

TRANSCRIPT OF THE MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
Naples, Florida, February 13, 2024

LET IT BE REMEMBERED that the Board of County Commissioners, in and for the County of Collier, and also acting as the Board of Zoning Appeals and as the governing board(s) of such special districts as have been created according to law and having conducted business herein, met on this date at 9:00 a.m., in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following Board members present:

Chairman: Chris Hall
Rick LoCastro (via zoom)
Dan Kowal
William L. McDaniel, Jr.
Burt L. Saunders

ALSO PRESENT:

Amy Patterson, County Manager
Daniel Rodriguez, Deputy County Manager
Jeffrey A. Klatzkow, County Attorney
Crystal K. Kinzel, Clerk of the Circuit Court & Comptroller
Troy Miller, Communications & Customer Relations

MS. PATTERSON: Chair, you have a live mic.

CHAIRMAN HALL: Good morning, everybody. Welcome to the commissioner meeting.

If you haven't done so, I'm going to ask you to please silence that cell phone. I was in a real tight meeting one time when the -- when the tunes first came out on your phone, and all of a sudden "She's a brick house." So I don't want you to feel like I did, so please silence that phone.

COMMISSIONER McDANIEL: Was that your wife calling you?

CHAIRMAN HALL: She was calling.

COMMISSIONER McDANIEL: There you go.

Item #1A

INVOCATION BY PASTOR JOHN HUFFMAN, THE HARVEST RECOVERY MINISTRY – INVOCATION GIVEN

CHAIRMAN HALL: And with that, Pastor Huffman, start us out in prayer, please, sir.

PASTOR HUFFMAN: Yes, absolutely.

Father God Lord, we just thank you, Father. We thank you for this great county, Lord, Collier County, Freedom Town USA, Lord.

We just pray for all the residents here, Lord. We thank you for the wonderful residents here. We pray for wisdom. Father, any grievances that they have, Lord, we pray that you impart wisdom and understanding on these leaders. Lord, we pray that you continue to impact our leaders here in Collier County. Lord, continue to protect Collier County and keep us safe the way that you've been doing, Lord.

Thank you, Father, for the leaders that you've given us, Lord,

and we pray that you continue to raise these leaders up, Lord, and give them the impartment, Lord, to pour into the future leaders, Lord, so that we can continue to enjoy this great county.

So, Father, as grievances are raised here today, we pray, Lord, that they are brought in, Lord, with concern, Lord, that you give the leaders here a supernatural wisdom to impart grace on everybody here. So, Father, again, we're just so grateful, Lord, for this great county.

In Jesus' name, amen.

CHAIRMAN HALL: Mr. Puchalla, please lead us in the Pledge.

(The Pledge of Allegiance was recited in unison.)

Added

A REQUEST FROM COMMISSIONER LOCASTRO ALLOWING HIM TO PARTICIPATE VIA ZOOM – MOTION MOVED BY COMMISSIONER SAUNDERS; SECONDED BY COMMISSIONER MCDANIEL – APPROVED

MS. PATTERSON: Commissioners, first we have a request from Commissioner LoCastro to participate by phone, and we do have him on the line.

Troy.

MR. MILLER: Yes, yeah. Yes, and he is unmuted.

MS. PATTERSON: All right. We have -- we need a motion for him to participate.

COMMISSIONER SAUNDERS: So moved.

COMMISSIONER McDANIEL: Second.

COMMISSIONER KOWAL: Second.

COMMISSIONER McDANIEL: Third.

MS. PATTERSON: All right. Thank you. So that brings us to agenda changes for February 13th, 2024. First is our add-on Item 16F10.

CHAIRMAN HALL: Do we need to vote, Amy?

MS. PATTERSON: Oh, I'm sorry. Yes, that would probably be good.

COMMISSIONER McDANIEL: We all said --

CHAIRMAN HALL: All in favor of Commissioner LoCastro joining us on the phone, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: (No verbal response.)

MS. PATTERSON: I was confused by everybody saying yes.

COMMISSIONER LoCASTRO: Mr. Chair, may I say something briefly?

COMMISSIONER McDANIEL: Turn him up.

MR. MILLER: I'm working on that, sir.

COMMISSIONER LoCASTRO: Can you hear me? I'm actually on Zoom. I'm on video, so I can see you. Can they hear me, Troy?

MR. MILLER: Yes, they can, sir.

COMMISSIONER LoCASTRO: Mr. Chair and just my fellow commissioners, I thank you so much for your, you know, kind and supportive words of issues I'm dealing with mostly with my mother, and Commissioner McDaniel has been most kind because we're sort of juggling very similar things. So I appreciate the indulgence.

We're going to be talking about some important things today, and I'm well caught up. One of them won't be filing false police reports, but that's going to come at another time. I'll just say that as

an unsolicited announcement.

But thank you so much, and even to your spouses who sent me such kind notes. It was much appreciated.

So I am -- I am fully up and running, and I look forward to some healthy and robust discussion. And as the pastor said, supernatural wisdom. Commissioner Hall, you must love that. You must love that.

CHAIRMAN HALL: You have no idea.

COMMISSIONER LoCASTRO: Supernatural wisdom.

Item #2A

APPROVAL OF TODAY'S REGULAR, CONSENT AND SUMMARY AGENDA AS AMENDED (EX PARTE DISCLOSURE PROVIDED BY COMMISSION MEMBERS FOR CONSENT AGENDA.) - MOTION TO APPROVE BY COMMISSIONER MCDANIEL; SECONDED BY COMMISSIONER LOCASTRO - APPROVED AND/OR ADOPTED W/CHANGES

MS. PATTERSON: All right. Agenda changes for February 13th, 2024.

First is our add-on Item 16F10. This is a recommendation to renew the annual Collier County Certificate of Public Convenience and Necessity for Collier County Emergency Medical Services to provide Class 1 Advanced Life Support Transport for one year and authorize the Chairman to execute the permit and certificate with a retroactive effective date of January 1st, 2024. This comes to the agenda at staff's request.

And before we submit this officially for the record, we do have three dates in the backup material that need to be corrected to have the text of the number and the number match each other. So I just

wanted to put that onto the record. We will make that correction before it is entered in. And thank you to the Clerk for that late-minute -- last-minute catch.

Next is move Item 16A4 to 11C. It is a recommendation to adopt a resolution scheduling a public hearing to consider vacating the 10-foot-wide public road right-of-way easement over the westerly 10 feet of Tract A-1 as described in Official Record Book 1476, Page 242, of the public records of Collier County, Florida, located approximately 2,000 feet south of Immokalee Road and 1,000 feet west of Richards Street in Section 25, Township 48 South, Range 26 East, Collier County, Florida. This moves to the regular agenda at Commissioner Saunders' and Commissioner McDaniell's separate requests.

Continue Item 16F4 to the February 27th, 2024, BCC meeting. This is a recommendation to award Invitation to Negotiate 23-8177, Gasoline and Diesel Fuel Multi-agency Cooperative Purchase, to Palmdale Oil Company, LLC, and authorize the Chairman to sign the attached agreement. This is being moved at Commissioner McDaniell's request.

Continue Item 16F5 to the February 27th, 2024, BCC meeting. This is a recommendation to award Fixed Fee Professional Service Agreement to Digitech Computer, LLC, under Request for Proposal 23-8098 EMS Billing Services, and authorize the Chairman to sign the attached agreement. This is being moved at Commissioner McDaniell's request.

Finally, continue Item 16B7 to the February 27th, 2024, BCC meeting. This is a recommendation to award Request for Professional Services No. 22-8015, Professional Services for Nearshore Biological Monitoring, to CSA Ocean Sciences, Inc., and authorize the Chairman to sign the attached agreement. This is being moved at staff's request. This is a late move due to some

unfinished questions. We spoke to each of you individually about this item yesterday and decided to move it so we can make sure that we have absolutely all of the answers to those questions.

Just time-certain items now. Item 5C is to be heard at 9:30 a.m. This is an update by the Pelican Bay Foundation on pickleball at Pelican Bay Community Park, and Item 10A to be heard at 10 a.m. This is a discussion regarding the use of fluoride in the public potable water supply distributed by the County's Public Utilities Water Department.

We do have court reporter breaks set for 10:30 and again at 2:50.

With that, County Attorney.

MR. KLATZKOW: No changes. Thank you.

MS. PATTERSON: Chair, ex parte and any further changes.

CHAIRMAN HALL: Ex parte and changes, Commissioner Kowal.

COMMISSIONER KOWAL: I have no changes to the agenda and I have no ex partes.

COMMISSIONER SAUNDERS: And, Mr. Chairman, I have no changes to the agenda and no ex parte as well.

CHAIRMAN HALL: Commissioner LoCastro.

COMMISSIONER LoCASTRO: Same for me; no, changes, no ex parte.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: Yes, I have enough changes I was already inserting into this morning's repertoire.

I do want to make one public comment with regard to D5. I'm really happy to see that. Duke, I'm really happy to see that. That's the kyankers (phonetic) and the paddle path that we're establishing to interconnect with our SUN Trail, and I'm really, really happy that that's moving forward, and I hope that it meets with your approval,

sir. And I got that.

And then the other is just a comment that I have, and it has to do with K5, and that is I received a phone call from my friend last week thinking that he was just checking on me to see how he was going. So I'd like to withhold my approval for the reappointment of Scott Lepore. And I'm joking, by the way. The TV camera's rolling. Scott's my friend. We spent an hour on the phone, and I thought he was calling to check on me. Then I realized he was up for re-appointment, and he was just checking to make sure I was okay with that. So other than that, Mr. Chair, no other changes and no ex parte.

CHAIRMAN HALL: Thank you, sir.

And I have no changes and no ex parte.

MS. PATTERSON: All right. Could we get a motion to approve the agenda as amended.

COMMISSIONER McDANIEL: So moved.

COMMISSIONER KOWAL: Second.

CHAIRMAN HALL: Moved by McDaniel and second by Kowal. All in favor, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

Item #2B

JANUARY 9, 2024, BCC MINUTES - MOTION TO APPROVE BY COMMISSIONER SAUNDERS; SECONDED BY COMMISSIONER HALL – APPROVED

Item #2C

JANUARY 23, 2024, BCC MINUTES - MOTION TO APPROVE BY COMMISSIONER SAUNDERS; SECONDED BY COMMISSIONER HALL – APPROVED

MS. PATTERSON: At your pleasure, Items 2B and 2C are minutes from the January 9th, 2024, and the January 23rd, 2024, BCC minutes. If you'd like to take them together or individually, at your pleasure.

CHAIRMAN HALL: We'll take them together.

COMMISSIONER SAUNDERS: Mr. Chairman, I'll make a motion to approve 2B and 2C, the minutes from those two meetings.

CHAIRMAN HALL: And I'll second it.

All in favor of approving both of them, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

CHAIRMAN HALL: So moved.

Item #4A

PROCLAMATION DESIGNATING FEBRUARY 18 - 24, 2024, AS

ENGINEERS WEEK IN COLLIER COUNTY. TO BE ACCEPTED
BY KEVIN DOWTY AND OTHER DISTINGUISHED GUESTS -
MOTION TO APPROVE BY COMMISSIONER MCDANIEL;
SECONDED BY COMMISSIONER SAUNDERS - ADOPTED

MS. PATTERSON: That brings us to Item 4A. Now, this is a proclamation designating February 18 -- 18th through 24th, 2024, as Engineers Week in Collier County. To be accepted by Kevin Dowty and other distinguished guests. Congratulations.

(Applause.)

MR. TREBILCOCK: Good morning. My name is Norman Trebilcock, and I'm here also with Alison Bickett and Kevin Dowty, and we're all past presidents of the Florida Engineering Society, Calusa chapter, which includes Collier County and four other counties.

My local engineering and planning firm is Trebilcock Consulting Solutions, and my technical expertise is in transportation and illuminating and lighting engineering. I'm degreed in civil and public works from the University of Miami, University of Florida.

We'd like to thank you, the Board of County Commissioners, staff, and the County Manager for this proclamation.

Engineering is often called an invisible or stealth profession. The stereotypical engineer is quiet and reserved; however, in our civilized society, everything is really linked to engineering. This very building we are in is, and it's even named after a past president of the Florida Engineering Society, Calusa chapter, W. Harmon Turner.

The unincorporated area of Copeland is named after Barron Collier's chief engineer, David Graham Copeland, who helped plan the original Tamiami Trail which opened nearly 100 years ago. Today our society is such more complicated, and we have many

disciplines of engineering.

There is one thing that's common to all engineers, and we use math and science to solve real-world problems. The core value of all engineers is we shall hold paramount the health, safety, and welfare of the public. No matter who we're working for, the public is our ultimate client, and that keeps us on the right side of things.

Thanks again, and we're honored to receive this proclamation today. Appreciate it.

CHAIRMAN HALL: Thank you, sir.

MS. PATTERSON: Commissioners, if we could get a motion to accept the proclamation.

COMMISSIONER McDANIEL: So moved.

COMMISSIONER SAUNDERS: Second.

COMMISSIONER KOWAL: Second.

CHAIRMAN HALL: All in favor to accept the proclamation, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

MS. PATTERSON: All right. Thank you.

Item #5A

ARTIST OF THE MONTH – COLLIER COUNTY MUSEUM DIVISION

That brings us to 5A, if I can direct your attention to the back of the room. This is the Artist of the Month. This month's display in the chambers was created by the Collier County Museum division to

celebrate Black History Month 2024. This overview of the lives of African-Americans in Collier County is a sneak peek at things to come because the museum division and the Friends of the Collier County Museums are working to create a permanent home for these stories in the Black History Baggage Car at the Naples Depot Museum.

The museum division thanks the many members of the black community who are sharing their lives and photographs to help create a more complete picture of our shared history.

Item #5B

PRESENTATION OF THE COLLIER COUNTY BUSINESS OF THE MONTH FOR FEBRUARY 2024 TO MARCO OFFICE SUPPLY. THE AWARD WILL BE ACCEPTED BY PHILIP PENZO, FOUNDER & OWNER, AND OTHER DISTINGUISHED GUESTS. ALSO PRESENT IS HEATHER GAGE, MEMBERSHIP EVENT COORDINATOR, THE GREATER NAPLES CHAMBER OF COMMERCE – PRESENTED

That brings us to Item 5B. This is a presentation of the Collier County Business of the Month for February 2024 to Marco Office Supply. The award will be accepted by Philip Penzo, founder and owner, and other distinguished guests. Also present is Donna Jannine, director of government relations at the Greater Naples Chamber of Commerce. Congratulations.

(Applause.)

MS. SISBARRO: Good morning. I'm Gina Sisbarro, and I'm a partner with Philip Penzo for Marco Office Supply. So I'd like to take this opportunity to thank the Naples Chamber of Commerce -- thank you so much -- and also Collier County Board of

Commissioners.

It was a -- it's such an honor and a complete surprise to us because we do what we do because we love where we live. And we thank you for your service, honestly, and we're just so happy to be part of the community, which actually will extend all the way up to Sarasota for all our clients.

Just real quick, my passion is with youth and teens. Phil is a lifelong Rotarian with numerous projects under his belt, and our newest employee, John Ryan, works with the Naples Zoo.

So we all have our passions, and it's family first in our community, and we're happy to do what we do and keep helping when these problems arise. From COVID to hurricanes to floods, we're there for you. So thank you so much. Appreciate it.

CHAIRMAN HALL: Thank you.

(Applause.)

Item #11B

DIRECT THE COUNTY MANAGER OR DESIGNEE TO PROCEED WITH SECURING THE SERVICES OF ONE OR MORE CONSULTANTS TO ASSIST IN THE DEVELOPMENT OF A TRANSITION AND ACQUISITION PLAN FOR A REPLACEMENT OR ENHANCED 800MHZ RADIO SYSTEM. (MICHAEL CHOATE, EXECUTIVE DIRECTOR OF PUBLIC SAFETY) (ALL DISTRICTS) - MOTION TO APPROVE BY COMMISSIONER MCDANIEL; SECONDED BY COMMISSIONER SAUNDERS - APPROVED

MS. PATTERSON: Chair, with your indulgence, we'd like to pull Item 11B up and hear it now due to the fact that we've several of our first responders here in the audience. If we can deal with this

item and then let them go. This is -- as directed by the Board at our workshop, is a recommendation to direct the County Manager or designee to proceed with securing the services of one or more consultants to assist with the development of a transition and acquisition plan for replacement or enhanced 800 megahertz radio system. And Mr. Ed Finn is here to open up the discussion.

MR. FINN: Thank you, Ms. Patterson.

Mr. Chairman, one moment. Very good.

Again, thank you, Ms. Patterson, Mr. Chairman. My name is Edward Finn, Deputy County Manager.

This item is a follow-up to a Board discussion that occurred during our February 6th, 2024, Board workshop. As discussed in the workshop, staff and key stakeholders have conducted a self-assessment of the 800 megahertz P25 radio system and concluded that a need exists to proceed with a formal evaluation of the system to determine if the system should be replaced or otherwise significantly enhanced.

To that end, we're seeking Board direction to proceed with securing a third-party independent expert or experts to provide a comprehensive system evaluation of the system. The proposed scope will include but not be limited to a comprehensive system evaluation, stakeholder alignment, current and future needs analysis, financial considerations, scope development, and services during procurement.

Staff's recommendation is to direct the County Manager or designee to proceed with securing those services I just discussed to conduct that comprehensive review.

With that, staff -- Mr. Hinkle is here, if need be, to answer any specific questions. I'll also note for the Chair that there's a number of public safety agency professionals here that may have some input into this that the Board may wish to consider.

CHAIRMAN HALL: Nobody's lit up, so I have a question for you. You know, we're looking at spending money for somebody to do some more thinking. And I guess my question to you, Mr. Hinkle, is do you think that you and your staff would have the capability to come up with what you want to come up with, or would you look forward to hearing a third party?

MR. HINKLE: I'd look forward to hearing a third-party recommendation, yes. I'm sorry. I'd look forward to hearing from a third party. I believe that we are fully capable of coming up with that recommendation, but in order to verify where we stand, I think it is a prudent method and a methodology that's time proven to consult a third party.

CHAIRMAN HALL: Sure, thanks.

MR. HINKLE: I don't want to delay anything, but on the other hand, let's get that third-party consultant.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: Yes. And this is for you, Mr. Hinkle. I received an e-mail yesterday from the manufacturer of the towers and the actual physical system, a company called L3 Harris.

MR. HINKLE: Yes, sir.

COMMISSIONER McDANIEL: Have you had communication with them yet?

MR. HINKLE: No, sir, I have not.

COMMISSIONER McDANIEL: Okay. I have a copy of an e-mail, and I'd be happy to share it with everybody, including the Clerk, if you wish. But they have reached out to express an interest in participating with this. If we do, in fact, engage a consultant, I want to be sure that we are consulting with everyone involved. They're a huge company. We're moving down a path here that's recommendation for replacement and an extremely extensive -- not

that it isn't warranted, but it's an extremely expensive system.

And so I want to make sure that we're involving everyone that's involved, especially the company that already has created and manufactured the actual hardware that we, in fact, have. So the company is called L3 Harris, and I just want to make sure, even if we engage a third party, that we're communicating.

MR. HINKLE: Yes, sir.

COMMISSIONER McDANIEL: With that, I'll make a motion. Do you need a motion on this?

MS. PATTERSON: Yes, sir.

CHAIRMAN HALL: Commissioner Saunders, do you have a comment?

COMMISSIONER McDANIEL: Oh, I'm sorry.

COMMISSIONER SAUNDERS: Yes, Mr. Chairman.

I was at a meeting last night and understood that this is a system that may cost as much as \$50 million, not counting the individual radios. And so it's a huge -- obviously a huge acquisition. And when this came up the first time, I felt very strongly that we needed to bring in a third party to assist our staff. And it was not in derogation of our staff's abilities or anything, but simply this is a changing world and a lot of different suppliers, and having a third set of eyes looking at this, I thought, was prudent.

MR. HINKLE: Absolutely.

COMMISSIONER SAUNDERS: So I'm delighted to hear what you said this morning in terms of, yes, you would like to have --

MR. HINKLE: Yes, sir.

COMMISSIONER SAUNDERS: -- an outside consultant. I believe this will be money very well spent, because we don't want to make a mistake on this one.

MR. HINKLE: No.

COMMISSIONER SAUNDERS: And I don't know if anybody

else wanted to speak on that. It doesn't look like anybody's jumping up back there, so...

COMMISSIONER McDANIEL: Move for approval.

MR. MILLER: I do have two registered speakers for 11B. This is 11B, correct?

MS. PATTERSON: Yes, sir.

MR. MILLER: I have Jose Vasquez, followed by Fred Gallart.

MR. GALLART: Yes. Good morning. My name is Fred Gallart. I am the director for the Southeast for L3 Harris, the company that manufactures the system that you presently have deployed here in Collier County. We've had a tremendous history here originally with the original equipment that was installed and then upgraded in 2016.

The system is only 12 years old. Most of these systems last 20 to 22 to 23 years. I was significantly surprised by what happened in the workshop, and you have all the right, you know, to do what you want to do if you want to move and implement a brand-new system.

My issue here or my recommendation to you is to take a real hard look at the amount of money that you have invested in this technology, which is P25 technology, a technology that is open not only to this manufacturer but to other manufacturers to participate selling or putting terminals on.

To implement a brand-new system is approximately 50 to \$55 million, especially this size. Not only that, not only the public safety side of the house, but also the school board which presently also piggybacks off of this network and the core.

Apparently, we are right now not the contractor with Collier County, but we are the manufacturer that supports the contractor, which is CI. We're more than willing to help on anything that you need. But if you look around -- for example, the State of Florida tried to do a change approximately about three years ago, and the

amount of money that they were going to spend, which was close to a billion dollars, we came in around 700,000 to do an upgrade of that system.

Your county next door, Miami-Dade County, which presently has the same technology that you have, the county and multiple cities, such as Hialeah, Miami, Miami-Dade, Miami Beach, all of them are interconnected. I guess my question is, I can't understand why it's not working here and it works all over Florida and all over the United States.

So I am open for anything to help the county, but seriously consider what it is that you're about to do.

I want to thank you for the opportunity to be here, and I'm open for any questions that you may have.

COMMISSIONER McDANIEL: I don't have any questions. I'm just -- thank you for coming today. And I brought it up before you spoke, and I'm sure you'll be engaged as we move through this process.

MR. GALLART: Okay. Thank you.

MR. MILLER: Mr. Chair, that was Fred Gallart. I also have a slip for Jose Vasquez. Is he --

MR. GALLART: Yeah. He reports to me. We didn't know if we were going to need six minutes or three minutes. So thank you very much. So we don't need Jose. Thank you very much.

CHAIRMAN HALL: You did good. Thank you.

MR. GALLART: Thank you.

MR. MILLER: That's all the speakers we had, sir.

CHAIRMAN HALL: So if I remember in the workshop --

COMMISSIONER McDANIEL: And you did second.

CHAIRMAN HALL: -- the whole reason why this was coming up was because we were having significant issues with communications with our first responders. And so as we engage L3

Harris in these conversations, I'm sure that he's -- I'm sure that they're still aware of those same issues. I just want to make sure that everybody gets a fair shake.

And so anybody else have any questions? Commissioner McDaniel?

COMMISSIONER McDANIEL: I just wanted to -- on that point, just to clarify, there is a vendor who we do do business with, and then there is the manufacturer, which is L3 Harris technologies and who have their own technologies and their own capacities as well. So that was the rationale for me to make sure that it was pointed that they're engaged in this process. We don't want to run down a hole that says we have to replace the system if there are upgrades and things. We already started that process. So that's the whole goal here in bringing in a third-party consultant to ensure that we're doing the best we can for our community.

MR. FINN: Yes, sir.

Mr. Chair, if I may just add a little bit to the dialogue. Our intent here is to do, as we said, a comprehensive third-party evaluation. That third-party evaluation is going to get us where we need to go without the kind of inside -- inside concerns that may exist by the self-evaluation that took place.

So I think this is a prudent step whether we move -- we move in a significant direction or, at a minimum, identify any substantial issues that perhaps haven't been addressed appropriately. Either way, I think the outcome is going to be beneficial to the community.

CHAIRMAN HALL: Commissioner LoCastro, just checking on you. Do you have any comments?

COMMISSIONER LoCASTRO: I don't, Mr. Chairman, but thank you for checking.

CHAIRMAN HALL: All right. Thanks.

So with that, do we have a motion?

COMMISSIONER McDANIEL: And a second.

CHAIRMAN HALL: And a second. We have a motion and a second to approve the study. All in favor, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

CHAIRMAN HALL: All opposed?

(No response.)

CHAIRMAN HALL: So moved.

MS. PATTERSON: Go ahead, Troy.

MR. MILLER: Yeah, Mr. Chair, the organizers of the public speakers for 10A, I know, worked really hard to put these together in some sort of order, but I found quite a few discrepancies here, people ceding time to two different people or an option. So I'm going to ask, I think it was Ms. Sherman, and I don't know who else I was getting these with, to meet in the hallway with county staff so we can get this sorted out before we get to that item.

CHAIRMAN HALL: Okay. Great.

Item #5C

UPDATE BY THE PELICAN BAY FOUNDATION, INC., ON
PICKLEBALL AT PELICAN BAY COMMUNITY PARK –
PRESENTED

MS. PATTERSON: Commissioners, at your pleasure, we're about two minutes early, but I think we can go ahead and get the Pelican Bay folks up for the update, Item 5C. Get them up and situated. This is an update by the Pelican Bay Foundation, Inc., on

pickleball at Pelican Bay Community Park. Thank you.

MR. D'ERRICO: Good morning, everybody. Mr. Chairman, Commissioners.

CHAIRMAN HALL: Good morning. Hi, Tony.

MR. D'ERRICO: Thank you so much for the opportunity to be here today to address you, and thank you so much for your leadership and for your service to our community. I'm joined this morning by Mike Ruffolo, the chairman of our board of directors; Melanie Miller, our vice president; and Maury Bozman, our director of Community Center and Racquets. My name Tony D'Errico. I am the president of Pelican Bay Foundation.

We wanted to take just a minute and update you on our progress of the project so far. And I have a few comments relative to our partnership going forward. And I'd like to step you through the materials we've provided for you in advance. And, of course, we'd be honored to take your questions at the end.

First, since executing our agreement in August, we have engaged the services of a professional team, namely the architect and civil engineer, to guide and assist us with the design, development, and budget development for the facility. And throughout this process, we have kept the County Manager's Office and Parks and Rec leadership abreast of all of our progress.

And, recently, we collaborated with them to draft language for an amendment which is also included in your materials, an amendment to our agreement, which will add clarity to public access to the facility.

Just to update you on Foundation activities since we were last here, at our December board meeting, the Foundation board authorized funding to proceed with the development of bid documents. That process began in January, will take roughly 12 to 14 weeks. We hope to have the bid set completed by April of this

year and the project out for bid shortly thereafter.

All the while, we plan to continue our efforts to engage the community by conducting focus groups and engaging our own residents for various activities at the pickleball facility and Veterans Park to give everybody a little taste and flavor in terms of what is coming from a facility and programming point of view at the community park facility.

With respect to our partnership with the county, which we appreciate very much, we've got two key items for you today. The first is simply to update you on the facility design and the site plan, which we will continue coordination with county staff on the actual approval of plans and specifications, and the second has to do with the first amendment to the management agreement which includes two articles. One is our request for a 60-day extension to the original management agreement, which was 180 days. We needed the extra time to seek the approval of county staff on actual plans and specifications for the facility, and two is the amendment I just mentioned which provided or provides more clarity with respect to public access to the facility, and this was in response to a request that was made by a resident and concern around public access.

The diagram on the screen, which I'm sure you have, is just the current rendering of the community park. We made a few very modest adjustments to the original site plan. The courts are located in their original location, 20 courts. The proposed improvements to the all-purpose athletic fields to the southeast -- on the southeast corner of the property, and then the configuration of the gathering area, building, shaded community area and, of course, the expansion and resurfacing of the parking lot.

And by the way, just as an aside, we hope to seek consideration for TDC funding in the future for the parking lot expansion. The Foundation needed to make several value-engineering concessions to

the project to get the projected costs back to our prescribed budget cap of \$6 million. If we're successful in doing that, we'd be more than happy to reinvestigate any savings we had in reversing some of those value-engineering changes to enhance the facility even more.

This image here is just a blown-up version. We wanted to highlight the sound attenuation wall. This is an area of deep concern to the Foundation to make sure we're respecting our neighbors and doing everything possible to mitigate the sound activity from the pickleball facility. We are in the process, actively engaged with sound engineers to conduct a variety of studies to determine baseline decibel levels and then to conduct a series of modeling exercises that will help us to finalize the actual design and specification for the material and -- the materials and the design for the sound attenuation wall. We just wanted you to have a blown-up image of what we anticipate the wall representing in order to protect the sound that's going to come from the pickleball facility.

I hope it goes without saying the Foundation is grateful for our partnership with Collier County, and we look forward to and are committed to delivering a county park and recreational facility that meets the needs of our residents, and we will continue to provide routine and transparent conversations and communication with the County Manager's Office and the Parks and Recreation leadership concerning programming fees, project timelines, key milestones, et cetera.

The next slide just gives you an idea of what our projected timeline is, a quick recap. We're in the design development process now. We hope to conclude that in April. We will begin a process of transitioning the concessionaire in May, and sound studies for us will be ongoing as we complete those and finalize the design for our attenuation plan, and then we hope to build -- begin construction sometime this summer, and we're being told by the contractors we're

having initial discussions with that we're anticipating roughly a six- to nine-month completion time.

That is all we had for our update for you this morning, and we're happy to answer any questions that the commissioners have in mind.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: That's me. And just one quick question.

MR. D'ERRICO: Yes, sir.

COMMISSIONER McDANIEL: When you were talking about the estimation of the initial cost and potential savings -- and this is as much to you as it is to our staff, we're not authorizing an expenditure of those funds for reinvestment in. This is a bequeath of money there, both coming from you and from the county, with regard to these improvements. Any changes in the construction cost, higher or lower, has to come back to this board, if I'm not mistake; is that correct?

MR. RODRIGUEZ: No. Actually, the way -- and the County Attorney can correct me.

Dan Rodriguez, your Deputy County Manager.

The way the agreement works is they were going to contribute up to \$6 million for this investment of the park through their funds. None of the funds would come to the county.

COMMISSIONER McDANIEL: Okay. So your clarification at the beginning was that in the event that the costs came in less than that, then those funds are committed to --

MR. D'ERRICO: Yes, sir.

COMMISSIONER McDANIEL: -- enhance the community park and so -- thank you for that clarification.

MR. D'ERRICO: Yes, sir. My pleasure.

CHAIRMAN HALL: Commissioner LoCastro.

COMMISSIONER LoCASTRO: I think I'm unmuted. Thank

you, Mr. Chairman.

Troy, first off, I really appreciate that you brought this update to our attention. Although I know you've worked so closely with Parks and Rec and Commissioner Hall, this is his district, but we all know so many people who live in Pelican Bay, and I've spoken there several times as a Rotarian. So I still get, you know, questions here and there.

So I just wanted to ask you a couple things that I think might be a little redundant, because you did cover it, but I just want to know for sure so I don't misspeak either in an e-mail or if I'm invited to another Rotary breakfast or something like this.

There were quite a few constituents that had concerns over noise. There was, I thought, a significant amount of people who were confused on the cost, and you obviously would know that. I got these, you know, long e-mails, and, you know, the answer was very short. No, that's not how things are being paid for. You're confused.

And then, you know, lastly, do you feel -- I guess my overall generic statement would be that although I never felt it was a significant amount of citizens, but I really respected the care that you-all took to hear from everybody, but would you say it's a fair statement to say although you can't please everybody, that the amount of citizens that seem to have concerns, weren't happy, weren't supportive has decreased significantly? Maybe that's the overall question that encompasses the two or three things that I stated, you know, beforehand.

MR. D'ERRICO: Thank you for your question, Commissioner. I'll address the last one first. Yes, it is my belief and our belief that that number has reduced due in a large part to our commitment to engaging the community transparently on the subjects that were the original irritants, i.e., the possibility of a noise problem in that section

of the community and then what I'll politely suggest were rumors around the cost escalation and funding source.

I'm sure you're aware, these things are quite common in communities when information is passed through unofficial channels, and many of those reached me, and I was able to deal with them, I think, quite directly, that we are committed to our \$6 million budget. We have a viable plan that is our path forward that gets us there, and we are not assessing the community any additional dollars to fund our investment in the pickleball facility. That was the -- in our view, the basis of the rumors or commentary that was going around and a source of discontent for some. But I believe we were successful just by providing facts in snubbing some of those out.

And to the first comment about the potential for the noise, I believe -- again, I don't think we're going to make everybody 100 percent completely happy on this, but I believe we have been successful in transparently engaging the community relative to our plans for mitigation and our commitment to invest what we need to to make sure that the sound is not a problem.

Thank you for the question.

COMMISSIONER LoCASTRO: Thank you very much. You know, it was easy for me to actually just answer the questions of a few friends because your team had so expertly briefed us that -- the word I would use is, you know, like you said, confusion, gossip. Really it was miscommunication. And so by you clearly stating just what you said right now on the record, if somebody wants to go back and read this or we want to pull the transcript or, you know, somebody wants to get the straight skinny, I think you packaged it perfectly.

So thank you so much for the update. Glad to hear, you know, things are moving forward. And as you said, you can't please everybody, but a much smaller group that maybe feels a lot better

about it. And I do believe I have a Rotary Club separate sort of breakfast that I'm attending, and I just want to make sure I'm fully up to speed, and I certainly feel that I am. I won't stir the pot anymore or at all.

But I appreciate the update. Thank you, sir.

MR. D'ERRICO: Thanks for the question and the opportunity to clarify.

COMMISSIONER LoCASTRO: Yes, sir.

CHAIRMAN HALL: Thank you, Tony. Do we need a motion to approve it or --

MS. PATTERSON: No, sir. This was just an update.

CHAIRMAN HALL: All right. Great, thanks.

MR. D'ERRICO: Thank you.

MS. PATTERSON: Commissioners, that brings us to Item 7, public comments on general topics not on the current or future agenda.

COMMISSIONER SAUNDERS: Mr. Chairman?

CHAIRMAN HALL: Yes.

COMMISSIONER SAUNDERS: I wanted to just interrupt for a second. I understand that Mr. Bumpous from Arthrex just came in on the issue dealing with the Golden Gate Golf Course, so if we could take that up prior to the issue --

CHAIRMAN HALL: 10 o'clock time-certain?

COMMISSIONER SAUNDERS: -- on fluoride.

CHAIRMAN HALL: I saw him leave. There, he comes back. So we'll take -- we'll take the golf course issue before the 10 o'clock, because it's going to be fairly short, I think.

MS. PATTERSON: Troy, how many public comment people do we have?

MR. MILLER: That's Item 10B?

MS. PATTERSON: No, for Item 7.

MR. MILLER: Oh, for Item 7; three.

MS. PATTERSON: At your pleasure, if you'd like to take Arthrex first and then the public comment or vice versa, Chair.

CHAIRMAN HALL: Let's do Arthrex first. That way we can get him on his way.

Item #11A

APPROVED THE SELECTION COMMITTEE'S RANKING RELATED TO INVITATION TO NEGOTIATE ("ITN") # 24-8223, "GOLF AND ENTERTAINMENT COMPLEX AT THE FORMER GOLDEN GATE GOLF COURSE" AND AUTHORIZE STAFF TO BEGIN CONTRACT NEGOTIATIONS WITH THE TOP-RANKED FIRM, THE GATE GOLF CLUB, INC., SO THAT A PROPOSED AGREEMENT CAN BE BROUGHT BACK FOR THE BOARD'S CONSIDERATION AT A FUTURE MEETING. (ED FINN, DEPUTY COUNTY MANAGER) (DISTRICT 3) - MOTION TO APPROVE BY COMMISSIONER SAUNDERS; SECONDED BY COMMISSIONER KOWAL - APPROVED

MS. PATTERSON: Okay. That brings us to Item 11A. This is a recommendation to approve the selection committee's ranking related to Invitation to Negotiate 24-8223, golf and entertainment complex at the former Golden Gate Golf Course, and authorize staff to begin contract negotiations with the top-ranked firm, the Gate Golf Club, Inc., so that a proposed agreement can be brought back for the Board's consideration at a future meeting.

Mr. Ed Finn, your Deputy County Manager, will begin the presentation.

MR. FINN: Thank you, Ms. Patterson. Thank you, Mr. Chairman. I'm Ed Finn, Deputy County Manager.

This item seeks approval of the selection committee's ranking relative to ITN No. 24-8223 and authorization for staff to negotiate an agreement for the golf and entertainment complex at the former Golden Gate Golf Course.

In June -- rather, in July of 2019, the county took possession of the golf course. We chose to not continue golf operations but have maintained the property for passive recreation in the interim.

On December 12th, '23, the Board directed staff to develop and solicit an invitation to negotiate for design, construction, and operation of the Golden Gate Golf Course. The solicitation included but was not limited to a nine-hole public golf course, driving range, short-game area, and clubhouse with a restaurant open to the public, along with The First Tee Learning Center, with Collier County residents being provided a discounted fee structure and a fee to be paid for -- to the county.

On December 18th, the Procurement Services Division released the ITN. The county received two submittals by the January 8th, '24, deadline. Both bidders were found to be responsive and responsible. A selection committee met on January 27th after reviewing the proposals and deliberating. The committee scored the proposals and short-listed the two firms to move to an oral presentation.

On January 29th, '24, the selection committee reconvened for presentations, and the final rankings of the firms were the Gate Golf Club, Inc., was ranked No. 1, Brook Holding was ranked No. 2. The Gate Golf Club is a newly formed public charity created by the Schmieding family.

With that, staff is recommending that the Board approve the selection committee's ranking and authorize staff to begin contract negotiations with the top-ranked firm, the Gate Golf Club, Inc.

With that, we'll be happy to respond to any questions or --

CHAIRMAN HALL: Thank you, Mr. Finn.
Commissioner Saunders.

COMMISSIONER SAUNDERS: I don't have any questions. I would -- I do want to thank staff for moving this along. This has been a long-time project, and I know folks out in the Golden Gate City area are really anxious to see what happens with that golf course. So this is a good-news item. I know Mr. Bumpous is here, I think, just probably if there are any questions. And if there are no registered speakers --

MR. MILLER: I had someone registered on Zoom that was on Zoom, and they dropped off right as we started this item. So I'm watching for them.

COMMISSIONER SAUNDERS: So there are no registered speakers. I don't know that we need any further dialogue. I think the Board is really fully up to speed on all of this, so I'll make a motion to approve the staff recommendation to begin negotiations with the first-ranked firm, the Gate Golf Club, Inc.

COMMISSIONER McDANIEL: Second.

CHAIRMAN HALL: We have a motion and a second. I do have a comment. As we go forward, this property has encumbered public debt on it as of \$29 million total for everything, for the veterans administration home, the rural housing project, as well as the golf course.

There was mention of \$6 million that was previously done to the First Tee or -- no -- excuse me, to BigShots as a gift to get started from the county.

And just -- to my colleagues, just to put something in your ear. I would really like to see that \$6 million go towards the debt on that property. Seeing that it's going to be a non-for-profit, it's going to be -- you know, it's going to be operating, and we don't have any tax base coming from that. Just a thought.

MR. FINN: And I think that's a good thought, sir. We're always trying to minimize our debt and place it properly.

In concept, this golf course will remain a passive recreation and remain part of our inventoried acreage for Parks and Recreation. Accordingly, we have been and we hope to continue to fund the particular debt service with impact fees provided for Parks and Recreation activities.

So while I'll acknowledge your desire, I think the fact that this portion of the debt service is supported by the appropriate impact fee makes the concept of this being a public recreation facility consistent with the way we're funding it.

CHAIRMAN HALL: Okay. Commissioner LoCastro.

COMMISSIONER LoCASTRO: I wanted to make sure I was unmuted.

My question is for Commissioner Saunders, you know, sir, and it's just one of inquiry. The last groups that were involved seemed to give us the impression they were blindsided a bit by the conditions of the land, the arsenic. You know, we know the list of challenges, hurdles. This sounds great. We're moving forward with, you know, a group that sounds extremely solid.

But I just was curious if they have a better comfort level that there are some investment hurdles to get over, and it's not turnkey as, you know, we found out with sort of the other group. Is that a fair question? I just had written that down as I was hearing, you know, the positive news that, you know, we've got another interested party.

COMMISSIONER SAUNDERS: Well, Mr. Chairman, if I might respond.

CHAIRMAN HALL: Go ahead.

COMMISSIONER SAUNDERS: All questions are reasonable, so that's a reasonable question. But just a little bit of the history, BigShots, when they came in with their proposal to do a 12-hole golf

course and the BigShots facility along with First Tee, the county had set aside \$7 million for the development of the golf course.

BigShots was going to design the golf course. The county was going to pay for the construction of the golf course and own the golf course.

So that really wasn't a gift to BigShots. It was really recognition by the county that this was a county park. This was a county golf course, and the county was willing to put in the cost to develop it.

BigShots didn't fall off the radar here because of arsenic or any other difficulties with the site. BigShots fell off because BigShots, which was owned by ClubCorp, was ultimately sold to Topgolf, the competitor. Topgolf made the decisions that they didn't want to be in Collier County primarily for two reasons. One, they have a facility in Lee County that everyone, I think, is familiar with and, number two, their -- the way they operate, they own the land that their facilities reside on. And with BigShots, the original proposal was that Collier County would continue to own the land into the future.

So BigShots fell off not because of any problems with development, not because of any financial issues. They really fell off because they were sold to Topgolf, and Topgolf didn't want to proceed in Collier County.

All of the development issues are being resolved, and so there are no real hurdles to the Arthrex group, the Gate Golf Club, proceeding with this.

And, Mr. Chairman, the \$6 million for the golf course has always been part of this project going way back to the very beginning when this was originally bid and that BigShots secured that bid originally. And when this came back a few months ago, back in December, that was also part of the plan was for the county to continue to put that money into the development of the golf course

because the county continues to own that property.

And so, Mr. Chairman, I think the proposal that we have in front of us recognizes that this really is an inexpensive way for the county to develop a really first-class public facility, a public park. And so that's why I suggested originally that we proceed with this, and that's why I made the motion this morning.

CHAIRMAN HALL: Okay. Commissioner McDaniel.

COMMISSIONER LoCASTRO: Thank you, Commissioner Saunders. I think that clarity is perfect, and extremely important, because much like the Pelican Bay pickleball, there's still a few folks out there that I think have some sort of dated information, and you encapsulated it perfectly, separating rumor from fact as to why we moved on. So I couldn't be more supportive of the project. Thank you.

COMMISSIONER SAUNDERS: Thank you.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: And just -- I concur as well. Thank you for that explanation, Commissioner Saunders. And I also don't disagree with Commissioner Hall. The call is for the philanthropic community here to see the value of this -- of this development for our community at large. And in the event that we have people that can, in fact, contribute and we're not obligated for that investment, then I would support the reduction of the debt as well. Be that as it may, we're in for the investment as it is for right now.

CHAIRMAN HALL: Commissioner Kowal.

COMMISSIONER KOWAL: Thank you, Chairman.

I know I sat through the original presentation from Gate Golf Club, Inc., when it was originally brought to our attention, and then it went out for bid, and I believe it went through the process with the board and -- not us, but the board that oversaw that bid process.

And I know that day that I had -- the presentation was given to us and knowing that this was going to be a non-profit type organization, even that day I was not real clear on the amount of monies after fees are collected for our citizens to use the golf course, what percentage came back to the county.

I guess my question is, after the process of this weeding out who's going to be the person awarded this, did we get any more clarity? Or maybe I just missed it initially in the initial report. But have we got any clear -- clarity on what percentage and how much comes back to the county to the people from the fees collected?

MR. FINN: The answer to that, sir, is those are -- those specifics will work through in the negotiation process. We're well aware that the Board intends to get some -- some recovery or some fee for the use of its -- of its asset over time. I have no reason to believe that we can't reach a reasonable agreement with the Arthrex-led group.

COMMISSIONER KOWAL: So once you get to that point, then we'll know better what percentage will come back to us? And would that monies be allowed to be used to reduce the debt, or would that be earmarked back to Parks and Recs for --

MR. FINN: Well, insofar the debt could be covered by Park's impact fees, it probably would be best to leave it that way. So money coming back would go to offset the General Fund, and it could well be Parks and Rec is where it would feed through.

And if I may, the contract with the terms that we ultimately come to does come back to the Board for approval prior to it being implemented, so at that time the Board at that point in time will have a full presentation of the specifics of the contract and be able to give us kind of an up or down vote on what we've been able to achieve.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Thank you, Mr. Chairman.

To refresh everybody's recollection, when we decided to do the ITN back in December, I had presented to the Board that there were some preliminary discussions that the county would receive 2 percent of the gross revenue of all of the operations associated with this; the restaurant, the golf course, any other operations out there for the driving range.

When we did the BigShots deal, I think the BigShots was -- I think their commitment was 3 percent of the gross. One of the -- and their gross revenue would be substantially higher.

One of the reasons that I had suggested using a percentage of the gross revenue is that eliminates all of the difficulty in auditing any type of revenue stream to the facility. The gross revenue will be basically determined by the sales tax that's filed with the state.

So no real issues in how much profit there was, how much money people are getting paid. That's all eliminated by having a percentage of the gross. And the issue of the reduction in fees for county residents, in the original BigShots facility deal, county residents would receive a 40 percent discount on all fees charged for the driving range and for the golf course.

Now, one question that arose is, well, what's the original fee that you're taking the 40 percent off? Well, it's very difficult to say what that fee would be because it changes from the time of year, from time of day. And so there is a -- kind of a going rate, if you will, which the golf course can charge the general public for playing nine holes or 18 holes on this golf course. Whatever that general fee would be, the county residents would get a 40 percent discount from that.

And so I think all of that was pretty well laid out when we did the ITN request back in December. All of that is obviously subject to negotiation but -- in terms of some of the details. But those were sort of the general parameters that we laid out in the ITN going back to December.

MR. FINN: I recollect that in much the same way.

CHAIRMAN HALL: You know, in reference to the \$6 million, BigShots was BigShots. We have a chance to do it right and to do it correct going forward, and we -- this deal has nothing to do with that deal.

So with that said, I would like to see -- you know, the general fee in Collier County to play golf -- I'm a golfer -- I won't pay it. So I would like to see something that's super realistic for our citizens where they can come enjoy our -- you know, a golf course and do it over and over and not be financially strapped to do it once a month, but that they can really enjoy it.

So with that, we have a motion and a second. So all in favor of continuing this for the -- for them to -- intent to negotiate?

MS. KINZEL: Commissioner Hall?

CHAIRMAN HALL: Yes. Go ahead, Clerk.

MS. KINZEL: Hi. Sorry. Crystal Kinzel, for the record, Clerk.

We have had several discussions, and I did just want to put it on the record with county management, some of the information regarding use of the impact fee, especially when you're using it for housing and also veterans.

So as a proportion of the debt that's owed is obviously a concern to your comptroller.

Also, some of the issues with the ITN, there are concerns. We received it last week with the responses, and we're continuing to look at that, so I did just want to put that on the record for your information.

CHAIRMAN HALL: Thank you.

MS. KINZEL: Thank you.

MR. FINN: Yes, sir. Mr. Chair, if I may just clarify something. When I speak to Parks' impact fees, that's in reference to

the acreage associated with the golf course. It's not relative to any other use that may exist currently or in the future on the golf course.

CHAIRMAN HALL: Great. We don't want to get into the weeds of the deal, but just so you heard the general comments and the general -- you know, the thoughts moving forward, I'd appreciate that.

So we have a motion and a second. So all in favor to continue the ITN, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

CHAIRMAN HALL: All opposed?

(No response.)

CHAIRMAN HALL: Motion passes.

Item #7

PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE CURRENT OR FUTURE AGENDA

MS. PATTERSON: Commissioners, we are at public comments on general topics not on the current or future agenda.

Troy, do we still have three?

MR. MILLER: Yes, we do.

MS. PATTERSON: I would suggest at your indulgence that we take those three public speakers, and then we can get started with our 10 o'clock time-certain.

CHAIRMAN HALL: Let's do it.

MR. MILLER: Your first speaker is Robert Thurston, and he'll

be followed by Daniel Cook.

MR. THURSTON: Good morning, Commissioners.

Hello. My name is Robert Thurston. Today marks my ninth appearance before the Collier County Board of Commissioners. As always, these presentations are meant to be respectful and informative.

I'm back again today to talk about the deep state and the Targeted Individual Program. Recently I've contacted Florida Senator Shevrin Jones, Jonathan Martin, Debbie Mayfield, Rosalind Osgood, and Jason Pizzo to ask for assistance introducing new laws that explicitly spell out the legal penalties for participation in the Targeted Individual Program.

If you will please see the online link that talks about the local people here in Naples involved in my illegal targeting at targetedindividual4.wordpress.com. Again, that address is targetedindividual4.wordpress.com.

At the last Board meeting on January 23, 2024, I began to explain the role of San Diego-based Navy Seal John Smith and my 14-year ordeal of illegal targeting. It was Smith that nominated me for placement on phony terrorist watch lists. That placement was the basis for literally thousands of harassing incidents directed at me between 2009 and 2024.

Smith's hope was that I would, in response to the targeting, die, commit suicide, commit a crime, become homeless, become institutionalized, impoverished, incarcerated. Today in 2024 I reserve the right to speak out where my safety is involved. I'm continuing to give examples of the crimes that people named in the online documents committed against me in hopes legislators draft new laws in response.

Navy Seal John Smith was able to use back doors into Google to slander my name online.

This week I wrote to over 350 politicians, reporters, law enforcement people, other targeted individuals, lawyers, and activists. I sent them videos from different dates in 2014 and 2023 that showed under a Google search of my full name what I call a slander graphic, for lack of a better word, that Smith put up and took down for years, between 2010 and 2023. The slander graphic was the first entry at the top of the search page and contained phrases like offender, inmate, jail search, sexual predator, and other untrue derogatory descriptions.

I searched many other names online with people of lengthy records, and Smith's slander graphic never appeared under any of these other people's names. I keep having to explain I have one and only one misdemeanor conviction in the last 23 years. That is the totality of my conviction record over the last 23 years.

One of the main tactics of the deep state is slander or name smearing. Smith has around-the-clock real-time access to my phone and home computers. Between 2010 and 2023, there are points where I was looking for employment online. I would respond to an English teaching ad opportunity and then sometimes get interview offers. At this point, Smith would put the slander graphic up. That would result in radio silence, no calls back, or questions about arrests. You can imagine how frustrating that might be over 13 years.

If the people cannot trust -- if the people cannot trust their government to do the job for which it exists, to protect them and to promote the common welfare, then all is lost.

CHAIRMAN HALL: Thank you, Mr. Thurston.

MR. MILLER: Your next speaker is Daniel Cook. He'll be followed by Alan Carpenter.

MR. COOK: Thank you, Mr. Chair. Daniel Cook, vice chairman of the Collier County Republican Party, for the record.

I'd like to take my three minutes to speak generally about some

of our founding documents, actually.

I often ask myself the question, what is the purpose of government? So I like to look at one of our founding documents, the Declaration of Independence, to answer that question. It says there that we hold these truths to be self-evident. Today we would call that obvious. That all men are created equal; that they are endowed by their creator with certain unalienable right, and that among these rights are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed.

So I think that answers the question, what the purpose of government is. It's to secure our rights. That's why laws are made. That's why we have the court system. That's why we have due process.

I then think about the Constitution for the United States of America. What is the purpose of that document? In my opinion, the purpose of the Constitution is not to give any rights to the people. It's not to provide goods or services to the people, but the purpose of the Constitution is to restrain the government.

And I look at the Supremacy Clause in Article VI which says this constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made -- or which issued be made under the authority of the United States shall be the supreme law of the land. Now, a lot of people refer to that section as the Supremacy Clause, but I'd like to introduce a new clause. I call it the pursuance clause. I find these three words to be the most powerful of all of the words in the Constitution, "in pursuance thereof."

So what is the law of the land? It's not necessarily any law that goes through Washington, D.C., or any law that goes through Tallahassee or at the county level. It's only the laws that are made in

pursuance of the Constitution and our documents.

I'd also like to bring attention to the Bill of Rights and our state constitutions, particularly the ninth amendment of the Bill of Rights, and I bring that up because it is very similar to the very first line in the Florida Constitution. So let me read both of these for comparison's sake.

So the ninth amendment says, the enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people. Article I, Section 1 of the Florida Constitution says, all political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.

So the right to clean water might not be specifically written into the Constitution or written into our Florida Constitution, but in my opinion, the ninth amendment, as well as Article I, Section 1 of the Florida Constitution does protect that right.

Thank you.

CHAIRMAN HALL: Thank you, Mr. Cook.

MR. MILLER: Your next speaker is Alan Carpenter.

MR. CARPENTER: Chairman Hall -- am I on?

MR. MILLER: Yeah. I need to adjust it. Go ahead, sir.

MR. CARPENTER: Thank you. Chairman Hall, other commissioners, I'm Alan Carpenter, 205 Estella Court of Riviera Golf Estates and secretary of our HOA Board.

This past week I, along with other board members and owners in Riviera, attended the Development Services Advisory Committee where the Planning and Zoning director discussed the directive from the County Attorney's Office to draft proposed changes to golf course conversion code to make it Bert Harris proof to avoid future Bert Harris claims.

Much to our dismay, the proposed changes to the code in the

draft go well beyond the original direction from the BCC to provide the Board flexibility in modifying greenway dimensional standards on a case-by-case basis and improve the ITC process for the stakeholder/landowner engagement process, which was seen to be ineffective.

A couple examples of draft proposed changes to the law regulating rezoning of golf course districts, which we see as ineffective in addressing the current worry about Bert Harris Claims: One, allowing greenways to be separate parcels which are not contiguous to existing residences. This could result in as little as 15-foot buffers between new and existing properties creating a cause of action on the part of abutters for lost property values in the order of tens of millions of dollars, specifically; number two, encouraging redevelopment of golf courses for cluster housing and affordable housing plans. Surely there are better locations for affordable housing than within existing golf course communities and particularly in East Naples where there's already an abundance of affordable housing where 78 percent of Lely school students come from families which qualify for lunch food assistance.

These kind of code amendments being considered only benefit golf course developers and do not mitigate the risk of Bert Harris claims. They only reward and encourage more Bert Harris claims against the county.

The Bert Harris claim against the county on the 2017 ITC code amendments impact on the rezoning of the Riviera Golf Course specifically is time barred, is not ripe, and is not a vested right. In fact, Attorney Klatzkow has opined previously that he is not worried about this action, not one little bit.

So this action and this potential ceding of control by redrafting the code to give benefits to golf course owners appears to be a cover for reducing standards for development. This is not an issue which

is specific to golf course zones. It's conceding controls and could affect development standards across all property zones and development applications.

Recall that, as you know, under the constraints of Senate Bill 250, which is effective for two more -- two-plus years, you commissioners are locked into applying the least restrictive development standards of the LDC. Consequently, now is not the time for loosening development standards unless there's an immediate requirement to do so.

CHAIRMAN HALL: Wrap it up.

MR. CARPENTER: We ask staff and you commissioners to please consider where conceding invalid Bert Harris claims will lead us.

Thank you for your attention.

CHAIRMAN HALL: thank you.

MR. MILLER: That was your final registered speaker for public comment.

Item #10A

DISCUSS WHETHER TO CONTINUE USING FLUORIDE IN THE PUBLIC POTABLE WATER SUPPLY DISTRIBUTED BY THE COUNTY'S PUBLIC UTILITIES DIVISION'S WATER DEPARTMENT. (ALL DISTRICTS) - MOTION TO REMOVE THE FLUORIDE AND DIRECT STAFF TO WORK WITH LOCAL DENTAL AND HEALTH PROVIDERS FOR A PROPOSED FORUM FOR THE COMMUNITY FOR EDUCATIONAL PURPOSES BY COMMISSIONER KOWAL; SECONDED BY COMMISSIONER LOCASTRO – APPROVED

MS. PATTERSON: Commissioners, that brings us to

item 10A, our 10 o'clock time-certain.

This is that the board discuss whether to continue using fluoride in the public potable water supply distributed by the Collier County Public Utilities division's water department. This item is brought to the agenda by Commissioner Kowal.

CHAIRMAN HALL: So this is going to be a big issue this morning, so I want to remind everybody when you come to speak you have three minutes. At the two-minute-and-30-second mark, you'll see a yellow light, and at the three-minute mark a red light, and I expect you to be wrapped up by then. We have a lot of speakers, and we have a lot of content to cover.

Secondly, this is going to be a passionate conversation. This is not a contest in here. I don't want to hear the handclaps. I don't want to hear it if you're for it. I don't want to hear them if you're against it. I need you to refrain from that. We want to focus -- this is not emotional for us. We want to hear everything that's being said so that we can weigh in on it professionally.

So with that, I ask you to be considerate and to be respectful of every speaker whether you're for or whether you're against. And if there's any outbursts, I'm going to say I'll give you maybe a half a warning because I'm giving you the other half right now.

So with that, Commissioner Kowal.

COMMISSIONER KOWAL: Thank you, Chairman.

Well, I'd like to take this time and just kind of lay out a blueprint on how we got here today.

So initially I -- you know, this board unanimously, you know, was moving forward into this new year talking about reducing budgets and minimizing our financial burden on the citizens, and we were approached with our utilities, and we had a presentation of how all our chemicals and treatment of water, how chemicals -- everything we use to make potable water safe for

drinking has increased or almost doubled in price over the past two years. So that burden was going to fall back on our citizens, you know, and through fees and raising of fees.

So I started a little dive into, you know, some areas where maybe we can cut some costs not even imagining -- you know, I knew fluoride was in the water for many, many years. I grew up probably in an area that had fluoride in the water and just assuming that, you know, that was something that was mandated. And then when I started to dive into our particular water system here in the state of Florida and what we do, I found out quickly that it is not a mandate, it is not a state statute, and it's not even a federal mandate. It's purely just a recommendation from other organizations, private organizations, worldwide organizations, to place fluoride in our drinking water.

That being said, I looked at the numbers, and it looks to be about -- the cost of the fluoride itself, we pay about \$130,000 a year just for the product and probably man-hours, equipment, maintenance, it probably runs about \$200,000 a year just to implement it on a regular basis periodically.

So that being said, I started looking at, you know, is it a little bit of saving? Yes, we can look at it that way. And while in the process of this, I had some concerned citizens actually reach out to me and they were, like, very passionate about what's going on in new studies around the world, things that are going on, and they're taking a deeper dive in the fluoridation of water and administering it to their citizens and maybe some effects that maybe weren't looked at when you digest it or take it, you know, and drink the actual fluoride, not so much as a topical treatment.

So that made me look in another aspect, so I started doing a little bit of my own research and found that, basically, worldwide -- I mean, we got to a point where 98 percent of the western European

countries actually reject the fluoride now. And this list is pretty impressive. It's Australia, Belgium, Denmark, Finland, France, Germany, Italy, Luxembourg, New -- Netherlands, Norway, Sweden, and Switzerland. About 95 percent of that country does not fluoride their water because -- and then I took a deeper dive, and I was wondering what the reasoning for that was, and the majority of the answers was that they feel they're not tasked to deliver medical treatment to their people through drinking water. If the people need this type of additional fluoride, they can decide by their own to use the most appropriate way to administer that fluoride.

And that started making me think that citizens -- everything I've been reading so far, this is basically a health treatment. It's a treatment for people's health, dental health, through medicating the water and distributing it amongst the citizens.

And then that set a little lightbulb off in my head, and I just realized that, you know, back in April 11th -- or back in last year, we had a lot of heated discussion, and we got to a conclusion that we adopted a resolution and an ordinance for the Collier County Health Freedom Bill of Rights ordinance.

And then with that in mind, I started to realize that us as a county, as we sit here today before you, in reading the resolution itself and then reading the ordinance, on Line 3 of the resolution, it basically states that we're administering medication to our citizens without consent, and on Line 10 of the ordinance, we're basically administering a medication -- a medical treatment to our citizens purely based -- not based by federal law or state statute, but purely just based on a recommendation by other health organizations. So in reality, as we sit here today, we as a Board and as Collier County, we are in violation of our very own law.

So I'm not going to sit here today in judgment. I'm not asking my fellow commissioners to sit here in judgment, because I don't

think I'm positioned to make a medical or a scientific opinion of the pros and cons. Because we're going to hear a lot of people today, and a lot of people are going to have some very interesting points pro and con to fluoride being in the water.

I simply have to make a judgment here today is that are we medically treating our citizens of Collier County by placing the fluoride in the water, which I've seen -- in every study I've seen it refers to it as a medication for dental health -- are we in violation?

And I feel -- my opinion, not based on the actual health or the science that we're going to hear today, but just in a legal aspect and by being a member of this board, I feel this commission is in violation, and then I ask -- I'm going to make a motion today that we stop this program. So that's where I am today.

CHAIRMAN HALL: Thanks, Commissioner.

Troy?

MR. MILLER: All right. It's been a little tough counting these up, but I believe we're about 48 registered speakers. I want to remind the speakers to use both podiums.

We're going begin with Danielle Meo, and she'll be followed by BT Esquibel. Danielle's been ceded additional time from Thomas Meo. Please raise your hand when you're ceding time when I call your name.

(Raises hand.)

MR. MILLER: Thomas Meo. Thank you.

Kathy Meo?

(Raises hand.)

MR. MILLER: Thank you.

And Vicki Wojciechowski. I hope I got that right.

(Raises hand.)

MR. MILLER: She'll have a total of 12 minutes.

MS. PATTERSON: Chair, before we get started, also is just a

reminder we do have a court reporter break scheduled for 10:30 plus/minus.

CHAIRMAN HALL: Okay.

MS. MEO: Thank you, Commissioner Kowal.

Good morning. My name is Danielle Meo. I have lived in Collier County since July of 2023. I reside in Precinct 310 and am a member of the CCREC. I have a Bachelor's Degree in health science and have worked in the medical industry as a medical assistant and pharmacy technician since 2017.

I have seen firsthand how the medical industry has become so overwhelmed by sick patients yearning for answering. I have also seen how every sect of the medical industry has been overrun by pharmaceuticals.

I have done my due diligence of researching fluoride extensively for weeks at a time. I have come to Commissioner Kowal to express my concerns on the adding of fluoride in Collier County's water supply system.

Our health is foundational, and my topic is about saving the integrity of the human body, mind, and spirit. That is sacred and has been created in God's image.

As I'm sure you're aware, that is now being manipulating, degraded, and defiled through the many ways in our current world now. One of those ways is through water fluoridation. Fluoridation in public water systems has been an experimental procedure for over 60 years. Fluoride is just a clever way for industries to eliminate their toxic industrial waste without having to pay for it as such.

Fluorosilicic acid is a byproduct of the action of sulfuric acid on phosphate rock containing fluorides and silica or silicates.

Hydrofluorosilicic acid is a chemical often known by other names like fluorosilicic acid. Hydrofluorosilicic acids prepared from hydrofluoric acid include sodium fluoride, which is in your common

toothpaste boxes.

Just a sidenote and fun fact, hydrofluoric acid does not occur in nature. It is a manmade molecule, and it eats through concrete, glass, stainless steel, Fiberglass, and plastic. So why are we putting that in the water?

So what is fluoride? Fluoride is a naturally occurring mineral found in air, soil, and water. What is labeled as fluoride, particularly in the water system, is fluorosilicic acid, and it is not naturally occurring fluoride but is actually a collection of hundreds of different chemicals. These chemicals include neurologically damaging elements, heavy metals, and cancer-causing radioactive chemicals. It has a high biological activity which is very general in nature. It inhibits many enzymes and interacts with calcium ions. And in the presence of trace -- in the presence of trace amounts of aluminum, it interferes with hormonal messaging systems. Since enzymes and hormones are essential to all physiological processes, such activities are likely to produce a wide variety of effects.

The first opponents of fluoridation in this country were biochemists in the 1930s. These biochemists used fluoride in their experiments to poison enzymes. Dr. James Sumner, a Nobel Prize winner for enzyme chemistry, said in 1965, quote, everyone knows fluorine and fluorides are very poisonous substances, and we use them in enzyme chemistry to poison enzymes, those vital agents in the body, end quote.

Fluoride inactivates 62 enzymes, increases the aging process, increasing the incidents of cancer and tumor growth, disrupts the immune systems, causes genetic damage, interrupts DNA repair enzyme activity, and increases arthritis in the form of skeletal fluorosis. It also harms -- has a harmful effect on the brain and IQ, endocrine system, kidneys, thyroid, pineal gland, bones, and other tissues including teeth, along with increasing uptake of lead in

children.

Mark Twain had said, quote, it's easier to -- it's easier to fool people than to convince them that they have been fooled, unquote.

In America today we have all of the symptoms of hypothyroidism, obesity, heart disease, and neurological impairment. And like most of our reality, fluoride is but one topic with a grotesque and distorted history. The distortion of data that occurred in the early '40s and '50s created a corrupt foundation that shaped the attitudes in the public and scientific community about fluoride being generally benign and safe. This has created a long shadow over the past 70 to 80 years.

In the 1980s, dental researchers changed their position on fluoride's mechanism action that was introduced in the '40s and believed that the early absorption of fluoride made the enamel of teeth more resistant to acid.

In 1999, the CDC conceded fluoride's predominant mechanism action was topical, not systemic.

When fluoridation trials began 1945, no health studies were undertaken. And since the endorsement of fluoridation in 1950 from the U.S. Public Health Service, no trials have been completed, no comprehensive health studies published, and there have been no rigorous scientific studies on established safety or effectiveness.

Since 1950, the program has not been monitored nor have basic health studies been performed. Fluoridating countries made no effort in replicating studies to show associations of fluoride exposure and increased bone fractures, arthritis-like symptoms, lowered IQ in children, lowered thyroid function, accumulation of fluoride in the human pineal gland, and early onset of puberty in animals.

Fluoridating countries have made no attempt to use dental fluorosis as a biomarker to investigate health concerns in children exposed to fluoride. The scarcity of literature on the effects of

fluoride reflects a lack of interest by governments that promote fluoridation.

Over the past 60 years, efficacy of ingested fluoride and preventing dental caries has never been tested in randomized controlled trials. Had the FDA been involved at any stage of the tracking reports of fluoride possible side effects, it would have been able to tabulate the many accounts of individuals complaining of fairly common symptoms including, but not limited to, tiredness not relieved by sleep, headaches, rashes, and gastrointestinal problems that were easily reversed when the source of fluoride was removed. No health agency in the U.S. or any fluoridated country pursue this.

A multitude of studies are shown to back that fluoride does not prevent or decrease dental caries. In fact, the rates of tooth decay of 12-year-olds have been coming down as fast in non-fluoridated countries as in fluoridated ones according to the World Health Organization data available online.

There are 12 studies in my original document that point to the conclusion that there's no statistically significant difference in DMFTs, which stands for decayed, missing, or filled-in permanent teeth, in children in fluoridated countries compared to non-fluoridated countries.

Even if fluoride in the form of fluorosilicic acid was shown to decrease dental caries systemically, which no study has ever proved, does it really outweigh all of the damaging effects fluoride has on the many systems of the human body?

They found an association between fluorosilicic acid and an increased uptake of lead in children's blood. This lead present in the stomach will be directly led to the child's blood stream, affecting the brain, and lead is known to have a negative effect on children's brain development.

The CDC agrees with the NRC, the National Research Council,

that it is apparent that fluoride has the ability to interfere with the functions of the brain and the body by direct and indirect means, and they have stated this on camera.

There is only one division that the CDC is involved with fluoridation, and that is the oral health division, or the OHD. This division is largely staffed by personnel with dental rather than medical qualifications. There is little evidence to suggest that the OHD personnel have the appropriate educational background to properly evaluate toxicological studies or to conduct health risk assessments. The OHD supports mandatory fluoridation on a statewide basis.

There's also no evidence that the CDC is involved in any research program to investigate the toxicology of fluoridating chemicals used.

Doctor H. Trendley Dean, who was the father of fluoridation himself, went to areas in Texas where there were naturally occurring fluoride in the water. In 1943, scientists of Public Health Service went down to Bartolo, Texas, to look at people suffering the effects from fluoride. They found bone disease including calcification of the ligaments, effects of the joints causing arthritis symptoms, and in addition they were seeing effects of the eyes in the form of cataracts.

They found elevated rates of cataracts in high-fluoridated communities in Texas, so they did other studies in South Dakota and Iowa, which also had high levels of fluoride in their water. They found bone changes, bone diseases, and they found cataracts as well. Did they publish the study? Did they tell the public or scientific community? No. The Public Health Service never published the study and never reported their findings to anyone in the public or the broader scientific community.

At the Newburgh trial, Dean disclosed these findings, and in 1944 no one knew that the father of fluoridation himself was

privately expressing concern that the policy of adding fluoride to Newburgh, New York, could be toxic and cause harm.

When you censor health information, you are putting people's lives at risk. It's really that simple.

So why don't these -- why don't these letter agencies and the medical community recommend magnesium to reduce heart attacks or zinc to better the immune system? They only believe in one element, and that's fluoride. So why is that? We have to ask ourselves that question.

Will we give up our right to health sovereignty or fight for it? Will we accept the status quo or challenge it? Will we continue to allow the water we drink and bathe ourselves in and our children be a risk to our health?

Additionally, for the opponents that come up after me for water fluoridation, keep in mind this question: Do they genuinely believe fluoride decreased dental caries, or are they being coerced into saying so?

My ask is that you, the commissioners, vote on removing fluoride of any source out of Collier County water system.

Thank you for your time.

MR. MILLER: Your next speaker is BT --

CHAIRMAN HALL: Mr. Miller?

MR. MILLER: Yes, sir.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Just a quick question. Very well done, by the way.

My question is you mentioned the studies in Texas where there's naturally occurring fluoride in the water, and you mentioned high levels. Was there any indication in those studies as to how much fluoride was in the water in those communities?

MS. MEO: I don't have that --

COMMISSIONER SAUNDERS: What is the high level, I guess, is --

DR. YIACHOS: Eight parts per mill.

COMMISSIONER SAUNDERS: I'm sorry. I couldn't --

DR. YIACHOS: That study was eight parts per million.

CHAIRMAN HALL: Eight parts per million. Okay. Thank you.

MR. MILLER: Your next speaker is BT Esquibel. He will be followed by -- and I hope I'm saying that right -- Josephine Perez.

CHAIRMAN HALL: Mr. Miller, we'll hear BT, and then we'll take a break.

MR. MILLER: Yes, sir.

MR. ESQUIBEL: I'm here today to support the removal of fluoride from our water system but also here to expose current system of home rule and how it is used here in our community. Please prove me wrong.

The changes that have occurred from 1901 till now have altered the natural path of the constitutional system which you-all took an oath to. And unincorporated means nonpolitical attached to the state. Home rule provides the local community to self-govern. So if the county is unincorporated, your right to a guaranteed republic form of government should be protected under the entire Constitution, not to be picked apart by foreign agents of the county, which all of you are when you operate under commercial use such as attorneys; the commissioners; the county clerk, who doesn't support our Article III court; an unlawful tax collector; the unconstitutional sheriff when operating under the United States District of Columbia Act of 1871, which is commercial.

When you choose to continue to operate fully commercial as a county and pick when you want to be a constitutional county, you're destroying the trust of the men and women of this community which

simply means we the men and women must have unalienable rights given to us by God and protected and guaranteed by the Constitution.

Since all of our county commissioners have sold us out to Agenda 21 and Agenda 30 since 1992, whenever there is exclusive power under home rule, all private rights are displaced. Let me say this again: All private rights are displaced.

When we have seen the dominance and corruption of the administrative state here locally in Collier County within its corporation structure, the commercial agencies are based upon two things: Constitutional parameters and territorial provisions in the Constitution.

At some point, the corporation is going to come into conflict with the men and women's constitutional rights and will be dragged into a commercial administrative proceeding where they have no private rights to protect or to assert. That's how administrative law works. It's like playing Whose Line is it Anyway? Where is the legal system's application when it's made up and the Constitution doesn't matter?

The local conservative mindset on government policy appears to adhere to a confederate ideology of protecting state's rights more than the federalist's principles of submission to the central government's authority or the District of Columbia.

As of June 30th, 1864, Congress slipped [sic] away the state and refers it back to a commercial area. Everything in the state means the District of Columbia or the territories of the Columbia.

What we have here is corruption within our local community. I give you gratitude for what you said earlier, Dan Kowal, in reference to being in opposite of what our Bill of Rights and also the health situation is here within the ordinance.

Thank you for your time.

CHAIRMAN HALL: All right. It's 10:30. We will take a

court reporter break, and let's return at 10:45.

(A brief recess was had from 10:30 a.m. to 10:45 a.m.)

MS. PATTERSON: Chair, you have a live mic.

MR. MILLER: Are you ready to resume with public speakers, Mr. Chair?

CHAIRMAN HALL: I just want to remind everybody that we definitely are interested in everything that you have to say, but at the same time, if someone has said it, you know, the third or fourth time that we hear it's not going to be very helpful because we're all just -- when we all got up this morning, we all put our pants on just like you did. So the third or fourth time we hear it is not so helpful, so you can pass your time, or you have the right to speak. Just -- I'm just asking that you use some common sense in that. So with that, let's begin.

MR. MILLER: Your next public speaker is Josephine Perez. She'll be followed by Richard Schroeder.

DR. PEREZ: Good morning. My name is Dr. Josephine Perez, and I would like to share my story with you.

I graduated from one of the top dental schools in the nation over 30 years ago. I'm an excellent dentist and one that is particularly focused on health.

My mission is to put an end to dental disease, including cavities. I love the idea of fluoride in our water. It makes simple -- it makes it simple to strengthen teeth and prevent cavities. I have studied this for years through research and up close and personal with the patients I care for. The idea is great, but I have been devastated to find it doesn't work.

Studies show the rate of cavities are increasing despite the increasing education about cavity prevention and the increase in fluoride in our water supplies, packaged foods, dental products, antibiotics, and other pharmaceuticals.

I have been even more shocked to learn about the unexpected and worrisome side effects that fluoride is creating. I have over 100 research studies here, and I made copies for one of -- each of the Board members, and these are only just the recent ones. I didn't go back.

A hundred research studies here, there are hundreds more, showing undisputed evidence that this increase in fluoride has led to increase in hip fractures, increase in thyroid deficiencies, and a decrease in IQ levels in children.

These aren't just stories that patients have shared. These are reputed medical journals and PubMed research. Anyone can access them.

We're all on the same side. We all want there to be less cavities and improved dental health. Unfortunately, research and experience is showing fluoride isn't the answer we all hoped for. Thankfully there is emerging evidence and research supporting new products like hydroxyapatite, the mineral that the teeth are actually made of, that are as or more effective than fluoride at preventing tooth decay without sacrificing health.

Like I said, we are all on the same side. I am just here showing you the latest information and that there are products that will keep -- help us achieve this goal without causing other problems.

Thank you for your help.

MR. MILLER: Your next speaker is Richard Schroeder. He'll be followed by Ashley Jenkins. I'm sorry. Mr. Schroeder's been ceded three additional minutes from Christos -- I can't pronounce your last name, Christos. Are you here?

MR. CHRISTODOULOU: Yes, Christodoulou.

MR. MILLER: Thank you, sir.

He'll have a total of six minutes.

DR. SCHROEDER: Thank you. Rich Schroeder, retired

medical doctor.

I'm going to abridge my comments a little bit because of material already presented. The material I'm presenting today comes mostly from depositions and investigations leading up to the trial currently underway against the United States Environmental Protection Agency in the U.S. District Court for the Northern District of California in San Francisco, which was detailed in an interview documentary between the plaintiffs' attorney and the chief attorney for Children's Health Defense called Fluoride on Trial.

Food and Water Watch, Fluoride Action Network, Moms Against Fluoridation, and other advocacy groups and individuals are suing the EPA under the Toxic Substances Control Act in an effort to force the agency to prohibit water fluoridation in the United States due to fluoride's toxic effects on children's developing brains.

According to Michael Connett, lead attorney for the plaintiffs, fluoride should be banned from drinking water, and the U.S. government must warn people, especially pregnant mothers, about the serious health risks of drinking fluoridated water. Fluoridation violates informed consent, he alleges.

The fact that this lawsuit is being brought under the Toxic Substances Control Act which regulates the legal levels of human exposure to toxic substances like lead begs the question for me, where does this potentially toxic substance come from?

And although recently more of it has been imported from China, most of the fluoride, as you've already heard, historically came from air pollution control scrubbers used in Central Florida's phosphate fertilizer industry. They had a really massive fluoride pollution problem in about the '50s with crippled cattle, scorched vegetation, lots of liability concerns.

And so they put the air pollution control scrubbers on the smokestacks which trapped the fluoride and created the fluoride

acidic liquid you've already heard about called hydrofluorosilicic acid, and that's what's barreled up and shipped around the country and meted into our water supply.

So how in the world did we get into this mess? And a little history of fluoridation of the water might help with that.

It apparently began with an observational study of some sort in the 1930s, which is said to have shown reduced cavities in a community with naturally occurring fluoride. This led to a proposal to add it to water.

And then you've already heard about the studies by the Public Health Service leading up to the decision whether to fluoridate water or not, which showed that the water in Bartlett, Texas, which had eight times the proposed levels, showed all sorts of severe fluorosis leading to weak bones, joint problems, and even cataracts, and then they did it, as you've heard, in South Dakota and Iowa. Same findings: Problems with these elevated levels of fluoride.

But, unfortunately, corporate interference leading to data suppression on water fluoridation began very early. The Public Health Service never reported these abnormal findings to the public but instead started adding fluoride experimentally to the water in Newburgh, New York.

The Manhattan project, or the atomic bomb program, which used huge quantities of fluoride, as well as uranium, needing, of course, waste product disposal outlets, greatly accelerated the nefarious activities around fluoride. Big paid names pushed water fluoridation. Experiments were performed on human populations without their consent. You know, think prisoners and other folks like that. Experiments were performed presumably to see how they would hurt the enemy because they were developing a bomb.

It was found that people with kidney disease couldn't excrete fluoride. Despite that, in an article for the *Journal of the Dental*

Association, Harold Hodge, who had been in charge of these human experiments for the Atomic Energy Commission, lied about his own studies and said there was no change in the rate of excretion. The insurance branch of the AEC suppressed clearance of all the studies that could potentially be released in an attempt to limit the lawsuits.

More recently, the National Toxicology Program -- and the NTP is a branch of the Health and Human Services -- and the NIH concluded a 1,573-page systematic review showing a link between fluoride and lowered IQ.

Dental officials at the Centers for Disease Control and the NIH's National Institute of Dental and Cranial Fascial Research put pressure on the U.S. Department of Health and Human Services' assistant secretary of health, Dr. Rachel Levine, to prevent the review from being published.

Levine told the National Toxicology Program not to publish the report but to put it on hold. It turns out that 18 of the 19 high-quality studies in the NTP report found an association between higher fluoride levels and lowered IQ in children exposed to fluoride.

The level of IQ loss rivaled those of previously -- previous similar studies done for lead exposure. Susceptible members of the population like pregnant woman and bottle-fed babies will be particularly vulnerable to fluoride's neurotoxic outlets.

And also think of this: The study also said that since children are exposed to fluoride from multiple sources, there is no obvious threshold at which fluoridating water would be safe because the water is only one source which these kids get their fluoride.

And we've already heard from Commissioner Kowal about how Europe looked into the idea of adding fluoride. And I'm not going to repeat -- not going to repeat that except that I absolutely agree. Fluoride is a chemical that's added for medical purposes, and it's a total violation of the principle of informed consent, and we have a

Health Freedom Bill of Rights which in Section 11 enshrines in its entirety the Florida Patient's Bill of Rights and Responsibilities.

Let's just use it to get fluoride out of our water.

Thank you.

MR. MILLER: Your next speaker is Ashley Jenkins. She will be followed by Beth Sherman.

MS. JENKINS: Good morning, gentlemen. For the record, my name is Ashley Jenkins, a living woman that resides in Naples 34102.

I'm verbally noticing William McDaniel, Rick LoCastro, Chris Hall, Bert Saunders, and Dan Kowal with the city [sic] manager, Amy Patterson, and the County Attorney, Jeff A. Klatzkow.

Each of you that are physical present today received a copy of the case and affidavit which was received by registered mail to your offices on Friday at 10:28 a.m. You additionally received a copy of my affidavit in the *Florida Weekly* which ran on February the 8th.

My request of the commissioners is simple: Remove all added fluoride from the water supply in this county. Fluoride is causing harm to my personal health. This affects my iodine, chloride, and collagen levels necessary for optimal health.

There are high levels of kidney and liver concerns in this county by numerous people I personally know. Forced medicating an element in public water that is toxic to human consumption needs to end. This element is unnecessary in any human biochemical function.

I have personally taken four years of college academic biochemistry and can confirm that this is a disadvantage to human health. It is a halogen which leaches other essential halogens such as chloride and iodine from the human body by occupying those biochemical receptors. Dentists are in favor of this being added to the water and noxious toothpaste. It is simply good for business for

them. Use a substance which creates a problem; a customer for life is created.

The CDC had positive stances on fluoride as a federal agency which imposes its bought-and-paid-for opinion to influence human health for gain and profit for "Big Harma." Research studies I tagged in your affidavit are displaying damage to IQ, kidneys, livers from exposure to fluoride in public water. The fluoride utilized in public water is a byproduct, a fertilizer from mosaic as well as aluminum waste from Alcoa.

In the 1940s, companies were getting in trouble for disposing of waste. This waste led to the death of livestock from being in landfills and rivers. The substance requires hazmat gear to add to public water. Companies like these funded the Mellon Institute of Industrial Research which had tasks such as providing asbestos was safe and did not lead to cancer.

In 1939, this organization was tasked in producing studies that showed exposure of fluoride waste was safe for human consumption. All labels on medicated fluoride state, specifically, "Warning, keep out of the reach of children under six years of age. If you accidentally swallow more than for brushing, seek professional help or contact a poison control center immediately."

So I've requested that anyone responsible for voting to retain fluoride in the public water provide the charter of Collier County, your oath of office, as well as your personal or blanket hazard bond. The County Attorney and County Manager have been requested to provide this as well if the Board decides to retain fluoride in public water as an additive.

MR. MILLER: Your next speaker is Beth Sherman. She'll be followed by Dr. Lauren Governale. I hope I'm saying that correct.

Ms. Sherman's been ceded additional time from Marge Heinzl?
(Raises hand.)

MR. MILLER: There she is.

And Brandon Youst?

(Raises hand.)

MR. MILLER: She will have a total of nine minutes.

MS. SHERMAN: Good morning, Commissioners. Thank you for hearing us today on the issue of removing fluoride from the water.

This effort is being presented, as you know, through the Collier County Republican Executive Committee. I'm the co-chair of the ad hoc subcommittee for Agenda 2030.

Today I would like to present a resolution that was passed through the CCREC called the Right to Clean Water. This passed through with 187 "yes" votes to one "no" vote. I e-mailed this to all of you previously, so you should have a copy. I'll leave a printout with the court reporter for the record, and I will include our research summary that we sent you.

Let me read the resolution for the Right to Clean Water.

Whereas, Collier County Ordinance No. 2023-18 and Resolution 2023-69 protect the God-given rights of Collier County citizens; and,

Whereas, the World Health Organization recommends adding fluoride to water, contradicting Collier County Ordinance 2023-18, Section 10, and Collier County Resolution 2023-69, Section 3; and,

Whereas, Collier County routinely adds sodium silica fluoride to its municipal water supply; and,

Whereas, numerous medical studies indicate fluoridation of water supplies can reduce children's intelligence; and,

Whereas, fluoridation of water is banned in many countries, including, China, Austria, Belgium, Finland, Germany, Denmark, Norway, Sweden, the Netherlands, Hungary, and Japan; and,

Whereas, fluoridation of water infringes upon a citizen's right to choose to opt out of potentially hazardous consumption; and,

Whereas, fluoride is readily available via over-the-counter and

prescription form to any citizen wishing to use it; and,

Whereas, fluoride is the only additive put in the water that is not for sanitation or sterilization; and,

Whereas, sodium -- having sodium silica fluoride stored in water treatment plants could potentially be misused by terrorists to contaminate water supplies to toxic levels.

Now, therefore, be it resolved that the members of the CCREC recognize our right to clean water and request that the Collier County Commissioners direct our Water Management department to discontinue adding sodium silica fluoride or any other chemical synonymous with it that is intended to add fluoride to our municipal water supply.

That's the end of the resolution.

I would like to comment on the violations to the Health Freedom Bill of Rights resolution ordinance mentioned above. The Ordinance is 2023-18, and it states that you will not take directives from the World Health Organization or other international bodies unless compelled by federal or state law. I'd like to point out that the W.H.O. is recommending that we use the fluoride, but it is not a state or federal law, as Commissioner Kowal mentioned; therefore, we ask you kindly remove the use of fluoride in our county water.

Resolution No. 2023-69 involves the use of informed consent without interference. We believe that the use of fluoride is a clear violation of the resolution. Anything added to our water for anything other than sanitary purposes should not be allowed. Adding a supplement for health reasons to our water forces citizens to accept it without any way to opt out. It is not the job of public works or this county to add medical supplements but to only provide clean drinking water.

We also believe it violates informed consent due to the findings coming out of the federal TSCA fluoride lawsuit against the United

States EPA over the neurotoxicity of fluoride chemicals added to public drinking water supply showing that it lowers IQ in children.

In the trial, deposition of USEPA rep Dr. Edward Ohanian and CDC rep Casey Hannan, admitted that the only benefit that they can prove to be safe is a topical use of fluoride. So why are we adding it to the water?

Deposition of EPA neurotoxicologist, Dr. Stanley Barone, Jr., concluded that fluoride has the ability to interfere with the functions of the brain.

Deposition of EPA Office of Water, Dr. Joyce Donahue, concluded that there is a correlation between low-level fluoride in the urine of pregnant women and ADHD symptoms in children. She also agreed that we need to readdress current safety standards in the United States pertaining to fluoride.

The primary concerns in this trial, which concludes this week, are the effects on the development of the brain, the thyroid gland, and its effects on the bones, including the ability to weaken bone, bone fractures, and the ability to cause arthritis. The argument here is not can fluoride affect any of those things. The argument is that if the CDC and EPA agree that the only benefit of fluoride is from topical application, then why would we ever consider drinking it, especially since it has zero use in keeping our water clean and safe?

I sent all the commissioners and Dr. Yilmaz a children's health defense documentary called "Fluoride on Trial." I trust that you-all watch it, as it breaks down and exposes that the U.S. government and its nonelected agencies, such as the EPA and CDC, whom have been suppressing information proving that fluoride is unsafe. This is not my opinion. This is based on FOIA documentation and depositions from the current lawsuit with experimental trials that have been hidden and suppressed since 1942.

Data suppression has been -- has a real effect on public

understanding. It has a real effect on scientific understanding. This court case and its findings have been suppressed by our own U.S. Department of Defense through Admiral Rachel Levine. When you censor health information, you are putting people's lives at risk. The DOD feels it's acceptable to not give informed consent to the American people. This county declared that it would.

I ask today that you stand on the Health Freedom Bill of Rights ordinance and resolution that you signed into law in Collier County on April 11th, 2023. Take a stand for our health freedoms and stop the fluoridation in the municipal water supply today.

Thank you.

MR. MILLER: Your next speaker is Dr. Lauren Governale. She'll be followed by Jill Kelly. The doctor has been ceded additional time from Nancy Hannigan.

Nancy, can you raise your hand if you're here.

(Raises hand.)

MR. MILLER: Oh, I see. Thank you.

And Dr. Irina Toma.

(Raises hand.)

DR. GOVERNALE: Thank you for the opportunity to be here today to speak on behalf of fluoride.

My name is Dr. Lauren Governale, and I'm a board certified licensed pediatric dentist with a master's degree in public health as well as a dental public health certificate.

I have been the clinical director for the University of Florida College of Dentistry's and CEF Pediatric Dental Center which is located in Naples, Florida, since 2008, since they opened.

The Naples Children and Education Foundation, founders of the Naples Winter Wine Festival, recognized the great need for dental care for children in Collier County almost 20 years ago. They conducted a needs assessment survey and determined that

the -- dental was the greatest need for at-risk children at that time.

Since then, they have donated millions of dollars to help prevent and treat the ravages of dental decay in the county by establishing the NCEF Pediatric Dental Center and to continue -- they continue to support our center since then. There's no doubt that this initiative helps relieve the pain and suffering due to dental decay, which causes abscessed teeth and is often rampantly found in Collier County for underserved children.

We continue to see very high rates of decay in this population, and we go to great lengths to treat these children. Many of our anxious patients must receive dental treatment while under sedation to restore their oral health due to extensive decay. When that's needed, medically trained pediatric anesthesiologists come to our clinic to render these patients unconscious so they can comfortably receive their treatment, which often includes dental root canals and multiple extractions.

I am the only pediatric dentist in Collier County who treats patients weekly in a hospital-based operating room setting in Collier County. There are today hundreds of children on a waiting list for these services. Some will wait as long as six to 18 months to receive their oral healthcare care. And in the interim, they are often in pain, which affects their ability to attend school and learn, and to simply eat meals and smile.

The center has performed many thousands of these sedations over the past 15 years and, unfortunately, the fear is that if community water fluoridation is discontinued, the numbers of these patients requiring these sedations will only grow significantly longer.

In terms of the safety, community water fluoridation is one of the 10 greatest public health achievements in the 20th century. It has dramatically improved the public's oral health.

Fluoride is proven to protect teeth from the acids that cause

decay. It works by inhibiting bacteria from producing the acids necessary to cause tooth decay, and it transforms the enamel crystal in teeth into a stronger crystal.

Fluoride works in two ways, by becoming incorporated into the tooth during its formation, and it also works topically on the tooth surface after formation to prevent tooth decay.

Since 1950, community water fluoridation has been endorsed by the American Dental Association, and there is an overwhelming weight of peer-reviewed scientific evidence. There are many systematic reviews and meta-analysis that have been done on over 70 years of research that exists for fluoridation.

Naples has been fluoridating the public water system since 1985.

Chlorine is added to the water supply to benefit the public and to prevent disease, just like fluoride prevents dental disease. Consent is provided for both of these preventative initiatives by the Collier County Commissioners. Fluoride is added to help a large population in this county who cannot provide for fluoride themselves to improve their oral health.

There are no federal agencies backing anti-fluoridation claims that it causes any diseases. If there was a disease that fluoridated water caused, we would have found it out by now. Community water fluoridation has also been tested in the United States court system.

In terms of its cost effectiveness, something other than an expensive surgical approach alone is needed. In larger communities, the cost for fluoridating a water system is less than \$2 per person per year. Every dollar invested in community water fluoridation saves far more than that in treatment cost. The cost is about \$32 per person in treatment costs that can be saved with community water fluoridation. It is the most economically preventative intervention in the nation.

In terms of equity, community water fluoridation is effective for everyone, including the elderly, in preventing dental decay. Improvements in the quality of life are seen with this evidence-based prevention program like community water fluoridation. Every family needs the benefits of community water fluoridation.

A major benefit of community water fluoridation is that no one has to change their habits to receive it. The American Academy of Pediatric Dentistry recommends that children receiving non-fluoridated water receive fluoride supplements.

Families then must access a dental or medical professional to obtain a prescription for the fluoride supplement. Unfortunately -- unfortunately for low-income families, compliance with this method is not possible at times due to many barriers such as lack of access to care.

Community water fluoridation is responsible for dramatically improving oral health and has an unrivaled and proven track record, so why change it? There is no reason to discontinue this important public health resource for the citizens of Collier County.

Coincidentally, February is National Children's Dental Health Month, so this is a perfect time for us to be here talking about this crucial role that fluoridation plays in the health of children and for the people in our community of all ages. Thank you.

MR. MILLER: Your next speaker is Jill Kiley. She'll be followed by James Rosenberger.

MS. KILEY: Commissioner Hall, you'll be proud that I've cut this down a little bit for you.

Good morning. My name is Jill Kiley, Marco Island. I'm an associate director of local advocacy for Stand for Health Freedom. One of the primary pillars of Stand for Health Freedom is that of informed consent. Stand for Health Freedom has over 1300 Collier County resident supporters.

I'm here to voice my support to remove fluoride from our water, and this decision is simple: Informed consent is codified in our recent Collier County Health Freedom Bill of Rights Ordinance, 2023-18. Fluoride is a medical treatment, and the citizens of Collier County are receiving this treatment without full disclosure of risk-benefit information and without the ability to give their consent. There is no way to opt out. It is against our God-given rights, the Nuremberg code, and our own county ordinance.

For decades we've been told that fluoridation of water helps prevent cavities, but science does not support that claim, and yet the myth goes on. As a matter of fact, fluoride is a waste product of the fertilizer in heavy-metal industry that is so toxic it is not allowed to be dumped in our landfills and yet somehow it's routinely added to our water.

Before 1970, these gases were released into the air, making Central Florida have some of the most toxic air pollution in the country. During the 1960s, the manufacturers used pollution abatement scrubbers to convert these toxic vapors into fluorosilicic acid, FSA, a dangerous but more containable waste.

OSHA cautions that FSA has highly dire health consequences for any worker that comes into contact with it. Breathing the fumes may cause severe lung damage or death, and if it comes in contact with bare skin, it will lead to burning and excruciating pain.

I will not repeat any of the many negative effects on the human body that have been caused by fluoridation of water that have already been mentioned this morning, but make no mistake, this is not a quest for healthy teeth. This is the penalty-free dumping of toxic waste.

I appreciate the opportunity to speak today, and I'm requesting a full stop to the practice of contamination of our water supply with fluoride. I do not consent to this medical treatment. If there are citizens that would like to continue to ingest this toxic substance, be

my guest. They are free to purchase fluoride supplementation at their local grocer. Thank you.

MR. MILLER: Your next speaker is James Rosenberger. He'll be followed by Carol DiPaolo.

MR. ROSENBERGER: Good morning, Commissioners. I'd like to take this opportunity to recognize Commissioner Kowal for bringing this critical event forward.

So I did shorten what I intended to say also, Commissioner Hall. Defluoridification. Has anyone ever heard this term before? Of course not, because I just made it up this morning.

I would hope that one day it would be in Webster's dictionary and would read as follows: A process whereby fluoride was removed from drinking water, thereby ensuring the health of American citizens. The process was first started in Collier County where the County Commissioners have continued to lead the country instituting policies protecting their constituents. Their wisdom has led other counties to follow suit with the hope of spreading cutting-edge critical thinking to those who have been in the dark for so long.

Thank you for your help, Commissioners. Defluorification; let's make it happen.

MR. MILLER: Your next speaker is Carol DiPaolo. She'll be followed by Andrea Werder.

MS. DiPAOLO: First of all, I want to say it's always an honor to bring my concerns before all of you commissioners, and I want to thank you for the way that you do vote, because you have made Collier County probably one of the best counties to live in.

If I happen to lose my track of thought, it's probably from me drinking fluoride for the past 60 years, so please bear with me.

You know, my stepdaughter is a dentist, and for the last eight years, you know, I would meet her at Temple University. And for

the past eight years, we'd -- you know, I love her, she loves me, but we would always lock horns on root canals and fluoridation. And so today I still stand and I still take my same opinion of -- that fluoride should not be in the water.

There are over 78 contaminants in our water. As a matter of fact, I was going to bring my Brita and my reverse osmosis and my water -- you know, my water that I have stacked in my garage, but we do that why? Because we want clean water.

Now, we can't take the chlorine, the lead, and the microplastics out of our water, and the pharmaceuticals, where people dump their, you know, antibiotics into our water system, we can't help that; however, there are things that we can do, and one of them is removing fluoride.

So I'm not going to go into everything else that everyone has, you know, explained here. I think you get the message on that.

So we do have control over that. Now, you know, I started to research, and I was like, what good is fluoride? Does it do anything good? Does it sterilize? Does it purify? Does it do something to the pipes, you know, that bring our water, you know, to our taps that we drink? I found absolutely zero as far as what benefits fluoride has other than oral health, you know, and tooth decay.

And in my research, as I would fight with my stepdaughter, you know, the countries that do not use fluoridation, their teeth sometimes are even more healthy than our American children's teeth that have access to fluoridation. And I think we're missing one point, and probably it's diet. Could it be, perhaps, the processed food that our kids are eating that perhaps causes teeth -- you know, teeth decay? So, you know, these are some of the things that we have to, you know, think about.

So I just want to thank you for everything that you do and how you do vote, and I know that you will make a wise choice on this,

too.

Thank you.

MR. MILLER: Your next speaker is Andrew Werder. She'll be followed by Sofia Christodoulou.

MS. WERDER: Hey, everybody. Mark Twain wisely opined, it's easier to fool people -- or it's easier to fool people than to convince them they've been fooled. So let's just think about that a little bit.

Okay. No longer will the people of Naples be fooled into believing that fluoride in our water supply is a good idea. Sodium fluoride must be removed for three reasons, and as a ex -- or soon-to-be ex-high school teacher, I want to break it down to you really easily. Sodium fluoride is different than calcium fluoride. And I keep hearing the word "fluoride" being flippantly referred to over and over again. Calcium fluoride occurs naturally, and it's often around caves, and you'll see water -- water -- you'll see crystallization and know that it's present; however, sodium fluoride, it's another deal. It's toxic. It's a toxic waste byproduct, okay. So calcium fluoride you can say is good -- well, reasonably, okay -- and then you have sodium fluoride which is bad.

Okay. So where do we get our sodium fluoride? Well, according to the EPA, sodium fluoride has been named as a hazardous substance. It is an unwanted factory byproduct of aluminum fertilizers and iron manufacturers. It is hazard waste. It is labeled with a skull and bones and cross and a warning that it targets the heart, kidneys, bones, teeth, and gastrointestinal tract along with the nervous system. So what in the world is this doing in our water supply?

Okay. It's unethical. How is it unethical? Well, Stalin used it in his Gulags. Hitler used it in his concentration camps. Why did he do that? So that he could control the inmates a little bit better.

Apparently, when you use sodium fluoride, okay, and when it's dumped into the water supply, you're not -- you're not as easily agitated, and you're not going to be able to think as quickly.

So moving onto my third point: It's illegal. It's illegal from the Nuremberg code, the Constitution, and state and city laws. Sodium fluoride must be removed from Naples because it's toxic, unethical, and illegal.

Become an informed water warrior with us today. Liberate our water, liberate our bodies, and liberate our minds. Thank you.

MR. MILLER: Your next speaker is Sofia -- excuse me -- Christodoulou, and she'll be followed by John Meo.

MS. CHRISTODOULOU: All right. Hello, Commissioners. My name is Sofia Christodoulou. I'm 15 years old, as you can clearly tell. I'm also the South Florida debate champion as of currently.

I just wanted to bring this attention to you. I believe we've heard a lot today considering the horrible issues and side effects of fluoride in our bodies, but I really wanted to dive right into exactly what and the more nitty -- nit-picky details into this. Specifically, the amount of IQ that is dropped, and I specifically want to go into a little bit on the lethal doses.

So starting off with my -- with the IQ. The -- it started off in 1945 when it was first introduced into our water systems. And in 1950, the IQ -- the average IQ of the United States at that point was 91.64. That was the average IQ then. Today, in 2024, it's estimated to be 87.87. It's dropped a full four points since that time, and it's mainly because of fluoride, because it is significantly dangerous to us.

Now, I want to really go into specifically why and how it is -- where it sits. You don't -- when fluoride comes into our body, you don't flush it out. It sits into your body, and it absorbs into your

bloodstreams. It absorbs into your -- specific, the pineal gland, which is a gland that sits in the midline center of your brain.

Now, specifically, what it does is actually affects right here -- it says here -- I apologize. Here. Quote, fluoride accumulates in the pineal gland, which produces melatonin, a hormone that is responsible for establishing sleep patterns. Some experts suggest that fluoride's effect on the pineal gland reduces the amount of melatonin produced, affecting a person's sleep; that by accumulating in the pineal gland located in the midline of the brain, outside the blood brain barrier, attached to the roof of the third ventricle by a short stalk, fluoride stops the production of melatonin completely, end quote. So not only does this affect your IQ, but it affects your sleep, and it affects the way that melatonin is produced within the person's body. So why are we implementing this into our water?

Why is it in our water and it shouldn't be? Not only is it a neurotoxin, but it increases, and it gives people issues, as we've seen multiple times, that I will be not be repeating, as was mentioned by Mr. Patol [sic].

Not only does it hurt everybody, it also inhibits several enzymes in the body including enzymes involved in energy production and neurotransmitter synthesis and antioxidant defense mechanisms. This leads to cellular dysfunction, end quote. It leads to not only cellular dysfunction but a lack of melatonin.

Why should this be forced on us when we can simply just take a supplement if it's so needed? It shouldn't.

MR. MILLER: Your next speaker is John Meo. He'll be followed by Scott Sherman.

CHAIRMAN HALL: Hang on one second, John.

Good job. And I remember -- and congratulations on your debate championship. And I do remember three debates ago I had the privilege of judging, and you've come a long way. Good job

today.

(Applause.)

MR. MEO: Good morning, Commissioners. I'm John Meo. I'm the chairman of the Republican county executive committee, and I'd like to thank you all for hearing this issue, but in particular -- and it was mentioned before -- I'd like to thank Commissioner Kowal for bringing this to the forefront.

And I'm going to comply with Commissioner Hall's request that I don't repeat what we've heard a thousand times over, so I'm going to come to this at a different angle.

I really don't think it needs any discussion. Since we've passed the health freedom ordinance in this county, I think you as commissioners have no choice but to comply with the request of these individuals that have requested fluoride to be removed from the water. I think it's really incumbent upon you to simply apply what is law right now in this county and vote in favor of that.

It's going to be short. I don't need to say what was said before about consent. We all know that. The world is a changing world. It appears that three-letter agencies want to override the Constitution of the United States, and we're not going to let it happen here in Collier County.

So I thank you for your time, and I'm looking forward to your vote. Thank you.

MR. MILLER: Your next speaker is Scott Sherman. He'll be followed by Darwin Brandt.

MR. SHERMAN: Thank you. Good morning, Commissioners. It's always a pleasure to speak to you guys.

I did also just adjust what I'm going to say to just a very short one, and that is the pediatric dentist that is the only opposing view to this, we need to ask the question: If fluoride in water worked to help children not get cavities, why is she in business?

Thank you very much.

MR. MILLER: Your next speaker is Darwin Brandt. He'll be followed by Dr. Alexis -- oh, boy -- Diaczynsky. Did I get close?

DR. DIACZYNSKY: Close enough.

MR. MILLER: My apologies.

MR. BRANDT: Hello. I'm Darwin Brandt. I drill water wells here in Central America and in Texas.

When I was in Central America, the water quality depended on if the horse was floating with its feet up or floating with its feet down around the -- around the pump. I mean, I saw all the nasty stuff you could imagine.

In Puerto Cortés, you put their city water in a bucket, and it gets to be slimy within about two, three hours. Now, they use no chlorine. They use no fluoride. The kids' teeth down there probably are more healthy than anyplace else because of what they eat, probably, but it's no chlorine -- or no chlorine and no fluoride. I've lived in some places where they only got water once a month from the city.

Now let me get to what minute amounts are in water. I had a heart attack two-and-a-half years ago, and they stunted me, and my stint crumbled up, and when it crumbled up, it took them three times back into the hospital before they figured out that it was crumpled up, and it was wadding up with more plaque. They went back up my leg, and they could not open it up. So the next time I saw my heart doctor, I was sitting in his office in a wheelchair with oxygen on 24/7. I was dying.

I asked him if he could jump a vein over this mess and get me going. He said, no, you can't -- we can't go in unless there's three blockages.

And I said, well, I guess I have to fix it myself. And he looks at me like I was crazy.

And I -- and he said, how you going to do that?

I said, I got a tea that dissolves kidney stones, gal stones, the plaque off of your teeth, and the plaque out of your blood.

I drank this tea, one cup, one of your big coffee cups there a day, half in the morning and half at night. And in five weeks, I threw the oxygen during the day, and at six weeks I threw it at night and started walking.

I just turned 70, and I feel great. I feel absolutely wonderful. I got -- my oxygen level's 99 and 100 all the time.

But that was a minute amount. So whatever they're putting in our water, especially fluoride -- and I don't drink -- I don't drink city water, and I don't drink county water. I have a well in my front yard that I treat. And I haven't had city water or county water in my house for probably about 30, 35 years because I had to treat it anyway.

But the only way we're going to get -- the only way that people can get fluoride out of the water is with an RO system, a big RO system, because you don't want to suck it into your body. When you're showering, you're showering -- your pores open up, and you suck in chlorine and you suck in fluoride. That's just minute amounts.

And like I said, I drank one cup of that tea, and it dissolved everything around my -- it dissolved the stuff around the -- the plaque around my stint, so I'm back to normal. Pretty crazy.

Thank you.

MR. MILLER: Your next speaker is Dr. Alexis -- say it for me, please.

DR. DIACZYNSKY: Diaczynsky. Also known as Dr. D.

MR. MILLER: She will be followed by Mary Alger. The doctor's been ceded additional time from Jay Kohlhagen.

MR. KOHLHAGEN: Here.

MR. MILLER: And Chelsea Benza.
(Raises hand.)

DR. DIACZYNSKY: All right. Good morning. As you heard, my name is Dr. Alexis Diaczynsky, also known as Dr. D. I am the current president of the Collier County Dental Association. I am here on behalf of the 120 members of our association in support of community water fluoridation here in Collier County. Community water fluoridation has been happening in our country since 1945 and here in Collier County since 1985. It is effective, and it is safe.

Community water fluoridation is effective. Water fluoridation reduces cavities by 25 percent over a person's lifetime. Fluoride is a mineral that reduces -- that strengthen tooth enamel and prevents cavities. Here in Collier County, we have a high proportion of low-income underserved children who greatly benefit from community water fluoridation.

Many of these children and their families have limited access to dental care. We are fortunate to have the Naples Children and Education Foundation Pediatric Dental Center and the Healthcare Network of Southwest Florida and dental care centers that treat as many of these patients as they can with the resources that they have available.

If community water fluoridation is discontinued, cavity rates will rise, pain will increase, emergency room visits will rise, and the waiting list to be seen and treated will continue to grow.

Community water fluoridation is safe. There are nearly 7,000 scientific systematic reviews that prove fluoride is safe. The studies that state fluoride is toxic and unsafe come from foreign countries where fluoride levels are at least three to six times the level they are recommended at in the United States for optimally -- optimal cavity reduction and approved oral health.

The optimal level of fluoride is between 0.7 and 1.2 parts per million. That's a lot lower than some of the studies we've heard about earlier. Anything in excessive quantities can be deemed toxic, even water.

You've already heard all of the toxic side effects of fluoride. I'll save you from the redundancy. The worst thing that fluoride can do in an excess amount is cause something called fluorosis. Fluorosis is staining or white spots that occur in the teeth. Most of them are barely visible to the naked eye. Much more appealing than walking around with black holes in one's teeth.

Big topic here: Fluoridation does not lower IQ. We have yet to hear about the Harvard study. This is a reference to a 2011 review of 27 Chinese studies that were brought to light from obscure, difficult-to-translate Chinese journals by two faculty members of the Harvard School of Public Health. They did not conduct the research or publish the studies. The levels of fluoride in these studies were as high as 11.5 parts per million. I remind you, the optimal amount of fluoride is 0.7 parts per million.

The Harvard faculty later admitted these studies had key information missing, had inadequate control for confounded variables, and questionable methodologies.

Lastly, fluoride is not a medicine or a drug. Fluoride is a mineral. The argument that fluoride is a drug has never been approved or won in a court of law. I understand there is some distrust of the government after what we have experienced with the recent pandemic, but the truth is that fluoride is effective. Fluoride is safe. Fluoride has been around for a long time and is tested and is studied and is scientifically proven to be both effective and safe.

Fluoride is not toxic, and fluoride does not lower our IQs. Fluoride is a naturally occurring element. Community water fluoridation is adjusting the level of fluoride that is already in the

water to a source -- to a level that is optimal for dental health. And you can find whatever you would like to believe on Google.

Community water fluoridation is instrumental to maintaining optimal oral health and overall well-being for the citizens of Collier County. As you noticed, I brought my water bottle with me because I'm quite parched. It's from my refrigerator. It's filtered. It filters sediment and odor, like many other water filtration systems that we use, aside from the previously mentioned reverse osmosis system.

Also, I just had a checkup. I have no sign of kidney disease or sleep disruption, aside from staying up late and sleeping about this. And I am born and raised in Naples, Florida. I have been drinking our water for a very long time.

I thank you for -- question?

COMMISSIONER SAUNDERS: Yeah. I want to ask you a quick question. I would ask the Chairman for permission to ask you a question.

DR. DIACZYNSKY: But he disappeared.

COMMISSIONER SAUNDERS: But I am serving as chairman at the moment, so --

DR. DIACZYNSKY: Vice Chair.

COMMISSIONER SAUNDERS: -- I have the liberty. How does fluoride in the water actually work on your teeth -- because, obviously, you drink the water -- that short contact, or is it something that gets into your bloodstream? How does it work?

DR. DIACZYNSKY: Can I have one of my supporters speak on behalf of that? Because he's going to have a demonstration to explain.

COMMISSIONER SAUNDERS: The young lady that spoke that was the pediatric -- maybe you could come up and answer that question. I'm just curious as to how -- yes. You've got to come to

the podium. You got to do it quickly before the Chairman comes back.

COMMISSIONER McDANIEL: He's back.

COMMISSIONER SAUNDERS: That's all right. I'm still chairman until he sits down. Mr. Chairman, I've asked a question.

DR. GOVERNALE: It works in two ways.

CHAIRMAN HALL: I heard you.

COMMISSIONER SAUNDERS: I'm sorry. Would you start over.

DR. GOVERNALE: Yes. Fluoride works in two ways. It basically doesn't allow the bacteria to create the acids that break the teeth down, and it also has a topical effect; so it can get into the tooth surface that way as well, which is helpful for the elderly in preventing all kinds of decay they have on their teeth, root caries, et cetera, cavities along the roots of their teeth, and it's really wonderfully beneficial for everybody. Basically, fluoride changes the enamel crystal that's in your tooth to a more efficient crystal. So it definitely protects the tooth from tooth decay.

COMMISSIONER SAUNDERS: The quick content -- or quick contact as you drink it, that's all it's --

DR. GOVERNALE: Right. The -- we get the topical effect when we're older, and we get the -- yeah. When you're younger, it gets incorporated into the enamel.

COMMISSIONER SAUNDERS: Thank you.

Thank you, Mr. Chair.

DR. DIACZYNSKY: Can I follow up for a minute? Every time we eat something or drink something, especially a carbohydrate -- it doesn't have to be sugar, it doesn't have to be candy -- our teeth are being attacked.

Commissioner Kowal and I and Dr. Benza had this conversation yesterday. And what Dr. Governale was saying is your teeth are

attacked, they're opened up; they are prone to decay that way. So we recommend sipping on water frequently throughout the day.

When the acid breaks down the teeth, the fluoride in the water helps strengthen and rebuild that enamel to be stronger and prevent against future decay. Just like topical fluoride varnish that you receive at the dental office, that does so, but in a stronger amount than what we receive in the water. Hope that clarifies.

Any other questions?

(No response.)

DR. DIACZYNSKY: All right. Thank you for your time.

MR. MILLER: Your next speaker is Mary Alger. She'll be followed by Erikka Thalheimer.

MS. ALGER: Good morning. Mary Alger, Marco Island, Florida.

I come before you this morning to bring to you my findings regarding Collier County's use of sodium fluoride in its drinking water. I'm also here to compel you to remove its use citing Collier County's Health Freedom Bill of Rights ordinance which ensures informed consent.

I have come to learn that the safe and effective and the "experts say" mantras have been a slow removal of our ability to think critically or go against the parroted lines of what the experts tell us. Who, may we finally ask, are these nameless, faceless experts often trotted out in lab coats that we are to put our trust in?

Why did we decide to cede our decision to those whom we have no knowledge of? I believe there were many answers, some of them, in no particular order: Laziness, of which I am certainly guilty of; not wanting to be outside the common narrative casting us as the dreaded conspiracy theorists, a name by which the way -- by the way, which was invented to stifle any dissent of those revealing actual conspiracy; fools if we're not of the credentialed set; and being

drowned out by special interest money which now foments mob action against the noncompliant.

Upon jettisoning my lazy excuse for not knowing, here's what I found out about sodium fluoride which is used in public water supplies. It's 80 times more toxic than naturally occurring calcium fluoride, the mineral found in soil. It is a proven neurotoxin. It is a chemical byproduct of aluminum, steel, cement, phosphate in nuclear weapons manufacturing. It's used in electroplating, chemical cleaning, and insecticides.

These industries, prior to convincing the population that it was good for them to add it to the public water supplies, had a problem of disposing of their highly toxic waste. Sodium fluoride has its own hazardous substance fact sheet for handling and warnings of health risks, including risk to developing babies in utero.

Fluoride cannot be removed by freezing. Boiling it causes increased toxicity. So much for our drinking water to be used to -- to be used to prepare our food or having the morning cups of coffee and tea. Only distillation can remove fluoridation from water.

If I add a packet of sweetener to my tea, I can clearly read what is in it and decide to use it or not use it based on that information and upon further investigation. I found out that lipstick is made with fish scales any some other unmentionables. In my vanity, I still choose to wear it knowing the risks and the folly.

The point is, I can make a decision to use it or not. When sodium fluoride is added to the public water supply, a citizen loses that right to make an informed choice. If a citizen knew the truth of using sodium fluoride and the false information to accept it as safe and effective, most would surely choose for it to be removed.

On a personal note, adding sodium fluoride to the water has certainly not kept me from getting cavities.

Revealed truth compels error to be corrected. Adding sodium

fluoride to our water supply is an error that needs to be corrected. I ask that you correct this error by using the Health Freedom Bill of Rights to do so, and I thank you very much.

MR. MILLER: Your next speaker is Erikka Thalheimer. She'll be followed by Dr. Johnny Johnson.

MS. THALHEIMER: Thank you.

Have you ever thought of historical mistakes that people made because they were listening to others that told them what was good for me? Good for you? Well, I have. I've spent a lot of time thinking about that in my life.

My name is Erica Thalheimer, and I've been a resident in Collier County for over 40 years. And I'm a mom, which is the biggest reason why I'm here right now, because I feel terrible about what I've offered to my children over their lifetimes.

Good morning, Mr. Chairman, I appreciate you letting me speak, and Commissioners. I am here to ask you to please vote to stop the adding of fluoride to our water supply.

Now, here are a few things that people were told were good for us, but they weren't: The atomic bomb; cigarettes; lead paint; asbestos; baby oil and aluminum foil for tanning. I know somebody's done that; tanning beds. Heroin cough syrup that was developed by Bayer Laboratories; transorbital lobotomy, also referred to as icepick lobotomy. I can't make this stuff up. LSD to cure alcohol addiction -- maybe that one worked -- coronal behavior and schizophrenia; cocaine, the cure-all wonder drug; mercury, which I actually remember playing with as a child; tapeworm infestation for weight loss. That's real. Radioactive water, drinking it. Yep, there was a poor man who boasted about drinking radium water several times every day for a year. The *Wall Street Journal* commemorated his death in a headline and it was, quote, "The radium water worked fine until his jaw fell off." This is all true.

As a society -- and I'm skipping a whole bunch because we've already heard it. As a society, we seem to have forgotten that for the most part tooth decay is about dental hygiene and what foods and drinks that we consume. Back in the '70s, convenience was king. I was sat in the living room with a microwaved TV dinner or a TV tray in front of a TV. I can still remember the smell of those TV dinners. Same smell no matter what was under the microwaved plastic. That is definitely on my list of bad ideas. Apparently, it was easier to let the government put toxicity in the water than for parents, including my own, to limit the bad-idea foods and drinks that promote tooth decay. I do not want government or any NGO to add toxins to my water for my own good.

In conclusion, I do not give my informed consent for this or any other government to put a compound in my water that is toxic. I understand that there are some people that believe that children will have less cavities if they have extra fluoride. Fluoride is available in other forms for people to use, and we know that already. We've already. Please stop the madness and on the right -- and be on the right side of history. Vote to stop the adding of fluoride to my family's water supply.

MR. MILLER: Your next speaker is Dr. Johnny Johnson. He'll be followed by Tom Henning. Mr. Johnson -- or Dr. Johnson, rather, has been ceded additional time from Miguel Gesino.

UNIDENTIFIED SPEAKER: He had to go to work.

MR. MILLER: Okay. Sarah Benza?

UNIDENTIFIED SPEAKER: She's at work also.

MR. MILLER: Okay. So that was -- Sandra Benza?

UNIDENTIFIED MALE VOICE: She's at work also.

MR. MILLER: All right. And Mary Dov -- well, I'm not going to be able to pronounce that. Is she here?

(Raises hand.)

MR. SHERMAN: Mary, retract your time. She retracts her time from him. He misled who he was when we gave him time.

MR. MILLER: All right, sir.

All right, then. Dr. Johnson, that leaves you with just the three minutes that you have signed up for, sir. I understand you had some slides; is that correct?

DR. JOHNSON: I do.

CHAIRMAN HALL: All right. Sir.

DR. JOHNSON: I'm Johnny Johnson. I'm a pediatric dentist who did research with fluoridation -- fluoride in infant formula back in 1983 to '85.

How do I push these forward?

MR. MILLER: I'll get it for you, sir.

DR. JOHNSON: Okay. The safety and effectiveness I won't go through, but I will tell you every single health effect that has been given to you is listed on the form that I have here, the contents that I gave you from the American Dental Association fluoridation facts. They're all there. You can look them up.

Next.

There has never been an association between the levels of fluoride in water fluoridation and any health effects ever. The only thing that you see is dental fluorosis, and I'll go through that next.

Go ahead again.

Dental fluorosis -- go to the next one -- is just simply a color change in the tooth on the surface, and it does not affect the tooth's function or pain to the tooth, and, also, you barely ever see it. We see it in the dental office. Nobody sees it walking down the street.

Next.

And research shows that that color does change by fading away.

Next, please. Next. Next. One more.

This is what fluoridation looks like. What you see in the

middle, the yellow highlights around it are little, tiny white specks on the teeth, and on the bottom is the very mild and mild. That's what you see on kids' permanent teeth when they come in from a little concentration of fluoride, and it only happens during the time the teeth are developing under the gums by the time that they're eight years old. It doesn't happen afterwards. You don't get that brown pitted staining on teeth from water fluoridation.

Next.

What do you want? This is simply the difference between a fluoridated community and not. Diet, yes. Diet's the same. The ones on the right have mild fluorosis, and they definitely will get some cavities, but they have much less and much less severe cavities. The ones on the left look like where I live because there's no water fluoridation in Levy County.

Next, please.

Claims about fluoride and IQ.

Next, please.

Grandjean who did the Harvard meta-analysis said that he is not taking any sides on water fluoridation, and he still doesn't.

Next, please.

You hear about the National Academy of Sciences. This study that was looking at every, every study from around the world looked at fluoridation -- or fluoride in the water at several levels and did it affect the IQ. The answer was no. They said -- and they said this last year. Fluoride at the levels of water fluoridation and below 1.5 parts per million, there are no IQ changes whatsoever. None.

Next, please. Go ahead, go ahead, go ahead, and go ahead.

You can remove it with an RO very easily, \$229.

Next. Next.

And here we have the U.S. courts. This is how we test things.

Next.

Fluoride has never been shown to be unethical in the U.S. courts. Informed consent, medication, unlicensed practice of medicine and compulsory medication and for FDA approval. Never.

One more time, keep going. Keep going. You do need both fluoridated water --

CHAIRMAN HALL: Bring it home, sir, please.

DR. JOHNSON: Sir?

CHAIRMAN HALL: Bring it home, please.

DR. JOHNSON: Okay, last -- go ahead one more. One more. One more. Keep going. That's what the young lady talked about. Next. Go ahead.

CHAIRMAN HALL: All right. Thank you, sir.

DR. JOHNSON: I've only got one last --

CHAIRMAN HALL: Your time's up. Thank you.

DR. JOHNSON: Well, I wanted to say that --

CHAIRMAN HALL: Your time's up. Thank you. You've had three minutes just like everyone else.

MR. HENNING: Mr. Chairman, Tom Henning. I'm in favor of removing the fluoride, and I thank the commissioners for putting it on the agenda.

When I was sitting at your seat, it was -- we almost had it passed. At the time, Frank Oakes, owns Food for Thought, was -- petitioned the Board to remove the fluoride. I know he's here in spirit, and I feel confident that the Board's going to do the right thing by removing fluoride.

Thank you.

MR. MILLER: Your next speaker is Joel Bohemier. I hope I'm saying that right, sir. And followed by Dr. George Yiachos.

How do you say your name?

DR. BOHEMIER: Bohemier.

MR. MILLER: Bohemier. And he's been ceded three

additional minutes from Scott Kiley. Scott?

(Raises hand.)

DR. BOHEMIER: I have a PowerPoint.

MR. MILLER: Oh, okay. Just a second, sir. Well, that's not it; I'm sorry. Is this it here?

DR. BOHEMIER: Yes, that's the one.

MR. MILLER: Give me just a second to get that ready. All right, sir.

DR. BOHEMIER: Good morning. Dr. Joel Bohemier, resident of Collier County. Thank you for hearing us this morning. I appreciate it.

I was also here in 2016, eight years, when the Board decided to continue with fluoridation of the water in Collier County. And, ultimately, the decision of the Board, as said at that time, was basically because the dentists came out, just like they're doing today, they showed degenerated teeth, and they said it was safe and effective, like they're doing this morning, and they also said that the EPA and the CDC says it's safe and effective as well.

So I'd like to address those two issues because since 2016 a lot has changed, and we can't continue to follow the same dogma that we've had -- have followed for the last seven years.

Okay. So I -- as of 2017, I became co-owner of a website called greenmedinfo.com where we index and collate over 100,000 articles from the National Library of Medicine. These are research studies only that we have on our website. And so a quick search found -- if you can go to the next slide -- that there are 248 unique studies on our site from the National Library of Medicine talking about the adverse effects of fluoride on the human body. Okay.

Out of those -- if you go to the next slide -- you'll find there are 26 different pharmacological actions that fluoride have in the human body such as neurotoxicity, antifertility, cardiotoxic, oxidant,

inflammatory, teratogenic, and abortive, and many others that I'll save the time, but I can share this information with you if you wish.

As well, fluoride contributes to -- the next slide -- contributing to 91 different diseases in the human body. And so when we hear that it is safe and effective and we've used it forever, I believe it is intellectual maybe lethargy or, at best, to be nice about it is just we didn't look at the actual studies that are on the National Library of Medicine warning us of the devastating effects of fluoride on the human body.

And so we need to move on and understand that there are ill effects and that it is well studied. This isn't -- these -- there are dozens of studies on human beings and hundreds of laboratory studies proving the toxicity of fluoride. So if somebody comes up here and says it's safe and effective again, it is not, according to the National Library of Medicine.

Point No. 2, according to the EPA and the CDC -- if you can go to the next slide, please -- here is Dr. Ohanian from the EPA representative under oath who says a baby that is formula-fed receives over 100 times the amount of fluoride as a baby who's breast-fed. He's asked, and he says yes.

Next slide.

Dr. Joyce Tsuji -- and, again, this is -- that was 2018. This is a deposition in 2019 of another EPA expert who says, do you think the recommendation to avoid the use of fluoridated water in infant baby formula is a reasonable and sound recommendation?

What does she say? She says, it certainly appears to be reasonable given that the dose to infants is potentially greater than the referenced dose for dental fluorosis and provides no benefit at that stage.

Next slide.

Another expert from the CDC, Casey Hannan, says, the CDC

agrees with NRC that it is apparent that fluoride has the ability to interfere with the function of the brain and the body by direct and indirect means. He's asked that question.

What is his answer? Yes.

Next slide.

Another neurotoxicologist from the EPA is Dr. Stanley Barone, Jr. Fluoride has the ability to interfere with the functions of the brain. The answer is yes, I believe their findings are correct, and "their findings," he means of the study.

Next slide.

And lastly, Dr. Joyce Donahue, EPA Office of Water. There is a significant relationship between low levels of fluoride in the urine of pregnant women and ADHD symptoms in children. She's asked. Her answer, yes.

And the question, and this further supports the need for reassessment of current safety standards of fluoride in the United States?

And what is her answer? The Office of Water expert from the EPA, she says, yes.

And so for experts -- dental experts to stand up here and say that there are no other effects in the body is asinine, in my opinion, because even the organizations that they use as proof that it's safe and effective, when it's under oath, they also admit that there are main problems.

Lastly, the last thing I want to add -- next slide. I am the cofounder of Stand for Health Freedom. We are an international organization that stands up for freedom of human beings. We have 1,300 members, like Jill said, in Collier County itself, okay.

We sent out, about less than a year ago, an e-mail to millions of Americans talking about the Collier County Board of Commissioners, praising your efforts for the healthcare -- Health

Freedom Bill of Rights, okay? I believe that forcing me and other Collier County residents to drink fluoridated water directly counteracts and is in conflict with the Healthcare Bill of Rights that you guys have enacted and passed. And so I believe you do not have my informed consent and many of others of my patients and my family members here in Collier County. So I would beg you and plead to you to please remove fluoride from the water in Collier County.

Thank you for your time. I really appreciate you guys.

MR. MILLER: Your next speaker is Dr. George Yiachos, and he will be followed by Susan Gorman. The doctor has been ceded three -- pardon me -- has been ceded three additional minutes from Elizabeth Yiachos.

(Raises hand.)

DR. YIACHOS: Hi. My name's Dr. George Yiachos. I've been a cardiologist for over 30 years, and I'm not representing any hospital system or corporation. I am here to discuss the importance of informed consent.

Informed consent is what distinguishes responsible public healthcare from dangerous, immoral, and unethical behavior and at its worst could equate to medical torture and criminal activity.

Misplaced trust in the healthcare and the pharmaceutical industry leads to shortcuts with terrible consequences. A proactive, informed health consumer is the only protection against intended and unintended consequences of medications and treatments.

Cardiovascular disease is the No. 1 killer in the world. Does that mean we should put statins, blood thinners, and blood pressure medications in the water? That's nonsense. And if you believe that you should and you don't think this is ridiculous, you lack informed consent.

Medications being placed in the water supply without the

foreknowledge of a consumer's overall health problem, nutritional status, their genetics, no matter how well-meaning is irresponsible, criminal, and Dr. Mengele-level science.

You might ask what this has to do with fluoridation of the water supply. We spoke about the history, how Nazi camps and Russian camps used this to make their dissonance [sic] and their prisoners docile so that they wouldn't rebel against them and they could control them better.

In the '40s, many people were around purporting the benefits of oral intake of fluoride. There was a Dr. Hodge that was mentioned earlier. He was the lead toxicologist of the Manhattan project. This guy who used to do infomercials on the TV telling people fluoride is safe and effective sounds familiar, right? Safe and effective. And he basically would take prisoners and unwitting people and inject uranium, plutonium, and fluoride, a byproduct of what they were doing there, just to see what the impact was and, yet, this gentleman who found that there were terrible impacts on somebody's health was later purporting the benefits of oral intake of fluoride.

The father of water fluoridation, Dr. Dean, was mentioned a little bit earlier, who found communities with naturally occurring fluoride in their water, and there were benefits for the cavities, and then went on to do further -- a real scientist. He actually looked further to see if there was anything else wrong with fluoridation.

So he decided to go to a community where there was more than the average amount of fluoride in water naturally, and he found people having huge prevalence of cataracts, huge prevalence of bony problems, vertebral problems, spine problems. And these were things that they were able to observe back then.

So I want you -- I want to ask people, how many people have somebody that they know that have had cataract surgery? So do you think the purported topical water that you drink that supposedly has

topical benefit -- because that's what we were told, that it's topical benefit from the water, not ingestion, the fluoride that destroys the micro -- the micro -- the biome of your intestines, the fluoride that gets absorbed into your bloodstream, that it's only the topical thing that has any impact here?

So a lot of ophthalmologists could potentially be put out of business if we could just take fluoride out of the water. Maybe. Maybe. But there are other health effects besides worrying about cavities.

So Dr. Dean was so excited about this information, he sought it out, and then when he became the proponent for the opposite side, his information got squashed. He would go to these other counties and talk about the dangers of water fluoridation but got squashed. But he's still considered the father of fluoridation. That part survived.

So, nonetheless, it's thought that the ingestion and the swallowing of water is helping you avoid tooth decay and that the assumption that topical exposure to fluoride -- and that drinking the water is necessary, but topical is not good enough.

So as was just shown on the slides, the information that the dentist population was just presenting us with as no IQ reduction is complete nonsense. In fact, we, as the United States, have sought to find out if these Canadian and Mexican studies that showed significant reductions in the IQs of children are true. And the information's been available for over a year, getting squashed, getting suppressed by Dr. Rachel Levine, and we have to do Freedom of Information Act releases just to find out that 72 studies have confirmed that there is IQ reductions in children. And now we have to wait till next week before that information gets released from a few years ago. So this constant repeating "It doesn't reduce IQ," I think is a lie, honestly.

So that being said, they do not know the upper limit of safe

fluoride ingestion. Whether it's 1.7 or eight parts per million, no one knows. It was admitted during these depositions.

The prominent benefit of fluoride is from topical application. That was admitted during these depositions. There was never any proof that ingestion of fluoride made a difference in caries, as our European counterparts have told us.

Ingestion of fluoride has adverse effects on the brain, the thyroid, the pineal gland. The pineal gland has one other function we didn't mention here; it's our God antenna. You know, you calcify that, you actually impact people's religious fervor. That's pretty interesting.

The Natural Toxicology Program confirmed the whole issue with IQ degradation. And dental fluorosis, which is being shown here, is present in 80 percent of the public and represents toxic exposure to fluoride, not topically, because you absorbed it, and it went everywhere.

How about some other candies that we gave in medicine that are really good? Prozac, Luvox all have fluoride in them. You know, that mineral that supposedly is beneficial is actually a chemical compound that dampens your brain's function. Fen/phen destroyed the heart. Roofies, the date rape drug, fluoride had that impact on your memory.

So make no mistake, fluoridating water is forced medication of the public without consent.

Thank you.

MR. MILLER: Your next speaker is Susan Gorman. She'll be followed by Stephanie Nordin. Ms. Gorman's been ceded three additional minutes from Mark Singer.

MR. SINGER: Hello.

MR. MILLER: Thank you, Mark.

MS. GORMAN: Thank you for allowing me to speak today.

My name is Susan Gorman, and I am the clinical program coordinator, registered dental hygienist for the University of Florida dental outreach program that serves the children of Collier County. I am here to urge you to retain fluoride in Collier County water system.

For the past 10 years, the UF Dental Outreach Program has provided preventative care for over 57,000 children in Collier County. Our annual countywide dental screenings are our compass. These screenings allow us to assess the prevalence of tooth decay among our third-grade students.

Last year alone, we screened 2,093 third-graders. The results were sobering. Seven hundred and forty-four of these children had untreated tooth decay, a staggering 35 percent, but that's not all. A hundred and thirty of these students faced urgent dental needs requiring immediate attention due to signs of infection and pain.

Every day while working in this program, I see children within our county who have been negatively impacted by untreated tooth decay. Just this past week we saw a child four years of age that was enrolled in one of our early learning programs who has teeth abscess causing pain because of severe cavities. Tooth decay can cause many devastating and serious effects on the body as a whole, not just within the mouth specifically.

Tooth decay can interrupt sleep patterns, cause nutritional deficiencies, initiate mental health concerns, and affect the ability for the child to learn.

I hesitate to think what would occur if our county would discontinue community water fluoridation given some of the staggering facts from the statewide third-grade dental surveillance that was conducted a few years ago. This status showed that in the northwest region where Jackson County is located and has no fluoridation in their water system, over 53 percent of the third-grade students were found to have untreated decay. This alarming statistic

serves as a potential indicator of the future oral health of our children if our county were to discontinue community water fluoridation. Such a decision could have devastating medical and dental consequences for our community. It underscores the importance of maintaining water fluoridation programs to prevent better [sic] oral health outcomes for our residents.

If you are wondering if water fluoridation is just for kids, it is not. With community water fluoridation, everyone benefits. Irrespective of race, age, income, or education, community water fluoridation offers lifetime protection even beyond childhood. The direct contact with fluoridated water continues to shield teeth throughout a person's lifetime.

Community water fluoridation is cost effective by reducing cavities by approximately 25 percent in both children and adults; therefore, community water fluoridation saves money for families and our entire healthcare system.

For example, for every dollar invested in community water fluoridation, you save \$38 in treatments that would have been needed to treat cavities. It also provides indirect cost savings by preventing lost work time, lost schooltime, or emergency department visits because of tooth decay.

Today I stand before you to emphasize the critical role of community water fluoridation in safeguarding our community's population. Our endorsement is not singular. It echos across esteemed organizations, as the American Dental Association, the American Hygiene Association, the American Academy of Pediatrics, the American Academy of Pediatric Dentistry, and also the American Academy of Family Physicians all rally behind this preventative measure. Their collective choice resounds water fluoridation is a cornerstone of public health.

Closer to home, the Florida Department of Health penned a

letter that resonates with unwavering conviction for water fluoridation. They assert that no other public health intervention has undergone more vigorous scrutiny than water fluoridation. Decades of research, epidemiological studies, and public disclosure have fortified this stance.

I would like to speak a little bit off the record of what I have written just to kind of dispute professionally in my own personable [sic] opinions of what has been stated before. Chlorine is also added to our water, and we do not give our consent for that to be added to our public water system. Fluoride, whether it is naturally occurring in well water -- fluoride ion is a fluoride ion, whether it is in well water or whether it is in your public water system.

I urge you to please take consideration and read for yourself the many facts that have been gained through regulated studies by reputable organizations. We all have an opinion on something, but take what is science based and what is also behind you because of the organizations that are prominent that guard our health for our citizens, not only our children, but also our adults.

Fluoride supplements cannot be purchased at a grocery store. I also wanted to let you know that. They have to be dispensed through a physician or a dentist. However, on the other hand, you can purchase bottled water, which has negligible amount of fluoride in it, if a person does not want fluoride in their water.

MR. MILLER: Your next speaker is Stephanie Nordin. She'll be followed by Alfie Oakes.

MS. NORDIN: Good afternoon, Commissioners. My name is Stephanie Nordin, and I am a native to Collier County, born in 1985, along with fluoride in the county. I am a mom of four boys, and the president and founder of Autism Collier.

I'm here today as a concerned member of the community committed to the health and well-being of our residents, especially

our children.

So today I'm bringing up a matter of critical importance, the presence of fluoride in our water system and the potential impact to our community's health.

Emerging scientific evidence suggests that there is a possible link between fluoride exposure and the rising prevalence of autism spectrum disorder. Research indicates that fluoride can harm brain development and lead to issues like oxidative stress and inflammation while also affecting hormone regulation, like you heard before, including melatonin. These are all common symptoms my children experience.

And, moreover, studies show that higher levels of fluoride can -- higher levels of fluoride exposure during pregnancy can lead to lower IQ scores in children, which is particularly concerning to me given the prevalence of intellectual disability rising in individuals with autism.

In 2023, the CDC released statistics that one in 16 children are diagnosed with autism, and 28 percent of those children are severely impacted by their disability. My children are in that -- in that category, and when they were diagnosed 13 years ago, it was one in 60. So those numbers have risen exponentially for a reason.

And one such study, "Chronic fluoride exposure and the risk of autism spectrum disorder," published by the National Institution of Health, National Library of Medicine, highlights the potential association between fluoride and the exposure of autism. The research underscores the urgency of addressing fluoride's exposure in our community water supply. I e-mailed that all to you for your review.

So as we navigate public health policy, it's imperative that we address this evidence and consider the profound implications for our community's future.

Now, I have 42 seconds so, off on the record, my children go to NCEF. It is the only pediatric dentist here in our area. They do wait six months to 18 months under sedation to see these dentists, and they are incredible pediatric dentists for our children. If we could take that \$200,000 into -- from the fluoride budget and put it into better health, these children can go get the treatment that they -- we need preventatively.

So thank you very much.

MR. MILLER: Your next speaker is Alfie Oakes, and he'll be followed by Donald Braswell.

Mr. Oakes has been ceded three additional minutes from Daniel Cook, who is right there.

MR. OAKES: So thank you for hearing me today. As you know, this is somewhat personal to me. My father that passed away back in 2023, a couple years before his passing, was up here fighting with the Commission to get the fluoride out of the water. It was something that he was very passionate about.

I had the privilege of -- my father, while he never made a lot of money -- he drove around in a \$300 car -- at the age -- when I was at the age of 11, he spent \$900 for a reverse osmosis system for our house because that was more important to him than the car that he drove, that he didn't want to damage, mostly us kids, but the whole family with the fluoride when he found out that the only way to get fluoride out of the water would be with reverse osmosis. So he was way ahead of the curve on a lot of things.

And I have -- except for one time when I was in the -- like third or fourth grade, there was a fluoride supplement that came out, and they made us take it, and my father found out about it and lost his mind. That's the only time that these teeth have ever seen fluoride. They don't look like they've got too many cavities, do they? Forty years, I haven't had a cavity. So my dad was smart enough to get us

ahead of the curve.

So I'd also like to talk about -- we find out a lot about who's on the right side of things by who our -- who our -- what I call our enemies are. And when I see something that's reported or that's encouraged by the World Health Organization or by Rachel Levine -- and even the World Economic Forum all promotes this fluoride, and you have to ask yourself why.

I was lucky enough to attend an event over in Mexico this past summer, and it was the first time that I had ever heard -- I heard this gentleman say it today. It was the first time I ever heard that fluoride actually calcifies the pineal gland. It's the only element that calcifies your pineal gland.

So I've been lucky that my pineal gland hasn't been calcified. Maybe it's why I have eternal energy. I get up 4:00 in the morning and go till 10 o'clock at night.

I have -- the pineal gland is represented in ancient history as the third eye, our connection to our spirituality. It's also what I consider a driving force. When I hear that the IQ has been lowered of all these reports of kids that are taking -- taking tests that our IQ's directly proportional to how much fluoride is used in the water, it's stunning.

But when I think about that in a logical sense, it makes sense, because I don't believe that -- like some of these doctors here who their vessel is filled with knowledge from the universities, I think that real learning comes from the lighting of a fire, and the lighting of the fire is that pineal gland. That's our fire that connects us to spirituality. It gives us drive. I've got a high school education. I've done pretty well because I got the fire burning.

And this is intentional. If you don't think this is intentional to dumb us down to keep control of the people in this country, then I don't think that you're paying attention.

The fluoride, unfortunately -- and I'm going to take a few minutes because there's 100 different things said that I was going to bring up today. But the fluoride's not the only problem. So as we know, that that -- the fluoride that they're putting in the water is not natural-occurring fluoride. It's a manmade substance. It's toxic to us.

When they found out how well that worked to poison us and dumb us down back in the '40s and '50s, in 1977, they decided that we were going to put folic acid in the bread. Folic acid's in almost all the bread. 99.9 percent of the bread in this country has folic acid in it. It's, again, another manmade substance. It's poisoning us.

And, you know, I don't think -- we're not putting -- thank God we're not putting the folic acid in the water, or we'd be getting that out. But we might even -- I might be back here asking everyone to be putting poison labels on all bread in Collier County that has folic acid in it because it's just another sham from the same people that are trying to bring us down.

And, you know, the difference between right now and when my dad was here 13, 14 years ago, whenever it was, fighting against the fluoride, the difference is we don't trust the whitecoats anymore. We used -- they got up here and put on the same show. I just listened to them. They were -- you're saying not to say the same things over again. Almost every one of their talking points from the universities is exactly the same talking point. And they've been using it over and over again. It's the same things when I sat here with my father 14 years ago that they used.

As a matter of fact, the gentleman, Johnny Johnson who came up, he goes around the whole state doing this. I don't know if he's paid or not. It doesn't matter to me. But you have to wonder what -- you know, what is driving that. What's the driving force? Why are they trying to do this? Why are they trying to put a

neurotoxin in our water that's poisoning us?

You know, I never had to take a shower where my skin was absorbing -- a hot shower, you open up your pores and having, you know, a neurotoxin pour into your skin. Thank God I wasn't. But everybody else in this county has been subjected to it, and it's certainly time that we -- that we -- like Mark Twain said, it's hard sometimes to realize when you've been duped, it's hard to admit it, but I think we need to -- we need to -- you know, time for us to be responsible. We have a -- we have a great group of commissioners up here that I think is going to make the right decision, and I've never felt more blessed to live in this great county of Collier County.

Thank you, Commissioners.

MR. MILLER: Your next speaker is Donald Braswell, and he'll be followed by Dr. Pam Cunningham.

MR. BRASWELL: Just a handout for Dan. You can look at it and then pass them along.

I actually don't need a microphone, but I'll do it for the sake of recording this. I'm here briefly to tell you that I want it removed. We have, as consumers, all kinds of choices except that we can't choose not to have fluoride in our water.

What I handed to you is two pictures from your local Walmart. There's 12 feet of toothpaste products; all have fluoride. Then the second one shows I want the choice to not have fluoride in my toothpaste. There's three.

So for those who are hesitant, you're well covered. You have an option by brushing your teeth, you know. And there's a good advantage to using a tooth product. It gets rid of your moose breath in the morning, whitens your teeth, and some of them even say that it makes you sexy.

But the point is I want to have the choice of whether I accept fluoride or not. So removing it from our water system is the choice I

would prefer you to do.

Thank you, gentlemen.

MR. MILLER: Your next speaker is Dr. Pam Cunningham. She'll be followed by Peter Osinski. Dr. Cunningham's been ceded three additional minutes from Joe Alger. Joe, can you raise your --
(Raises hand.)

MR. MILLER: Oh, thank you.

MR. ALGER: I'm not at work.

MR. MILLER: Okay. So she'll have six minutes.

DR. CUNNINGHAM: Good afternoon, Commissioners. My name is Dr. Pam Cunningham. It's a pleasure to be here today to have the opportunity to address you regarding this important issue.

As you may remember, I e-mailed each of you several days ago but wanted to have the opportunity to speak to you to reiterate what my thoughts on fluoride in the drinking water supply are.

I'm a Christian and an American and as such I'm a free individual. Our country was founded on the Biblical principles of liberty and free will. These principles are outlined in our nation's founding documents, the highest laws in our land.

We as individuals, by definition, must have the freedom to do with our persons as we wish so long as we do not harm others in the process. Part of this freedom is medical freedom, the right to not have substances placed in our bodies or surgical procedures performed on our bodies without informed consent. I and, obviously, many others in Collier County do not consent to having fluoride placed in our drinking water supply.

Along with viewing the fluoride situation as a Christian and American, I also view it as a medical doctor. As a physician, I was trained to first do no harm. In fact, that has historically been and should always remain the cornerstone of medical practice, and it must also be the cornerstone of public health practice. We have recently

seen many examples of what happens when that principle falls away from our center of focus.

My argument before you today is that fluoridating the water likely does more harm than good and, therefore, it is a practice that should be abolished in Collier County. A lot of research has been done on this issue. And I sent you guys in my e-mail several scientific references. In fact, one of them was to -- alluded to by one of our previous speakers from the Harvard School of Public Health. There's a very famous study that showed these two -- these two researchers from Harvard Public School said very clearly that fluoride is toxic to the brain, and as toxic as lead and mercury in the drinking water. Under tremendous political pressure, the gentleman who authored the article pulled away from that statement and later said that he was neutral on the subject of adding fluoride to the water. That was not his initial stance.

If you can look up on the screens, you'll see one graph followed by a second one. These graphs are taken from the OEC health statistics database. If you look at the first graph with me, you'll see it looks at the average number of missing, decayed, or filled teeth in 12-year-old children in countries that fluoridate their water from 1976 to 2014, and what you'll see along the X axis is that these dental conditions went down over time in countries that fluoridated their water.

If you can please switch to the second graph. Okay. This graph looks tremendously similar to the first graph. This is a graph of children with missing, decayed, or filled teeth at 12 years of age in countries that do not fluoridate their water. In other words, what the data shows is that whether the countries are fluoridating or whether they are not fluoridating, the dental health of the 12-year-old children is the same, and what that demonstrates is that we have had improved dental hygiene in the way of children brushing their teeth properly

and also in terms of nutrition.

A couple people have shown a toothpaste container today. I have one in my bag, but I left it over on the other side of the room, but it's a fluoridated toothpaste, and there's a warning on it, and it's already been read today, but I'll just reiterate that it says, keep out of the reach of children under six years of age. If more than used [sic] brushing is accidentally swallowed, get medical help or contact poison control right away.

A lot of these toothpastes, they have, like -- if you guys have children, they have, like, shiny, pink sparkles in them. They're flavored to strawberry or orange. They're really -- they're very appealing to children. Some children will eat that, and they become -- they become very ill because they've ingested too much fluoride from that toothpaste.

When ingested in excessive amounts, the fluoride can cause abdominal pain, diarrhea, drooling, irregular heartbeat, et cetera. Let's think about the effects of a tiny bit of fluoride added every day to children's drinking water and what that does to the development of their brains. Small amounts of poison every day for these children.

Again, the researchers from the Harvard School of Public Health called this as dangerous as taking daily mercury or lead on the developing brain.

The final issue that I want to touch on is the issue of water filtration. A lot of people say, well, it's fine, just go out and get yourself a good water filter, and a lot of families do this. But the truth is that most water filters on the market do not remove this harmful substance from the drinking water. Once fluoride is added to the water, it's extremely difficult to get out unless you use reverse osmosis or a very high -- high filter water -- I'm sorry -- high-end water filtration system.

I would like to echo what I believe Mr. Sherman said in that if

this fluoride in the water is so effective, why are these pediatric dentists -- and God bless you. I love my pediatric dentist for my children, but why are you guys seeing such high levels of dental illness among these children? They are drinking the water.

Commissioners, I ask you to please take one giant step forward in public health today. Please join the hundreds of other U.S. counties and the large majority of Western Europe and vote to stop adding this chemical to our drinking water.

Thank you.

MR. MILLER: Your next speaker is Peter Osinski.

(No response.)

MR. MILLER: No? Katie Tardif. I know Katie's here. And then Katie will be followed by our final speaker who will be on Zoom, April Donahue. So, April, stand by.

MS. TARDIF: Where do I go?

MR. MILLER: Either one. Either one.

MS. TARDIF: Okay. Thanks. Good to see you guys again. And I have to start by saying, I never thought I'd find points of agreement with Alfie Oakes. Is he still here? But I'm with him.

And when it comes to healthy food, limited additives, I get chills thinking I have something in common with Alfie now.

Later when I speak to Collier County's water treatment plants challenges, I hope to discover another point of agreement.

There's been a lot of hair on fire commenting today, and I'm sure you-all know how to discern hair on fire from fact. I don't know the facts in this case, frankly, but I am much persuaded by common sense, whatever that is anymore. Sorry, I didn't mean to look away.

I think the fluoride matter might be ably addressed where Collier County's children are concerned as a compromise, many of whose dental health for life depends on "early in life" dental fluoride treatments. I don't know that they have to come through our water

system.

So I'm only proposing that rather than voting today on the matter in full, today consider a hybrid or compromise approach that takes care of children's dental health in their earliest or up to through high school years while not requiring fluoridating the entire community.

And, again, I'm not pro or con fluoridation. I am pro children's early dental health and what a critical difference it makes in their entire life.

I hope that you will please investigate an alternative approach to a serious public health issue in this manner.

Thank you.

MR. MILLER: Mr. Chair, our final registered speaker is on Zoom, April Donahue.

April, you're being prompted to unmute yourself, if you'll do so at this time. And there you are. April, you have three minutes.

MS. DONAHUE: Thank you. And good afternoon, Chair and Commissioners.

I'm April Donahue, executive director of Collier County Medical Society, and I speak on behalf of the CCMS board of directors. We would echo the previous comments offered by our dental association colleagues and ask you to vote no on removal of fluoridation from our county water.

Fluoridation to the recommended level is not just an important method for good dental health, but for good overall health. The Florida Medical Association, American Medical Association, American Academy of Pediatrics, American Academy of Family Physicians, and American Nurses Association together representing millions of healthcare providers all support water fluoridation. In addition, so does the Department of Defense for all of their military bases.

Tooth decay is the most common chronic disease for adults and

children in the U.S. Fluoride, which is not a medication but a mineral existing naturally in all water supplies, is one of the best tools for reducing that risk.

While all water supply has natural fluoride, it is an amount below the recommended level of .7 milligrams per liter. Decades of research show the safety efficacy and overall cost savings of fluoridated water in keeping communities healthy and reducing the need to treat dental disease.

Community water fluoridation provides a critical benefit, especially to those without access to regular dental care, by simply drinking community water. Unlike many other first-world countries like Europe who cover the cost of dental care -- like in Europe, who cover the cost of dental care, the U.S. does not. Multiple options are available for those who prefer not to drink the community water. Keeping fluoridation helps us take care of those who are most at risk, from young to old, and everyone in our community.

I thank you for your time.

MR. MILLER: Mr. Chair, that was our final public speaker for Item 10A.

COMMISSIONER KOWAL: Can I ask a question of the individual on Zoom?

MR. MILLER: Yeah. She still is unmuted.

April, hold on a minute. Commissioner Kowal has a question for you.

MS. DONAHUE: Sure thing.

COMMISSIONER KOWAL: You're probably like -- thank you for coming on today. I think you're, like, the second or third person I heard say the recommended level. Now, just in my little bit of research, I never really saw a particular recommended level. Now, I know if you participate in a fluoride -- introducing fluoride into your public water, the only time levels come into play is that you

don't poison your citizens by going too over a level.

And the federal government has a certain number, and the state has a certain number that you must be below, but I never really saw anything that said a recommended level. Is that -- are you stating the -- you know, to stay below a level, or is it truly a recommended level?

MR. MILLER: I'm sorry, Commissioner Kowal. You're going to have to bear with us. The Zoom protocol is to automatically mute people after they speak. I'm trying to get her unmuted again.

There it is, April. You can now respond.

MS. DONAHUE: Yes. Hello. I should say that it is a recommended range, and that range starts at .07 [sic]. That can be a little bit more than that. But, basically, what you're going to see is communities that have more than that recommended range would perhaps reduce the amount of fluoride in their water, and communities who have less than that recommended range would try to increase that level to make it optimal for dental health and overall health.

COMMISSIONER KOWAL: Thank you for clarifying that.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Thank you, Mr. Chairman.

I'd like to ask Dr. Yilmaz a couple questions. I hate to put him on the spot. Probably I should have said something to him during a break that I would ask him a few questions.

And as he's coming up, everything that I read had a recommended level of .07 [sic] milligrams per liter. I think that come out to seven -- .7 parts per million or something of that nature. But that seemed to be the recommended dose.

But I want to ask Dr. Yilmaz a couple questions. First of all, what is the amount that you have in the Collier County water system?

DR. YILMAZ: We do not exist -- we do not exceed .7

recommended level.

COMMISSIONER SAUNDERS: Now, that's .7 parts per million? Am I -- I heard a couple different numbers, and I've heard .07 milligrams per liter.

DR. YILMAZ: That will be 0.7 milligrams per liter.

COMMISSIONER SAUNDERS: And where do you acquire your sodium fluoride? Is that a -- I've heard different concerns about it being a byproduct of several different industrial processes, but I've also heard that it's acquired from China. And I'm curious as to do you know where our sodium fluoride comes from?

DR. YILMAZ: It comes from EPA-approved suppliers in the United States.

COMMISSIONER SAUNDERS: What does it take to be an EPA-approved supplier? And the reason I'm asking this is I -- you know, we do get stuff from China that is perhaps not the safest. Dog food, I think, things of that nature, children's toys. And so the issue of whether it comes from China or not, I think, is important to me. And so when you say EPA-approved suppliers, do you have any idea who those EPA-approved suppliers are and where they get their material and why are they EPA approved?

DR. YILMAZ: Thank you, Commissioner. It's a good question. In this global market we have, chain of custody sometimes changes from LLCs to LLCs to LLCs. So at the end, the product we -- product we do buy has to meet EPA and CDC requirements. As far as origin goes, we don't go and chase down the chain of custody.

COMMISSIONER SAUNDERS: All right. I don't have any other questions at the moment, Mr. Chairman.

CHAIRMAN HALL: Great.

Commissioner LoCastro, are you good?

DR. YILMAZ: Commissioner Saunders, I have one comment

to make in terms of dosage. Among all chemicals we use for water treatment, disinfection, they are all required chemicals/substances for us to produce safe water 365/24/7. As we talked before, we produce over 6 billion gallons of drinking water. That's potable water ready for baby formula.

There's only one substance that is not required and added into our water supply is sodium fluoride silicate, which is fluoridation.

I just want to make sure that it's clear to our customers that that is simply a public health policy decision by the governing board. It is not our water department or our public utilities' decision.

So the public health decision has to be made by the governing board as a policy based on all the hearing and advisors you do have from medical and scientific community you did hear today.

COMMISSIONER SAUNDERS: Mr. Yilmaz, there are several utilities in Collier County that do not add fluoride to the water, and a couple fairly large ones. One is the City of Marco Island with 20 -- almost 28,000 customers, and the other is -- let me see. There was another fairly large one. But do you have any idea why -- oh, City of Everglades, fairly small, 2500 customers. Do you have any idea why two of the cities in our county have chosen not to add fluoride? Do you have any -- was there ever any discussion, any dialogue between you and the other utilities concerning this type of additive?

DR. YILMAZ: Very good, Commissioner. As far as other utilities go, their governing board or their city council or county commission, whoever governs the water supply system. In this case, Collier County Water/Sewer District was created by special act, and you're the governing board, and you have an ordinance that also governs other regulatory functions.

In this case, our only function as the Collier County Water/Sewer District is produce potable water. Anything above and

beyond is a public health policy decision.

So, yes, we did have conversations, but most utilities will pretty much land with my statements here that subject to governing board decision based on the public health policy. From a potable water production standpoint, our charter is very simple: Produce water for baby formula.

COMMISSIONER SAUNDERS: Okay. Thank you, Mr. Chairman.

CHAIRMAN HALL: All right. Commissioner LoCastro, we'll take your comment or question, and then we will break for lunch, and --

COMMISSIONER LoCASTRO: You've just -- you've just answered it. I didn't know. It's hard for me to gauge the mood of the room. Sometimes when you have that many citizens there, if you feel the mood of the commissioners is a certain way -- as Commissioner Saunders sometimes says, I can count noses -- it's good for the citizens to sort of see the vote than make them wait out in the hall for another hour plus and then come back. That was really going to be my question. I do have some comments. And I won't lead the motion, but I do have some comments. But if you're going to hold those till after lunch, that was my question.

CHAIRMAN HALL: Do you-all want to go ahead and vote?

COMMISSIONER McDANIEL: Let's vote.

CHAIRMAN HALL: All right. Commissioner Kowal.

COMMISSIONER KOWAL: Thank you, Chairman.

Like I made in my opening statements, I'm not -- in no position here to say I'm a doctor or a scientist. And I've heard from a lot of very intelligent people that probably know a lot more than I do from both sides, the pro and con.

And, basically, what comes down to me and what I'm making a decision on today and why I'm making this motion is -- and I think

it's pretty unanimous from both sides that we agree this is a medical treatment. This is a medication that we're providing the citizens through the drinking water.

I had a few people from the dental community that actually corrected some things saying that you can't buy fluoride from the grocery store. You can't buy it from, you know, a Walmart. You can buy products that might be fortified with some fluoride, but to get fluoride administered to you that you're going to take it, you have to have a prescription from a dentist or a doctor. To me, that's a medication. If it's required to have a prescription to obtain it, that's a medication.

And that being said, with our own resolution and our own ordinance that we passed back in April 11th, 2023, I believe I can't tell my commissioners -- fellow commissioners here or tell them how they're going to decide on this or if they're going to look at accepting one side over the other, but I urge them to look at the legal aspect of it. And by our very own hand that we passed 5-0 back in April of 2023, the resolution and the ordinance -- and it's clearly stated in both -- that we are acting in violation of our very own law. And by this motion today, I would motion to bring us into compliance with a vote to stop adding the chlorine to our water.

COMMISSIONER McDANIEL: Fluoride.

COMMISSIONER KOWAL: Fluoride to our water. A lot talk about chlorine, but that's mandated, so there's nothing we can do about that. But the fluoride is not mandated, and it's clearly stated in Section 10 of our ordinance that if it's not mandated by state statute or federal law, we are not required, or we are basically prohibited and -- through the resolution on Line 3 through the implied consent of medical treatment. So my motion stands, that I want to bring us into compliance, and that I want to vote right now on removing the fluoride from our water.

CHAIRMAN HALL: So we have a motion.

COMMISSIONER LoCASTRO: Mr. Chairman, it's Commissioner LoCastro, and I can't see the lights. But one thing that was mentioned that I think does have merit is I have the municipality of Marco Island that has not fluoridated the water, and I've gotten a lot of feedback from people that they are happy with that. And, you know, I won't go into a big long speech. So I don't want to go out of order if somebody else has the light or wants to second the motion. I'm a big supporter of voting now, and not because we're doing a knee jerk, but because I think we all have done our due diligence, and I couldn't agree more with Commissioner Kowal that we have to be consistent. We can't be voting for sanctuary counties and rights and things like this and then find something else and put it in a different box.

And I just made a couple of notes here. And I apologize if I'm out of order, but I can't see the lights and whose got their hands raised, but I heard a lot of informed consent, but I actually wrote down the word "choice." I'm for choice. And so if somebody -- you know, I don't want to bring back, you know, COVID, but if somebody thinks the COVID vaccine is the greatest thing in the world, go get it. None of us are handcuffing you. If somebody wants to flavor their water, go flavor it.

There are ways to get fluoride of different levels. There are rinses, and toothpaste has fluoride. Yes, not of the levels. And I do know a little bit of the science, but I couldn't agree more with Commissioner Kowal. And if I'm out of order to second the motion, then I'll silence. But I'm -- I always think it's a very strong statement regardless of how many noses we have for the commissioners, that when you have a full room of people and we've heard from everybody, that they go to lunch knowing what the vote is.

And I would second that motion if that's not out of line. If it is,

then you already know what my vote's going to be.

CHAIRMAN HALL: So we have a motion and a second.
Commissioner McDaniel.

COMMISSIONER McDANIEL: Yeah, and you are out of order, just so you know.

COMMISSIONER LoCASTRO: Yes, sir.

COMMISSIONER McDANIEL: Just to -- and I'm -- I was going to second the motion as well.

And, you know, Ms. Katie, you spoke earlier -- I think her name is Katie. That's correct. You spoke earlier about being scared about being in agreement with my friend Alfie. I am equally as concerned about being in agreement with you.

I think, in all sincerity, that if there is a health issue with regard to our children, that it is incumbent upon us to make sure that that is tended in a manner and form that it can be tended and needs to be addressed. It is critical that our children receive the highest level of care, especially with regard to dental care that is, in fact, possible. But I am also in agreement that fluoridation should be removed from our water system, and I would like for us, as a Board, moving -- this is a secondary comment to the support of the motion and second -- out-of-order second.

But to move forward with exploration and a direct support for the dental health, especially for our challenged communities and our children.

And I was joking about not agreeing with you, Katie.

COMMISSIONER KOWAL: Is there any other comments --

COMMISSIONER LoCASTRO: Were you joking about my being out of order? I just would like clarification.

CHAIRMAN HALL: No, he was not.

COMMISSIONER McDANIEL: By no means, sir. You were out of order.

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COMMISSIONER LoCASTRO: Unbelievable.

CHAIRMAN HALL: Commissioner Saunders?

COMMISSIONER McDANIEL: Wait a second. Mr. Troy just told me he has the mute on you, so be careful. I'm right by him. Go ahead, sir.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Thank you, Mr. Chairman.

You know, it's impossible for me to really know what is the right answer or the wrong answer to this. I spoke to folks yesterday, and I was pretty convinced that keeping fluoride in the water made sense based on the very little opportunity I had to do some research on it. You go to the European countries, and most of the countries that were identified have fairly high levels of fluoride in their background water.

So they're taking fluoride out of the water because there's too much fluoride in the water to begin with. And so I'm not persuaded by what has occurred in Europe, particularly. I'm certainly not persuaded as to what has occurred in China. They don't have fluoride in the water, but that's irrelevant as far as I'm concerned.

What is relevant is whether or not there are any negative side effects from having fluoride in the water, and there's apparently evidence both ways. And so, you know, who knows what the right answer is. I tend to try to err on the side of caution. If I'm confused as to what the right answer is, I always try to perhaps go to what is the cautious approach. And I'm -- I'm semi convinced at this point, based on what I've been told, that fluoride in the water can cause some problems. Now, I didn't feel that way yesterday, and I know even saying that is disappointing to some folks that I spoke to yesterday.

So I have to say right now I don't know what the right answer is. I know this motion's going to pass, but I'm going to want to take just

a slightly different approach and ask the Board for some consideration on this. We've heard all the public comment. We don't have to hear any more public comment on this. I'd like to have two weeks to do a lot of research myself.

Now, I have -- I didn't have a great opportunity to do research as this was added to -- when this was put on the agenda. I didn't realize it was coming until a few days ago or about a week ago now. That may not be a very popular thing, but I think it would be very important for all five of us to do what Commissioner LoCastro says frequently, do a deep dive into some of the data and make a decision based on what we believe to be based on facts.

So I'm going to ask that to see if we can -- not have any more public comment but have two weeks on the vote. Vote -- just bring it up at a time-certain and vote on it, but give me an opportunity to do a little bit of -- a little bit more research on this, because I've not had that full opportunity.

CHAIRMAN HALL: I can certainly understand the ask; however, I have had the opportunity. I've had a lot of opportunity, and I've dug into it extensively. And there's really no right and no wrong here other than, you know, you've got kids who have been fluoridated all our lives, and you say it protects their teeth, but they're lined up to get teeth fixed.

And then you have the chance to where fluoride could cause this and could cause that, and there's documentation for that.

I'm all for removing it and giving people the choice to add the fluoride that they want to, and the ones that don't, don't have it pushed upon them. So it's all about health freedom and limited government, and I'm all about it. So we have a motion, and we have a second.

COMMISSIONER SAUNDERS: Mr. Chairman, just one quick comment. Then this afternoon I'm going to err on the side of

caution. I'm going to support the motion. But I can't say I feel particularly good about it because I just don't know what the data really, really shows. But being cautious, I'll err on the side of caution.

CHAIRMAN HALL: Thank you.

COMMISSIONER KOWAL: Chairman?

CHAIRMAN HALL: Yes.

COMMISSIONER KOWAL: Could I -- I'd just like to -- my original motion, the way I explained it, still stands. And, like I said, I didn't want to put my fellow commissioners up here in a position today they had to make some sort of scientific or medical decision about the research, who's right or wrong. I wanted them to look at the face value of what this is and if it is, you know, medically treating our citizens and violating our own rules.

So that basis still stands, and that's where my motion is, but I would like -- Commissioner McDaniel make a good point there. I would also add onto the motion that we invite our health community, our dental community, and even maybe members from the school board and have some sort of breakout session with them on how we can get more information out to these communities that may be less served through the schools, through other means or, you know, somehow let's brainstorm together and work -- work together for the common-sense solution but short of medicating our citizens without their permission and violating our very own law.

So I'd like to add that to the motion, if possible, if that's something we can do in some sort of breakout, invite people from the health community and the dental community and have some representative from the Collier County Schools and even if any of the charter schools or any of these other private schools want to send a representative in, and we can brainstorm how we can get this information out to -- you know, to better serve the children. So I

want to add that, kind of, to my motion, if that's possible.

COMMISSIONER McDANIEL: Does the out-of-order second say okay? Commissioner --

COMMISSIONER LoCASTRO: I think that's a great idea. And I actually don't think we need to add it to the motion. We can do that anytime, I think. Maybe it is more appropriate if it's something we vote on. But, yes, the out-of-order second would agree with that wholeheartedly.

COMMISSIONER McDANIEL: Absolutely. And if -- if we're -- I see our County Manager, you know, hurriedly making notes. Healthcare Network is an organization we want to involve there. They're one of the -- they're primarily the healthcare provider for our more challenged communities, so add them to that list.

And, Commissioner Saunders, I'm going to say this to you, because I wasn't in support of moving this off for a couple of weeks to allow us. You and I were faced with this decision early when we came into office, I think 2016/2017, right when we first came into office, and I supported the fluoridation then. Based upon what I've learned, based upon what I've been able to study, based upon the thought processes that we -- that we have in front of us with regard to the choice, I don't support it any longer. I believe there are methodologies for fluoridation to come about that can be garnered. I've also supported for personal choice between the individual and their healthcare provider all along, and I'm going to continue to do that. So with that...

CHAIRMAN HALL: All right. We have a motion, and we have a second. All in favor of removing the fluoride in the water, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

CHAIRMAN HALL: All opposed?

(No response.)

CHAIRMAN HALL: Motion carries. With that --

(Applause.)

CHAIRMAN HALL: I do -- I do want to commend every public speaker for doing an amazing job. Thank you for making it easy on us.

We'll adjourn for lunch, and let's come back at 2 o'clock.

(A luncheon recess was had from 12:52 p.m. to 2:00 p.m.)

MS. PATTERSON: Chair, you have a live mic.

CHAIRMAN HALL: All right, County Manager.

Item #10B

COMMISSIONER MCDANIEL'S REQUEST FOR RECONSIDERATION OF A MOTION BY COMMISSIONER LOCASTRO TO CONSIDER THE MCDOWELL HOUSING PARTNERS - EKOS ON COLLIER APPLICATION FOR WORKFORCE HOUSING LAND ACQUISITION SURTAX FUNDING, MADE DURING DISCUSSION OF ITEM 11B AT THE JANUARY 23, 2024, BCC MEETING. (ALL DISTRICTS) - MOTION TO APPROVE BY COMMISSIONER MCDANIEL; SECONDED BY COMMISSIONER HALL – APPROVED (COMMISSIONER SAUNDERS OPPOSED)

MS. PATTERSON: Commissioners, that brings us to Item 10B. This is Commissioner McDaniel's request for reconsideration of a motion by Commissioner LoCastro to consider the McDowell Housing Partners - Ekos on Collier application for workforce housing land acquisition surtax funding made during discussion of Item 11B at the January 23rd, 2024, BCC meeting.

Just a reminder, this is just the item to consider the reconsideration. Should there be support for that, it would come back for full discussion at a future agenda.

With that, Chair, Commissioner McDaniel.

COMMISSIONER McDANIEL: Yes. And I'll be very brief. This has -- this has nothing to do with the necessity for housing affordability by any stretch of the imagination.

I have received new information that I didn't feel was brought out as prevalent as it could have been or should have been during the actual hearing. There are questions about zoning on the actual site. There are questions with regard to the surface water discharge and the proximity of the site to the Henderson Creek water body, and then there are -- I want to have further discussions about the overall structure of the transaction between McDowell and Collier County, and that's my rationale for asking for this.

CHAIRMAN HALL: Any questions?

COMMISSIONER McDANIEL: So with that, I'll make a motion for -- am I allowed to make a motion for my own request?

MR. KLATZKOW: Sure.

COMMISSIONER LoCASTRO: I'm going to talk out of order again. Commissioner LoCastro here.

I just want to say I fully support what Commissioner McDaniel's bringing forward. You know, nobody wants to knee jerk or ramrod any projects. You know, we often get accused of rubber stamping things. That's not the case.

You know, I believe we do our due diligence, and if there's something that was missed, something that ever comes to any commissioner, it doesn't matter whose district it's in. How many times have we all said, we all vote on everything in every district.

So I don't know what specifics have come to Commissioner McDaniel's attention, but I welcome hearing it. I'm sure we all do.

So I'm not here to make a long speech to have him laundry list what the issues are. If his motion is to take more time, relook at something or, you know, however he's going to phrase it, I welcome it so that we can make sure we get the best project on that site or not -- or not. Maybe that's not the best site. I know it's been kicked around for a while. So I have no objection about any of that. I welcome it.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Is there anybody here from Ekos or --

MR. MILLER: Well, I have two registered public commenters. I don't know if they're affiliated with that or not.

COMMISSIONER SAUNDERS: Well, Mr. Chairman, I'd like to hear from the folks with Ekos to see what kind of an impact this type of delay will have. Because we're not talking about a two-week delay. We're talking probably about a month, I would assume. This would not come up at the next meeting. I think it has to come up within the next couple of meetings. And so I want to make sure that they have an opportunity to express what their concerns would be.

MR. SHEAR: Good afternoon, Chris Shear with McDowell Housing Partners, the sponsor developer of Ekos on Collier. Good afternoon, Chair, Commissioners.

The question as to whether or not this would impact funding, we do have a preliminary funding award from Florida Housing in front of us for a significant amount of the remaining gap financing. The county's funding was the last piece of gap financing that really allowed this project to move forward from the economic viability perspective.

It would be difficult for us to accept that invitation if the project is still unapproved by the county, because what we do is put ourselves in a dangerous business position, because if we don't close

on the development with the state, which wouldn't be viable without the county's funding, we would end up having to have punitive measures tallied against us where our business model, effectively, would be disrupted. We wouldn't have the ability to apply for Florida Housing funds for another year.

So there is a concern on that end. And I think the commissioner's concerns are all valid. They're all things that we deal with on a regular basis throughout the development process, and we could certainly address those in detail.

It's not unusual to address questions that come up from commissioners or from their staff or from county staff on a routine basis as things come up in due diligence.

We do have a development agreement ahead of us. We do have a land lease ahead of us. The county is not making the investment in the property to actually acquire the property until it's satisfied, and so our assumption was this was an approval to move forward on the development agreement and that the development agreement would have some measure of feasibility within it to ensure that the county's not investing and actually expending dollars until all of these concerns are fully satisfied. Thank you.

COMMISSIONER SAUNDERS: So are you suggesting then -- because I think what you're saying is that if we stay the course, we don't do the reconsideration, that there are opportunities for all of these issues to be addressed to the satisfaction of this board during the process of developing the various agreements.

MR. SHEAR: Yes, sir, exactly.

COMMISSIONER SAUNDERS: Commissioner McDaniel, would that satisfy your concerns?

COMMISSIONER McDANIEL: No, sir.

COMMISSIONER SAUNDERS: Could I ask Mr. Bosi or somebody from our community development? I'm not sure if that

would be Jamie French or Mr. Bosi or -- I guess I'm trying to, perhaps, understand what the concerns would be that we couldn't address going forward, assuming we don't do the reconsideration. Are you familiar with what the concerns would be or --

MR. BOSI: In terms of the specifics that Commissioner McDaniel just highlighted, one was the zoning. The majority of the property is zoned C-3. It's clearly eligible for exercising of Live Local. There's like a point, I think, 6-acre mobile home which would not be eligible for Live Local. They have submitted a zoning verification letter of how they could utilize that property in relationship to the C-3 property. I think we've satisfied those requirements and those issues.

As for the discharge into Hendry Creek, the stormwater issues, I would turn maybe to Mr. French to be able to kind of address that.

MR. FRENCH: Thank you, Commissioner. For the record, Jamie French, your department head for Growth Management.

We have had numerous conversations with the property owner, now McDowell Partners, the applicant that came forward. There are numerous concerns with regards to the mangroves, the restoration, water quality, and the discharge to that -- to that -- it is a critical water body that eventually flows down into Rookery Bay, and, you know, just, even today, in speaking with Chris and speaking with Jaime Cook, kind of going over their preliminary plans.

We have not seen anything to date on how they're going to address that. As Mike said, that there are some zoning restrictions with regards to that property along the water body outside of the C-3. But the C-3, in and of itself, would qualify for Live Local. We just have not gotten there yet.

COMMISSIONER SAUNDERS: Okay. So if we don't reconsider this, will there be opportunities, from your perspective, to address those concerns about flows of water into the Henderson

Creek?

MR. FRENCH: Sir, Live Local -- to answer your question, yes. We are going to have to address these no matter what. No matter what action is taken by this board, they're still going to have to meet the conditions of both the state and of your Land Development Code.

COMMISSIONER SAUNDERS: So I guess this is a comment for Commissioner McDaniel. If we vote to reconsider this, the item comes back on the original decision to go forward with the purchase. Our only options at that point are to negate what we did or just continue forward. And I don't know that I'd be prepared to negate what we did based on the fact that we have opportunities to address all of these concerns going forward anyway. So I won't be able to support the reconsideration.

COMMISSIONER McDANIEL: You're entitled to not support.

COMMISSIONER SAUNDERS: I don't know that it gets us where we need to be, because at that point all we can do is either say yay or nay to the acquisition.

COMMISSIONER McDANIEL: I understand.

CHAIRMAN HALL: Commissioner LoCastro.

COMMISSIONER LoCASTRO: The question I just had is I think we all agree there's unanswered questions. I guess I want to just go back to the question of timing. If all the questions can be answered to Commissioner McDaniel's satisfaction and we don't have to do a reconsideration, that's great but, you know, nobody wants to have a rush to judgment and skip some steps.

So I guess my question is -- it's probably for Chris from, you know, the company, or Mr. Bosi or Jamie French -- the things that are unknown, can we do them on a timeline and be within the proper time to not have the company penalized if there's some sort of wiggle in a different direction? I mean, there's always a chance for some

sort of discovery that brings a project to a halt. There's always risk. But as you said, there's known things we haven't worked out yet.

Is the question of timing feasible, or if we agree with Commissioner McDaniel, we've just put a whole bunch of risk now on the company, which I'm not saying is good or bad. It's just I want to know if it's known that timing is -- would be a monumental difference if we -- if we agreed with, you know, Commissioner McDaniel's concerns and to, you know, slow the process, more questions. Can anybody talk eloquently on that? That would be my main concern.

MR. SHEAR: May I address it?

CHAIRMAN HALL: Yes.

MR. SHEAR: Hi. For the record, Chris Shear.

The site development permit, the site development review process covers all of those measures in regards to the various agencies who oversee the stormwater management systems, who oversee the environmental regulation, who oversee the Land Development Code. So all of that is done through the site development process and site development permit. That process does take time. There's multiple iterations of site plans. There's a lot of engineering and professional architecture engineering that goes into getting that site plan to a point where we ultimately get it approved, and that's a lot of staff involvement and a lot of due diligence that goes into it. That is a long process.

My presumption was that the county would not close on the land until that point of having that site plan approved regardless. So the risk, again, would be mitigated in ultimately investing in this property if we fail to be able to demonstrate site plan approval through all of the local county development code as well as all the agencies that govern the site, including DEP, FDOT, et cetera.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: I'm not asking to delay this development for an extended period of time. I don't see any reason why we can't come back and address these concerns at our next meeting, which is two weeks. If for nothing else, I want you on record to be saying what you are and are not going to be able to do. I want to talk about -- specifically about the structure of the transaction. I've already stated why I want to have this reconsideration. So I'm only talking about bringing this back for a discussion so that I can become comfortable with the decision to make the acquisition at all.

MR. SHEAR: And, Commissioner, the fear is that two weeks is just not enough time for us to go through and finalize a final plan or have it approved by the various agencies and departments that approve that. If that's the -- kind of the bright line for us to move this deal forward for acquisition, we won't have time to sufficiently address that in the two-week period. We certainly have time to address that prior to the county making an investment in the property.

CHAIRMAN HALL: I think -- I think what Commissioner McDaniel's just saying is he wants to bring back and get some questions answered. He's not expecting you to have answers but expecting you to have a plan towards those answers. And I'm sitting here torn. You know, I think if two weeks' time was going to kill this deal and kill your financing options, then, you know, it would be a lot more difficult of a decision.

But in treating others, especially these colleagues, like I would want to be treated if I -- if I came back and I had some legitimate concerns and I wanted to talk about it after changing my mind, I would want that freedom, and I would want that privilege. And he obviously feels strongly enough about it.

I don't think in any way that we're going to change our mind about McDowell having surtax funds. I think it's just a matter of us

getting more comfortable, Commissioner McDaniel getting more comfortable with those decisions with staff and some more infirmities [sic] that may -- you know, maybe not -- the finalities or not, but just -- just something more structured. I'm trying to communicate for him. Just so that he's more comfortable with the decision that he's making.

Jamie, I can see you blowing up.

MR. FRENCH: Thank you, Commissioner.

The only clarification that I'd like to offer is just so the Board is clear, we're -- on a Site Development Plan like this with the environmental concerns that this has, we're going to have to -- it's going to be required to go through the ERP process. We're six months to a year before we have an approved Site Development Plan.

I understand -- I think, Commissioner, what you're saying is that this is more so about the financing of the acquisition of the property, not so much as coming back and looking at what this might look like as an approved Site Development Plan, unless I'm incorrect.

COMMISSIONER McDANIEL: It's all of that. It has to -- I don't -- there again, my intent here is to not squirrel McDowell's capacity to be able to fund the project.

MR. FRENCH: Sure.

COMMISSIONER McDANIEL: It's my support with regard to the county acquiring the land. And I understand that the county will only acquire the land if and when all of the regulatory approvals are in place. It's just we didn't spend an enormous amount of time on those things. And, again, I wasn't -- I've shared with you there are issues with the zoning that I want specifically addressed on the record. There are issues with the ecology of the entire area and the runoff and then the entire structure of the transaction that I want to be specified before I continue to support this. That's the reason for the reconsideration.

And I think -- I think we can get there. Now, I don't have to have specific what's the height of the risers and the runoff boards before -- before outfall, in fact, transpires. I don't have to have that in order to be comfortable. I just -- I would like to have those things addressed publicly in advance so that the community can be assured that negative impacts are not as prevalent as what's being portrayed.

MR. SHEAR: Understood.

CHAIRMAN HALL: I'll second the motion. Have we got any other -- we do have public comment.

MR. MILLER: Yeah. I have two registered names. I don't know if either one of the gentlemen are here. Johnny Johnson and John Nay?

(No response.)

MR. MILLER: No, I don't see either one of them here, sir.

COMMISSIONER McDANIEL: Johnny Johnson was one of the previous speakers.

MR. MILLER: I know, and I had a slip for that, but I have a slip for this item as well.

(Simultaneous crosstalk.)

COMMISSIONER SAUNDERS: There's a different one --

COMMISSIONER McDANIEL: Oh, it's a different Johnny Johnson? Okay.

COMMISSIONER KOWAL: May I ask a question?

CHAIRMAN HALL: Sure.

COMMISSIONER KOWAL: If we do vote to move this down the road, are we going to have a specific date?

COMMISSIONER McDANIEL: I wouldn't mind -- again, I wouldn't mind hearing it in two weeks or, at most, a month, at our first meeting in March. My thought processes are not that complicated that -- again, I don't have to have specifics. I just want on-record statements made validating the concerns that have been

raised to me.

COMMISSIONER KOWAL: So if we do agree to, say, two weeks from now, Chris, is that -- I mean, where does that put you?

MR. SHEAR: We would move quickly to get with staff on more of the specific questions so we can address that most directly with our engineers as well because they certainly have more technical knowledge than I do on some of these questions, and we'd want to come back as quickly as possible simply because we have another funding commitment that we're going to have to make a business decision on, and this funding is critically important to ultimately making that larger decision. So we would respectfully ask, if this is voted to reconsider, that we come back as quickly as possible.

COMMISSIONER McDANIEL: And can I ask the County Manager about that time? I mean, she's the one that's pushing the buttons with our clock. Do we -- can we do that?

MS. PATTERSON: So, Commissioners, if we're looking to bring this item back in order to have this conversation to then inform future decision-making -- which is my takeaway, is some of the questions that you have are not going to be able to necessarily be answered but they need to be put out there so that they are taken into consideration as this project potentially moves forward?

COMMISSIONER McDANIEL: Correct.

MS. PATTERSON: So for specifically things about stormwater, you know, I would view as that needs to be a dialogue so that it will inform some of the decision-making that ultimately is made relative to the site.

We'll bring it back in two weeks understanding that we won't have engineering answers and things like that, but we will be able to have an informed conversation about information that's come to light, and that will also help the applicant.

COMMISSIONER McDANIEL: That's -- I'm fine with that.

CHAIRMAN HALL: Commissioner LoCastro?

COMMISSIONER LoCASTRO: Yes. Mr. Chairman, thank you.

I was just really going to echo the same thing. Chris, you guys are professionals. You know, we've just cut a ribbon on an amazing complex on Santa Barbara. Have a sense of urgency, which you already do. The staff is at your disposal.

Two weeks, you know, should be ample time, and if it's not, then it means, you know, Commissioner McDaniel and maybe even more of us aren't getting the answers that we require. But, you know -- and you've already echoed saying you do want to come back as soon as possible. You don't want to wait a month. So then let's, you know, make sure that we give you every access to the staff, and you have a sense of urgency. This is a big project. We want it to be right. We want all the commissioners to be comfortable with it, and if there's, you know, some unknown things or unanswered questions, you echoed it and said two weeks means we've got to kick it in gear, but it is ample, and it doesn't throw us into some sort of tailspin where we're, you know, losing money or being penalized in some way.

So I think we're all answering our own question. See you in two weeks would be -- would be, you know -- you know, my statement. And it's my district, but all of us here are so focused on affordable housing and projects that it's all of us. So I'm not falling on my sword, you know, saying, you know, this is a bad idea. I think this is smart. Let's just make sure we have a sense of urgency, and it sounds like everybody's paddling in the same direction.

So I appreciate Commissioner McDaniel actually highlighting this. Thank you.

CHAIRMAN HALL: So, Chris, is two weeks good, or would even the first week of March -- or the first meeting in March?

MR. SHEAR: We prefer to come back as quickly as possible. We'll get our engineers engaged to answer questions technically, proficiently as possible. It may not -- it certainly doesn't come with an approval. And we'll work with staff as we typically do. And we've got a good rapport there.

And hopefully what we bring back provides the comfort level that allows us to move forward to the next step, again, getting into the development agreement; that won't actually fund into this deal until we have that final stamp-approved site plan.

So we'll do our best to get you answers as cleanly and as proficiently as possible within two weeks.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Thank you.

I'm going to vote against the motion to reconsider because all of the issues that can be raised on reconsideration are going to have to be addressed by the developer through staff and brought back to us. If we're not satisfied with those answers, then we just don't go forward with the project.

What we're going to do today is create a fire drill for these folks to get together and put together something, which isn't going to really answer the questions thoroughly to begin with. They've already acknowledged that's impossible, and we're going to get to review it anyway. So I think it's a fire drill that's a waste of time. So I'm not going to support the motion.

CHAIRMAN HALL: Commissioner Kowal.

COMMISSIONER KOWAL: Thank you, Chair.

I think what Commissioner McDaniel is trying to do -- I'm just thinking for myself what I think you're trying to do is basically get these concerns on record, because I think we initially -- we voted on this two weeks ago, which I don't know if two weeks ago was the drop-dead time. You got it approved two weeks ago. You know,

now we're two weeks later. You know, I don't know if that was, like, you were looking at some very fine time window at that point that it had to be done, but I don't think you were because you -- just, basically, luck of the draw is where you fell on the agenda, and we got it done.

But I think he wants to get these particular questions on record so we can make a more clear vote moving forward on the same exact thing that we may have had, not so much solutions but -- because certain things come up after the fact and he felt it was important enough to bring it back up. It may be important that the citizens know those questions [sic] before we definitively make a final agreement.

So I think that's why. I think the two weeks, I think that falls within the timelines of let's get these answers -- these questions out in the open so that people are aware of them, so that they didn't come behind, you know, closed doors, and it's out in front. Then we can go ahead and vote again and keep the project going forward. So I support it.

CHAIRMAN HALL: I seconded it because I want to honor his request for more information, just like in the future if I wanted to, I'd want the same. I certainly don't want you to leave here on eggshells thinking the deal's -- I'm not looking to change my mind. I'm rooting for you.

COMMISSIONER McDANIEL: And it was poorly described as a fire drill. It isn't a fire drill. I have real live concerns, real live discussion points, and I want to -- that's the reason for me asking this. That's all.

COMMISSIONER SAUNDERS: You know, the fire drill I'm talking about is these folks are going to have to huddle with their engineers and everybody, and everybody's busy, so that's why I'm saying it's a two-week time period is pretty slim to get all the

professionals together and get a -- even get the questions addressed the way you want them, so that's why I'm not going to support it.

CHAIRMAN HALL: Commissioner LoCastro.

COMMISSIONER LoCASTRO: Mr. Chairman, I'm obviously going to support it. No disrespect to Commissioner Saunders -- and I know how he meant it, but I don't characterize it as a fire drill. I look at it as business, and these are businessmen. And when you have a big project, you have a sense of urgency, you've got to circle the wagons at times.

And if they come back to us in two weeks and they weren't able to accomplish what they needed to accomplish, then that wasn't a good sign. So I think we put it on the agenda in two weeks. I think we've got all professionals standing there at the podium. Yep, they're going to -- they're going to have to, you know, circle their professionals quickly, and that's what we're asking them to do, and that's called business when you're, you know, building a big project. Then we'll find out in two weeks if their circling of the wagons brought us sufficient answers. So I have no reservations, and I would -- you know, I would agree to the first and the second of the motion. So I just wanted to go on record and say that.

CHAIRMAN HALL: All right. We have a motion and a second. All in favor of kicking this forward for two weeks, say aye.

COMMISSIONER McDANIEL: Aye.

CHAIRMAN HALL: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER LoCASTRO: Aye.

CHAIRMAN HALL: All opposed?

COMMISSIONER SAUNDERS: Aye.

CHAIRMAN HALL: All right. Motion carries.

Item #10C

AN UPDATE ON THE DEVELOPMENT OF THE STATE OF FLORIDA'S APPLICATION TO THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS - STATE HOME CONSTRUCTION GRANT PROGRAM TO SECURE FEDERAL CONSTRUCTION MATCHING FUNDS FOR A STATE VETERANS' NURSING HOME IN COLLIER COUNTY. (ALL DISTRICTS) – DISCUSSED

MS. PATTERSON: Commissioners, that brings us to Item 10C. This is a recommendation to receive an update on the development of the State of Florida's application to the United States Department of Veterans' Affairs State Home Construction Grant Program to secure federal construction matching funds for a State Veterans Nursing Home in Collier County.

This item is brought to the agenda by Commissioner Saunders, and Mr. Mullins is also here to assist with the update.

COMMISSIONER SAUNDERS: Thank you, Mr. Chairman, members. I spent the day in Tallahassee on February 1st. We actually had an all-day meeting with the architects and the Florida Department of Veterans' Affairs as well as a couple of the other state agencies that are involved in any types of projects that the state's involved in.

And I think Mr. Mullins has a couple items that he's going to put on the visualizer or on the screen there. But just as a way of introduction, we're looking at 120,000-square-foot nursing home. I think we all liked the Las Vegas plan that was submitted to us back several months ago. And the good news is Florida Department of Veterans' Affairs likes that type of plan. It's more compact. And the architects are working on that type of a plan and are putting together some pretty phenomenal stuff for that.

The facility will have 120 beds. Everybody's agreed to that. There was discussion about going as low as 108 beds, but we want to have a facility that meets the needs and is financially viable, and so a 120-bed facility is where everybody landed on. Ten percent of the rooms are going to be used for bariatric patients, so those rooms will be a little bit bigger, and then there will be 40 to 60 beds for memory care.

The adult daycare component will be about an 11,000-square-foot facility. That has to have a separate entrance, separate parking area to keep these visitors separate from the folks that are resident in the nursing home, and so they've laid out how that would be situated with the nursing home.

They'll be able to serve somewhere between 45 to 55 or 60 patients in the adult day healthcare at a time, and that facility will be, I think, something that will be really not only unique in a nursing home, we'll have the only one that has that, but will be something of great value to our veterans.

The outpatient component, the way that's going to be structured is it will be a dual-use facility. They'll have to have separate hours for the folks that are using the rehabilitation services that are outpatient, so they'll have to come in at different times of the day than the patients that are resident in the facility, but that's all been worked out with how they would have a separate entrance for the outpatients.

And so the design of this is really phenomenal.

Mr. Mullins, if you could put the -- well, right now this is the Port St. Lucie design. This is the one that was way spread out, very inefficient, the one that all of us really didn't like. And if you could put the Vegas one up. And that's much more similar to what we'll have here in Collier County. Much more compact, much more user friendly, much more efficient for the folks working there.

The architects and folks are on a very tight timeline. The goal is that we have to have an application in by April 15th. That's the -- certainly the desire to -- by everybody, especially our Florida Department of Veterans' Affairs. They know that this is a very impressive and a very important project.

While we were there, we realized that we had to change the language that was proposed in the state budget to make it clear that we have the outpatient facility as well as the \$10 million to match our \$10 million for the outpatient facility. So we made arrangements to get that language changed in the proposed budget that the legislature is looking at now.

There were going to be several more virtual meetings between now and April 15th to get this done, but everybody's 100 percent confident that the budget works based on the amount of money that the county's putting in and the 65 percent share from the federal government. Everybody's confident that they've got a good financial plan, a good layout, and they're very confident that when this gets to Washington, that there will be -- it will be very positively received.

I will tell you that Texas is another state that is a high-need state, just like Florida, and so we're in competition with other states, and hopefully our plan will be one that stands out and one that ultimately gets funded. But there's always that potential with other competition that there may be some delay in that regard.

I will also say one other thing before -- I'm not sure if John has some comments. But I had suggested two things to the group, and the Florida Department of Veterans' Affairs agreed to these. One was that once we get the general application in and it's approved by the federal Department of Veterans' Affairs, there's no money available for architectural work, design work until the federal money actually is approved by Congress.

I suggested to the Florida Department of Veterans' Affairs that

they go through the procurement process to select architects and select engineers with the understanding that there isn't federal funding, so that will save four or five months during the procurement process while they're waiting for federal funding. So that shaves off some time.

There's also some potential, and this is something that the Commission will have to consider but one that I had suggested as a possibility, and that is having the funds that we have on -- in escrow in Tallahassee, the \$30 million that we have there, being able to use some of those funds in advance of the federal funding. Once our project is approved by the federal Department of Veterans' Affairs, use some of our funds to actually fund the initial design work. Again, that would save a substantial amount of time. Those are policy issues that we have to discuss.

But the project is moving along. Everybody's really confident about this. I was really impressed with the team that's been put together. John Mullins was on the call the entire day. Brian DeLony was on the call the entire day. There were questions concerning the entrance road and things of that nature. Everything got worked out. And so I just wanted to update the Board that this is moving along in a very positive way.

CHAIRMAN HALL: Thanks, Commissioner.

Commissioner McDaniel.

COMMISSIONER McDANIEL: Mr. Mullins, do you have anything to say before I ask a couple questions?

MR. MULLINS: John Mullins, your director of Communications, Government and Public Affairs. And I think Commissioner Saunders covered everything, but I'm happy to answer any questions.

COMMISSIONER McDANIEL: Well, my questions, as much as anything, are to Commissioner Saunders as anything. When we

were in Tallahassee in December, there was a discussion about a potential budget appropriation this session. Is that moving forward well?

COMMISSIONER SAUNDERS: Yes. That's the -- we had to change the language to make it clear that there was going to be an adult day healthcare facility and \$10 million state appropriation to match ours. That language is now in the budget.

COMMISSIONER McDANIEL: Outstanding. I heard you -- I didn't want to say glaze over that, but I just wanted -- I heard that, okay.

COMMISSIONER SAUNDERS: Yeah. I try not to glaze over \$10 million.

COMMISSIONER McDANIEL: Thank you, sir.

In our early discussions with the Veterans' Administration, there was some discussion about the necessity for coverage of the O&M from the Veterans' Administration based upon the depository for the Veterans' Administration and the amount of patients that they have in other facilities. And was that addressed with regard because -- with regard to this project? Was there capacity to be able to fund up the O&M, the operations and maintenance, out of the trust fund?

COMMISSIONER SAUNDERS: Yeah. We did not get into a discussion of operations and maintenance once the project's completed. There was a lot of good news, though, from the Department of Veterans' Affairs. All of their facilities in Florida are now 95 percent or more occupied.

COMMISSIONER McDANIEL: Yes.

COMMISSIONER SAUNDERS: They've had no real problems going forward with staffing, and they certainly haven't had any problems with finding patients. So they're confident that with our facility, it will fill up very quickly, but we did not get into a discussion of --

MR. MULLINS: And actually, Commissioner, I can shed a little bit more light on that. That actual VA checklist which you have to satisfy as part of the application process and due April 15th are two items, the financial plan for the state facility's first three years of operation and the state official certification of the number of state-operated nursing home and domiciliary beds and occupancy rate. So FDVA will have to put together all of those items to submit with the application by April 15th, and they said they would have absolutely no issue in doing so.

COMMISSIONER McDANIEL: All right. And -- perfect. That's a great answer.

I mean, four years ago, Commissioner Saunders, five years ago, that was a topic of discussion of this even coming to fruition, and we had had some discussions and I wanted to bring it up now to have a look at -- I know we're squeezing our coffers every time we come around the corner, but there was -- back in those days, there was discussion about the county actually even putting up some of that money to offset the potential exposure on the treasury for the Veterans' Administration. And if that was requisite, I wanted to have that discussion now and share that I'm in complete support of that if it's necessary because of just how important this is to our community, so...

COMMISSIONER SAUNDERS: Well, hopefully that won't be necessary.

I will say that I was advised by the Department that they do have a fairly substantial trust fund, and they want this project to go.

COMMISSIONER McDANIEL: Okay. Good.

COMMISSIONER SAUNDERS: So I would not hesitate to encourage them to use some of that trust fund, and I think they will. So I don't think we're going to have a problem with that.

COMMISSIONER McDANIEL: Okay. Great. That's all I

had. Thank you.

CHAIRMAN HALL: Thanks, Mr. Mullins.

COMMISSIONER McDANIEL: Thank you, Commissioner Saunders, for all your hard work on this.

COMMISSIONER SAUNDERS: (Nods head.)

Item #11C

RESOLUTION 2024-28: RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER VACATING THE 10-FOOT-WIDE PUBLIC ROAD RIGHT-OF-WAY EASEMENT OVER THE WESTERLY 10 FEET OF TRACT A-1, AS DESCRIBED IN OFFICIAL RECORD BOOK 1476, PAGE 242, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, LOCATED APPROXIMATELY 2,000 FEET SOUTH OF IMMOKALEE ROAD (CR-846) AND 1,000 FEET WEST OF RICHARDS STREET IN SECTION 25, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA. (PL20230007642) (COMMISSIONERS SAUNDERS' AND MCDANIEL'S SEPARATE REQUESTS) - MOTION TO APPROVE BY COMMISSIONER MCDANIEL; SECONDED BY COMMISSIONER SAUNDERS - ADOPTED

MS. PATTERSON: Commissioners, that brings us to Item 15 -- oh, no, I'm sorry. That's Item 11C, formerly 16A4. I tried to rush us through the end of this.

This item is brought to the agenda by Commissioner Saunders' and Commissioner McDaniel's separate requests. This is a recommendation to adopt a resolution scheduling a public hearing to consider vacating the 10-foot-wide public road right-of-way easement over the westerly 10 feet of Tract A-1 as described in

Official Record Book 1476, Page 242, of the public records of Collier County, Florida, located approximately 2,000 feet south of Immokalee Road and 1,000 feet west of Richards Street in Section 25, Township 48 South, Range 26 East, Collier County, Florida.

Ms. Jaime Cook, your director of Development Review, is here to answer questions or present.

MS. COOK: Good afternoon, Commissioners. Jaime Cook, your director of Development Review.

So the item before you today that was on the consent agenda is simply the request to advertise for the vacation. The actual vacation would be brought forward with the companion proposed GMP amendments as well as PUD rezone.

The area that you can see on the aerial to the right circled in red is the 10-foot easement, and shown on the proposed master plan, that same area is highlighted in yellow. This access easement was never accepted by the county. It's never been maintained by the county, and it simply is to provide access to those two landlocked parcels in the middle of the proposed development.

So with that, Mike and I are both available to answer any questions you may have.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: Well -- and I'm satisfied now that I've learned -- I asked this to be pulled, but I'm satisfied to allow this to go forward for advertisement. Because one of my concerns and rationale for pulling it was I didn't see the whole picture. I didn't see access and ingress and egress and all that -- all those sort of things, and I understand now that that will come back to us with the entire PUD before we grant the vacation. So I'm okay with that -- I'm okay with this agenda item moving forward.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER SAUNDERS: Thank you. And I had the

same concern. I just wanted to make sure, and you've addressed this, that when this vacation comes back, it's an item that's heard right after the rezone; because if there's no rezone, there's no need to vacate the easement. But I just want to make sure it's held at the same time.

MS. COOK: Correct, yes. And we've actually scheduled it so that it would be part of the public hearing for the GMP and PUD.

COMMISSIONER SAUNDERS: Thank you.

MS. COOK: You're welcome.

COMMISSIONER McDANIEL: Do you want to move for approval, or do you want me to? I'll move for approval. Let's get this on.

COMMISSIONER SAUNDERS: I'll second it then.

CHAIRMAN HALL: All right.

COMMISSIONER SAUNDERS: See, we're working together as a team now.

COMMISSIONER McDANIEL: Oh, yes, that's it.

CHAIRMAN HALL: I like it. And you're both in line.

All in favor, say aye.

COMMISSIONER McDANIEL: Aye.

COMMISSIONER LoCASTRO: (No verbal response.)

CHAIRMAN HALL: Aye.

COMMISSIONER SAUNDERS: Aye.

COMMISSIONER KOWAL: Aye.

CHAIRMAN HALL: Motion carries.

MS. COOK: Thank you.

COMMISSIONER LoCASTRO: You might not have heard me. I said "aye."

COMMISSIONER McDANIEL: LoCastro was on delay.

MS. PATTERSON: Commissioners, that brings us to Item 15, staff and commission general communications.

Item #15A

**PUBLIC COMMENTS ON GENERAL TOPICS NOT ON THE
CURRENT OR FUTURE AGENDA BY INDIVIDUALS NOT
ALREADY HEARD DURING PREVIOUS PUBLIC COMMENTS
IN THIS MEETING**

Item 15A is public comments on general topics not on the current or future agenda by individuals not already heard during previous public comments in this meeting.

MR. MILLER: We have no one registered at this time.

Item #15B

STAFF PROJECT UPDATES

MS. PATTERSON: Item 15B is staff project updates. At the Board's pleasure, we do have Mr. Summers here just to give a brief update on communication plans. This is a follow-up to the discussion that we had after the issues that we had with the utilities and the water outage.

MR. SUMMERS: Commissioners, good afternoon. For the record, Dan Summers, director of Emergency Management for Collier County.

And I just wanted to let you know we've had a -- continue to enjoy a great dialogue with Dr. Yilmaz and his team associated with the outage.

And as an opportunity to kind of hot wash and review that situation, certainly his team had some very unique challenges not only with restoration but the subsequent outages that were down

range of that event.

And what I wanted to bring to you today is to let you know that Dr. Yilmaz and his team and our alert notification team, what we want to do, we're going down the road of planning for some thresholds that might be appropriate to activate the Alert Collier notification for.

When some of these things may, in fact, be short duration or we may -- may or may not have a geographical boundary, those are some things that we certainly have to consider. In retrospect, I'll tell you I'm kind of glad that we did not activate Alert Collier, because when we had the down-range subsequent breaks, we would have generated an enormous amount of confusion, not that it wasn't confusing at that particular moment.

So when you have a cascading event like that, that messaging has to be done right and I think would have certainly been challenging in the Alert Collier world because there is some bleedover.

So let me just show you what goes into our process a little bit and, again, we'll come back with Dr. Yilmaz's teams and kind of revise or make sure we have some thresholds identified.

So the first part of this, just to let you know what our business process is, we have to build a sample template for each notification. Now, we've done templates already for things like wildfire and severe weather and those type of things, and we have a general format for the water outage. But in this case, we're going to use the North Collier event as kind of a new planning template for our plan and process.

We have to refine that geographical boundary. That's real important. And if you'll recall, when I mentioned the alert notification last time, this is to a cell phone device. It is only as accurate as the software and the algorithm that the cell provider

provides to us. So there is bleed. So, you know, folks might say, well, I'm on the east side of the road and the outage is for the west side of the road; those things are going to occur.

We have to also decide on our delivery method. We can send short text. We can also get into the federal system, so to speak, and do a large notification, as well as voice.

What is really important here is to continue to remind our residents to subscribe to Alert Collier, okay. Right now the state has funded what we call the Whitepages, resident connect, so they have millions of phone numbers that they have already paid for. That is on a year-to-year subscription basis that the state covers.

Right now I have everyone's white pages, if you will, until the end of this calendar year, and the Division of Emergency Management continues to plan on funding that in the future, and they usually charge that off as a hurricane expense. Heaven forbid, if we have another hurricane this year, it's part of their doing business. And, statutorily, they're required to have a mass notification system.

From that process, we also look at any demographics associated. For example, we've done lost child -- lost children in Immokalee. We've also used Google Translate to try to get that language barrier addressed. Then we go through a two-step validation process. This is all done within just a couple of minutes. We launch that message. This Alert Collier is so powerful that we actually have to throttle it. We could overwhelm the local phone system, even a local PBX.

So there is time spread out to throttle these messages. We don't want to impact the rest of the phone system in the community.

We do get real-time dashboard reports as to who acknowledged that particular call, and we do cut off the number of calls. So, you know, we may try three times in a 15-minute period, but that's it. And we typically don't continue to hammer that phone number.

We also want to make sure that we don't cross municipal

boundaries. While all three municipalities are on board with us, they do ask that we make sure we check with them first because they do -- some of these folks do -- municipalities still maintain their code red, but we don't want -- which is another mass notification system that is -- that have to subscribe to and pay for, but we make sure we coordinate with the municipalities if there are any borderline situations.

And then, finally, when you activate Alert Collier, phones are going to ring. Folks, even though there's a seven-digit number and there's a place to go for more information, there's that first instinct to either dial 911 or 311. So when we do something like that, we want to make sure that we've got the services ready behind it to answer any questions that come back.

So, again, it is a -- it is a process that we have learned over the years. It's one thing to launch it; it's another thing to receive it; and another process to make sure that our residents get the information that they want.

And then, finally, we've also learned a little bit from the wildfire events, that we also want to transmit an all clear. And so, again, these are part of the processes that we'll go through.

But we'll continue evaluation with Dr. Yilmaz and his team for thresholds. We have done this before on behalf of Marco Island for a scheduled utility outage. So we know how to do it, and this particular event I think we need to set some thresholds for the length of the outage and the impact of the outage. Work in progress.

CHAIRMAN HALL: Thanks, Dan.

Commissioner McDaniel.

COMMISSIONER McDANIEL: Yes. And this is -- thank you for this information, but my question is, is -- there a -- is there a need to use Alert Collier, or can our utility department manage this on a more localized basis?

MR. SUMMERS: I believe Dr. Yilmaz is looking at some additional options within his call center resources. Probably his would not be as fast or maybe as -- could hit as many subscribers as we can. That may be an option for him to look at and, of course, we still have our social media resources as well as his effort to go door to door in certain locations.

COMMISSIONER McDANIEL: And I'm asking the question because it would seem to me -- if Dr. Yilmaz can come up, maybe he can better answer this. It would seem to me that the Alert Collier's more of a mass notification process where you would -- you may have overlap; people on one side of the street wouldn't be impacted by the circumstance than the other, but they get a notice anyway and, whereas, our utility department -- let me ask him. He's standing behind you now.

MR. SUMMERS: Pardon me. Go ahead.

COMMISSIONER McDANIEL: My thought -- and I haven't talked to Dr. George. But my thought process would be, you know where the breach is, you know where the circumstances are, and you know the customer base that is being impacted by this. Is there a measure that we could assist you in to better notice of your -- the customer base that's serviced by the utility?

DR. YILMAZ: The short answer, Commissioner, is absolutely yes. And I'm sure everyone in this room -- there might be few exceptions -- we all received FPL outages on our cell phones. If anyone has experience with FPL and how they manage their customers one on one, it doesn't matter what the size is. And we're looking at being as good as FP&L, if not better than FP&L. We initiated already some of the scope work.

And you're correct, Commissioner, that we want to get to the point where hurricane or extreme emergencies then we're tapping into our EOC.

COMMISSIONER McDANIEL: Right. And that was my thought process. Natural disasters, hurricane, fire, so on and so forth, that's Alert Collier. And it almost -- it almost seems better for us to be managing utility outage and notification processes on a localized basis.

MR. SUMMERS: Absolutely, I agree. And, again, I think we have -- the Alert Collier really is designed for that fast-breaking community emergency situation. Not that this wasn't fast-breaking, necessarily, when that pressure changed. But, again, it is slightly different for the utility.

So I just wanted to let you know the good news here is that we have options. Dr. Yilmaz might build some threshold capability with other systems and then, of course, some type of escalation or an escalated situation, we're here to pull the trigger upon the request of the incident commander.

COMMISSIONER McDANIEL: Thank you.

MR. SUMMERS: Very good. Anything else, Commissioners?

CHAIRMAN HALL: Yes. I just want to -- you said you were glad that we didn't use the Alert Collier this time. So I'm just wondering -- just take District 2. If we had the defined boundary for District 2 and we shot a message across the board, "boil-water notice." Then 16 hours later we had this break at Arthrex. Can you redefine the smaller area of Arthrex and say, your boil-water notice is going to continue because of this break, and then we have another one at Pewter Mug area. So can you -- can you effect the new breaks with communication without affecting the whole?

MR. SUMMERS: Yes, sir, you can. You can do that. We are graphically defined. We do have -- again, as I mentioned, there's bleed in that geography.

I think what we didn't know at the time was probably the time to

restoration on those subsequent breaks or when those particularly came up.

So, again, the issue or -- not the issue. The lesson learned here is that even had we done secondary or tertiary notifications, you've got to be ready for these customer inquiries to come back, and then we were into, what, Saturday night or Sunday morning. I can't remember which day it was. But, again, now we know that if we wanted to do that, we've got to make sure that we're staffed up to make sure that we can address those inquiries.

CHAIRMAN HALL: Good. I think that was the main issue was the lack of communication from us to them. And as long as we have the capability to get the information out --

MR. SUMMERS: We do.

CHAIRMAN HALL: -- more is better. Even -- I called it a nonsolution message. You know, even if after several, you know, hours or the next day, you know, hang with us, we're still -- we're getting close, the people still know.

MR. SUMMERS: Right. And, again, it is a balancing act. I'll just tell you from professional experience, it's a balancing act whether you use the big shotgun or you come back and do -- you know, kind of make that a little bit more smaller venue as to how you notify and alert the public, and I think we learned something from this, and we'll fine-tune it.

CHAIRMAN HALL: Okay. Commissioner Kowal.

COMMISSIONER KOWAL: Thank you, Commissioner.

Hey, Dan, thanks.

MR. SUMMERS: Yes, sir.

COMMISSIONER KOWAL: I just -- quick question. The Alert Collier, is that -- what system does that use? Because I'm familiar with the geo fencing systems because I've kind of looked into it in the past for other things. And according to them, the

people that run those and design them, you can literally bring it down to an address. Like, I can say, pick a Publix in Collier County and put that address in there, and anybody that pulls into that parking lot will get an alert on their cell phone as long as it's on or activated. I mean, is that similar to the capability we have with the Alert Collier?

MR. SUMMERS: Yes, sir, it is. And so what we are, we are at the mercy of -- and, again, Alert Collier, every county in the state of Florida brands "Alert Charlotte," "Alert Lee County" as a result of the state subscribing to this agreement and giving subagreements to each county.

We say that bleed is there because it really depends, number one, on the carrier, although, as you said, 5G phones are getting more and more precise with their geo points and algorithms. But we always want you to know that as these systems -- as people migrate, there may be some bleed, and that's about it.

As we've seen cell phone text messaging to 911, those -- those coordinates are getting more and more refined. But we plan -- we conservatively plan for a thousand feet of bleedover. It's a planning tool.

COMMISSIONER KOWAL: Thank you. Thank you.

CHAIRMAN HALL: Thanks, Mr. Summers.

MR. SUMMERS: Very good. Thank you.

MS. PATTERSON: Dan, any other updates from you?

MR. RODRIGUEZ: I'm good.

MS. PATTERSON: All right. County Attorney?

MR. KLATZKOW: Nothing, thank you.

MS. PATTERSON: Commissioners.

CHAIRMAN HALL: Commissioner LoCastro, any comments?

COMMISSIONER LoCASTRO: It just takes me a second to unmute.

You know, I don't -- I'm sure somebody else was going to say

something, but, you know, as an Air Force member, seeing airplanes go down, and if turns out that at least what we were hearing was it could be a multi-engine failure, that's actually pretty rare, you know. Those of us that fly know that. You know, you don't make any kind of, you know, preliminary decisions, but -- or assessments, but, you know, obviously, we had a catastrophic accident.

You know, I just wanted to say, from near and from afar monitoring what happened at the county, obviously, tragic but, you know, we had our best and our brightest that were out there on I-75 from the state, from the county, and from lots of other agencies, and I'm sure everybody would echo that. I don't want to steal anybody's thunder by saying that. You called on me first, and that's just the first thing that comes to mind that these kind of things don't happen a lot. We had fatalities but, you know, we also had, you know, brave men and women in uniform that were out there doing, you know, incredible work and saving other lives, directing traffic, and you know, I think the county certainly had a tragedy, but there was a lot of heroic efforts in the middle of a lot of mass confusion. So I just want to say, you know, hats off to our team and those from other outside agencies who were involved.

CHAIRMAN HALL: Commissioner McDaniel.

COMMISSIONER McDANIEL: Yes, I have a laundry list here, so hang on.

CHAIRMAN HALL: Go for it.

COMMISSIONER McDANIEL: First off I want to --

COMMISSIONER SAUNDERS: I make a motion that we adjourn.

COMMISSIONER McDANIEL: I'll be brief.

COMMISSIONER LoCASTRO: I'll second that motion. Am I out of order?

COMMISSIONER McDANIEL: Yes, out of order again, sir.

On our MPO, I serve as the liaison for the MPO AC. And if it hasn't made it through to you yet, there is legislation moving through Tallahassee. It had a lot of not happy language in there with regard to imposition or placement of bureaucrats in front of the elected officials for an MPO in the event that the MPO was failing, and that language I'll change, but there is still -- that legislation's moving forward, and there is a discussion about the discontinuance of the existence of the MPO AC, et al. And so that's just a heads-up as to -- now, I have personally, not on behalf of our MPO -- or I think I mentioned it last week at our MPO a meeting, I have made suggestion that rather than whack the MPO AC, that we offer up a restructure of the organization to provide for greater efficiencies. And so I've let our legislators know that when it comes across, that that's something that might be accomplished there as opposed to just a complete elimination of the MPO AC.

Number two, Commissioner LoCastro, out of order, we're all really happy to be hearing from you, and I -- I just want to offer myself and my office to assist in any way, form, or fashion that is requisite for you.

If there's anything my office can do -- and I'm sure all of us feel the same way. If there's anything we can do to speaking engagements or constituent concerns or anything along those lines, don't hesitate to reach out. I just want you to know that.

COMMISSIONER LoCASTRO: Thank you.

COMMISSIONER McDANIEL: Oh, you're more than welcome, sir.

Number three, we have an issue at our -- with Parks and Rec with our insurance policies that our commercial vendors are requisite in getting insurance thresholds, and it's hit a couple of our commercial users at our boat ramps. And so if it meets with your approval, I'd like to bring an item forward, if you would like to hear

about it, just to -- I've got a couple ideas that may be able to help mitigate that.

There was a policy that had -- just a brief explanation. There was a policy that has always been in place, and then with our change in staff and authority, someone said, hey, we haven't been paying attention to this and hadn't been enforcing these things, and then we did, and so it's caused an imposition on some of our commercial operators. And I have a couple ideas I'd like to throw out. So if it meets with you-all's approval, I'll whip up an agenda item. Do you want to say something, Tanya, or are you just there for questioning?

MS. WILLIAMS: Just coming up in case.

COMMISSIONER McDANIEL: So I don't want to belabor the point today, but there are people that may want to speak in that regard, and I've got a couple of ideas that may be able to help with that.

Number three, and it's -- am I on number four? Thanks for counting, dear.

Our leases with our airport facilities are in dire need of addressing. And it would be my request that we withhold any negotiations or bringing forward of any leases for our leasehold properties on our airports until we review the ranking system that's been established through procurement for the selection of vendors and contractors and an actual review of the lease parameters.

Commissioner Hall, you're a -- I'm going to pick on you because you're the Chair.

CHAIRMAN HALL: I'm listening.

COMMISSIONER McDANIEL: I'm going to lease you -- go to contract with you, lease you a piece of land that I own, and you don't have to pay me for at least two and a half years. How do you feel about that?

CHAIRMAN HALL: That's a good deal for me; bad deal for

you.

COMMISSIONER McDANIEL: So that's what we have going on with our leasing of vacant lands, at the Immokalee airport at least. And so I'd like to -- I'd like to tighten up those parameters. I'd like to tighten up the rules with regard to how we're doing that. I would also like to have a review of the ranking criterium that's being utilized for selection of contractors. When I first came into office in '16, you know, the success of an airport has to do with what?

CHAIRMAN HALL: Fuel. Fuel.

COMMISSIONER McDANIEL: Fuel sales and air traffic. The more air traffic you have, the more fuel sales you have and so on and so forth.

And we had a piece of property out at the Immokalee airport that was tied up by a contractor for over a year before I came into office. It was another year and a half, and then they asked for an extension, and they hadn't -- because the way the current lease reads is you don't have to pay me until you get your CO.

So -- and all I'm doing is renting the land. So you can tie up a piece of property, hold it under contract for two and a half years, not even apply for a building permit, and then ask for an extension and continue to tie up that land. And so it's not very fortuitous for our taxpayers and the utilization of our county assets, and on so -- was that too long of a description? No. So that's the rationale for doing that.

CHAIRMAN HALL: How do you suppose that we do that? In a workshop or here or --

COMMISSIONER McDANIEL: I'm going to make some recommendations. I've been having discussion with Trinity Scott about this. I'm going to make some recommendations and then bring that format back to you in short order.

CHAIRMAN HALL: Okay.

COMMISSIONER McDANIEL: Is that a positive head nod out of her? Yes, so that's a positive head nod out of her.

I've been working on this quite a bit. And then, obviously, when we bring it forward, you-all will have your opportunity for input.

Hang on one second. The little timeout on your phone doesn't work all that well. And it also has to do with -- on the same note, with regard to procurement, I would like for us to have a discussion about the thresholds that we currently have for acquisitions that are established -- were established quite some time ago that may need -- that need to be reviewed.

And so I'm going to use specifically Andrew, the young gentleman that used to be our airport director that went and took another job. He wasn't -- he wasn't able to buy a piece of equipment that was essential for the Marco airport because of the threshold limitation that was -- now, there may have been other circumstances, but it's come to me --

CHAIRMAN HALL: Monetary threshold?

COMMISSIONER McDANIEL: Yes. And so I'd like to -- I'd like to have a discussion about that in the near future as well.

Last, but not least -- and I brought this up a while ago, not too awfully long ago, but I would like to direct staff to give us some discussion about privatization of our aquatic centers. So I've got -- I have some ideas, and I just want to hear -- I hear a lot about the ongoing expense, the enormous capital expense that we put out, the enormous maintenance expense that we put out with regard to our aquatic centers. And when I talk about privatization, it's not -- it's not selling those aquatic centers. It's giving the operations over to a private entity that can help offset this enormous expense and maybe generate revenue for us. So if that meets with your approval, I'll work with staff, and we'll bring something forward there as well.

CHAIRMAN HALL: However we can do it smarter and better, I'm in.

COMMISSIONER McDANIEL: Okay. And then now you can go ahead and move to close the meeting if you want.

CHAIRMAN HALL: Commissioner Saunders.

COMMISSIONER McDANIEL: Oh, now he wants to talk.

COMMISSIONER SAUNDERS: Actually, all I want to say is I echo what Commissioner LoCastro said in terms of the response from our county, Collier Sheriff's Department, EMS, all those folks that were on site on I-75. Everything I heard from different folks was that the county's response was really spectacular. Obviously, a tragedy, but kept things from getting worse.

CHAIRMAN HALL: Commissioner Kowal.

COMMISSIONER KOWAL: Thank you, Chair. I'd also like to echo that, also, the response and the feeding us the information as it was coming in, from Mr. Summers, through John, and everybody keeping us abreast of the situation. You know, it was very important, because, sad but true -- it was true. Social media gets ahold of things. And I witnessed it myself, that there was some just -- some outrageous comments. And if they're said over and over enough, they become truth in some people's eyes. We see that a lot.

So it was important. I know -- Commissioner Hall, I think you put out something on social media, and then I put something out, and then people were very thankful that they got some real details, real truths about what was going on, so it was really -- it had a good response.

Just -- I'd like to visit what we went through today. I'm sorry I had to put you guys through an extremely long agenda item. This would have been a very short meeting if I didn't do that, so it was probably a good one to do it for -- on.

I just wanted to say, you know, we don't -- you know, as

government and government officials and as, you know -- you know, our duty is to provide certain things and stay out of the way of certain things, and I truly believe that. And regardless of where you think the medical theories are or which way the science goes on a plethora of things -- we talk about masks. Do they work? They don't work? Shots, do they work? They don't work? You know, fluoride, does it work or it don't work? Or does it outweigh one out of the other, the good or the bad?

But I think with what it comes down to is as a government, we're responsible to provide safe water, safe water for our community to drink, and that means safe water when they drink it, they're not going to get sick, and that's where it comes into. You know, where our health part of it comes into play, not so much premedicating it with something that may or may not be good for them.

So I just wanted to make sure, you know, that it's clear on why I was doing what I was doing, because I don't think it's our duty to -- and I think the document that we all agreed on back in April of last year demonstrates that, that it is not our duty. Our duty is to provide certain things but draw a line at certain things.

And I just want to say I thank everybody, because I think we -- we did vote in the line of liberty today, so thank you.

CHAIRMAN HALL: Okay. I'll just real quickly echo how thankful I am for our emergency management on the airplane crash out there. Physically going through the same thing, I could appreciate that. I think we were -- I think the airport people were out there in six minutes, and that crash could have been a lot worse, and those pilots are to be commended. And, you know, they died heroes, even though it's in a bad way.

So you did a great job. Appreciate that. Good work today, guys. It's always a pleasure to do this with you. And with that, we're adjourned.

Commissioner McDaniel moved, seconded by Commissioner Kowal and carried that the following items under the consent and summary agendas be approved and/or adopted

Item #16A1

ADVERTISE AND BRING BACK AN ORDINANCE AMENDING THE COLLIER COUNTY CODE OF LAWS AND ORDINANCES TO UPDATE TEMPORARY EMERGENCY HOUSING AND FLOODPLAIN DEVELOPMENT REGULATIONS

Item #16A2

THE BOARD OF COUNTY COMMISSIONERS, AS EX-OFFICIO GOVERNING BOARD OF THE COLLIER COUNTY WATER-SEWER DISTRICT, APPROVE FINAL ACCEPTANCE OF THE POTABLE WATER AND SEWER UTILITY FACILITIES AND ACCEPT THE CONVEYANCE OF A PORTION OF THE POTABLE WATER FACILITIES FOR LOTS 6 & 7 OF WHITE LAKE CORPORATE SQUARE, PL20230010494 - FINAL INSPECTION BY STAFF FOUND THESE FACILITIES SATISFACTORY AND ACCEPTABLE ON AUGUST 1, 2023

Item #16A3

APPROVE FOR RECORDING THE FINAL PLAT OF MACEDONIA (APPLICATION NUMBER PL20220006832), APPROVAL OF THE STANDARD FORM CONSTRUCTION

AND MAINTENANCE AGREEMENT, AND APPROVAL OF THE PERFORMANCE SECURITY IN THE AMOUNT OF \$204,175.95 – LOCATED IN SECTION 24, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA

Item #16A4 – Moved to Item #11C (Per Agenda Change Sheet)

Item #16B1

AWARD REQUEST FOR PROPOSAL (“RFP”) NO. 23-8149, “LABORATORY SERVICES,” TO ADVANCED ENVIRONMENTAL LABORATORIES, INC., PACE ANALYTICAL SERVICE, LLC, AND EUROFINS ENVIRONMENT TESTING SOUTHEAST, LLC, AS SET FORTH HEREIN, AND AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENTS

Item #16B2

AWARD REQUEST FOR PROFESSIONAL SERVICES (“RPS”) NO. 23-8108, “DESIGN SERVICES FOR COLLIER AREA TRANSIT OPERATIONS AND MAINTENANCE FACILITY,” TO JACOBS ENGINEERING GROUP, INC., IN THE AMOUNT OF \$1,735,063.00, AND AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENT

Item #16B3

RESOLUTION 2024-018: APPROVE AN AGREEMENT AND ADOPT A RESOLUTION THAT AUTHORIZE THE EXCHANGE OF 1.51 ACRES OF LAND ON THE SOUTH SIDE OF PAINTED

LEAF LANE FOR 1.69 ACRES OF ADJOINING LAND TO BE ASSEMBLED WITH ABUTTING COUNTY-OWNED LAND, FOR FUTURE RIGHT OF WAY, DRAINAGE, UTILITY AND/OR OTHER PUBLIC USES. ESTIMATED FISCAL IMPACT: \$28,000 REVENUE

Item #16B4

RESOLUTION 2024-019: ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE PUBLIC TRANSIT GRANT AGREEMENT (PTGA) 439255-1-94-22 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ACCEPT FEDERAL TRANSIT ADMINISTRATION SECTION 5339 RURAL AREA BUS AND BUS FACILITIES PROGRAM IN THE AMOUNT OF \$575,000 FOR THE PURCHASE OF A REPLACEMENT BUS AND AUTHORIZE THE NECESSARY BUDGET AMENDMENTS

Item #16B5

APPROVE AN AFTER-THE-FACT PAYMENT TO PREFERRED MATERIALS, INC., IN THE AMOUNT OF \$12,354.60, FOR ADDITIONAL IRRIGATION MATERIALS USED IN THE “RADIO ROAD AT DEVONSHIRE BOULEVARD AND COUNTRYSIDE DRIVE INTERSECTION IMPROVEMENTS” PROJECT UNDER AGREEMENT 21-7842 “ROADWAY CONTRACTORS” AND DEEM THE EXPENDITURE HAS A VALID PUBLIC PURPOSE. (PROJECT NO. 60016)

Item #16B6

1) APPROVE AN AFTER-THE-FACT PAYMENT FOR MATERIALS AND SERVICES IN THE AMOUNT OF \$30,655.04 UNDER WORK DIRECTIVES 1, 2, AND 3 FOR “COUNTRY CLUB OF NAPLES (CCON) WETLAND OUTFALLS” PROJECT UNDER AGREEMENT NO. 20-7800, “UNDERGROUND CONTRACTOR SERVICES” WITH DOUGLAS N. HIGGINS, INC., UTILIZING A DRAW FROM THE OWNER’S ALLOWANCE; 2) APPROVE AN AFTER-THE-FACT DONATION OF LEFTOVER MATERIALS AT AN ESTIMATED COST OF \$130 TO THE COUNTRY CLUB OF NAPLES; 3) RATIFY PAYMENT FOR PAY APPLICATION 1 THAT EXTENDED 11 DAYS PAST FINAL COMPLETION FOR CLEANUP REQUESTED BY THE COUNTRY CLUB OF NAPLES; AND 4) DEEM THAT THESE EXPENDITURES/DONATION HAVE A VALID PUBLIC PURPOSE

Item #16B7

AWARD REQUEST FOR PROFESSIONAL SERVICES (“RPS”) NO. 22-8015, “PROFESSIONAL SERVICES FOR NEARSHORE BIOLOGICAL MONITORING,” TO CSA OCEAN SCIENCES INC., AND AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENT

Item #16C1

THE BOARD OF COUNTY COMMISSIONERS, EX-OFFICIO THE GOVERNING BOARD OF THE COLLIER COUNTY WATER-SEWER DISTRICT, AWARD INVITATION TO BID (“ITB”) NO. 23-8198, “GOLDEN GATE FORCE MAIN,” TO

METRO EQUIPMENT SERVICE, INC., IN THE AMOUNT OF \$2,665,000, APPROVE OWNER'S ALLOWANCE OF \$250,000, AND AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENT. (PROJECT NO. 70243)

Item #16C2

AUTHORIZE BUDGET AMENDMENTS IN THE AMOUNT OF \$116,691.40 FROM THE WATER USER FEE CAPITAL FUND 4012, PROJECT NO. 71010, AND THE AMOUNT OF \$225,296.60 FROM THE WASTEWATER USER FEE CAPITAL FUND 4014, PROJECT NO. 70278 TO FUND THE DESIGN OF FDOT'S I-75 / PINE RIDGE ROAD IQ AND WATER MAIN RELOCATION PROJECT (PROJECT NO. 70289)

Item #16C3

AWARD INVITATION TO BID ("ITB") NO. 23-8178, "NORTH COUNTY WATER RECLAMATION FACILITY ELECTRICAL SERVICE #1 UPGRADE PROJECT" TO EAU GALLIE ELECTRIC, INC., IN THE AMOUNT OF \$3,852,000, APPROVE OWNER'S ALLOWANCE OF \$350,000 AND AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENT. (PROJECT NO. 70278)

Item #16D1

APPROVE SERVICES FOR SENIORS, AFTER-THE-FACT STANDARD CONTRACT WITH THE AREA AGENCY ON AGING FOR SOUTHWEST FLORIDA, INC., IN THE AMOUNT OF \$1,429,000, AND AUTHORIZE THE ASSOCIATED BUDGET

AMENDMENTS, FOR FY24 OLDER AMERICAN ACT TITLE III
IN THE AMOUNT OF (\$12,222.23). (HUMAN SERVICE GRANT
FUND 1837)

Item #16D2

ACCEPT AND RATIFY FEE WAIVERS GRANTED BY THE
DIVISION DIRECTOR OF DOMESTIC ANIMAL SERVICES
FOR THE PERIOD OF OCTOBER 1, 2023, THROUGH
DECEMBER 31, 2023, IN THE AMOUNT OF \$756.00, IN
ACCORDANCE WITH THE PROCEDURES SET FORTH IN
RESOLUTION NO. 2018-106

Item #16D3

APPROVE THE ADMINISTRATIVE REPORT OF “AFTER-THE-
FACT” PURCHASES FOR THE DOMESTIC ANIMAL
SERVICES DIVISION FOR THE PAYMENT OF \$90,542.74 FOR
ASSOCIATED INVOICES THAT HAVE NOT BEEN PAID

Item #16D4

APPROVE A FIRST AMENDMENT TO THE PELICAN BAY
COMMUNITY PARK MANAGEMENT AGREEMENT WITH
PELICAN BAY FOUNDATION, INC., TO CLARIFY THE
PERCENTAGE OF PUBLIC ACCESS TO THE COURTS AND
EXTEND TIME FOR COUNTY STAFF APPROVAL OF
CAPITAL IMPROVEMENT PLANS

Item #16D5

APPROVE AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE DESIGNATION AGREEMENT (OGT-DA0109) WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF RECREATIONAL PARKS, OFFICE OF GREENWAYS AND TRAILS TO ESTABLISH THE PARADISE COAST BLUEWAY PADDLING TRAIL

Item #16E1

APPROVE MODIFICATIONS TO THE 2024 FISCAL YEAR PAY & CLASSIFICATION PLAN WHICH CONSIST OF ONE NEW CLASSIFICATION ADDED FROM OCTOBER 1, 2023, THROUGH DECEMBER 31, 2023

Item #16E2

RATIFY PROPERTY, CASUALTY, WORKERS' COMPENSATION AND SUBROGATION CLAIM FILES SETTLED AND/OR CLOSED BY THE RISK MANAGEMENT DIVISION DIRECTOR PURSUANT TO RESOLUTION NO. 04-15 FOR THE FIRST QUARTER OF FY 24

Item #16E3

APPROVE AN ASSUMPTION AGREEMENT ASSIGNING ALL RIGHTS, DUTIES, BENEFITS, AND OBLIGATIONS TO BOWMAN GULF COAST LLC, D/B/A HOLE MONTES, A BOWMAN COMPANY, CONCERNING AGREEMENT NOS. 14-6345, 18-7432-CE, 18-7432-SM, 18-7432-UP, 20-7802, 20-7806, AND 21-7900

Item #16E4

APPROVE THE ADMINISTRATIVE REPORT FOR VARIOUS COUNTY DIVISIONS AFTER-THE-FACT PURCHASES REQUIRING BOARD APPROVAL IN ACCORDANCE WITH PROCUREMENT ORDINANCE 2017-08, AND THE PROCUREMENT MANUAL, AND TO APPROVE THE PAYMENT OF \$2,358.60 IN EXPENDITURES THAT HAVE BEEN INCURRED THAT WERE OUT OF COMPLIANCE WITH THE CONTRACTS OR PROCUREMENT REQUIREMENTS FOR ASSOCIATED INVOICES THAT HAVE NOT BEEN PAID

Item #16F1

RESOLUTION 2024-020: ADOPT A RESOLUTION APPROVING AMENDMENTS (APPROPRIATING GRANTS, DONATIONS, CONTRIBUTIONS, OR INSURANCE PROCEEDS) TO THE FISCAL YEAR 2023-24 ADOPTED BUDGET. (THE BUDGET AMENDMENTS IN THE ATTACHED RESOLUTION HAVE BEEN REVIEWED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS VIA SEPARATE EXECUTIVE SUMMARIES.)

Item #16F2

APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN COLLIER COUNTY AND THE COLLIER EMS/FIRE DISTRICT 27 BARGAINING UNIT, SOUTHWEST FLORIDA PROFESSIONAL FIREFIGHTERS AND PARAMEDICS, LOCAL 1826, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, INCORPORATED

Item #16F3

APPROVE AGREEMENT NO. 24-010-NS “FLEET MANAGEMENT SOFTWARE UPGRADE, ANNUAL SUPPORT & MAINTENANCE” AND AUTHORIZE EXPENDITURES UNDER A SOLE-SOURCE WAIVER FOR A PERIOD OF FIVE YEARS, IN AN AMOUNT NOT TO EXCEED \$235,000 FOR FY24 AND NOT TO EXCEED \$60,000 FOR ANNUAL MAINTENANCE FEES AND SUPPORT PER FISCAL YEAR FROM FY25 THROUGH FY28, TO OBTAIN FLEET MANAGEMENT SYSTEM SERVICES FROM TT FASTER LLC, NECESSARY TO MAINTAIN COUNTY-OWNED EQUIPMENT

Item #16F4 – Motion to Continue to a future BCC Meeting by Commissioner McDaniel; Seconded by Commissioner Kowal – Approved (Per Agenda Change Sheet)

AWARD INVITATION TO NEGOTIATE (“ITN”) 23-8177 – “GASOLINE AND DIESEL FUEL MULTI-AGENCY COOPERATIVE PURCHASE” TO PALMDALE OIL COMPANY, LLC, AND AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENT

Item #16F5 - Motion to Continue to a future BCC Meeting by Commissioner McDaniel; Seconded by Commissioner Kowal – Approved (Per Agenda Change Sheet)

AWARD FIXED FEE PROFESSIONAL SERVICE AGREEMENT TO DIGITECH COMPUTER, LLC, UNDER REQUEST FOR PROPOSAL (RFP) 23-8098 EMS BILLING SERVICES AND

AUTHORIZE THE CHAIRMAN TO SIGN THE ATTACHED AGREEMENT

Item #16F6

APPROVE CHANGE ORDER NO. 2, ADDING 425 DAYS TO THE PROFESSIONAL SERVICES AGREEMENT 21-7884 WITH MATERN PROFESSIONAL ENGINEERING, INC., FOR THE NEW CHILLER PLANT BUILDING K. (PROJECT NO. 50214)

Item #16F7 - Motion to Continue to a future BCC Meeting by Commissioner McDaniel; Seconded by Commissioner Kowal – Approved (Per Agenda Change Sheet)

APPROVE A SUBORDINATION, NON-DISTURBANCE, AND ATTORNMENT AGREEMENT IN REFERENCE TO THE PROPERTY LOCATED AT 1429 DON STREET, UNIT D, NAPLES, FLORIDA CURRENTLY LEASED BY COLLIER COUNTY FROM 23-81 LNT, LLC FOR WAREHOUSE STORAGE SPACE USED BY FACILITIES MANAGEMENT

Item #16F8

APPROVE AN AFTER-THE-FACT PAYMENT IN THE TOTAL AMOUNT OF \$8,295.31 TO METRO AVIATION, INC., FOR THE PURCHASES OF HELICOPTER MEDICAL INTERIOR EQUIPMENT AND PARTS FOR THE BACKUP COUNTY AIR AMBULANCE HELICOPTER, WHICH WERE NOT PROPERLY AUTHORIZED, AS REQUIRED BY THE PROCUREMENT ORDINANCE AND DEEM THAT THE PURCHASES HAD A VALID PUBLIC PURPOSE

Item #16F9

1) WAIVE THE SINGLE QUOTE PROCUREMENT THRESHOLD OF \$3,000 PER VENDOR PER FISCAL YEAR FOR THIS TRANSACTION, 2) APPROVE AN AFTER-THE-FACT PAYMENT IN THE TOTAL AMOUNT OF \$3,871.95 TO EPTURA, INC., FOR PURCHASES THAT WERE NOT PROPERLY AUTHORIZED AS REQUIRED BY THE PROCUREMENT ORDINANCE OF THE ANNUAL EVENTBOARD SOFTWARE SUBSCRIPTION FOR 13 LICENSES, WHICH HELP FACILITATE CONFERENCE ROOM SCHEDULING THROUGHOUT COUNTY LOCATIONS, AND 3) DEEM THAT THE PURCHASES HAD A VALID PUBLIC PURPOSE

Item #16F10 – Add-On Item (Per Agenda Change Sheet)

RECOMMENDATION TO RENEW THE ANNUAL COLLIER COUNTY'S CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (COPCN) FOR COLLIER COUNTY EMERGENCY MEDICAL SERVICES TO PROVIDE CLASS 1 ADVANCED LIFE SUPPORT TRANSPORT (ALS) FOR ONE YEAR AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE PERMIT AND CERTIFICATE, WITH A RETROACTIVE EFFECTIVE DATE OF JANUARY 1, 2024.

Item #16I1

MISCELLANEOUS CORRESPONDENCE FEBRUARY 13, 2024

Item #16J1

APPROVE THE USE OF \$2,000 FROM THE CONFISCATED TRUST FUNDS TO SUPPORT THE FLORIDA FBI NATIONAL ACADEMY ASSOCIATES, INC

Item #16J2

REPORT TO THE BOARD REGARDING THE INVESTMENT OF COUNTY FUNDS AS OF THE QUARTER ENDED DECEMBER 31, 2023

Item #16J3

TO RECORD IN THE MINUTES OF THE BOARD OF COUNTY COMMISSIONERS, THE CHECK NUMBER (OR OTHER PAYMENT METHOD), AMOUNT, PAYEE, AND PURPOSE FOR WHICH THE REFERENCED DISBURSEMENTS IN THE AMOUNT OF \$73,629,560.92 WERE DRAWN FOR THE PERIODS BETWEEN JANUARY 11, 2024, AND JANUARY 31, 2024, PURSUANT TO FLORIDA STATUTE 136.06

Item #16J4

REQUEST THAT THE BOARD APPROVE AND DETERMINE VALID PUBLIC PURPOSE FOR INVOICES PAYABLE AND PURCHASING CARD TRANSACTIONS AS OF FEBRUARY 7, 2024

Item #16K1

RESOLUTION 2024-021: APPOINT A MEMBER TO THE BUILDING BOARD OF ADJUSTMENTS & APPEALS – APPOINTING MICHAEL A. MICK TO A FOUR-YEAR TERM EXPIRING ON AUGUST 9, 2027

Item #16K2

RESOLUTION 2024-022: APPOINT A MEMBER TO THE COLLIER COUNTY CITIZEN CORPS – APPOINTING MEREDITH GAVIN WITH TERM EXPIRING ON NOVEMBER 5, 2025

Item #16K3

RESOLUTION 2024-023: APPOINT ONE MEMBER TO THE FOREST LAKES ROADWAY & DRAINAGE ADVISORY COMMITTEE – APPOINTING GERALD T. NORISIC TO A FOUR-YEAR TERM EXPIRING ON APRIL 21, 2028

Item #16K4

RESOLUTION 2024-024: APPOINT A MEMBER TO THE PELICAN BAY SERVICES DIVISION BOARD – APPOINTING MICHEAL WEIR WITH TERM EXPIRING ON MARCH 31, 2027

Item #16K5

RESOLUTION 2024-025: APPOINT THREE MEMBERS TO THE INFRASTRUCTURE SURTAX CITIZEN OVERSIGHT COMMITTEE – APPOINTING TWO AT-LARGE SEATS TO SCOTT LEPORE AND JAMES DELONY EACH TO A TWO-

YEAR TERM EXPIRING ON JANUARY 12, 2026, AND SCOTT SPITZER IS APPOINTED TO FILL THE REMAINDER OF THE VACANT ALTERNATE TERM WHICH WILL EXPIRE ON JANUARY 11, 2025

Item #16K6

RESOLUTION 2024-026: REQUEST BY THE COLLIER COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY FOR APPROVAL OF A RESOLUTION AUTHORIZING THE AUTHORITY TO ISSUE REVENUE BONDS TO BE USED TO FINANCE THE CONSTRUCTION OF THE PROPOSED NCH HEART, STROKE, AND VASCULAR INSTITUTE, THE PROPOSED NCH/HSS ORTHOPEDIC CENTER, AND OTHER CAPITAL PROJECTS

Item #16K7

APPROVE A STIPULATED FINAL JUDGMENT IN THE AMOUNT OF \$140,800 PLUS \$32,066 IN STATUTORY ATTORNEY FEES, APPORTIONMENT FEES, EXPERT FEES AND COSTS FOR THE TAKING OF PARCELS 1125FEE AND 1127FEE REQUIRED FOR THE VANDERBILT BEACH ROAD EXTENSION PROJECT NO. 60168

Item #17A

ORDINANCE 2024-04: ADOPT AN ORDINANCE AMENDING ORDINANCE NO. 2021-11, AS RATIFIED AND CONFIRMED BY ORDINANCE NO. 2021-44, WHICH ESTABLISHED THE HYDE PARK COMMUNITY DEVELOPMENT DISTRICT 1, IN

ORDER TO EXPAND AND CONTRACT THE EXTERNAL BOUNDARIES OF THE DISTRICT RESULTING IN A NET EXPANSION OF 63.02± ACRES FROM 368.9± ACRES TO 431.96± ACRES

Item #17B

RESOLUTION 2024-027: APPROVE PETITION VAC-PL20230013038 TO DISCLAIM, RENOUNCE, AND VACATE THE COUNTY AND THE PUBLIC INTEREST IN THE 12-FOOT FIRE WAGON AND DRAINAGE EASEMENT LOCATED ALONG THE SOUTHERLY BORDER OF LOT 20, LAKE KELLY UNIT 2, AS RECORDED IN PLAT BOOK 3, PAGE 93, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, IN SECTION 14, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA AND TO ACCEPT PETITIONER'S GRANT OF A 12-FOOT DRAINAGE AND ACCESS EASEMENT TO REPLACE THE VACATED DRAINAGE EASEMENT

February 13, 2024

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 3:09 p.m.

BOARD OF COUNTY COMMISSIONERS
BOARD OF ZONING APPEALS/EX
OFFICIO GOVERNING BOARD(S) OF
SPECIAL DISTRICTS UNDER ITS CONTROL

CHRIS HALL, CHAIRMAN

ATTEST
CRYSTAL K. KINZEL, CLERK

These minutes approved by the Board on _____,
as presented _____ or as corrected _____.

TRANSCRIPT PREPARED ON BEHALF OF FORT MYERS
COURT REPORTING BY TERRI L. LEWIS, REGISTERED
PROFESSIONAL COURT REPORTER, FPR-C, AND NOTARY
PUBLIC.