

April 2, 2024

Good Morning. I Will Call This Meeting To Order At 9:32 A.M. Pastor Jay Risner Will Give The Invocation. Please Stand.

Lord, We Thank You For This Day. We Will Be Glad In It, Lord. Lord, As We Gather Today For The County Commissioners Meeting, Lord The First Thing I Come To You About Is You Have A Lot Of People Here Today. Each Of Us Come In With Different Needs In Our Life And Different Things We Are Facing. The Commissioners, Too. Lord, I Just Ask That You Will Be With Each Individual, Those Who Need A Physical Touch, Spiritual Touch, Those That Emotionally And Financially Need Something. Lord, I Just Pray That You Will Be With Every Single Person Here. In The Busyness Of Today, May We Just Take A Deep Breath. As We Breathe In, Know That You Are Here With Us. God, I Pray For The Commissioners. I Pray For Decisions That Will Be Made Today That Will Affect Many People. I Pray That You Will Give Them Ears To Hear And Eyes To See. God, You Told Us To Ask For Wisdom. I Pray That You Give Each Of These Commissioners, Each Of Those Making Decisions. Give Them Wisdom In What They Hear, What They See But Also In What They Speak. I Just Pray You Will Be With Them All And, Lord, Everything We Face You Said That You Would Speak Peace In Our Life Or You Would Walk Through The Storm With Us. I Pray That You Will Be With Us Today Every Single One. In Jesus Name. Amen.

Please Remain Standing And Join Me For The Pledge Of Allegiance. I Pledge Allegiance To The Flag Of The United States Of America And To The Republic For Which It Stands, One Nation Under God, Indivisible, With Liberty And Justice For All.

We Will Start Off With Ceremonials. We Have Three Ceremonial Presentations. Commissioner Pendergrass, First Presentation.

We Have A Five-Year-Old Boston American Pit Bull Mix.

Boston Bully.

She Is Adorable And Playful And Looking For A Home. We Hope You Will Adopt Her. Great Programs In April.

It Is Our Tenth Annual April 13th If You Want To Decorate The Kennel. It Is A Great Program. This Year The Theme Is Decades. Adoptions \$10s With Approved Application. Adopt Laurie Today. Don't Wait Until The 13th. Come Out And See Decorated Kennels And Catteries. We Have Rabbit Cages If You Want To Decorate A Rabbit Cage.

I Am Sure There Will Be Rabbits After Easter.

We Have A Couple Now. I'm Sure We Will Have More.

Thank You.

One Of The Things To Express. Thank You Staff. One Of The Greatest Resources In Lee County. Without Employees There Is No Government Without Employees. Tenured Employees How Important To Provide Service And Knowledge. I Would Like To Recognize Randy Searchy. 35 Years. He Is Retiring This Month. Randy, Thank You For Your Years Of Service. [Applause].

It Is Just Randy, He Will Probably Close The Road Off My House. Every Road In Lee County You Can

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See Randy And His Crew That Touched Those Roads. Thank You, Randy For Everything You Have Done For Lee County. You Have Paved A Lot Of Roads. Thank You.

At This Time, Commissioner Hamman, Would You Present The Next Ceremony.

It Is A Privilege To Read This For The Folks At Family Initiative. David Brown And Anybody You Brought With You Come Forward. Stand And I Will Read The Resolution And We Will Take A Picture. If Somebody Will Say A Few Words Afterwards, That Would Be Great. Good Morning. Good To See You All Again. Resolution: Whereas April Is International Autism Acceptance Month The Nation Will Reflect On Unique Skills Individuals With Autism Spectrum Disorder Share With The Community. Whereas Family Initiative Serves Children, Add Do Less Septs And Young Adults Through Support Programs, Education And Addvo Casey In Collaboration With Department Of Children And Families And Healthcare Administration. Proudly Offers These Throughout Southwest Florida With Support Of United Way Of Lee, Henry, Glades Okachobee Counties. Reports Serving 2600 Unique Families Throughout Southwest Florida Each Year And Continues To Grow To Meet Needs Of Autism Community. Whereas It Is Critical To Provide Individuals Access To Resources And Opportunities They Need To Reach Full Potential And And Assist In Being Successful In All Environment. Each April Family Initiative Hosts County Wide Events To Support Individuals Throughout The County Along With The Invaluable Business And Community Stakeholders Who Support The Mission. Be It Resolved Board Of County Commissioners Lee County, Florida Proclaims April 2024 Autism Acceptance Month In Lee County. Executed 2nd Day Of April By Our Chairman Mike Greenwell. Thank You For The Work You All Do. [Applause].

Chairman, County Commissioners, Thank You So Much. Today Being The 2nd Day Of April World Autism Day. Celebrated Around The World Today Recognition Of The Phenomenal Families And Individuals We Get To Work With Every Day. When We Came Here And Launched Family Initiative Almost Nine Years Ago Now. Center For Disease Control Reported One In 100 Kids In The U.S. With Autism. Today That Is One In 36 Kids In United States Diagnosed With Autism. Prevalence Exploding Across The Nation And Our Community Has Grown. Imagine The Work Our Team And Families Do To Support The Individuals On Autism Spectrum. Important. Lee County Served 2600 Unique Kids Last Year. That Speaks About The Need And Gratitude To The County. We Would Be Remiss, Everybody On The Team Of Lee County Government Is Unbelievably. We Are Proud. Our County Is A Model For The State Of Florida What We Can Do To Have Inclusion In The Community. Grateful For Your Leadership And The Team. They Are Nothing But Spectacular. We Appreciate It. Thank You. [Applause].

The Last Ceremonial Will Be Presented By Commissioner Hamman As Well.

Thank You, Mr. Chairman. I Will Ask Anybody Here For Gopher Tortoise Day To Come To The Podium. We All Have A Story About A Gopher Tortoise. What A Cool Day To Recognize These Creatures. It.

It Has Been Living 500,000 To 2 Million Years. It Is Threatened In The State Of Florida Afternoon Parts Of United States. Listed As Threatened. Keystone Species Due To Protection Of Burrows That Provide 350 Other Species. It Helps Sustain Ecology And Provide Citizens With Source Of Joy And Appreciation For Nature. Whereas Recent Efforts Are Underway To Ensure They Are Restored With Viable Populations Throughout Range In Florida. Now Be It Resolved County Commissioners

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Proclaims April 10, 2024 Gopher Tortoise Day Raise Awareness Of The Guidelines In Place To Protect This Species. Congratulations On Gopher Tortoise Day. [Applause].

One More For The Record Here. Will Somebody Say A Few Words For Us.

Hello. Good Morning. Executive Director Of Calloosa Nature Center. This Is A Joint Effort With My Friend.

James Cady East Lee Wildlife. Nonprofit To Guide With Preserving Wildlife In Lee County.

We Thought It Was Important Because We Have New Residents On The Nature Center Property Including Gopher Tortoise In The Area. Amazing Part Of Our Wildlife Here In Southwest Florida. We Appreciate The Lee County Board Of Commissioners Helping Us Make This Proclamation And Invite You To Celebrate Gopher Tortoise Day April 10 From 6:30 P.M. A Reception For All Enthusiasts And Very Special Showing Of A Movie.

April 10 Will Be Public Release Of Gopher Tortoise Games. Saving Heart Of Florida Discussing How We Will Protect And Preserve This Valuable Species.

We Look Forward To Seeing You On April 10th. It Is Open To The Public And We Will Accept Donations To Continue Our Conservation Work In Lee County And Southwest Florida. [Applause].

Thank You, Commissioners, That Concludes Presentations This Morning. We Will Take Up The Recap. No Items To Defer. Two Items Recommended For Revisions. C6 And C21. Motion For Revisions.

Moved.

Second.

Motion From Commissioner Hamman. Second From Commissioner Ruane. We Will Take Up Public Comment On Revision C6 And 21. Public Comment On Those? Marsha Ellis.

Good Morning. Marsha Ellis For The Record Speaking About Item 6 Which Is The Conflict Of Interest Regarding Representation For Wild Blue. I Am Concerned That There Is Consolidation For Sure Happening Among Environmental Consultants. We Have A Limited Number Of Shrinking Number Of Professionals That Are Involved In Development Issues In Lee County. When We Have A Smaller Pool Then We Tend To See More Conflicts Of Interest. I Am Concerned About That As Well As Public Perception. So That We Can Really Make Every Effort To Avoid Conflicts Of Interest And Address Them. Thank You.

Thank You. Anyone Else Like To Speak On Item C6 Or C21? Seeing None. I Will Close Public Comment. The Board Have Any Discussion? Okay. We Have Motion To Approve From Commissioner Hamman, Second Commissioner Ruane. No Objections. Motion Carries Unanimously. Consent Agenda. Commissioner Hamman, Do You Have Any Items To Pull?

I Have None.

Commissioner Pendergrass.

None.

Commissioner Sandelli.

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Commissioner Ruane.

None.

I Have None.

Public Comment On Consent Agenda At This Time.

I Have A Card From Debra Swisher Hicks.

Thank You. Resident Of Pine Island. Questions Regarding The Contract Signed For The Water For Blue Titan. When I Looked At The Contract, It Is Open-Ended. Since You Are Basing Information On What Was The Previous Year But Not Necessarily The Whole Contract And How Much It Increasing Every Year. I Wonder If You Were Aware What The Typical Increase Is Per Year The County Residents Are Going To End Up Paying For. Contract Is Very Open-Ended. It's Not Limited To A Particular Area The County Doesn't Have Public Water To. The Only One Listed Was The Landfill. Getting Good Drinkable Water Is Important For Our Employees And Residents. There Is Also An Issue With The Name Of The Company. That Is Something For Me To Bring Up At A Later Date. The Amount Of This Contract Is Going To Be \$875,000. That Is Only If It Is Staying At Status Quo. Amount You Guys Are Currently Expecting To Pay There. Are Other Things The Government At This Point We Are Rebuilding From Irma -- Ian. Sorry. There Is A Lot Of Roads That Need Rebuilt. Community Centers, Parks, New Parks Because You Are Expanding. That Is All I Have To Say. Thank You.

What Number Was She Talking About?

No, I Do Not.

Also On Consent Agenda Marsha Ellis.

I Am Good.

Would Anyone Else Like To Speak On Consent Agenda? Seeing None I Will Close Public Comment. Motion To Approve Balance Of Items.

Approve Balance.

Second.

Commissioner Pendergrass Motion To Approve. Second From Commissioner Sandelli. Objections? Seeing None. It Passes Consent Agenda Passes Unanimously. At This Time We Will Move To Administrative Agenda. County Manager, Please Produce Item 1 On Administrative Agenda.

This Is To Authorize Submission Of Infrastructure And Public Facilities For Cdbg-Dr Funding.

Good Morning. We Are Seeking Board's Authorization To Develop Applications On Behalf Of Lee County Government And Potential Partner Agencies That Fall Within Unincorporated Lee County. If You Authorize Staff To Work With These Applicants As Well As Our Own Internal Departments, Applications Would Be Developed For Submission To The Cdbg-Dr Program No Later Than May 24th. These Are Infrastructure Applications That Will Go To Your Evaluation Committee In July. We Anticipate Bringing Back Award Recommendations In The Month Of August. Happy To Answer Any Questions.

At This Time Any Questions For Staff Or Comments? Seeing None. I Will Call Public Comment.

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Anyone To Speak On The Item. Marsha Ellis.

Good Morning. Marsha Ellis For The Record. After Reviewing These Projects I See A Couple That Didn't Make It Through. That Is My Concern Because I Don't Know The Fate Of Those Two Items That Concern Me. The First Is The Sallis Care That Needed Behavioral Health Hub. Kids Experiencing Crisis Were Having To Be Diverted Post-Ian. This Is A Big Issue. We Know The Topic Is Very Concerning About Behavioral Health And Be Mental Health Services In The Community. It Is A Priority To Serve Our Kids. I Am Not Sure. I See It Was Eligible. It Was Not Approved. I Would Like To Get Update To Know If That Is Looked At In The Future. Secondly Wild Blue Lake. That Is A Community I Was Named In When It Was Developed In 2015 As Notice. I Am Concerned About The Impacts To The Greater Watershed. Not Just Estero Basin. We Have Interaction With Flint Pen And Imperial Basin. Impacts To The Edge Through Erosion. In The Cdd Part Of The Community Asked To Take On The Burden. It Serves A Vital Ecological Function For Southeast Lee County. I You Can We Find A Way To Assist Community Be In Not Only Recovering What They Lost In The Storm But Building Future Resilience. More Geofabrics, Innovative Engineering Solutions To Make Sure That Vital Service Is Protected. I Would Like To Get Status On Those Two Items For Future Funding.

Anyone Else Wish To Speak On Item 1?

Close Public Comment. Motion To Approve From Pendergrass. Second Commissioner Hamman. Further Discussion? Commissioner Ruane.

Could You Explain The Three In Gray, How They Ranked The Way They Did And More Detail. Item For Greater Pine Island. I Am Surprised At The Activity That The Application Would Be Met. Could You Tell Me.

Demolish Ortiz Campus And Rebuild. That Will Be Multiples Of \$50 Million Request. There Is Not A Financing Plan In Place To Fund The Balance Of The Project, Number One. Number Two. Undertaking Continuum Of Care Implementation Study For Behavior Health With Cdbg-Dr Funding. That Will Recommend Where We Think Investments Should Be Made. We Would Recommend Waiting The Outcome Of That Study. For The Blue Lake Cdd. We Do Have Hundreds Of Cdds And Hoas Across The County Still Dealing With Damaged Infrastructure From Hurricane Ian. The County Did Apply On Many Of Their BehalFs For State Funding. We Are Trying To Help Them Pursue Other Avenues. Reality For Cdbg-Dr With This Cdd And Most Of Them In Particular. To The Commissioner's Point, No Low Moderate Income Benefit. These Are Mitigation Projects We Have Limited Amount To Do Under Cdbg-Dr. There Are A Hundred Communities To Submit Applications. Reality Of Them Being Funded Are Next To Nothing. Third. On The Greater Pine Island Community Center \$150 Million. It Is \$165 Million Project. No Plan To Fill The Gap And No Site Selected, No Site Control. It Is Just Not Ripe Yet. I Hope That Answers The Question.

Surprised Pine Island Low To Moderate Income Activity Is Low. I Understand The \$50,000. I Thought That Would Be A Yes, Not A No. That Was The Surprise. That Was My Question.

The Amount Of Total Recommended Projects We Are Talking About Here Is \$259 Million. What Is The Total Amount Available For These Grants?

Commissioner, It Is About \$229 Million Total. We Have \$129 Million And \$100 Million. When You Add City For These We Are Over Subscribed For Infrastructure Funding.

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Far More Grant Requests Than We Can Fund. Can You Hit The Process? How Will We Evaluate The Grants And How The Decisions Will Be Made?

All Applications Submitted By May 24th Deadline. Evaluated By Staff And Vendors For Technical Compliance With The Notices Of Funding Availability. Make Sure Eligible, Score According To Criteria Contained In The Nofas You Published Earlier That That Package Will Be Forwarded To Evaluation Committee And They Will Ask Questions Of Applicants And Take Presentations, Make Evaluations. I Do Want To Note Their Recommendations Will Be Impacted By Limitations Of Cdbg-Dr Amount Of Funding Available And They Have To Piece Together A Lot Of Things. They Will Ultimately Make A Recommendation To This Board So You Will See Where The Staff Evaluations Came In, What Your Evaluation Committee's Recommendations Are And This Board Will Make Awards.

Entire Time How Long Did You Expect This To Take? When Will It Be In Front Of The Board?

We Anticipate Coming Back To The Board In August For Decision On Ultimate Awards.

Thank You, Mr. Chairman.

Commissioner Ruane.

Great Question, Commissioner Hamman. This Really Goes Back To What We Were Actually Allocated As Opposed To Unmet Need. If We Were Successful In Expanding That Unmet Need We Get Close To The Unmet Need To The Amount Submitted. Some Projects Might Be More Eligible. That Is What I Indicated. I Thought A Need For Workshop. Great Gap What We Were Allocated And Submitted. It Will Allow More Projected And It Is Our Job To Advocate For That. Appreciate Over Subscription. The Other Issue I Am Aware Of And Correct Me If I'm Wrong. We May Roll Some Of These Out. They May Or May Not Necessarily Come To Fruition And We May Shift To Another Project Is That A Possibility?

Yes, Sir.

Is What Took Place In Sandy And Other Storms? You Have Different Projects That Seem Right And They Don't Come Together, You Have To Shift Money Constantly. That Is Why We Developed The Property From Irma Over The Cape Coral. That Is How Long These Projects Last. Just Fyi.

Further Discussion?

Seeing None, Recommendation For Approval Pendergrass. Second Hamman. Objections? No Objections Item Moves Unanimously. Mr. Harner, Item 2.

This Is To Launch Cdbg-Dr Affordable Housing New Construction Programs.

Good Morning, Commissioners. This Item Releases Two Nofas Today For Creation Of New Affordable Housing Units. These Will Release \$50 Million For New Construction Of Single Family Housing For Future Homeowners. \$150 Million Of New Construction Or Acquisition Rehabilitation To Create Affordable Multi-Family Rental Units. These Applications Are Available For Public Housing, General Local Government And For Profit And Nonprofit Housing Developers. Applications Due Back On June 26. We Hope To Bring This Back To You In September Of This Year.

Questions For Staff? Commissioner Ruane.

Maybe It Is My Miss Remembering. I Thought Will Location New Construction \$300 Million, Not \$200

Million.

\$50 Million Released Previously Multi-Family Rehabilitation Of Impacted Units. \$100 Million Remaining To Be Released In The Future Nofa Or Used To Award Projects If These Nofas Are Over Subscribed.

Thank You For Clarity. I Thought I Had \$300 Million. I Lost \$100 Million.

Any Other Questions For Staff At This Time? I Will Call For Public Comment. Anyone Like To Speak On Item 2? At This Time I Will Close Public Comment. Would You Like To Make A Motion.

Move. Second.

Motion From Pendergrass. Second Ruane. Any Further Discussion? Seeing None. Any Objections?

No Objections. Item 2 Moves Unanimously. Please Introduce Item 3.

Approve Fdot Funding Agreement For Burnt Store Road North.

Execute Local Funding Agreement With Fdot To Advance Ongoing Pd And Funding Study Burnt Store From Van Buren To Charlotte County Line. 30 To 60% Plans Including Creation Of Design Build Criteria Package. Assign \$2.5 Million County Money To Existing Pd And E Study Performed By Fdot And Establish \$1 Million Right-Of-Way Budget To Acquire Necessary Rights-Of-Way To Build The Project. We Are Here For Questions.

Any Questions?

I Move The Item.

Second.

Motion To Approve Commissioner Ruane. Second From Commissioner Hamman. At This Time Open For Public Comment. Anyone Wish To Speak On Item 3? Seeing None. I Will Close Public Comment. Further Discussion From The Board?

Having Been To The Rent Npo Meeting Up There We Have Challenges Up There. That Is Important. Advancing This Is In Everybody's Interest.

Any Other Comment? Seeing None, Motion To Approve From Commissioner Ruane. Second Commissioner Hamman. Objections? No Objections Item 3 Moves. That Concludes Administrative Agenda. At This Time We Will Move To Public Hearing Agenda. Three Items. County Attorney Please Introduce Item 1.

David Halverson, County Attorney's Office. These Items Have Been Duly Advertised And Provided Affidavits To Clerk. Item 1. Vacate Public Interest In 50-Foot Wide Of Way Floyd Avenue South Platted Lot In Leheigh Acres. No Objections To Request Of Vacation. Staff Is Available For Questions.

Any Questions For Staff On Item 1?

Move Approval, Mr. Chair.

Second.

Approval Hamman. Second Commissioner Sandelli. I Will Open Up For Public Comment. Anyone

Wish To Speak On Item 1? Seeing None. Close Public Comment. Any Other Questions Or Comments From Staff? Seeing None. Motion To Approve Commissioner Hamman. Second Commissioner Sandelli. Objections? Seeing No Objections Item 1 Moves Unanimously. County Attorney Please Introduce Public Hearing Item 2.

Request To Adopt Ordinance Modifying Boundaries Of Esplanade Lake Club. 26.29 Acres Of Land To The Cdd Modifying The External Boundary. Meets Requirements Of Chapter 190. A Copy Is Submitted To The Clerk Of Original Petition. Questions, Staff Is Available.

Move Item.

Second.

Approval Commissioner Pendergrass. Second Commissioner Hamman. At This Time Open For Public Comment On Item 2. Anyone Wish To Comment On Item 2? Please State Your Name, Please.

Good Morning Wes Harbor Here To Answer Any Questions. No Affirmative Presentations.

Any Questions?

Anyone From Public To Comment? Marsha Ellis.

Thank You. Marsha Ellis For The Record. In Terms Of That Section Of Alico, I Know This Is Adding Some Extra Lots. More Surface, More Water Running Off, More Management Of All Of That Water In Estero Basin And Also At The Split. Very Dynamic. Three Watersheds. I Ask That When We Increase Density And Intensity Of Uses That We Make Sure We Are Protective Of Our Water And Allow Enough Open Space That To Mitigate The Development And So That We Don't Run Into Flooding Issues. We Have Pooling Water On Alley Could Around The Esplanade Area And A Great Deal Of Sheet Flow. I Caution That We Continue To Strive To Balance Those Conflicting Concerns For An Outcome That Is In The Interest Of Not Just New Folks Moving In There But Existing Community.

Would You Like To Any Other Public Comment At This Time?

It Is A Funding Mechanism. We Don't Impact Development. This Is Not Development Approval, Just Expanding Boundary Over The Area Should It Get Approved. It May Be For Those Lots. Cdb Provides Mechanism For The Issues The Comment Raises.

At This Time Motion To Approve Pendergrass. Second From Hamman. Further Discussion?

I Would Like To Thank The Applicant. This Is Paid For By Owners. It Is A Beautiful Area. Thank You.

Any Other Comments?

Motion To Approve Pendergrass. Second Hamman. Objections?

No Objections. Item Moves Unanimously. County Attorney, Please Introduce Item 3.

Good Morning. Andrea Fraser From County Attorney's Office. I Have Number Three Public Hearing To Repeal Ordinance 07-20. I Have Reviewed Affidavit Of Publication And It Is Legally Sufficient To Proceed With The Hearing At This Time.

Any Questions For Staff At This Time?

I Think This One Warrants Explanation From Our Staff. They Gave Us Good Briefings Beforehand On

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This One. Mr. Harner, Do You Want To Explain Why The Need For Repeal And New Administrative Code Now?

I Would Like To Ask Mr. Avis To Present The Item.

Good Morning, Commissioner. Public Safety. Appreciate Opportunity To Explain Action We Are Asking You To Take This Morning To Repeal Ordinance 7-20. This Dates Back 17-Years Ago. Changes Within How To Manage Emergencies Across The Community. Couple Key Considerations When Viewing The Ordinance. First, Disaster Advisory Council Within The Ordinance Needs To Change And Adjust To Current Needs Of Community. Right Now As Example Village Of Estero Was Not Represented So They Do Not Have Seat On Disaster Advisory Council. That Would Be Addressed And Your Consent 21 Item This Morning Would Enact An Administrative Code To Replaces Disaster Advisory Council Should You Take Action To Repeal The Ordinance This Morning. Secondly A Number Of Items Deal With Recovery. We Have Had Change To Comprehensive Emergency Management And Two Fema Frameworks For Recovery. Those Advance Work We Would Do Post Disaster. We Have Seen A Lot Of That Work Has Shaped By The Individual Nature Of Each Emergency. Irma Or Ian. Those Are Unique. They Require Unique Approaches. Finally, A Number Of Conflicts Between This And Other Ordinances Or Plans. Repealing With Eliminate Conflicts Or Duplication.

Questions For Staff?

Follow-Up Question. What Are The Benefits Going With Administrative Code Over New Ordinance Or Administrative Ordinance?

Mr. County Attorney, Please.

Several Not Least Of Which Is More Rapid Ability To Respond To Necessary Changes, Administrative Codes Are Adopted By Board. Ordinances Changes Take A Longer Period Of Time To Process Through The Required Notification Systems. I Think The Major Take Away Here Is Part Of What You Charged Your Staff With Doing Consistently Looking At Duplication Of Regulations. That Is The Drives Force Behind Today's Requested Action. Numerous Layers Of Regulations Dealing With Subject Matter. This One Has Become Outdated. It Needs Repealed. The Subject Matter Is Dealt With Adequately Through Other Ordinances Or Administrative Codes. This Is Superfluous At This Time.

Further Questions?

I Will Call For Public Comment On Item 3. Marsha Ellis.

For Transparency Sake. The Relationship Between Administrative Code And Advantages Between That And Ordinance. It Would Be Extremely Helpful If This Were A Tighter Item Where We Could Have Administrative Code And Ordinances And Things Relate The. I Heard From The County Attorney There Is Overlap In Related Items That Tie Into This. If Those Could For Transparency Purposes Be Reviewed To See What Language Is Being Stricken, What Is Duplicated And Being Taken Over. It Would Be Helpful To Understand How It Fits Within The Broader Recovery Picture. Thank You.

Anyone To Speak On Item 3?

I Will Close Public Comment. Motion To Move Item?

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Move Approval. Second.

Approval Hamman. Second Commissioner Sandelli. Further Discussion? Seeing None. Objections? No Objections. Item 3 Moves Unanimously. That Concludes Public Hearings For Today. Walk-Ons And Carryovers. No Walk-Ons Or Carryovers. We Will Move To Commissioner Items. Commissioner Hamman Items.

No Items Today.

Commissioner Pendergrass.

No Items.

Sandelli.

No.

Ruane.

No.

I Have None. That Concludes Commissioner Items. Moving To Committee Appointments. Commissioner Hamman?

I Have Three New Appointments And One New. New Is Christina Mumford, Alabama Grove Lighting Unit. Next Is Dr. Joseph Ruane To Veterans Advisory Committee. Armando Hernandez Veterans And Parks Committee.

Motion Hamman, Second Ruane. No Objections. Carries Unanimously. Pendergrass.

I Have Four. New. Roger Trip Houser And John Thomas, Veterans Advisory. Kevin Besler, Cdbg Planning Committee. Michael Smith, Sunset Cove Operation And Maintenance.

Second. Commissioner Pendergrass Motion To Approve. Second Commissioner Greenwell. Further Discussion? Objections. Motion Carries Unanimously. Commissioner Sandelli.

I Have Two New Appointments. Stephen New To Veterans Advisory. Second Marian Spain.

Second.

Motion From Commissioner Sandelli. Second Commissioner Hamman. Objections? No Objections Moves Unanimously. Commissioner Ruane.

One New And Two Reappointments. Mitchy Nichols, Park And Recs. Tim Cook To Veterans Advisory.

Second.

Motion From Commissioner Ruane. Second Commissioner Hamman. Objections? No Objections Moves Unanimously.

I Have Three Appointments. Steven Epkins And Gerald Harvey Veterans Advisory Committee. Orville Hall To The Parks And Recreation Committee.

Motion From Hamman. Second From Commissioner Pendergrass. Objections? Seeing None That Moves Unanimously. That Concludes Committee Appointments. Moving To County Manager Items.

Mr. Harner?

Yes, We Have Two Items Today. First Is Appointment To Babcock Ramping Preserve Advisory. We Received E-Mail From Florida Forest Service. Becky Swaggert From Community Development. Lisa Wear From Parks And Recreation As Alternate.

So Moved.

Second.

Motion To Approve From Hamman. Second From Commissioner Pendergrass. Call For Public Comment. Public Comment On This Item? No Public Comment. I Will Close Public Comment. Motion To Approve From Commissioner Hamman. Second Commissioner Pendergrass. Any Discussion Or Objections? No Objections. Item Moves Unanimously. Mr. County Manager. Any Other Items?

Thank You, Mr. Chair. Second Be Item Is Regarding Fema And National Flood Insurance Program. Update. As We Discussed Previously We Received Call From Fema Last Thursday. They Stated That The Unincorporated Portion Of Lee County Receiving Retrograde To Crs Class 10. We Were Previously 5 Which Gave Us 25% Discount. This Was Based On Comments Due To Large Amount Of Unpermitted Work, Failure For Compliance And Program Deficiencies. This Retrograde Would Take Effect October 1st. Earliest We Could Get Back Into The Program Would Be April Of 2026. It Would Not Take Effect Until October Of 2026. Decision Was Made On March 8. We Were Notified On March 28. Based On Discussion We Had With Them They Stated This Was A Final Decision And There Were No Appeals Available To Us. In The Conversation They Informed Us They Updated All Congressional Offices Prior To Meeting With Us And Municipalities. Besides Unincorporated Lee County, Cape Coral, Bonita Springs And Estero And Fort Myers Beach Were All Retrograded To Crs Class 10 Which Were 5s Before. What I Would Like To Do Is I Would Like To Discuss A Few Things That I Believe There Are Comments In The Media And Comments Made That Aren't Completely Correct. We Would Like To Provide Information To Update The Community On What We Did And What We Are Continuing To Do. More Specifically I Would Like To Ask Mr. Moore To Talk About The Three Items They Submitted Discussion Details Concern. Large Amount Of Unpermitted Work, Failure To Use Damage Compliance And Program Deficiencies. I Will Turn To Him In A Second. Couple Comments Regarding The Fact How We Noticed The Community. I Will Provide That When Mark Is Done. Secondly, The Major Issue Substantial Damage Compliance. Mark First And Then I Will Take Over From There.

Good Morning. Appreciate Opportunity To Address? Of The Concerns. I Did Want To Bring Back To The Context Which We Worked 18 Months Ago Across The County There Was 100,000 Homes Affected By Storm. As Soon As Travel Was Deemed Safe, Our Team With Army Corps Of Engineers And Municipalities Began To Do Assessments. Initial Assessments Were Windshield Assessments. Teams Going Out Observing Damage Across The County. We Created Dashboard Indicated Where The Damages Occurred. Those Assessments We Did Consult With Other Municipalities About Their Actions After The Storm Passed. We Checked In With Naples, Collier County And Sarasota County. They Did The Same Assessment That We Did. When We Did These Assessments, We Didn't Enter People's Homes Or Do Any Kind Of Structural Assessment Of Their Home And Damages They Sustained. You Have Got To Understand What Teams We Sent To The Field. Army Corps Provided Volunteers We Had Help With Our Own Team Of Building Enforcement That Were Part Of

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Assessment. To Do Substantial Damage Assessment, You Have To Have Skilled Professionals To Perform The Assessment. They Have To Get Inside Homes To Do Thorough Assessment. What They Are Doing Is Establish Cost Of Repair To Home. Implements 50% Rule To See If That Cost Meets Threshold Established By Value Of Home. At That Time We Were Not Doing That Level Of Inspection. Going Out To Identify Areas That Sustained Most Damage So That We Could Focus Efforts On Recover Tree. At That Time County Did Get Assistance From The Army Corps Of Engineers As Well As Usar. We Re-Purposed Our Team As Well. Shortly After The Storm We Received Rush Of Permit Applications. Re-Purposed Building Inspectors To Issue Permits. We Shifted Resources To Better Serve Community And Needs. Substantial Damage Assessments We Did Create Were If A Resident Wanted Us To Do It Or Two At The Time Of Permitting They Would Bring In Permit Application That Was Process In Which We Determined Whether Or Not Repair Met That 50% Threshold And At That Point They Had To Either Demolish Home Or Pull Permit To Bring New Construction Up To Current Code That Is What We Did. Fema's E-Mails Back And Forth Wanted To Clarify Our Actions On Certain Structures And Residences. I Think You Will Find In Our Timeline We Provided Staff Responded In Timely Manner To Provide All Information Requested In Regards To These Structures.

Thank You, Mark.

I Would Like To Go Over Time Line To Talk About How We Handled A Number Of Situations Specifically Three Letters Outlined And Clarify Misinformation That I Believe Was Presented Last Night On The Media. February 8 Of 2023, Letter From Fema Informing Lee County Retaining Crs Class 5 Status. We Were Receiving Letters Stating You Met Criteria To Keep Class 5 Status. February 14. Letter From Fema Questioning Lee Property Appraiser Value Determination And Encouraging Lee County To Use Methods Other Than Product Created By Property Appraiser. March 7, Site Visit From Fema. March 22 Letter From Fema Retracting Statements Made Regarding Our Methods Of Determination By The Property Appraiser. June 7 Received Another Letter From Fema Requesting Information. July 7. Lee County Responds To June 7 Letter Fulfilling Request Of Information. July 12. E-Mail Fema Confirming Receipt Of Response. September 22. Phone Request From Fema For Additional Information. September 25. Lee County Responds To Requested Information. December 6. Letter From Fema Requesting Additional Information. January 11 E-Mail Response With Attachments For Fema Request For Information. January 12. E-Mail From Fema That They Received Those Documents. January 30 E-Mail From Fema Follow Up To Lee County Response Requesting Additional Documents. January 30, 31 E-Mail Response Where Attachments To Fema Requests For Information. February 29 Updates Regarding Recovery Process. March 11 E-Mails Fina Lee County Clarification. Last E-Mail Requesting Clarification Regarding Data Fema Is Requesting And Received No Response. We Did Provide Voluminous Information And Continued Beyond Dates Stated Here A Number Of E-Mails Back And Forth Regarding Information And Information Requests. At No Time Were We Notified We Were In Jeopardy Being Retrograded. If You Failed To Comply With Information Requests You Could Face Retro Great. There Is More Communication In These Activities. Our Expectation Along With Municipalities Is Assumption There Would Be A Direct Warning You Are Close To Using Crs Rating. This Is What You Need To Do. At No Time Did We Get E-Mail You Need To Do A, B, C Not To Lose That Rating. Another Piece Of Information I Like To Share Is I Believe There Was A Comment Of Concern Regarding How We Notified The Community. We Made A Decision Early On We Weren't Going To Put Out Flyers Or Send Out E-Mails To Homes Because If You Take An Example Of Matt

Lashay. Not Only Were Homes Gone A Good Portion Of Property Gone. Very Difficult To Send Out Those Type Of Notifications To People. Concerted Effort Used Was The County Used Up-To-Date Immediate Forms Of Communication Readily Available To A Broad Audience Of Residents. We Learned From Hurricane Irma Showing Digital Communications Was Effective. Residents Displaced And Did Not Have Easy Access To Traditional Mail Or Multiple Means. We Relied On A Lot Of Efforts From Erma Where People Were Not Able To Have Power Or Access To Mail Getting Communication From People Outside Of The Area, Family Members, Friends Communicating The Information We Were Laying Out To The Community. Social Media Posts Related To Flooding Permitting Over 20,000 Residents Immediately Following Return. All Of This In Three Months. Local Media Shared Permitting Information From News Releases On Air Through Digital Platforms. These Actions By County Addressed Public 50% Rule And Need To Get Permits. I Hope This Helps With Some Of The Communication That Is Out There That The County Was Not Proactive And Did Not Meet The Request For Information That We Had From Fema. If You Have Any Questions, My Staff Is Available To Discuss Any Of Those Issues.

Questions Or Comments At This Time, Commissioners?

I Have Some If That Is Okay.

Commissioner Hamman.

Throughout This Entire Process One Of The Things Every Time I Met With County Staff And Administration And Tried To Ask How Can We Help Recover Faster, Rebuild Homes, Rebuild Infrastructure? I Was Told Two Things. I Was Told, One, We Can't Repair This Faster Because We Need Fema To Reimburse. We Have To Go Through Fema Process We Had Consultants And Everybody Helping Us With. We Were Told We Have To Do We Build This Way Permitting This Way Or We Risk Using Crs Rating. This Was Extremely Top Of Mind Throughout Rebuild. I Can Tell You There Was More Than One Occasion We Have To Do It This Way Or Risk Using Crs Rating. I Think The Interesting Timing On All Of This We Get This Notice From Fema Like A Year And A Half, Two Years After The Storm When Things Are Calm. The Community Is On The Way To Being Rebuilt. Now You Can Go Back And Say, Boy, Looking In Immediate Aftermath Of The Storm You Didn't Follow Procedure Right Or Whatever They Are Alleging. Remember Where We Were At That Time. People Were Displaced, Hundreds Of Thousands Displaced From Homes, Not Enough Hotel Rooms, People Were All Over The Place. We Were Helping People Navigating The Process. One Thing I Noticed We Did Different With Fema Reimbursements We Hired Consultant To Track All Of That Paperwork And Reporting. Do We Have A Consultant Whose Job It Was To Help Us With The Substantial Damage Reporting And Going Through This Whole Audid It Process Fema Is Putting Us Through On This?

We Have Floodplain Manager Working With Fema. Mark Can Give You Details What That Manager Is Required To Have. Each Municipality, Each Entity Has Their Own Floodplain Manager.

We Have A Team That Works On These Efforts Post-Storm In Blue Skies As Well. This Is Something We Work On Maintains Throughout The Year. Community Development Took Lead On It. Not To Say Approach Of Using Consultant In The Future Probably Should Be Considered To Buttress What We Have On Our Team Now.

What About This Scenario? Is There An Opportunity Now To Hopefully Fema Have Given Us Nothing

To Review?

That's Correct. In Our Conversation Last Week They Said Sometime In Mid-April We Would Receive Documentation.

Do We Have Time To Hire A Consultant To Review What They Are Alleging? Hopefully Go Through Our Paperwork And Responses To Get This Straightened Out And Corrected? Is There A Consultant That Does That Kind Of Work? Opportunity To Do That?

I Believe We Would Not Have The Time. If It Was In The Middle Of This Month, We Would Not Have Time To Get A Vendor On In Two Weeks To Do That Before Their Determination.

I Think That Is Something To Look At, Commissioners. It Sounds Like We Have The Information. We Must Not Have Given It To Them The Way They Liked, I Don't Know. You Know, Our Team Can Tell Us How Many Homes Came In For Permits, How Many Homes Were Demolished And Rebuilt. If This Is Information They Needed In A Different Way Maybe Somebody Will Help Us Translate That In A Way Fema Can Understand.

Commissioner Pendergrass.

One Thing You Are Leading To. The Appeal Process. When I Talked To Staff Last Week There Is No Appeal Process For This?

That's Correct.

The Last 16 Months From Roads To Bridges And Traffic Signals. We Are Waiting Told By The Federal Government This Is The Process To Get Reimbursement. We Are Getting That. We Are At The Ending To That. Little League Fields We Are Waiting. Still Have Traffic Lights Down Waiting For That Process. Frustrating. After The Storm 12,000 Applications And 48 People Placed. You Are Seeing Results Of Failed Administration In D.C. And Fema. Here The Citizens We Are Suffering. We Are Being Displaced, Hurt Because Six Months Out Of The Storm We Talked About It. We Had 12,000 People And Hundreds Of Trailers In The Fields Waiting For Placement. They Had 48 People Placed Out Of 12643 People. We Were Told One Thing And Now We Are Told, No, You Can't Have It And Citizens Have To Pay More For Insurance To Live In A Floodplain. In D.C. They Said If You Live In Florida You Pay The Price. Unfortunate. Like Revenge Politics. I Hate To Use That. That Is What Is Happening. Very Unfortunate. Our Citizens And Taxpayers Are Held Hostage To Pay More For That.

Mr. Pendergrass, I Have A Quick Comment. This Seems Like A Classic Federal Government Saying We Are Here To Help. Are You? That Is My Question. Are You? Commissioner Sandelli.

We Are All Disappointed What Happened. I Go Through And Look At Things A Certain Way. We Talk About The Work And Going Back To Develop This. Process Takes Time And Frustrates Everybody. What We Are Talking About Is People. Look At The Scope Disaster Affected So Many In This Community So Many Ways. That Is The People Side. First Charge To Find People After The Storm And Account For People. Citizens Deserved That And Families Deserved That. We Had To Provide Basic Services. Before We Started Rebuilding Same Group Of People Most Affected We Were Counting On To Bring This Process Back. Fort Myers Beach, My District. I Spend A Lot Of Time There As Many Of You Have. City Hall Was Gone. People Were Gone. Process Was Gone. That Is Where We Started. What We Talk About Retroactively We Are Losing The Fact This Is About The

People We Represent, Our Homes, Families. That Is Where I Can Get A Little Tight.

Commissioner Ruane.

Thanks For The Information. It Is Helpful. Approximately, Mark, If You Had To Guess How Many People Did We Have On Your Team When You Talk About Help From Army Corp And Others, Ballpark?

At The Height Of Doing These Initial Inspections I Would Say Upwards Of 50. Army Corps Did Supplement Our Team. We Had Building Inspectors And Code Enforcement Officers. County Was Represented By At Least 25 Staff Members. Municipalities Worked With Usar And Army Corps. All Told 50 People To Canvas The Whole County At That Time.

50 People. I Remember Talking With Matt Caldwell Early In The Process And Heard Over 100,000 Parcels Damaged. Not Street Lights Or Stop Signs Or Traffic Lights Or Anything. Just Talking About Mass Amount Of Volume You Have To Do. It Is Seems Like The Task From Category 5. We Didn't Have Abundant Help From The Federal Government. 50 People, 100,000 Parcels. Communication Ineffective. I Understand What The County Manager Said. Times You Couldn't Get Your Cell Phone Out. Sanibel We Went Out And Got Them The Devices That Were Put Together To Make Sure We Communicated. Communication Was Challenged In More Ways Than We Ever Anticipated. Volume What We Had To Review. I Came Here 20 Years Ago. Charlie Was Easier. We Can Go Around And Look At Dwellings And Get Inside. Not Same Magnitude. Magnitude That Is Just Obviously Just Insurmountable To Deal With 50 People. I Appreciate All Of The Actions. This Package Is Really Important. I Am Glad You Got That. You Fortunate The Particularlar Media Channels Indicated Commissioners Got Letters And Didn't Do Anything About It With Exception Of Today I Am Not Aware Of Letters And/Or Communications. Not Our Job To Do That. Our Job Is To Manage The Four People We Have Not Necessarily To Be There Micromanaging This. This Is No Different Than Michael Getting 100% Reimbursement. Storm Michael 100% For Debris Cleanup And That Was Category Whatever. We Have Category Five With 15-Foot Storm Surge And We Get Less Days Than They Got. Different Administrations. Reimbursement If You Recall We Went Up To Advocate The Particular Amount That The County Would Have Had To Split With The State Relative To Debris Cleanup. So Many Inequalities. This Is Unfortunate. Citizens Of Lee County Will Feel This In Ways We Don't Have Ability To Appeal. I Would Love To Learn From This And Maybe We Don't Have The Time To React. I Do Believe It Is Something We Need To Learn From. Getting Someone In The Consulting Range Wouldn't Be -- It Is Hindsight But Good For Subsequent Administrations, County Commissioners.

Mr. Chairman.

Commissioner Hamman.

I Heard The Comment No Appeal Available. I Don't Be Accept That, Not In America. We Believe In Due Process. I Am Curious To Hear From County Attorney Do We Have Legal Avenues Here To Try To Interrupt And Suspend The Process Of Increases They Are Bringing Down On Us?

Last Time I Checked We Do Not Live In A Dictatorship. Everybody Has Somebody Above Them With The Exception Of Perhaps The U.S. Supreme Court, President, Some Other Offices. What We Have Been Provided With Here Interesting Observation. 18 Plus Months After The Storm. Thursday Afternoon Before The Easter Sunday Holiday We Get The Phone Call That Substantially Impacts Our

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Community. Everybody's Phone Started Ringing. Board Of County Commissioners Has Made It Abundantly Clear To Your Staff The Significance Of This Issue. Our First Step Is To Open A Dialogue With Fema. Comment That This Decision Is Final. There Is No Appeal. That Is Not Our System Of Government. Just As We Had To Find The Right Level Of Decision Maker Once Before When Fema Was Incorrect In Their Assertion And Understanding Of Florida Law Which Involved The Tremendous Amount Of Help Of A Property Appraiser Referred To Earlier, This Also Cries Out For That Type Of Attempt. The Board Has Given Be Us The Direction That We Are To Do That. We Are In The Process Of Assimilating Information. Commissioners, As You Recall In The Last Since Stance It Became Clear To Us That Is Atlanta Fema Field Office Lacked Basic Understanding Of The Taxation Structure And The Impact Of Homestead Exemption Law In Florida. It Took Us With Cooperation Of Property Appraiser To Get To The Key Fema Office To Make Them Understand That Their Initial Decision Was Wrong And Had To Be Reversed And Was Reversed. This Is Somewhat Analogous In My Humble Opinion Of A Complex Math Pro Problem. Show Me Your Work, You Can't Just Put Your Answer Down. What We Have So Far From Fema Is Their Answer. We Have To See Their Work. What Was Their Decision Based On? We Are Entitled To That. That Is What We Are Going To Pursue. It Is Not The First Time A Federal Agency Was Incorrect. We Understand The Significance Of The Issue To The People Of Lee County. We Will Remind Fema That Your Constituents, Fellow Residents Are Also Constituents Of Fema And The Federal Government. Whether Through A Discussion Resolution, Mediation, Arbitration Or Litigation. We Will Have A Discussion With Fema To See Their Math. We Will Report Back To You And Keep You Informed Accordingly. If It Is Necessary To Seek Approval From The Board To Exercise Certain Rights That We Might Have As A Community, We Have No Hesitancy To Ask You For That Permission And We Will Do So. I Think In The Interim The First Step Is Open Up The Dialogue With Somebody At The Proper Level, Whether It Be Atlanta Or Washington And Ask Them To See Their Math. We Will Show Them Our Math. Maybe We Can Come To Some Type Of Reasoned Conclusion That Is Not Based On Some Star-Chamber Procedure That Here Is Our Final Decision, It Is Carved In Granite, Live With It. There Is No Appeal. There Is No Discussion. That Is Not The Way The System Works. You Don't Tolerate It From Your Staff Here And I Don't Think We As A Community Need To Tolerate It From Our Federal Government Either.

Do You Need Direction From The Board? We Are Going To Fight With Fema. Do You Need Direction From The Board To Continue The Fight For Local Residents?

If The Board Would Like To Put That In The Form Of A Motion That Is Fine. I Would Ask That You Not Put Any Direction Toward Litigation At This Point Because It Might Actually Be Counterproductive. Direction To Your Staff To Reaffirm The Importance Of This Issue And Direct Us To Take Steps As May Be Necessary To Get Clarification And Then Keep You Informed If We Fail In Our Attempts We Can Come Back And Seek Further Authority.

Mr. County Manager.

We Would Request The Board Send Letter For Fema For Full Debrief For All Documentation They Used To Make The Decision And The Request For Appeal Process As Well.

I Will Make That Motion. That Is A Fantastic Motion To Make. With That, Would That Include Mr. Harner Going To Washington Or Atlanta For A Face-To-Face Meeting With These Folks To Talk About This?

All Means Available, Yes, We Would Be Willing To Go To Dc. That Is Appropriate. In Our Previous History We Appealed To Dc With Atlanta Decision On 50% Rule. I Believe Going To Dc Might Be In Our Best Interest To Work With Our Federal Lobbyist In That Process.

We Have Had Phone Calls, Letters, Something Is Lost In Tran Session. Sit Down And Talk About This. This Is Tremendous Magnitude. You Have To Do These Things This Way To Keep Our Crs Rating. It Was A Priority To Keep Our Crs Rating. What Happened Here That You Are Now Taking It Away From Us? I Will Make That Motion.

Would You Mind Maybe Perhaps Just Expanding That Motion A Little Bit. I Love The Letter, Idea, Fact We Potentially Go. I Want To Direct Staff Top Have All Tools They Deem Necessary Including Not Limited To Whatever Actions We Need To Take To Come To A Conclusion. I Wanted It Clear For The Public We Will Do A Letter, Visits, Whatever Is Necessary To Come To The Conclusion. I Want To Make Sure There Is Totally Clarity For The Record We Are Looking At All Aspects And Give Staff All Of The Tools Necessary. Let Them Use Those Tools.

I Will Amend My Motion As Such. All Tools. That Includes If You Need To Hire A Consultant With This, I Am Okay With That.

Second.

I Think This Is So Important. I Agree With You, Commissioner Hamman. I Look Back In 2014 When Commissioner Kiker Was Here. We Went To Washington. I Am Not Under Foggy Eyes We Are Going There And The World Is Going To Change. You Don't Get A Hit Unless You Get Up To Bat. I Would Rather Go To Bat.

I Would Like To Make One More Comment And I Will Ask For Public Comment. We Have A Couple Cards. I Wasn't Joking. We Rely On The Federal Government To Assist Us And Guide Us Especially In Disasters. Let's Be Honest. This Blindsighted Lee County. It Didn't Blindsight Just Lee County. City Of Cape Coral Received Same, City Of Fort Myers. Many Of This Is Going On It Seems Like. It Seems Unfair. I Would Ask Media To Please Do Your Homework, Do Your Homework. We Are Telling You We Replied Back. We Are Telling You Those Things. Do Your Homework. That Is All I Ask.

That Was My Question To Staff. We Are Talking About This Now. We Have Your Information. We Are Not Meeting For Two Weeks. What Are We Going To Do? Can You Have This Discussion? How Are We Going To Get Ahead Of It -- We Were Blindsighted. We Didn't Know This Was Coming Until Thursday. How Will We Get The Complete Message To The Community. Media Business Letter Working For Nongrowth Anti Environmentalist Anti Growth Campaign. Rest Of The Media Get That Message Out Other Than Our Website.

We Will Provide The Packet We Provided You And We Discussed Today. We Are Doing Fact Finding And Will Continue To Do That. A Lot Of Information We Have That Will Be Requested By The Media Has To Be Recontacted. Number Of Documents Redacted. There Is A Process To Do That. I Will Turn It Over To Chris Brady About Our Communication Plan. Chris, If You Wouldn't Mind.

Yes, Commissioner, Thanks For The Opportunity. To Dave's Point, County Manager's Point, Right Now We Are Going Through Extensive Fact Finding And Document Gathering Through Mark And His Team, Through Our It Team As Well As Community Engagement. Some Of Those Previous

Educational Opportunities But Even Going Back To A Number Of Board Conversations Early On As It Addressed The Permitting And 50% Rule. We Want To Gather All Of That Information, Commissioner, And, Yes, Start With Updating And Building Out Any Specific Landing Site. All Of That Information Because We Do Have An Ian Dashboard, Progress And Throughout The Website There Is A Number Of Different Areas That Talk About Disaster Recovery Permitting, The Process And The Resources That Are Available. To Your Point Beyond That Website We Want To Make Sure We Are Creating Content Digital Media Content That Would Allow Us To Push Information Out Through The News Letter, Social Media Sites And Then Also Be Able To Share That Information With Our Traditional Media Partners. Even To The Extent Of We Have Had Very Preliminary Conversations About How We Might Be Able To Do A Press Conference Is The Appropriate Mechanism Or Some Other Means Of Having Face-To-Face Interaction With Media Partners To Provide All Of That Information But We Want To Make Sure Our Community Knows All Of The Steps Taken And Continued To Be Taken In Order To Not Just Maintain This Rating But Also To Address The Board's Will In Pursuing An Appeal Process.

Commissioners, We Are Also Working Diligently With Municipalities To Ensure We Have A United Message. We Have A Meeting With Them This Afternoon Following The Workshop To Talk About This As Well. Utilizing The Number Of Media Comments, Joint Information Calls To Make Sure That Gets Out With Partners. I Believe There Are 60 Odd Partners There. That Information Is Being Shared Between Us And Municipal Partners To Make Sure That Gets Out To The Community.

Another Question. This Is Four Cities. Four Government Jurisdictions That Applied To The Media. Are You Working With Those City Managers And Mayors And City Councilors. We Hope They Follow Our Lead And Join To Mediate Or Arbitrate This To The Federal Government Are You Working With Them, Also?

Yes, I Have Spoken To Every City Manager Other Than He Is Stereo. Our Staff Is In Contact With Their Staff. We Have A Meeting This Afternoon With A Number Of Employees Including Their Floodplain Managers As Well As Ours. Richard And I Will Be From With Each City Manager And Attorneys.

What Were Their Comments? Same Scripted Letters Throughout The 16 Month Process?

Everyone I Spoke To Receive Essentially The Same Message.

They Responded Same As We Did And Got Same Response.

Same Response. Mark Outlined How We Did Substantial Damage Determination. We Received Same Help From Federal Government Army Corps And Had Teams Involved In That. Each One May Have Done Something A Little Different That Is What You Expect. Each Government Has Their Own Philosophy How To Do Something. Not A Major Difference How We Operate. We Collectively Our Floodplain Managers Talk Regularly, City Managers Talk On Regular Basis. We Have A Personal Call During An Event To Talk About These Things And Afterwards. When We Run To An Event We Work Collectively To Mitigate That Issue.

Commissioner Sandelli.

Since I Have Been Here We Put To Work To Speaking And Acting As One. That Helped In Many

Ways. I Trust In The Process We Include State Legislators. We Are Speaking As One Voice Which Will Be More Impactful And Puts Us All On The Same Page.

That's Correct, Commissioner Sandelli. Glenn Has Been Working With Our Lobbyist For Federal And State Legislators.

At This Time I Open For Public Comment. I Have A Few Cards To Speak On This Item. Joyce Cantana.

Good Morning. I Live At 1410 Davis Drive In Fort Myers. I Have Had A Fema Policy Over 15 Years. This Caught My Interest. It Will Go Up More. I Found This Presentation To Be Very Interesting. I Didn't Get The Packet. Maybe I Looked Too Late On The Internet. It Would Be Nice If The Packet Everybody Got Was Made Available To The Public Or On A Separate Site So We Could See The Whole Thing Together. The Outline The City Manager Gave Of E-Mails Going Back And Forth The Helpful. I Question Whether Or Not E-Mail Is Great. Sometimes You Just Don't Understand It. I Would Like To See A List How Many Phone Conversations Were Made To Fema With Fema Staff And With Whom. Maybe You Need A Different Staff Person At Fema To Interview Your Information. That Works Real Well In Government. I Am Throwing That Out There. I Heard Talk About Working With The Communities That Received The Same Letter For A Joint Front To Fema. What Did The Community That Got No Change Or Approved By Fema, What Did They Do Right That We Didn't Do? I Would Recommend Going To Those Jurisdictions. I Think Time Beach Was One. What Did They Do That Fema Liked? The First Thing I Ask Did A Different Person Review Their Information? Just Because People View Things Differently. Two Suggestions That I Would Make In Terms Of The Public And Information On This And I Understand About Redacting Personal And Private Information But I Think At Some Point In Time We Need Some Names And Records Of Personal Conversations Or Conversations Between Staff Members Not Just E-Mails. Also Making This More Accessible. I Heard Talk About Going To The Media That Is Great. Having The Information Or Packets To The Media Also Available On The Public Site Because This Is A Hot Issues Specially In This State Where Insurance Costs For Everything Are Going Sky High. I Would Also Like To Know The Role Of The Governor. I Know He Works With Fema When This Hits The Fan And What Our Federal Elected Officials Both State And U.S. House Are Doing Other Than Campaigning. Why Aren't They Intervening As Well? I Think It Would Certainly Merit A Trip To Either Dc Or Atlanta. I Thank You For Your Efforts. I Will Be Waiting To See What Happens. I Think You Are Off To A Good Start.

Up Next. Debra Switzer Hicks.

Hello Greater Pine Island Area. I Want To Thank You Guys For Taking This On And Looking At It. It Does Need Addressed. It Does Affect Me Personally Greatly. Not Only Be Is Our Insurance Going Up. I Didn't Have A House That Was Severely Damaged. It Wasn't Unlike Some Others In This Area. It's Really Concerning This Is Happening. What Loophole Got Stepped In And Fema On The Way And The Attorney Is Correct. There Should Be Another Avenue. We Don't Take No For An Answer. Do You Know How Many Times I Was Denied For Fema. Still In Appeal. How Many Years? This Is Not Good For Our Community. This Is Not Good For Low Income Communities. I Hope This Is Seriously Taken. Reviewed By Not Only From Our Own In House. We Should Have In House Specialist. How Many Times Has This Come Across This Board In The Last 20 Some Years. This Is Not New. Yes, Different Political Items Are Possibly In Play. Look To See Where It Failed And Where It Worked Until

We Look We Won't Know. It Is A Broad Book And We Stay Informed. This Is Affecting A Lot Of People. Thank You.

Anyone Else To Speak? Marsha Ellis.

First Of All, I Want To Correct The Mistake That Mr. Harner, County Manager, Made. Estero Was Previously Rated Class 6 With 20% Reduction. I Just Wanted To Clarify That Point. Secondly, Your Participation In Crs Is Voluntary. It Is A Program Where The Community Relies On The Direction Of The Board Of County Commissioners To Use Their Regulatory Duty And Powers To Make Decisions That Reduce Flooding Risks For The Community. Some Of -- I Appreciate Commissioner Ruane's Comments This Is A Great Learning Opportunity. A Great Deal Of Literature Out There To Help Guide Communities Including In Fact, The Very Helpful Which I Would Urge Everyone To Review. Fema Circular B573 From 2023. I Feel All Of The Development Taking Place Has Really Lost Focus. Broken Focus Of This County, Municipalities, Pulled Away From Helping Recovery. Focusing In On Recovery With The Resources, Leveraging Of People And That Is In Part Responsible For What We Are Seeing. Recovery Should Be Precise And Opinion Pointed. When That Net Is Cast So Wide It Has Been An Impediment To Truly Serving Those Most In Need Including 590 Properties Referred To Specifically With Fema. Crs Refer Specifically To Thinks Supposed To Happen Under Mapping And Regulations. Open Space Preservation To Guarantee Currently Open Public Or Private Floodplain Parcels Are Free Of Development. Keeping That Development Out Of The Coastal High Hazard Area And Not Putting More Development Into That Area. To Limit New Buildings And Fill In Floodplains As Higher Regulatory Standards And Regulations To Protect Critical Facilities. I Want To Say New Construction Minimizes Erosion And Protects And Improves Water Quality Under Floodplain Management Planning To Protect Natural Functions In The Community Floodplain And Plan To Conserve And/Or Recover Threatened And Endangered Species In The Floodplain. There Is Clear Guidance To Marry The Functions In Other Corridors And Wildlife. To Preserve Open Space And Not Continue To Develop In These Areas That Will Increase Flooding Risk In The Future.

Thank You, Ms. Ellis.

I Know Typically We Don't Respond To Folks Who Make Public Comment. I Have To Talk About The Things Said There. It Is Really Interesting To Listen To That And Think That Is Real And True And Accurate. There Is A Lot Of Want To Talk About. One Of The Things That Was Just Hit Home There. The Fact That All Of The Things That Help You Earn Your Community Rating System Rating Points Are Still Intact In Lee County. Fema Is Not Disputing That We Are No Longer Doing The Things We Did And Have Done For 17-Years To Earn The Community Ratings Point. They Are Disputing We Didn't Answer Some Letters This Way They Wanted Them Answered. It Is Amazing. I Can Read The Same Thing She Just Read. These Are How We Earn The Points. Map Information, Outreach, We Have Shown Those Right There On The Screen, Hazard Des Closure. Flood Insurance Promotion. We Promote It Here. Open Space Preservation We Have Done Nothing But Add To The Open Space In Lee County Through Both Conservation 2020 And By Making Additional Purchases With Many New Developments Entitled In Lee County. Those Are Now Required To Preserve Up To 60% Of The Land. Open Space Requirement. What I Am Saying Is There Are All Of These Criteria That Must Be Met To Earn The Points That Was 2940 Points. That Earned Class 5 Rating To Get 25% Discount We Maintained Since 2007 If I Read The Dock You Mentation Right. We Do All Of Though Things Today. We Didn't Stop. Those Are In Place. Fema Is Saying, Yeah, In The Immediate Aftermath Of Storm

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When It Came To Figuring Out If People Were Damaged More Than 50% You Didn't Do That The Way We Wanted To. That Is Not In Here. That Is Not How You Earn Points. Maybe It Is, You Know, That Is One Criteria Of 2940 Points That Earned The Five Rating. I Dispute Fema. I Think We Have Data To Show We Did It Right. We Need To Focus On We Did It Right. Here Is The Bottom Line. Hurricane Ian Knocked Us Down And Fema Kicked Us While We Were Down. We Are Seeing Tremendous Increases In Insurance In Florida. Fema Like It Or Not Is Led By Joe Biden Administration Is Adding The 25% To Those Costs. That Is Reality People In Lee County, Florida Have To Pays Thanks To One Person's Decision. We Need To Appeal To Fight For Our Resident To Recovery. Reality Speaks. Look Outside. Look At Lee County. We Are A Year And A Half From The Third Costliest Storm In The History Of United States. Year And A Half From The Most Expensive Storm In The State Of Florida. If You Drive Around The Community Today People Are At Work, Kids At School And Economy Is Thriving And Growing. County Staff Is Doing Good Job We Will Figure Out The Deal With The Paperwork Thing.

Public Comment?

There Is More Public Comment.

Thank You, Chairman And Commissioners. Follow Up From Commissioner Hamman's Comments. There Are Only Two Options Ignorance Or Malice That Resulted In This Action On Their Part. I Can Tell You From Our Experience Last Year, They Were Ignorant Of Their Own Rules. We Can Be Sympathetic. Drawing Up Rules For 3,000 Counties Is A Challenge. Wiggle Room Is For Them To Work With Communities Not To Punish Them. I Am Concerned That Our Victory Last Year Is Now Being More Doubly Punished With The Actions Here. I Would Encourage You To Follow The Path Recommended By The Attorney And Manager. I Would Encourage You As Political Body To Also Look At This Through The Political Lens. Truth Is Florida A Donor State To The Fema Program. They Need Our Money To Balance Losses In The Mississippi Valley. Florida Has Looked At Previously Leaves Entirely. It Is A Net Loser. You Are A Large Jurisdiction In A Very Important State. Your Position That You Share With Your Political Peers In Legislative And Congressional Delegation About What Decision Should Or Should Not Be Made About Florida Presence In The Program Should Not Be Taken Lightly. You Have A Lot More Control Of The Situation Than I Suspect The One Or Two Bureaucrats In Fema Understands That You Do. Our Office Stands Ready To Help If You Need Assistance. Thank You For The Opportunity.

Any Other Comment At This Time?

State Your Name, Please.

Good Morning. Marcus Context. 2029 Carter Road, Estero. 33 Year Lee County Resident For Both Storms. I Want To Piggyback Off Commissioner Hamman. We Were Declared Natural Disaster Area Twice. There Has To Be A Firm To Send Out Questionnaire To Every Lee County Resident. I Was Visited By Four Different Federal Government Agencies And Made Promises Signed Off On Things. I Never Heard Anything. I Am Still Fixing Stuff And A Couple Weeks Ago I Finished The Barn Roof A Couple Weeks Ago. No Follow Up. I Would Love The County Residents Get The Questionnaire. Did You Get What You Were Promised? Go After It. Twice National Disaster? Grant Money Out There That We Have Rights To Follow Up On That To See Where People Were Given What They Were Promised. That Is The Key. The Answer Is No Too Many Times. Thank You, Commissioners.

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Other Public Comment? I Close Public Comment. Back To The Board. Commissioner Pendergrass.

Thank You For Bringing That Up. This Is What Has Happened. I Think We Need To Use Senator Scott And Rubio And Congressional Delegation To Help Us Get The Message Across. Team Effort With The Cities Which We Hope To Get Answers And Get Them To Relook At This.

Public Comment? Board Comment.

I Would Like To Clarify The Motion. Mr. County Attorney, Can We Please Mr. Hamman Make Sure We Clarify The Motion Before We Do It.

Thank You, Mr. Chairman. Motion. Working In Concert With Commissioner Ruane To Provide Any And All Tools Necessary To County Administration To Respond To This Allegation And Hopefully With The Goal Of Getting To An Appeal And Getting This Overturned.

I Think Your Comment Learning From This Experience. Including Up To Hiring Consultant If That Is What It Takes.

Second That.

Motion From Commissioner Hamman. Second From Commissioner Ruane. Mr. County Attorney.

Mr. Chairman To Clarify For Staff's Understanding. What You Are Directing Us To Do Is Do Whatever We Need To Do To Achieve Air Positive Result If At All Possible?

Everything And Anything.

And Report Back.

Absolutely.

We Understand. Thank You, Sir.

Last Comment.

Why Are We Struggling As A Community? Look At Fort Myers Beach, Pine Island, Fort Myers, Sanibel. Our Family Owns A Home In Sanibel And It Is A Second Home. We Have Gotten Zero Dollars And Zero Cents Promised A Check. I Am Not Aware Of A Condo Complex That Started Resurrection In Sanibel. They Are All In Litigation. Down 32%. Fort Myers Beach Down 40%. Trying To Build Back Things. Still Insurance Issues Unresolved. My Claim Is A Flood Claim, Nothing To Do With The Flood. House Torn Down. That Is Not What They Are Doing. To Add On To Property Appraiser Caldwell. When We Went To Washington We Were \$12 Billion Surplus In State Of Florida In 2014. We Contributed To The National Flood Program. It Was Devastating. We Had 10 More Years Paying Premiums Before Ian Happened. Think About That Amount Now. Instead Of \$12 Billion It Is Probably 20 Or \$30 Million. If They Take Money Out We Are A Donor. I Am Appalled At The Federal Actions. It Is Unfortunate The Citizens Hurting Don't Need Another Punch In The Gut. We Went Through Enough. Thank You.

Any Other Comments? We Have Motion From Commissioner Hamman. Second From Commissioner Ruane. Any Objections To The Motion? Seeing No Objections, Motion Is Approved Unanimously. I See No Further Business In Front Of Us. Sorry, Mr. County Attorney.

While We Have Nothing Further For The Board's Consideration. I Want To Point Out For The Public

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Record That Photograph Is Not Taken From A View Of Any Boat That I Own. It Is Listed As County Attorney Items With That Photograph. We Are Not Associated With That Vessel In Any Way. I Would Like To Be.

Thank You, Sir.

Moving To Public Presentation Matters By Citizens. Anyone Else? No. Okay.

Just Want To Update You. 1:30 P.M. County Administration Building In East We Will Be Holding Fiscal Year 24-25 Draft Budget Assumptions And Spending Target Workshop.

Now I See No Further Business In Front Of Us. Thank You For Everyone Coming Together And Giving Your Public Comment And Listening. Thank You. We Are Adjourned.