WINTER
11:38:09 TIME TO THE EASTERN UNITED STATES AND SO THEY PUT A LEVEE
11:38:13 AROUND THAT TO PROTECT THE EVERGLADES AGRICULTURAL AREA.
11:38:16 THEN THEY TAKE AND COMPARTMENTALIZED THE EVERGLADES TO STORE
11:38:22 AND HOLD WATER IN THERE.
11:38:24 THEY PUT A WHOLE MASSIVE SUITE OF CANALS ALL ALONG
11:38:28 SOUTHEASTERN UNITED STATES OVER THERE THAT CAME IN THERE AND
11:38:31 THEN THEY COMPLETED THE LEVEE AROUND LAKE OKEECHOBEE TO
11:38:36 STORE WATER AND NOW IT'S A SOURCE OF DRINKING AND
11:38:39 AGRICULTURAL WATER.
11:38:40 THEY CHANNELIZED THE KISSIMMEE RIVER.
11:38:46 ADDED MORE CANALS IN SOUTHERN DADE COUNTY.
11:38:50 AND THEN SINCE THAT TIME, THERE HAVE BEEN MORE IMPROVEMENTS
11:38:53 WITH STORM WATER TREATMENT FACILITIES AND THE GREEN AREAS
11:38:56 LOCATED WITHIN THE EVERGLADES AGRICULTURAL AREA.
11:39:00 I'LL TALK ABOUT THAT IN A BIT.
11:39:05 THINGS WORK PRETTY WELL.
11:39:07 TODAY THE SYSTEM IS ALMOST 2200 SYSTEMS OF CANALS, 2100
11:39:14 MILES OF LEVEES.
11:39:16 27 PUMPING STATIONS LIKE YOU SEE IN THE LOWER PORTION OF THE
11:39:20 PICTURE.
11:39:20 57,000 ACRES OF STORM WATER TREATMENT AREAS THAT CLEANS
11:39:25 WATER OUT OF LAKE OKEECHOBEE AND ALMOST A MILLION ACRES OF
11:39:31 WATER CONSERVATION.
11:39:33 OUR AGENCY IS TASKED WITH MAINTAINING AND MANAGING THAT AND
11:39:36 WE DO THAT WITH THE GUIDELINES SET BY THE FEDERAL GOVERNMENT

11:39:38 ON WATER LEVELS THAT HAVE TO BE IN THE CANALS AND WHEN THE
11:39:42 WATER CAN BE MOVED FROM ONE PLACE TO ANOTHER AND ALSO STATE
11:39:46 PERMITS AS WELL.
11:39:47 THE SYSTEM WORKS REALLY WELL.
11:39:48 IN FACT, TOO WELL.
11:39:50 WE STARTED SEEING THAT OUR -- BECAUSE WE DITCHED AND DRAINED
11:39:57 SO MUCH THE AQUIFERS WERE DRYING UP AND THEN THE ESTUARIES
11:40:05 WERE BEING BLOWN OUT.
11:40:07 WE WENT TO THE FEDERAL GOVERNMENT AND SAID WE NEED YOUR
11:40:09 HELP.
11:40:09 THEY CAME UP WITH A RESTORATION PLAN AND IT'S A FEDERAL
11:40:12 STATE PARTNERSHIP WHERE THEY PAY 50% AND WE PAY 50% AND OUR
11:40:18 AGENCY IS RESPONSIBLE FOR IT.
11:40:20 EVERGLADES RESTORATION IS ALL ABOUT SUSTAINABILITY AND
11:40:22 MAKING SURE THERE WILL BE ENOUGH WATER FOR THE RESIDENTS AND
11:40:29 AGRICULTURE AND IRRIGATION PURPOSES AND THE ENVIRONMENT.
11:40:31 THERE IS 68 PROJECTS ALL AROUND THE STATE OF FLORIDA.
11:40:41 MAKING SURE IT'S THE RIGHT QUANTITY AND QUALITY.
11:40:45 WE HAVE BEEN WORKING ON THAT.
11:40:46 I'LL TELL YOU ABOUT SOME OF THE KEY PROJECTS WE'RE INVOLVED
11:40:50 IN AND ONES THAT WILL PREDOMINANTLY HELP OUT THE WEST COAST.
11:40:58 THIS IS A STATE PARTNERSHIP.
11:41:02 WE HAVE RESTORATION STRATEGIES THAT IS ABOUT STORAGE AND
11:41:04 TREATMENT SOUTH OF THE LAKE.
11:41:05 IT'S ABOUT TRYING TO CAPTURE WATER AND CLEAN IT BEFORE IT
11:41:08 GOES SOUTH.
11:41:10 THE AREAS IN GREEN ARE STORM WATER TREATMENT AREAS AND THOSE
11:41:13 ARE ARTIFICIAL MARSHALS.
11:41:16 WE TOOK OLD FARMLAND THAT WE BOUGHT FROM THE INDUSTRY AND
11:41:20 CONVERTED THEM INTO THESE MARSH FEATURES WHERE WE SEND WATER
11:41:24 OUT OF THE EVERGLADES AGRICULTURAL AREA AND THE PLANTS PULL
11:41:28 THE NUTRIENTS OUT AND THE WATER GETS MOVED TO THE SOUTH IN
11:41:31 THE WATER CONSERVATIONS AREAS AND ULTIMATELY INTO EVERGLADES
11:41:36 NATIONAL PARK AND WATER BAY.
11:41:39 THE BLUE IS WATER STORAGE COMPONENTS.
11:41:41 IN THE LAST TWO YEARS WE ADDED TWO LARGE FEATURES OF STORAGE
11:41:46 THAT IS CALLED THE A-1 FLOOD EQUALIZATION BASIN.
11:41:54 WE FEED IT DIRECTLY INTO A CONTINUOUS FEED INTO THE STORM
11:41:57 WATER TREATMENT AREAS.
11:41:58 WE ALSO DID THE ELLIE RESERVOIRS.
11:42:10 IT'S ONE ACRE OF LAND AND ONE ACRE OF WATER.
11:42:14 THE ONE ON THE WESTERN END WILL PROVIDE AN 11,000 ACRE FEED
11:42:19 AND WE HAVE TWO LARGE TREATMENT FACILITIES THAT WE'RE
11:42:22 EXPANDING OUR TREATMENT AREAS OVER THERE THAT WILL ADD
11:42:27 ANOTHER NEARLY 8,000 ACRES OF TREATMENT.
11:42:29 THIS IS A STATE INITIATIVE TO THE TUNE OF ABOUT \$880
11:42:32 MILLION.
11:42:32 SO NO FEDERAL MONEY IS INVOLVED IN THIS HERE.

11:42:35 WE HAVE A PROGRAM THAT'S A VERY VERY LOW TECH PROGRAM CALLED
11:42:40 DISPERSED WATER MANAGEMENT.
11:42:41 IT'S REAL SIMPLE.
11:42:42 WE ACTUALLY WORK WITH PRIVATE ENTITIES PRIMARILY AND USE
11:42:45 PUBLIC LANDS.
11:42:49 WE PAY PEOPLE TO STORE WATERS ON THE PROPERTIES.
11:42:54 MANY OF THESE ARE SIMPLY LET'S PUMP WATER AND LET IT
11:42:59 EVAPORATE AND THE IDEA IS TO KEEP THE WATER OUT OF THE LAKE
11:43:03 AND OUT OF THE HAPPAHATCHEE AND THE NUTRIENTS THAT COME WITH
11:43:08 IT.
11:43:08 IT'S A VERY GOOD PROGRAM AND THE COMMUNITY LOVES IT.
11:43:12 THEY COME ONLINE VERY QUICKLY AND WHAT WE DO IS PAY THE
11:43:15 FARMERS.
11:43:16 SO THIS MAP RIGHT HERE SHOWS THE VARIOUS PROJECTS WE HAVE.
11:43:23 THIS PROGRAM HAS BEEN AROUND 15 YEARS NOW IN VARIOUS NAMES.
11:43:26 FLORIDA RANCLANDS AND WATER FARMING.
11:43:29 IT'S ALL THE SAME.
11:43:30 A PRETTY SIMPLE LET'S PUT THE WATER OUT.
11:43:32 KEEP IT OUT OF THE RIVERS AND ESTUARIES.
11:43:38 ONE OF THE BIGGEST ONES AFFECT AFFECTING IT IS THE NICODEMUS
11:43:51 SLOUGH.
11:43:54 THIS HAS DIRECT ACCESS TO THE LAKE.
11:43:56 SO WHEN THEY'RE READY TO MAKE LAKE RELEASES, WE TELL THEM
11:44:00 TURN THE PUMPS ON.
11:44:01 THEY PUMP THE WATER OUT ON TO THE PROPERTY AND IT'S TWO FEET
11:44:04 HIGH OVER THERE.
11:44:05 THE IDEA IS JUST LET THIS PERCOLATE OUT, LET IT EVAPORATE.
11:44:10 PUMPS KICK BACK ON AND IT CONTINUES TO PULL WATER OUT OF
11:44:12 LAKE OKEECHOBEE.
11:44:15 WE HAVE THREE CONTRACTS WITH THEM.
11:44:16 THEY GET \$2 MILLION A YEAR TO STORE THIS WATER OUT HERE.
11:44:23 JUST DOWN STREAM OF THAT IS LAKE HICPOCHEE.
11:44:29 IT'S AN INTERESTING PROJECT WE'RE JUST COMPLETING.
11:44:32 WE FINISHED THE WORK ON IT THIS YEAR AND WE'RE IN
11:44:36 OPERATIONAL TESTING NOW.
11:44:40 HE DREDGED THE CANAL AND WENT THROUGH A 6,000 ACRE LAKE
11:44:43 KNOWN AS LAKE HICPOCHEE.
11:44:49 WE LOOKED AT WHERE TO GET STORAGE AND TREATMENT IN THE WATER
11:44:52 SHED AND LOOKED AT TRYING TO DO SOMETHING WITH THIS LAKE.
11:44:55 THE ENVIRONMENTAL COMMUNITY WOULDN'T ALLOW US TO TURN IT TO
11:44:58 A LAKE AND DIDN'T LIKE THE IDEA OF CHANGING IT FROM A MARSH
11:45:02 TO A LAKE.
11:45:03 WE BOUGHT 670 ACRES OF LAND AND WE DRAIN THE LANDS AND THE
11:45:10 CITY OF MOREHAVEN.
11:45:13 THAT STORM WATER RUN OFF IS UNTREATED AND GOES RIGHT INTO
11:45:20 THE CALOOSAHATCHEE.
11:45:25 THE IN THE WATER IS DISPERSED THROUGH A SPREADER CANAL AS
11:45:28 THE WATER FLOWS AND THE PLANTS PULL THE NUTRIENTS OUT.

11:45:32 THIS IS WATER STORAGE AND WATER TREATMENT AS WELL AS
11:45:35 ECOLOGICAL ENHANCEMENT OF THE LAKE HICPOCHEE.
11:45:43 THE LEGISLATURE LIKED IT SO MUCH THEY GAVE US MONEY TO BUY
11:45:49 THE INITIAL 2500 ACRES.
11:45:51 WE PUT ASIDE MONEY TO START THE DESIGN WORK TO EXPAND THAT
11:45:53 AND GET ADDITIONAL STORAGE AND ADDITIONAL TREATMENT OUT
11:45:56 THERE.
11:45:56 SO ANOTHER GREAT PROJECTS THAT DIRECTLY BENEFITS US ON THE
11:46:02 WEST COAST.
11:46:03 WE HAVE PROBLEMS WITH NITROGEN.
11:46:05 NOT PHOSPHORUS.
11:46:07 THE EVERGLADES IT'S PHOSPHORUS.
11:46:09 NITROGEN IS A WHOLE DIFFERENT ANIMAL.
11:46:12 MOST LOCAL COMMUNITIES AND STATE AGENCIES DON'T HAVE A GOOD
11:46:17 HANDLE ON THAT.
11:46:17 WE BOUGHT A PIECE OF PROPERTY WITH LEE COUNTY.
11:46:20 1700 ACRES ON THE CALOOSAHATCHEE.
11:46:27 THEN WE'LL TREAT IT AND PUT IT BACK IN THE RIVER.
11:46:30 IN THE INTERIM UNTIL WE FIGURE OUT THE WAY TO REMOVE A
11:46:34 NITROGEN, WE'RE USING IT AS A TESTING FACILITY.
11:46:37 WE WRAPPED UP A YEAR AND A HALF STUDY LOOKING AT 15
11:46:42 DIFFERENT TESTS OUT THERE.
11:46:43 YOU CAN SEE THESE GOVERN GROUND LITTLE SMALL SWIMMING POOLS
11:46:46 THERE.
11:46:52 WE TRY TO SEE WHAT WORKS THE BEST REMOVING NITROGEN AND WE
11:46:57 FOUND A COMBINATION THAT WORKS FAIRLY WELL.
11:47:00 OUR NEXT STEP IS TO PUT IT IN THE GROUND AND SCALE IT.
11:47:02 WE HAVE MONEY SET ASIDE IN HOPES THAT NEXT YEAR WE CAN GET
11:47:09 FUNDING TO MOVE FORWARD AND BUILD THAT.
11:47:11 IN THE INTERIM WE'RE USING IT FOR DISPERSED STORAGE.
11:47:15 WE TURN THE PUMPS ON AND WE HAVE THREE AREAS OUT THERE THAT
11:47:20 SET UP AS A STORAGE AREA.
11:47:22 THE REST OF THE LAND IS LEASED OUT AS ON ORANGE GROVE.
11:47:28 VERY IMPORTANT PROJECT FOR US BECAUSE NOT ONLY WILL BE BE
11:47:32 ABLE TO BUILD A FACILITY BUT EVERYBODY IN THE STATE OF
11:47:35 FLORIDA WILL HAVE A BETTER IDEA ON HOW TO REMOVE NITROGEN
11:47:38 OUT OF THE ESTUARY.
11:47:44 THIS IS THE BIG ONE.
11:47:46 THE MAYOR IS SMILING ALREADY.
11:47:48 WE OVERDRAINED OUR WATER SHED SO MUCH WE NEED 2.5 RESERVOIRS
11:47:52 JUST TO ACCOUNT FOR HOW MUCH WE DRAINED.
11:47:55 WHEN IT RAINS ALL THE WATER RUSHES OFF INTO THE
11:48:03 CALOOSAHATCHEE AND OVERWHELMS THE ESTUARY.
11:48:06 WE NO LONGER HAVE THE WETLANDS OUT THERE AND THE SPRINGS
11:48:09 DON'T FEED THE CREEKS AND TRIBUTARIES.
11:48:14 WE'RE ASKING THE CORPS OF ENGINEERS TO SEND WATER FROM LAKE
11:48:22 OKEECHOBEE AND THERE IS NOT ALWAYS WATER IN THE LAKE.
11:48:25 THE IDEA IS TO BUILD A RESERVOIR THAT DURING THE RAINY

11:48:28 SEASON WE'LL PULL WATER, STORE IT.
11:48:30 DURING THE DRY SEASON WE'LL RELEASE IT.
11:48:33 THIS IS ALL ABOUT THE ESTUARY TRYING TO GET THIS RIGHT AND
11:48:35 KEEP IT HEALTHY.
11:48:39 IT'S LOCATED JUST OVER THE LEE COUNTY LINE IN HENDRY COUNTY.
11:48:46 IT'S SIX MILES ACROSS.
11:48:47 IT'S MIND-BOGGLING HOW BIG IT IS.
11:48:50 THREE MILES NORTH AND SOUTH.
11:48:51 IT WILL BE AN ABOVE GROUND RESERVOIR THAT WILL HOLD 55
11:48:58 BILLION GALLONS OF WATER IN IT.
11:49:01 BECAUSE OF THE TYPOGRAPHY IT'S LOWER IN THE RIVER THAN THE
11:49:06 BACK SIDE OF IT.
11:49:07 THE DAM WILL BE ABOUT 30, 35 FEET HIGH.
11:49:09 ABOUT THE SIZE OF THE HERBERT HOOVER DIKE.
11:49:16 THIS THING IS HUGE.
11:49:17 WE BOUGHT THE LAND IN 2000 AND THIS IS AN EVERGLADES
11:49:26 RESTORATION PROJECT.
11:49:27 IT WAS READY TO GO IN 2008 TO BUILD IT AND IN 2008, NOTHING
11:49:33 HAPPENED THEN IN 2015 GOVERNOR SCOTT SAID WE'RE NOT GOING TO
11:49:40 WAIT ANYMORE.
11:49:42 WE'RE GOING TO BUILD IT.
11:49:43 SO WE HAVE AN AGREEMENT WITH THE FEDERAL GOVERNMENT.
11:49:46 WE'LL DO IT IN ITS ENTIRETY AND THEY'LL GIVE US CREDIT ON
11:49:50 ANOTHER PROJECT.
11:49:51 SO IT'S ABOUT A BILLION DOLLAR PROJECT WHEN IT'S ALL GOING
11:49:53 TO BE SAID AND DONE OVER HERE.
11:49:55 WE AWARDED FOUR DIFFERENT CONSTRUCTION CONTRACTS.
11:49:59 I'LL WALK YOU THROUGH IT QUICK AND TALK WITH YOU A LITTLE
11:50:01 BIT ABOUT IT.
11:50:02 THE VERY FIRST THING WAS TO CLEAN OFF THE SITE.
11:50:05 IT'S IN ORANGE GROVE AND REMOVE THE PUMPS AND IRRIGATION AND
11:50:09 PIPES AND EVERYTHING.
11:50:10 AND THEN THIS AREA WAS LUCKY BECAUSE THERE IS A CLAY LAYER
11:50:15 UNDERNEATH THE SITE.
11:50:17 IT'S 15, 20 FEET BELOW THE SURFACE.
11:50:25 WE WANT TO GO AHEAD AND COMPACT THE SOILS AND THE CLAY LAYER
11:50:28 UNDERNEATH IT SO WHEN THE DAM IS BUILT AND THE CONCRETE AND
11:50:34 METAL STRUCTURE IS BUILT, IT DOESN'T SETTLE DIFFERENTLY.
11:50:42 THERE ARE ABOUT 5 TO 8 ACRES IN SIZE AND THEY'RE DESIGNED
11:50:46 SPECIFICALLY TO COMPACT THE SOIL AND THE CLAY.
11:50:52 THERE IS A WHITE SUV ON THE TOP OF THE MOUND.
11:50:54 ON THE HORIZON YOU SEE A COUPLE OTHER MOUNDS AND THAT'S THE
11:50:58 WESTERN SIDE NEAR LEE HIGH ACRES NEAR THE HENDRY COUNTY
11:51:03 LINE.
11:51:04 THAT'S THREE MILES AWAY FROM THIS MOUND.
11:51:07 YOU HAVE THAT VIEW IN ALL THREE DIRECTIONS.
11:51:10 TO GET A PERSPECTIVE OF HOW BIG IT IS.
11:51:13 WE BUILT THE SMALL PUMP STATION DOWN AT THE SOUTHEAST

11:51:19 CORNER.
11:51:19 WE BOUGHT THE LAND AND TOOK THE SOURCE OF WATER AWAY FROM
11:51:22 ALL THE FARMERS.
11:51:23 THEY USED TO HAVE SEVERAL PUMP STATIONS ON OUR PROPERTY SO
11:51:29 WHEN WE BOUGHT THE LAND, WE HAD TO BUILD A NEW PUMP STATION
11:51:32 FOR THEM AND RE-CREATE SOME IS CAN AFLAILS AND GET THE
11:51:36 WATER -- CANALS AND GET THE WATER.
11:51:39 THE THIRD CONTRACT WAS A \$58 MILLION ONE TO BUILD THE BIG
11:51:46 PUMP STATION WHERE THE WATER IS GOING TO COME IN FROM THE
11:51:49 CALOOSAHATCHEE.
11:51:49 THERE IS A CANAL THAT'S THE TOWNSON CANAL LOCATED ABOUT
11:51:56 1,000 FEET OR SO FROM THE CALOOSAHATCHEE RIVER.
11:51:57 WE'LL PULL WATER OUT OF THE TOWNSON CANAL AND FILL THE
11:52:02 RESERVOIR UP.
11:52:03 THIS PUMP STATION IS 46 FEET DEEP.
11:52:07 MOST OF THE FACILITY IS UNDERGROUND.
11:52:11 46 FEET DOWN.
11:52:13 PUT A SEVEN FOOT BED OF ROCK AS PART OF THE FOUNDATION AND A
11:52:16 FIVE FOOT SLAB OF CONCRETE WITH THREE TONS OF REBAR IN IT
11:52:24 JUST AS THE FOUNDATION FOR THE PIPES TO COME IN AND BUILD
11:52:27 THIS.
11:52:28 THEY HAVE BEEN UNDERWAY FOR ABOUT NEARLY TWO YEARS NOW.
11:52:31 ABOUT A YEAR AND A HALF BEFORE THIS PROJECT IS COMPLETED.
11:52:36 WHEN IT'S ALL SAID AND DONE, IT WILL TAKE ALMOST TWO MONTHS
11:52:39 TO FILL THE RESERVOIR BECAUSE IT'S SO BIG.
11:52:42 THE LAST CONSTRUCTION PACKAGE IS THE BIGGEST CONTRACT WE
11:52:45 EVER LED.
11:52:45 IT CAME IN AT JUST A LITTLE OVER A HALF BILLION DOLLARS.
11:52:49 \$524 MILLION.
11:52:51 THAT'S TO BUILD THE PERIMETER DAM AS WELL AS THE STRUCTURES
11:52:58 IN IT.
11:52:58 THIS IS CONSIDERED A HIGH RISK DAM BECAUSE IT'S SO TALL.
11:53:02 IT'S ABOVE GROUND AND THERE IS RESIDENTIAL AREAS RIGHT NOW
11:53:05 ADJACENT AND THERE IS SEVERAL MORE.
11:53:08 THERE IS A WHOLE NEW TOWN THAT THE DUDA FAMILY PUSHED
11:53:11 THROUGH THEIR PLAN SOUTH AND TO THE EAST.
11:53:17 THERE IS GREAT CONCERN ABOUT THE SAFETY OF THIS HERE.
11:53:20 IT'S SO BIG THEY PUT A DIVIDER OVER THE MIDDLE OF IT.
11:53:25 THE CONCERN IS THE WIND CAN GENERATE WAVES THAT CAN OVERTOP
11:53:29 IT.
11:53:29 THEY PUT A DIVIDER TO BREAK THE WAVES.
11:53:33 IT HAS A CONCRETE FACE ON THE INSIDE TO MINIMIZE WAVE ENERGY
11:53:37 SO WE DON'T SEE EROSION AND THERE IS A WAVE WALL IN THE TOP.
11:53:41 RUNNING THROUGH THE CENTER IS A FLURRY WALL PUT THERE
11:53:45 KEEPING WATER FROM PENETRATING THROUGH AND LEAKING LIKE THE
11:53:48 HOOVER DOES NO.
11:53:49 IT'S A PRETTY IMPRESSIVE ENGINEERING FEAT.
11:53:57 BECAUSE OF THE MAGNITUDE OF IT WE'LL BE WORKING UNTIL 2023.

11:54:03 IT'S ABOUT 18 SQUARE MILES IN SIZE ALL TOLD.
11:54:06 PRETTY MONUMENTAL TASK.
11:54:15 AND WE'RE TRYING TO CLEAN THE WATER.
11:54:18 WE ALWAYS WANTED TO TRY TO DO A TREATMENT FACILITY AND SO
11:54:21 WE'RE MOVING FORWARD AND NOW WE'RE UNDER CONSTRUCTION MOVING
11:54:24 WITH THE FEASIBILITY STUDY IN WAYS TO REMOVE THE NITROGEN
11:54:28 OUT OF THAT AND WE HOPE TO MOVE FORWARD WITH THE DESIGN AND
11:54:31 CONSTRUCTION AND WHAT COMES OUT OF THAT.
11:54:38 SO WE'LL BE CLEANING THE PROJECT AS WELL.
11:54:40 ANOTHER PRIORITY IS THE AGRICULTURAL AREA RESERVOIR.
11:54:45 IT'S SOUTH OF THE LAKE OKEECHOBEE.
11:54:50 IT'S A STATE FEDERAL PARTNERSHIP.
11:54:53 WE WILL BE BUILDING A STORM WATER TREATMENT AREA THAT'S
11:54:58 ADJACENT TO IT.
11:55:02 WE ALREADY APPLIED FOR THE PERMITS.
11:55:04 WE AWARDED THE FIRST CONSTRUCTION CONTRACT.
11:55:08 THE CORPS OF ENGINEERS IS WORKING ON THE DESIGN OF THE
11:55:12 RESERVOIR.
11:55:13 THE RESERVOIR IS THE SAME FOOTPRINT OF THE C-43 BUT IT WILL
11:55:17 BE DEEPER.
11:55:18 IT WILL HOLD EVEN MORE WATER.
11:55:20 THE IDEA IS WE'LL TAKE WATER WHEN THE LAKE IS FULL AND
11:55:27 MINIMIZE THE DISCHARGE TO THE ESTUARY.
11:55:31 CLEAN THE WATER AND MOVE IT TO THE SOUTH.
11:55:33 WE'RE STILL ABOUT EIGHT YEARS AWAY BEFORE WE SEE THAT THING
11:55:36 COMING FORWARD.
11:55:37 ASSUMING THEY CONTINUE TO MOVE FORWARD AND THE FEDERAL
11:55:40 GOVERNMENT GETS THEIR FUNDING.
11:55:44 WE HAVE ANOTHER BIG PROJECT THAT WE'RE JUST WRAPPING UP THE
11:55:48 PLANNING AND DESIGNING.
11:55:49 THAT'S NORTH OF THE LAKE.
11:55:50 IT'S A SHALLOW STORAGE FEATURE UP THERE.
11:55:53 THAT'S GOING TO PULL WATER OUT OF THE KISSIMMEE RIVER.
11:55:56 WE CAN ALSO PULL IT OUT OF LAKE OKEECHOBEE IF NECESSARY.
11:56:03 AND THEN IT HAS A SERIES OF THESE AQUIFER STORAGE RECOVERY
11:56:08 WELLS.
11:56:08 THOSE ARE TAKING FRESH WATER AND PULL IT INTO A AQUIFER AND
11:56:16 DURING THE RAINY SEASON WHEN THERE IS TOO MUCH STORM WATER
11:56:22 RUNOFF AND THE LAKE IS GETTING FULL, WE'LL PUMP IT AND THEN
11:56:25 DURING THE DRY SEASON WHEN WE NEED THE WATER, PULL IT OUT SO
11:56:28 IT'S A BELOW GROUND STORAGE FEATURE AND SO WE'RE IN THE
11:56:31 PROCESS OF PUSHING THIS ONE THROUGH WITH THE FEDERAL
11:56:33 GOVERNMENT.
11:56:34 WE JUST WRAPPED UP THE STUDIES AND WE'LL BE SENDING IT UP TO
11:56:38 THEM AND GETTING THEIR APPROVAL AND AUTHORIZATION.
11:56:41 THE STATE OF FLORIDA GAVE US \$50 MILLION THIS PAST YEAR TO
11:56:44 GET STARTED AND JUMP START THE PROJECT HERE.
11:56:47 A LITTLE CLOSER TO HOME IS A COUPLE PROJECTS HERE.

11:56:51 ONE IS THE PICAYUNE STRAND.
11:56:53 THIS IS OUR CLASSIC LET'S RESTORE THE HYDROLOGY OUT THERE.
11:57:11 THEY FEED ALL THE TRIBUTARIES AND PUT ALL THE WATER IN ONE
11:57:18 PARTICULAR SPOT DOWN THERE.
11:57:20 IT BLOWS OUT THE ESTUARY AND NOT TO MENTION THE DAMAGE DONE
11:57:26 OUT THERE.
11:57:27 WE HAVE BEEN SLOWLY RESTORING THE LOTS OUT THERE.
11:57:29 WE WORK WITH THE CORPS OF ENGINEERS AND SHOULD HAVE THE
11:57:32 PROJECT WRAPPED UP HERE.
11:57:33 WE'RE WAITING FOR THE CORPS TO FINISH UP IN 2024.
11:57:37 THE IDEA IS HERE WE'LL REESTABLISH THE SHEET FLOW ACROSS THE
11:57:41 55,000 ACRES WHERE THE WATER WILL GO BACK AND REESTABLISH
11:57:44 THE FLOES TO THE CREEKS AND TRIBUTARIES.
11:57:49 THEN ONE OF OUR SMALLER PROJECTS THAT WE TOOK ON INSTEAD OF
11:57:55 WAITING ON THE FEDERAL GOVERNMENT WAS A 4,000 ACRE PROJECT
11:58:00 IN BONITA.
11:58:01 IT'S SIMILAR TO THE PICAYUNE STRAND.
11:58:04 IT WAS AN OLD RESIDENTIAL AREA WITH A BUNCH OF CANALS AND
11:58:07 CREEKS AND ROADS PUT IN THERE.
11:58:10 THE RAIN WOULD JUST FLOW INTO THE IMPERIAL RIVER AND DURING
11:58:14 THE BIG HEAVY RAINS IT WOULD OVERFLOW IN THE IMPERIAL RIVER.
11:58:18 WE PLUGGED UP THE CANALS AND REMOVED THE ROADS AND THE IDEA
11:58:24 IS TO KEEP THE WATER ON THE LANDSCAPE AND MAKE THE WATER
11:58:27 LEAD INTO THE IMPERIAL.
11:58:28 ONE OF THE PROJECTS THERE.
11:58:31 FORTUNATELY FOR US WE HAVE GOVERNOR DESANTIS WHO IS REALLY
11:58:44 ENERGIZED IN HIS PROJECTS.
11:58:47 OUR LEGISLATURE GOT HOW IMPORTANT EVERGLADES RESTORATION IS
11:58:51 AND COMMITTED \$200 MILLION A YEAR FOR EVERGLADES
11:58:55 RESTORATION.
11:58:55 FORTUNATELY OUR GOVERNOR CONVINCED THEM TO EXCEED THAT.
11:58:59 SO LAST YEAR WE GOT OVER \$370 MILLION SPECIFICALLY FOR
11:59:04 EVERGLADES RESTORATION.
11:59:06 YOU CAN SEE THE RESTORATION STRATEGIES.
11:59:09 \$250 MILLION -- THE MAJORITY IS GOING TO C-43 RESERVOIR.
11:59:13 SOME WORK NORTH OF THE LAKE AND LAKE OKEECHOBEE.
11:59:20 THIS MAP TO THE RIGHT SHOWS THE GOVERNOR'S PRIORITIES AND
11:59:22 THE OTHER RESTORATION PROJECTS WE HAVE.
11:59:25 THESE ARE ALL OUR KEY PROJECTS WE'RE INVOLVED IN.
11:59:29 YOU CAN SEE SOME ARE NORTH OF THE LAKE.
11:59:33 THEY'RE EAST AND WEST AND I HANDED OUT THE SLIDE AND LEFT
11:59:36 YOU WITH A COPY OF THE MAP AS WELL.
11:59:40 IN ADDITION TO THAT \$370 MILLION, THE LEGISLATURE CAME UP
11:59:46 WITH ADDITIONAL FUNDING AND MONEY TO HELP RAISE THE TAMIAMI
11:59:52 TRAIL AND HELP GET THAT UP.
11:59:53 ALMOST \$50 MILLION FOR LOCAL WATER PROJECTS AND MONEY FOR
11:59:58 THE BLUE GREEN ALGAE TASK FORCE TO MAKE ROADS ON THAT AND
12:00:01 IT'S JUST A WHOLE SUITE OF OTHER PROJECTS HERE.

12:00:05 AND ALSO ON THE WEST COAST, SOME GOVERNMENTS WERE FORTUNATE
12:00:10 TO RECEIVE A COUPLE APPROPRIATIONS AS WELL TO HELP OUT WITH
12:00:14 LOCAL WATER QUALITY PROJECTS.
12:00:15 SO THING S ARE LOOKING REALLY GOOD.
12:00:17 THIS LEGISLATURE GETS IT AND WE GOT A GOVERNOR THAT'S
12:00:19 SUPPORTIVE AND WE HAVE A GREAT BOARD OVER THERE THAT'S
12:00:23 ENERGIZED TO MOVE FORWARD WITH THIS.
12:00:26 WITH THIS COMMITMENT OF REGULAR FUNDING, WE CAN CONTINUE TO
12:00:32 MOVE FORWARD AND MAKE PROGRESS.
12:00:33 I'LL CLOSE WITH THIS PICTURE OF THE KISSIMMEE RIVER
12:00:37 RESTORATION.
12:00:38 THIS IS ONE OF MY FAVORITES.
12:00:39 YOU CAN SEE WHERE THE CANAL USED TO BE.
12:00:42 WE FILLED IN THE CANAL AND YOU CAN SEE THE RIVERS PUT IN
12:00:45 PLACE AND IT'S DOING ITS THING NOW.
12:00:48 THIS WAS FLOOD STAGE.
12:00:50 WE HAVE ALL THIS WATER BEING STORED NORTH OF THE LAKE AND
12:00:52 THE FLOOD PLAINS SLOWLY MAKING ITS WAY DOWN RATHER THAN
12:00:56 FLUSHING IT IN AND JUST RECHARGING THE ENVIRONMENT.
12:01:01 WE'RE SEEING INCREDIBLE RECOVERY IN THE AREAS RESTORED UP
12:01:05 THERE SO FAR.
12:01:06 SO WITH THAT, I KNOW I THREW A LOT AT YOU.
12:01:12 JUST WANT TO GIVE YOU AN UPDATE.
12:01:14 >>Mayor Ribble: I REALLY APPRECIATE YOUR PASSION AND
12:01:16 KNOWLEDGE.
12:01:16 YOU DO A GREAT JOB WITH THIS.
12:01:19 ANY QUESTIONS OR COMMENTS FROM THE COUNCIL?
12:01:21 >>Vice-Mayor Errington: I HAVE ONE QUESTION.
12:01:24 >> ONE MAJOR QUESTION.
12:01:27 WE FIRST GOT INVOLVED, WE HAD A \$1.5 MILLION BUDGET.
12:01:35 SO WHAT WAS THE OPPORTUNITY TO -- THE HALF A BILLION.
12:01:42 >> FROM OUR BUDGET?
12:01:43 IT WAS 1.2 WHEN I FIRST GOT HERE.
12:01:47 ABOUT THE TIME WHEN GOVERNOR SCOTT CAME ON BOARD.
12:01:51 WE ENDED UP GETTING DOWN TO 725 THE FOLLOWING YEAR OVER
12:01:55 THERE.
12:01:56 THAT WAS DUE TO STAFF CUTS.
12:01:58 AND IT WAS A ROLLBACK OF OUR TAXES.
12:02:01 THEY PUT A CAP ON THE MILLAGE RATE AND THE LEGISLATURE
12:02:06 MODIFIED THE MILLAGE RATE AND WE HAVEN'T RAISED TAXES.
12:02:10 WE HAD CUTBACKS.
12:02:11 ROLLED BACK OUR RATE EVERY YEAR SINCE THEN.
12:02:16 >> SO --
12:02:18 >> IT'S BEEN GROWING WITH FUNDING FROM THE LEGISLATURE.
12:02:23 THAT'S THE BIGGEST REASON.
12:02:25 THE LEGISLATURE IS APPROPRIATING MORE FUNDS.
12:02:27 >> I THINK THE RESIDENTS ARE VERY CONCERNED ABOUT ALL THIS.
12:02:33 I KNOW YOU'RE VERY CONSCIOUS ABOUT THE TAXES, BUT IF WE HAVE

12:02:39 TO GET PROJECTS APPROVED, ESPECIALLY HERE IN THE BIG CYPRESS
12:02:46 BASIN AND THAT AREA, IT'S A PROBLEM GETTING THE NECESSARY
12:02:51 FUNDS IN ORDER TO CORRECT SOME OF THE PROBLEMS THAT WE HAVE
12:02:53 HERE.

12:02:54 SO I'D THINK THAT DOWN THE ROAD, THE BOARD WOULD CONSIDER,
12:03:02 YOU KNOW, A LITTLE BIT HIGHER TAXES.

12:03:05 >> TAX INCREASE AND NOT A ROLLBACK OR SOMETHING ALONG THOSE
12:03:09 LINES.

12:03:10 >> AND ALSO TO THE EVERGLADES.

12:03:13 I'M NOT KNOCKING THAT.

12:03:14 THAT'S VERY IMPORTANT.

12:03:21 I DON'T THINK WE PUT A HALF A CENT TAX AND THE NUMBER ONE

12:03:24 PROBLEM WE HAVE IN THIS PERIOD OF TIME IS WATER.

12:03:29 SO I'D THINK THEY WOULD NOT BE AS CONSERVATIVE THINKING

12:03:34 ABOUT THAT IN TERMS OF -- BECAUSE WE HAVE A WHOLE GROUP OF

12:03:38 PEOPLE THAT CAN CERTAINLY RAISE A SUBSTANTIAL AMOUNT OF

12:03:41 MONEY.

12:03:43 HALF A CENT WOULD BE BIG NUMBER.

12:03:48 I'D HOPE YOU'D BRING --

12:03:50 >> I'LL CARRY THAT MESSAGE BACK AND ENCOURAGE IF YOU'D LIKE

12:03:52 AND MENTION IT TO BOARD MEMBERS AND TALK ABOUT THE TAX RATE.

12:04:01 >> YOU CAN DO IT BY ROLLBACK.

12:04:03 BY JUST ROLLING BACK -- OR NOT ROLLING BACK THE VALUE AS THE

12:04:09 VALUES INCREASE.

12:04:11 >> SURE.

12:04:12 >>Vice-Mayor Errington: ONE QUICK QUESTION.

12:04:14 WITH ALL OF THE AREAS THAT YOU'RE STORING WATER, IS

12:04:19 RECREATION PERMITTED?

12:04:22 >> ABSOLUTELY.

12:04:22 I APOLOGIZE.

12:04:23 I SHOULD HAVE MENTIONED THAT.

12:04:24 EVERY PROJECT WE MAKE THEM OPEN TO RECREATION.

12:04:28 I'D ENCOURAGE YOU TO GO OFF BONITA BEACH ROAD.

12:04:32 WE HAVE A BIG PARKING LOT AND TRAILS AND PEOPLE BRING HORSES

12:04:35 AND HIKE AROUND THERE AT THE C-43 RESERVOIR.

12:04:39 WE'LL HAVE BOAT RAMPS AND HORSE PADDOCKS THERE AND KAYAK

12:04:44 LAUNCHES AND EVERYTHING.

12:04:46 THEY HAVE A HUGE PERIMETER CANAL.

12:04:48 WE'RE SETTING UP A FISH AREA IN THERE.

12:04:52 AND HABITAT AND THAT SORT OF STUFF.

12:04:54 SO ABSOLUTELY.

12:04:55 EVERY ONE OF THESE -- WE KEEP YOU OUT OF THE AREAS WHERE THE

12:05:01 PUMPS ARE.

12:05:03 >>Vice-Mayor Errington: OKAY.

12:05:03 THANK YOU.

12:05:04 >> WE TRY TO MAKE EVERYTHING OPEN TO THE PUBLIC AT NO FEE.

12:05:07 >>Mayor Ribble: ANY OTHER COMMENTS?

12:05:09 >>Vice-Mayor Errington: THANK YOU VERY MUCH.

12:05:10 >> THANKS FOR HAVING ME.

12:05:11 APPRECIATE IT.

12:05:16 >>Mayor Ribble: YOU NEED TO ADJOURN?

12:05:20 >> TEN MORE MINUTES UNTIL LUNCH.

12:05:25 >>Mayor Ribble: TEN MORE MINUTES?

12:05:32 (MEETING ADJOURNED)

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