

VILLAGE OF ESTERO COUNCIL MEETING  
WEDNESDAY, APRIL 21, 2021  
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.

09:30:10 >>Mayor Errington: GOOD MORNING.  
09:30:39 AS CHAIR, I WOULD NOW LIKE TO CALL THE APRIL 21st, 2021  
09:30:55 VILLAGE COUNCIL MEETING TO ORDER.  
09:30:56 I WILL REMIND EVERYONE TO PLACE THEIR CELL PHONES ON SILENT  
09:31:05 MODE, AND FOR ALL COUNCIL MEMBERS, MAKE SURE YOUR MIKES ARE  
09:31:09 ON AND ADJUST YOUR MICROPHONES SO THAT THEY CAN HEAR US  
09:31:15 ACCORDINGLY.  
09:31:16 APPRECIATE THAT.  
09:31:16 THIS MORNING, I DON'T SEE PASTOR SHERI WESTON HERE.  
09:31:26 IS SHE HERE?  
09:31:27 I WILL ASK COUNCIL MEMBER JIM BOESCH, WOULD YOU LEAD US IN  
09:31:34 THE INVOCATION, PLEASE?  
09:31:36 >>Jim Boesch: DEAR LORD, WE COME HERE THIS MORNING WITH SO  
09:31:40 MANY BLESSINGS TO THE RESIDENTS AND PEOPLE WHO APPRECIATE  
09:31:47 THE GREAT WORK THAT'S BEING DONE HERE IN ESTERO.  
09:31:49 SO WE ASK YOU TO CONTINUE TO BLESS, FIRST OF ALL, ALL THE  
09:31:53 STAFF AND ALL THE COUNCIL PEOPLE TO CONTINUE IN THEIR GOOD  
  
09:31:57 WORKS.  
09:31:58 WE ALSO PRAISE YOU, LORD, FOR ALL THE RAIN THAT YOU BROUGHT  
09:32:01 THE LAST THREE DAYS.  
09:32:03 IT'S A BLESSING TO ALL OF US HERE AND ALL THE PLANTS AND ALL  
09:32:07 THE WONDROUS THINGS AND ESPECIALLY KEEPING FIRES DOWN HERE  
09:32:11 IN THIS AREA.  
09:32:13 WE PRAISE, O LORD, FOR SOME RECONCILIATION BETWEEN POLICE  
09:32:19 WORK AND RESIDENTS' ACCEPTANCE AND HOPE THIS IS THE  
09:32:25 BEGINNING OF A NEW PERIOD OF TIME WHERE WE LOOK DIFFERENTLY  
09:32:30 UPON HOW WE APPROACH DIFFERENT BELIEFS AND HOW THE PEOPLE  
09:32:34 APPROACH DIFFERENT ACTIONS WITHIN.  
09:32:36 WE THANK YOU, LORD, FOR YOUR GOODNESS, AND PLEASE CONTINUE  
09:32:39 TO BLESS THIS COMMUNITY.  
09:32:40 AMEN.  
09:32:45 >>Mayor Errington: THANK YOU.  
09:32:46 WOULD YOU PLEASE STAND AND JOIN ME IN THE PLEDGE OF  
09:32:48 ALLEGIANCE TO THE FLAG.  
09:32:49 [PLEDGE OF ALLEGIANCE]

09:33:02 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?  
09:33:07 >>Carol Sacco: COUNCIL MEMBER RIBBLE?  
09:33:08 >>Joanne Ribble: HERE.  
09:33:11 >>Larry Fiesel: HERE.  
09:33:12 >>Jim Boesch: HERE.  
09:33:13 >>Jim Ward: HERE.  
09:33:16 >>Jim Wilson: HERE.

09:33:18 >>Vice-Mayor McLain: HERE.  
09:33:20 >>Mayor Errington: HERE.  
09:33:24 >>Burt Saunders: MADAM CHAIR, IF YOU WOULD, JUST AN  
09:33:27 INDICATION THAT COUNCILMAN WILSON IS PERMITTED TO ATTEND VIA  
09:33:30 ZOOM MEETING.  
09:33:31 >>Mayor Errington: YES.  
09:33:33 DO WE HAVE A GENERAL CONSENSUS FOR THAT?  
09:33:35 >>Burt Saunders: THANK YOU.  
09:33:35 >>Mayor Errington: THANK YOU.  
09:33:36 ITEM 2, APPROVAL OF AGENDA, ANY ADDITIONS OR DELETIONS.  
09:33:47 DO I HAVE A MOTION TO APPROVE THE AGENDA?  
09:33:49 COUNCIL MEMBER RIBBLE.  
09:33:53 SECONDED BY COUNCIL MEMBER FIESEL.  
09:33:55 MADAM CHAIR, WOULD YOU CALL THE ROLL?  
09:33:59 >>Carol Sacco: COUNCIL MEMBER RIBBLE?  
09:34:01 >>Joanne Ribble: AYE.  
09:34:02 >>Larry Fiesel: AYE.  
09:34:03 >>Jim Boesch: AYE.  
09:34:05 >>Jim Ward: AYE.  
09:34:06 >>Jim Wilson: AYE.  
09:34:10 >>Vice-Mayor McLain: AYE.  
09:34:11 >>Mayor Errington: AYE.  
09:34:12 NUMBER THREE ON THE AGENDA, WE WOULD LIKE TO WELCOME NOELLE  
09:34:20 BRANNING FROM LEE COUNTY TAX COLLECTOR OFFICE.  
09:34:25 STEVE, WILL YOU PLEASE INTRODUCE MS. BRANNING, PLEASE?

09:34:28 >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.  
09:34:32 THE VILLAGE OF ESTERO WITHIN LEE COUNTY UTILIZES COUNTY  
09:34:38 SERVICES FOR A NUMBER OF THE DIFFERENT FUNCTIONS THAT WE  
09:34:40 HAVE AS LOCAL GOVERNMENT.  
09:34:43 AND ONE OF THOSE IS THE TAX COLLECTION SERVICES AT LEE  
09:34:48 COUNTY.  
09:34:50 AND NOELLE IS HERE FOR A QUICK PRESENTATION TO DESCRIBE THE  
09:34:54 SERVICES THAT THEY PROVIDE AND THE QUALITY OF THOSE SERVICES  
09:34:57 THAT ARE AVAILABLE AND UTILIZED BY ALL OF US AS RESIDENTS.  
09:35:06 >>Mayor Errington: WELCOME.  
09:35:08 >>R. Noelle Branning: GOOD MORNING.  
09:35:09 THANK YOU SO MUCH FOR HAVING ME HERE THIS MORNING.  
09:35:11 AS MAYOR ERRINGTON SAID, MY NAME IS NOELLE BRANNING.  
09:35:14 I AM YOUR LEE COUNTY TAX COLLECTOR.

09:35:16 I HAD THE PLEASURE OF BEING IN YOUR VILLAGE OF ESTERO,  
09:35:18 ACTUALLY, JUST LAST WEEKEND.  
09:35:19 IT WAS ABSOLUTELY LOVELY.  
09:35:20 I HAVE AN EIGHT-YEAR-OLD SON WHO PLAYS FOOTBALL FOR NORTH  
09:35:24 FT. MYERS KNIGHTS, AND WE GOT CRUSHED BY THE ESTERO  
09:35:28 MUSTANGS.  
09:35:29 [ LAUGHTER ]  
09:35:30 SO I TOOK -- WE HAD SOME TAKEAWAYS FROM THAT GAME.  
09:35:35 ONE, WE TALKED ABOUT EDUCATION.  
09:35:37 WHAT CAN WE LEARN FROM THIS GAME?  
09:35:39 WHAT CAN WE LEARN FROM HOW THE TEAM PLAYED?

09:35:42 BUT, MORE IMPORTANTLY, WHAT ARE OUR OPPORTUNITIES FOR  
09:35:44 IMPROVEMENT?  
09:35:45 I REALIZED, WHAT AN INCREDIBLE CONVERSATION TO HAVE AT HOME  
09:35:48 WHEN WE'RE HAVING THESE CONVERSATIONS AT THE OFFICE ALL THE  
09:35:51 TIME.  
09:35:52 HOW CAN WE BEST EDUCATE OUR COMMUNITY?  
09:35:54 AND HOW CAN WE LOOK FOR OPPORTUNITIES FOR IMPROVEMENT?  
09:35:57 SO I'M SO THRILLED TO BE HERE TODAY BECAUSE I DO HOPE THERE  
09:35:59 ARE SOME EDUCATION PIECES THAT YOU CAN TAKE BACK WITH YOU TO  
09:36:01 YOUR CONSTITUENTS.  
09:36:02 AND, MORE IMPORTANTLY, TO ALL OF THE NEW RESIDENTS TO THE  
09:36:05 VILLAGE OF ESTERO AND TO SOUTHWEST FLORIDA.  
09:36:09 SO WE'RE GOING TO TALK ABOUT THE ROLE OF THE TAX COLLECTOR  
09:36:12 WITHIN OUR LOCAL GOVERNMENT STRUCTURE.  
09:36:14 TAX DOLLARS.  
09:36:17 WE HEAR ABOUT THEM.  
09:36:19 THEY ARE A BIG DEAL, AND WE HAVE LOTS OF DIFFERENT REVENUE  
09:36:21 STREAMS WITHIN THE TAX COLLECTOR'S OFFICE.  
09:36:24 BUT WHAT PEOPLE MOSTLY WANT TO KNOW ABOUT ARE COLLECTIONS,  
09:36:27 DISTRIBUTIONS, AND WHAT OUR BUDGET LOOKS LIKE.  
09:36:30 WE DO COLLECT TAXES ON BEHALF OF THE VILLAGE OF ESTERO, BUT  
09:36:32 WE COLLECT TAXES ON BEHALF OF THE COUNTY FIRE DISTRICTS,  
09:36:37 SPECIAL DISTRICTS, COMMUNITY DEVELOPMENT DISTRICTS, MANY  
09:36:40 MUNICIPALITIES, AND BECAUSE OF THAT, WE ACTUALLY ARE  
09:36:44 COLLECTING ROUGHLY \$1.7 BILLION IN ONE FISCAL YEAR.

09:36:50 NOW, BY LAW, WE ARE REQUIRED AND WE WERE CONSTITUTIONALLY  
09:36:54 CREATED TO COLLECT REAL PROPERTY AND TANGIBLE PERSONAL  
09:36:57 PROPERTY TAXES.  
09:36:58 BUT AS OUR OFFICE HAS EVOLVED, WE ALSO HAVE DIFFERENT  
09:37:02 REVENUE STREAMS, JUST LIKE I'M SURE THE VILLAGE OF ESTERO  
09:37:04 LOOKS AT YOUR DIFFERENT REVENUE STREAMS ALL THE TIME.  
09:37:07 SO WE COLLECT ABOUT \$1.7 BILLION, BUT WE DISTRIBUTE ALMOST  
09:37:11 ALL OF THAT BACK BECAUSE IT BELONGS TO THE TAXING  
09:37:15 AUTHORITIES -- I SEE CONNECTING ON ZOOM.  
09:37:19 I DON'T KNOW IF I NEED TO PAUSE.

09:37:21 I'LL KEEP GOING.  
09:37:22 SO WE DISTRIBUTED ABOUT 1,650,000,000 DOLLARS BACK TO OUR  
09:37:29 TAXING AUTHORITIES LAST YEAR, AND THE REST OF IT WE LOOK AT,  
09:37:34 HOW DO WE FUND OUR BUDGET?  
09:37:36 IT'S FUNNY, I ACTUALLY HAD A CONVERSATION JUST THIS MORNING.  
09:37:39 THE TAX COLLECTOR'S OFFICE IS A CONSTITUTIONALLY CREATED  
09:37:43 OFFICE.  
09:37:43 YOU HAVE FIVE CONSTITUTIONAL OFFICERS WITHIN LEE COUNTY.  
09:37:46 THAT'S THE SHERIFF.  
09:37:47 THAT'S THE CLERK OF THE COURTS, THE PROPERTY APPRAISER, THE  
09:37:50 SUPERVISOR OF ELECTIONS, AND THE TAX COLLECTOR.  
09:37:53 WE DO NOT GET A BUDGET APPROVED BY LEE COUNTY.  
09:37:57 WE ARE A FEE-FUNDED OFFICE WHO OPERATES INDEPENDENT OF THE  
09:38:00 COUNTY BUT PROVIDES SERVICES ON BEHALF OF THE COUNTY AND  
09:38:03 MANY STATE AGENCIES.

09:38:04 SO WE DISTRIBUTE MONEY BACK TO OUR TAXING AUTHORITIES AND  
09:38:08 ALL OF OUR STATE AGENT PARTNERS, BUT THE REVENUES THAT WE  
09:38:11 COLLECT FROM THE FEES ASSOCIATED WITH THE SERVICES WE  
09:38:14 PROVIDE, ALONG WITH THE FEES ASSOCIATED WITH THE COLLECTION  
09:38:17 SERVICES WE PROVIDE COMPLETELY COVERS OUR OPERATING BUDGET.  
09:38:21 WE OPERATE ON ABOUT A \$27 MILLION BUDGET, AND ABOUT \$22  
09:38:25 MILLION OF THAT ALONE IS FOR OUR PERSONNEL EXPENSES.  
09:38:28 WE HAVE 230 EMPLOYEES ACROSS SIX DIFFERENT LOCATIONS AND OUR  
09:38:33 7th LOCATION HAS NOT REOPENED YET DUE TO COVID, BUT WE'RE  
09:38:36 HOPING THAT WILL HAPPEN IN THE FIRST PART OF 2020.  
09:38:40 SO WHEN WE TALKED ABOUT OUR TAX DOLLARS, IT'S LIKE A BERMUDA  
09:38:46 TRIANGLE FOR PEOPLE TO UNDERSTAND, HOW DOES THIS ALL WORK  
09:38:49 TOGETHER?  
09:38:49 WELL, WE KNOW THAT MILLAGE RATES ARE SET BY TAXING  
09:38:52 AUTHORITIES, AND YOU'RE INTIMATELY AWARE OF THAT PROCESS AND  
09:38:55 HOW YOU HAVE TO NOTICE THAT FOR HEARING, ESPECIALLY IF  
09:38:58 YOU'RE LOOKING TO INCREASE MILLAGE RATES AND ESPECIALLY IF  
09:39:01 YOU'RE HAVING THE CONVERSATIONS ABOUT ROLLING THEM BACK.  
09:39:03 BUT YOUR TAX RATE IS REALLY WHERE THIS PROCESS ALL STARTS  
09:39:05 BECAUSE YOU KNOW WHAT YOU NEED TO FUND YOUR OPERATING BUDGET  
09:39:08 EVERY SINGLE YEAR.  
09:39:09 THE NEXT STEP IN THAT IS THAT IT GOES TO THE PROPERTY  
09:39:12 APPRAISER.  
09:39:13 THE PROPERTY APPRAISER HAS THAT MILLAGE RATE, AND THEN THEY  
09:39:16 PROVIDE THE ASSESSED VALUES OF ALL PROPERTIES WITHIN LEE  
  
09:39:20 COUNTY.  
09:39:22 THEY ALSO REVIEW EXEMPTIONS.  
09:39:23 THE TAX COLLECTOR'S SOLE FUNCTION AS DICTATED BY THE FLORIDA  
09:39:28 CONSTITUTION IS SIMPLY TO MAIL A BILL NO LATER THAN NOVEMBER  
09:39:31 1st OF EACH YEAR, AND TO COLLECT THE TAXES.  
09:39:35 SO I STRESS THIS BECAUSE IT'S REALLY IMPORTANT FOR YOUR

09:39:38 CONSTITUENTS TO UNDERSTAND WHAT OUR ROLE IS SO THAT THEY ARE  
09:39:41 ASKING QUESTIONS WITH THE RIGHT AGENCIES AT THE RIGHT TIME.  
09:39:44 WHEN WE'RE TALKING ABOUT MILLAGE RATES, THESE ARE QUESTIONS  
09:39:48 FOR THE TAXING AUTHORITIES.  
09:39:49 WHEN THEY ARE ARGUING ABOUT THE VALUE OF THEIR PROPERTY,  
09:39:51 THAT'S WHAT THE PROPERTY APPRAISER.  
09:39:53 IF THEY DID NOT GET THEIR BILL, THAT'S THE QUESTION FOR US.  
09:39:57 AND SO WITHIN THAT CONFINE OF TAXING AUTHORITY SETTING THE  
09:40:01 RATE, PROPERTY APPRAISER ASSESSING THE VALUE, AND WE SEND  
09:40:04 OUT THE BILL AND COLLECT, THEN ALL THE MONEY COMES STRAIGHT  
09:40:07 BACK TO THE TAXING AUTHORITIES.  
09:40:08 SO ABOUT WITH THAT ABOUT \$1.7 BILLION WE COLLECTED LAST  
09:40:12 YEAR, WE COLLECT ABOUT 1.4 BILLION OF THAT JUST IN NOVEMBER  
09:40:16 AND DECEMBER ALONE.  
09:40:17 AND THAT'S REALLY IMPORTANT BECAUSE THAT MEANS THAT YOUR  
09:40:20 TAXING AUTHORITIES ARE GETTING THEIR MONEY AS SOON AS  
09:40:22 POSSIBLE TO FUND YOUR BUDGET FOR THE ENTIRE YEAR.  
09:40:26 JUST A RECAP OF THE RESPONSIBILITIES, TAXING AUTHORITIES,  
09:40:33 THEY SET RATES.

09:40:34 THEY HOLD PUBLIC HEARINGS, PASS THE INFORMATION TO THE  
09:40:37 PROPERTY APPRAISER.  
09:40:37 THE PROPERTY APPRAISER ASSESSES REAL AND TANGIBLE PROPERTY.  
09:40:41 THEY GRANT EXEMPTIONS THAT MIGHT BE A HOMESTEAD EXEMPTION.  
09:40:45 IT MIGHT BE A DISABILITY EXEMPTION.  
09:40:47 IT MIGHT BE A VETERAN'S EXEMPTION OR A WIDOWER EXEMPTION.  
09:40:50 THE PROPERTY APPRAISER IS ALSO REQUIRED TO SEND OUT TRIM  
09:40:52 NOTICES, AND THIS IS SOMETHING REALLY IMPORTANT THAT I  
09:40:55 STRESS TO EVERYONE I SPEAK WITH, TRIM NOTICES NEVER CONTAIN  
09:40:58 NON-AD VALOREM SPECIAL ASSESSMENTS.  
09:41:01 SO REGARDLESS OF WHAT YOUR TRIM NOTICE PROPOSED TAX BILL MAY  
09:41:05 LOOK LIKE, IT'S ALWAYS GOING TO BE HIGHER WHEN WE MAIL IT  
09:41:08 OUT IN NOVEMBER, NOT BECAUSE OUR OFFICE IS INCREASING TAXES  
09:41:11 BECAUSE WE IN NO WAY COULD DO THAT, BUT BECAUSE SPECIAL  
09:41:14 ASSESSMENTS ARE ADDED TO THE TAX BILL, SUCH AS STORMWATER.  
09:41:18 THERE MAY BE A LIGHTING.  
09:41:19 THERE MAY BE A PARTICULAR CDD THAT HAS, YOU KNOW, WASTE  
09:41:23 MANAGEMENT THAT HAS TO BE INCLUDED IN AS A SPECIAL  
09:41:26 ASSESSMENT.  
09:41:26 SO THAT WILL BE ON THE TAX BILL, BUT NOT ON YOUR TRIM  
09:41:29 NOTICE.  
09:41:30 AND THEN THE PROPERTY APPRAISER BY OCTOBER OF EVERY YEAR,  
09:41:34 HAS TO PASS A CERTIFIED TAX ROLL TO OUR OFFICE.  
09:41:37 WHEN WE RECEIVE THAT TAX ROLL, THAT'S WHEN WE GENERATE THE  
09:41:41 BILLS, AND WE SEND THEM OUT FOR COLLECTION NO LATER THAN

09:41:45 NOVEMBER 1st OF EACH YEAR.  
09:41:46 WE COLLECT THE TAXES DUE, AND THEN WE DISTRIBUTE THE MONEY

09:41:49 BACK TO THE TAXING AUTHORITIES, BUT NOT ONLY THE TAXING  
09:41:51 AUTHORITIES, OUR STATE AGENT PARTNERS.  
09:41:53 I'LL TELL YOU A LITTLE BIT ABOUT THAT AS WELL.  
09:41:55 WHAT'S THE IMPACT FROM A TAX SEASON?  
09:41:59 WELL, TAKING ADVANTAGE OF TAX DISCOUNTS ARE WONDERFUL, NOT  
09:42:03 ONLY FOR OUR TAXPAYERS, BUT IT'S TRULY, TRULY IMPACTFUL FOR  
09:42:06 OUR TAXING AUTHORITIES.  
09:42:07 WHEN PEOPLE TAKE ADVANTAGE OF THOSE DISCOUNT PERIODS,  
09:42:10 NOVEMBER, 4% DISCOUNT, DECEMBER, 3% DISCOUNT AND IT GOES ALL  
09:42:14 THE WAY DOWN TO MARCH, WE'RE ABLE TO INCENTIVIZE TAXPAYERS  
09:42:18 TO PAY THEIR TAX BILLS EARLY SO THAT THE TAXING AUTHORITIES  
09:42:21 CAN HAVE THE MONEY DISTRIBUTED BACK TO THEM SOONER.  
09:42:24 TAXES ACTUALLY AREN'T DUE UNTIL MARCH 31st EVERY SINGLE  
09:42:28 YEAR, BUT WE DO HOPE THAT PEOPLE START TO PAY TAXES NOVEMBER  
09:42:31 1st OF EVERY SINGLE YEAR.  
09:42:34 THE REVENUE COLLECTIONS, THIS IS ALSO IMPACTING OUR STATE  
09:42:37 AGENT PARTNERS.  
09:42:38 WE CAN SEE THE REVENUES THAT COME IN WHEN WE PROVIDE  
09:42:40 SERVICES ON BEHALF OF STATE AGENCIES, WHICH ALSO FUNDS OUR  
09:42:43 OPERATING BUDGET.  
09:42:44 WE KNOW THAT THE DISTRIBUTIONS AS SOON AS POSSIBLE ACTUALLY  
09:42:48 HELPS EVERYONE, CERTAINLY WITHIN THIS ROOM.  
09:42:51 AND THEN AT THE END OF THERE, WE HAVE AN ANNUAL TAX

09:42:54 CERTIFICATE SALE.  
09:42:55 SO FOR ANYONE WHO IS STILL DELINQUENT, EVEN TODAY, WE SELL  
09:43:00 TAX CERTIFICATES EVERY MAY IN A SALE, AND THIS IS CREATED BY  
09:43:03 FLORIDA STATUTE SO THAT OUR ENTIRE TAX BASE IS ALWAYS PAID.  
09:43:08 OUR TAXING AUTHORITIES ALWAYS GET EVERY CENT THAT THEY ARE  
09:43:11 EXPECTING FROM THE TAX BASE.  
09:43:14 WHAT HAPPENS IS, THE TAX CERTIFICATE SALE AFFORDS PROPERTY  
09:43:17 OWNERS AN ABILITY TO PAY THEIR TAXES.  
09:43:19 YOU HAVE A TWO-YEAR WINDOW, AND WE AWARD THE WINNERS OF  
09:43:23 THOSE SALES TO THE LOWEST INTEREST RATE SO THAT OUR  
09:43:26 TAXPAYERS ARE NOT BEING PENALIZED EVEN FURTHER FOR PAYING  
09:43:29 TAXES AFTER MARCH 31st.  
09:43:31 THE TAX COLLECTOR'S OFFICE, THOUGH, HAS CHANGED A LOT SINCE  
09:43:37 1865 AND WHEN THE FLORIDA CONSTITUTION WAS CREATED.  
09:43:39 THE FACT IS, WE HAVE EVOLVED TO PROVIDE AGENCIES ON THE  
09:43:42 BEHALF OF MANY, MANY STATE AGENCIES.  
09:43:45 THE BIGGEST ONE IS THE FLORIDA DEPARTMENT OF HIGHWAY SAFETY  
09:43:48 AND MOTOR VEHICLES.  
09:43:49 SO WE PROVIDE ALL VEHICLE AND REGISTRATION TITLES AND  
09:43:53 REGISTRATIONS.  
09:43:54 WE PROVIDE DRIVER'S LICENSE SERVICES, PARKING PLACARDS,  
09:43:59 DISABLED, HANDICAP PARKING PLACARDS AND ID CARDS.  
09:44:03 REALLY, WE'RE TRYING TO EDUCATE THE COMMUNITY, ESPECIALLY  
09:44:05 FOR NEW RESIDENTS TO FLORIDA, THAT YOU DO ALL OF THIS IN ONE

09:44:09 PLACE, AND THAT'S AT THE TAX COLLECTOR'S OFFICE.

09:44:11 I KNOW THAT'S A REALLY HARD CHANGE IN MINDSET.  
09:44:13 I EVEN SAW IN THE NEWS THIS MORNING THAT DOWN IN COLLIER  
09:44:16 COUNTY, IT SAID THREE INDIVIDUALS TRIED TO OBTAIN ID CARDS  
09:44:20 WITH FRAUDULENT INFORMATION AT THE DMV.  
09:44:24 THE DMV ACTUALLY HASN'T EXISTED FOR A LONG TIME.  
09:44:27 IN 2015, ALL TAX COLLECTORS HAD TO PROVIDE DRIVER'S LICENSE  
09:44:31 SERVICES EXCEPT FOR TWO COUNTIES THAT ARE STILL OUT THERE.  
09:44:34 BROWARD AND MIAMI-DADE DO NOT HAVE ELECTED TAX COLLECTORS  
09:44:37 YET.  
09:44:37 SO BY 2024, THEN EVERY SINGLE TAX COLLECTOR IN THE STATE OF  
09:44:41 FLORIDA WILL BE PROVIDING THESE SERVICES AND THE FLORIDA  
09:44:44 DEPARTMENT OF HIGHWAY SERVICES WILL SIMPLY GET THE MONEY FOR  
09:44:48 THE SERVICES WE PROVIDE RATHER THAN HAVE STAND-ALONE  
09:44:53 OFFICES.  
09:44:53 IF YOU CAN START TO ENCOURAGE EVERYONE TO UNDERSTAND THAT  
09:44:55 THE TAX COLLECTOR IS ACTUALLY WHO PROVIDES THESE SERVICES,  
09:44:58 WE MIGHT HAVE A GOOD CHANGE IN MINDSET AND NEW RESIDENTS  
09:45:00 MIGHT UNDERSTAND WHERE TO GO.  
09:45:02 WE ALSO PROVIDE SERVICES FOR LOCAL BUSINESS TAXES.  
09:45:05 WE ACCEPT AND PROCESS ALL THE APPLICATIONS FOR NEW BUSINESS  
09:45:09 OWNERS WHO NEED A BUSINESS TAX RECEIPT.  
09:45:12 USED TO BE CALLED AN OCCUPATIONAL LICENSE, AND THEN FINALLY,  
09:45:15 WE PARTNER WITH THE DEPARTMENT OF AGRICULTURE TO ISSUE  
09:45:19 CONCEALED WEAPONS PERMITS AND RENEWALS.  
09:45:21 WE PARTNER WITH THE FISH AND WILDLIFE COMMISSION TO PROVIDE  
  
09:45:25 HUNTING AND FISHING LICENSES IN ALL OF OUR LOCATIONS.  
09:45:28 AND WE PARTNER WITH THE DEPARTMENT OF HEALTH TO PROVIDE  
09:45:31 BIRTH CERTIFICATES.  
09:45:32 SO IF YOU WERE BORN IN THE STATE OF FLORIDA AND YOU'RE  
09:45:34 SOMEONE WHO STILL NEEDS TO HAVE A REAL ID DRIVER'S LICENSE  
09:45:37 BUT CAN'T FIND YOUR ORIGINAL BIRTH CERTIFICATE, IF YOU WERE  
09:45:41 BORN IN FLORIDA, WE CAN PRINT THAT FOR YOU IN ALL OF OUR  
09:45:43 OFFICES.  
09:45:44 SO WHERE DO WE GO?  
09:45:49 REMEMBER, I TALKED ABOUT EDUCATION WITH MY SON, BUT THEN,  
09:45:52 MORE IMPORTANTLY, WHAT ARE OUR OPPORTUNITIES FOR  
09:45:53 IMPROVEMENT?  
09:45:54 WELL, IN 2019, THE FALL OF 2019, WE HELD A PRETTY AGGRESSIVE  
09:45:58 STRATEGIC PLANNING RETREAT, AND WE HELD FOCUS GROUPS WITH  
09:46:01 OUR STAKEHOLDERS, WITH OUR CUSTOMERS, WITH OUR INTERNAL  
09:46:04 CUSTOMERS, AND WITH OUR PARTNER AGENCIES.  
09:46:09 AND FROM THERE, WE DERIVED THREE MAJOR PRIORITIES ABOUT WHAT  
09:46:12 WE NEED TO BE DOING IN THE FUTURE TO BE BETTER.  
09:46:15 THE FIRST THING IS OUR CUSTOMERS.  
09:46:17 OUR CUSTOMERS ARE OUR TOP PRIORITY.

09:46:19 AND THE FACT IS WE HAVE A BUSINESS MODEL WHERE PEOPLE COME  
09:46:22 IN.  
09:46:22 THEY TAKE A TICKET, AND THEY WAIT FOR A SERVICE, AND WE NEED  
09:46:26 TO BRING CONVENIENCE TO OUR CUSTOMERS.  
09:46:29 WE NEED TO FIND A WAY TO BRING SERVICES TO YOU.

09:46:31 SO WE ARE GOING DOWN THAT ROAD AND LOOKING AT HOW WE CAN  
09:46:34 PROVIDE EFFICIENCIES AND HOW WE CAN PROVIDE CONVENIENCE ALL  
09:46:37 AT THE SAME TIME.  
09:46:37 SO I'M REALLY HAPPY TO REPORT THAT WE NOW HAVE VEHICLE  
09:46:42 REGISTRATION KIOSKS IN THREE PUBLIX LOCATIONS IN LEE COUNTY.  
09:46:46 SO IF YOU ARE ELIGIBLE AND YOU NEED TO GET YOUR YELLOW  
09:46:50 STICKER FOR YOUR LICENSE PLATE, YOU CAN DO THAT IN A PUBLIX  
09:46:53 IN SOUTH FT. MYERS.  
09:46:55 THERE'S ONE IN CAPE CORAL, AND THERE'S ONE IN LEHIGH AND  
09:46:58 WE'RE ACTIVELY WORKING WITH THE DEPARTMENT OF HIGHWAY SAFETY  
09:47:00 AND MOTOR VEHICLES TO SEE HOW WE CAN INCREASE THE NUMBER OF  
09:47:03 KIOSKS WE CAN BRING TO LEE COUNTY.  
09:47:05 THIS IS ONE EXAMPLE OF HOW WE WANT TO SERVE OUR CUSTOMERS  
09:47:07 AND GET OUR SERVICES TO YOU IN A MORE CONVENIENT WAY.  
09:47:11 OUR NEXT PRIORITY IS ACTUALLY OUR PEOPLE.  
09:47:18 SORRY, THIS SLIDE KIND OF COMPRESSED.  
09:47:21 OUR PEOPLE.  
09:47:21 WE ALSO REALIZE THAT IN AN EFFORT TO SERVE OUR CUSTOMERS IN  
09:47:24 THE BEST POSSIBLE WAY, WE NOT ONLY NEED TO HAVE THE MOST  
09:47:27 VALUED WORKFORCE, BUT WE NEED TO HAVE THE MOST EDUCATED  
09:47:29 WORKFORCE.  
09:47:29 SO WE'RE HEAVILY INVESTING IN OUR TRAINING DEPARTMENT, AND  
09:47:33 HOW WE'RE TRAINING NEW HIRES.  
09:47:36 SO THAT EVERY TIME YOU DO WALK INTO OUR OFFICE OR YOU CALL  
09:47:38 OUR OFFICE, THAT YOU GET THE RIGHT INFORMATION, THE RIGHT

09:47:41 TIME, AND THAT YOU KNOW EXACTLY WHAT'S EXPECTED OF YOU TO  
09:47:44 MAKE THAT PROCESS AS EASY FOR YOU AS POSSIBLE.  
09:47:46 AND THEN WHERE WE ARE HEADED IN THE FUTURE.  
09:47:49 TECHNOLOGY IS REALLY SOMETHING WE ARE LOOKING TO LEVERAGE IN  
09:47:53 A WAY THAT MIGHT CHANGE OUR FOOTPRINT.  
09:47:55 RIGHT NOW, WHEN WE LOOK AT OFFICE SPACE, WE LOOK AT LEAST  
09:47:59 NEEDING 10,500 SQUARE FEET OF OFFICE SPACE JUST FOR ALL OF  
09:48:02 OUR, YOU KNOW, ALL OF OUR REPRESENTATIVES FOR THE VAULT  
09:48:06 ROOMS THAT WE NEED, FOR ALL OF THE PROCESSING PIECES THAT WE  
09:48:09 NEED.  
09:48:10 AND IDEALLY, IF WE LEVERAGE TECHNOLOGY IN THE RIGHT WAY, WE  
09:48:13 COULD REDUCE THAT FOOTPRINT.  
09:48:15 IF THERE ARE WAYS WE COULD HAVE VIRTUAL REPRESENTATIVES IN  
09:48:18 THE FUTURE.  
09:48:18 THESE ARE THINGS THAT OUR I.T. TEAM AND OUR STRATEGIC  
09:48:21 PLANNING GOAL TEAM IS ACTIVELY CONSIDERING.



09:48:25 OUR MAIN FOCUS RIGHT NOW, THOUGH, IS INCREASING THE USER  
09:48:28 FRIENDLINESS OF OUR WEBSITE.  
09:48:30 WE UNDERSTAND THAT THERE ARE SERVICES YOU CAN TRANSACT  
09:48:35 ONLINE.  
09:48:36 A LOT OF PEOPLE ARE HESITANT TO DO THAT, SO IF WE HAVE A  
09:48:38 USER FRIENDLY WEBSITE WHERE THE CONTENT ISN'T SO CHALLENGING  
09:48:41 TO WADE THROUGH THAT WE CAN MEET THE NEEDS OF OUR CUSTOMERS  
09:48:47 GOING FORWARD AND REALLY ENCOURAGE EVERYONE TO UTILIZE THOSE  
09:48:49 ONLINE SERVICES.

09:48:50 BUT THEN ALSO WHEN WE LOOK AT OUR FUTURE, WE NEED TO MEASURE  
09:48:53 SUCCESS AS WE ARE FORMING OUR PLAN.  
09:48:55 WE DO HAVE A STRATEGIC PLAN IN PLACE AND WE HAVE BUILT OUT A  
09:48:57 GOVERNANCE SYSTEM TO ENSURE THAT WE'RE NOT JUST GIVING IT  
09:49:00 LIP SERVICE, THAT WE'RE ACTUALLY PERFORMING TO PLAN SO THAT  
09:49:02 THE SUCCESSES ARE FELT BY NOT JUST OUR PEOPLE BUT OUR  
09:49:05 CUSTOMERS.

09:49:05 AND I LOST MY QUESTION SLIDE.

09:49:11 DOES ANYONE HAVE ANY QUESTIONS FOR ME?

09:49:15 >>Mayor Errington: ANY QUESTIONS?

09:49:17 ANY COMMENTS?

09:49:17 I HAVE A COMMENT.

09:49:19 WHY DO TAX COLLECTORS SEEM VERY HAPPY?

09:49:23 WHY ARE TAX COLLECTORS HAPPY?

09:49:26 [ LAUGHTER ]

09:49:26 JUST A COMMENT.

09:49:27 >>R. Noelle Branning: THANK YOU SO MUCH.

09:49:29 I'VE BEEN TOLD I'M A CHEERLEADER OF TAXES, AND I'LL TAKE  
09:49:32 THAT.

09:49:33 >> WHO WOULDN'T BE HAPPY WITH \$1.6 BILLION TREASURY THAT YOU  
09:49:37 HAVE.

09:49:37 >>Mayor Errington: THAT'S RIGHT.

09:49:38 >>R. Noelle Branning: THAT'S NOT OURS.

09:49:41 THAT IS YOURS.

09:49:42 THAT'S THE COUNTY'S.

09:49:43 THAT'S THE FIRE DISTRICT'S.

09:49:44 THAT'S THE POLICE DEPARTMENT'S.

09:49:46 WE ACTUALLY ONLY KEEP ABOUT 27 MILLION OF THAT.

09:49:48 ANYTHING THAT WE DON'T SPEND, WHEN WE TALK ABOUT INCREASING  
09:49:51 EFFICIENCIES, BY LAW, WE HAVE TO RETURN ALL OF OUR UNUSED

09:49:54 REVENUE AT THE END OF EVERY YEAR.

09:49:56 SO WE AVERAGE AROUND 11 MILLION THAT WE TURN BACK OVER TO

09:49:59 TAXING AUTHORITIES AT THE END OF EVERY FISCAL, AND WE'RE

09:50:02 LOOKING AT WAYS WE CAN IMPROVE THAT.

09:50:03 THANK YOU SO MUCH FOR YOUR TIME TODAY.

09:50:07 WE REALLY APPRECIATE IT.

09:50:09 HAVE A WONDERFUL DAY.

09:50:16 >>Mayor Errington: NEXT ON THE AGENDA IS PUBLIC COMMENT ON  
09:50:21 NON-AGENDA ITEMS.  
09:50:22 MADAM CLERK, DO WE HAVE ANY?  
09:50:24 >>Carol Sacco: NO, MAYOR, WE DO NOT.  
09:50:33 >>Mayor Errington: ITEM 5, CONSENT AGENDA.  
09:50:35 DO WE HAVE ANY -- DO COUNCIL MEMBERS HAVE ANY COMMENTS OR  
09:50:46 QUESTIONS REGARDING THE COUNCIL MEETING MINUTES OR  
09:50:49 RESOLUTIONS?  
09:50:50 >>Jim Boesch: MAKE A MOTION FOR APPROVAL.  
09:50:51 >>Mayor Errington: MOTION HAS BEEN MADE AND SECONDED BY JON  
09:50:55 McLAIN.  
09:50:56 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL.  
09:51:02 >>Jim Wilson: AYE.

09:51:04 >>Jim Ward: AYE.  
09:51:05 >>Jim Boesch: AYE.  
09:51:07 >>Larry Fiesel: AYE.  
09:51:09 >>Joanne Ribble: AYE.  
09:51:11 >>Vice-Mayor McLain: AYE.  
09:51:12 >>Mayor Errington: AYE.  
09:51:13 ITEM NUMBER 6, WE HAD NOTHING PULLED, SO WE CAN MOVE ON TO  
09:51:20 ITEM NUMBER 7.  
09:51:21 THIS IS ON THE AGENDA AS AN INTERLOCAL AGREEMENT WITH LEE  
09:51:31 COUNTY PORT AUTHORITY FOR "TALL STRUCTURE" NOTIFICATION.  
09:51:36 I WILL ASK STEVE TO INTRODUCE THIS TOPIC, PLEASE, STEVE.  
09:51:40 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.  
09:51:42 THIS IS AN INTERLOCAL AGREEMENT BEING PROPOSED BY THE LEE  
09:51:47 COUNTY PORT AUTHORITY, WHICH OPERATES THE AIRPORT, AND THIS  
09:51:53 IS AN INTERLOCAL AGREEMENT THAT IS BEING CIRCULATED  
09:51:59 THROUGHOUT ALL OF LEE COUNTY WITH THE EXCEPTION OF THE CITY  
09:52:03 OF SANIBEL AND BONITA SPRINGS DUE TO THE FACT THAT THEY ARE  
09:52:08 TOO FAR DISTANT FROM THE IMMEDIATE IMPACTS OF THE AIRPORT.  
09:52:13 THE INTERLOCAL AGREEMENT IS INTENDED TO CONTROL TALL  
09:52:18 STRUCTURES THAT ARE 125 FEET OR HIGHER SO AS TO AVOID ANY  
09:52:25 TYPE OF INTERFERENCE WITH AIRPLANE TRAFFIC.  
09:52:28 THIS IS KIND OF A STANDARD TYPE OF AGREEMENT WHEREBY SHOULD  
09:52:34 WE HAVE ANY TYPE OF STRUCTURE APPROACHING THAT HEIGHT WE  
09:52:40 WOULD BE IN CONTACT WITH THE PORT AUTHORITY AND THE AIRPORT  
09:52:43 TO MAKE SURE THAT WE'RE AVOIDING ANY POSSIBLE CONFLICTS IN  
  
09:52:46 THE FLIGHT PATH FOR THE AIRPORT.  
09:52:48 IT'S UNLIKELY THAT THIS WOULD COME INTO PLAY WITHIN THE  
09:52:52 VILLAGE OF ESTERO.  
09:52:54 NONETHELESS, IT'S AN APPROPRIATE THING FOR US TO CONSIDER TO  
09:52:59 MAKE SURE THAT WE'RE MANAGING THE AIRPORT AND THE SAFETY  
09:53:02 ISSUES RELATED TO THE AIRPORT CONSISTENT WITH FAA  
09:53:05 REGULATIONS.  
09:53:06 SO THIS COMES TO YOU WITH A RECOMMENDATION FOR APPROVAL, AND

09:53:13 IT WILL BE SOMETHING THAT THE STAFF WILL UTILIZE ON AN  
09:53:18 ONGOING BASIS TO MAKE SURE THAT THERE'S GOOD COMMUNICATION  
09:53:21 WITH THE AIRPORT.  
09:53:21 >>Mayor Errington: THANK YOU.  
09:53:22 THE CHAIR WILL NOW TAKE PUBLIC COMMENTS ON THIS ITEM.  
09:53:27 >>Carol Sacco: HE DOES NOT HAVE ANY, MAYOR.  
09:53:29 >>Mayor Errington: THANK YOU.  
09:53:30 MADAM CLERK, DO YOU HAVE ANY E-COMMENTS AT ALL FOR THE  
09:53:33 RECORD?  
09:53:33 >>Carol Sacco: NO, MAYOR.  
09:53:34 >>Mayor Errington: THE CHAIR WILL NOW ENTERTAIN A MOTION  
09:53:36 REGARDING THIS AGENDA.  
09:53:44 >>Vice-Mayor McLain: JUST A QUESTION OF STEVE.  
09:53:46 I THINK YOU INDICATED, IS ESTERO AGAIN THE ZONE FOR THE  
09:53:50 200-FOOT AREA OR ARE WE OUTSIDE OF THAT?  
09:53:54 >>Steven Sarkozy: THERE IS A SLIGHT POSSIBILITY THAT PLANES  
09:53:59 COMING IN UNDER ADVERSE CONDITIONS MAY BE AT A LOWER FLIGHT  
  
09:54:04 LEVEL.  
09:54:04 BUT TYPICALLY, THIS WOULD NOT APPLY.  
09:54:08 WE WOULD NOT HAVE THAT TYPE OF LOW-FLYING AIRCRAFT.  
09:54:13 >>Vice-Mayor McLain: LOOKING AT ESTERO PARKWAY, THERE IS THE  
09:54:16 -- I DON'T KNOW WHAT THEY ARE -- RADIO TOWERS OR SOMETHING,  
09:54:20 AND THEN SOME OF THE CELL TOWERS THAT ARE BEING ERECTED  
09:54:23 PROBABLY FALL IN THIS ALSO.  
09:54:25 MARY IS SHAKING HER HEAD, I SEE.  
09:54:29 WE HAVE TO BE AWARE OF THAT AS THESE THINGS COME FORWARD.  
09:54:32 >>Steven Sarkozy: YES.  
09:54:33 >>Vice-Mayor McLain: OKAY.  
09:54:33 THANK YOU.  
09:54:35 >>Mayor Errington: ENTERTAIN A MOTION?  
09:54:37 >>Carol Sacco: I THINK, MAYOR, COUNCIL MEMBER WILSON HAS --  
09:54:41 >>Mayor Errington: SORRY.  
09:54:42 >>Jim Wilson: I WANT TO MAKE THAT MOTION THAT WE APPROVE THE  
09:54:45 INTERLOCAL AGREEMENT.  
09:54:49 >>Mayor Errington: MOTION HAS BEEN MADE.  
09:54:50 DO WE HAVE A SECOND?  
09:54:52 SECONDED BY JON McLAIN.  
09:54:54 I WILL NOW ASK MADAM CLERK TO CALL THE ROLL.  
09:55:05 >>Joanne Ribble: AYE.  
09:55:07 >>Larry Fiesel: AYE.  
09:55:07 >>Jim Boesch: AYE.  
09:55:09 >>Jim Ward: AYE.  
  
09:55:11 >>Jim Wilson: AYE.  
09:55:13 >>Vice-Mayor McLain: AYE.  
09:55:15 >>Mayor Errington: AYE.  
09:55:17 IS THERE ANY OTHER FURTHER DISCUSSION ABOUT THIS?

09:55:23 NONE WHATSOEVER.  
09:55:27 MOTION APPROVED.  
09:55:33 ITEM NUMBER 7B IS RESOLUTION 2021-13, APPOINTMENT OF  
09:55:47 REPRESENTATIVE AND ALTERNATE TO THE LEE COUNTY MPO BICYCLE  
09:55:52 PEDESTRIAN COORDINATING COMMITTEE.  
09:55:54 MADAM CLERK, PLEASE READ THE TITLE OF THIS RESOLUTION.  
09:55:58 >>Carol Sacco: RESOLUTION NUMBER 2021-13, A RESOLUTION OF  
09:56:02 THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA,  
09:56:05 APPOINTING A REPRESENTATIVE AND AN ALTERNATE TO THE LEE  
09:56:10 COUNTY METROPOLITAN PLANNING ORGANIZATION BICYCLE PEDESTRIAN  
09:56:14 COORDINATING COMMITTEE AND PROVIDING AN EFFECTIVE DATE.  
09:56:20 >>Mayor Errington: THANK YOU.  
09:56:21 STEVE, WOULD YOU PLEASE INTRODUCE THIS.  
09:56:23 >>Steven Sarkozy: MADAM MAYOR, MEMBERS OF COUNCIL, THIS ITEM  
09:56:27 COMES TO YOU AS A FOLLOW-UP TO PREVIOUS COUNCIL ACTION WHERE  
09:56:32 YOU AUTHORIZED THE VILLAGE STAFF TO INTERVIEW RESIDENTS WHO  
09:56:36 MIGHT BE INTERESTED IN SERVING AS LIAISONS TO THE  
09:56:42 METROPOLITAN PLANNING ORGANIZATION AND THEIR BICYCLE  
09:56:46 PEDESTRIAN COORDINATING COMMITTEE.  
09:56:47 THOSE INTERVIEWS DID TAKE PLACE WITH DAVID WILLEMS AND KYLE  
09:56:56 WHO WERE INVOLVED IN THOSE INTERVIEWS.

09:56:58 WE HAD A NUMBER OF PEOPLE WHO ARE VERY INTERESTED IN BIKING  
09:57:04 AND PEDESTRIAN CONNECTIONS.  
09:57:07 AND THE IDEA HERE IS THAT WE HAVE ESTERO REPRESENTATIVES ON  
09:57:12 THIS MPO COORDINATING COMMITTEE.  
09:57:16 THE RECOMMENDATIONS ARE DESIGNATED REPRESENTATIVE BE GORDON  
09:57:22 BROWN, BUT THAT WE ALSO HAVE AN ALTERNATE IN SCOTT STRYKER.  
09:57:29 BOTH OF THESE PEOPLE HAVE DEMONSTRATED GREAT KNOWLEDGE OF  
09:57:33 BIKING IN ESTERO, THE BIKING REGULATIONS, AND WILL BE GREAT  
09:57:38 REPRESENTATIVES FOR THE VILLAGE.  
09:57:39 WE HAVE A VACANCY FROM ESTERO AS A RESULT OF RELOCATION OUT  
09:57:45 OF THE VILLAGE BY OUR PREVIOUS REPRESENTATIVE.  
09:57:50 THIS COMES TO YOU WITH A RECOMMENDATION FOR APPROVAL, AND  
09:57:54 WE'RE HERE TO ANSWER ANY QUESTIONS.  
09:57:59 >>Mayor Errington: THANK YOU, STEVE.  
09:58:00 MADAM CLERK, DO YOU HAVE ANY E COMMENTS?  
09:58:04 >>Carol Sacco: NO, MAYOR.  
09:58:04 >>Mayor Errington: ANY COMMENTS FROM THE PUBLIC?  
09:58:07 >>Carol Sacco: NO.  
09:58:07 >>Mayor Errington: THE CHAIR WILL NOW ENTERTAIN A MOTION  
09:58:10 REGARDING THIS AGENDA ITEM.  
09:58:11 >>Jim Boesch: MAKE THAT MOTION.  
09:58:13 >>Mayor Errington: MOTION MADE BY COUNCIL MEMBER RIBBLE.  
09:58:17 SECONDED BY JIM BOESCH, COUNCIL MEMBER BOESCH.  
09:58:21 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL.  
09:58:26 >>Jim Wilson: AYE.

09:58:29 >>Jim Ward: AYE.  
09:58:31 >>Jim Boesch: AYE.  
09:58:32 >>Larry Fiesel: AYE.  
09:58:35 >>Joanne Ribble: AYE.  
09:58:36 >>Vice-Mayor McLain: AYE.  
09:58:37 >>Mayor Errington: AYE.  
09:58:39 THE MOTION CARRIES.  
09:58:42 ITEM 8A, THE FIRST READING FOR ORDINANCE NUMBER 2021-05.  
09:58:59 MADAM CLERK, PLEASE READ THE TITLE OF THE ORDINANCE.  
09:59:01 >>Carol Sacco: ORDINANCE NUMBER 2021-05, AN ORDINANCE OF THE  
09:59:06 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA; PROVIDING  
09:59:09 FOR THE INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS;  
09:59:13 PROVIDING FOR APPLICABILITY; PROVIDING FOR LOCAL  
09:59:15 IMPLEMENTATION OF THE MANDATORY YEAR-ROUND LANDSCAPE  
09:59:20 IRRIGATION CONSERVATION MEASURES RULE OF THE SOUTH FLORIDA  
09:59:24 WATER MANAGEMENT DISTRICT; PROVIDING FOR VARIANCES;  
09:59:27 PROVIDING ARE FOR ENFORCEMENT; PROVIDING FOR CODIFICATION;  
09:59:31 PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND  
09:59:34 PROVIDING AN EFFECTIVE DATE.  
09:59:35 >>Mayor Errington: THANK YOU.  
09:59:36 STEVE OR MARY, WOULD YOU LIKE TO INTRODUCE THE ORDINANCE,  
09:59:42 PLEASE?  
09:59:43 >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.  
09:59:45 THIS IS FIRST READING OF THIS ORDINANCE.  
09:59:46 THE ORDINANCE COMES TO US FROM THE SOUTH FLORIDA WATER  
  
09:59:49 MANAGEMENT DISTRICT WHICH CONTROLS OUR AREA'S WATER  
09:59:53 RESOURCES.  
09:59:55 THIS ORDINANCE WOULD COME BACK TO THE COUNCIL FOR A SECOND  
09:59:59 READING ON MAY 5th.  
10:00:01 AGAIN, AT YOUR 9:30 MEETING.  
10:00:04 WHAT THIS WILL DO IS PROVIDE PROCEDURES FOR LIMITATIONS ON  
10:00:12 LANDSCAPE IRRIGATION AND OTHER EXTERNAL USES OUTSIDE OF THE  
10:00:17 HOME, GENERALLY, FOR THOSE PERIODS OF TIME WHEN WE'RE  
10:00:22 RUNNING INTO WATER SHORTAGES.  
10:00:24 WE HAD THAT EXPERIENCE LAST YEAR WHERE THERE WAS A WATER  
10:00:28 SHORTAGE, AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT CAME  
10:00:32 TO US AND ASKED US TO IMPLEMENT RESTRICTIONS ON IRRIGATION.  
10:00:42 THIS IS LIKELY AN ONGOING EVENT JUST DUE TO THE LIMITATIONS  
10:00:47 ON WATER AND THE TYPE OF GROWTH THAT WE'RE HAVING.  
10:00:50 SO THIS ALLOWS US TO MAKE SURE THAT WE MAINTAIN AN ADEQUATE  
10:00:55 POTABLE WATER SUPPLY FOR RESIDENTIAL USE.  
10:00:59 AGAIN, WE'LL GO INTO MORE DETAIL ON THIS WHEN IT COMES BACK  
10:01:03 FOR A SECOND READING ON MAY 5th.  
10:01:05 >>Mayor Errington: DOES THE COUNCIL HAVE ANY QUESTIONS OR  
10:01:08 COMMENTS?  
10:01:11 >>Jim Boesch: I DO HAVE ONE COMMENT.  
10:01:12 I KNOW THIS IS A FIRST READING, SO I'M NOT GOING TO GET INTO

10:01:17 MORE DETAILS.  
10:01:19 I WAS INVOLVED IN A MAJOR SITUATION IN MY COMMUNITY.  
10:01:23 THE CONCEPT IS THAT PEOPLE HAVE THE PERCEPTION THAT ALL THE  
  
10:01:31 WATER THEY GET IS FREE.  
10:01:34 -- THERE IS NOT A -- NOT GOING TO BE A MAJOR CHANGE.  
10:01:42 WE CAN PASS ALL THE LAWS THAT WE WANT, SO I THINK WE HAVE TO  
10:01:46 THINK IN TERMS OF MORE IN-DEPTH THAN JUST PASSING IDEAS AND  
10:01:51 THINK THEY ARE GOING TO BE MAJOR CHANGES.  
10:01:52 SECOND READING AND GET INTO MORE DETAIL.  
10:01:58 >>Mayor Errington: THANK YOU.  
10:01:59 ANYONE ELSE?  
10:02:02 >> BURT, I ADDRESSED YOU, THERE ARE NUMBERS MISREFERENCED IN  
10:02:06 THIS SECTION.  
10:02:07 IT SHOULD BE CORRECTED BEFORE WE GO TO SECOND READING, I  
10:02:10 SUPPOSE.  
10:02:10 >>Burt Saunders: YES, WHEN YOU MAKE THE MOTION TO MOVE THIS  
10:02:13 TO SECOND READING, THAT MOTION WOULD INCLUDE GIVING STAFF  
10:02:16 THE AUTHORITY TO MAKE A COUPLE OF TECHNICAL CHANGES.  
10:02:19 THERE IS A CHANGE IN SECTION 4B, DOUBLE I, AND ALSO IN  
10:02:25 SECTION 8.  
10:02:27 AND IT JUST REFERENCES THE SECTION NUMBERS THAT NEED TO BE  
10:02:30 CORRECTED.  
10:02:30 THE MOTION WILL INCLUDE AUTHORITY FOR STAFF TO MAKE THOSE  
10:02:33 TECHNICAL CHANGES.  
10:02:37 >>Mayor Errington: THANK YOU.  
10:02:37 ANYONE ELSE?  
10:02:39 DO WE HAVE ANY PUBLIC COMMENTS ON THIS, MADAM CLERK?  
10:02:47 >>Carol Sacco: NO, MAYOR.  
  
10:02:47 >>Mayor Errington: WE WILL NOW CLOSE THE PUBLIC COMMENT  
10:02:50 PORTION OF THE HEARING.  
10:02:51 DO THE COUNCIL MEMBERS WISH TO DISCUSS THE ORDINANCE?  
10:02:55 WE'VE ALREADY DONE SO.  
10:02:56 NEED A MOTION TO PASS THE FIRST READING AND THE SECOND  
10:02:58 READING.  
10:02:59 IT WOULD INCLUDE THE CHANGES AS DESIGNATED BY OUR ATTORNEY.  
10:03:05 DO I HAVE A MOTION?  
10:03:08 MOTION MADE BY COUNCIL MEMBER WARD, AND I NEED A SECOND BY  
10:03:12 COUNCIL MEMBER FIESEL.  
10:03:13 MADAM CLERK, WOULD YOU CALL THE ROLL, PLEASE?  
10:03:18 >>Joanne Ribble: AYE.  
10:03:19 >>Larry Fiesel: AYE.  
10:03:21 >>Jim Boesch: AYE.  
10:03:23 >>Jim Ward: AYE.  
10:03:23 >>Jim Wilson: AYE.  
10:03:26 >>Vice-Mayor McLain: AYE.  
10:03:27 >>Mayor Errington: AYE.

10:03:29 NEXT ON THE AGENDA IS NUMBER 8B.  
10:03:39 THE FIRST READING FOR ORDINANCE 2021-06, MADAM CLERK, PLEASE  
10:03:44 READ THE TITLE OF THE ORDINANCE.  
10:03:45 >>Carol Sacco: ORDINANCE 2021-06, AN ORDINANCE OF THE  
10:03:49 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO OF ESTERO, FLORIDA,  
10:03:54 PROVIDING FOR THE INTENT AND PURPOSE; PROVIDING DEFINITIONS;  
10:03:56 PROVIDING FOR APPLICABILITY; PROVIDING FOR THE DECLARATION  
  
10:03:59 OF WATER SHORTAGE OR WATER SHORTAGE EMERGENCY; PROVIDING FOR  
10:04:03 VARIANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR  
10:04:05 CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR  
10:04:08 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.  
10:04:16 >>Mayor Errington: STEVE, WOULD YOU LIKE TO INTRODUCE THIS  
10:04:18 ORDINANCE?  
10:04:19 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.  
10:04:22 AGAIN, THIS IS FIRST READING OF AN ORDINANCE COMING TO US AT  
10:04:26 THE SUGGESTION OF THE SOUTH FLORIDA WATER MANAGEMENT  
10:04:28 DISTRICT.  
10:04:30 AND THIS, AGAIN, WILL COME BACK TO THE VILLAGE COUNCIL FOR  
10:04:32 FORMAL ADOPTION AND SECOND READING ON MAY 5th OF THIS  
10:04:36 YEAR.  
10:04:36 THIS IS RELATED TO THE PREVIOUS RESOLUTION AND PROPOSED  
10:04:46 ORDINANCE THAT THIS PROVIDES CONTROL TO THE SOUTH FLORIDA  
10:04:51 WATER MANAGEMENT DISTRICT IN THE EVENT OF ANY DECLARED WATER  
10:04:56 SHORTAGES THEY CAN ASK FOR AND REQUIRE REDUCED CONSUMPTION  
10:05:04 AND OTHER ACTIONS TO MANAGE THROUGH THE SHORTAGE OF WATER  
10:05:09 DURING THOSE SHORT-TERM PERIODS WHEN THAT MIGHT OCCUR.  
10:05:12 WE'LL GO INTO GREATER DETAIL ON THIS, BUT THE ORDINANCE IS  
10:05:19 OUTLINED.  
10:05:20 WE WOULD BE INVOLVED IN THE ENFORCEMENT OF THESE  
10:05:22 RESTRICTIONS UNDER THE GUIDELINES OF THE SOUTH FLORIDA WATER  
10:05:25 MANAGEMENT DISTRICT.  
10:05:26 >>Mayor Errington: THANK YOU.  
  
10:05:28 >>Carol Sacco: I JUST HAVE A REMINDER FOR EVERYONE TO TALK  
10:05:31 CLOSER TO THE MIKE.  
10:05:32 THE PEOPLE CAN'T HEAR YOU GUYS.  
10:05:34 >>Mayor Errington: THANK YOU.  
10:05:35 DOES THE COUNCIL HAVE ANY QUESTIONS OR COMMENTS?  
10:05:37 VICE-MAYOR JON McLAIN.  
10:05:42 >>Vice-Mayor McLain: THIS SEEMS LIKE A BLANKET AUTHORIZATION  
10:05:48 FOR WATER REDUCTIONS.  
10:05:49 THERE DOESN'T SEEM TO BE ANY DEFINITION OF WHAT WOULD  
10:05:52 HAPPEN.  
10:05:53 I KNOW THE WATER SHORTAGE COULD GET VERY SEVERE.  
10:05:56 THERE ARE DIFFERENT LEVELS OF THAT.  
10:05:57 BUT, OBVIOUSLY, IF WE WERE TO RESORT TO NO WATERING, THAT  
10:06:03 HAS A SIGNIFICANT IMPACT ON ALL THE RESIDENTS OF ESTERO

10:06:08 BECAUSE THE GRASSES THAT WE USE HERE, IF THEY DON'T HAVE  
10:06:11 SUFFICIENT WATER ON AN ALMOST TWICE-A-WEEK BASIS, THEY ARE  
10:06:15 GOING TO DIE OUT.  
10:06:16 THIS SEEMS TO BE NON-DEFINED WHAT THE SHORTAGE WOULD BE AND  
10:06:22 WHAT THE ACTION WOULD BE IN THERE.  
10:06:26 IT SOUNDS PROHIBITIVE WITH NO DEFINITION OF HOW IT'S GOING  
10:06:30 TO ACT TO ME.  
10:06:34 >>Steven Sarkozy: COUNCIL MEMBER, McLAIN, WE'LL BRING BACK  
10:06:37 SOME OF THOSE GUIDELINES, BUT THEY ARE INTENDED TO BE  
10:06:41 ADOPTED BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND  
10:06:44 APPROPRIATE TO THE EVENT AS IT OCCURS.

10:06:47 SO THIS IS A SERIOUS SITUATION WHERE WE COULD BE SEEING SOME  
10:06:55 SIGNIFICANT SHORTAGES OF IT.  
10:06:59 >>Vice-Mayor McLain: I GUESS WE, BY APPROVING THIS, WE HAVE  
10:07:03 ANY AUTHORITY TO WORK WITH SOUTH FLORIDA WATER MANAGEMENT  
10:07:09 DISTRICT --  
10:07:11 >>Steven Sarkozy: ABSOLUTELY WE WOULD.  
10:07:17 >>Jim Boesch: AGAIN, IT'S HARD TO BELIEVE THAT THIS HAS BEEN  
10:07:25 GOING ON FOR AS LONG AS I'VE BEEN HERE IN FLORIDA, THAT SOME  
10:07:30 YEARS WE GET 20 INCHES OF RAIN AND THE AVERAGE IS 23 AND  
10:07:35 SOMETIMES WE GET 28, 29 INCHES.  
10:07:40 IF YOU CAN RECALL THAT MOST EVERY SEASON, THERE'S A FIRE  
10:07:45 GOING ON AND THERE'S AN EMERGENCY.  
10:07:52 BASICALLY, THE CONCEPT IS WAIT FOR THE RAIN TO COME AND THAT  
10:07:56 WILL SOLVE THE PROBLEM.  
10:07:57 SO I REALLY GIVE COMPLIMENTS, STEVE, TO SOUTH FLORIDA WATER  
10:08:02 MANAGEMENT FOR ACTUALLY ADDRESSING THIS PROBLEM.  
10:08:06 BECAUSE UNTIL THE PEOPLE REALIZE THAT WATER IS SCARCE IN  
10:08:11 THIS AREA AND IS PROBABLY ONE OF THE MOST IMPORTANT  
10:08:16 ELEMENTS, TAXES ARE MINIMAL COMPARED TO THE PROBLEM WE HAVE  
10:08:22 WITH WATER.  
10:08:23 I THINK THE FIRST TIME THAT I CAN REMEMBER THAT SOUTH  
10:08:27 FLORIDA WATER MANAGEMENT HAS DONE SOMETHING ABOUT THIS.  
10:08:30 SO I THINK IT'S GOING TO BE A GREAT IMPROVEMENT IN TERMS OF  
10:08:35 WATER MANAGEMENT FOR THE LOCALS, NOT JUST FOR THE OVERALL  
10:08:40 ORGANIZATION.

10:08:40 AGAIN, I'LL WAIT UNTIL THE SECOND READING AND THEN WE'LL GET  
10:08:44 INTO LITTLE MORE DETAILS THEN.  
10:08:48 >>Mayor Errington: THANK YOU, COUNCIL MEMBER WARD.  
10:08:53 >>Jim Ward: STEVE, A QUICK QUESTION.  
10:08:55 DOES THE ESTERO VILLAGE HAVE AN OPPORTUNITY TO IMPLEMENT  
10:08:58 STRICTER RESTRICTIONS THAN SOUTH FLORIDA WATER MANAGEMENT  
10:09:01 DISTRICT.  
10:09:02 [MICROPHONE NOT ON]  
10:09:03 >>Steven Sarkozy: WE CAN.  
10:09:04 THAT BECOMES DIFFICULT, THOUGH, TO ENFORCE, GETTING ONTO



10:09:08 PRIVATE PROPERTY, BUT WE CAN DISCUSS THAT FURTHER WITH YOU  
10:09:11 WHEN IT COMES BACK.  
10:09:14 YES, WE CAN.  
10:09:14 >>Mayor Errington: ANY OTHER QUESTIONS?  
10:09:15 STEVE, EVERYTHING THAT'S BEING SAID TODAY, WHEN WE DO THE  
10:09:20 SECOND READING, IF WE HAVE OTHER QUESTIONS OF MAYBE TRYING  
10:09:23 TO CHANGE ANYTHING IN ANY OF THIS, WE CAN DO SO.  
10:09:29 >>Steven Sarkozy: WE CAN, YES.  
10:09:30 >>Mayor Errington: OKAY.  
10:09:31 WHEN I READ THAT, I WAS REALLY PLEASED TO SEE THAT WATER IS  
10:09:36 BEGINNING TO BECOME A TOP ISSUE HERE.  
10:09:39 THAT'S VERY GOOD.  
10:09:40 NO MORE QUESTIONS FROM COUNCIL?  
10:09:44 OKAY.  
10:09:45 WE NEED A MOTION TO PASS THE FIRST READING.

10:09:48 >>Carol Sacco: I JUST WANT FOR THE RECORD --  
10:09:52 >>Mayor Errington: ANY COMMENTS?  
10:09:53 >>Carol Sacco: NO, MAYOR.  
10:09:54 >> SO MOVED.  
10:09:54 >>Mayor Errington: MOTION MADE BY COUNCIL MEMBER FIESEL.  
10:09:57 I NEED A SECOND.  
10:10:00 BY COUNCIL MEMBER RIBBLE.  
10:10:02 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?  
10:10:05 >>Jim Wilson: AYE.  
10:10:07 >>Jim Ward: AYE.  
10:10:09 >>Jim Boesch: AYE.  
10:10:10 >>Larry Fiesel: AYE.  
10:10:12 >>Joanne Ribble: AYE.  
10:10:14 >>Vice-Mayor McLain: AYE.  
10:10:16 >>Mayor Errington: AYE.  
10:10:16 NEXT ON THE AGENDA IS THE SECOND READING OF ORDINANCE NUMBER  
10:10:23 2021-03.  
10:10:26 MADAM CLERK, HAS THIS ORDINANCE BEEN PROPERLY ADVERTISED?  
10:10:29 >>Carol Sacco: YES, MAYOR.  
10:10:31 >>Mayor Errington: MADAM CLERK, PLEASE READ THE TITLE OF THE  
10:10:34 ORDINANCE.  
10:10:34 >>Carol Sacco: ORDINANCE 2021-03, AN ORDINANCE OF THE  
10:10:38 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA,  
10:10:40 READOPTING AND CORRECTING ORDINANCE NUMBER 2021-01 CAPITAL  
10:10:47 IMPROVEMENT ELEMENT SCHEDULE UPDATE DUE TO OMISSION OF TWO

10:10:51 PAGES OF THE VILLAGE OF ESTERO FISCAL 2020-2021 CAPITAL  
10:10:56 IMPROVEMENT PROJECTS IN EXHIBIT A; PROVIDING FOR CONFLICT;  
10:11:00 PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.  
10:11:03 >>Mayor Errington: THANK YOU.  
10:11:03 STEVE, AGAIN, WOULD YOU INTRODUCE THIS SUBJECT?  
10:11:06 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.

10:11:09 THIS IS A SECOND READING THAT PROVIDES A MINOR UPDATE TO OUR  
10:11:13 CAPITAL IMPROVEMENT PROGRAM.  
10:11:15 YOU'LL RECALL THAT WE ADOPTED OUR CAPITAL IMPROVEMENT -- OUR  
10:11:19 CAPITAL IMPROVEMENT PROGRAM AND OUR COMPREHENSIVE PLAN  
10:11:23 ELEMENTS BACK ON JANUARY OF THIS YEAR.  
10:11:29 WE INADVERTENTLY OMITTED THE LEE COUNTY SCHOOL DISTRICT  
10:11:33 CAPITAL IMPROVEMENT PLANNING ELEMENTS THAT ARE SIMPLY TWO  
10:11:37 PAGES ADDITIONAL TO OUR C.I.P.  
10:11:41 THE LEE COUNTY SCHOOL DISTRICT CAPITAL IMPROVEMENT PROGRAM  
10:11:45 REALLY IS NOT SOMETHING THAT THE COUNCIL HAS TO APPROVE, BUT  
10:11:52 YOU DO HAVE TO INCLUDE IT IN OUR COMPREHENSIVE PLAN TO MAKE  
10:11:55 SURE THEY ARE AND IT IS COMPLETE IN TERMS OF ALL GOVERNMENT  
10:12:00 SPENDING.  
10:12:01 WE CAN ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE, BUT THIS IS  
10:12:03 A FAIRLY ROUTINE UPDATE.  
10:12:05 >>Mayor Errington: THANK YOU.  
10:12:07 COUNCIL MEMBERS, DO YOU HAVE ANY QUESTIONS?  
10:12:08 ANY QUESTIONS?  
10:12:10 CLERK, DO YOU HAVE ANY --

10:12:15 >>Carol Sacco: NO, MAYOR.  
10:12:16 >>Mayor Errington: OKAY.  
10:12:17 THE CHAIR WILL NOW CLOSE THE PUBLIC COMMENT PORTION OF THIS  
10:12:22 HEARING.  
10:12:22 DO I HAVE A MOTION TO APPROVE ORDINANCE 2021-03?  
10:12:29 >>Jim Boesch: I MAKE THE MOTION.  
10:12:30 >>Mayor Errington: MOTION MADE BY COUNCIL MEMBER BOESCH.  
10:12:32 I NEED A SECOND.  
10:12:34 COUNCIL MEMBER JIM WARD SECONDS THE MOTION.  
10:12:38 MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?  
10:12:41 >>Carol Sacco: COUNCIL MEMBER RIBBLE.  
10:12:42 >>Joanne Ribble: AYE.  
10:12:44 >>Larry Fiesel: AYE.  
10:12:45 >>Jim Boesch: AYE.  
10:12:48 >>Jim Ward: AYE.  
10:12:49 >>Jim Wilson: AYE.  
10:12:51 >>Vice-Mayor McLain: AYE.  
10:12:52 >>Mayor Errington: AYE.  
10:12:54 COUNCIL MEMBER WILSON, I DON'T MEAN TO IGNORE YOU.  
10:13:00 I'M LOOKING UP OCCASIONALLY, SO LET ME KNOW.  
10:13:04 >>Jim Wilson: I DON'T FEEL IGNORED.  
10:13:05 >>Mayor Errington: OKAY.  
10:13:06 THANK YOU.  
10:13:06 ITEM 10, PUBLIC COMMENT ON NON-AGENDA ITEMS.  
10:13:16 >>Carol Sacco: MAYOR, WE DO NOT HAVE ANY.

10:13:18 >>Mayor Errington: NO COMMENTS.  
10:13:19 OKAY.

10:13:21 WE ARE DOWN NOW TO 11, COUNCIL COMMUNICATIONS.  
10:13:27 I CALL ON EACH COUNCIL MEMBER TO PROVIDE A REPORT IF YOU  
10:13:31 HAVE ONE OR SOMETHING YOU JUST WANT TO TALK ABOUT OR TELL US  
10:13:35 ABOUT.  
10:13:35 LET'S START WITH COUNCIL MEMBER RIBBLE.  
10:13:40 >>Joanne Ribble: I HAVE NOTHING, MADAM MAYOR.  
10:13:41 >>Mayor Errington: THANK YOU.  
10:13:42 COUNCIL MEMBER FIESEL?  
10:13:44 >>Larry Fiesel: I HAVE NOTHING.  
10:13:46 >>Mayor Errington: VICE-MAYOR LANE.  
10:13:49 >>Vice-Mayor McLain: JUST A PERSONAL COMMENT.  
10:13:53 I WANTED TO REACH OUT AND THANK ALL MY FELLOW COUNCIL  
10:13:56 MEMBERS, THE VILLAGE MANAGER AND THE VILLAGE STAFF FOR  
10:14:02 REACHING OUT TO MYSELF AND MY FAMILY DURING OUR DIFFICULT  
10:14:05 TIME HERE.  
10:14:07 IT WAS VERY GRATIFYING AND I JUST WANTED TO EXPRESS MY  
10:14:12 THANKS TO EACH OF YOU AND HOW IMPORTANT THAT IS TO HELP US  
10:14:17 GET THROUGH THIS DIFFICULT TIME.  
10:14:18 THANK YOU VERY MUCH.  
10:14:23 >>Mayor Errington: COUNCIL MEMBER WILSON.  
10:14:26 >>Jim Wilson: YES, MAYOR.  
10:14:29 SEVERAL PEOPLE CONTACTED ME AND ASKED IF I HAD ANY KNOWLEDGE  
10:14:33 AS TO WHAT WAS GOING TO BE BUILT ON THE CORNER OF BEN HILL  
  
10:14:39 GRIFFIN AND ESTERO PARKWAY WHERE A LARGE NUMBER OF -- TREES  
10:14:47 ARE BEING CLEARED.  
10:14:48 BECAUSE I BELIEVE THE LAND WAS OWNED BY MIROMAR DEVELOPMENT  
10:14:51 CORPORATION, I REACHED OUT TO A REPRESENTATIVE OF MIROMAR  
10:14:54 WHO TOLD ME, INTERESTINGLY, THAT, NO, NOTHING WAS GOING TO  
10:14:57 BE BUILT RIGHT NOW, THAT, IN FACT, THEY WERE PREPARING THE  
10:15:01 SITE FOR FUTURE DEVELOPMENT SO THAT WHAT WE MIGHT SEE THERE  
10:15:04 IN THE FUTURE WAS COWS, NOT BUILDINGS.  
10:15:10 >>Mayor Errington: THANK YOU.  
10:15:16 >>Jim Wilson: THAT'S WHAT THEY TOLD ME.  
10:15:18 >>Mayor Errington: ANYTHING ELSE?  
10:15:19 >>Jim Wilson: NO.  
10:15:19 THAT COMPLETES MY REPORT.  
10:15:21 THANK YOU.  
10:15:22 >>Mayor Errington: THANK YOU.  
10:15:23 COUNCIL MEMBER WARD.  
10:15:23 >>Jim Ward: [INAUDIBLE]  
10:15:25 >>Mayor Errington: COUNCIL MEMBER BOESCH.  
10:15:27 >>Jim Boesch: ONE COMMENT AND I'M NOT ADVOCATING THIS AS A  
10:15:34 SUPPORT, BUT PROBABLY THE MOST ASKED QUESTIONS IN  
10:15:43 STONEYBROOK IS, WHEN IS DUFFY GOING TO OPEN.  
10:15:48 I WANT EVERYBODY TO KNOW IT OPENED YESTERDAY.  
10:15:51 SO WHETHER YOU GO THERE OR NOT, IT MAKES NO DIFFERENCE TO  
10:15:54 ME.

10:15:55 I JUST GET THAT QUESTION OUT OF THE WAY AND I DON'T HAVE TO  
10:15:58 KEEP ON ANSWERING TO THE PEOPLE.  
10:15:59 >>Mayor Errington: OKAY.  
10:16:00 THANK YOU.  
10:16:00 THAT'S VERY IMPORTANT TO MANY PEOPLE.  
10:16:02 THANK YOU.  
10:16:03 I HAVE AN ITEM TO REPORT.  
10:16:09 ON SATURDAY, I THINK EVERYONE ON COUNCIL HAD THE INVITATION,  
10:16:14 DIFFERENT INVITATIONS TO GO TO -- EVENTS.  
10:16:20 AND I MANAGED TO DRAG MY HUSBAND ALONG, AND WE REPRESENTED  
10:16:24 THE VILLAGE.  
10:16:25 WE FIRST WENT TO LEE HEALTH, DRIVE-THROUGH THERE.  
10:16:30 IT WAS EXCELLENT AND ON ALL THE DIFFERENT AUXILIARIES AND  
10:16:35 HEALTH CARE ACTIVITIES THAT YOU CAN GET INVOLVED IN THROUGH  
10:16:38 LEE HEALTH.  
10:16:39 THEN WE WENT TO MIROMAR OUTLETS AND DID THE BEST BUDDY  
10:16:45 DRIVE-THROUGH THERE.  
10:16:46 THEN WE PROCEEDED TO THE YMCA PROJECT ON THE RIVER WHERE THE  
10:16:52 OLD HAPPEHATCHEE CENTER USED TO BE.  
10:16:55 IT WAS VERY WELL RECEIVED BY THE PUBLIC.  
10:17:01 I REALLY APPRECIATED WATCHING THE YOUNG CHILDREN OF THE  
10:17:04 FAMILIES DOING GEOCACHING AND ALL KINDS OF FUN ACTIVITIES,  
10:17:11 KAYAKING AND FUN THINGS THAT THE Y PEOPLE HAD SET UP FOR  
10:17:14 THEM TO PARTICIPATE IN.  
10:17:16 SO IT WAS GOOD, AND IT WAS A FUN DAY.  
10:17:20 IT WAS A VERY FIRING DAY, BUT IT WAS GOOD.  
  
10:17:23 THANK YOU FOR ALL OF YOU FOR ALL THE WORK YOU DO.  
10:17:27 THEY REALLY APPRECIATE ANYTIME WE HAVE ANY ACTIVITIES LIKE  
10:17:30 THAT, JUST SHOW UP.  
10:17:31 THEY JUST LOVE FOR ANYONE FROM COUNCIL TO SHOW UP AND JUST  
10:17:35 GIVE SUPPORT.  
10:17:36 OKAY.  
10:17:39 NOW WE WILL GO ON TO OUR VILLAGE ATTORNEY, BURT SAUNDERS.  
10:17:44 >>Burt Saunders: MADAM CHAIR, I DON'T HAVE ANYTHING TO ADD,  
10:17:46 UNLESS THERE ARE ANY QUESTIONS CONCERNING THE LEGISLATIVE  
10:17:49 AGENDA.  
10:17:50 I HAVE NOTHING TO ADD.  
10:17:51 WE'RE STILL WORKING ON THAT ONE BILL DEALING WITH THE  
10:17:54 COMPREHENSIVE PLAN THAT'S STILL PROBLEMATIC.  
10:17:57 AND I DID SPEAK TO I THINK A COUPLE OF COUNCIL MEMBERS  
10:18:00 CONCERNING THE BIG CYPRESS BASIN BILL THAT SEEMS TO BE DEAD  
10:18:06 FOR THIS SESSION AT THIS POINT.  
10:18:07 SENATOR RODRIGUES DID WHAT HE COULD FOR US, BUT APPARENTLY  
10:18:10 THERE WAS SOME OTHER ISSUES THAT GOT IN THE WAY OF THAT  
10:18:14 LEGISLATION.  
10:18:15 BUT OTHER THAN THAT, I DON'T HAVE ANYTHING TO REPORT, UNLESS

10:18:17           THERE ARE ANY SPECIFIC QUESTIONS.  
10:18:19           >>Mayor Errington: THANK YOU.  
10:18:20           THE VILLAGE MANAGER'S REPORT, STEVE SARKOZY.  
10:18:23           >>Steven Sarkozy: NOTHING NEW.  
10:18:24           >>Mayor Errington: NOTHING TODAY.

10:18:25           OKAY.  
10:18:26           WE ARE NOW GOING TO GO INTO THE WORKSHOP, BUT I'D LIKE TO  
10:18:30           TAKE A TEN-MINUTE BREAK, SO WE WILL END THIS MEETING AND  
10:18:34           CONVENE IN TEN MINUTES.  
10:18:35           IS THAT OKAY?  
10:18:36           OKAY.  
10:18:37           [RECESS]  
10:18:40           >>Mayor Errington: WELCOME BACK.  
10:27:40           WE WILL NOW RECONVENE AND BEGIN OUR FIRST WORKSHOP ITEM.  
10:27:46           NUMBER 14, IT RELATES TO LAND USE AND ZONING PROCEDURES.  
10:27:49           AGAIN, STEVE, WOULD YOU INTRODUCE THIS, PLEASE?  
10:27:53           >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.  
10:27:56           THIS IS THE CONTINUING IMPLEMENTATION OF OUR NEW LAND  
10:28:02           DEVELOPMENT CODE AND COMPREHENSIVE PLAN PROVISIONS.  
10:28:08           AND THIS PRESENTATION IS ALSO PART OF THE TRAINING PROGRAM  
10:28:12           TO THE COUNCIL MEMBERS AND PARTICULARLY THE PLANNING AND  
10:28:15           ZONING MEMBERS AS WE ADOPT AND IMPLEMENT THE NEW LAND  
10:28:20           DEVELOPMENT CODE.  
10:28:21           YOU'LL RECALL WHEN THAT WAS ADOPTED, WE INDICATED THAT WE  
10:28:24           WERE GOING TO TAKE A FULL MONTH HERE WHO GO THROUGH TRAINING  
10:28:29           PROGRAMS AND JUST UPDATING EVERYBODY ON THE NEW CODE.  
10:28:34           AND THIS SETTING IS PART OF THAT DISCUSSION.  
10:28:38           WE HAVE NANCY STROUD, OUR LAND USE ATTORNEY, HERE WITH US,  
10:28:42           AND JUST BY WAY OF BACKGROUND, THERE WAS A TRAINING SESSION  
10:28:46           LAST NIGHT WITH OUR NEW PLANNING AND ZONING COMMITTEE.

10:28:50           SO WITH THAT, I'LL TURN IT OVER TO MARY GIBBS, OUR DIRECTOR  
10:28:56           OF COMMUNITY DEVELOPMENT, FOR FURTHER INTRODUCTION AND  
10:29:01           PRESENTATION.  
10:29:01           MARY.  
10:29:03           >>Mary Gibbs: THANK YOU, STEVE.  
10:29:04           AS STEVE SAID, WE DID THIS LAST NIGHT AT PLANNING AND ZONING  
10:29:08           BOARD.  
10:29:08           WE'RE GOING TO DO IT A LITTLE FASTER TODAY BECAUSE IT TOOK  
10:29:11           US TWO HOURS TO GET THROUGH IT.  
10:29:13           THERE WERE A LOT OF QUESTIONS.  
10:29:14           >>Mayor Errington: THANK YOU.  
10:29:15           >>Mary Gibbs: FEEL FREE TO ASK QUESTIONS AS WE GO ALONG AS  
10:29:18           WELL.  
10:29:19           NANCY AND I ARE GOING TO TAG-TEAM THIS PRESENTATION, SO WE  
10:29:22           WON'T BE AS BORING.  
10:29:27           WHAT WE'RE DOING, WE'LL HAVE A CASE STARTING AROUND THE END

10:29:31 OF NEXT MONTH.  
10:29:32 WE WANT TO GET YOU BRIEFED ON ALL THE PROCEDURES SO YOU'RE  
10:29:34 READY WHEN THE FIRST CASE COMES FORWARD.  
10:29:37 SO WHAT WE'RE GOING TO DO, NANCY IS GOING TO TALK ABOUT  
10:29:41 PUBLIC OFFICIAL LAWS IN GENERAL, AND WE'RE GOING TO TALK  
10:29:43 ABOUT THE ROLE OF THE COUNCIL.  
10:29:46 THAT'S GOING TO EXPLAIN QUASI-JUDICIAL PROCEEDINGS A LITTLE  
10:29:48 BIT MORE, AND THEN WE'RE GOING TO TALK ABOUT THE NEW ROLES  
10:29:52 OF THE PLANNING, ZONING, AND DESIGN BOARD AND THE ROLES OF  
  
10:29:54 STAFF BECAUSE THEY'VE CHANGED A LITTLE BIT NOW THAT WE'VE  
10:29:58 CONSOLIDATED THIS BOARD AND WE HAVE A NEW BOARD AND WE HAVE  
10:30:00 A NEW LAND DEVELOPMENT CODE.  
10:30:02 NANCY WILL FINISH UP WITH SOME OTHER LEGAL ISSUES.  
10:30:06 AND LIKE I SAID, JUST ASK QUESTIONS AS WE GO ALONG IF YOU  
10:30:09 HAVE ANY.  
10:30:10 SO, NANCY, PUBLIC OFFICIAL LAWS.  
10:30:17 >>Nancy Stroud: GOOD MORNING, COUNCIL.  
10:30:19 I KNOW THAT YOU'VE HAD SOME TRAINING ALREADY.  
10:30:22 OF COURSE, THE COUNCIL MEMBERS WHO HAVE BEEN COUNCIL FOR A  
10:30:25 WHILE HAVE HAD THIS TRAINING IN GENERAL PUBLIC OFFICIAL  
10:30:29 LAWS.  
10:30:30 BUT TO GO OVER THEM QUITE BRIEFLY, I THOUGHT ESPECIALLY FOR  
10:30:35 LAND USE MATTERS, IT'S IMPORTANT TO REMEMBER THAT THE  
10:30:39 COUNCIL OPERATES GOVERNMENT IN THE SUNSHINE, AS EVERY PUBLIC  
10:30:44 OFFICIAL IN FLORIDA DOES.  
10:30:45 AND SO THAT MEANS IN PARTICULAR THAT ALL MEETINGS BETWEEN  
10:30:53 COUNCIL MEMBERS ARE CONSIDERED PUBLIC MEETINGS.  
10:30:57 IF YOU JUST TALK TO SOMEONE ON YOUR RIGHT, YOUR LEFT, YOU'RE  
10:31:01 ALREADY IN A PUBLIC MEETING, SO YOU'RE FINE.  
10:31:04 BUT IF YOU TALK IN THE PARKING LOT, THAT IS A PUBLIC  
10:31:07 MEETING.  
10:31:08 IF YOU'RE TALKING ABOUT BUSINESS, THE PUBLIC BUSINESS.  
10:31:11 ALL PUBLIC MEETINGS IN FLORIDA NEED TO BE NOTICED SO THAT  
10:31:16 THE PUBLIC CAN ATTEND.  
  
10:31:19 NOTICED MEETINGS VARY ACCORDING TO WHAT KIND OF DECISION IS  
10:31:24 GOING TO BE MADE.  
10:31:27 IN LAND USE DECISIONS THAT THIS COUNCIL MAKES, THERE ARE  
10:31:30 STATUTORY REQUIREMENTS FOR PUBLISHED NOTICE IN THE PAPER.  
10:31:36 WE ALWAYS PUBLISH NOTICE ON THE WEB AND ON THE BULLETIN  
10:31:40 BOARD OUTSIDE.  
10:31:41 IN LAND USE MATTERS, PARTICULARLY, THERE'S A LOT OF NOTICE  
10:31:44 INVOLVED, AND SOMETHING THAT YOUR STAFF IS VERY ATTENTIVE  
10:31:49 TO.  
10:31:50 BECAUSE IF YOU DON'T DO THE NOTICE CORRECTLY, YOUR DECISION  
10:31:53 CAN BE OVERTURNED.  
10:31:54 SO IT'S SOMETHING VERY CRITICAL TO US IN THE DETAILS OF LAND

10:31:58 USE MATTERS.  
10:31:59 PUBLIC RECORDS ARE ALSO VERY IMPORTANT.  
10:32:05 I THINK YOU ALL KNOW THIS, THAT ANY E-MAIL THAT YOU SEND IN  
10:32:11 DOING YOUR PUBLIC BUSINESS, WHETHER IT'S ON YOUR HOME  
10:32:16 COMPUTER OR A TELEPHONE THAT YOU HAVE BEEN ISSUED FOR BY THE  
10:32:25 VILLAGE IS A PUBLIC RECORD.  
10:32:26 SO IT'S YOUR DUTY TO MAINTAIN THOSE PUBLIC RECORDS.  
10:32:31 THE BEST WAY TO DO THAT IS TO SEND A COPY TO THE CLERK,  
10:32:35 BECAUSE THE CLERK HAS A WHOLE SYSTEM FOR MAINTAINING PUBLIC  
10:32:38 RECORDS.  
10:32:40 IF ANYONE ASKS FOR A PUBLIC RECORD, IF IT'S HERE AT THE  
10:32:45 VILLAGE, THEN THERE IS A GOOD SYSTEM THAT I.T. CAN MANAGE TO  
10:32:53 DELIVER ALL THE PUBLIC RECORDS.

10:32:54 IF YOU DON'T DELIVER THE PUBLIC RECORDS IN A TIMELY WAY,  
10:32:58 THEN YOU'RE SUBJECT TO LEGAL CONSEQUENCES, INCLUDING FINES,  
10:33:08 ESSENTIALLY, IF IT GOES THROUGH THE WHOLE COURT PROCESS.  
10:33:10 SO VERY IMPORTANT TO KEEP YOUR PUBLIC RECORDS.  
10:33:13 AND PUBLIC RECORDS INCLUDE, OBVIOUSLY, LETTERS.  
10:33:18 WE DO A LOT OF E-MAILS NOW.  
10:33:21 BUT ALSO TEXTS.  
10:33:23 SO IF YOU USE YOUR PHONE TO DO TEXTS, REMEMBER, THAT'S A  
10:33:28 PUBLIC RECORD, AND IT'S SUBJECT TO BE REQUESTED.  
10:33:32 WE GET REQUESTS EVERY NOW AND THEN FOR EVERY PUBLIC RECORD  
10:33:36 REGARDING SUCH AND SUCH A SUBJECT.  
10:33:38 AND THAT MEANS THEN WE GO ON A WHOLE SEARCH FOR EVERYTHING,  
10:33:42 INCLUDING E-MAILS AND TEXTS.  
10:33:44 THE THIRD THING THAT'S IMPORTANT TO REMEMBER IN CONDUCTING  
10:33:50 PUBLIC BUSINESS, ESPECIALLY IN LAND USE MATTERS IS THAT WHEN  
10:33:57 A COUNCIL MEMBER HAS A CONFLICT OF INTEREST IN REGARD TO A  
10:34:02 DECISION THAT'S COMING BEFORE THE COUNCIL, THAT CONFLICT OF  
10:34:06 INTEREST MUST BE DISCLOSED AND THE MEMBER WHO HAS THAT  
10:34:11 CONFLICT CANNOT PARTICIPATE IN THE DISCUSSION OR VOTE ON THE  
10:34:16 MATTER, AND THERE IS A FORM THAT NEEDS TO BE FILED WITH THE  
10:34:21 CLERK AT THE SAME MEETING OR SHORTLY THEREAFTER TO PUT IN  
10:34:30 THE FILE IN THE PUBLIC RECORD THAT YOU HAD THE CONFLICT.  
10:34:35 WHETHER YOU HAVE A CONFLICT IS ALWAYS VERY FACTUALLY  
10:34:39 SPECIFIC DETERMINATION.  
10:34:41 SO I THINK IF YOU TAKE ANYTHING AWAY FROM MY COMMENTS ON

10:34:45 CONFLICT OF INTEREST, IT IS PLEASE ASK YOUR ATTORNEY IF YOU  
10:34:55 HAVE ANY CONCERN THAT YOU MIGHT HAVE A CONFLICT.  
10:34:57 CONFLICT IS A DIRECT FINANCIAL INTEREST THAT CAN FLOW FROM  
10:35:06 THE DECISION THAT YOU ARE CONFRONTED WITH.  
10:35:10 AND IT IS A DIRECT FINANCIAL INTEREST FOR YOUR GAIN OR LOSS  
10:35:19 OF YOUR FAMILY, YOUR SPOUSE, YOUR CHILDREN.  
10:35:23 YOU TAKE ON THAT CHARACTER.  
10:35:25 SO ANYTHING THAT THEY MIGHT HAVE A CONFLICT WITH, IT'S

10:35:28 CONSIDERED YOUR CONFLICT OR YOUR EMPLOYER.  
10:35:31 SOME OF THE MORE INTERESTING KINDS OF QUESTIONS THAT HAVE  
10:35:41 COME UP OVER THE YEARS HERE HAVE BEEN REGARDING WHETHER, FOR  
10:35:48 EXAMPLE, A SPOUSE IS ON A CHURCH BOARD, AND THE CHURCH IS  
10:35:56 COMING FORWARD FOR AN APPROVAL, WHETHER THAT IS A POSSIBLE  
10:36:04 CONFLICT OF INTEREST.  
10:36:04 IT IS A POSSIBLE CONFLICT OF INTEREST, AND WE NEED TO KNOW  
10:36:08 THE DETAILS OF WHETHER A DECISION WOULD GO TO THE GAIN OF  
10:36:16 THAT PERSON, THE FINANCIAL GAIN, THE DIRECT FINANCIAL GAIN  
10:36:19 OF THAT PERSON.  
10:36:21 IN MOST CASES, IT WILL NOT, BECAUSE WHEN YOU SIT ON A CHURCH  
10:36:24 BOARD, YOU KNOW, YOU ARE ACTING AS A VOLUNTEER.  
10:36:29 IT'S NOT YOUR GAIN IF YOU'RE NOT EMPLOYED BY THE CHURCH,  
10:36:33 THEN IT'S NOT, YOU KNOW, YOUR GAIN.  
10:36:35 BUT THERE ARE, YOU KNOW, DETAILS THAT OFTEN NEED TO BE  
10:36:40 EXPLORED TO ENSURE THAT THAT'S NOT THE CASE.  
10:36:43 AND WHEN THERE'S A QUESTION, IT'S ALWAYS GOOD TO BE CAREFUL.

10:36:49 WE'RE VERY CAREFUL AND SAY IF IT'S AN APPEARANCE, YOU KNOW,  
10:36:52 IF IT IS A CLOSE CASE, THEN WE'LL SAY, DON'T PARTICIPATE.  
10:36:55 SO, ANY QUESTIONS ON THAT?  
10:37:00 MR. BOESCH.

10:37:02 >>Jim Boesch: I THINK IT'S IMPORTANT TO EXPLAIN HOW  
10:37:07 DISCUSSING APPLICATIONS THAT COME TO US FOR PASSAGE ON,  
10:37:19 ZONING SET FORWARD, TALKING TO DEVELOPERS IS NOT A CONFLICT  
10:37:27 OF INTEREST.

10:37:27 >>Nancy Stroud: CORRECT.  
10:37:29 JUST DISCUSSING MATTERS WITH AN APPLICANT, IT HAS ITS OTHER  
10:37:35 ISSUES THAT I'LL ADDRESS LATER WHEN WE GET TO EX PARTE  
10:37:40 DISCLOSURES, JUST TALKING TO DEVELOPERS IS NOT BY ITSELF  
10:37:48 ILLEGAL.

10:37:49 IT MAY NOT BE A PRUDENT THING TO DO.  
10:37:51 IT MIGHT NOT BE THE WAY YOU WANT TO CONDUCT BUSINESS, BUT  
10:37:54 FLORIDA LAW SAYS THAT AS LONG AS YOU DISCLOSE THE  
10:38:00 DISCUSSIONS BEFORE YOU VOTE, THEN THAT'S OKAY.

10:38:02 I WILL GET BACK TO QUASI-JUDICIAL, BUT I THINK IF THERE  
10:38:10 AREN'T ANY OTHER QUESTIONS, I'LL TURN IT BACK TO --

10:38:19 >>Mary Gibbs: I HAVE A QUESTION, AND I JUST WANTED TO BRING  
10:38:22 UP, THIS CAME UP, I THINK, LAST NIGHT.

10:38:24 AND IT RELATES TO WHEN YOU'RE GETTING E-MAILS.

10:38:27 IT MIGHT BE A ZONING CASE GOING ON.

10:38:29 THE PUBLIC WILL SEND IN E-MAILS OR THEY SEND IN E-COMMENTS,  
10:38:33 IT WILL SAY, OH, I LOVE THIS PROJECT OR I HATE THIS PROJECT.

10:38:39 YOU WANT TO BE CAREFUL THAT YOU DON'T GET ENGAGED IN A  
10:38:42 DISCUSSION.

10:38:44 SO WHAT WE INDIVIDUALS THE PLANNING, ZONING AND DESIGN BOARD  
10:38:47 IS WHEN YOU GET THOSE TYPE OF E-MAILS, OH, THANK YOU FOR



10:38:50 YOUR E-MAIL, WE FORWARDED IT TO THE CLERK AND WE'LL SEE YOU  
10:38:53 AT THE HEARING OR SOMETHING SIMPLE.  
10:38:55 YOU DON'T WANT TO GET IN A DISCUSSION WITH, OH, THANK YOU, I  
10:38:59 AGREE.  
10:38:59 I DON'T LIKE THE PROJECT.  
10:39:00 YOU KNOW, YOU DON'T WANT TO PREJUDGE THAT.  
10:39:03 YOU WANT TO BE CAREFUL AND ALSO WANT TO BE CAREFUL, I KNOW  
10:39:06 YOU KNOW THIS, BUT "REPLY ALL," YOU DON'T WANT TO BE  
10:39:10 REPLYING TO EVERYBODY.  
10:39:12 YOU COULD COPY ME OR THE CLERK AND WE'LL MAKE SURE WE GET  
10:39:14 THOSE FILED.  
10:39:22 >>Jim Boesch: MARY, EXPLAIN THINGS WHEN YOU DISCUSS THINGS  
10:39:24 WITH THE DEVELOPER, YOU SAY, WELL, I AGREE WITH THAT, HOW IS  
10:39:31 THAT OR IS IT NOT A CONFLICT?  
10:39:33 >>Mary Gibbs: WHEN YOU ARE TALKING TO DEVELOPERS AND I THINK  
10:39:37 NANCY WILL GET A LITTLE MORE INTO THIS WHEN WE DO THE ZONING  
10:39:40 QUASI-JUDICIAL, BUT IF YOU'RE TALKING TO DEVELOPERS, YOU CAN  
10:39:44 TALK TO THEM.  
10:39:45 I ALWAYS SAY IF THEY WANT TO COME IN AND MEET WITH YOU, IT'S  
10:39:48 NOT USUALLY A GOOD IDEA BECAUSE THEY USUALLY WILL TRY TO  
10:39:51 PUSH YOU INTO A CORNER OR GET YOU TO SAY SOMETHING THAT YOU  
  
10:39:53 HAVEN'T REALLY HAD THE ADVANTAGE OF SEEING A STAFF REPORT OR  
10:39:57 LOOKING AT THE PROJECT PLANS.  
10:39:59 YOU REALLY CAN'T COMMENT BECAUSE IT'S SO PRELIMINARY.  
10:40:02 IF THAT HAPPENS, USUALLY, I WOULD SAY, THIS IS VERY  
10:40:06 PRELIMINARY.  
10:40:06 I CAN'T EVEN COMMENT AT THIS TIME BECAUSE I'M NOT FAMILIAR  
10:40:09 WITH THIS CASE AND I HAVE NOT SEEN A STAFF REPORT.  
10:40:12 SO THAT'S, I THINK, A GOOD WAY TO HANDLE SOMETHING LIKE  
10:40:15 THAT.  
10:40:15 BECAUSE THEY WILL TRY TO GET YOU TO SAY, OH, IT LOOKS NICE,  
10:40:20 BUT, YOU KNOW, MAYBE YOU DON'T KNOW ANY OF THE DETAILS AT  
10:40:22 THAT POINT.  
10:40:25 >>Mayor Errington: I HAVE A COMMENT.  
10:40:28 THIS IS, I THINK, THE APPROPRIATE TIME TO SAY THIS, IS THAT  
10:40:31 WHENEVER WE HAVE SOMEONE FROM THE NEWS MEDIA THAT WANTS TO  
10:40:35 CONTACT US INDIVIDUALLY ABOUT A COMMENT ON SOMETHING THAT'S  
10:40:40 HAPPENING WITHIN THE VILLAGE, I WANT TO MAKE SURE THAT WE  
10:40:46 UNDERSTAND THAT UNLESS IT'S BEEN VOTED ON, WE ARE SPEAKING  
10:40:50 INDIVIDUALLY ABOUT MAKING A COMMENT THAT'S GOING TO BE  
10:40:53 GENERATED THROUGHOUT THE COMMUNITY.  
10:40:55 AND SO I THINK IT'S IMPORTANT HERE TO KNOW THAT ONLY IF WE  
10:41:01 HAVE VOTED ON A PARTICULAR ITEM AS A COUNCIL, SHOULD ANY OF  
10:41:06 US FEEL FREE TO COMMENT ON IT TO THE NEWS MEDIA.  
10:41:11 AM I CORRECT?  
10:41:12 >>Mary Gibbs: CORRECT.

10:41:13 AND THAT WOULD BE YOUR PERSONAL OPINION IF SOMEBODY ASKED  
10:41:16 YOU, BUT YOU HAVEN'T VOTED ON IT, YOU MIGHT HAVE A PERSONAL  
10:41:19 OPINION, BUT YOU MIGHT BE BETTER OFF JUST SAYING, WE HAVEN'T  
10:41:22 VOTED ON THAT YET, SO I REALLY DON'T HAVE ALL THE DETAILS TO  
10:41:25 COMMENT.  
10:41:26 OR YOU CAN ALWAYS REFER TO YOUR MANAGER WHO IS HAPPY TO TALK  
10:41:31 TO THE MEDIA.  
10:41:33 [ LAUGHTER ]  
10:41:35 >>Mayor Errington: THANK YOU.  
10:41:36 >>Mary Gibbs: JUST CHECKING TO SEE IF HE WAS PAYING  
10:41:39 ATTENTION.  
10:41:39 ALL RIGHT.  
10:41:43 SO, THE ROLE OF THE COUNCIL IN LAND USE AND ZONING.  
10:41:46 THE COUNCIL IS THE DECISION MAKER FOR ALL COMPREHENSIVE PLAN  
10:41:50 AMENDMENTS AND REZONINGS.  
10:41:52 AND JUST TO REMIND YOU, THE COMPREHENSIVE PLAN IS BASICALLY  
10:41:55 CONSIDERED THE CONSTITUTION FOR THE VILLAGE.  
10:41:57 EVERYTHING HAS TO BE CONSISTENT WITH YOUR PLAN.  
10:42:00 AND YOUR LAND DEVELOPMENT CODE, WHICH WE JUST ADOPTED IN  
10:42:03 JANUARY, THAT IMPLEMENTS THE PLAN, SO THAT'S GOT THE MORE  
10:42:06 SPECIFIC REGULATIONS.  
10:42:07 THIS IS JUST A LITTLE REMINDER.  
10:42:10 NOW, THE CASES THE COUNCIL WILL BE REVIEWING ARE TWO  
10:42:15 DIFFERENT KINDS.  
10:42:16 ONE IS CALLED LEGISLATIVE AND ONE IS CALLED QUASI-JUDICIAL.

10:42:19 AND NANCY IS GOING TO EXPLAIN THE QUASI-JUDICIAL IN MORE  
10:42:23 DETAIL.  
10:42:24 THOSE ARE ALL YOUR REZONINGS, PLANNED DEVELOPMENT REZONINGS,  
10:42:28 AMENDMENTS TO PLANNED DEVELOPMENTS, AND WE HAVE A NEW CASE  
10:42:31 CALLED THE BAR SPECIAL PERMIT.  
10:42:33 THAT'S IF SOMEBODY WANTS TO ESTABLISH A BAR BECAUSE THE  
10:42:36 COMPREHENSIVE PLAN DID NOT ALLOW THEM UNTIL RECENTLY.  
10:42:40 THERE'S LEGISLATIVE CASES WHERE YOU'VE GOT MORE LEEWAY IN  
10:42:43 HOW YOU MAKE A DECISION, AND THOSE ARE COMPREHENSIVE PLAN  
10:42:46 AMENDMENTS AND GENERAL LAND USE TYPE OF ORDINANCES.  
10:42:50 AND THEN WE HAVE WHAT WE CALL THE VACATIONS OF THE  
10:42:52 RIGHT-OF-WAY, WHICH YOU HAD A COUPLE I THINK AT YOUR LAST  
10:42:56 MEETING WHERE SOMEBODY NEEDS TO VACATE AN EASEMENT.  
10:42:59 AND THEN WE HAVE OTHER, WE HAVE PLATS.  
10:43:01 WHEN SOMEBODY WANTS TO SUBDIVIDE PROPERTY, THEY HAVE TO MEET  
10:43:05 THE REQUIREMENTS OF THE STATE STATUTE.  
10:43:07 SO THAT DOESN'T REALLY FALL INTO EITHER CATEGORY.  
10:43:09 BUT THOSE ARE THE KIND OF THINGS THAT YOU'LL BE SEEING.  
10:43:13 AND THEN A TYPICAL ZONING AGENDA WHEN WE HAVE A ZONING CASE  
10:43:17 OR EVEN A LAND USE TYPE CASE, WHICH YOU'LL BE SEEING NEXT  
10:43:22 MONTH, THE STAFF WILL DO A BASIC INTRODUCTION OF THE ITEM.  
10:43:25 THE APPLICANT WILL GET UP AND MAKE THEIR PRESENTATION.

10:43:29 THEN IF YOU HAVE QUESTIONS, YOU ASK FOR THE QUESTIONS.  
10:43:32 WE ALWAYS TAKE PUBLIC INPUT, AND THEN YOU HAVE A COUNCIL  
10:43:36 DISCUSSION, AND THEN THE COUNCIL MAKES A DECISION.

10:43:39 SO ZONING, QUASI-JUDICIAL, TURN IT OVER TO NANCY.  
10:43:48 >>Jim Boesch: CAN I ASK MARY BEFORE YOU GO?  
10:43:50 IS IT OKAY FOR COUNCIL PEOPLE TO GO TO THE COMP PLANNING AND  
10:43:54 ZONING MEETING ON AN ISSUE THAT ULTIMATELY COMES TO US?  
10:43:59 >>Mary Gibbs: TO THE PLANNING AND ZONING BOARD MEETING?  
10:44:01 I BELIEVE YOU COULD ATTEND THE MEETING AND OBSERVE OR WATCH  
10:44:06 IT JUST TO OBSERVE IT.

10:44:09 >>Jim Boesch: I WAS ASKING BECAUSE THESE ARE BRAND-NEW  
10:44:12 PEOPLE HERE.  
10:44:12 THEY MAY NEED SOME GUIDANCE ON WHAT TO DO, WHAT NOT TO DO  
10:44:16 WHEN IT COMES TO PLANNING AND SOME OF THE ISSUES THAT COME  
10:44:21 ULTIMATELY TO THE COUNCIL FOR FINAL DECISION.

10:44:22 >>Mary Gibbs: I'M GOING TO LET NANCY ANSWER THAT.

10:44:25 >>Nancy Stroud: I THINK IT'S PERFECTLY FIND IF YOU WANT TO  
10:44:28 ATTEND A MEETING.

10:44:29 IT'S REALLY FOR OBSERVATION, HOWEVER, TO GATHER FACTS AND  
10:44:33 UNDERSTAND MAYBE.

10:44:36 IT'S NOT REALLY APPROPRIATE AT THAT TIME TO MAKE ANY  
10:44:39 COMMENTS BECAUSE IT WILL COME TO YOU AND TO THE WHOLE  
10:44:44 COUNCIL AT WHICH TIME YOU'LL HAVE THE OPPORTUNITY TO  
10:44:47 QUESTION AND MAKE COMMENTS, OR YOU CAN DIRECT COMMENTS TO  
10:44:51 THE STAFF THAT YOU MIGHT BE CONCERNED ABOUT HAVING WATCHED  
10:44:55 THE BOARD MEETING.

10:44:58 BUT LET ME SAY SOMETHING ABOUT QUASI-JUDICIAL HEARINGS.

10:45:08 MOST OF OUR COUNCIL MEMBERS HAVE HAD YEARS OF QUASI-JUDICIAL

10:45:11 HEARINGS, SO THIS IS A REFRESHER.

10:45:12 BUT THE KINDS OF QUESTIONS OR DECISIONS THAT THE BOARD WILL  
10:45:19 BE MAKING ON SITE-SPECIFIC KINDS OF PROJECTS, REZONINGS, PD  
10:45:26 ZONINGS, WILL BE CONDUCTED AS QUASI-JUDICIAL PUBLIC  
10:45:32 HEARINGS.

10:45:32 SO THAT'S A LITTLE BIT DIFFERENT THAN WHAT MARY JUST WENT  
10:45:35 OVER ON A NORMAL KIND OF PROCESS, BECAUSE THERE ARE ALL  
10:45:38 THESE OTHER THINGS THAT YOU DO.

10:45:40 SO AT THE BEGINNING, EACH PERSON IN THE AUDIENCE, NOT THE  
10:45:46 COUNCIL, BUT IN THE AUDIENCE AND THE STAFF, NEEDS TO BE  
10:45:49 SWORN IN SO THAT THEIR TESTIMONY IS UNDER OATH.

10:45:56 ALL THE COUNCIL MEMBERS WILL NEED TO DISCLOSE ANY EX PARTE  
10:46:00 COMMUNICATIONS THAT THEY HAVE HAD OUTSIDE OF THE MEETING  
10:46:05 WITH ANYBODY EXCEPT STAFF, WITH AN APPLICANT'S

10:46:10 REPRESENTATIVES, WITH THE PUBLIC, WITH ANOTHER AGENCY,  
10:46:13 ANYTHING OUTSIDE OF THE MEETING THAT NEEDS TO BE SHARED WITH  
10:46:19 THE REST OF THE COUNCIL MEMBERS.

10:46:23 AND THAT IS REALLY NOT LIKE A CONFESSION.

10:46:25 IT'S NOT LIKE IT WAS A SIN THAT YOU HAVE TO CONFESS.  
10:46:29 IT IS REALLY A PROTECTION FOR THE PROCESS AND FOR THE  
10:46:35 INDIVIDUAL COUNCIL MEMBERS, SO THAT EVERYTHING IS OPEN AND  
10:46:37 IN THE SUNSHINE, AND THERE CAN'T BE ANY CLAIMS OF BIAS OR  
10:46:43 CONSIDERATION OF ANOTHER FACTOR THAT ISN'T PUT INTO THE  
10:46:46 RECORD.  
10:46:47 SO WE GO THROUGH THE PROCESS, AND IT'S NOT JUST REALLY A

10:46:52 ROTE PROCESS.  
10:46:53 IF YOU'VE HAD COMMUNICATIONS, THEN YOU REALLY DO NEED TO  
10:46:56 DISCLOSE THEM, INCLUDING WRITTEN COMMUNICATIONS.  
10:47:01 >> DOES THAT INCLUDE COMMUNICATIONS YOU'VE HAD PRIOR TO  
10:47:03 BEING ON THE COUNCIL?  
10:47:05 >>Nancy Stroud: IF IT IS ABOUT THE PROJECT, YES, I WOULD  
10:47:08 DISCLOSE THAT, YES.  
10:47:11 >>Jim Boesch: NANCY, IT'S IMPORTANT TO SAY EACH COUNCIL  
10:47:13 MEMBER IS INDIVIDUALLY ASKED IF THEY HAVE EX PARTE  
10:47:21 CONFLICTS.  
10:47:21 >>Nancy Stroud: RIGHT, YES.  
10:47:23 TAKE THE TIME TO GO AROUND THE DAIS AND ASK EVERYBODY TO  
10:47:27 DISCLOSE ANY.  
10:47:28 THAT ALSO INCLUDES SITE VISITS, BY THE WAY.  
10:47:30 SOMETIMES WE FORGET THAT IT'S NOT JUST YOUR DISCUSSIONS, BUT  
10:47:34 IF YOU ACTUALLY WENT TO THE SITE OF THE PROJECT TO SEE WHAT  
10:47:38 YOU COULD FIND OUT ABOUT IT, TO SEE WHAT FACTS YOU CAN  
10:47:41 LEARN, THOSE -- YOU NEED TO DISCLOSE THAT YOU DID THAT.  
10:47:45 AND THEN ANY CONFLICTS THAT A MEMBER MIGHT HAVE NEED TO BE  
10:47:51 DISCLOSED, AND IF THE MEMBER HAS A CONFLICT, THEN WHAT WE  
10:47:55 ASK IS THAT YOU TAKE YOURSELF OFF THE DAIS.  
10:47:59 OF COURSE, YOU CANNOT JOIN THE DISCUSSION OR HAVE  
10:48:04 PARTICIPATED IN THE VOTE.  
10:48:05 THEN THE STAFF WILL COME UP AND DO AN OVERVIEW OF THE CASE.  
10:48:11 GENERALLY POINTING OUT WHAT THE ISSUES ARE, YOU KNOW,

10:48:15 GENERALLY WHAT THE COUNCIL NEEDS TO FOCUS IN ON.  
10:48:18 AND THEN THE APPLICANT MAKE ITS PRESENTATION.  
10:48:21 THE APPLICANT HAS THE BURDEN OF PARAGRAPH.  
10:48:24 SO THE APPLICANT NEEDS TO CARRY THE BURDEN OF PUTTING ON ALL  
10:48:29 THE FACTS THAT IT THINKS SUPPORTS ITS APPLICATION.  
10:48:33 SO WE REALLY USUALLY ALLOW MORE TIME FOR THE APPLICANT,  
10:48:37 ESPECIALLY IN THOSE MATTERS THAT ARE NOT VERY CONTROVERSIAL,  
10:48:41 WHERE THE STAFF IS IN AGREEMENT OR SUBSTANTIALLY IN  
10:48:45 AGREEMENT.  
10:48:47 THEN THE COUNCIL CAN ASK QUESTIONS OF THE APPLICANT.  
10:48:52 THE STAFF WILL GET BACK UP AND EITHER PRESENT MORE  
10:49:00 INFORMATION OR DIFFERENT INFORMATION OR CLARIFYING  
10:49:02 INFORMATION, AND THEN THE PUBLIC WILL BE INVITED TO SPEAK,  
10:49:10 THE PUBLIC HEARING WILL BE OPENED AND THE PUBLIC HAS AN

10:49:13 OPPORTUNITY TO SPEAK, AND THEY ARE LIMITED TO THREE MINUTES,  
10:49:16 UNLESS SOMEONE IS REPRESENTING AN ORGANIZATION, AND YOU WANT  
10:49:20 TO GIVE THAT PERSON A LITTLE EXTRA TIME, YOU DECIDE AS A  
10:49:25 COUNCIL IF YOU WANT TO DO THAT, SO THAT EVERY INDIVIDUAL IN  
10:49:29 THAT ORGANIZATION DOESN'T HAVE TO COME UP AND TAKE THAT  
10:49:32 TIME.  
10:49:33 YOU CAN ASK QUESTIONS OF THE PUBLIC, BUT THAT'S NOT THE TIME  
10:49:39 TO DISCUSS THE MATTER.  
10:49:42 IT'S JUST GATHERING THE FACTS, AND THEN WHEN THE PUBLIC  
10:49:46 HEARING IS CLOSED, THAT'S WHEN THE COUNCIL HAS ITS  
10:49:50 DISCUSSION, COMES TO A RESOLUTION, MAKES A MOTION, AND TAKES

10:49:56 A VOTE.  
10:49:57 NOW, SOMETIMES IT'S NOT ALL THAT SMOOTH, AND YOU MIGHT WANT  
10:50:04 TO CALL THE STAFF BACK UP TO ASK A QUESTION.

10:50:08 BUT GENERALLY, THAT'S THE PROCESS.

10:50:14 >>Joanne Ribble: DOES THE PUBLIC EVER HAVE THE ABILITY TO  
10:50:17 QUESTION THE APPLICANT?

10:50:19 >>Nancy Stroud: GOOD QUESTION.

10:50:20 THE PUBLIC, IF THE COUNCIL DECIDES THAT ONE OF THE PUBLIC  
10:50:28 REPRESENTS A PARTY, A PARTY THAT HAS AN INTEREST THAT'S  
10:50:33 GREATER THAN THE GENERAL COMMUNITY, AND THAT'S USUALLY LIKE  
10:50:37 AN ADJACENT NEIGHBOR.

10:50:39 IT'S NOT LIKE ANYONE IN YOUR SUBDIVISION, NECESSARILY, THEN  
10:50:44 YOU, AS A COUNCIL, CAN SAY WE THINK THAT YOU HAVE -- YOU ARE  
10:50:49 A PARTY, AND IF A MEMBER WHO IS A PARTY HAS THE SAME  
10:50:54 OPPORTUNITY TO CROSS-EXAMINE WITNESSES AND PUT ON THEIR OWN  
10:50:59 WITNESSES AS THE APPLICANT OR THE STAFF.

10:51:03 WE HAVEN'T SEEN THAT VERY MUCH, BUT I THINK -- I HAVE SEEN  
10:51:08 IT IN MY PRACTICE, AND IT GOES FAIRLY SMOOTHLY, ESPECIALLY  
10:51:14 IF THE PERSON WHO THINKS HE'S A PARTY ALERTS EVERYBODY IN  
10:51:17 THE BEGINNING SO WE CAN MAKE SURE THAT THE PROCESS IS  
10:51:22 SMOOTH.

10:51:25 >>Mayor Errington: NANCY, SOME OF THE HEARINGS HAVE TAKEN  
10:51:29 MANY HOURS IN THE PAST.

10:51:33 IF WE GO THROUGH ALL THESE SEVEN STEPS AND IT'S GONE BEFORE  
10:51:38 THE PZB BOARD, SHOULDN'T WE BE ABLE TO DO ALL OF THIS IN TWO

10:51:45 HOURS?

10:51:48 >>Nancy Stroud: YES, THAT'S A GREAT QUESTION, TOO.

10:51:50 BECAUSE AS STAFF, WE HAVE BEEN CONSIDERING, AND WE'VE  
10:51:53 ACTUALLY DRAFTED UP SOME NEW RULES OF PROCEDURE FOR THE  
10:51:57 BOARD TO STREAMLINE THEIR PROCEDURES, INCLUDING TIME LIMITS  
10:52:02 ON THE APPLICANT'S PRESENTATION, THE ABILITY TO PUT IN  
10:52:06 AFFIDAVITS AS OPPOSED TO HAVING EXPERTS STAND UP AND GO  
10:52:12 THROUGH THEIR REPORT WHICH IS AVAILABLE ALREADY.

10:52:14 I THINK WE'RE GOING TO COME BACK TO THE COUNCIL WITH THE  
10:52:18 SAME KINDS OF PROPOSALS TO TRY AND STREAMLINE THAT PROCESS.

10:52:23 AND THAT INCLUDES, FOR EXAMPLE, PUBLIC COMMENT.  
10:52:28 WE HAD AT THE BOARD NOT TOO RECENTLY, NOT TOO LONG AGO,  
10:52:33 EXCUSE ME, A LOT OF WRITTEN PUBLIC COMMENT THAT CAME IN THE  
10:52:38 DAY AND ACTUALLY DURING THE MEETING.  
10:52:41 SO IF IT COMES IN BEFORE THE MEETING, WE CAN DISTRIBUTE IT  
10:52:44 TO THE COUNCIL, AND WE DON'T HAVE TO READ IT.  
10:52:50 IN THAT INSTANCE, WE DIDN'T HAVE THAT RULE SO PEOPLE WERE  
10:52:53 NOT COMING TO THE MEETING BUT JUST SENDING E-MAILS.  
10:52:58 AS A MATTER OF FAIRNESS, WE DECIDED WE NEEDED TO READ THE  
10:53:01 E-MAILS.  
10:53:02 NOW, WE THINK THERE'S A BETTER WAY TO DO THAT, TO CUT OFF --  
10:53:07 SET A TIME LIMIT FOR WRITTEN COMMENTS AND ALL THAT BECOMES  
10:53:11 PART OF THE RECORD AND THEN ANYONE WHO WANTS TO PARTICIPATE  
10:53:14 IN THE HEARING CAN COME TO THE HEARING AND MAKE A  
10:53:19 PRESENTATION.

10:53:19 SENDING IN AN E-MAIL AT THE HEARING WOULD NOT BE  
10:53:25 PROCEDURALLY CORRECT.  
10:53:26 >>Mayor Errington: IS THAT A LEGAL ISSUE THEN?  
10:53:29 IN FAIRNESS, IN TRANSPARENCY FOR EVERYONE SITTING HERE, IF  
10:53:33 WE HAD ALL OF THAT INFORMATION, SAY, THE TIME LIMIT WOULD BE  
10:53:37 THE DAY BEFORE.  
10:53:38 EVERYBODY NEEDS TO GET THEIR COMMENTS IN IF THEY CANNOT  
10:53:41 COME.  
10:53:42 BUT TO HAVE HUNDREDS OF COMMENTS TO COME IN DURING THE  
10:53:46 MEETING SEEMS LIKE A REAL BURDEN ON STAFF AND ON THE  
10:53:52 PROCESS.  
10:53:53 >>Nancy Stroud: RIGHT.  
10:53:55 IT IS A BURDEN.  
10:53:56 SO AS LONG AS THERE'S AN OPPORTUNITY TO PARTICIPATE BY  
10:54:00 PHYSICALLY COMING TO THE MEETING, IT IS NOT A LEGAL PROBLEM  
10:54:04 TO SAY, IF YOU'RE GOING TO MAKE WRITTEN COMMENTS AND IT HAS  
10:54:06 TO BE IN BY A CERTAIN DATE.  
10:54:08 >>Mayor Errington: BY A CERTAIN DATE.  
10:54:10 >>Nancy Stroud: RIGHT.  
10:54:10 >>Mayor Errington: EVEN THE DAY BEFORE?  
10:54:12 >>Nancy Stroud: WE'RE TALKING ABOUT MAYBE THE DAY BEFORE,  
10:54:14 YEAH, OR TWO DAYS BEFORE.  
10:54:15 SOME TIME WHERE WE CAN DISTRIBUTE IT TO THE COUNCIL SO  
10:54:18 EVERYONE CAN SEE IT.  
10:54:19 >>Mayor Errington: YES.

10:54:20 BECAUSE WE NEED TO BE ABLE TO READ IT, AND IT ISN'T FAIR FOR  
10:54:25 STAFF TO HAVE TO HAVE THOSE COMING IN WHILE THE MEETING IS  
10:54:31 IN PROGRESS.  
10:54:32 >>Nancy Stroud: WE'VE LEARNED A BETTER WAY TO DO IT.  
10:54:35 >>Mayor Errington: WILL THE PRESENTERS KNOW THAT THEY HAVE A  
10:54:37 TIME LIMIT?

10:54:39 ARE YOU GOING TO MAKE SURE THAT THEY KNOW --  
10:54:41 >>Nancy Stroud: YES.  
10:54:42 >>Mayor Errington: -- LIKE TWO HOURS, CAN'T TELL YOUR STORY  
10:54:45 IN TWO HOURS AFTER IT'S GONE THROUGH LIKE THE WASHING  
10:54:48 BEFORE.  
10:54:49 >>Nancy Stroud: AS WE KNOW, SUPREME COURT ARGUMENTS TAKE  
10:54:53 LESS TIME.  
10:54:53 AND THERE ARE WAYS TO PUT IN THE RECORD WHAT APPLICANTS NEED  
10:54:58 TO PUT IN.  
10:54:59 WE'VE TALKED TO A COUPLE OF THEM AND HAVE HAD SOME GOOD  
10:55:04 FEEDBACK.  
10:55:04 DID YOU WANT TO MAKE A COMMENT ABOUT DECORUM?  
10:55:13 >>Mary Gibbs: WE HAVEN'T TALKED TO ANY APPLICANTS YET UNTIL  
10:55:16 WE GET THE RULES OF PROCEDURE SET WITH THE PLANNING AND  
10:55:19 ZONING BOARD.  
10:55:19 WHAT WE'RE PROPOSING FOR PLANNING, ZONING, AND DESIGN BOARD  
10:55:23 IS A ONE-HOUR LIMIT.  
10:55:26 I ACTUALLY INFORMALLY TOUCHED BASE WITH A COUPLE OF  
10:55:30 APPLICANTS, THEY SAID, IF THERE ARE QUESTIONS, THAT MAKES IT  
  
10:55:34 LONGER, AS LONG AS THAT'S NOT SUBJECTED FROM THEIR TIME,  
10:55:36 THEY SHOULD BE FINE.  
10:55:37 WHAT WE PROPOSED ALSO IS THAT IF THERE ARE ITEMS THAT THE  
10:55:41 STAFF IS IN AGREEMENT WITH THE APPLICANT, THEN THEY DON'T  
10:55:45 NEED TO SHOW YOU 50 SLIDES SHOWING HOW THEY ARE CONSISTENT  
10:55:48 WITH THE COMPREHENSIVE PLAN AND PUT EVERYBODY INTO A COMA.  
10:55:51 SO WE'RE TRYING TO LIKE JUST FOCUS ON THE ISSUES THAT THERE  
10:55:55 ARE SOME DISAGREEMENTS ON.  
10:55:57 SO THAT'S WHAT WE'RE GOING TO DO WITH THE PLANNING, ZONING  
10:55:59 AND DESIGN BOARD AND THEN MAYBE COME BACK TO COUNCIL AND  
10:56:02 MAKE A FEW CHANGES AS WELL.  
10:56:04 >>Mayor Errington: I HAVE A PERSONAL COMMENT.  
10:56:06 I THINK WITH THE REDESIGN OF THIS BOARD, IT'S PZDB.  
10:56:13 WITH THE REDESIGN, IS THAT YOU HAVE DONE EVERYTHING POSSIBLE  
10:56:17 TO GET IT TO WHERE IT'S SUPPOSED TO BE WHEN IT COMES HERE TO  
10:56:20 THE COUNCIL, AND MY EXPECTATIONS ARE THAT IT WILL JUST KIND  
10:56:25 OF FLOW THROUGH.  
10:56:28 YOU'VE ALREADY DONE SO MUCH OF THIS ALREADY, AND WITH THE  
10:56:35 APPLICANT.  
10:56:37 BY THE TIME IT GETS HERE IT SHOULD BE RELATIVELY EASY FOR  
10:56:41 US, I WOULD THINK.  
10:56:43 NOW, TELL ME IF I'M INCORRECT.  
10:56:46 THAT WAS THE PURPOSE OF REDESIGNING THIS BOARD.  
10:56:48 >>Mary Gibbs: I THINK FOR THE MOST PART, IT'S GOING TO BE  
10:56:51 QUICKER AND EASIER FOR YOU, AND WHAT WILL END UP COMING TO  
  
10:56:55 YOU WILL BE MORE DEFINED, IF THERE ARE ANY POLICY ISSUES  
10:56:59 THAT DIDN'T GET RESOLVED OR THAT YOU DISAGREE WITH.

10:57:01 YOU MAY NOT ALWAYS AGREE WITH WHAT THE STAFF OR THE  
10:57:07 PLANNING, ZONING AND DESIGN BOARD SAYS, AND YOU HAVE THAT  
10:57:09 RIGHT.  
10:57:09 IT WILL BE FOCUSED ON TO THESE POLICIES OR THE BIG-PICTURE  
10:57:13 ISSUES.  
10:57:13 >>Mayor Errington: THEY NEED TO KNOW, THE APPLICANT THAT  
10:57:16 THERE ARE -- CHANGES ARE BEING MADE, AND THEY NEED TO  
10:57:19 CONDENSE EVERYTHING.  
10:57:20 WHEN THEY COME HERE, SOMEBODY ELSE HAS ALREADY HEARD THEIR  
10:57:23 STORY, AND WHEN THEY GET HERE, PLEASE STAY WITHIN THE TIME  
10:57:29 LIMIT.  
10:57:30 >>Mary Gibbs: I THINK THEY ACTUALLY ARE GOING TO BE HAPPY  
10:57:32 BECAUSE RIGHT NOW THEY HAVE LOTS OF CONSULTANTS THAT COME.  
10:57:34 THEY ALL TALK.  
10:57:36 THEY HAVE TO PAY THEM ALL A LOT OF MONEY.  
10:57:38 IF THERE IS NO ISSUE WITH THEM, THEN THEY DON'T HAVE TO  
10:57:41 EXPEND ALL THAT MONEY.  
10:57:43 I THINK BASICALLY THEY'LL BE HAPPY, TOO, ONCE THEY  
10:57:46 UNDERSTAND --  
10:57:47 >>Mayor Errington: SOUNDS GOOD.  
10:57:55 >>Mary Gibbs: TALKING ABOUT THE DECISIONS, YOU HAVE  
10:57:57 DIFFERENT OPTIONS FOR MAKING A DECISION.  
10:57:59 SO WHEN A CASE COMES TO YOU, YOU CAN APPROVE IT.

10:58:02 YOU CAN APPROVE IT WITH CONDITIONS, AND THESE PLAN  
10:58:05 DEVELOPMENTS USUALLY HAVE A LOT OF CONDITIONS THAT THE STAFF  
10:58:07 WORKS OUT WITH THE APPLICANT, BUT THE CONDITIONS, YOU DON'T  
10:58:11 HAVE TO ALWAYS AGREE WITH WHAT THE STAFF SAYS, AND THE  
10:58:15 PLANNING, ZONING, AND DESIGN BOARD MAY NOT AGREE WITH THE  
10:58:18 STAFF, SO SOMETHING MIGHT COME TO YOU WITH TWO DIFFERENT  
10:58:23 RECOMMENDATIONS, WHAT THE STAFF THOUGHT, WHAT THE PLANNING,  
10:58:25 ZONING AND DESIGN BOARD SAYS.  
10:58:26 YOU MAY APPROVE IT WITH CONDITIONS THAT YOU MAY ADD SOME  
10:58:29 CONDITIONS OR YOU MAY SUBTRACT SOME OR YOU MAY HAVE SOME  
10:58:32 DIFFERENT ONES.  
10:58:33 YOU HAVE A LOT OF OPTIONS WITH WHAT YOU CAN DECIDE.  
10:58:36 YOU MIGHT DECIDE THAT YOU DON'T HAVE ENOUGH INFORMATION TO  
10:58:40 MAKE A DECISION OR SOMETHING WAS NOT LOOKED AT IN AS MUCH  
10:58:43 DETAIL AS YOU WANTED, SO YOU MAY CONTINUE THE CASE TO GET  
10:58:47 ADDITIONAL INFORMATION FROM THE APPLICANT, OR YOU CAN,  
10:58:51 HAPPENS ON RARE OCCASIONS, SEND IT BACK TO PLANNING, ZONING,  
10:58:54 AND DESIGN BOARD IF YOU WANT THEM TO LOOK AT SOMETHING  
10:58:58 SPECIFIC AND THEN HAVE IT COME BACK.  
10:58:59 AND THEN IF YOU FEEL IT IS JUST NOT APPROPRIATE, YOU CAN  
10:59:03 DENY IT.  
10:59:03 SO THOSE ARE THE DIFFERENT DECISION POINTS THAT YOU'LL BE  
10:59:07 DEALING WITH WHEN YOU GET CASES.  
10:59:15 >>Vice-Mayor McLain: SEEMS LIKE A BOLD STEP, WITH ALL THE



10:59:16 PROCESS GOING THROUGH, THAT THE DENIAL OF THE COUNCIL HERE,

10:59:20 THAT SEEMS LIKE A VERY SERIOUS, AND THAT'S A FINAL STEP, IT  
10:59:24 SEEMS LIKE MAYBE YOU WOULD CONTINUE IT OR ASK FOR  
10:59:27 RECLARIFICATION PRIOR TO A DENIAL BECAUSE THAT'S A FINAL  
10:59:31 STEP?

10:59:32 >>Mary Gibbs: WELL, IT DEPENDS ON THE CASE, I THINK.  
10:59:35 AND A DENIAL, YOU KNOW, YOU'VE GOT TO HAVE FOR A ZONING  
10:59:37 CASE, YOU NEED TO HAVE SUBSTANTIAL, COMPETENT EVIDENCE,  
10:59:40 WHICH NANCY WILL BE TALKING ABOUT.  
10:59:42 SO YOU WANT TO MAKE SURE IF SOMETHING, IF YOU'RE GOING TO  
10:59:44 DENY IT, YOU'RE IN GOOD SHAPE AND YOU'VE GOT THAT EVIDENCE  
10:59:47 TO SUPPORT IT IN CASE IT GOES TO COURT.  
10:59:51 IF YOU'RE WAVERING AND YOU'RE NOT SURE, YOU CAN ALWAYS ASK  
10:59:55 FOR ADDITIONAL INFORMATION, SO YOU CAN ALWAYS CONTINUE IT.  
10:59:58 YOU SHOULDN'T FEEL LIKE YOU'RE PRESSURED INTO MAKING A  
11:00:01 DECISION THAT DAY.  
11:00:02 IT'S A BIG DECISION SO YOU SHOULD FEEL COMFORTABLE WITH WHAT  
11:00:05 YOU'RE DOING.  
11:00:06 YOU CAN CONTINUE IT.  
11:00:08 YOU CAN GET WITH THE LEGAL COUNSEL TO DETERMINE, IF YOU'VE  
11:00:12 GOT OTHER QUESTIONS THAT ARE OUTSTANDING.  
11:00:13 THERE ARE LOTS OF DIFFERENT OPTIONS.  
11:00:16 >>Jim Boesch: I WOULD ALSO LIKE TO BRING UP IN THIS WHOLE  
11:00:19 CONCEPT IS THAT WE HAVE AN ATTORNEY ON STAFF THAT CAN ANSWER  
11:00:26 ANY POSSIBLE LEGAL QUESTIONS YOU MAY HAVE.  
11:00:30 SO IF THERE'S SOMETHING THAT YOU THINK COULD CAUSE YOU SOME

11:00:35 LEGAL CONSTERNATION, THEN YOU CAN ALWAYS CONTACT NANCY, AND  
11:00:41 SHE CAN GIVE YOU PROFESSIONAL LEGAL ADVICE.  
11:00:45 THAT'S WHAT NANCY IS HERE FOR.  
11:00:49 OF COURSE, THE APPLICANT, HE'S GOING TO HAVE HIS ATTORNEY  
11:00:52 FOR THEIR OWN ADVICE.  
11:00:55 WE LISTEN TO WHAT NANCY HAS TO SAY, AND ON MANY OCCASIONS --  
11:01:01 SOME OCCASIONS DURING THE COURSE OF APPLICATIONS THAT NANCY  
11:01:05 HAS HAD MEETINGS WITH COUNCIL WHICH IS LEGAL, COUNCIL LEGAL  
11:01:11 POSITION.  
11:01:14 LISTEN TO WHAT NANCY HAS TO SAY, NOT WHAT OTHER ATTORNEYS  
11:01:18 MAY BE TELLING YOU.  
11:01:21 >>Nancy Stroud: I'M ALWAYS HAPPY TO TALK WITH YOU IF YOU  
11:01:23 HAVE ANY QUESTIONS.  
11:01:24 PLEASE FEEL FREE TO GIVE ME A CALL.  
11:01:29 >> I GO BACK TO THE CONFLICT OF INTEREST QUESTION JUST FOR A  
11:01:31 MOMENT.  
11:01:32 WHO MAKES A DETERMINATION, SAY IN A GRAY AREA, WHERE THE  
11:01:37 CONFLICT OF INTEREST ACTUALLY EXISTS.  
11:01:40 IF THE DEVELOPER OR THE APPLICANT BELIEVES A CONFLICT OF  
11:01:43 INTEREST EXISTS BUT THE COUNCIL PERSON DOES NOT, HOW IS THAT

11:01:47 RESOLVED?  
11:01:49 SECONDLY, IF THERE IS A CONFLICT OF INTEREST, CAN THE  
11:01:53 COUNCIL PERSON MAKE A STATEMENT THAT HE OR SHE WOULD BE ABLE  
11:02:00 TO RENDER A DECISION IN A FAIR AND BALANCED MANNER,  
11:02:03 IRRESPECTIVE OF THAT CONFLICT OF INTEREST.

11:02:07 >>Nancy Stroud: NO.  
11:02:08 IF YOU HAVE A CONFLICT OF INTEREST, THE LAW REQUIRES THAT  
11:02:10 YOU CANNOT PARTICIPATE, AND YOU CANNOT VOTE.  
11:02:12 THAT'S NOT THE SAME THING AS AN EX PARTE COMMUNICATION.  
11:02:17 DON'T CONFUSE THAT, BECAUSE IF YOU'VE HAD EX PARTE  
11:02:21 COMMUNICATIONS AND YOU'VE GONE BEYOND WHAT WE WOULD ACTUALLY  
11:02:25 LIKE FOR YOU TO DO, WHICH IS JUST LISTEN AND PROVIDE MORE  
11:02:32 BACK AND FORTH, COLLABORATION, THEN I THINK IT'S ALWAYS  
11:02:37 IMPORTANT TO SAY, IN ANY CASE, THAT YOU HAVE -- IF YOU'VE  
11:02:43 MET WITH THE APPLICANT, YOU'VE HEARD WHAT THE APPLICANT HAS  
11:02:46 TO SAY, THAT YOU ARE STILL ABLE TO MAKE A DECISION BASED ON  
11:02:52 THE SUBSTANTIAL COMPETENT EVIDENCE IN THE RECORD.  
11:02:55 THAT, IN OTHER WORDS, YOU HAVEN'T MADE UP YOUR MIND, AND  
11:02:59 YOU'RE STILL GOING TO MAKE YOUR DECISION BASED ON WHAT  
11:03:05 HAPPENS AT THE HEARING AND IN THE RECORD.  
11:03:07 SO SAYING THAT IS QUITE HELPFUL.  
11:03:11 IF YOU'VE HAD A LONG MEETING OR IF THERE'S ANY QUESTION IN  
11:03:13 YOUR MIND THAT THERE MIGHT BE A QUESTION, THAT WOULD BE  
11:03:17 FINE.  
11:03:17 LET ME SAY SOMETHING ABOUT QUASI-JUDICIAL HEARINGS.  
11:03:21 I THINK WE'RE TAKING A LITTLE LONGER THAN WE HAD HOPED, BUT  
11:03:24 I LOVE THE QUESTIONS.  
11:03:26 THANK YOU.  
11:03:26 WHY DO WE HAVE QUASI-JUDICIAL HEARINGS ON THESE  
11:03:31 SITE-SPECIFIC ZONING MATTERS?

11:03:33 WELL, IT'S BECAUSE THE FLORIDA COURTS HAVE SAID THAT WE NEED  
11:03:36 TO DO THAT.  
11:03:37 AND THAT'S A RELATIVELY RECENT, SINCE I'VE BEEN PRACTICING  
11:03:41 ANYWAY, MAYBE 20 YEARS, MAYBE A LITTLE BIT LONGER SINCE THE  
11:03:45 COURT SAID WHEN YOU MAKE ZONING DECISIONS AND ANY OTHER  
11:03:51 SITE-SPECIFIC DECISION, THEN YOU HAVE TO CONDUCT THESE  
11:03:54 PROCEEDINGS LIKE A COURT, NOT AS STRICTLY AS A COURT, BUT  
11:04:00 QUASI-JUDICIAL.  
11:04:02 AND IT'S TO PROVIDE DUE PROCESS TO THE APPLICANT.  
11:04:06 SO WHAT PROVIDES DUE PROCESS?  
11:04:11 THE CASES OVER THE YEARS HAVE MADE MORE CLEAR WHAT COURTS  
11:04:15 CONSIDER A CLEAN HEARING FOR DUE PROCESS.  
11:04:22 THE APPLICANT NEEDS AN IMPARTIAL DECISION MAKER BECAUSE THE  
11:04:26 COUNCIL IN QUASI-JUDICIAL HEARINGS ACTS LIKE A JUDGE.  
11:04:31 SO IT'S CRITICALLY IMPORTANT THAT YOU ARE IMPARTIAL IN YOUR  
11:04:35 DECISION MAKING, AND THAT'S ONE OF THE PURPOSES OF THE EX

11:04:38 PARTE DISCLOSURE, TO SHOW YOU'RE SHARING EVERYTHING THAT  
11:04:43 YOU'VE TALKED TO ANYONE ELSE ABOUT OR ANYONE HAS  
11:04:46 COMMUNICATED WITH YOU ABOUT, AND IT'S ALL OUT THERE FOR  
11:04:49 EVERYONE TO CONSIDER.  
11:04:52 THE SECOND THING IS BECAUSE WE NEED SUBSTANTIAL COMPETENT  
11:04:56 EVIDENCE FOR THE DECISION, ALL WITNESSES, INCLUDING THE  
11:05:00 PUBLIC, WHO ARE TRYING TO OFFER FACTS HAVE TO BE SWORN.  
11:05:05 SO WE GO THROUGH THAT PROCESS.  
11:05:07 THE APPLICANTS AND THE STAFF AND THE INTERESTED PARTIES HAVE  
  
11:05:11 TO HAVE A FULL OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT,  
11:05:15 INCLUDING EXPERT WITNESSES.  
11:05:18 AND THAT'S WHAT OBVIOUSLY TAKES MORE TIME, BUT THAT'S WHY  
11:05:24 IT'S IMPORTANT.  
11:05:26 AND WHEN WE REDO THE RULES OF PROCEDURE OR MAKE SOME  
11:05:29 MODIFICATIONS TO BRING TO YOU, EVEN THOUGH WE ARE LOOKING TO  
11:05:33 STREAMLINE THE PROCESS, WE HAVE TO BE SURE THAT WE STILL  
11:05:37 GIVE A KIND OF OPPORTUNITY, EVEN IF IT'S BY WRITTEN  
11:05:42 COMMUNICATION, SO THAT PROPONENTS CAN HAVE ALL THE FACTS  
11:05:46 BEFORE YOU.  
11:05:47 WITNESSES MAY BE CROSS-EXAMINED BY THE PARTIES.  
11:05:55 YOU DON'T SEE THAT VERY OFTEN IN OUR PROCEEDINGS BUT NOW AND  
11:05:58 THEN YOU DO.  
11:05:58 IF IN THE INSTANCE WHERE YOU HAVE SAID THAT SOMEONE WHO IS  
11:06:04 NOT THE APPLICANT OR THE STAFF SHOULD BE CONSIDERED A PARTY,  
11:06:08 THEN THAT PARTY WOULD HAVE THE OPPORTUNITY TO CROSS-EXAMINE.  
11:06:13 PUBLIC TESTIMONY MAY BE ALLOWED.  
11:06:17 PUBLIC TESTIMONY IS ACTUALLY NOT REQUIRED BY QUASI-JUDICIAL  
11:06:21 LAW, BUT BY OTHER STATUTORY LAW.  
11:06:24 SO WE OPEN IT UP FOR PUBLIC TESTIMONY, WHICH IS ALWAYS  
11:06:28 HELPFUL IN AND OF ITSELF.  
11:06:31 THE FORMAL RULES OF EVIDENCE DON'T APPLY.  
11:06:34 IT'S QUASI-JUDICIAL, LIKE JUDICIAL, BUT FUNDAMENTAL DUE  
11:06:38 PROCESS IS REQUIRED.  
11:06:39 AND THEN IN THE END FOR YOUR DECISIONS, THERE WILL BE A  
  
11:06:45 WRITTEN DECISION, A RESOLUTION, OR AN ORDINANCE, AND IT HAS  
11:06:48 TO BE SUPPORTED BY COMPETENT SUBSTANTIAL EVIDENCE IN THE  
11:06:51 RECORD OF THE PROCEEDINGS.  
11:06:57 >>Vice-Mayor McLain: FORMAL EVIDENCE IS NOT REQUIRED.  
11:06:58 I'M NOT REALLY SURE HOW TO INTERPRET THAT.  
11:07:02 THEY ARE MAKING TESTIMONY.  
11:07:07 VERBALLY, THEY HAVE SWORN THEY WILL TELL THE TRUTH.  
11:07:10 IS THAT SAYING THEY DON'T HAVE DOCUMENTS TO BACK IT UP, YOU  
11:07:14 DON'T NEED CHAIN OF EVIDENCE OR WHATEVER?  
11:07:18 >>Nancy Stroud: EVEN DOCUMENTS THAT ARE CREATED AND PUT INTO  
11:07:22 THE RECORD, THE APPLICANT IS SAYING, WILL SAY THAT THIS IS  
11:07:28 THE TESTIMONY WE'RE OFFERING, AND WE'VE BEEN ALL SWORN.

11:07:33 ATTORNEYS DON'T NEED TO BE SWORN, BECAUSE ATTORNEYS, AND YOU  
11:07:38 SEE ATTORNEYS MAKING THE PRESENTATION, OBVIOUSLY, BUT  
11:07:41 ATTORNEYS ARE CONSIDERED TO BE THE PERSUADERS, NOT THE FACT  
11:07:45 WITNESSES.  
11:07:48 DID THAT ANSWER YOUR QUESTION?  
11:07:52 >>Vice-Mayor McLain: I THINK SO, YEAH.  
11:07:54 >>Nancy Stroud: WE DON'T OBSERVE FORMALITIES LIKE QUALIFYING  
11:08:00 THE WITNESSES, OBJECTING TO TESTIMONY BASED ON RULES OF  
11:08:08 EVIDENCE.  
11:08:08 IT'S LESS FORMAL THAN THAT.  
11:08:12 >>Vice-Mayor McLain: THERE IS A COURT REPORTER AT THE  
11:08:14 QUASI---  
11:08:16 >>Nancy Stroud: MANY APPLICANTS BRING A COURT REPORTER.  
  
11:08:18 IT'S NOT REQUIRED.  
11:08:19 THE STAFF NEVER CONSIDERS THAT IT'S NEEDED.  
11:08:25 THE PROCEEDINGS ARE ALL ON TAPE, BUT SOME APPLICANTS FEEL  
11:08:32 MORE COMFORTABLE HAVING A COURT REPORTER.  
11:08:37 >>Jim Boesch: MOST HAVE A COURT REPORTER.  
11:08:43 >>Nancy Stroud: MARY IS AN EXPERT AND THE STAFF, BY THE WAY,  
11:08:46 ARE ALL EXPERTS.  
11:08:48 WE HAVE AN EXCELLENT STAFF AND THEIR QUALIFICATIONS WOULD  
11:08:51 MAKE THEM EXPERTS IN THEIR VARIOUS SPECIALTIES.  
11:08:55 JUST A MOMENT TO SAY WHAT IS SUBSTANTIAL, COMPETENT  
11:08:59 EVIDENCE?  
11:09:00 WHAT IS THE KIND OF FACTUAL EVIDENCE THAT YOU NEED TO HAVE A  
11:09:04 SOUND DECISION?  
11:09:06 IT IS FACTUAL EVIDENCE.  
11:09:09 IT'S NOT OPINION EVIDENCE.  
11:09:12 IT HAS TO BE BELIEVABLE TO THE COUNCIL, CREDIBLE.  
11:09:18 IT HAS TO BE RELEVANT TO THE ISSUE BEFORE YOU.  
11:09:23 CAN'T BE SPECULATIVE.  
11:09:25 IT HAS TO BE LEGALLY SOUND, WHICH I CAN HELP YOU WITH.  
11:09:29 AND IN THE END, IT'S BASICALLY EVIDENCE THAT A REASONABLE  
11:09:34 MIND WOULD ACCEPT AS ENOUGH TO SUPPORT THE CONCLUSION.  
11:09:38 SO AS LONG AS YOUR DECISIONS ARE BASED ON THAT KIND OF  
11:09:42 EVIDENCE, THEN THEY WILL BE CONSIDERED TO BE SOUND  
11:09:47 DECISIONS.  
11:09:48 AND IT DOESN'T HAVE TO BE THAT -- YOU MIGHT HAVE SOME  
  
11:09:53 EVIDENCE FROM THE APPLICANT, SOME EVIDENCE FROM THE STAFF.  
11:10:00 IT DOESN'T HAVE TO BE THE BEST EVIDENCE -- YOU DON'T HAVE TO  
11:10:03 DECIDE, WELL, WHO IS THE BEST AT ALL OF THIS, AS LONG AS  
11:10:09 IT'S SUBSTANTIAL, COMPETENT EVIDENCE THAT IS THE BASIS OF  
11:10:11 YOUR DECISION.  
11:10:12 THE COURTS, FOR EXAMPLE, WILL NEVER REWEIGH THE EVIDENCE IF  
11:10:16 IT'S BROUGHT TO COURT.  
11:10:17 THEY WILL JUST LOOK TO SEE, IS IT BASED ON FACTS THAT ARE

11:10:21 CREDIBLE AND MATERIAL, ET CETERA?  
11:10:24 >>Jim Boesch: I THINK, AGAIN, A LOT OF EXPERIENCE -- I THINK  
11:10:33 WE SHOULD HAVE STARTED SAYING BEFORE HEARING, YOU HAVE A  
11:10:37 PATTERN BOOK THAT THE ENTIRE PRESENTATION, EVERY COUNCIL  
11:10:42 MEMBER GETS A PATTERN BOOK FOR THE ENTIRE PRESENTATION SO  
11:10:46 THEY CAN GO OVER IT THEMSELVES IN THEIR OWN TIME AND BE  
11:10:50 PREPARED BY THE TIME IT COMES TIME FOR THE HEARING.  
11:10:54 SO AT THAT TIME, YOU CAN WRITE ANY QUESTIONS, ANY THINGS  
11:10:58 THAT YOU MAY HAVE ABOUT IT WHEN IT COMES, AND YOU'RE ALLOWED  
11:11:01 TO ASK THOSE QUESTIONS BASED ON YOU GOING OVER THE PATTERN  
11:11:06 BOOK, THE WHOLE PRESENTATION, BEFORE YOU COME HERE FOR THE  
11:11:11 HEARING.  
11:11:12 >>Nancy Stroud: THAT'S WHY WE HAVE THE RULE OF PROCEDURE  
11:11:18 THAT THE STAFF REPORT WILL BE AVAILABLE SEVEN DAYS BEFORE  
11:11:22 YOU HAVE TO MAKE THE DECISION.  
11:11:23 SO YOU WILL HAVE THE TIME TO LOOK OVER THE STAFF REPORT, AND  
11:11:27 WE'RE ALSO BEEFING UP THE WRITTEN REQUIREMENTS FOR THE  
  
11:11:32 APPLICANT TO PRESENT BEFORE THE MEETING.  
11:11:35 SO YOU'LL BE ABLE TO LOOK AT THOSE AS WELL.  
11:11:38 I SAW ANOTHER HAND.  
11:11:44 MARY IS GOING TO TALK ABOUT SOME OF THE PARTICULARS,  
11:11:50 SPECIFIC THINGS IN THE NEW LAND DEVELOPMENT CODE.  
11:11:55 >>Mary Gibbs: I'M GOING TO ZIP THROUGH THIS.  
11:11:57 SO THE NEW BOARD THAT I THINK I MENTIONED THIS BEFORE, THEY  
11:12:01 WILL REVIEW AND MAKE DECISIONS ON QUITE A FEW THINGS.  
11:12:04 DEVELOPMENT ORDERS, WHICH ARE YOUR SITE PLAN REVIEWS,  
11:12:08 SPECIAL EXCEPTIONS, LIKE WANT TO DO A CHURCH IN A  
11:12:11 RESIDENTIAL NEIGHBORHOOD THAT MIGHT REQUIRE A SPECIAL  
11:12:14 EXCEPTION.  
11:12:14 VARIANCES ARE THE LITTLE ITEMS LIKE I BUILT MY HOUSE TOO  
11:12:19 CLOSE TO THE SETBACK LINE SO I NEED A ONE-FOOT VARIANCE.  
11:12:23 CONSUMPTION ON PREMISES FOR OUTDOOR SEATING IN CERTAIN  
11:12:26 CASES, BUT BARS WILL COME TO COUNCIL.  
11:12:29 THEY REVIEW MONUMENT SIGNS, AND BUILDING REPAINTING AND  
11:12:33 ALTERATIONS.  
11:12:34 AND IN ANY OF THESE CASES, THE COUNCIL CAN TAKE JURISDICTION  
11:12:38 OF A CASE WITHIN 30 DAYS SO IF YOU DISAGREE WITH THEIR  
11:12:41 DECISION, YOU'VE GOT A 30-DAY PERIOD TO SAY WE WANT TO BRING  
11:12:45 THIS UP AND DISCUSS IT FOR COUNCIL.  
11:12:47 IT DOESN'T HAPPEN OFTEN.  
11:12:48 I THINK IT'S MAYBE HAPPENED ONCE.  
11:12:50 PLANNING AND ZONING BOARD, PLANNING, ZONING AND DESIGN BOARD  
  
11:12:55 WILL MAKE RECOMMENDATIONS TO COUNCIL ON THE REZONINGS, ANY  
11:12:58 ZONING AMENDMENTS, COMPREHENSIVE PLAN AMENDMENTS, AND LAND  
11:13:01 DEVELOPMENT RELATED ORDINANCES.  
11:13:02 SO IF YOU'RE CHANGING THE LAND DEVELOPMENT CODE, AND THEN

11:13:05 THE COUNCIL WILL MAKE THE DECISIONS ON THOSE.  
11:13:08 SO SOME OF THE PROCESS CHANGES FROM THE NEW CODE, STAFF IS  
11:13:13 GOING TO BE NOW MAKING SOME ADMINISTRATIVE DECISIONS ON  
11:13:17 MINOR ITEMS, SETBACK VARIANCES, WHERE SOMEBODY WENT TO CLOSE  
11:13:22 ON THEIR PROPERTY AND THE SURVEY DETECTED THAT THEY WERE A  
11:13:27 FEW INCHES ENCROACHING INTO THEIR SETBACK LINE.  
11:13:30 THEY HAVE A CLOSING COMING UP THAT'S IMMINENT.  
11:13:33 USED TO HAVE TO WAIT TO GO TO PLANNING AND ZONING BOARD.  
11:13:37 MAYBE HAD TO WAIT A MONTH.  
11:13:38 NOW WE CAN TURN THOSE AROUND FOR SOMETHING LITTLE.  
11:13:40 SMALL DEVELOPMENT ORDERS, WHICH YOUR CLUBHOUSE IS DOING A  
11:13:45 LITTLE EXPANSION AND IT'S NOT ANYWHERE NEAR THE ROAD, IT'S  
11:13:50 INTERNAL TO YOUR PROPERTY, THEN WE CAN MAKE THE DECISION  
11:13:55 BECAUSE THERE'S REALLY NOT MUCH TO REVIEW.  
11:13:57 ENGINEERING-RELATED THINGS.  
11:13:59 AND THEN SOME CONSUMPTION ON PREMISES FOR ALCOHOLIC  
11:14:03 BEVERAGES, IF I WANT LIKE IN A HOTEL OR RESTAURANT, BUT NOT  
11:14:06 OUTDOOR SEATING.  
11:14:07 OUTDOOR SEATING WILL GO TO THE OTHER BOARD.  
11:14:09 THE FARMERS MARKETS THAT YOU'VE SEEN, WE CAN DO THEM.  
11:14:13 THE STAFF CAN REVIEW AND APPROVE THOSE.

11:14:15 WE JUST HAVE TO CHECK THE TIME LIMITS.  
11:14:17 YOU CAN ONLY HAVE THEM FOR 60 DAYS PER YEAR.  
11:14:22 >>Vice-Mayor McLain: ON ALCOHOL BEVERAGES, DO WE HAVE THE  
11:14:24 CONTROL OF SAYING, YES, YOU CAN HAVE LIQUOR?  
11:14:27 ISN'T THAT A STATE MANDATED WHO GETS A LIQUOR LICENSE?  
11:14:31 >>Mary Gibbs: THEY HAVE TO GET A LICENSE FROM THE STATE BUT  
11:14:34 THEY HAVE TO GET WHAT WE CALL A ZONING SIGN-OFF FROM US.  
11:14:37 BEFORE THEY CAN GET THEIR LICENSE FROM THE STATE, THEY'VE  
11:14:39 GOT TO HAVE AN APPROVAL THAT SAYS THE VILLAGE ALLOWS IT.  
11:14:43 SO SOME OF THOSE WE SIGN OFF ON LIKE, SAY, YOU HAD A  
11:14:47 7-ELEVEN OR SOMETHING AND YOU HAVE PACKAGE SALES.  
11:14:51 YOU WANT TO GO IN AND BUY A SIX-PACK OF BEER, THAT CERTAIN  
11:14:54 LICENSE, THE STAFF WILL SIGN OFF ON THOSE.  
11:14:56 WE JUST CHECK AND MAKE SURE YOU ARE ZONED FOR COMMERCIAL  
11:14:59 USE.  
11:14:59 SO A LOT OF THOSE WE SIGN OFF ON HERE, BUT IF IT'S SOMETHING  
11:15:03 THAT HAS OUTDOOR SEATING WHERE IT COULD HAVE AN IMPACT ON  
11:15:06 THE NEIGHBORS, THEN WE MAKE THEM GO TO A PUBLIC HEARING.  
11:15:09 AND A BAR IN PARTICULAR WILL COME TO COUNCIL FOR REVIEW.  
11:15:16 DOES THAT HELP?  
11:15:18 AND THE PLANNING, ZONING AND DESIGN BOARD HAS PUBLIC  
11:15:22 INFORMATION MEETINGS, WHICH ARE SITE SPECIFIC, COULD BE A  
11:15:26 DEVELOPMENT ORDER, COULD BE A REZONING, AND WORKSHOPS, WHICH  
11:15:30 ARE WHERE THEY ASK FOR HELP WITH DESIGN COMPONENTS LIKE  
11:15:34 ARCHITECTURE AND LANDSCAPING.

11:15:36 SO THE STAFF WILL BE PREPARING STAFF REPORTS FOR PLANNING,  
11:15:41 ZONING BOARD AND COUNCIL, AND WE ARE HERE TO PROVIDE OUR  
11:15:44 RECOMMENDATIONS AND HELP WITH GUIDANCE IF YOU HAVE ANY  
11:15:47 QUESTIONS, AND THEN ZONING CASES, WE ARE CONSIDERED EXPERT  
11:15:51 WITNESSES, TOO, SO WE'LL HAVE OUR OPINIONS.  
11:15:53 AND WE'RE HERE ALL THE TIME.  
11:15:55 SO REACH OUT IF YOU HAVE ANY QUESTIONS.  
11:15:57 THE NEW LAND DEVELOPMENT CODE HAS SOME OF THESE -- SOME OF  
11:16:03 THESE ARE ITEMS ALREADY IN THE CODE AND SOME ARE NEW.  
11:16:06 THESE ARE THINGS YOU'LL BE HEARING ABOUT WHEN YOU HAVE  
11:16:08 CASES.  
11:16:09 A DEVELOPMENT ORDER REVIEW NOW IS MORE THAN JUST  
11:16:11 ARCHITECTURE AND LANDSCAPING, ALTHOUGH ARCHITECTURE AND  
11:16:14 LANDSCAPING ARE BIG COMPONENTS.  
11:16:16 WE ALSO WILL LOOK AT THE CONNECTIVITY OF THE SITE, THE  
11:16:21 SIDEWALKS, THE BIKE PATH CONNECTIONS TO ADJACENT PROPERTIES.  
11:16:25 ONE OF THE NEW THINGS IN OUR CODE IS GREEN BUILDING  
11:16:28 STANDARDS.  
11:16:28 IF SOMEBODY COMES IN WITH A PROJECT, THEY HAVE TO SHOW IF  
11:16:31 THEY ARE USING ANY GREEN BUILDING STANDARDS, YOU HAVE TO GET  
11:16:34 A CERTAIN AMOUNT OF POINTS.  
11:16:36 IT'S FAIRLY MINIMAL, BUT THEY WILL HAVE TO DEMONSTRATE THAT,  
11:16:39 WHERE THEY ARE DOING THEIR GATHERING PLACES OR THEIR OUTDOOR  
11:16:42 SEATING OR ANY KIND OF CIVIC COMPONENT, AND THERE IS A NEW  
11:16:47 CRITERIA, IF YOU'RE DOING A COMMERCIAL USE AND YOU'RE WITHIN  
  
11:16:51 300 FEET OF RESIDENTIAL, YOU'VE GOT TO DO AN ANALYSIS OF THE  
11:16:55 IMPACTS TO THE RESIDENTIAL SO THERE COULD BE HOURS OF  
11:16:59 OPERATION, CONDITIONS, AND CERTAIN THINGS DEPENDING ON  
11:17:02 WHETHER IT WILL BE A NUISANCE TO THE NEIGHBORS.  
11:17:05 AND THEN PLACE MAKING, WHEN YOU HAVE A MIXED-USE PROJECT,  
11:17:08 YOU'RE GOING TO HAVE TO SHOW WHAT YOUR PLACEMAKING  
11:17:11 COMPONENTS ARE, FOUNTAINS, OUTDOOR SEATING, PASEOS, THINGS  
11:17:17 LIKE THAT.  
11:17:18 YOU'LL BE HEARING THAT.  
11:17:20 NANCY ALREADY TALKED ABOUT THE RULES OF PROCEDURE.  
11:17:23 WE'RE GOING BACK TO THE NEW BOARD IN MAY WITH SOME REVISED  
11:17:27 RULES OF PROCEDURE, AND I THINK BASED ON WHAT THEY DO, IT  
11:17:32 WILL HELP STREAMLINE THE PROCESS AND THEN YOU MAY ALSO WANT  
11:17:34 TO LOOK AT SOME TWEAKS TO YOUR RULES OF PROCEDURE, BUT WE'LL  
11:17:37 SEE HOW THAT TURNS OUT IN MAY AND MAY COME BACK TO THE  
11:17:41 COUNCIL WITH SOME SUGGESTIONS.  
11:17:43 AND THEN NANCY IS GOING TO WRAP THIS UP WITH ONLINE ODDS AND  
11:17:50 ENDS LEGAL ISSUES.  
11:17:53 >>Nancy Stroud: YES, WE'RE ENDING THE PRESENTATION WITH LAND  
11:17:55 USE LAW 101, BUT IT'S FAIRLY BRIEF.  
11:17:59 I JUST WANT TO POINT OUT A COUPLE OF LEGAL ISSUES THAT TEND  
11:18:03 TO COME UP IN DISCUSSIONS OR IN CHALLENGES TO LOCAL

11:18:08 GOVERNMENT LAND USE DECISIONS.  
11:18:10 AND THE FIRST KIND OF LEGAL ISSUE IS WHETHER A DECISION THAT  
11:18:15 YOU MAKE IS A REGULATORY TAKING.

11:18:20 MAYBE NOT SO MUCH ANYMORE, BUT OFTENTIMES YOU HEAR, YOU  
11:18:28 CAN'T DENY MY PROJECT BECAUSE THAT IS A TAKING OF MY  
11:18:31 PROPERTY.  
11:18:31 THAT MEANS A CONSTITUTIONAL VIOLATION.  
11:18:36 IT'S IMPORTANT FOR THE COUNCIL TO KNOW THAT UNDER FLORIDA  
11:18:38 AND FEDERAL LAW, YES, YOU CANNOT TAKE PROPERTY, IF YOU ACT  
11:18:46 IN A CONFISCATORY WAY, IT IS UNCONSTITUTIONAL.  
11:18:50 BUT A REGULATORY TAKING OCCURS WHEN THE GOVERNMENT ACTION  
11:18:54 LEAVES PROPERTY WITH NO ECONOMICALLY VIABLE USE.  
11:18:57 AND THAT'S A VERY DIFFICULT STANDARD FOR SOMEONE WHO'S HAD A  
11:19:02 DENIAL OF A PROJECT TO MEET.  
11:19:06 AS LONG AS THERE'S ANY ECONOMICALLY VIABLE USE ON THE  
11:19:10 PROPERTY, THERE WILL NOT BE A CONSTITUTIONAL CLAIM.  
11:19:13 AND THAT MEANS THAT THE DECISION DOESN'T HAVE TO ALLOW THE  
11:19:16 MOST ECONOMICALLY BENEFICIAL USE EITHER, WHICH WOULD BE THE  
11:19:20 OPPOSITE END.  
11:19:22 IT JUST HAS TO LEAVE AN ECONOMICALLY VIABLE USE.  
11:19:27 ECONOMICALLY VIABLE USE IS CONSIDERED NOT JUST AT THE MOMENT  
11:19:30 THAT THE DECISION IS MADE, BUT REALLY OVER A LONG TIME  
11:19:34 FRAME.  
11:19:34 BECAUSE WE KNOW THAT MARKETS CHANGE, WHAT MIGHT BE  
11:19:38 ECONOMICALLY VIABLE IN ONE DECADE OR ONE YEAR CHANGES OVER A  
11:19:44 PERIOD OF TIME.  
11:19:47 >>Mayor Errington: NANCY, REFERRING TO THAT, WITH -- WHEN A  
11:19:52 DEVELOPER OR SOMEONE COMES BEFORE US WITH THE PROPERTY, AND

11:20:00 IN THE PAST, THE COUNTY HAS LISTED NUMEROUS ACTIVITIES THAT  
11:20:03 CAN TAKE PLACE ON THAT PROPERTY, AND NOW IT JUST DOES NOT  
11:20:09 SEEM APPROPRIATE IN THIS DAY AND AGE WITH SOMETHING THEY  
11:20:11 WANT TO DO, ARE YOU SAYING THAT WE CAN'T SAY NO?  
11:20:16 >>Nancy Stroud: I'M SAYING YOU CAN SAY NO AS LONG AS THERE  
11:20:19 IS LEFT ON THE PROPERTY AN ECONOMICALLY VIABLE USE.  
11:20:23 MEANING AN EXAMPLE OF WHERE YOU COULDN'T SAY NO IS PROPERTY  
11:20:26 IS ZONED FOR A SINGLE-FAMILY RESIDENTIAL LOT, AND NOTHING  
11:20:31 ELSE IS ALLOWED ON THAT PROPERTY.  
11:20:33 AND YOU DON'T ALLOW A SINGLE-FAMILY RESIDENCE ON THAT, THEN  
11:20:37 THERE'S NOTHING LEFT FOR THE PROPERTY OWNER TO USE.  
11:20:40 BUT ON COMMERCIAL ZONED PROPERTY, UNDER OUR ZONING CODE,  
11:20:44 THERE ARE PLENTY OF DIFFERENT KIND OF COMMERCIAL USES.  
11:20:47 AND SIMPLY BECAUSE YOU DENY ONE, THE MOST ECONOMICALLY  
11:20:52 VIABLE ONE, DOESN'T MEAN YOU'VE TAKEN THE PROPERTY.  
11:20:56 >>Mayor Errington: EVEN AFTER A LOT OF MONEY HAS BEEN SPENT  
11:20:59 TRYING TO SAY THAT'S -- A LOT OF MONEY HAS BEEN SPENT BY THE  
11:21:06 DEVELOPER SAYING --



11:21:07 >>Nancy Stroud: CORRECT.  
11:21:08 BECAUSE NO ONE IS ENTITLED TO A PARTICULAR USE, UNLESS --  
11:21:14 AND I'M GETTING TO THAT NEXT -- UNLESS THAT PERSON CAN PROVE  
11:21:19 THAT HE HAS A VESTED USE IN THE PROPERTY.  
11:21:24 VESTING IS SOMETHING THAT IS VERY SITE-SPECIFIC, AND IT'S  
11:21:28 VERY FACTUALLY SPECIFIC, BUT WE HAVE THE GENERAL PARAMETERS  
11:21:34 OF WHAT GIVES A PROPERTY OWNER A VESTED RIGHT.

11:21:38 PROPERTY OWNER MAY HAVE A VESTED RIGHT IN THE USE OF A PRIOR  
11:21:44 APPROVAL, A PRIOR APPROVAL, IF ON THE BASIS OF THAT  
11:21:50 APPROVAL, THE LANDOWNER RELIES IN GOOD FAITH ON THE APPROVAL  
11:21:56 AND MAKES SUBSTANTIAL EXPENDITURES IN RELIANCE ON THAT  
11:22:02 APPROVAL TO HIS DETRIMENT.  
11:22:03 AND THEN THERE IS THIS SORT OF OTHER CAUSE THAT ALLOWS FOR  
11:22:09 EXIGENT CIRCUMSTANCES, WHICH IS IT WOULD BE UNFAIR TO TAKE  
11:22:13 AWAY THE APPROVAL.  
11:22:13 SO ONE QUESTION THAT CAME UP LAST NIGHT WAS A DEVELOPER  
11:22:20 SPENDS A LOT OF MONEY TRYING TO GET AN APPROVAL.  
11:22:25 CAN THOSE EXPENDITURES BE USED TO CLAIM THAT HE HAS A VESTED  
11:22:29 RIGHT IN THE APPROVAL, THAT HE SHOULD GET THAT APPROVAL?  
11:22:33 THE ANSWER IS NO.  
11:22:33 YOU HAVE TO MAKE YOUR EXPENDITURES BASED ON THE ACTUAL  
11:22:36 APPROVAL THAT YOU GOT, NOT TRYING TO GET AN APPROVAL.  
11:22:40 AND JUST BUYING A PROPERTY WITH A CERTAIN ZONING  
11:22:45 CLASSIFICATION GENERALLY IS NOT CONSIDERED TO BE SOMETHING  
11:22:51 THAT YOU CAN RELY ON.  
11:22:52 IN OTHER WORDS, THE GOVERNMENT UNDER THE CASE LAW IS ALLOWED  
11:22:55 TO CHANGE THE ZONING ON PROPERTY AS LONG AS IT'S REASONABLE,  
11:23:02 IT MEETS ALL THE STANDARDS, BUT IT'S NOT A VESTED RIGHT SO  
11:23:07 THAT THE GOVERNMENT CANNOT EVER CHANGE THE ZONING.  
11:23:11 JUST HAVE TO HAVE A REASONABLE BASIS FOR DOING THEM.  
11:23:14 IT CAN'T LEAVE NO REASONABLE USE.  
11:23:22 THE THIRD THING, AND THIS IS REALLY THE COMMON CHALLENGE

11:23:25 THAT IS MADE TO THE DECISIONS, SPECIFICALLY THE  
11:23:32 QUASI-JUDICIAL DECISIONS YOU MAKE, FOR EXAMPLE, ON A PLANNED  
11:23:35 DEVELOPMENT REZONING.  
11:23:37 IF THAT'S EVER CHALLENGED, THEN THE COURT IS GOING TO LOOK  
11:23:42 AT THESE SEVERAL THINGS.  
11:23:44 AND THEY'LL LOOK TO SEE IF THERE WAS SUBSTANTIAL COMPETENT  
11:23:49 EVIDENCE TO SUPPORT THE DECISION, AND I EXPLAINED WHAT THAT  
11:23:51 IS.  
11:23:52 IT WILL LOOK TO SEE WHETHER THE COUNCIL HAS FOLLOWED THE  
11:23:57 CORRECT LAW.  
11:23:58 YOU'RE LOOKING AT THE CODE, THE RIGHT PROVISION OF THE CODE,  
11:24:03 CONSIDER THE STATUTE AND ALL THE LAWS THAT APPLIED, WAS  
11:24:07 PROCEDURAL DUE PROCESS ACCORDED?  
11:24:08 THAT'S WHY WE GO THROUGH THE QUASI-JUDICIAL PROCEDURES, AND

11:24:12 IF IT'S YES TO ALL OF THAT ABOVE, THEN THE LOCAL DECISION  
11:24:17 WILL BE UPHELD.  
11:24:18 BECAUSE ONE THING THAT YOU SEE OVER AND OVER IN THE CASE LAW  
11:24:22 IS THAT COURTS DO NOT WANT TO BECOME LAND USE  
11:24:25 DECISION-MAKING BODIES.  
11:24:27 THAT IS A FUNCTION OF THE LOCAL GOVERNMENT, AND THEY DO NOT  
11:24:35 WANT TO ASSUME THOSE FUNCTIONS.  
11:24:37 IT WOULD BE AN IMPROPER EXERCISE OF THEIR JUDICIAL  
11:24:44 JURISDICTION.  
11:24:48 >>Vice-Mayor McLain: IS THAT WHAT THE LAST PARAGRAPH,  
11:24:50 SENTENCE MEANS?

11:24:51 THEY MIGHT COME TO A DIFFERENT DECISION THAN THE LOCAL  
11:24:54 GOVERNMENT DID.  
11:24:56 A LOCAL DECISION WILL BE UPHELD IF THE COURT -- DIFFERENT  
11:24:59 CONCLUSION THAN THE LOCAL.  
11:25:02 >>Nancy Stroud: THE COURT WILL NOT REWEIGH THE EVIDENCE AND  
11:25:04 SAY, WELL, WE REALLY BELIEVED, YOU KNOW, THE EVIDENCE THAT  
11:25:08 THE APPLICANT PUT IN, AND THAT WAS BETTER EVIDENCE, SO WE  
11:25:13 THINK YOU SHOULD HAVE GIVEN THE APPROVAL.  
11:25:17 AS LONG AS YOU HAVE COMPETENT AND SUBSTANTIAL, BELIEVABLE,  
11:25:22 FACTUAL EVIDENCE IN THE RECORD THAT SUPPORTS YOUR DECISION,  
11:25:26 IT DOESN'T HAVE TO BE THE VERY BEST.  
11:25:29 IT JUST HAS TO BE SUFFICIENT.  
11:25:32 SO THAT'S PART OF THE JUDICIARY NOT WANTING TO SIT AS A LAND  
11:25:39 USE DECISION MAKING OR LAND USE BOARD.  
11:25:41 THAT'S THE PROVINCE OF THE COUNCIL, AND I KNOW YOU ALL  
11:25:46 INCORPORATED TO MAKE SURE THAT YOUR LAND USE DECISIONS WERE  
11:25:51 CORRECT.  
11:25:51 CORRECTLY DONE.  
11:25:54 ONE LAST THING, I'VE TALKED TO YOU ABOUT THE GENERAL LAW.  
11:26:03 IT'S ALSO IMPORTANT TO POINT OUT THAT THERE ARE SPECIFIC  
11:26:07 KINDS OF LAWS THAT REQUIRE MAYBE A LITTLE BIT OF A DIFFERENT  
11:26:11 PROCEDURE WHEN SPECIAL USES, SUCH AS WIRELESS FACILITIES ARE  
11:26:20 REGULATED BY FEDERAL GOVERNMENT, YOU MIGHT HAVE EXTRA  
11:26:24 PROCEDURES REQUIRED TO DO, CERTAIN KINDS OF EVIDENCE YOU  
11:26:26 CAN'T CONSIDER.

11:26:27 SO THAT'S WHY YOU HAVE A STAFF AND AN ATTORNEY TO HELP YOU  
11:26:30 THROUGH THOSE KINDS OF STATUTORY LAWS.  
11:26:35 AND THEN ALSO, THERE ARE CERTAIN USES THAT IMPLICATE  
11:26:41 CONSTITUTIONAL RIGHTS OTHER THAN REGULATORY TAKINGS, AND  
11:26:43 THOSE ARE THE FIRST AMENDMENT RIGHTS.  
11:26:47 SO WHEN THOSE ARE INVOLVED, THE STANDARDS SHIFT A LITTLE  
11:26:51 BIT, AND YOU HAVE GREATER BURDEN ON THE DECISION MAKER TO  
11:27:00 BASE YOUR DECISION ON BETTER EVIDENCE.  
11:27:06 PROCEDURES OFTEN HAVE TO BE MORE QUICKLY DETERMINED.  
11:27:09 SO SIGNS, AS AN EXAMPLE, IMPLICATE FREEDOM OF SPEECH,

11:27:15 CHURCHES, OR RELIGIOUS INSTITUTIONS ALSO HAVE SPECIAL  
11:27:19 TREATMENT UNDER THE LAW.  
11:27:20 WHEN IT BECAME VERY CLEAR IN FLORIDA THAT THE FLORIDA COURTS  
11:27:30 WERE GOING TO FOLLOW THE FEDERAL LAW ON TAKINGS, WHICH MAKES  
11:27:36 IT VERY HARD FOR A LANDOWNER TO GET DAMAGES IN THE CASE OF A  
11:27:41 REGULATORY TAKING, THE LEGISLATURE PASSED WHAT'S CALLED THE  
11:27:44 BERT HARRIS ACT.  
11:27:46 AND THIS IS A STATUTE THAT PROVIDES DAMAGES REMEDY.  
11:27:52 IN OTHER WORDS, AWARDS MONEY TO A PROPERTY OWNER.  
11:27:59 CAN'T PROVE A CONSTITUTIONAL TAKING, BUT CAN PROVE UNDER THE  
11:28:02 STATUTE THAT A REGULATION OR A DECISION OF THE COUNCIL HAS  
11:28:08 INORDINATELY BURDENED ITS PRIVATE PROPERTY RIGHTS SO THAT  
11:28:12 THE OWNER IS PERMANENTLY UNABLE TO OBTAIN THE REASONABLE  
11:28:16 INVESTMENT BACK EXPECTATIONS FOR AN EXISTING USE OR VESTED  
11:28:21 RIGHT TO A SPECIFIC USE OF THE PROPERTY OF THE WHOLE.

11:28:23 THIS STATUTE HAS BEEN ON THE BOOKS FOR QUITE A LONG TIME.  
11:28:29 THERE AREN'T VERY MANY CASES THAT EXPLAIN A LOT OF WHAT  
11:28:35 INORDINATELY BURDEN MEANS OR OTHER LANGUAGE IN THE STATUTE  
11:28:43 BECAUSE THE STATUTE ALSO PROVIDED FOR A LOT OF PROCEDURES  
11:28:48 THAT ESSENTIALLY REALLY ENCOURAGE AND INCENTIVIZE THE  
11:28:53 GOVERNMENT TO SIT DOWN AND WORK OUT A NEGOTIATED SETTLEMENT  
11:28:56 WITH SOMEONE WHO MAKES THIS CLAIM.  
11:28:58 BUT IT IS INTERESTING AND PRETTY UNUSUAL THAT UNDER THE  
11:29:04 STATUTE, EVEN IF THE RESOLUTION THAT THE OWNER AND THE LOCAL  
11:29:11 GOVERNMENT MAY HAVE COME TO IS INCONSISTENT WITH THE  
11:29:15 COMPREHENSIVE PLAN, AND IN FLORIDA, EVERYTHING HAS TO BE  
11:29:20 CONSISTENT WITH THE COMPREHENSIVE PLAN, UNDER THIS ACT, IF A  
11:29:22 COURT APPROVES THE RESOLUTION, IT CAN GO FORWARD.  
11:29:26 YOU SAW THAT RECENTLY IN LEE COUNTY.  
11:29:28 REMEMBER IN THE MINING, IN THE CASE OF THE PROPOSED PROPERTY  
11:29:36 OUT WEST OF -- EXCUSE ME, OUT EAST OF 75, THAT WAS A BERT  
11:29:43 HARRIS CLAIM THAT THE COUNTY SETTLED.  
11:29:46 IT WENT TO COURT.  
11:29:48 THE COURT NEEDS TO APPROVE THAT.  
11:29:50 AND IT DID.  
11:29:51 HAPPENS RARELY, BUT IT IS AVAILABLE.  
11:29:55 THAT'S IT.  
11:29:58 THANK YOU FOR LISTENING.  
11:29:59 IT TOOK A LITTLE LONGER THAN WE HAD PLANNED, BUT APPRECIATE  
11:30:03 ALL YOUR QUESTIONS.

11:30:05 >>Mayor Errington: THANK YOU, NANCY.  
11:30:06 THANK YOU, MARY.  
11:30:07 I HAD TALKED WITH OUR ATTORNEY, BURT SAUNDERS, AND YOU HAD  
11:30:15 INDICATED THAT IF WE HAD ANY PUBLIC COMMENTS, WE COULD  
11:30:18 ENTERTAIN THOSE.  
11:30:20 IS THAT AN AGREEMENT?

11:30:23 MADAM CLERK, DO YOU HAVE ANY COMMENTS?  
11:30:24 >>Carol Sacco: YOU DO NOT HAVE ANYTHING ON 14A.  
11:30:27 THANK YOU.  
11:30:28 >>Mayor Errington: THANK YOU.  
11:30:29 NEXT ON THE AGENDA IS THE COMMUNITY DEVELOPMENT SOFTWARE.  
11:30:33 STEVE, WOULD YOU INTRODUCE THIS FOR US?  
11:30:37 I'M GOING TO STAND JUST FOR A MOMENT.  
11:30:40 >>Steven Sarkozy: THANK YOU, MADAM MAYOR, MEMBERS OF  
11:30:41 COUNCIL, GIVEN THE HOUR AND THE FACT THAT WE'VE GOT ANOTHER  
11:30:45 WORKSHOP ITEM THAT'S PARTICULARLY IMPORTANT, SEPTIC TO  
11:30:49 SEWER, I'D LIKE TO JUST GLOSS OVER THE COMMUNITY DEVELOPMENT  
11:30:53 SOFTWARE PROJECT.  
11:30:55 THIS HAS BEEN IN THE BUDGET FOR SEVERAL YEARS.  
11:31:01 WE HAVE A PROPRIETARY SOFTWARE PACKAGE THAT HAS BEEN  
11:31:06 PROVIDED US AS PART OF OUR CONTRACT WITH CALVIN GIORDANO AND  
11:31:13 ASSOCIATES, WHICH IS OUR CONTRACTOR FOR COMMUNITY  
11:31:15 DEVELOPMENT OPERATIONS.  
11:31:17 WHAT WE'RE PROPOSING HERE IS THAT WE CONVERT TO OUR OWN  
11:31:24 SOFTWARE PACKAGE SO THAT WE CAN GET A MORE UPDATED PIECE OF  
  
11:31:32 TECHNOLOGY.  
11:31:32 WE'VE BEEN WORKING ON THIS.  
11:31:35 WE'LL BE BRINGING BACK TO YOU SOME SPECIFIC ACTION ITEMS.  
11:31:40 BUT JUST GIVEN THE TIME, I'D LIKE TO MAYBE DEFER THIS ITEM  
11:31:44 UNTIL ANOTHER MEETING.  
11:31:46 BUT IF YOU WANT TO TAKE A LOOK AT THIS, ANY QUESTIONS, FEEL  
11:31:52 FREE TO CALL US.  
11:31:53 IT'S AN IMPORTANT PIECE OF INTERNAL INFRASTRUCTURE FOR THE  
11:31:57 OPERATIONS.  
11:31:57 BUT I'D LIKE TO DEFER THIS ONE UNTIL A LATER DATE.  
11:32:04 >>Mayor Errington: SO NOTED.  
11:32:06 PUT IN THE RECORD THAT IT WILL BE DEFERRED THEN.  
11:32:09 THANK YOU.  
11:32:10 NEXT ON THE AGENDA IS THE -- IT IS THE LAST ONE, THIRD AND  
11:32:17 LAST WORKSHOP.  
11:32:18 THE ITEM RELATES TO SEPTIC TO SEWER.  
11:32:21 STEVE.  
11:32:21 >>Steven Sarkozy: THE COUNCIL HAS HEARD INFORMATION ABOUT  
11:32:30 THE NUMBER OF ENVIRONMENTAL ISSUES THAT WE HAVE SOME CONTROL  
11:32:37 OVER.  
11:32:37 AND ONE IN PARTICULAR IS THE WIDESPREAD ISSUE OF SEPTIC  
11:32:42 SYSTEMS THAT CONTRIBUTE TO THE OVERALL POLLUTION OF, IN OUR  
11:32:48 CASE, ESTERO BAY, BUT ULTIMATELY GOING FAR BEYOND ESTERO  
11:32:52 BAY.  
11:32:53 YOU HAVE COMMISSIONED US TO PROCEED WITH SOME PLANNING IN  
  
11:32:59 THIS, AND WE HAVE ENGAGED BANKS ENGINEERING TO DO A REVIEW  
11:33:06 OF THE SEPTIC SYSTEMS AND WHAT IT WOULD TAKE TO UPGRADE

11:33:09 THOSE SYSTEMS THROUGHOUT THE COMMUNITY.  
11:33:12 WE'VE GONE FURTHER THAN TO IDENTIFY AN OUTSIDE CONSULTANT  
11:33:17 THAT WOULD GUIDE US THROUGH THE PLANNING AND PROGRAM  
11:33:20 MANAGEMENT OF CONVERTING SEPTIC SYSTEMS TO MUNICIPAL SEWER  
11:33:28 SYSTEMS THAT ARE, IN THIS CASE, MANAGED BY THE BONITA  
11:33:32 SPRINGS UTILITIES OR THE LEE COUNTY UTILITIES.  
11:33:35 WHAT WE'D LIKE TO DO TODAY IS TO BEGIN THAT DISCUSSION IN  
11:33:40 EARNEST AND MOVE TOWARDS THE FIRST PHASE IMPLEMENTATION OF  
11:33:47 THIS SYSTEM.  
11:33:49 SO -- BRENT ADDISON IS WITH US FROM BANKS ENGINEERING, WHO  
11:33:59 WILL TAKE US THROUGH THE PREVIOUS REPORTS, BUT PROVIDE AN  
11:34:04 OVERVIEW OF THE CONVERSION PROCESS AND RECOMMEND THE FIRST  
11:34:08 STEPS.  
11:34:08 THIS IS A CONTINUATION OF WHAT YOU SAW LAST YEAR IN JUNE OF  
11:34:16 2020 ABOUT THE SEPTIC TO SEWER CONVERSION.  
11:34:19 BRENT?  
11:34:20 >> BRENT ADDISON: THANK YOU, STEVE.  
11:34:23 GOOD MORNING, LADIES AND GENTLEMEN OF THE COUNCIL.  
11:34:25 >>Mayor Errington: STATE YOUR NAME, PLEASE.  
11:34:26 >> FOR THE RECORD, MY NAME IS BRENT ADDISON WITH BANKS  
11:34:29 ENGINEERING, AND I'M A REGISTERED PROFESSIONAL ENGINEER IN  
11:34:32 THE STATE OF FLORIDA.  
11:34:33 >>Mayor Errington: THANK YOU.

11:34:33 >>Brent Addison: CAN EVERYBODY HEAR ME OKAY?  
11:34:36 ALL RIGHT.  
11:34:36 SO AS STEVE WAS SAYING, AND YOU'LL NOTICE THE DATE ON THIS  
11:34:41 IS FROM THE ORIGINAL PRESENTATION FROM LAST YEAR.  
11:34:45 WE'RE DOING A REVIEW OF THIS.  
11:34:48 I'LL PROBABLY GO A LITTLE QUICKER THAN WE DID MAYBE THE  
11:34:51 FIRST TIME, BUT FEEL FREE TO STOP ME AND ASK ME ANY  
11:34:55 QUESTIONS ALONG THE WAY.  
11:34:56 HERE IS AN OVERALL MAP OF THE STUDY AREAS THAT WE LOOKED AT  
11:35:03 THAT WERE IDENTIFIED AS HAVING LARGE AREAS OF ON-SITE SEWER  
11:35:08 TREATMENT, EITHER THROUGH SEPTIC OR ON-SITE WASTEWATER  
11:35:11 TREATMENT PLANTS.  
11:35:12 WE THEN NARROWED THAT DOWN INTO SUBAREAS.  
11:35:20 WE LOOKED AT WHAT EXISTING INFRASTRUCTURE WAS IN PLACE,  
11:35:23 LOOKING THROUGH RECORD DRAWINGS FROM LEE COUNTY UTILITIES,  
11:35:27 DOING SOME ON-SITE INSPECTION, LOOKING AT PROPERTY  
11:35:31 SIMILARITIES, IS IT RESIDENTIAL?  
11:35:33 IS IT COMMERCIAL?  
11:35:34 AND THEN GRAVITY SEWER LIMITATIONS AS FAR AS THE COST OF  
11:35:37 GRAVITY SEWER AND THE DEPTH OF GRAVITY SEWER.  
11:35:40 SO HERE'S THE BASIS OF OUR DESIGN GOING THROUGH LEE COUNTY  
11:35:48 UTILITIES DESIGN REQUIREMENTS, MAKING SURE THAT WE CONNECT  
11:35:50 TO ALL LOTS IN THE AREA, NOT ONLY IF THERE'S A HOME ON THE  
11:35:55 LOT, BUT ALSO FOR FUTURE HOMES THAT MAY BE BUILT, TRYING TO

11:35:59 MINIMIZE COSTS, MINIMIZING PIPE LENGTHS AND DEPTHS.

11:36:06 FOLLOWING THE STUDY, WHICH IS I THINK WHERE WE'RE TRYING TO  
11:36:08 HEAD AFTER THIS, YOU HAVE TO GO IN AND LOOK AT EACH AREA  
11:36:13 SPECIFICALLY, GET A MORE DETAILED DESIGN TO CONFIRM COSTS,  
11:36:16 OUR COSTS WERE ESTIMATED BASED ON SOME ASSUMPTIONS, SO THEN  
11:36:20 YOU CAN DEFINE THE COST BETTER.  
11:36:22 AND THEN THE ASSESSED VALUE BEING DIFFERENT THAN COMMERCIAL  
11:36:27 AND RESIDENTIAL.  
11:36:29 IT'S HARD TO KNOW WHAT'S GOING TO BE BUILT ON A COMMERCIAL  
11:36:32 PROPERTY.  
11:36:33 SO THAT'S GOING TO HAVE TO BE ANALYZED AND LOOKED AT AS THEY  
11:36:37 COME IN.  
11:36:38 OBVIOUSLY, THERE'S AN OPPORTUNITY WHEN DEVELOPERS COME IN TO  
11:36:41 DEVELOP THESE PROPERTIES TO HAVE THEM HELP TO POTENTIALLY  
11:36:47 EXTEND THE UTILITIES TO AREAS.  
11:36:49 SO HERE ARE THE SUBAREAS.  
11:36:53 PRETTY MUCH NORTH OF COCONUT POINT, NORTH OF WILLIAMS ROAD,  
11:36:56 AND WE'LL GET -- ZOOM INTO THOSE HERE ON ANOTHER SLIDE.  
11:37:00 AND THESE ARE THE SUBAREAS THAT WERE SOUTH OF WILLIAMS ROAD.  
11:37:04 SO TAKE A PAGE OUT OF NANCY'S NOTE, I'M GOING TO DO A LITTLE  
11:37:11 SEWER ONE ON ONE THIS MORNING, JUST SO THAT EVERYBODY KNOWS  
11:37:13 WHEN I MENTION CERTAIN TERMS.  
11:37:17 SO WE HAVE, OBVIOUSLY, YOU MAKE THE CONNECTION TO THE HOME  
11:37:21 OR THE BUSINESS, THAT FLOWS THROUGH THE PIPES FOR SEWER IS  
11:37:24 WHAT I'M SPEAKING OF.  
11:37:26 FLOWS THROUGH THE PIPES OUT INTO EITHER, IN THESE CASES,

11:37:29 WHERE THESE HOMES ARE BUILT, FLOWS INTO A SEPTIC TANK AND  
11:37:33 THEN TO THEIR DRAIN FIELD, BUT WHAT WE'RE TRYING TO DO IS  
11:37:37 SHOW THE CONNECTIONS TO CENTRAL SEWER.  
11:37:40 SO THE ALTERNATIVE WOULD BE TO DRAIN INTO A SEWER LINE  
11:37:44 THAT'S BURIED UNDER THE STREET, THAT'S CONNECTED WITH  
11:37:47 MANHOLES, AND THIS, THE TERM GRAVITY SEWER REFERS TO THE  
11:37:54 FLOW IS DRIVEN BY GRAVITY, SO THE PIPE HAS TO BE SLOPED AT A  
11:37:58 CERTAIN MINIMUM PERCENTAGE, AND THEN THAT DRAINS THROUGH A  
11:38:02 SERIES OF PIPES INTO A -- TYPICALLY INTO A SEWER PUMP  
11:38:06 STATION.  
11:38:07 THAT PUMP STATION TAKES THE SEWER FLOW FROM THE GRAVITY  
11:38:11 PIPES AND THEN PUMPS IT INTO A FORCE MAIN, A PRESSURIZED  
11:38:15 MAIN, AND THEN THAT HELPS TO GET IT TO THE FINAL  
11:38:19 DESTINATION, TO THE TREATMENT PLANTS.  
11:38:20 THE FORCE MAIN'S GRAVITY HAS TO GET DEEPER AS YOU GO.  
11:38:25 FORCE MAINS CAN STAY THE SAME DEPTH BECAUSE THEY ARE  
11:38:28 PRESSURIZED.  
11:38:31 >>Jim Boesch: DOES THIS MEAN WE'RE GOING TO TAKE OVER THE  
11:38:33 OPERATION OF THE SHARED PUMP STATION WITH CHARING CROSS?  
11:38:40 >>Brent Addison: AS IN THE VILLAGE --

11:38:42 >>Jim Boesch: TAKE OVER THE OPERATION?  
11:38:44 >>Brent Addison: NO.  
11:38:44 IF THE PUMP STATION IS DETERMINED TO BE A PUBLIC PUMP  
11:38:47 STATION, THEN LEE COUNTY UTILITIES WOULD TAKE OVER THE  
11:38:50 OPERATION AND MAINTENANCE OF THAT PUMP STATION.

11:38:52 BUT THERE ARE OPPORTUNITIES FOR PRIVATE PUMP STATIONS.  
11:38:57 SO OUR FIRST AREA IS BROADWAY WEST.  
11:39:01 SO AT THE FAR WEST END OF BROADWAY, THIS IS ROUGHLY 90  
11:39:05 ACRES.  
11:39:06 157 LOTS, SINGLE-FAMILY.  
11:39:09 YOU'LL SEE SINGLE-FAMILY ON A FEW MORE SLIDES.  
11:39:11 PROBABLY JUST A BETTER TERMINOLOGY WOULD BE RESIDENTIAL AS  
11:39:14 WE GO THROUGH.  
11:39:16 CURRENTLY, THERE'S NO SEWER.  
11:39:17 SO ALL THESE LOTS ARE ON SEPTIC SYSTEMS.  
11:39:20 THERE IS WATER ALONG BROADWAY WEST, ARMADA COURT AND  
11:39:29 PORTHOLE COURT, SO SORT OF SURROUNDING THE AREA.  
11:39:32 WHEN WE WENT THROUGH AND LOOKED AT THIS, ESTIMATED TOTAL  
11:39:35 COST FOR THIS AREA WAS \$6.3 MILLION.  
11:39:38 WITH THE IDEA THAT THEY WOULD BE SHARING A PUMP STATION WITH  
11:39:41 CHARING CROSS THAT WOULD BE LOCATED IN THE MIDDLE.  
11:39:46 THAT'S WHAT WE ASSUME FOR THE STUDY.  
11:39:50 DOESN'T MEAN THE MOST ECONOMICAL OR FINAL DESIGN, BUT THAT'S  
11:39:53 WHAT WE THOUGHT BECAUSE OF HAVING A LOCATION, THERE IS A  
11:39:56 POTENTIAL PIECE OF PROPERTY THAT COULD BE USED.  
11:39:58 ALONG WITH THE SEWER, WHEN INSTALLING THE SEWER, IT MAKES  
11:40:05 SENSE TO INSTALL THE WATER ALONG WITH THAT.  
11:40:08 THE COST WHERE THERE IS NO WATER IN THESE AREAS IS ALSO  
11:40:11 ASSUMED FOR THE WATER AND THE REHABILITATION OF THE ROADS  
11:40:15 AFTER YOU GO THROUGH.

11:40:17 WHEN YOU GO THROUGH AND INSTALL THE GRAVITY SEWER, YOU'LL  
11:40:20 HAVE TO REDO ALL THE ROADS AS WELL.  
11:40:22 SO THAT'S BROADWAY WEST.  
11:40:26 CHARING CROSS IS JUST EAST OF THAT.  
11:40:32 55 ACRES, 40 LOTS.  
11:40:35 RESIDENTIAL.  
11:40:36 NO SEWER.  
11:40:36 THERE IS WATER ALONG BROADWAY AND COST FOR THIS AREA WAS  
11:40:40 ESTIMATED AT \$2.4 MILLION.  
11:40:42 WITH SHARING THE PUMP STATION WITH BROADWAY WEST.  
11:40:47 SHERRILL AND LUETTICH, THAT IS MOBILE HOME PARK.  
11:40:54 ON THE NORTH SIDE OF BROADWAY, 40 ACRES, 125 LOTS.  
11:41:00 THERE'S NO SEWER.  
11:41:01 THERE'S WATER ALONG BROADWAY WEST.  
11:41:03 ESTIMATED COST FOR THIS WAS \$5.1 MILLION.  
11:41:07 AND THE SPECIAL CONSIDERATION HERE WAS THAT THE ROADS AND

11:41:11 DRAINAGE IN THE AREA DO NOT CURRENTLY MEET STANDARDS THAT  
11:41:14 YOU WANT TO INSTALL SEWER.  
11:41:18 YOU WOULD WANT TO IMPROVE THE ROADS AS YOU GO THROUGH TO  
11:41:20 MAKE SURE YOU DON'T HAVE WATER, SURFACE WATER TRAINING INTO  
11:41:23 YOUR SEWER.  
11:41:24 YOU WOULD GO THROUGH -- THE PROJECT WOULD INCLUDE IMPROVING  
11:41:30 THE ROADS AND DRAINAGE ALONG WITH THE WATER AND THE SEWER ON  
11:41:33 THAT PROPERTY.  
11:41:34 RAISING THE ELEVATIONS MOSTLY AND MAKING SURE THAT THE WATER

11:41:40 DRAINS AWAY FROM THE ROAD.  
11:41:41 >>Jim Boesch: PRIVATE -- ALONG A PRIVATE ROAD.  
11:41:45 >>Brent Addison: YES, SIR, POTENTIALLY.  
11:41:47 ESTERO BAY VILLAGE, I BELIEVE THIS WAS FORMERLY CALLED  
11:41:54 TAHITI VILLAGE.  
11:41:55 THIS IS 35 ACRES.  
11:41:56 WE CALL IT 204 LOTS, BUT THERE'S BASICALLY 204 USERS ON THE  
11:42:00 PROPERTY.  
11:42:01 IT'S ALL ONE SINGLE PROPERTY.  
11:42:03 THIS ONE DOES NOT HAVE SEPTIC.  
11:42:07 THEY HAVE AN ON-SITE WASTEWATER TREATMENT PLANT.  
11:42:09 SO THEY HAVE GRAVITY SEWER THAT COLLECTS FROM ALL THE USERS  
11:42:15 IN THE DRAINS TO THE REAR OF THE PROPERTY, AND THEN MOST  
11:42:19 LIKELY A PUMP STATION THAT PUMPS THAT UP INTO A WASTEWATER  
11:42:23 TREATMENT PLANT, A PACKAGE WASTEWATER TREATMENT PLANT THAT  
11:42:26 THEN AFTER THE WATER IS TREATED DRAINS INTO THESE PONDS ON  
11:42:31 THE PROPERTY.  
11:42:33 SO IN THIS CASE, SINCE THEY ALREADY HAVE WATER PROVIDED BY  
11:42:40 LEE COUNTY UTILITIES AND THE SEWER, THE COLLECTION SYSTEM  
11:42:43 FOR THE SEWER IS THERE, THE ONLY THINGS THAT WE WOULD NEED  
11:42:47 TO IMPROVE ON HERE IS TO EITHER UPGRADE THE PUMPS THAT ARE  
11:42:51 THERE OR MAYBE REPLACE THE PUMP STATION, AND THEN ROUTE A  
11:42:55 FORCE MAIN UP TO BROADWAY TO CONNECT TO THE LEE COUNTY  
11:42:59 UTILITIES FORCE MAIN.  
11:43:01 ONCE THIS IS DONE, THE PACKAGE PLANT COULD BE ABANDONED OR

11:43:06 REMOVED, EXCUSE ME, AND THEN THE PONDS COULD BE ABANDONED  
11:43:10 PROPERLY, AND THEN THAT WOULD PROVIDE FOR ADDITIONAL SPACE  
11:43:15 ON-SITE FOR WHATEVER ESTERO BAY VILLAGE WOULD LIKE TO DO  
11:43:19 WITH IT.  
11:43:19 AS YOU CAN SEE, THIS IS RIGHT ON THE ESTERO RIVER.  
11:43:24 YES, SIR.  
11:43:28 >> THE WATER THAT'S CURRENTLY GOING INTO THOSE PONDS NOW, IS  
11:43:30 THAT CONSISTENT WITH WHAT YOU CALL RECLAIMED WATER?  
11:43:37 >>Brent Addison: I'M SORRY, SAY THAT AGAIN.  
11:43:39 >> THE WATER CURRENTLY DISCHARGED AND GOING INTO THE POND  
11:43:42 THAT YOU DESCRIBED, WOULD THAT WATER BE CONSISTENT WITH WHAT  
11:43:45 WOULD BE CALLED RECLAIMED WATER?



11:43:48 >>Brent Addison: IT COULD BE.  
11:43:50 I MEAN, IT'S TREATED WATER, AND THEN THE IDEA IS THAT IT  
11:43:54 PERCOLATES IN THOSE PONDS, IT DOESN'T LEAVE THOSE, OVERFLOW  
11:44:01 INTO ANYTHING EXCEPT FOR EMERGENCY EVENTS.  
11:44:03 SO THE WATER STAYS THERE IN THOSE PONDS.  
11:44:05 THE NEXT AREA IS BROADWAY WEST AND U.S. 41.  
11:44:14 SO THIS IS THE LOWER LEFT OF THE SCREEN HERE.  
11:44:17 THIS AREA HAS A MIXTURE OF RELIGIOUS FACILITIES, COMMERCIAL,  
11:44:24 AND RESIDENTIAL.  
11:44:25 THAT'S APPROXIMATELY 60 ACRES.  
11:44:28 THERE ARE 77 LOTS OF RECORD ON THIS AREA.  
11:44:32 THERE IS WATER IN SOME LOCATIONS AND NO SEWER.  
11:44:37 AGAIN, THIS IS PROBABLY ONE OF THOSE AREAS THAT HAS SOME  
  
11:44:41 UNDEVELOPED LAND ALONG 41 THAT WE WOULDN'T BE ABLE TO KNOW  
11:44:47 WHAT THE USERS ARE.  
11:44:49 ANYWAYS, YOU COULD DESIGN THE GRAVITY SEWER TO ROUTE THROUGH  
11:44:52 HERE AND THEN HAVE THE PUMP STATION, I THINK WE'RE SHOWING  
11:44:55 HERE IN THE MIDDLE OF THE PROPERTY.  
11:44:57 CYPRESS BEND, MOBILE HOME PARK.  
11:45:03 THIS IS IN BETWEEN ESTERO PARKWAY AND 41.  
11:45:09 THESE ACTUALLY ARE BROKEN OUT BY LOT.  
11:45:11 THEY HAVE FEE-SIMPLE LOTS FOR THESE PROPERTIES.  
11:45:15 SO IT'S 40 ACRES, 411 LOTS, RESIDENTIAL.  
11:45:20 THEY ARE PACKAGE PLANT.  
11:45:21 SO THEIR SYSTEM COLLECTS -- IT ACTUALLY CROSSES THE  
11:45:26 RAILROAD, AND THEN THEY HAVE A PACKAGE PLANT HERE WITH THEIR  
11:45:30 POND ON THE OTHER SIDE OF THE RAILROAD, AND THE INTENT HERE  
11:45:34 WOULD BE TO IMPROVE THE PUMPS OR PUMP STATION AS NEEDED, AND  
11:45:39 THEN THERE'S A SHORT RUN TO THE FORCE MAIN ON ESTERO  
11:45:42 PARKWAY.  
11:45:44 SUNNY GROVES IS ANOTHER MOBILE HOME PARK.  
11:45:51 THIS ONE IS SIMILAR TO THE OTHER TWO THAT WE TALKED ABOUT.  
11:45:55 THEY HAVE THE ON-SITE TREATMENT PLANT.  
11:45:57 THIS ONE IS ON THE RIVER.  
11:45:59 THIS ONE IS A LITTLE MORE -- WOULD BE A LITTLE MORE COSTLY  
11:46:02 TO INSTALL BECAUSE THERE'S CURRENTLY NO FORCE MAIN TO  
11:46:06 CONNECT TO, NO PRESSURE MAIN TO CONNECT TO ALONG 41.  
11:46:10 SO WE WOULD ACTUALLY HAVE TO GO DOWN AND THE CLOSEST POINT  
  
11:46:13 OF CONNECTION WOULD BE DOWN TO CORKSCREW ROAD, ACROSS THE  
11:46:18 ESTERO RIVER, AND THEN UP TO THIS CONNECTION.  
11:46:20 AND THIS WAS INTENDED TO, IN OUR PRELIMINARY DESIGN, WAS  
11:46:24 INTENDED TO SHARE SOME OF THE INFRASTRUCTURE COSTS WITH  
11:46:29 PROPERTIES IN THE NEXT AREA THAT WE'RE GOING TO DISCUSS.  
11:46:34 >>Jim Boesch: ANY -- PROPERTY IN SUNNY GROVES, ANY OF THIS  
11:46:39 PROPERTY POSSIBLY LEAKING INTO THE ESTERO RIVER?  
11:46:43 >>Brent Addison: I DON'T KNOW THE ANSWER TO THAT.

11:46:44 I THINK THERE HAVE BEEN SOME STUDIES ON THAT, BUT I'M NOT  
11:46:47 AWARE PERSONALLY.  
11:46:50 >>Jim Boesch: [INAUDIBLE]  
11:46:51 >>Brent Addison: NO, SIR.  
11:46:51 BUT, OBVIOUSLY, THERE IS CONCERN BECAUSE OF THE PROXIMITY TO  
11:46:54 THE RIVER, WHICH IS WHY THESE ARE ONE OF THE PRIORITY AREAS.  
11:46:59 BROADWAY EAST, THIS IS A REALLY BIG MIX OF, WE HAVE  
11:47:06 SINGLE-FAMILY.  
11:47:07 WE HAVE RELIGIOUS FACILITIES.  
11:47:08 WE HAVE COMMERCIAL.  
11:47:09 WE HAVE FUTURE COMMERCIAL.  
11:47:11 OBVIOUSLY, THIS AREA RIGHT HERE IS CURRENTLY VILLAGE  
11:47:15 PROPERTY.  
11:47:16 I THINK THERE'S POTENTIAL TO DEVELOP THIS AREA.  
11:47:20 THERE'S WATER IN CERTAIN LOCATIONS.  
11:47:23 THERE'S NOT WATER IN CERTAIN LOCATIONS.  
11:47:25 SO IT'S A MIX OF GRAVITY SEWER AND FORCE MAIN, AND THEN  
  
11:47:32 RIGHT NOW WE'RE SHOWING A PUMP STATION HERE IN THE MIDDLE TO  
11:47:34 CONNECT TO ALL OF THESE USERS.  
11:47:37 AND THIS AREA ALSO TAKES IN TWO PROPERTIES ON THE NORTH SIDE  
11:47:42 OF BROADWAY.  
11:47:43 SANDY LANE AND THE GROVES JUST TO THE EAST, SINGLE-FAMILY,  
11:47:54 ROUGHLY 95 ACRES.  
11:47:59 THERE IS WATER ON BROADWAY EAST, BUT NOT ALONG SANDY LANE.  
11:48:03 SO THESE IMPROVEMENTS ARE SHOWING GRAVITY SEWER AND WATER  
11:48:07 THROUGHOUT SANDY LANE AND THE GROVES.  
11:48:12 THIS WOULD ALL TIE IN ULTIMATELY TO A PUMP STATION THAT  
11:48:15 WOULD BE SHARED WITH TANGLEWOOD, WHICH IS ON THE NEXT SLIDE  
11:48:20 AND THESE ARE DESIGNED TO ENTER INTO THE SYSTEM.  
11:48:24 THIS WAS DISCUSSED WITH LEE COUNTY UTILITIES TO TIE INTO THE  
11:48:27 SYSTEM TO THE PROPERTY TO THE NORTH.  
11:48:29 THIS ALSO INCLUDES A FEW PROPERTIES ON THE NORTH SIDE OF  
11:48:32 BROADWAY.  
11:48:32 AND THEN TANGLEWOOD, AGAIN, LIKE WE SAID, IT WILL SHARE A  
11:48:40 PUMP STATION, AT LEAST ONE PUMP STATION BEFORE IT LEAVES AND  
11:48:43 GOES TO THE NORTH INTO THE EXISTING LEE COUNTY UTILITY  
11:48:47 SYSTEM.  
11:48:47 CYPRESS PARK, JUST ACROSS THE ROAD, THIS IS 12 ACRES, 34  
11:48:57 LOTS.  
11:48:58 THERE'S AN EXISTING MOTEL.  
11:48:59 THERE'S A POTENTIAL COMMERCIAL USE IN THE FRONT AND THEN THE  
11:49:03 EXISTING HOMES IN THE BACK.  
  
11:49:07 ESTIMATED COST FOR THIS IS 1.8 MILLION.  
11:49:11 OBVIOUSLY, IT'S A LOT FOR THE PER-LOT COST, BUT WHEN YOU  
11:49:16 HAVE LARGER LOTS, THE SEWER IS NOT AS EFFICIENT AS YOU DO  
11:49:20 WITH SMALLER LOTS.

11:49:21 AND THEN SEE SEE STREET JUST TO THE EAST OF THAT AND ACROSS  
11:49:28 THE ROAD FROM HERE IS THE SAME THING.  
11:49:32 REALLY LARGE LOTS.  
11:49:34 ONLY 18 USERS, SO THE COST PER LOT IS HIGHER.  
11:49:37 RIVER RANCH, I THINK YOU CURRENTLY HAVE A PROJECT GOING ON  
11:49:46 TO DO SOME IMPROVEMENTS ALONG RIVER RANCH ROAD.  
11:49:50 MOST OF THIS AREA HAS WATER, SO IT WOULD JUST BE GRAVITY  
11:49:54 SEWER EXPANSION THROUGHOUT THE YELLOW HIGHLIGHTED AREA.  
11:50:00 ESTERO SPRINGS, SO THIS IS DOWN SOUTH OF WILLIAMS ROAD.  
11:50:07 THIS IS PREVIOUSLY PLATTED DEVELOPMENT.  
11:50:10 BEEN THERE FOR A WHILE.  
11:50:12 THERE ARE A FEW SCATTERED HOMES THROUGH THERE.  
11:50:16 SIMILAR TO SHERRILL AND LUETTICH, THE ROADS AND DRAINAGE  
11:50:20 WOULD HAVE TO BE CONSIDERED.  
11:50:22 SO THIS IS PROBABLY, YOU KNOW, MY OPINION ONE OF THE LONGER  
11:50:25 LEAD ITEMS ON THE LIST.  
11:50:28 TO BE NOTED, THIS IS IN THE BONITA SPRINGS UTILITIES  
11:50:36 FRANCHISE AREA SO THERE WOULD HAVE TO BE DISCUSSIONS WITH  
11:50:38 BSU AND LEE COUNTY UTILITIES WITH THIS, BUT LEE COUNTY  
11:50:42 UTILITIES DOES HAVE FACILITIES IN PLACE.  
11:50:43 AND WILLIAMS WEST IS MOSTLY TREE FARM AT THE MOMENT.

11:50:53 BUT THE IDEA WOULD BE TO MAKE SURE THAT THERE'S CONNECTIONS  
11:50:56 HERE IF THERE'S ANY FUTURE DEVELOPMENT.  
11:50:58 TO SUMMARIZE THE REPORT, THE PRIORITY AREAS THAT WE SEE THAT  
11:51:08 ARE THE MOST COST-EFFECTIVE AND PROBABLY HAVE THE MOST VALUE  
11:51:13 TO THE ENVIRONMENT WOULD BE THE ONES LISTED ABOVE.  
11:51:16 ESTERO BAY VILLAGE DUE TO ITS PROXIMITY TO THE RIVER, THE  
11:51:21 AMOUNT OF UNITS THAT ARE ON THE PROPERTY, AND THEN THE LOW  
11:51:26 UNIT COST THAT WOULD BE REQUIRED BECAUSE WE HAVE TO PUT IN  
11:51:29 THE PUMP STATION AND THE FORCE MAIN, MAKE THE CONNECTION, WE  
11:51:32 DON'T HAVE TO DO THE GRAVITY SEWER.  
11:51:35 SUNNY GROVES IS THE OTHER ONE.  
11:51:38 AGAIN, PROXIMITY TO THE RIVER, HIGHER POPULATION, LOWER UNIT  
11:51:42 COST.  
11:51:43 OBVIOUSLY, THE ONLY THING ON SUNNY GROVES IS THE EXTENSION  
11:51:47 OF THE FORCE MAIN FROM CORKSCREW.  
11:51:50 CYPRESS BEND, AGAIN, ANOTHER PACKAGE PLANT.  
11:51:55 I'VE BEEN TOLD THAT THE COMMUNITY HAS EXPRESSED INTEREST IN  
11:51:58 CONVERTING THIS SO THEY DON'T HAVE TO MAINTAIN THE PLANT IN  
11:52:01 THE FUTURE.  
11:52:01 IT'S A HIGHER POPULATION DENSITY AND LOW UNIT COST.  
11:52:06 AND THEN NOT ON THE RIVER, BUT WITH RIVER RANCH ROAD, DUE TO  
11:52:12 THE FACT THAT POTENTIALLY YOU'LL BE IN THERE REDOING THE  
11:52:14 ROADS, IT MIGHT BE AN OPPORTUNITY TO GO IN AND INSTALL THE  
11:52:17 SEWER WHILE YOU'RE THERE FOR FUTURE USE.  
11:52:20 ANY QUESTIONS?

11:52:25 >>Jim Boesch: THIS IS A QUESTION FOR STEVE.  
11:52:26 STEVE, DO WE DO ANY ROAD WORK -- ANYWHERE IN THESE AREAS,  
11:52:34 ARE WE INCLUDING PUTTING IN PIPE ALONG THE ROADS WHEN THEY  
11:52:38 DO IT?  
11:52:40 >>Steven Sarkozy: THE TRAILER HOME PARKS, THE FIRST THREE,  
11:52:48 WERE NOT DOING ANY WORK IN THE PARK.  
11:52:50 THAT DOESN'T APPLY.  
11:52:51 HOWEVER, RIVER RANCH ROAD IS ONE OF YOUR PRIORITIES, AND  
11:52:54 WE'RE PROPOSING THAT WE WOULD DO THE UTILITIES AS WE DO THE  
11:52:58 ROAD SO YOU DON'T HAVE TO DIG UP THE ROAD LATER TO DO THIS.  
11:53:01 THERE'S A LOT OF BENEFIT DOING EVERYTHING ALL AT ONCE.  
11:53:05 THAT'S WHAT IS BEING PROPOSED HERE, PUTTING AS A PRIORITY.  
11:53:11 >>Jim Boesch: ALL THESE PEOPLE HAVE TO BE AWARE OF THE FACT  
11:53:13 THAT WE START DOING ROAD PROJECTS ALONG THEIR AREA, THAT IT  
11:53:20 WILL INCLUDE WATER RESTORATION PROJECTS --  
11:53:26 >> COULD YOU USE YOUR SPEAKER, PLEASE?  
11:53:28 YOUR MICROPHONE?  
11:53:29 THANK YOU.  
11:53:31 >>Jim Boesch: I BELIEVE THAT -- I PERCEIVE THAT ALL OF THE  
11:53:35 WORK THAT WE'RE DOING, IF WE START DOING ROAD PROJECTS,  
11:53:40 HAPPENS TO BE ALONG ANY ONE OF THESE AREAS THAT WE'VE  
11:53:46 DISCUSSED HERE, THAT IT WOULD INCLUDE THE FACT THAT WE WOULD  
11:53:50 START SOME WATER RESTORATION WORK THERE, BECAUSE IT DOESN'T  
11:53:55 MAKE SENSE TO DO ROAD WORK, ESPECIALLY -- ALONG THE ROAD,  
11:54:00 AND NOT PUTTING IN SEWERS.

11:54:02 OTHERWISE, YOU HAVE TO GO BACK AND PROBABLY DOUBLE OR TRIPLE  
11:54:07 THE COST.  
11:54:08 I THINK IT IS ESSENTIAL THAT WE GET THE MESSAGE OUT,  
11:54:14 ESPECIALLY TO THESE AREAS THAT WE ARE NOW UNDERTAKING THIS  
11:54:19 ROAD, THIS WATER RESTORATION PROJECT, WHICH WILL INCLUDE  
11:54:24 SEWERS SO THAT WE DON'T COME AND JUST HIT THEM BETWEEN THE  
11:54:29 EYES AND SAY, HEY, THIS IS, WHETHER YOU LIKE IT OR NOT, THIS  
11:54:33 IS GOING TO HAPPEN.  
11:54:34 I'M JUST ASKING -- I BELIEVE WE'RE GOING TO DO RIVER RANCH  
11:54:41 ROAD, SOMETHING SHORT PERIOD OF TIME NOW, ARE WE GOING TO DO  
11:54:46 WATER, PUTTING IN SEWERS FOR THE WATER WITH THE PROJECT.  
11:54:56 >> YES, WE WOULD BE DOING ALL OF IT AT ONE TIME, YES.  
11:55:02 >>Mayor Errington: ANY OTHER QUESTIONS?  
11:55:03 >>Brent Addison: SORRY, I WENT FAST, BUT I DIDN'T WANT TO  
11:55:07 TAKE UP TOO MUCH OF YOUR TIME.  
11:55:10 >>Jim Ward: IN THOSE AREAS THAT YOU IDENTIFIED AS BSU  
11:55:11 FRANCHISE AREAS, DO THEY HAVE A RESPONSIBILITY TO BUILD  
11:55:16 SEWER SYSTEMS IN THOSE AREAS WHERE THEY HAVE A FRANCHISE  
11:55:19 RESPONSIBILITY?  
11:55:21 >>Brent Addison: I DON'T KNOW THAT ANSWER EXACTLY.  
11:55:24 I DON'T KNOW IF THEY HAVE THE RESPONSIBILITY, IF SOMEBODY --  
11:55:29 I DON'T KNOW HOW THESE LINES WERE DRAWN ORIGINALLY, BUT DUE

11:55:32 TO THE FACT THAT WE DEAL WITH THIS WHEN WE HAVE SOMETIMES  
11:55:36 YOU'RE IN THE FRANCHISE AREA, BUT THE UTILITIES ARE CLOSER,  
11:55:39 YOU MAKE AN AGREEMENT, YOU GOT TO GO BACK AND FORTH WITH THE

11:55:43 AGENCY.

11:55:43 SO THEY DON'T HAVE A RESPONSIBILITY TO CONNECT, IS MY  
11:55:48 UNDERSTANDING.

11:55:50 >>Jim Ward: WHAT EXACTLY DOES A BSU FRANCHISE MEAN THEN?

11:55:54 >>Brent Addison: WELL, THAT'S WHERE THEY HAVE -- I DON'T  
11:55:57 KNOW THE ANSWER TO THAT EXACTLY.

11:56:02 >> I THINK THE SHORT ANSWER IS, NO, THEY ARE NOT GOING TO  
11:56:04 HAVE TO PUT WATER AND SEWER LINES IN TO ELIMINATE SEPTIC  
11:56:09 TANKS.

11:56:09 THAT'S NOT GOING TO BE A REQUIREMENT ON THEIR PART, BUT  
11:56:11 YOU'RE GOING TO HAVE TO WORK WITH THEM, OBVIOUSLY, BECAUSE  
11:56:13 IT IS THEIR SERVICE AREA.

11:56:14 IF THERE'S GOING TO BE A WATER AND SEWER PROVIDER, IT'S  
11:56:17 GOING TO BE BSU IN THAT AREA.

11:56:21 >>Jim Ward: SO IN THAT AREA, THEY HAVE THE RESPONSIBILITY  
11:56:23 TO PROVIDE WATER TO THE AREA, BUT NOT TO SEWER SYSTEMS?

11:56:32 >> THEY ARE NOT REQUIRED TO PUT IN WATER AND SEWER LINES  
11:56:34 JUST BECAUSE THEY HAVE THE SERVICE AREA, BUT IF WATER AND  
11:56:37 SEWER LINES ARE PUT IN, IT WILL BE OPERATED BY BSU.

11:56:48 >>Brent Addison: IN SOME AREAS, NORTH FT. MYERS, CITY OF  
11:56:51 CAPE CORAL AND LEE COUNTY UTILITIES WHERE THEY HAVE OVERLAP  
11:56:54 IN THE FRANCHISE AREAS, IT WOULD HAVE AN INTERLOCAL  
11:56:58 AGREEMENT WHERE LEE COUNTY COULD PROVIDE THE WATER, BUT IT'S  
11:57:02 IN A CERTAIN FRANCHISE AREA, SO IT HAS TO BE AN AGREEMENT  
11:57:06 BETWEEN THE TWO AGENCIES.

11:57:08 >> THANK YOU.

11:57:08 >>Jim Boesch: BOTTOM LINE IS [INAUDIBLE]

11:57:16 >>Mayor Errington: TEMPORARILY.

11:57:17 ANY OTHER COMMENTS, QUESTIONS?

11:57:19 YOU HAVE MORE PRESENTATION MATERIAL HERE.

11:57:23 >>Brent Addison: I'M FINISHED WITH MY PART.

11:57:25 >>Mayor Errington: OKAY.

11:57:26 THANK YOU.

11:57:26 MADAM CLERK, DO YOU HAVE ANYONE --

11:57:34 >> THERE'S ANOTHER PRESENTATION.

11:57:37 >> THIS FIRST PART OF THE PRESENTATION WAS THE BACKGROUND

11:57:39 ABOUT THE TECHNICAL PROBLEMS.

11:57:40 NOW WE WOULD LIKE TO GO INTO HOW TO IMPLEMENT THE SEPTIC TO

11:57:46 SEWER CONVERSION, AND WITH US -- GOT SCOTT FROM WOODARD AND

11:57:53 CURRAN TO PROVIDE A BRIEF PRESENTATION ON HOW THIS MIGHT

11:57:57 OCCUR.

11:58:08 >>Mayor Errington: SORRY ABOUT THAT.

11:58:18 >> THANK YOU, STEVE.

11:58:19 THANK YOU MEMBERS OF COUNCIL FOR HAVING ME HERE TODAY.  
11:58:21 FOR THE RECORD, MY NAME IS SCOTT SHANNON.  
11:58:23 I'M A REGISTERED PROFESSIONAL ENGINEER WITH THE  
11:58:25 ENVIRONMENTAL CONSULTING FIRM WOODARD AND CURRAN.  
11:58:27 WHAT BRENT JUST DESCRIBED WAS BASICALLY THE ENTIRE PROGRAM  
11:58:31 THAT'S BEEN IDENTIFIED IN TERMS OF POTENTIAL IMPROVEMENTS  
11:58:34 FOR SEPTIC TO SEWER HERE THROUGHOUT THE VILLAGE.

11:58:37 WITHOUT DOING THE MATH, BUT GOING THROUGH THE REPORT THAT  
11:58:41 THEY HAD PRESENTED, THAT'S APPROXIMATELY \$40 MILLION WORTH  
11:58:44 OF POTENTIAL IMPROVEMENTS ACROSS 15 DIFFERENT AREAS WITHIN  
11:58:49 THE VILLAGE.  
11:58:49 WHAT I'M GOING TO PRESENT TO YOU NOW IS A PROGRAM MANAGEMENT  
11:58:53 SERVICES THAT MY FIRM, WOODARD AND CURRAN, HAS PROPOSED TO  
11:58:57 PROVIDE TO THE VILLAGE TO HELP YOU IDENTIFY A SUBSET OF  
11:59:00 THOSE COMMUNITIES THAT YOU WOULD INITIATE FIRST.  
11:59:04 GIVEN THE SIZE OF THAT AND THE GEOGRAPHIC DISTRIBUTION FROM  
11:59:07 A FINANCIAL AND FROM A RESOURCING STANDPOINT, IT'S NOT  
11:59:09 SOMETHING YOU WANT TO DO ALL 15 AT ONCE.  
11:59:12 IN SHORT, WHAT WE'RE PROPOSING TO DO IS TO GUIDE THE VILLAGE  
11:59:17 THROUGH A PROCESS THAT IDENTIFIES WHICH COMMUNITIES YOU WILL  
11:59:20 DO FIRST.  
11:59:21 HELPS YOU TO FINANCE THOSE, HELPS YOU TO ENGAGE THE  
11:59:23 COMMUNITY.  
11:59:24 BASICALLY PUTS YOU IN A POSITION BETWEEN NOW AND  
11:59:26 APPROXIMATELY 18 MONTHS FROM NOW TO BE READY TO PROCURE AND  
11:59:30 BEGIN CONSTRUCTION OF IMPROVEMENTS IN THOSE SELECTED  
11:59:32 COMMUNITIES.  
11:59:32 BEFORE I DO THAT, I JUST WANTED TO GIVE A BRIEF INTRODUCTION  
11:59:38 TO WOODARD AND CURRAN.  
11:59:40 I RECOGNIZE WOODARD AND CURRAN HASN'T DONE ANY WORK FOR THE  
11:59:45 VILLAGE OF ESTERO BEFORE.  
11:59:46 SO I WANT TO PROVIDE A VERY BRIEF OVERVIEW.

11:59:48 THERE ARE A LOT OF STATISTICS ON THIS SLIDE.  
11:59:51 I DON'T WANT TO GO INTO ALL OF THOSE.  
11:59:53 EVERY FIRM AS ITS OWN STATISTICS.  
11:59:54 WHAT'S IMPORTANT HERE, THE FIRM HAS BEEN IN BUSINESS FOR 40  
11:59:57 YEARS.  
11:59:58 WE'VE BEEN DOING WORK IN FLORIDA NOR 25 OF THOSE YEARS.  
12:00:01 WE'VE GOT ABOUT 50 STAFF THROUGH THE STATE AND ENVIRONMENTAL  
12:00:06 CONSULTING AND UTILITY ENGINEERING AND MANAGEMENT IS OUR  
12:00:10 BUSINESS.  
12:00:10 THERE IS A MAP ON THE LEFT THAT SHOWS THE COMMUNITIES WE'VE  
12:00:19 WORKED FOR IN FLORIDA.  
12:00:21 AND TABLE OF PROJECTS.  
12:00:22 THESE ARE CURRENT PROJECTS WORKING FOR COMMUNITIES IN  
12:00:25 FLORIDA.

12:00:26 ALL OF THESE ARE WATER AND WASTEWATER INFRASTRUCTURE  
12:00:29 IMPROVEMENT PROJECTS.  
12:00:29 THIS IS THE KIND OF WORK THAT WE'RE TALKING ABOUT HERE FOR  
12:00:32 ESTERO THAT'S RIGHT IN OUR WHEEL HOUSE.  
12:00:35 NOW ON TO BASICALLY THE OBJECTIVES OF THIS CONTRACT.  
12:00:41 THESE ARE THE VILLAGE'S OBJECTIVES THAT WE'RE GOING TO HELP  
12:00:45 YOU ACHIEVE BY VIRTUE OF CARRYING OUT THE SERVICES WE  
12:00:48 PROPOSE.  
12:00:48 THERE ARE A FEW THINGS HERE.  
12:00:49 I'LL GO INTO A LITTLE BIT MORE DETAIL ON EACH OF THESE ON  
12:00:52 THE BACK SIDE OF THESE.

12:00:53 PRIMARILY, WE WANT TO ADDRESS A FEW DIFFERENT THINGS.  
12:00:55 OBVIOUSLY, TO ENGAGE THE COMMUNITY, TO BE ABLE TO MAKE  
12:00:58 DECISIONS ABOUT WHAT ORDER AND HOW YOU PRIORITIZE THE  
12:01:01 COMMUNITIES THAT YOU'RE GOING TO IMPROVE, YOU WANT TO HEAR  
12:01:04 FROM THE COMMUNITY.  
12:01:05 YOU WANT TO HEAR FROM THE RESIDENTS, THEIR WISHES, THEIR  
12:01:08 CONCERNS AND BE ABLE TO TAKE THOSE INTO ACCOUNT AS YOU MAKE  
12:01:10 DECISIONS.  
12:01:11 WE'LL BE GUIDING THE SELECTION AND PRIORITIZATION PROCESS  
12:01:15 FOR YOU.  
12:01:15 ESSENTIALLY, OF THOSE 15 COMMUNITIES, HOW MANY DO YOU WANT  
12:01:18 TO DO FIRST AND WHICH ONES SHOULD THEY BE?  
12:01:21 TAKING INTO ACCOUNT INFORMATION FROM THE COMMUNITY,  
12:01:24 FINANCIAL CONSIDERATIONS, AND TECHNICAL CONSIDERATIONS.  
12:01:26 MANAGING THE GRANT APPLICATION PROCESS.  
12:01:30 THAT'S A BIG PART OF WHAT WE'LL BE DOING.  
12:01:33 I'LL GET INTO A LITTLE MORE ABOUT WHAT THAT MEANS.  
12:01:36 ESSENTIALLY, GIVEN THE TYPE OF PROJECT THAT THIS IS, THE  
12:01:40 POTENTIAL ENVIRONMENTAL IMPACT, IT'S A HIGH PRIORITY FOR A  
12:01:43 LOT OF THE FUNDING AGENCIES THAT ARE OUT THERE.  
12:01:45 SO OUR GOAL IS TO BASICALLY IDENTIFY GRANT MONEY FROM THE  
12:01:50 STATE AND THE FEDERAL GOVERNMENT THAT CAN HELP OFFSET THE  
12:01:53 COST OF THESE PROJECTS TO THE VILLAGE AND TO ITS RESIDENTS.  
12:01:58 WE'LL BE MANAGING THAT PROCESS, IDENTIFYING WHICH PROGRAMS  
12:02:01 ARE BEST SUITED AND APPLYING ON YOUR BEHALF.

12:02:03 MANAGING THE ENGINEERING PROCESS IS ESSENTIALLY SELECTING A  
12:02:07 DESIGN ENGINEER WHO WILL TAKE THE PLANNING THAT'S BEEN DONE  
12:02:10 AND TURN THOSE INTO DETAILED DESIGN THAT A CONSTRUCTION BID  
12:02:15 CAN BE ISSUED AGAINST.  
12:02:17 SO THAT COVERS KIND OF THE THIRD -- I'M SORRY, THE FOURTH  
12:02:23 AND SIXTH ONE ON THERE.  
12:02:25 MANAGING THE IMPLEMENTATION OF AN ASSESSMENT.  
12:02:27 SO WHAT WE HAVE PROPOSED AND THE TIMELINE, WHICH I'LL GO  
12:02:30 INTO IN JUST A MINUTE, IS BASED ON AN ASSUMPTION THAT WE'LL  
12:02:34 BE IMPLEMENTING OR THAT THE VILLAGE WILL BE IMPLEMENTING A

12:02:37 SPECIAL ASSESSMENT TO HELP PAY FOR THE COST OF THESE  
12:02:41 IMPROVEMENTS, SPECIAL ASSESSMENTS ON THE AFFECTED  
12:02:44 PROPERTIES.  
12:02:44 SO THERE IS A TIMELINE ASSOCIATED WITH DOING THAT, AND THAT  
12:02:48 EVERYTHING THAT WE'RE DOING IN TERMS OF THE TECHNICAL  
12:02:50 REQUIREMENTS HAVE TO LINE UP WITH THAT TIMELINE.  
12:02:56 >>Jim Boesch: BEFORE YOU JUMP ON TO THE NEXT, MANAGE GRANT  
12:02:59 APPLICATION PROCESS.  
12:03:03 WHERE DO YOU GO FOR GRANTS?  
12:03:06 AND WHO GIVES US -- WHERE DO WE GET THE GRANTS FOR IT?  
12:03:12 TYPICALLY, WHEN YOU DO A PROJECT LIKE THIS, WHAT IS THE  
12:03:15 PERCENTAGE OF GRANTS TO THE OVERALL COST TO THE PROJECT?  
12:03:19 >>Scott Shannon: IT'S VERY HARD TO IDENTIFY WHAT'S TYPICAL  
12:03:23 BECAUSE IT CAN RANGE FROM ZERO TO ALMOST A HUNDRED.  
12:03:25 >>Jim Boesch: BALLPARK.

12:03:27 >>Scott Shannon: SO THE OTHER THING IS RIGHT NOW, THE  
12:03:31 LANDSCAPE FOR GRANT MONEY IS CHANGING IN A GOOD WAY.  
12:03:34 IF YOU'D ASKED ME THIS LAST YEAR, THE STATE IS LOOKING AT  
12:03:37 POTENTIAL REVENUE SHORTFALLS BECAUSE OF COVID, BUDGET  
12:03:40 SHORTFALLS, AND THAT IMPACTS A LOT OF THE GRANT PROGRAMS  
12:03:44 THAT COME THROUGH THE STATE.  
12:03:45 WITH RECENT STIMULUS MONEY -- I KNOW YOU GUYS ARE GETTING  
12:03:47 SOME DIRECTLY FROM THE FEDERAL GOVERNMENT AS WELL -- BUT  
12:03:49 EVEN THE MONEY THAT'S COMING TO THE STATE IS GOING TO FUNNEL  
12:03:53 THROUGH THESE EXISTING PROGRAMS.  
12:03:54 AND BASICALLY ENABLE MORE GRANT MONEY THAN WOULD OTHERWISE  
12:03:58 BE AVAILABLE FOR PROGRAMS JUST LIKE THIS.  
12:04:00 >>Jim Boesch: BOTH FEDERAL AND STATE AVAILABILITY.  
12:04:04 >>Scott Shannon: CORRECT.  
12:04:05 >>Jim Boesch: DEPENDING ON TIMES, IT'S SOMETIMES NOT TOO  
12:04:13 GOOD AND OTHER TIMES --  
12:04:15 >>Scott Shannon: IN TERMS OF OVERALL AVAILABILITY, OVER THE  
12:04:18 NEXT COUPLE OF YEARS, THE AVAILABILITY OF MONEY SHOULD BE AS  
12:04:20 GOOD AS IT'S BEEN IN A LONG TIME.  
12:04:23 CLEARLY, EVERY PROJECT IS BEING PART OF THAT COMPETITIVE  
12:04:26 PROCESS FOR GRANT MONEY, WHAT YOU HAVE GOING FOR YOU HERE IS  
12:04:30 CERTAINLY WATER IS A PRIORITY ANYWAY, BUT PARTICULARLY THE  
12:04:34 POTENTIAL IMPACTS TO THE RIVER AND TO THE BAY WILL HELP IN  
12:04:39 TERMS OF EVALUATION, SCORING, AND OVERALL PERCENTAGE OF  
12:04:42 GRANT VERSUS OTHER PROJECTS THAT DON'T HAVE THOSE KIND OF

12:04:45 POTENTIAL BENEFITS.  
12:04:46 >>Jim Boesch: THE SECOND QUESTION, ONCE YOU'RE INTO THE  
12:04:49 DEVELOPMENT, SCOPE, CONSTRUCTION BIDS, AT THE SAME TIME  
12:04:52 WE'RE APPLYING FOR GRANTS FOR THE --  
12:04:57 >>Scott Shannon: CORRECT.  
12:04:58 YOU DON'T HAVE TO WAIT UNTIL YOU'RE IN DESIGN TO DO THAT.



12:05:01 PROBABLY IN A POSITION -- WE'VE BEEN DOING SOME PRELIMINARY  
12:05:04 LEGWORK TO TRY TO FIGURE OUT BASED ON THE SCOPE OF THE  
12:05:06 PROGRAM NOW, WHAT WOULD BE -- WHAT WOULD BE MOST APPLICABLE.  
12:05:11 WE HAVE IDEAS ON THAT THAT WE CAN HIT THE GROUND PRETTY  
12:05:13 QUICKLY.  
12:05:14 WE WOULDN'T HAVE TO WAIT FOR A DESIGN TO BE COMPLETED OR  
12:05:16 READY FOR CONSTRUCTION TO GET SOME OF IT FUNDED.  
12:05:19 >>Jim Boesch: IS IT A POPULAR PROJECT FOR MUNICIPALITIES NOW  
12:05:22 OR IS IT JUST GETTING STARTED BY MUNICIPALITIES?  
12:05:25 >>Scott Shannon: I'M SORRY, POPULAR PROJECT?  
12:05:28 >>Jim Boesch: POINT I'M ASKING, ARE A LOT OF MUNICIPALITIES  
12:05:31 APPLYING FOR GRANTS NOW OR IT'S JUST BEGINNING TO START?  
12:05:37 >>Scott Shannon: WELL, AGAIN, GIVEN THE KIND OF NEW FUNDING  
12:05:40 LANDSCAPE, WE ANTICIPATE THAT THERE WILL BE A LOT MORE  
12:05:42 INTEREST IN THOSE TYPES OF THINGS THAN THERE WOULD BE  
12:05:45 OTHERWISE.  
12:05:46 BUT, AGAIN, THE IMPORTANT THING IS HOW COMPETITIVE IS A  
12:05:49 GRANT APPLICATION THAT THE VILLAGE WOULD BE SUBMITTING BASED  
12:05:52 ON THE SPECIFIC OBJECTIVES AND THE POTENTIAL BENEFITS OF THE

12:05:56 PROJECT ITSELF.  
12:05:56 I PUT UP HERE AN ANTICIPATED SCHEDULE.  
12:06:08 AGAIN THIS LINES UP WITH THE TIMELINE OF A SPECIAL  
12:06:10 ASSESSMENT THAT WOULD BE IMPLEMENTED.  
12:06:12 I SHOULD POINT OUT THAT, AGAIN, IN TERMS OF -- YOU'VE GOT  
12:06:17 SOME OPTIONS HERE BASED ON FUNDING AND THINGS LIKE THAT,  
12:06:21 OPTIONS TO BOTH OFFSET THAT COST AND ACCELERATE THE  
12:06:23 TIMELINE, WHICH IS THINGS THAT WE'LL GET INTO, AND THAT  
12:06:26 WOULD CERTAINLY BE DEPENDENT UPON WHICH KIND OF GRANT  
12:06:29 PROGRAMS YOU'RE ABLE TO SECURE.  
12:06:31 ESSENTIALLY, YOU'VE GOT A TIMELINE HERE.  
12:06:34 WHAT OUR PROPOSAL COVERS IS ESSENTIALLY THE FIRST HALF OF  
12:06:37 THAT TIMELINE.  
12:06:39 FROM LEFT TO RIGHT, THE FIRST, UP UNTIL THE MIDDLE, WHICH IS  
12:06:43 BASICALLY THE NEXT 18 MONTHS OR SO.  
12:06:46 DON'T WORRY ABOUT THE SPECIFIC THINGS.  
12:06:48 I'VE GOT ANOTHER SLIDE THAT WILL SHOW YOU SPECIFICALLY WHAT  
12:06:51 THE MILESTONES ARE.  
12:06:53 ESSENTIALLY THE FIRST HALF OF THE SCHEDULE IS PUBLIC  
12:06:57 ENGAGEMENT, MAKING DECISIONS ABOUT WHICH PROJECTS ARE MOVING  
12:07:01 FORWARD.  
12:07:01 THE ENGINEERING DESIGN IS IN THERE.  
12:07:04 THE SECURING OF GRANT FUNDING, AND I THINK I SAID PUBLIC  
12:07:10 OUTREACH ALREADY.  
12:07:10 BASICALLY AT THE END OF THE 18 MONTHS, YOU'RE IN A POSITION,  
  
12:07:13 ASSESSMENT WILL BE IN PLACE, YOU'LL HAVE A FUNDING SOURCE  
12:07:17 FOR THE PROJECT, AND YOU'LL BE IN A POSITION TO BE ABLE TO

12:07:19 MOVE FORWARD WITH CONSTRUCTION AT THAT TIME.  
12:07:22 LITTLE MORE DETAIL ON THAT SCHEDULE HERE WITH THE MILESTONES  
12:07:28 SLIDE, THIS IS BASICALLY REFLECTED IN THE PRIOR SCHEDULE,  
12:07:32 BUT ESSENTIALLY KIND OF THE MOST IMPORTANT THINGS IN THE  
12:07:34 NEAR TERM ARE AS QUICKLY AS YOU CAN GET TO THE POINT THAT  
12:07:37 YOU'RE READY TO APPROVE THE OVERALL PROGRAM PLAN AND TO  
12:07:42 SELECT THE SPECIFIC COMMUNITIES THAT WILL BE INCLUDED IN THE  
12:07:45 INITIAL PHASE OF WORK.  
12:07:46 ONCE THAT'S DONE, WE CAN SELECT A DESIGN ENGINEER.  
12:07:52 THE DESIGN, AGAIN, DEPENDING ON HOW MANY YOU MOVE FORWARD  
12:07:55 WITH, FIGURING PROBABLY A NINE-MONTH DESIGN PROCESS, IT MAY  
12:08:00 BE A LITTLE BIT AGGRESSIVE BUT A LITTLE BIT OF PLAY IN THIS  
12:08:04 STUFF.  
12:08:04 AFTER THE DESIGN CONTRACT -- AFTER THE DESIGN IS COMPLETED,  
12:08:08 YOU'LL HAVE A BETTER ENGINEERING ESTIMATE OF COSTS.  
12:08:12 LOOKING AT THE COSTS AND LOOKING AT THE AVAILABILITY OF  
12:08:14 GRANT MONEY THAT YOU CAN APPLY TO THE PROJECT WILL HELP  
12:08:18 INFORM THE AMOUNT OF THE ASSESSMENT THAT NEEDS TO BE PUT IN  
12:08:21 PLACE.  
12:08:21 ONCE THE ASSESSMENT IS IN PLACE, IN OCTOBER OF '22, YOU'D BE  
12:08:26 READY TO MOVE FORWARD WITH PROCUREMENT OF CONSTRUCTION, AND  
12:08:29 CONSTRUCTION -- ON THIS SCHEDULE, IF YOU'RE ANTICIPATING  
12:08:33 THREE OR FOUR COMMUNITIES IN THAT FIRST PHASE, PROBABLY A  
  
12:08:35 YEAR'S WORTH OF CONSTRUCTION, WHICH WOULD BASICALLY COMPLETE  
12:08:38 THE IMPROVEMENTS ON THAT FIRST SET OF COMMUNITIES, WHICHEVER  
12:08:41 THOSE ARE, BY ON OR ABOUT THE MIDDLE OF 2024.  
12:08:46 SO A THREE-YEAR TIMELINE FROM TODAY.  
12:08:48 JUST A LITTLE BIT MORE BRIEF -- BRIEFLY, BUT A LITTLE MORE  
12:08:56 ABOUT WHAT WE'LL BE DOING WITH RESPECT TO EACH OF THESE  
12:08:59 OBJECTIVES, HOW WE'LL SATISFY THAT, ENGAGING THE COMMUNITY  
12:09:02 IS IMPORTANT.  
12:09:03 AGAIN, WHAT WE'LL BE DOING IS TO GUIDE THE PUBLIC  
12:09:06 DISCUSSION, PUBLIC MEETINGS, TO HELP YOU MAKE DECISIONS  
12:09:08 ABOUT WHAT THE BEST OPTIONS ARE MOVING FORWARD, HOW BEST TO  
12:09:11 SEQUENCE ALL THIS WORK, AND HOW BEST TO IMPLEMENT THAT.  
12:09:13 AND ALSO, THAT WILL ALSO INCLUDE KEEPING THE COMMUNITY  
12:09:17 ENGAGED THROUGHOUT THE LENGTH OF THE PROJECT.  
12:09:20 SELECTION AND PRIORITIZATION, AS I MENTIONED, THERE ARE 15  
12:09:25 COMMUNITIES NOW.  
12:09:25 THE ANTICIPATION IS THAT THE FIRST WAVE OF COMMUNITIES THAT  
12:09:29 YOU'LL IMPLEMENT THE IMPROVEMENTS IN WILL BE THREE OR FOUR.  
12:09:32 WE'LL LOOK AT THE DIFFERENT TECHNICAL REQUIREMENTS WITH  
12:09:34 RESPECT TO THOSE, THE VARIOUS COSTS ASSOCIATED WITH THAT,  
12:09:37 THE DESIRED TIMELINE AND MAKE A DECISION ABOUT WHICH ONES  
12:09:40 ARE MOST APPROPRIATE TO GO FIRST.  
12:09:41 AND THEN WE'LL BUILD A SCHEDULE AROUND THAT.  
12:09:44 AND THEN IMPLEMENTING THE ASSESSMENT, THAT'S -- OBVIOUSLY,

12:09:47 WE'LL BE WORKING WITH YOUR STAFF, LEGAL, AND THE TAX

12:09:51 COLLECTOR AND PROPERTY ASSESSOR TO DO WHAT NEEDS TO BE DONE  
12:09:55 TO MANAGE AN ASSESSMENT.  
12:09:56 I THINK THE NEAR TERM REQUIREMENTS ARE TO DEVELOP A BOUNDARY  
12:10:02 DEFINITION, WHICH MEANS YOU'LL HAVE TO DO THAT.  
12:10:04 YOU'LL HAVE TO IDENTIFY WHICH COMMUNITIES ARE IN.  
12:10:07 SO SOMETHING THAT DEFINES ALL THE AFFECTED PARCELS.  
12:10:10 AND THEN APPROVE A RESOLUTION THAT WILL ADOPT AN ASSESSMENT.  
12:10:13 THE AMOUNT CAN BE DETERMINED LATER.  
12:10:15 BUT THOSE TWO THINGS HAVE TO BE DONE BY THE END OF THIS  
12:10:18 YEAR.  
12:10:18 I TOUCHED ON THE GRANT APPLICATION PROCESS ALREADY.  
12:10:27 WHAT I'VE LISTED HERE, SO THIS IS ONE OF THOSE THINGS THAT'S  
12:10:30 A SPECIALTY OF OUR FIRM.  
12:10:32 WE'RE AN ENGINEERING FIRM, BUT WE BRING A LOT OF GRANT MONEY  
12:10:35 AND LONG-TERM, LOW-INTEREST LOAN FUNDS TO HELP OUR CLIENTS  
12:10:40 GET THOSE KINDS OF INFRASTRUCTURE PROJECTS DONE.  
12:10:44 CLEARLY, IT'S IMPORTANT.  
12:10:45 WE WANT TO OFFSET THE COST TO THE LOCAL COMMUNITY AS MUCH AS  
12:10:48 WE POSSIBLY CAN.  
12:10:49 THERE IS A LIST OF POTENTIAL STATE AND FEDERAL GRANTS THAT  
12:10:53 WE THINK ARE APPLICABLE TODAY THAT WE'LL BE INVESTIGATING.  
12:10:57 PART OF THAT, THERE ARE SOME THINGS THAT HAVE TO BE DONE TO  
12:11:00 DETERMINE YOUR ELIGIBILITY AND KIND OF GET TO YOU THE HEAD  
12:11:02 OF THE LINE AND SOME OF THAT INCLUDES DETERMINING, DOING AN  
12:11:07 AFFORDABILITY STUDY, WHAT CAN THE COMMUNITY AFFORD ON ITS

12:11:12 OWN AND SPECIFIC COMMUNITY SURVEYS THAT MIGHT HELP WITH YOUR  
12:11:15 ELIGIBILITY AND PRIORITY IN TERMS OF GRANT MONEY FOR THOSE.  
12:11:19 LIKE I MENTIONED, WE DO THIS ALL THE TIME.  
12:11:22 WE'VE GOT, I THINK, ABOUT 150 MILLION DOLLARS' WORTH OF  
12:11:25 ACTIVELY FUNDED PROJECTS FOR OUR CLIENTS HERE IN THE STATE  
12:11:28 NOW, SO IT'S JUST -- IT'S SOMETHING THAT WE DO AS A NORMAL  
12:11:32 COURSE OF OUR BUSINESS.  
12:11:33 WE'RE CONSTANTLY LOOKING FOR OPPORTUNITIES FOR OUR CLIENTS  
12:11:36 TO TAKE ADVANTAGE OF THESE TYPES OF PROGRAMS, AND WE'LL BE  
12:11:41 ABLE TO HIT THE GROUND ON THESE PRETTY QUICKLY.  
12:11:43 >>Mayor Errington: SINCE WE'VE GOTTEN INTO THIS PROJECT  
12:11:47 EARLY WITH YOU, SHOULDN'T WE KIND OF BE AT THE HEAD OF THE  
12:11:51 LINE BECAUSE WE HAVE DONE A LOT OF WORK ALREADY IN ORDER TO  
12:11:53 GET -- WE DIDN'T KNOW THE STIMULUS ALLOCATIONS WOULD BE  
12:11:56 COMING FORTH.  
12:11:58 AND SO COULDN'T YOUR COMPANY HELP US TO MOVE THAT UP TO GET  
12:12:01 US STARTED?  
12:12:02 >>Scott Shannon: YEAH, I THINK LIKE ANYTHING ELSE, THE  
12:12:05 EARLIER THAT YOU ACTUALLY GET YOUR APPLICATIONS IN TERMS  
12:12:08 YOUR PLACE IN LINE.

12:12:09 BUT PLACE IN LINE IS ONLY ONE PART OF THAT.  
12:12:11 THE OTHER PART OF THAT IS HOW DOES THE PROJECT AND ITS  
12:12:15 POTENTIAL BENEFITS AND THE COSTS ASSOCIATED WITH THOSE  
12:12:18 BENEFITS SCORE BASED ON AN EVALUATION PROCESS OF WHICHEVER  
12:12:20 GRANT PROGRAM WE'RE TALKING ABOUT HERE.

12:12:23 AGAIN, THE SOONER THE BETTER TO GET YOUR APPLICATION IN,  
12:12:28 AND, AGAIN, THOSE ARE THINGS THAT WE CAN TAKE CARE OF FAIRLY  
12:12:32 QUICKLY.

12:12:32 BUT ALSO, LIKE, IT DEPENDS ON THE PROGRAM AND HOW IT'S  
12:12:39 FRAMED, THE SPECIFIC SCOPE AND THE POTENTIAL BENEFITS  
12:12:42 ASSOCIATED WITH THAT, THAT DETERMINE WHERE YOU END UP  
12:12:44 FALLING WITH RESPECT TO ANY SPECIFIC PROGRAM.  
12:12:46 THEY ALL HAVE SLIGHTLY DIFFERENT PRIORITIES IN THE WAY THEY  
12:12:49 SCORE THINGS.

12:12:54 >> IS PRIVATE GRANT MONEY AVAILABLE AS WELL?

12:13:02 >>Scott Shannon: THERE IS.

12:13:03 WELL, I WOULDN'T SAY GRANT MONEY.

12:13:06 THERE'S PRIVATE LOAN, PRIVATE FINANCING AVAILABLE, BUT GIVEN  
12:13:11 THE SITUATION THAT YOU GUYS HAVE HERE, PARTICULARLY -- WE  
12:13:14 WOULD CERTAINLY LOOK TO APPLY GRANT MONEY AND EVERYTHING  
12:13:16 LIKE THAT FIRST.

12:13:17 I DON'T KNOW THAT PRIVATE MONEY, WHICH CARRIES A HIGHER  
12:13:20 INTEREST RATE THAN PUBLIC LOANS WOULD MAKE SENSE FOR A  
12:13:23 PROJECT LIKE THIS.

12:13:26 >> SPECIFICALLY LOOKING AT -- FOR EXAMPLE, GATES FOUNDATION,  
12:13:29 SOMEBODY LIKE THAT, WHERE THEY WOULD GIVE YOU A GRANT FOR  
12:13:31 DOING SOMETHING OF PUBLIC SERVICE.

12:13:34 >>Scott Shannon: NOT SOMETHING THAT WE SEE A WHOLE LOT OF.

12:13:38 I CAN'T SAY THEY ARE NOT OUT THERE, BUT IT'S NOT -- THOSE  
12:13:41 AREN'T PLACES THAT WE ROUTINELY LOOK FOR THINGS LIKE THIS

12:13:43 BECAUSE OF THE AVAILABILITY OF GRANT FROM THE PUBLIC  
12:13:47 AGENCIES THAT WE'VE GOT PRETTY GOOD RELATIONSHIPS WITH.

12:13:52 >>Jim Boesch: IT'S IMPORTANT TO SAY, AS YOU INDICATED,  
12:13:57 EARLIER, RIGHT NOW, THIS IS GOING TO BE A POPULAR PROGRAM  
12:14:00 FOR THE NEXT TEN YEARS.

12:14:02 WE GET RID OF SEPTIC TANKS AND SO FORTH.

12:14:08 THE EARLIER A COMMUNITY IS ALL TOGETHER, READY TO GO ON THIS  
12:14:12 AND APPLY, THEY HAVE TO SAY, OKAY, I'M READY.

12:14:16 CONSTRUCTION.

12:14:17 THEY CAN'T JUST SAY -- THE MINUTE, IF YOU'RE IN THAT  
12:14:22 POSITION TO DO IT, THEN YOU'RE IN LINE TO GET MONEY.

12:14:26 SO IT DEPENDS IF YOU'RE EARLY AND YOU'RE READY TO GO, THOSE  
12:14:30 ARE THE PEOPLE THAT ARE GOING TO GET THE MONEY BECAUSE MONEY  
12:14:32 IS AVAILABLE NOW, AND THEY WANT TO GET RID OF THE MONEY THAT  
12:14:37 THEY HAVE.

12:14:37 SO IF EVERYBODY IS READY TO GO WITH IT, THEN THOSE ARE THE

12:14:41 PEOPLE WHO GET FIRST.  
12:14:42 THE ONES TALKING ABOUT IT, WELL, YEAH, THEY'LL BE TALKING  
12:14:45 ABOUT IT, BUT UNTIL YOU'RE READY TO GO, IT'S GOING TO BE  
12:14:50 PEOPLE READY TO GO GET THE MONEY FIRST IS WHAT'S BEEN  
12:14:54 HAPPENING.  
12:14:54 I THINK IT'S A GOOD PLAN TO SHOW THAT WE'RE READY TO GO.  
12:15:04 >>Vice-Mayor McLain: THANK YOU FOR YOUR PRESENTATION.  
12:15:06 I'VE GOT TO SAY TO STEVE, THIS IS A MAJOR PROJECT FOR US.  
12:15:13 I'M FEELING A LITTLE UNCOMFORTABLE WITH THE PROCESS.

12:15:17 THIS IS A LOT.  
12:15:18 WHEN YOU LOOK AT SOME OF THESE NUMBERS, WE'RE LOOKING AT 40  
12:15:21 AND PLUS THOUSAND DOLLARS TO SOME OF THESE LOCATIONS.  
12:15:26 I'M CONCERNED ABOUT -- THERE'S NO DOUBT THAT WE NEED TO DO  
12:15:33 THE SEPTIC CONVERSION.  
12:15:35 IT'S REALLY THE PROCESS THAT WE GO THROUGH TO DO THAT.  
12:15:38 I LOOK AT ENGAGING WITH THE COMMUNITY, THAT'S EXTREMELY  
12:15:42 IMPORTANT.  
12:15:42 I DON'T THINK WE NEED TO ENGAGE THE ENTIRE 15 DIFFERENT  
12:15:47 PARCELS.  
12:15:48 SEEMS TO ME LIKE WE HAVE A LOT OF WORK TO DO TO GET  
12:15:51 OURSELVES ORGANIZED TO SAY, WHAT ARE THE THREE OR FOUR TOP  
12:15:56 PRIORITY PROJECTS WE'RE GOING TO DO?  
12:15:58 WHAT'S THE IMPLICATIONS OF THOSE TO THE INDIVIDUAL PROPERTY  
12:16:02 OWNERS, AND THEN MOVE THOSE FORWARD?  
12:16:06 I GUESS I'M FEELING A LITTLE BIT PUSHED WITHOUT  
12:16:11 UNDERSTANDING HOW WE'RE GOING TO GET TO WHERE THOSE  
12:16:13 PRIORITIES ARE REALLY ESTABLISHED.  
12:16:15 BECAUSE THAT'S CRITICAL.  
12:16:16 I DON'T WANT TO CREATE TOO MUCH TURMOIL IN THE COMMUNITY.  
12:16:19 ALSO, WE HAD -- I THINK OUR LAST MEETING WE HAD FLORIDA GULF  
12:16:24 COAST THERE DOING A WATER ANALYSIS FOR US.  
12:16:26 I DON'T THINK WE WERE 100% POINTED TOWARDS WHAT'S CAUSING  
12:16:33 THE POLLUTION IN THE RIVER.  
12:16:34 WE'VE GOT ASSUMPTIONS AROUND THAT, AND PROBABLY CORRECT, BUT

12:16:39 WE ALSO DON'T KNOW EXACTLY WHERE THAT IS.  
12:16:43 WE KNOW PROXIMITY TO THE RIVER IS NOT GOOD WITH THESE SEPTIC  
12:16:46 SYSTEMS.  
12:16:47 I GUESS, STEVE, I'M ASKING YOU, WHAT ARE OUR NEXT STEPS THAT  
12:16:52 WE HAVE TO MOVE THIS FORWARD AT A GOOD PACE, BUT ONE THAT  
12:16:58 MAKES SENSE FROM -- I DON'T KNOW ABOUT THE GRANTS, HOW MUCH  
12:17:01 WE GET, BUT I ALSO WORRY ABOUT OUR CASH FLOW.  
12:17:07 >>Steven Sarkozy: COUNCIL MEMBER, YOU'RE RIGHT ON WITH YOUR  
12:17:09 QUESTIONS.  
12:17:09 THIS IS A VERY COMPLEX AND A VERY EXPENSIVE KIND OF PROGRAM,  
12:17:17 AND THERE ARE, I THINK, DIFFERENT PHASES THAT WE MIGHT LOOK  
12:17:22 AT.

12:17:22 FROM THE PRESENTATION, FROM FGCU, WE KNOW THAT THOSE  
12:17:27 HIGH-DENSITY RESIDENTIAL COMMUNITIES, TRAILER PARKS, NEAR  
12:17:33 THE RIVER APPEAR TO BE THE MAJOR CONTRIBUTORS WHERE THERE  
12:17:37 COULD BE SOME MAJOR IMPACTS TO THE WATER -- BENEFICIAL  
12:17:42 IMPACTS IF WE WERE TO REMOVE THEM FROM CONNECTIONS TO THE  
12:17:45 RIVER.  
12:17:46 SO AS A FIRST STEP, WE THINK THERE'S LOW-HANGING FRUIT IN  
12:17:51 REMOVING THOSE TWO OR THREE PACKAGE PLANTS FROM THE  
12:17:56 EQUATION.  
12:17:59 THEY ARE RELATIVELY INEXPENSIVE.  
12:18:00 THEY ARE EASIER TO ACCOMPLISH, AND THEY WOULD HAVE THE  
12:18:04 GREATEST IMPACT IN TERMS OF WATER -- IMPROVED WATER QUALITY.  
12:18:08 WE'RE GIVING THOUGHT HERE AS TO WHETHER WE MIGHT USE THE

12:18:15 RECOVERY ACT MONIES THAT ARE SUPPOSEDLY COMING OUR WAY.  
12:18:20 AND BECAUSE THOSE TRAILER PARK COMMUNITIES ARE GENERALLY  
12:18:25 LOWER INCOME, THERE WOULD BE AN OPPORTUNITY TO USE THOSE  
12:18:32 RECOVERY MONIES TO GET IN AND DO SOME IMPACT THERE QUICKLY.  
12:18:37 THE POINT WAS ALSO MADE THAT WE SHOULD, WHEN WE DO OUR OTHER  
12:18:46 PUBLIC WORKS PROJECTS, WE SHOULD LOOK AT HOW TO DO THE  
12:18:49 COMPLETE STREET AND DO THE UNDERGROUNDING WORK WITH WATER  
12:18:53 AND SEWER EXTENSIONS AS WE DO MAJOR STREET WORK.  
12:18:57 AND THAT'S KIND OF THE SECONDARY AREA OF PRIORITY, WHICH  
12:19:05 WOULD BE, IN OUR CAPITAL IMPROVEMENT PROGRAM, ADDRESSING THE  
12:19:08 RIVER RANCH ROAD AREA, WHICH HAS SOME MAJOR WORK THAT WE'RE  
12:19:14 ANTICIPATING DOING LATE THIS YEAR OR EARLY NEXT.  
12:19:16 BEYOND THAT, SO WHAT I JUST DESCRIBED, THOSE THREE TRAILER  
12:19:22 PARKS ON RIVER RANCH ROAD ARE PROBABLY THE FIRST PHASE, IN  
12:19:29 OUR THOUGHTS, AND THIS IS ALL PRELIMINARY, SO IT'S NOT  
12:19:34 ETCHED IN STONE, BUT WE THINK THOSE ARE PROBABLY THE BEST  
12:19:38 PLACES TO INVEST OUR TIME AND EFFORT UP FRONT.  
12:19:43 LONGER TERM, ON A TWO- TO THREE-YEAR SCALE, WE CAN GET INTO  
12:19:47 SOME OF THESE OTHER COMMUNITIES THAT ARE DESIROUS OF HAVING  
12:19:52 WATER AND SEWER EXTENSIONS, BUT IT'S GOING TO COST A LOT OF  
12:19:55 MONEY.  
12:19:56 AND IN A TWO-YEAR HORIZON, THAT WOULD GIVE SCOTT AND HIS  
12:20:01 GROUP TIME TO GO OUT AND SECURE OTHER GRANTS, WHICH WOULD  
12:20:05 BRING DOWN THOSE COSTS.  
12:20:08 IT ALSO PROVIDES TIME FOR US TO MAKE THE COMMUNITY

12:20:12 CONNECTIONS AND HAVE THE COMMUNITY MEETINGS SO THAT WE BRING  
12:20:17 ALONG THOSE NEIGHBORHOODS IN A MORE THOUGHTFUL PROCESS.  
12:20:22 WE SEE THIS KIND OF STAGING OUT THE PRELIMINARY, IMMEDIATE  
12:20:30 HIGH-COST, HIGH-BENEFIT PROJECTS THAT WE CAN SECURE QUICKLY  
12:20:34 -- I'M SORRY, LOWER COST, TRAILER PARKS ARE LOWER COST, HIGH  
12:20:38 IMPACT, GET THOSE DONE QUICKLY. RIVER RANCH, GOOD IMPACT,  
12:20:48 BUT COINCIDING WITH OUR ROAD PROJECT.  
12:20:52 AND THEN ON A LITTLE LONGER TIME HORIZON, LOOKING AT OTHER

12:20:57 PROJECTS HERE, AND WE DON'T HAVE THOSE IDENTIFIED YET AS TO  
12:21:00 WHAT WOULD BE THE SECONDARY OR TERTIARY PRIORITIES.  
12:21:07 >>Vice-Mayor McLain: I AGREE WITH YOU HUNDRED PERCENT.  
12:21:09 I THINK, JIM, YOU MENTIONED IT EARLIER, WE DON'T WANT TO DO  
12:21:12 THIS IN A PIECEMEAL AREA.  
12:21:14 WE'RE GOING TO DO A ROAD PROJECT, LET'S GET IT ALL DONE AT  
12:21:17 ONE TIME.  
12:21:18 WE'VE ALL LIVED IN DIFFERENT PLACES IN THE WORLD HERE, IN  
12:21:20 THE COUNTRY, WHERE THEY PUT THE ROAD IN, RIP THE ROAD UP, DO  
12:21:23 THIS AND DO THAT, I'M IN AGREEMENT WITH THAT.  
12:21:26 FOR MY OWN AND I THINK THE COMMUNITY ALSO, CLEARLY, WE  
12:21:35 SHOULD HAVE A TARGETED LIST, AND I'D LIKE TO LOOK AT, SAY,  
12:21:42 THIS DEVELOPMENT NEEDS TO BE NUMBER ONE AND HERE ARE THE TEN  
12:21:46 REASONS.  
12:21:48 THIS IS NUMBER TWO AND THE REASONS FOR THAT AND GET US  
12:21:50 THROUGH A REASONABLE AMOUNT OF THOSE.  
12:21:51 AND THEN AT THAT POINT, YOU CAN DO THE COMMUNITY OUTREACH TO

12:21:54 THOSE FOLKS, AND WE SHOULD EXPAND THAT LIST, UTILIZING YOUR  
12:22:01 EXPERTISE TO WHAT'S REASONABLE FOR US TO BE ABLE TO TACKLE  
12:22:05 WITHIN A CERTAIN PERIOD OF TIME.  
12:22:08 SO THAT'S KIND OF -- MAYBE I NEED TO DRAG MY FEET TO GET  
12:22:12 INTO THAT, BUT I THINK IT'S IMPORTANT THAT WE ALL UNDERSTAND  
12:22:16 THAT RATIONALE SO THAT WE CAN EXPLAIN IT TO THE COMMUNITIES  
12:22:19 THAT ARE OUT THERE.  
12:22:20 THERE'S NO DOUBT WE HAVE TO DO IT, BUT JUST LET'S DO IT IN  
12:22:23 THE RIGHT FASHION FOR EVERYBODY.  
12:22:28 >>Jim Boesch: JUST KEEP IN MIND THAT TRADITIONALLY AND  
12:22:32 TYPICALLY, THE LONGER YOU WAIT, THE MORE PEOPLE THAT ARE  
12:22:37 GOING TO BE READY TO DO THE PROJECTS, AND THE MORE PEOPLE  
12:22:41 THAT ARE READY TO DO THE PROJECTS IS LESS MONEY YOU'RE GOING  
12:22:45 TO GET FROM GRANTS.  
12:22:46 THAT'S WHAT YOU HAVE TO KEEP IN MIND.  
12:22:49 IF YOU'RE UP AND READY AND WE'RE DOING IT NOW, RIGHT NOW,  
12:22:53 IT'S A MINORLY POPULAR PROJECT.  
12:22:57 BUT AS THINGS GET GOING AND THE STATE IS GOING TO GET BEHIND  
12:23:00 THIS, IS THAT GOING TO BE GIVING US A LOT MORE MONEY FOR THE  
12:23:05 PROJECT, BUT IT'S GOING TO GET A LOT MORE PEOPLE IN THE  
12:23:09 PROJECT.  
12:23:09 THE AMOUNT OF GRANT MONEY THAT WE ARE ABLE TO ACCOMPLISH IS  
12:23:13 GOING TO BE LESS BECAUSE WE WAITED AND OTHER PEOPLE ARE IN  
12:23:19 NOW AND THE POT IS GOING TO BE DIVIDED BY MORE PEOPLE THAN  
12:23:23 LESS PEOPLE.

12:23:24 THAT'S WHAT WE HAVE TO BE CAUTIOUS ABOUT AS WE GO FORWARD,  
12:23:28 YOU KNOW.  
12:23:29 UNFORTUNATELY, THAT'S THE NATURE OF STATE AND FEDERAL  
12:23:36 POLITICS, AND THAT'S WHAT WE'RE ALL GOING TO BE.

12:23:39 I LIKE THE IDEA THAT WE'RE GETTING READY ANYHOW.  
12:23:43 AT LEAST IF WE'RE READY, THEN WE CAN MAKE A FINAL DECISION  
12:23:46 AND WE CAN GET SO MUCH MONEY NOW, WAIT THREE YEARS, IT'S  
12:23:51 THIS MUCH MONEY AND WE CAN MAKE A DECISION ON HOW AND WHEN  
12:23:56 WE WANT TO GO FORWARD WITH THIS.  
12:23:57 >>Mayor Errington: I HAVE A QUESTION FOR STEVE.  
12:23:59 IF COUNCIL DECIDED -- NOT TODAY BUT IN THE FUTURE -- THAT  
12:24:05 THE AREAS THAT HAVE BEEN RECOMMENDED THAT NEED WORK FIRST, I  
12:24:13 THINK THE ULTIMATE GOAL, TOO, IS NOT ONLY TO PROVIDE THE  
12:24:16 SEPTIC TO SEWER SYSTEMS FOR THESE COMMUNITIES, BUT ALSO TO  
12:24:19 HELP CLEAN UP THE ESTERO RIVER.  
12:24:22 >> CORRECT.  
12:24:22 >>Mayor Errington: WE'RE WORKING TOGETHER TO CLEAN THE  
12:24:25 RIVER.  
12:24:26 AND SO I THINK THAT SHOULD BE OUR TOP PRIORITY.  
12:24:28 THE SOONER WE CAN DO THAT, WE PUT IT OFF, BUT WE COULD GET  
12:24:32 GRANTS, AND WITH YOUR HELP, TO GET THOSE GRANTS, BUT AREN'T  
12:24:38 WE KIND OF READY TO GO THAT WAY IF COUNCIL WOULD AGREE ON  
12:24:41 THAT IN THE FUTURE?  
12:24:46 >>Steven Sarkozy: YES, YOU MADE THAT CLEAR THAT THE PRIMARY  
12:24:49 OBJECTIVE IS TO CLEAN THE RIVER.

12:24:51 >>Mayor Errington: YES.  
12:24:52 >>Steven Sarkozy: AND WHAT I MENTIONED IS THE FIRST PHASE OF  
12:24:55 PROJECTS THAT WE SEE ARE THE HIGH-IMPACT, LOW-COST PROJECTS,  
12:25:01 ARE THE TRAILER COURTS.  
12:25:03 TRAILER PARKS.  
12:25:04 AND WE COULD GO THROUGH GRANT APPLICATION PROCESS WITH  
12:25:11 VARIOUS AGENCIES.  
12:25:12 WE COULD ALSO USE SOME OF OUR RECOVERY ACT MONEY TO GET  
12:25:15 THOSE PROJECTS DONE, AND POSSIBLY GET THEM DONE IN A VERY  
12:25:21 SHORT TIME FRAME.  
12:25:22 LEAVING THEN THE MORE COMPLICATED PROJECTS AND THE MORE  
12:25:28 COMPLICATED GRANT PROCESS FOR THE NEXT CYCLE.  
12:25:37 >>Jim Boesch: ONCE YOU GET THE CONSTRUCTION COMPANIES IN AND  
12:25:41 DOING THE WORK, THEN IT'S MORE LIKELY YOU'RE GOING TO SAY,  
12:25:49 ALL RIGHT, LET'S FINISH, BECAUSE IT'S MORE EXPENSIVE TO STOP  
12:25:52 THE WORK, MOVE TO ANOTHER TOWN AND THEN --  
12:26:00 IF THEY ARE IN, THEY START THE PROJECT, THEY LIKE STAY  
12:26:04 THERE.  
12:26:04 BUT IF NOT, THEN YOU TAKE THE CHANCE OF GETTING MUCH HIGHER  
12:26:07 COSTS BY LEAVING THAT ONE SPOT AND THEN MOVING TO ANOTHER  
12:26:13 ONE THEN, OKAY, LATER ON, NOW YOU HAVE TO COME BACK AND  
12:26:17 YOU'RE GOING TO PAY MUCH HIGHER COST.  
12:26:21 >>Mayor Errington: LET'S LET STEVE WORK IT OUT AND GET BACK  
12:26:26 WITH US.  
12:26:26 IS THAT A KIND OF CONSENSUS?



12:26:30 PRIORITIZE, AND WE EXPRESSED OUR CONCERNS ABOUT THE ESTERO  
12:26:33 RIVER.  
12:26:34 SO WE COULD START THERE AT LEAST WITH THE TOP LIST.  
12:26:40 IS THAT AGREEABLE, STEVE?  
12:26:41 >>Steven Sarkozy: YES.  
12:26:46 >>Jim Ward: ONE LAST QUESTION, STEVE.  
12:26:47 AGAIN, GOING BACK TO BSU, IS THERE AN OPPORTUNITY TO ENGAGE  
12:26:51 WITH THEM TO POTENTIALLY GET COST-SHARING OPPORTUNITIES WITH  
12:26:56 THEM IN AREAS WHERE THEY HAVE A FRANCHISE AGREEMENT?  
12:27:03 >>Steven Sarkozy: YES, WE'LL BE TALKING WITH BOTH THE  
12:27:05 SUPPLIERS.  
12:27:06 LEE UTILITIES AND BSU, BUT TYPICALLY THEY HANDLE THE  
12:27:10 TRANSMISSION SYSTEMS AND THE TREATMENT FACILITIES, WHICH IS  
12:27:15 THE BIGGER COMPONENTS IN THE WASTEWATER SYSTEM PROCESS.  
12:27:20 THE LOCAL COLLECTION TENDS TO BE OURS.  
12:27:24 SO PURSUE EVERY OPPORTUNITY AND TURN EVERY ROCK POSSIBLE TO  
12:27:31 FIND MONEY TO HELP US OUT OF THIS.  
12:27:34 I THINK IN ALL LIKELIHOOD, THERE WILL BE CERTAINLY PARTNERS  
12:27:40 WITH US, BUT I DON'T KNOW THAT THEY'LL HAVE MONEY FOR US.  
12:27:46 >>Jim Ward: COMMUNITIES THAT WE'VE IDENTIFIED, DO WE NEED  
12:27:48 PERMISSION FROM THE LANDOWNERS AND COMMUNITIES TO GO IN AND  
12:27:51 DO THIS PROJECT?  
12:27:53 >>Steven Sarkozy: IN SOME OF THE CASES, YES, THERE ARE  
12:27:56 PRIVATE STREETS, AND THAT COMPLICATES THIS WHOLE MATTER.  
12:28:07 >>Jim Wilson: MADAM MAYOR, CAN I GET A QUESTION IN?  
  
12:28:10 >>Mayor Errington: YES.  
12:28:11 I CAN'T SEE YOU, COUNCIL MEMBER WILSON.  
12:28:14 I'M SORRY.  
12:28:14 I DON'T SEE YOU ON THE SCREEN.  
12:28:16 >>Jim Wilson: THAT'S OKAY.  
12:28:16 THAT'S WHY I'M YELLING OUT.  
12:28:18 >>Mayor Errington: I SEE THE TOP OF YOUR HEAD.  
12:28:20 GO AHEAD.  
12:28:21 >>Jim Wilson: MY QUESTION IS, LIKE, ON SOME OF THESE WHERE  
12:28:24 THE ESTIMATE IS \$4 MILLION OR \$6 MILLION, DOES THAT ONLY  
12:28:29 INCLUDE THE LATERAL SEWER RUNNING DOWN THE STREET OR DOES IT  
12:28:34 INCLUDE THE VARIOUS CONNECTIONS THAT WOULD HAVE TO BE MADE  
12:28:38 FROM THAT SEWER INTO THE HOMES?  
12:28:44 >>Steven Sarkozy: NO, THE ESTIMATES THAT WE HAVE SO FAR,  
12:28:48 COUNCIL MEMBER, ARE THE PUBLIC COSTS, BRINGING THE COST TO  
12:28:53 THE STREET, TO THE CURB.  
12:28:57 IN ADDITION TO THE COST THAT IS IDENTIFIED IN THIS REPORT,  
12:29:02 EACH INDIVIDUAL HOMEOWNER IS GOING TO HAVE THEIR OWN  
12:29:05 CONNECTION PROCESS FROM THE CURB INTO THEIR HOME.  
12:29:10 AND THAT CAN BE VERY EXPENSIVE, PARTICULARLY IF THE SEPTIC  
12:29:13 SYSTEM IS OUT THE BACK OF THE HOUSE AND YOU HAVE TO TAKE  
12:29:16 YOUR LATERAL, THE LATERAL IS THAT PORTION THAT COMES FROM

12:29:20 THE MAIN LINE TO THE HOUSE, THAT LATERAL MAY HAVE TO GO  
12:29:24 AROUND THE HOUSE OR YOU HAVE TO REBUILD THE UTILITIES WITHIN  
12:29:28 THE HOUSE TO GO OUT THE FRONT.

12:29:30 AND BECAUSE OF THAT, THE COST WILL VARY BY EACH INDIVIDUAL  
12:29:37 HOME AND THE WAY THE HOME WAS CONSTRUCTED AND THE WAY THE  
12:29:41 HOUSE SITS ON THE LOT AND THE ACCESS TO THE MAIN LINE, THOSE  
12:29:46 COSTS ARE GOING TO VARY QUITE A BIT FROM HOUSE TO HOUSE.

12:29:55 >>Mayor Errington: COUNCIL MEMBER WILSON STILL HAS THE  
12:29:56 FLOOR.

12:29:57 >>Jim Wilson: I WAS JUST TRYING TO ANTICIPATE SOME OF THE  
12:29:59 QUESTIONS THAT I THINK HOMEOWNERS WOULD BE ASKING.

12:30:03 WHAT ARE THEY RESPONSIBLE FOR AUTOMATICALLY?

12:30:07 AND DEFINITELY, THEY ARE GOING TO BE RESPONSIBLE FOR  
12:30:09 CONNECTING TO ANY SEWERS THAT WE BUILD IN THEIR STREETS.

12:30:21 >>Vice-Mayor McLain: CAN THAT BE WRAPPED INTO THE TAX LAWS,  
12:30:24 THAT CONNECTION, OR IS THAT AN EXPENSE THEY HAVE TO PUT UP  
12:30:28 FRONT?

12:30:28 >>Steven Sarkozy: WELL, TYPICALLY BECAUSE THAT'S NOT A  
12:30:30 UNIFORM EXPENSE FOR ALL THE NEIGHBORHOOD AND IT VARIES,  
12:30:35 NORMALLY THAT WOULD BE SPECIFIC TO THE HOMEOWNER AND NOT  
12:30:41 PART OF A GENERAL PROJECT.

12:30:42 AND THAT CAN VARY.

12:30:46 THE OTHER COMPLICATED MATTER IS THAT IT WILL BE DIFFICULT TO  
12:30:51 GET GRANTS FOR THAT TYPE OF PERSONAL CONNECTION BECAUSE IT  
12:30:58 IS REALLY AN IMPROVEMENT TO YOUR PERSONAL PROPERTY.

12:31:03 >>Jim Wilson: RIGHT.

12:31:07 >>Jim Boesch: IT'S IMPORTANT TO SAY IT WILL COST SUBSTANTIAL  
12:31:10 MONEY FOR RESIDENTS --

12:31:11 >>Mayor Errington: I THINK WE NEED TO LOOK AT THIS AS WE  
12:31:14 HAVE.

12:31:15 IT'S A MONUMENTAL TASK.

12:31:18 I WOULD LIKE FOR US TO START OFF WITH JUST THE VERY  
12:31:20 BEGINNING.

12:31:21 LET'S KEEP IT SIMPLE.

12:31:23 LET STEVE START WITH THE AREAS AND WHY WE NEED TO DO WHAT WE  
12:31:27 NEED TO DO, AND HAVE THIS FIRM, IF APPROVED IN THE FUTURE,

12:31:32 THAT YOU WILL HELP US TO PRIORITIZE WITH THE HELP OF STAFF

12:31:39 WHAT NEEDS TO HAPPEN AND MAKE IT IN WRITING THAT I CAN

12:31:44 UNDERSTAND AND MAKE IT SIMPLE SO THAT WE WILL KNOW THE STEPS

12:31:47 WE NEED TO DO AND HOW WE NEED TO ENGAGE THE PUBLIC.

12:31:50 YOU SAY YOU WILL ENGAGE THE PUBLIC.

12:31:53 NOW, IS THAT US DOING IT?

12:31:56 I DON'T UNDERSTAND HOW -- WE NEED TO HAVE -- THIS CAN GO ON  
12:32:00 FOR A LONG, LONG TIME.

12:32:02 BUT I'D LIKE FOR US TO LEAVE HERE TODAY WITH THE

12:32:05 UNDERSTANDING THAT WE HAVE A BIG TASK.

12:32:06 WE KNOW THAT.  
12:32:08 >> CORRECT.  
12:32:09 >>Mayor Errington: WE'VE TALKED ABOUT THIS FOR SEVERAL  
12:32:10 YEARS.  
12:32:11 IT'S A BIG TASK.  
12:32:11 SO LET'S BREAK IT DOWN.  
12:32:13 SO THE ASSIGNMENT TODAY WOULD BE LET'S GET THE SIMPLE ONES,  
  
12:32:17 THE EASIER ONES, THE ONES THAT WE FEEL ARE ABSOLUTELY  
12:32:21 ESSENTIAL, THE ONES THAT WILL PROTECT THE ESTERO RIVER, AND  
12:32:24 THEN WE START THERE, AND THEN WE SEE WHAT WE HAVE.  
12:32:27 AND THEN MOVE FORWARD.  
12:32:28 AND YOU CAN BREAK IT DOWN TO OTHER AREAS THAT -- WE'RE  
12:32:33 TALKING ABOUT SEVERAL YEARS DOWN THE ROAD WITH SOME OF  
12:32:37 THESE.  
12:32:37 BUT RIGHT NOW, WE HAVE A DEADLINE TO MEET.  
12:32:41 WE WANT TO CLEAN UP THAT RIVER AND WE WANT TO GET SOME OF  
12:32:43 THE MONEY THAT'S COMING OUT FROM THE STIMULUS PACKAGES, SO  
12:32:47 HOW DO WE DO THAT?  
12:32:52 WE CAN'T OVERWHELM THE SYSTEM WITH A GREAT BIG CONTRACT.  
12:32:54 THEY WON'T APPROVE IT.  
12:32:55 I KNOW THAT.  
12:32:56 DOES THAT MAKE SENSE?  
12:32:58 >>Scott Shannon: SURE.  
12:32:59 BASICALLY, I MEAN, YOU GUYS HAVE ARTICULATED A LOT OF  
12:33:03 DIFFERENT CONCERNS.  
12:33:04 I WANT TO CLARIFY THAT OUR ROLE IN THIS -- THESE ARE YOUR  
12:33:06 DECISIONS TO MAKE.  
12:33:07 OUR ROLE IS TO GUIDE YOU THROUGH THE PROCESS OF  
12:33:09 UNDERSTANDING THE IMPLICATIONS OF THOSE DECISIONS FROM AN  
12:33:12 ENVIRONMENTAL STANDPOINT, FROM A COST STANDPOINT, FROM A  
12:33:14 TECHNICAL STANDPOINT, AND JUST MAKE SURE THAT YOU'RE MAKING  
12:33:18 THE MOST INFORMED DECISIONS POSSIBLE AND UNDERSTAND THE  
  
12:33:20 IMPACTS OF THOSE EITHER WAY.  
12:33:21 THAT'S REALLY WHAT OUR JOB IS.  
12:33:23 >>Mayor Errington: IS IT POSSIBLE FOR THE NEXT TIME WE MEET,  
12:33:25 WITHIN THE NEXT MONTH, SAY IN THE NEXT AMOUNT, THAT WE COULD  
12:33:28 HAVE SOME KIND OF PRIORITIZED LIST?  
12:33:33 THAT'S POSSIBLE, TO PRESENT TO COUNCIL FOR --  
12:33:36 >>Steven Sarkozy: LET ME PUT IT THIS WAY, I THINK IT WOULD  
12:33:38 BE POSSIBLE TO COME UP WITH OUR FIRST PRIORITY LIST AND A  
12:33:44 PLAN FOR IMPLEMENTATION.  
12:33:46 THE LONGER TERM, TWO YEARS AND OUT IS GOING TO BE MORE  
12:33:50 COMPLICATED.  
12:33:51 BUT AT LEAST WE CAN START WITH THE HIGH IMPACT, LOW-COST,  
12:33:57 MORE EASILY DOABLE PROJECTS AND LAUNCH.  
12:34:03 >>Mayor Errington: LIST THE SECOND OR THIRD DOWN THE ROAD AS

12:34:06 TIME PERMITS.  
12:34:07 >>Steven Sarkozy: YES.  
12:34:08 >>Mayor Errington: BUT WE GET THE FIRST ONE STARTED.  
12:34:10 >>Steven Sarkozy: RIGHT.  
12:34:11 >>Mayor Errington: OKAY.  
12:34:12 IS THAT CONSENSUS?  
12:34:15 OKAY.  
12:34:18 >>Steven Sarkozy: WE'LL BE COMING BACK TO YOU WITH A  
12:34:19 CONTRACT WITH WOODARD AND CURRAN TO HELP US IN THIS PROCESS.  
12:34:23 THE COSTS ARE LAID OUT HERE IN ONE OF YOUR SLIDES.  
12:34:27 BANKS --

12:34:34 BANKS ENGINEERING IS ALREADY ENGAGED WITH THE VILLAGE.  
12:34:38 SO WE'RE PUTTING TOGETHER OUR PROJECT TEAM HERE THAT WILL  
12:34:43 PROCEED INTO THE UNKNOWN AS WE MOVE FORWARD.  
12:34:50 BUT THIS IS VERY COMPLICATED.  
12:34:51 A LOT OF UNIQUE SITUATIONS BY NEIGHBORHOOD BY NEIGHBORHOOD,  
12:34:55 AND THAT'S WHY THIS IS SUCH A DAUNTING PROJECT, NOT JUST FOR  
12:35:01 ESTERO BUT THE ENTIRE STATE OF FLORIDA.  
12:35:02 >>Mayor Errington: WE COULD ALSO START WITH THE NEIGHBORS  
12:35:04 THAT HAVE BEEN SELECTED, WE CAN REALLY WORK WITH THEM AND  
12:35:07 ENGAGE THE COMMUNITIES THERE, AND THEN IT'S TEACHING US HOW  
12:35:12 TO DO THAT, AND WE WANT TO BE TRANSPARENT AND OPEN AND KIND  
12:35:15 AND GENTLE AND ALL THOSE THINGS.  
12:35:18 EVERYBODY IS FACING THIS, THE ONES WHO ARE.  
12:35:20 SO THIS WILL BE A GOOD PLACE TO START, STEVE.  
12:35:24 >>Steven Sarkozy: EVERYBODY WANTS THIS DONE.  
12:35:26 NOBODY WANTS TO PAY THE BIG MONEY FOR IT.  
12:35:29 >>Mayor Errington: RIGHT.  
12:35:30 IS THAT IT?  
12:35:33 >>Scott Shannon: YES.  
12:35:34 >>Mayor Errington: DO WE HAVE -- THANK YOU.  
12:35:37 THANK YOU VERY MUCH.  
12:35:37 DO WE HAVE --  
12:35:40 >>Carol Sacco: YES, MAYOR, WE DO.  
12:35:42 WE HAVE ONE COMMENT, BOB DION FROM PELICAN SOUND GOLF AND  
12:35:47 RIVER CLUB.

12:35:48 TOPIC IS SEPTIC TO SEWER WORKSHOP.  
12:36:09 >> THANK YOU.  
12:36:09 EXCUSE ME.  
12:36:10 I'M BOB DION.  
12:36:12 20850 GLENEAGLES LINKS DRIVE IN PELICAN SOUND GOLF AND RIVER  
12:36:18 CLUB.  
12:36:18 I HAVE TO APOLOGIZE.  
12:36:20 I'M GOING TO READ SOME OF THIS BECAUSE I WANT TO BE SURE I  
12:36:24 COVER EVERYTHING THAT IS INTENDED.  
12:36:27 I'M REPRESENTING THE ECCL, AND ITS INTEREST IN MITIGATING

12:36:33 THE POLLUTION IN THE ESTERO RIVER FROM HUMAN WASTE.  
12:36:36 I'M GOING TO STATE THE OBVIOUS.  
12:36:39 YOU ALREADY STATED IT, MAYOR, THAT NO ONE WANTS THE RIVER TO  
12:36:45 BE IMPAIRED, ESPECIALLY FROM HUMAN WASTE.  
12:36:47 OVER THE LAST YEAR AND MUCH EARLIER AS WELL, COUNCIL MEMBERS  
12:36:54 HAVE EXPRESSED GREAT CONCERN ABOUT THIS PROBLEM.  
12:36:57 AND WE KNOW IN TALKING WITH DAVID WILLEMS AND KYLE COLEMAN  
12:37:03 THAT THEY ARE WORKING DILIGENTLY ON THIS PROJECT AND ARE  
12:37:06 ALSO VERY CONCERNED ABOUT THE WATER QUALITY IN THE ESTERO  
12:37:09 RIVER.  
12:37:09 WE'RE IMPRESSED WITH THE PRESENTATION.  
12:37:14 I'VE ALREADY LOOKED IT OVER FROM YOUR WEBSITE.  
12:37:18 VERY IMPRESSED WITH THE PRESENTATION AND HAPPY TO SEE A  
12:37:22 PROGRAM MANAGER IS BEING PROPOSED.  
12:37:25 THIS WE THINK IS ESSENTIAL TO THE PROGRAM'S SUCCESS, TO HAVE  
  
12:37:29 SOMEONE THAT WILL MANAGE IT AND WORK THROUGH THE WHOLE  
12:37:32 PROCESS.  
12:37:33 ANOTHER ESSENTIAL SERVICE THAT THEY WOULD BE DOING IS  
12:37:38 OVERSEEING THE GRANT APPLICATION PROCESS.  
12:37:42 THERE WILL BE A NEED TO ACQUIRE AS MUCH FEDERAL AND STATE  
12:37:49 FUNDS AS POSSIBLE IN ORDER TO LOWER THE BURDEN ON OUR ESTERO  
12:37:52 RESIDENTS.  
12:37:53 THE PROPOSED TIME FRAME FOR THIS INITIAL PHASE, PROBABLY  
12:37:59 INCLUDING FOUR COMMUNITIES, INDICATES A COMPLETION IN THREE  
12:38:04 YEARS.  
12:38:06 WE KNOW THIS IS A MASSIVE UNDERTAKING, BUT AS THE VILLAGE  
12:38:11 GETS INTO THE FIRST PHASE, THE QUESTION NEEDS TO BE ASKED,  
12:38:15 HOW CAN THE PROCESS BE SPED UP WITHOUT DISRUPTING IT?  
12:38:20 GREAT PRESENTATION.  
12:38:21 THANK YOU, AND PLEASE APPROVE THIS PROJECT.  
12:38:23 THANK YOU.  
12:38:25 >>Mayor Errington: THANK YOU.  
12:38:29 >>Carol Sacco: WE HAVE ANOTHER COMMENT CARD FROM CLARK  
12:38:32 McKENZIE.  
12:38:39 >> I'M A RESIDENT HERE.  
12:38:41 >>Mayor Errington: STATE YOUR NAME, PLEASE.  
12:38:43 >> CLARK McKENZIE.  
12:38:45 MY NAME IS CLARK McKENZIE.  
12:38:47 >>Mayor Errington: YOU HAVE THREE MINUTES.  
12:38:49 >> YOU KNOW, THE SEWER SYSTEMS AT THESE PLACES ARE POLLUTING  
  
12:38:57 THE RIVER, BUT IF YOU GUYS CLEAN UP THE RIVER, WE NEED  
12:39:01 ACCESS TO THE RIVER.  
12:39:03 I DON'T LIVE IN A GATED COMMUNITY, LIKE MOST OF YOU.  
12:39:08 I KNOW THAT THE TAXES, THE WAY THAT YOU ASSESS PROPERTY IS  
12:39:14 NOT EQUITABLE.  
12:39:16 WHEN YOU LIVE IN A GATED COMMUNITY, YOU KNOW, IT'S

12:39:20 DIFFERENT.  
12:39:20 EVERYONE IS RICH AND WHITE.  
12:39:23 YOU KNOW, WE FEEL SAFE.  
12:39:24 I WANT YOU TO KNOW THAT -- I'M HAPPY TO CLEAN THE RIVER.  
12:39:29 BUT ALSO, HUMAN, LIKE THESE TRAILER PARKS, LOW-HANGING  
12:39:34 FRUIT, EXCELLENT TO START WITH.  
12:39:38 NOW, I HAVE TO PUT A WELL ON MY PROPERTY, AND THAT'S COSTING  
12:39:42 ME \$10,000, AND I'M NOT PLEASED ABOUT IT, BUT I WANT GOOD  
12:39:48 DRINKING WATER.  
12:39:49 BUT I ALSO WANT TO BE ABLE TO USE THE RIVER.  
12:39:55 I DON'T LIVE IN A GATED COMMUNITY WHERE I HAVE A PORT TO THE  
12:39:58 RIVER, SO YOU NEED TO KEEP THAT IN MIND.  
12:40:04 BUT IT'S A BIG PROJECT, AND I DON'T MIND PAYING MY TAXES,  
12:40:10 BUT I NEED TO GET A LITTLE SERVICE.  
12:40:16 SORRY.  
12:40:17 SO GOOD LUCK.  
12:40:21 >>Mayor Errington: ANY OTHER COMMENTS?  
12:40:23 OKAY.  
12:40:24 THAT CONCLUDES THE MEETING TODAY.  
12:40:26 [ SOUNDING GAVEL ]

DISCLAIMER:

THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME  
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.