TRANSCRIPT OF THE MEETING OF THE COLLIER COUNTY PLANNING COMMISSION
Naples, Florida, January 21, 2010

LET IT BE REMEMBERED, that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 8:30 a.m. in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

CHAIRMAN: Mark Strain
Donna Reed-Caron
Karen Homiak
Tor Kolflat
Paul Midney
Bob Murray (Absent)
Brad Schiffer
Robert Vigliotti
David J. Wolfley

ALSO PRESENT:

Jeffrey Klatzkow, County Attorney
Nick Casalanguida, CDES
Susan Istenes, Director, Zoning/Land Development Review
Thomas Eastman, CC School District, Real Property Director

CHAIRMAN STRAIN: Good morning, everyone. Welcome to the January 21st meeting of the Collier County Planning Commission.

If you'll all -- no, not please rise to be sworn in by the court reporter; I almost said that again -- please rise for Pledge of Allegiance.

(Pledge of Allegiance was recited in unison.)

Item #2

ROLL CALL BY SECRETARY

CHAIRMAN STRAIN: Okay, if the secretary will please make the roll call.

COMMISSIONER VIGLIOTTI: Mr. Eastman?

MR. EASTMAN: Here.

COMMISSIONER VIGLIOTTI: Commissioner Kolflat?

COMMISSIONER KOLFLAT: Here.

COMMISSIONER VIGLIOTTI: Commissioner Schiffer?

COMMISSIONER SCHIFFER: I'm here.

COMMISSIONER VIGLIOTTI: Commissioner Midney is absent.

Commissioner Caron?

COMMISSIONER CARON: Here.

COMMISSIONER VIGLIOTTI: Chairman Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER VIGLIOTTI: I of course am present.

Commissioner Murray is absent. Commissioner Wolfley is absent.

Commissioner Homiak?

COMMISSIONER HOMIAK: Here.

CHAIRMAN STRAIN: Okay, with that, we do have a quorum.

The next item is Planning Commission absences -- or addenda to the agenda. I don't -- the agenda is short enough; I can't imagine having any addenda. So unless I hear any, we'll move on.

Item #3

PLANNING COMMISSION ABSENCES

Planning Commission absences. Next week, a week from today, we have our Land Development Code Phase I standards to review. And the advertisement for that meeting apparently was in error by one day, so the meeting cannot be held in a manner in which it is considered one where we vote. We can't take action.

But we could meet as a workshop, do all the discussion that takes a lot of time, and then actually hold off the voting until the next regularly scheduled LDC meeting, which we have to have anyway, because we're only looking at Phase I of the stuff next week to begin with.

And if that's okay with everybody, including the staff and county attorney, I think that's how we should proceed.

What do you -- any planning commissioner members have any concerns?

(No response.)

CHAIRMAN STRAIN: Okay. Is that okay with Jeff --

MR. KLATZKOW: Yes, sir.

CHAIRMAN STRAIN: -- and Nick? Okay.

COMMISSIONER SCHIFFER: Question on --

CHAIRMAN STRAIN: Go ahead.

COMMISSIONER SCHIFFER: Looking at the schedule for the CC -- or for the Land Development Code, I don't see any evening meeting. Is that right or --

CHAIRMAN STRAIN: Well, that's the County Attorney's -- I mean in the past the County Attorney's Office indicated we had to have at least one or the starting meeting or some meeting starting at 5:05 in the afternoon. I don't know if that is still the case or not.

Jeff, do you?

MR. KLATZKOW: I think we're fine on this one. I'll double check, but I think we're fine on current schedule.

CHAIRMAN STRAIN: Okay. Then we'll wait to hear from you then.

And while we're on this subject, Phase II of the Land Development Code changes. Hello.

MR. BELLOWS: We were trying to nail down that 5:05 issue.

CHAIRMAN STRAIN: I know.

Phase II of the Land Development Code changes, do you know when we're going to get those?

MR. BELLOWS: Yes. I talked to John Kelly, and the book two is on its way. You'll be getting it soon.

(At which time, Commissioner Wolfley and Commissioner Midney enter the boardroom)

CHAIRMAN STRAIN: Okay. And what was passed out today, I noticed Susan passed out a hand-out, could you tell us briefly what that hand-out is in relationship to next week's meeting, Susan?

MS. ISTENES: Sure. Good morning, Susan Istenes.

The packet I handed out today, I had sent you an e-mail about a week and a half ago or so indicating that the memo dated December 22nd had said that staff's comments on the private amendments would be submitted to you at a later date. And also some of the relevant minutes related to some of the amendments would also be handed out. So that's what I handed out today.

It's pretty self-explanatory. I hole punched it and explained where you should probably put it in your packet and what it relates to.

The only thing that's not in there is the staff comments for the Immokalee amendments, and I will get those to you probably within less than a week. But you're not hearing those until February anyway. So you should be all set for next week with the information you have in those packets.

And if you have any questions, feel free to call me or e-mail me.

CHAIRMAN STRAIN: Mr. Vigliotti?

COMMISSIONER VIGLIOTTI: For the record, Commissioner Midney and Commissioner Wolfley have arrived.

CHAIRMAN STRAIN: One small little point; had nothing to do with the data that's in the packet. But when I picked it up, I noticed God, what nice expensive bond paper this is.

MS. ISTENES: I knew you were going to say that.

CHAIRMAN STRAIN: I mean, if the county -- you can buy reams and reams for a third of the price of this paper, if you guys would do that.

MS. ISTENES: Yeah, I was -- it's just kind of the situation at hand where I'm over here now and the time frame. And I did recognize the paper is a little bit -- they got a good price on it and they advised me just to go ahead and use it so I did.

But yes, please don't expect it next time.

CHAIRMAN STRAIN: I'm sorry, it just seems -- I mean, in the private sector you would never ever do that. But okay, thank you.

Now that we've talked about next week's meeting, we're going to hold it as a workshop. It will be 8:30 in this room on the 28th.

Does anybody at today's meeting know they will not be here next week?

(No response.)

CHAIRMAN STRAIN: It will be next Thursday. Okay, then we're good to go.

Item #5

APPROVAL OF MINUTES – DECEMBER 16, 2009 CRA IN IMMOKALEE MASTER PLAN & VISIONING COMMITTEE WORKSHOP AND DECEMBER 17, 2009 REGULAR MEETING

Let's move on to approval of the minutes. First one -- we have two of them. First one is December 16th, the CRA in Immokalee Master Plan Envisioning Committee Workshop. Anybody have any changes or corrections to those minutes?

(No response.)

CHAIRMAN STRAIN: If none, is there a motion to approve?

COMMISSIONER SCHIFFER: So moved.

COMMISSIONER VIGLIOTTI: So moved.

CHAIRMAN STRAIN: Mr. Schiffer made the motion, Mr. Vigliotti seconded.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER SCHIFFER: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER KOLFLAT: Aye.

COMMISSIONER MIDNEY: Aye.

COMMISSIONER WOLFLEY: Aye.

COMMISSIONER VIGLIOTTI: Aye.

COMMISSIONER CARON: Aye.

CHAIRMAN STRAIN: Aye.

Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries.

December 17th, our regular meeting. Are there any corrections to those minutes?

(No response.)

CHAIRMAN STRAIN: Hearing none, is there a motion to approve?

COMMISSIONER SCHIFFER: I will.

CHAIRMAN STRAIN: Mr. Schiffer made the motion.

COMMISSIONER VIGLIOTTI: (Indicating.)

CHAIRMAN STRAIN: Mr. Vigliotti seconded.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER SCHIFFER: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER KOLFLAT: Aye.

COMMISSIONER MIDNEY: Aye.

COMMISSIONER WOLFLEY: Aye.

COMMISSIONER VIGLIOTTI: Aye.

COMMISSIONER CARON: Aye.

CHAIRMAN STRAIN: Aye.

Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries.

Item #6

BCC REPORT – RECAPS – JANUARY 12, 2010

BCC report and recaps, January 12th.

Ray?

MR. BELLOWS: Yes, the Board of County Commissioners heard the petition for the King's Lake variance.

That was approved. And so was the conditional use for the First Haitian Baptist Church. Subject to CCPC conditions.

CHAIRMAN STRAIN: Thank you.

By the way, the last couple of days, or prior to last couple of days, I think the Board of County Commissioners had a lot of review of the GMPA's that we had reviewed. I don't remember how many we recommended for transmittal, but it wasn't a majority, if I'm not mistaken.

Do you know how many they recommended for transmittal?

MR. CASALANGUIDA: They recommended for transmittal all but one, sir.

CHAIRMAN STRAIN: All but one they recommended for transmittal and we recommended I think just maybe two or three, if I'm not mistaken.

MR. KLATZKOW: The one that they didn't recommend, we're going to a straw ballot on.

CHAIRMAN STRAIN: That wasn't for transmittal, that was for referendum, right?

MR. KLATZKOW: No, it's -- they recommended transmittal on each of them but one. The one that they didn't recommended transmittal on, they want to have the straw ballot on to gauge the public sentiment. Then that will be coming back.

CHAIRMAN STRAIN: Right. So they didn't recommend transmittal on it, they recommended it not go to transmittal but go to a referendum and then after that --

MR. KLATZKOW: Be continued is what they did.

CHAIRMAN STRAIN: -- it goes through the proc --

MR. KLATZKOW: Right.

CHAIRMAN STRAIN: To continue it is what they did.

MR. KLATZKOW: Right. So that one didn't make it.

MR. CASALANGUIDA: To be clear, it's not all the voters, it's a specific area, so it's not --

MR. KLATZKOW: It's the Estates.

MR. CASALANGUIDA: Yeah, it's just the Estates.

CHAIRMAN STRAIN: Right, I under -- I watched them. I saw it on television. But I just wanted to -- this board to know, we are probably a little bit more conservative, thankfully so, than the political process.

Item #7

CHAIRMAN'S REPORT

So with that in mind, the chairman's report.

If you all notice, there's a new entrance to the building. And I couldn't figure out why all the guards down there were so smiley and happy today. And I thought it was over their new entrance. But after I got through, they started giggling because they said aha, we got a body scan. I said no, you don't.

But anyway, it's a nice new entrance, and I want to congratulate the county, it looks like it's going to be efficient, it can take a lot of people, and hopefully we will never have a body scan down there.

So with that, I'll move into the consent agenda items.

Item #8A

PETITION: VA-PL2009-37, FLO TV, INC.

Petition VA-PL2009-37, FLO TV, Inc., and that's a companion item to Petition CU-2008-AR-14085, FLO TV, Inc.

I'd like to ask, is there any corrections needed to either of those from anybody on the Planning Commission? Any comments?

(No response.)

CHAIRMAN STRAIN: If not, we need a motion, each one separately.

COMMISSIONER SCHIFFER: I will.

CHAIRMAN STRAIN: Mr. Schiffer?

COMMISSIONER SCHIFFER: I move that we accept the summary for VA-2009-AR-37.
COMMISSIONER MIDNEY: I'll second.
CHAIRMAN STRAIN: Okay, motion made by Commissioner Schiffer, seconded by Commissioner Midney.
Discussion?
(No response.)
CHAIRMAN STRAIN: All in favor, signify by saying aye.
COMMISSIONER SCHIFFER: Aye.
COMMISSIONER KOLFLAT: Aye.
COMMISSIONER MIDNEY: Aye.
COMMISSIONER WOLFLEY: Aye.
COMMISSIONER VIGLIOTTI: Aye.
COMMISSIONER CARON: Aye.
CHAIRMAN STRAIN: Aye.
Anybody opposed?
(No response.)
CHAIRMAN STRAIN: Motion carries.
COMMISSIONER HOMIAK: Mark? I have to abstain, because I wasn't here for --
CHAIRMAN STRAIN: Oh. Okay. No, that's fine. That's one abstention. So it would be 7-0 and one abstention, so how's that.

Item #8B

PETITION: CU-2008-AR-14085, FLO TV, INC.

Petition, CU-2008-AR-14085. Any motion on that one?
COMMISSIONER VIGLIOTTI: I will.
COMMISSIONER SCHIFFER: I'll make --
CHAIRMAN STRAIN: Mr. Vigliotti made the motion, Mr. Schiffer seconded.
Is there any discussion?
(No response.)
CHAIRMAN STRAIN: All those in favor, signify by saying aye.
COMMISSIONER SCHIFFER: Aye.
COMMISSIONER KOLFLAT: Aye.
COMMISSIONER MIDNEY: Aye.
COMMISSIONER WOLFLEY: Aye.
COMMISSIONER VIGLIOTTI: Aye.
COMMISSIONER CARON: Aye.
CHAIRMAN STRAIN: Aye.
Anybody opposed?
(No response.)
CHAIRMAN STRAIN: And one abstention.
COMMISSIONER HOMIAK: Right.
CHAIRMAN STRAIN: Okay, same 7-0 with one abstention.

Item #8C

PETITION: PUDZ-A-2006-AR-10318, MAGNOLIA POND HOLDINGS, LLC

Next one is Petition PUDZA-2006-AR-10318, and that's Magnolia Pond Holdings. Is there any --

COMMISSIONER VIGLIOTTI: Motion to approve.
CHAIRMAN STRAIN: -- corrections?
Mr. Vigliotti's made a motion to --
COMMISSIONER SCHIFFER: I'll second.
CHAIRMAN STRAIN: -- approve. Is there a second?
Seconded by Mr. Schiffer.
Is there any discussion?
(No response.)
CHAIRMAN STRAIN: All those in favor, signify by saying aye.
COMMISSIONER SCHIFFER: Aye.
COMMISSIONER KOLFLAT: Aye.
COMMISSIONER MIDNEY: Aye.
COMMISSIONER WOLFLEY: Aye.
COMMISSIONER VIGLIOTTI: Aye.
COMMISSIONER CARON: Aye.
CHAIRMAN STRAIN: Aye.
Anybody opposed?
(No response.)
CHAIRMAN STRAIN: And is there -- one abstention.
COMMISSIONER HOMIAK: One abstention.
CHAIRMAN STRAIN: Okay, 7-0 with one abstention.

Item #8D

PETITION: CU-PL2009-405, COLLIER COUNTY ATM DEPARTMENT BUS (CAT) TRANSFER STATION

Petition CUPL-2009-405, the Collier County Alternative Transportation Modes Department. That's the C.A.T. transfer station.
Are there any comments or corrections needed on that one?
Mr. Schiffer?
COMMISSIONER SCHIFFER: Move to approve.
COMMISSIONER VIGLIOTTI: (Indicating.)
CHAIRMAN STRAIN: Mr. Schiffer made a motion to approve, seconded by Mr. Vigliotti.
Is there discussion?
(No response.)
CHAIRMAN STRAIN: All those in favor, signify by saying aye.
COMMISSIONER SCHIFFER: Aye.
COMMISSIONER KOLFLAT: Aye.
COMMISSIONER MIDNEY: Aye.
COMMISSIONER WOLFLEY: Aye.
COMMISSIONER VIGLIOTTI: Aye.
COMMISSIONER CARON: Aye.
CHAIRMAN STRAIN: Aye.
Anybody opposed?
(No response.)
CHAIRMAN STRAIN: And is there an abstention?
COMMISSIONER HOMIAK: One abstention.
CHAIRMAN STRAIN: Seven to zero with one abstention.

Item #8E

PETITION: RZ-PL2009-469, EAST NAPLES FIRE CONTROL AND RESCUE DISTRICT NO. 26

And the last but not least is the Petition RZPL-2009-469, East Naples Fire Control and Rescue District No. 26.

Is there any discussion?

(No response.)

CHAIRMAN STRAIN: Okay, is there a motion to approve?

Mr. Schiffer?

COMMISSIONER SCHIFFER: I move to approve it.

COMMISSIONER VIGLIOTTI: (Indicating.)

CHAIRMAN STRAIN: Seconded by Mr. Vigliotti.

Any discussion?

(No response.)

CHAIRMAN STRAIN: All those in favor, signify by saying aye.

COMMISSIONER SCHIFFER: Aye.

COMMISSIONER KOLFLAT: Aye.

COMMISSIONER MIDNEY: Aye.

COMMISSIONER VIGLIOTTI: Aye.

COMMISSIONER CARON: Aye.

CHAIRMAN STRAIN: Aye.

Anybody opposed?

(No response.)

COMMISSIONER WOLFLEY: Two abstentions.

CHAIRMAN STRAIN: Nobody's opposed, so that's 6-0 with two abstentions.

Okay, thank you. That gets us through the consent agenda about as easily as you can possibly get through it.

Item #9A

PETITION: CPSP-2009-3, CAPITAL IMPROVEMENT ELEMENT (CIE) OF COLLIER COUNTY'S GROWTH MANAGEMENT PLAN

The next and only item up for today's regular advertised public hearing is Petition CPSP-2009-3. It's the Capital Improvement Element of the Collier County Growth Management Plan.

And in regards to that single item, we were provided with an e-mail last night with corrections to several pages. And those pages have been handed out in yellow to every planning commissioner this morning, in case you didn't print them out last night. I think there's nine pages or eight pages there.

And Corby, we'll turn it over to you.

MR. SCHMIDT: All right. Thank you, Mr. Chairman.

For the record, Corby Schmidt, Principal Planner with the Comprehensive Planning Department.

And yes, if you printed them out at home, there are nine individual pages. If you look at your colored hand-out pages that I provided earlier, there's six pages, some of them simply double sided.

These page change-outs coincide with two rather minor and simple changes to the five-year schedule of improvements and to the second schedule of capital improvements.

The first two, the brighter yellow page changes that you have, and I believe it's in the first five-year scheduled capital improvements, Pages 20 and 21, CIE 20 and 21, Page 20 being solid waste disposal facility projects and 21 being wastewater. The first of those two, the change was simply to bring a project which had previously appeared in the second five years into the first five. And you'll see on the end page, the colored sheet, you have a project in 2010 and in 2013, just as they appear in the AUIR.

The mistake was made when looking at the AUIR where one of the projects was kept in the first five years, and the second project was showing your second five-year schedule. And that's what was provided to you previously.

On CIE Page 21, that schedule page for wastewater treatment, there's a rather wholesale change there, including the amounts, figures and scheduling. But again, this appears as it does in the AUIR and previously, it simply did not.

And because those two pages are changed and modified, that affects your summary pages. So all four of your summary pages are changed and just simply reflect those earlier changes.

In the second five-year schedule, there's again two pages to swap out. One of them for solid waste and the other for wastewater. Again, coinciding with moving a project from the out years into the current five-year schedule. And that's reflected in the first.

And in the second amount of changes for wastewater treatment facilities coinciding with the changes and figures from the earlier schedule.

And then again, you have just one summary page there that have the coinciding changes reflected.

Whether you choose to actually swap those pages in or out physically at this moment, fine. Either way, we'll just follow along.

CHAIRMAN STRAIN: And Corby, for my own part and maybe some of the other commissioners, having received that kind of information as late as we did, I had already made my notes and questions on the original sheet, so I will be working off of those. And where it's already been corrected, if you remind me, that would be helpful. It's going to be hard to go back and forth.

I would hope that -- and this seems to happen often. I was hoping that next time we can try to avoid it again. But we've asked that before and it's not happened, so --

MR. SCHMIDT: Understood.

CHAIRMAN STRAIN: With that, do you want to make any formal presentation other than that, or do you want us to go straight into our questions? What's the easiest for --

MR. SCHMIDT: A few short comments.

CHAIRMAN STRAIN: Okay.

MR. SCHMIDT: Certainly we come to you every year with updates and amendment recommendations to the Capital Improvement Element for the county.

The five-year schedule that you have in front of you now indicates another downward trend in population, reflected through some of the information I've provided for traffic counts and school enrollment.

In your summary pages, some of those school enrollment figures have been amended since those was written, so I'd like to quickly go over those.

I believe it's on Page 3 of your summary. We talked about indicators, and there's a few bulleted points there, beginning with October, 2005. October 28 and October 29.

In those figures, between 2000 and 2005, it should read, the school district grew by more than 9,100 students at a growth rate of three to five percent. That's a larger increase over a longer period of time -- or shorter period of time, I'm sorry.

In the past four years, not three, the district has experienced a decline in enrollment as economic forces have changed.

We've used the membership reports from 2005 to 2009 to illustrate those downward trends. But what we actually see is a flatter rate of growth. And that sentence really should read a flatter growth rate in the recent years, ranging from 1.18 percent in 2006 to a modest gain of just .43 percent in 2009. So not that we've seen a downward trend, but a flattening of that growth.

The figures then in that third bullet point are simply adjusted to reflect that flatter growth rate, instead of a decline.

In October, 2009, counts report a total of 42,882 students; 20,486 children enrolled in elementary schools, with 8,977 in middle schools and 12,594 in high schools.

And in the closing paragraph for school enrollment figures, simply pointing out that overall decline has resulted in 414 fewer students since 2005.

CHAIRMAN STRAIN: Ms. Caron?

COMMISSIONER CARON: Corby, could you just give me two numbers again? First the total of 42,000 what?

MR. SCHMIDT: 882.

COMMISSIONER CARON: 882.

And the number of elementary?

MR. SCHMIDT: 20,486.

COMMISSIONER CARON: 86, thank you.

MR. SCHMIDT: You're welcome.

All right, then to quickly introduce what we're about to hear, you have in front of you a Capital Improvement Element, schedule of capital improvements for the first five years, fiscal years 2010 through '14.

And at the direction of the Board of County Commissioners the transportation division prepared alternatives. Instead of just one proposal, there are three for county roads. And there are two alternatives proposed for stormwater management systems.

For roads, the alternatives reflect an anticipated 11 percent ad valorem reduction in the coming fiscal years, or a 15 percent reduction of ad valorem general funding, or a 20 percent reduction.

Those changes reflected in three different transportation pages in your schedule and part of the combination of summary pages that's part of your packet.

For stormwater, the two alternatives reflect an anticipated 11 percent reduction for one of the two alternatives. And then the other, a millage rate reduction from .15 percent to .10, plus the 11 percent reduction. So it's a greater reduction for the second.

Those two alternatives are also reflected in your pages with two alternatives for stormwater and also part of the mix, the combination that appears in your summary pages.

With that then I can pass this on to Mr. Feder, who can address those transportation and stormwater figures more specifically.

CHAIRMAN STRAIN: Before we do that, let us approach the -- let us approach this document as we have all others. So we'll work our way to Mr. Feder.

And normally we take it page at a time with questions asked. And there may be some generalities that would help us better understand transportation if we got through that process first.

Ms. Caron, did you have something you wanted to ask --

COMMISSIONER CARON: Yeah, I had a couple of questions on the staff report.

CHAIRMAN STRAIN: Well, that's where I was going to start. So why don't we start then and -- well, let's move to Page 1. Every page has a lot of intense writing in it and we may have questions on those.

Anybody got any questions on Page 1?

Ms. Caron, then Mr. Schiffer.

COMMISSIONER CARON: Yeah, I think we're seeing a new term which is the backlog authority, and I'm not sure -- I know what that is, so --

MR. SCHMIDT: Certainly.

MR. CASALANGUIDA: I can answer that.

MR. SCHMIDT: Mr. Casalanguida.

MR. CASALANGUIDA: Sure. For the record, Nick Casalanguida.

A transportation concurrency backlog authority is an authority that would be set up if you could not meet the level of service. The state could mandate you to go back in an area that doesn't meet the level of service and set up almost a taxing unit, similar to an MSTU, to fund that backlog. And that's what a backlog authority essentially does. It's a forced taxing unit to take care of a backlog if you don't take care of it on your own.

CHAIRMAN STRAIN: Well, in line with that question, does the backlog authority force those people that will be taxed for it to meet the intentions of some county staff devised long-range plan, or does it meet the practical road's on-the-ground applications?

And where (sic) I mean in this, I could see it now if we went to a backlog authority but you have on there the destruction of homes in Golden Gate Estates to put in your six-lane roads, does that mean the people in Golden Gate Estates would be taxed to take down their homes to put in the roads that you believe we need that we don't?

MR. CASALANGUIDA: That's exactly what it means.

CHAIRMAN STRAIN: Well, then you need to take those roads off the books, Nick.

Go ahead, Brad.

COMMISSIONER SCHIFFER: That was exactly my question.

MR. CASALANGUIDA: A backlog authority, if you don't meet the level of service the state would send you notice. They could say per the Florida Statute you have to form a way to fix that. They give you a certain amount of time to fix that. And one avenue would be for the county to fund a backlog. It's not a requirement to fund that backlog authority or to establish it, it's just one avenue that you have to use.

And it would go through the board to be reviewed or you could provide the state a long-term fix for it as well too. So there are solutions. It's not something that's imminent or forthcoming.

CHAIRMAN STRAIN: Ms. Caron?

COMMISSIONER CARON: Give me another example of some other way it could be handled.

MR. CASALANGUIDA: Increase in ad valorem millage. You know, you could generally tax all the population instead of forming a backlog authority for a certain area.

COMMISSIONER CARON: But regardless, the only way to handle it is -- has to do with adding taxes.

MR. CASALANGUIDA: Could be. Tolls, franchise fee. You'd have to find a way, a funding source to come up with the money to pay for that backlog.

CHAIRMAN STRAIN: So let me understand this. The staff could come up with a solution to what they believe is the only solution to traffic in an area. And that solution could be one that the area absolutely does not want. But if we go to a backlog authority, because staff put that road system on the books as the solution, the backlog authority's only choice is to go to that scenario, the one that really -- and I -- the worst case scenario to me is the one that's going on in Golden Gate Estates. You know, I don't understand why we'd be forced into that.

MR. CASALANGUIDA: You wouldn't be forced on (sic) it. The state would be required to fix that failure. You know, according to, you know, Florida Statute you'd have to come up with a solution to fix that. It wouldn't necessarily be a backlog authority.

CHAIRMAN STRAIN: Right. But if the backlog authority kicks in, what plan for solution do they have to follow?

MR. CASALANGUIDA: I'm not sure I'm understanding your question. They'd have to fix the problem. If there was a failing road segment, either an alternative roadway or expand the existing roadway.

CHAIRMAN STRAIN: Okay. But the alternative roadways that you show through Golden Gate Estates right now is pretty horrendous. And is that what they would have to fall to, or could they go to a more practical solution like approving less to the east so we don't have the need for these roads or looking at expanding road systems that were always supposed to be expanded instead of creating new ones?

MR. CASALANGUIDA: Commissioner, that would be a discussion in front of the board to review all those options. It wouldn't be, you know, a staff -- staff would have a recommendation whether to follow the long-range transportation plan or an alternative solution, but --

CHAIRMAN STRAIN: But you just said it would be a discussion in front of the board, but you said the board wouldn't have the ability to do this because it would now be a -- there would be a backlog authority. So would the discussion be in front of the board or the backlog authority?

MR. CASALANGUIDA: No, no, the backlog authority is an authority that's set up.

CHAIRMAN STRAIN: Right.

MR. CASALANGUIDA: Through the county commission, sent up to DCA, reviewed by the state. It's a taxing unit is what it is. The board would make that decision if that was the solution that we would go forward with.

CHAIRMAN STRAIN: Okay. Norm, I know you've been patient. Thank you.

MR. FEDER: Yeah, for the record, Norman Feder, Transportation Administrator.

I think the key point to be made is the plan that you're referring to first of all goes through the MPO process, of which all five commissioners are on that MPO. Then it doesn't go into our Capital Improvement Element unless approved by the board and having gone through a number of committees, including this committee.

So you have projects on there that we have established to meet our established level of service, which are D and E, fairly low levels of service. All those projects have been defined previously.

What is being reviewed is that we've met our concurrency. And as you've seen in our AUIR, which we've discussed previously, we've gone in a section and other approaches to not find ourselves in a deficiency that can't be addressed. One to avoid long-term concurrency, and two, not to end up in a backlog authority.

This discussion is hopefully moot, because we don't plan on getting there. But it is appropriate to review all of the issues and how they transpire. If we don't meet our concurrency needs, we could be forced into long-term concurrency which means you don't have to address it today, but say somehow you'll do it in the future, which doesn't get it done.

Or if that goes for a while and is not successful in getting it done, there is an ability for a requirement for you to tax yourself to get it done.

But those projects are vetted, continue to be vetted, they're in a plan based on a very extensive vetting process, and you'll have more than enough opportunity -- we've got another plan coming forward to identify those projects and whether or not you feel they're appropriate for the community, and ultimately the board decides that.

CHAIRMAN STRAIN: So even though the board's already decided on the corridors that are going to be bulldozed through Golden Gate Estates, the backlog authority, if it goes into effect, they could change their mind and say those are not necessary anymore?

MR. FEDER: Well, first of all, I don't know where I'm bulldozing, but what I will tell you is --

CHAIRMAN STRAIN: I can tell you --

MR. FEDER: -- the board has approved --

CHAIRMAN STRAIN: -- if you'd like.

MR. FEDER: I understand. You have a concern with a project. There is a process that has been through, was vetted over considerable time, considerable efforts and a decision of the board to keep that project in the plan.

CHAIRMAN STRAIN: There's three of them. Not just a project, there are three roads going through Golden Gate Estates and all three are taking out homes. So why don't we just stop talking about one, it's much broader than what you're suggesting.

MR. FEDER: Okay. And what I will tell you is that that plan goes through a process. We're in plan update now through the MPO. It will come back through the board. It will have plenty of opportunities for further community involvement and vetting.

The only thing that is set is a series of process. And to try and take that end result, which is the possibility of a backlog authority, and bring that today and apply it to a plan when we're meeting our plan, we've shown that to you in the AUIR, is probably not necessarily what we're here to discuss today.

CHAIRMAN STRAIN: Okay. But if this backlog authority would have to go into effect and it does tax the area in which the road corridors are needed, how does it decide what area is benefiting from the road corridors? For example, the three-quarters --

MR. FEDER: Because you have a long-range plan and you have a Capital Improvement Element that you said you were going to do to meet your concurrency. Once you show that you're not meeting it, it would be established to fund the shortfall from meeting what is in your plan at that time for deficiency. But it wouldn't necessarily be in there to meet your 2030 plan in 2015.

CHAIRMAN STRAIN: Okay. The only -- the cost for these corridors is about a billion dollars. And right now the entire -- all the taxpayers in Collier County are paying for it. I can't imagine that burden being put on the residents of Golden Gate Estates, especially when it's not for us. So that was the reason for my question.

MR. FEDER: I fully understand your position and your concern. And it's been consistent throughout the process, I know that.

CHAIRMAN STRAIN: Thank you. I don't get an opportunity to challenge you on it too much, though.

MR. FEDER: Thank you.

CHAIRMAN STRAIN: Anybody else have any questions on Page 1?

(No response.)

CHAIRMAN STRAIN: Let's go to Page 2 --

COMMISSIONER CARON: I do.

CHAIRMAN STRAIN: -- anybody -- Ms. Caron?

COMMISSIONER CARON: Yeah. Corby, in -- under the heading staff analysis, in paragraph three, you need to explain to me why the decreases in population, why these decreases may also be interpreted to mean that it will take 22 to 34 percent more time to reach the populations.

MR. SCHMIDT: It's another way of looking at the figures. For instance, if a target date is 2030 and we know that there'll be another 50,000 people here at that time, with old projections, and that rate of growth goes down, that decrease means more than one thing. It means that there will be fewer than 50,000 people here on that date, as a projection, or that number, or that number of people, those additional 50,000 people, are actually taking longer to be citizens, to be part of the count.

COMMISSIONER CARON: Right, but where's the correlation that if the population drops 22 percent it's going to take 22 percent more time to make it up?

MR. SCHMIDT: It's not a one-to-one correlation, it's a loose correlation, just to use as a thought.

COMMISSIONER CARON: Okay, because that -- I have some serious questions about using that as a real figure. I mean, I'm not sure what the basis for it is, other than if you want to have something, let's throw that number out there. That's why I was trying to understand the basis for it.

MR. SCHMIDT: Sure. And we've I believe used it in some of our comprehensive plan amendment proposal recommendations as well, with simply having an expectation of a certain population being there to create demand for a commercial -- new commercial development, for instance. And we expect those populations to be in those locations soon. They won't be there that soon any longer as those rates decrease.

Exactly how much longer we will take to reach those numbers, we don't know. But loosely, it's about we can just make that relationship.

CHAIRMAN STRAIN: Anybody else on Page 2?

(No response.)

CHAIRMAN STRAIN: Corby, I've got a question about a sentence in the third paragraph from the bottom. It said, however, staff is concerned that when the economy rebounds the vacant residential units are occupied, there will be an instantaneous demand.

It will be obviously a demand based on how fast the sales of these empty units come back. But aren't we already built to the standards or to the levels of service to accept that demand that's already there? I mean, not that's already there, but occupied?

MR. SCHMIDT: I believe so, yes.

CHAIRMAN STRAIN: Okay. The way it was written, it appeared like it was something of a concern when in actuality the reason we don't have more capital improvements needed right now is because they're already built ahead enough for items that we aren't utilizing to their full extent right now.

MR. SCHMIDT: Yeah. I think it's written more not to put out a concern but to highlight an opportunity that we can react quickly.

MR. CASALANGUIDA: Commissioner, let me add to that quickly for the record.

I know coming from my background on roads, that's not necessarily true. You don't necessarily have the capacity to be able to have all those units that are vacant right now come on-line. And one of the problems is determining what that vacancy rate is. It's hard to do through electric hookups, through HOA's. In some instances it's as high as 50 percent. I know in some of the Estates roads we've traveled, they're 50 percent.

So when those roads come back on -- those units come back on-line, you may not have the capacity and facilities in terms of roads to handle that vacancy rate that you right now think you have the capacity for.

CHAIRMAN STRAIN: Then why were they approved?

MR. CASALANGUIDA: Some of those are considered the backlog that we just discussed. Some of those units were already on the books before we started this program.

CHAIRMAN STRAIN: Okay. So to the -- and I know some projects that had predicted sales of seven or eight or 900 units per year, and you had to keep that on the books. But in actuality those predictions are probably dropped down to a tenth of what they were. And based on -- I don't know if you've read the most recent economic forecast by the University of South Florida -- University of Florida, but they're predicting the slowdown is to gradually come up but it's going to be very gradual. So we could have a long, long time before we get to that point where we're saturated with everything that's been built or planned in the way it was before.

I'm just -- I know that you had planned so far ahead based on what was on the books. You may not have gotten 100 percent completed, but you got significantly completed in your road systems. There's been huge improvements in our road systems across the county.

MR. CASALANGUIDA: I would say in certain areas that's true, and I would say in other areas that's not true. So it's not -- by location, that's a true statement. By certain other areas that's not going to happen. When those units come back on-line, you're going to see a -- you're going to see congestion.

CHAIRMAN STRAIN: Norm, is that what you were going to -- he's taken your thunder?

MR. FEDER: No, but I think he's appropriately handled it.

The key issue is that what we do in transportation concurrency and setting up the real-time is we're looking at what is the actual traffic count on each roadway segment today. We also factor in what we call vested trips; things have been approved but haven't yet occurred but they're soon to occur over time. So they sort of get dropped off the books, because those -- that absorption rate is assumed in there. So when I do my background traffic, I don't want to double count it, I'm saying it's in my background traffic.

But in reality, if it's a vacant unit then it isn't there. But you are correct, Mr. Chairman, that in fact we do and did have some ghost trips that we've been trying to deal with, get them off the books if they're not going to get built. So that's a counter-reading measure.

But on the balance I think the statement generally is correct, I don't know if I'd say, instantaneous, generally instantaneous or quicker than development might have brought it on board. With those vacant units, if they come at any decent rate of growth, if it's nice and slow and steady, probably not an issue. And I think that's what the projections are.

But it's just alerting the fact that those aren't considered right now in the process. They do have the county reading balance, as you noted, but on the balance there are more vacant units, although we don't have a great hit on exactly what, that could well come on the system that aren't accounted for in everything we're doing concurrency management.

CHAIRMAN STRAIN: And I know nobody can for sure know what's going to go on in the future, but in reading that report it did really strongly suggest that we're going to have a much more progressive manner in which we build up again to our absorptions in this area. And it went county by county, basically.

MR. FEDER: Smart growth would be nice, but I haven't seen it yet.

CHAIRMAN STRAIN: What's that?

MR. FEDER: Smart growth would be nice. I haven't seen it yet.

CHAIRMAN STRAIN: Yeah. But if it occurs and we do find that instead of selling 5,000 units a year county-wide we sell 1,500 or 2,000 and it's more maintained growth, with the monies that your department still spends every year with what amounts you do have out of ad valorem and other revenues, can you keep up with any level of -- what is your level of growth that you can keep up with?

MR. FEDER: At the end of today's discussion you'll have a feel for that. We -- the last, with the capital program, and that may not be a true statement in another week. Our program has been cut significantly. We're being asked to make more cuts.

Other than my impact fees, which have nosedived from 68 to 13 last year, and we projected about the same and running right now at about eight or nine, gas tax, which I'm having to pull over into maintenance, expanded maintenance requirements and operation, there's very little to our capital program.

So that's why this note is important to know those things out there. Not to change the direction of where we're going from fiscal realities, but to be aware and hopefully not replicate the past where we decide a job done, things are level, they're slow, we don't need to do anything. We spent seven years disputing the theory that if we don't build it they won't come.

And then I paid a premium, the community paid a premium, to get at least some body parts out of that hole. And I agree with you, some parts are out of there, I'm not sure all of them are. And hopefully we'll weather this storm, keep a level program. I don't see 11 active major projects at one time in our future. At least I hope I don't. If we do, then we dismally allowed it to go backwards on ourselves again.

CHAIRMAN STRAIN: Have you thought of, and maybe you've done this, have you ever looked at this from a back door approach? Instead of saying here's what we can do next year, convert that to this is what we can do and this is the number of units it will take care of on a yearly basis, so that we know how we're getting into trouble based on the total sales and absorptions of either foreclosed units or new units throughout the county? Is there a way to -- have we looked at it that way?

MR. FEDER: We are trying to look at some of that. And on a broader scale you can, but you have to go further out and do it broader. And I'll tell you why. And Nick, and even in his new position working along with me, we're trying to do a mobility master plan; not just simply do a long-range transportation plan that as you pointed out identifies needs, then I take my revenues and decide they don't meet anyway near that price tag. So then I do a cost feasible, and then I walk away and the gap in there is left as, oh, well. And that's been the process.

We're trying to combine those two issues of what do I change in the inputs or what can I work with the inputs to do that. Here's the problem with not trying to do a big picture and further out is that, as Nick pointed out, my issues are segment by segment. My concurrency issues are by segment, they're not just area wide.

So area wide I would tell you that we have pretty much pulled out of that big hole that was developed in the Nineties segment by segment. We have not necessarily done that in areas. And do I have a little bit of extra capacity, especially vacancy rates down in some areas? Because you don't build it for today's need, you build it for out. It does tend to fill up, though, the minute you do it, because you can't put the whole system in at one time. And so whatever you put in gets utilized pretty quickly.

But in answer to your question, we're trying to look at that in a mobility master plan, but it has to be looked at in a broader picture a little further out segment by segment. It's pretty difficult to do that, although we do that with our concurrency management. But there are variables that we have difficulty factoring in, like vacancy rates and other issues which generate this whole discussion.

CHAIRMAN STRAIN: And could you do that -- if you were to do it, wouldn't you be able to break it down through your TAZ areas, or not?

MR. FEDER: Probably not on TAZs. It's really segment by segment. Because the TAZ is assuming general trips in an area. And I've got areas where one would think I can do it, you can get from the node to a place, but then I've got canals and other things that don't allow connection and other issues of the sort. So I really need to do it by segment by segment.

But your point's still well taken. And I think that's things that we're trying to get to, but I don't want to mislead you, so I'm trying to give you some of the I guess conditions on it or the assumptions that I have to make and put into it so that nobody assumes that I can do exactly what you're saying, although that would be ideal.

CHAIRMAN STRAIN: Well, I mean, if you were to start working it towards what's permittable on a total basis and then when each project were to come in and that project actually had an impact that was positive on the vehicle miles traveled and you could show thus it would have an increase in what would be permittable --

MR. FEDER: And in our processes, one --

CHAIRMAN STRAIN: -- based on projects present, it may help us better understand why something is or is not needed in an area.

MR. FEDER: And in our processes, one by one as we go through things, I think we do some of that. But you're right, unless we get into a rate of growth and a consumptive use permit and tertiary effects is basically what you're talking about.

But I think there's movements towards that, there's some limitations, but there's some real opportunities there, especially now that I'm not so far backlogged that it becomes moot to even discuss the point.

CHAIRMAN STRAIN: Okay, thank you.

Questions on up to Page 3 then. Anybody have anything up to Page 3?

(No response.)

CHAIRMAN STRAIN: I have one question, Corby. It's on the second paragraph on the bottom on Page 3, and it's talking about interdepartmental transfers. These transactions represent changes to land inventory in the corresponding value of land holdings.

And obviously the one that comes to mind occasionally are the ones that the park departments do with transportation. And I notice in our AUIR that transportation correctly so showed a reduction in their costs per unit. And that cost per unit in the AUIR was based on road cost, construction cost and right-of-way.

But yet I had a concern with Parks and Rec. during the discussion, because they would not lower their cost per unit. Their cost per acre was what it was in the high side of the best peak of season, when we know that land has been devalued substantially.

So when these inter-department transfers go back and forth, does the transfer happen at the rate that parks is using or at the rate that the transportation department actually knows it to be out there if they were to buy that land?

And if it -- and that's going to depend. And then how does your book reflect that in the AUIR in gain or loss of value between the departments?

MR. SCHMIDT: Yeah, I'll let someone involved in those transactions answer that question.

MR. CASALANGUIDA: Commissioner, I'll have Mr. Feder -- I don't think there are any interdepartmental transfers with transportation for parks land right now.

MR. FEDER: Yeah, we do --

CHAIRMAN STRAIN: Well, they're using Randall Curve as one of them. And I --

MR. CASALANGUIDA: There's a potential, but that has --

CHAIRMAN STRAIN: -- around a regional park.

MR. WILLIAMS: Just to answer, I know this has been an ongoing issue. Barry Williams, Parks and Rec. Director.

I know the transactions you're talking are in the out years. I don't know that that changes your point of view. I think that -- and throughout the process with AUIR you've been very clear that our unit cost that we associate with the transactions seems inflated, seems not real.

I'm sorry that we don't have Amy Patterson here today to talk about that and where we have arrived at that. I know that part of what we've tried to communicate, though, is that that unit cost, it is a placeholder. It doesn't reflect the market cost, the amount of money that we would pay for an acre, per se. And what our level of service is depended on is acres per 1,000 people.

I don't know, though, to answer your question about how it reflects in the CIE and with Corby, you know, those differences in the cost associated with transportation's reflecting a more accurate market cost than ours, you know, reflecting this other how that affects that, so I'm not sure I can answer that question, but --

CHAIRMAN STRAIN: Because there is a sig -- there could be a significant change in value between the two departments. And I'm wondering what happens to it, who takes the laws, where does it go, how does the hit come down. And I -- with that statement in this staff report, it made me wonder how you would do it, so -- unfortunately some of this stuff gets read.

I don't know how to -- I know you don't have an answer. If you -- and Norm or Corby, if you guys figure that out and could let me know, just e-mail me a response. I'm just curious how your departments handle those inter-transfers valuation-wise.

MR. FEDER: I'll go to Barry to see which ones are being considered and we'll try to get the answer to your question.

CHAIRMAN STRAIN: And wasn't Randall Curve already done?

MR. FEDER: I'm going to defer to Barry.

Randall Curve is part of the old I believe it's Avatar Holdings. That curve area was being looked at and established and allowed for government use, including possibly transportation and the school board for bus bond. Because Parks and Rec wanted to take the old bus barn on Oil Well and wanted to get some of the utilities property below the future plant out in that area. The idea being that we would then put a -- although it's not in any of my plans and I don't have it funded, a maintenance facility on a portion of that Randall Curve, that the school board would take a portion of it and relinquish their 20 acres on Oil Well. And to my knowledge none of that has quite been worked out with the school board. And on our end we don't have the money to buy the land at this time, so I'm not sure where that one stands.

CHAIRMAN STRAIN: Well, I had -- part of that Oil Well transaction, though, I thought was for a drainage facility for the Oil Well expansion. The parks or school board had some swap going on where they were going to have a maintenance facility along Oil Well, and now it's being suggested as a change of use in Golden Gate Estates off of DeSoto on an Avatar piece that was put up.

MR. WILLIAMS: Well, and just to reiterate, and Norm is saying something, in what we presented in this cycle of the AUIR, that had been consistently the plan where we were talking about this, this land swap.

The 47 acres related to Randall curve, you know, we were looking for land on the other side of Immokalee Road. It was better suited for a park, and so we didn't want that Randall Curve land. And so what Norm is talking about, we know when we present the next AUIR that that whole transaction, that's going to be re-characterized. We're hearing that that Randall Curve, that land swap, that there's some question about that now. So that's going to change when you see the AUIR in the next year, the next cycle, so --

CHAIRMAN STRAIN: Well, if you have any concerns about this, blame Corby, he put it in there as an example, so --

MR. WILLIAMS: We usually do blame Corby, if we can.

CHAIRMAN STRAIN: Thank you.

Anybody else up to Page 3? If not, we'll go on to Page 4.

(No response.)

CHAIRMAN STRAIN: Are there any questions on Page 4?

(No response.)

CHAIRMAN STRAIN: I have one on the hibernated facilities of water. Or actually it's water treatment facilities. It says they're 100 percent designed and can be reactivated, permitted and constructed in four to five years. Then it says, the hibernated wastewater reclamation facilities are 100 percent designed in the same terms.

I do enough active work in the I guess construction development field to know that there isn't a single plan I draw this month that's going to be any good six months from now because the codes will change. If it isn't building codes it's fire codes, if it isn't fire codes it's the science or the safety.

And example, right now in the codes in countries like Haiti that built to hurricane standards will certainly change to be building to earthquake standards.

So how do we know that this 100 percent design is going to be that ready when four or five years down the road we probably won't be operating under the same science or codes that we're operating under today?

MR. SCHMIDT: These entries are entered into the staff report at the request of those departments, so I'll let them answer.

MR. BEALS: Good morning, Commissioners. For the record, Nathan Beals, Public Utilities, Planning and Project Management.

When it comes to the northeast water treatment plant and water reclamation facilities, those are 100 percent designed currently, as noted. And they are in hibernation ready and we are current -- we will be continuing to review the plans to make sure they're concurrent with then codes each year to keep them consistent until the time is needed in the northeast area when the plants -- to build them.

CHAIRMAN STRAIN: Your design contracts for these plants, were they done in such a manner that the design is kept up to date, or we pay extra as we keep them alive each year?

MR. BEALS: I believe there's a small consulting fee annually to maintain those plans, yes.

CHAIRMAN STRAIN: Thank you.

MR. GRAMATGES: Good morning, Commissioners. Phil Gramatges, Public Utilities.

Yes, indeed, we are reviewing those plans on a yearly basis. And yes, we do have some money set aside in order to keep those plans as fresh as possible.

We realize of course that the longer this goes, the more the regulations will change, the more the technology will change and the more money will be required in order to bring those up to date. But there is no way for us to avoid that. And for us to be able to react quickly, we need to make sure that those plans are kept as fresh, as greenfield, as possible.

CHAIRMAN STRAIN: And that was the purpose of my question. Because it didn't say that in this document and I was trying to make sure that we had it covered. So thank you, appreciate it, Phil.

Okay, signature page. We shouldn't have anything on that.

We've got to move into the appendix. Staff support, Appendix A. Page 1. Are there any questions on Page 1? This is the one starting with the road projects.

(No response.)

CHAIRMAN STRAIN: Corby, second paragraph from the bottom you talk about the different scenarios. And alternative number two would require a certain reduction in the gas tax. What do you mean by that?

MR. SCHMIDT: I'll let Mr. Feder address that.

MR. FEDER: Mr. Chairman, for the record, Norman Feder, Transportation Administrator.

We were asked to come up with some options, as you know, in presenting our AUIR to you, to the Productivity Committee and then back to the board. They wanted some options presented to them.

Basically what that says is I don't have enough ad valorem that is non debt service structured. Once I get past 11 percent to just take the ad valorem totally out of capital, I then have to take the ad valorem out of my operating. And I'll go through all this in my presentation of the alternatives.

But essentially then what I would do is take some gas tax out of my capital program to then fund those operatings (sic) at the same level so that my backlog of deferred maintenance doesn't get greater.

CHAIRMAN STRAIN: Okay. I think since we have started on the appendix, and the first one up is the road projects, it would probably be a good time for you to go through your presentation on the various scenarios so we --

that might avoid a series of questions that at least I know I have, so --

MR. FEDER: Be happy to do so, sir.

I've got too many pieces of paper with changes and items here.

CHAIRMAN STRAIN: Yeah.

MR. FEDER: I'm sure you do as well.

CHAIRMAN STRAIN: I agree with you.

MR. FEDER: What I've put up on the overhead is hopefully something that we'll go through I'm sure page by page and item by item, which is fine. But I'm trying to give something that will help put it into perspective.

When we're asked to look at alternatives, what we looked at is that while I have ad valorem, the bulk of it that I have in capital, and if you can read that hopefully on your prompters and hopefully the audience can see it there. In my capital program I do have just over 18 and a half million dollars. But 14.6 of that is dedicated to repayment of debt service. So that leaves really about 3.9 that I have in ad valorem specifically in my capital program that is non-debt service relate.

And if you'll afford me the opportunity, I'll digress just briefly. But that debt service was established when I came here in 2000. And we had declared a transportation emergency because we hadn't built anything in years and created a big backlog.

We went out and tried to get a half penny of sales tax. Unfortunately at the time we neither had a list of projects, any track record of success nor necessarily a sun-setting or re-upping provision in it. And to say the least, it didn't do well. I think it's probably, from referendums, one that failed the most, miserably of any that I've seen.

With that in mind, we then had to figure out, how are we going to address that backlog. Because while the board, who basically came on about the same time that I did, made a strong commitment, growth pays for growth, and that impact fees pay for future growth, and impact fees hadn't been updated for seven years, from 1993, I believe it is, to 2000. We couldn't increase the impact fees and use the growth-pays-for-growth until we showed that we had funded and had a plan to meet the backlog.

So with the failure of the sales tax we went out and bonded the gas tax, which gave us about two-thirds of what we needed to meet the cost of the backlog. And that was in two increments, a little over 100 million each.

And then the rest of it was coming as ad valorem rather than general obligation pay as you go ad valorem proceeds back in the
hey-day of increased assessed values and the ability to do that.

The 14.6 you see here is totally the debt service payment. It does not include -- a portion of that 3.9 is actually that portion of the additional dollars beyond the payback of the dedication of gas tax for the bond repayment. Which it got reduced a couple of times, the last couple of years we reduced budget. Because it was close to 10 million. You probably saw figures in the past about 24 million. Well, it got reduced a little bit each year, three percent, seven percent and the like as we went down the budget on ad valorem.

But also it got changed this year because rather than having that 10 million come to me, it also always included some of that turn-back of interest that came particularly from the clerk's office.

So we were a major generator of that interest, because you commit a project day one, you don't pay it out over about two and a half years or plus. So that money moves from year to year, but you've encumbered all of it and you have to have it there to pay off that contract. And we were in a very aggressive program.

So all we got was the 10. That's what we needed to cover the backlog beyond the debt service. That got dwindled down a little bit, as I noted. And then this year, about three point something on it, I'll get you the exact figure, 1.9 and 1.7, so about 3.6., our interest coming back. And therefore our ad valorem, that 10 million, which came to about nine, down to about eight, was no longer provided to us because we're getting it back as part of interest, including impact fee interest, which I can't use as ad valorem.

So in the past it was coming to the general fund. I was getting 10, then slight reductions beyond the debt service. Now with the interest coming back, most of that being impact fee interest; I'm down to about 3.9 that is coming beyond the debt service. So that's what this is showing you.

So the answer to your question that you had a minute ago is as you look at this, if you look at a reduction -- and that's the key point in what I'm presenting in the three concepts in roads today. I'm not presenting a concept of 11, 15 or 20 simply on my capital program ad valorem, but on overall division ad valorem.

So if you look at it beyond the capital program, I've got 7.9 in general fund, and I've got a total of about 20.3

in 111, or the unincorporated general fund 111. And the total that I get in ad valorem for all of my operations is 32 million a year. That is for capital and for all of our operation activities.

And so what we did in the 11, 15 and 20 percent alternate options that the board asked us to bring back is we looked at that reduction against that total number of 32 million plus that I get in total ad valorem, whether it be the general fund or the unincorporated general fund.

And as is pointed out in the prior comment, at 11 percent if I've gotten capital of 3.9 and 11 percent reduction of that total comes out to be 3.5, I can handle that out of my capital as a straight ad valorem reduction.

Once I get past 11 percent, I guess 12 and a half, I haven't done the exact math. But if I go to 15, that's where the demand is for 4.8 million to be reduced. I can take 3.9 of that out of the capital, but then I have to go into my operations and maintenance to get the balance.

And what I'm saying to the question that was posed is I then am going to take gas tax out of my capital to replenish my operating and maintenance so it's not reduced. And I'll go into that in a second.

If I go to 20, obviously the same situation. I've only got 3.9 in my capital ad valorem. So I need to then recoup the rest of that 6.4 in gas taxes out of my capital to replace it from where I take it out of my operation and maintenance ad valorem.

CHAIRMAN STRAIN: Okay, so what you're -- now that you've explained that paragraph, you're not really reducing the gas taxes, you're reducing the way they're used in a certain element.

MR. FEDER: I'm reducing them to my capital program, because of course it's the Capital Improvement Element.

CHAIRMAN STRAIN: Right.

MR. FEDER: So what I'm trying to show you is in these scenarios I'm dealing not only with what is typically in the Capital Improvement Element, which is our capital projects and budgeting, but also in my overall budget in a time of shortage of ad valorem revenue.

CHAIRMAN STRAIN: Okay. So in the general fund 001, that's where you dump the gas tax revenue.

MR. FEDER: Yes.

CHAIRMAN STRAIN: Okay. You said earlier that you bonded a percentage of the tax -- gas tax revenue. Does general fund 001 represent all the gas tax revenue or is that just gas tax and other revenues?

MR. FEDER: It's gas tax and ad valorem that comes in as my total in 313. It includes 001 and gas tax. So when I show you a gas tax in 313 in my budget, it has ad valorem, as you see about 3.9, as well as 14.6 of debt service, as well as gas tax proceeds.

CHAIRMAN STRAIN: So you bonded 100 percent of the gas tax revenues?

MR. FEDER: Correct.

CHAIRMAN STRAIN: Okay. Well, the gas tax revenues have been reduced. Even by your own numbers we're losing gas tax revenues. But I've assumed that when you bonded that you locked the bonds in at an interest rate that equaled the gas tax revenues at the 100 percent level that you were taking them at.

MR. FEDER: Yes. And I also pledged the backup of ad valorem, and that's why I'm talking about the ad valorem here. And the 14.6 is ad valorem that is helping pay back that debt service.

CHAIRMAN STRAIN: And how much of the negative and the gas tax debt service is reimbursed by the ad valorem?

MR. FEDER: The ad valorem that we're getting, the 14.6 I mentioned for debt service, is covering the full debt service. Because what we did is level that out, we took the bonds. So the money I'm getting in ad valorem is covering that. That leaves me the gas tax revenues to then be able to do my program.

And as we discussed --

CHAIRMAN STRAIN: I'm mixed up again.

MR. FEDER: -- and I got Xeroxed, I apologize, it does show a lien to the side here, which is probably appropriate with all the graph. But it got moved on the page some.

But basically if you remember this when we were talking, that red was my impact fee revenue stream. Used to be my highest revenue stream. As of last year it was 13 million on my lowest revenue source.

You see the gas taxes in the lower end here, in the blue, and as you point out, it's going down a little bit.

You see the ad valorem in the green, and that's going to soon change appreciably from our discussions. But that includes in that number the assumption of the debt service and the interest revenue. Because in the past it didn't come to us in that way, it came always just in ad valorem to the division.

CHAIRMAN STRAIN: Where do you carry the liabilities for the impact fees that have been paid but not yet utilized by the certificates of -- COAs? You have a 50 percent deposit, more or less, put at the time of development order issuance.

MR. FEDER: They're out there in asphalt today.

CHAIRMAN STRAIN: They're out there -- so we've already -- we've already pledged the remaining impact fees that will come in at the time of building permit issuance, even though we don't know when that is?

MR. FEDER: No, we have not pledged them. We only utilize them as we receive them. Transportation has done no borrowing against its impact fee revenue. So the 50 percent that's provided up-front, which is not reimbursable, that has already been used in projects.

Obviously I carry a little bit of money in impact fee forward, but generally speaking, the answer to your question is, as the impact fee revenues are generated and received, projects have consumed that funding.

CHAIRMAN STRAIN: Well, if the -- if you have 100 percent of an impact fee due -- required for an improvement in order to meet the level of service, you get 50 percent of it in and you go out and complete the road because you got the 50 percent you needed as a deposit. Then how is that other 50 percent when it does come in at building permit issuance applied if the road's already built?

MR. FEDER: I wish it would apply. Right now we're not getting the second 50 percent --

CHAIRMAN STRAIN: Well, I know --

MR. FEDER: -- and that's why that impact fee stream, when I was getting the 50 percent, when it was going up there, it was utilized in improvements, there was an assumption that the other 50 percent would be coming.

Therefore, the ability to have a more aggressive capital improvement program, which you have seen has gone down in the last two or three years and as you're going to see today is pretty much beyond this year one project in the five years.

CHAIRMAN STRAIN: Okay, but if you've already built the road with the 50 percent, you got the other 50 percent coming say three years from now when they finally come in for a building permit.

MR. FEDER: If that happens --

CHAIRMAN STRAIN: The road's built, where does that money go? How is --

MR. FEDER: Well, first of all --

CHAIRMAN STRAIN: -- it used at that point?

MR. FEDER: -- we're waiting for that to happen. As you know, we went to the board. The industry itself worked with us very strong on that issue of 50 percent. And that's how we were able to make a lot of the progress we did.

What -- the industry now is suffering some hard times and what we did is try to respond to that. We've now made it the other 50 percent can be paid 10 percent a year over five years. Even with that, a lot of the development just isn't moving and a lot of those monies aren't coming in. When and if they come in, they'll be part of our revenue stream and we'll be able to respond to projects that we've taken off of our capital improvement program in lieu of them being available.

CHAIRMAN STRAIN: Did you bond out the additional 50 percent you didn't get?

MR. FEDER: No, we did not. We did no bonding of our impact fees. Transportation only bonded its gas tax.

CHAIRMAN STRAIN: Okay. Is the ad valorem revenues that are needed to carry us when the impact fee revenue has been down, is that considered a loan to your department, paid back possibly by these revenues that come in from these --

MR. FEDER: No, it is not.

CHAIRMAN STRAIN: -- out of the impact fees that should have been paid?

MR. FEDER: No, it is not. Again, we did not bond on our impact fees, which is a lot of what the loans are, coming from ad valorem to cover the debt services not being met today specifically.

And that's why I went through the explanation of that debt service, we had a situation where we had a huge backlog, somewhat created because we hadn't increased our impact fees from '93 to 2000. Many other issues. But nonetheless, a huge backlog.

To then go at that consistent with growth pays for growth, we had to show that that backlog was funded and is being funded before we could then bring the impact fees up to the point of where we could charge growth pays for growth, which of course changes over time.

CHAIRMAN STRAIN: But see, and this is a five-year window we're looking at in the CIE.

MR. FEDER: Yes.

CHAIRMAN STRAIN: If within the five years I expect that we are going to see some turnaround in those other 50 percent impact fees that are out there. We're going to see some of that start to come back in. If that was seen as a -- when it comes in as a pay-back to a loan from the ad valorem to cover it while that was out --

MR. FEDER: Again --

CHAIRMAN STRAIN: -- it would be a different situation than if we didn't look at it.

MR. FEDER: Again, you need to understand, the only ad valorem that I'm getting that's addressing debt service is for gas tax for what was a developed backlog. I cannot use impact fees to pay back that loan or else I never covered the backlog and I used people's impact fee to cover the backlog, and I can't do that legally.

CHAIRMAN STRAIN: Okay, but the backlog that has been created -- and I'm sorry if I -- the rest of you guys. If the backlog that was created was created because you didn't have all the impact fees you needed to to put the program in that the impact fees were justifiably could have been spent for, for example, if you got 100 percent of the impact fee instead of 50 percent, you could have spent the whole 100 percent for that item.

MR. FEDER: I can't go retroactively back. The fact that you can set an impact fee not greater than what it actually costs you, but areas do set it, unlike our area since 2000 has set it at what it cost them. You can set the -- the board could set it at half of what the cost was. They can't then go back later and say that was a bad decision so I'm going to double it now and therefore cover what I didn't cover during that time because I only got half the impact fees I should have. Because then you're having impact fees for new growth that comes in and pays it, paying for a backlog for prior decisions. You cannot do that. Legally the law restricts it.

CHAIRMAN STRAIN: You said you could not bond -- you did not bond impact fees.

MR. FEDER: That is correct.

CHAIRMAN STRAIN: Could you bond impact fees if you had wanted to in the past?

MR. FEDER: Yeah, as a matter of fact, I could have taken out a $10 million general loan that didn't go against any of my funds, but we decided not to do that, based on what you see right in front of you here that says my income stream probably couldn't pay it back. So we tried to be very fiscally responsible in the transportation budget.

MR. KLATZKOW: My understanding is you could not have bonded just based on impact fees alone, there would have had to have been an ad valorem guarantee to them.

CHAIRMAN STRAIN: And that's kind of where --

MR. FEDER: You couldn't bond for the backlog. Could you bond impact fees is what I was answering --

CHAIRMAN STRAIN: Right.

MR. FEDER: -- for new capacity construction.

CHAIRMAN STRAIN: Right.

MR. FEDER: Yes, you could. We have not and we are not because right now that 13 million is tracking about eight or nine million, based on the first quarter this year.

CHAIRMAN STRAIN: Well, why don't we look at the ad valorem money that you use for new construction now that would normally have been paid out of impact fees as a loan against those future impact fees or like a bond that --

MR. FEDER: Again --

CHAIRMAN STRAIN: -- the impact fees come back and reimburse the general fund which helps keep our taxes down in the long run?

MR. CASALANGUIDA: Commissioner, let me add a couple things that -- in the equation. Because the impact fee is a complicated item. You get credits in your impact fee calculation for gas tax and ad valorem. When you start making some decisions or discussions or recommendations you're making, that affects the impact fee rate. So when you start saying you're going to get no ad valorem support towards the road for the backlog, growth pays for growth, going forward your impact fee would go even higher when you start pulling ad valorem support out of the impact fee calculation.

CHAIRMAN STRAIN: And I'm saying not to pull it out, maintain it at the level we have, and if that's been an acceptable level or close to that based on the times. But any additional that has to be put in to cover what would have normally been above and beyond for impact fee, based on impact fee revenue being slacked off right now, use that as a bond on a loan against the future impact fees so that when they do come in we get it back into the general fund and we can keep our taxes down.

MR. FEDER: Again --

MR. CASALANGUIDA: That would affect the rate, sir. That would affect the rate, if you start doing it that way. It would --

MR. FEDER: It would, one, affect the rate. And two, if it's used on anything that was backlogged as opposed to new growth, I can't do that legally.

CHAIRMAN STRAIN: Who sets -- you said it would affect the rate. Who in the county deals with that rate the most? Is it Amy?

MR. FEDER: Our methodology, Amy. But what I can tell you is what Nick just said is the case, you're required in an impact fee to give a credit against other taxes that that new development will pay. So if you've got a gas tax, which we do, I have to give a credit for that. If I use ad valorem to construct projects, I have to give a credit for that. And it's a credit based on what they would pay over time. So your impact fee goes down.

When I was asked, how do I get my impact fee to go down, I said pass a halfpenny sales tax. Because you've got Hillsborough standing up there saying gee, we have low impact fees. Why? They have the halfpenny sales tax, they have to lower their impact fees, because it's a huge credit.

MR. CASALANGUIDA: Commissioner, to add to that, your impact fee is generalized throughout the county from the urban folks who drive a certain distance to the rural folks who drive twice as far. When we did the impact fee study, we did bring that up to the commissioners that said folks east of 951 drive twice as far, therefore they should be paying more in an impact fee, or that should raise the overall impact fee in general. And one of the commissioners' discussion was they want to have an average impact fee.

So you're partly subsidizing that need to build roads through the ad valorem.

CHAIRMAN STRAIN: Yeah, I understand that, Nick. Somehow the difference or the incremental piece that I'm trying to sort to pull out of this mess isn't being made clear, and I may need to do more research before I can discuss it further with you. Because what you're saying -- I understand what you're saying. I don't think it's hitting the point I'm trying to ask. And maybe I'm not clear enough, because I don't understand the question.

MR. FEDER: I would say if you want to try and ask the question again, because I'm trying to understand it. Otherwise, I assure you, Chairman, I'd be happy to sit down with you and make sure at one point or another both of us do get to understand it.

CHAIRMAN STRAIN: And you've been very forthright in all of our discussions, so I'll make a point to get with you. I can --

MR. FEDER: I'd be happy to do so.

CHAIRMAN STRAIN: -- belabor this thing for hours and it probably won't get any clearer than it is right now, so --

MR. FEDER: Okay. Well, I apologize on that.

CHAIRMAN STRAIN: Jeff, did you --

MR. KLATZKOW: No, I understand your point. I mean, we do this with other impact fees where from -- you call it bonding, but what we're really doing is an internal accounting mechanism where we're sort of internally loaning impact fees that aren't coming in against ad valorems.

CHAIRMAN STRAIN: Right, and see --

MR. KLATZKOW: And that's what you're getting at. You're not getting at going out there for true bonding.

CHAIRMAN STRAIN: No.

MR. KLATZKOW: Yeah.

MR. FEDER: No, but understand the point of the matter is, that is done in other areas where they bonded their impact fee, their future stream -- or committed, I won't say bonded.

MR. KLATZKOW: Committed.

MR. FEDER: Committed their future impact stream to do some projects. We did not do that. And that's the point I'm trying to make, that therefore I'm not paying back with ad valorem any impact fee activity.

Now, I know you're looking at do I have a way to say when I didn't collect full impact fees or is there a way to try to take some of that against future impact fee revenue? And I'm telling you right now, we have such low impact fee revenue, so volatile, that we're playing very conservative on that. We didn't take the 10 million in commercial paper loan because we didn't know how we'd pay that back. And hopefully in subsequence, and that's why we do this every year, obviously what we did in 11, we just flattened that out of cost. Am I hoping -- in general we did. You got some minor modifications. Am I hoping that there will be a recovery soon? But as we discussed, I thought that maybe a year or two ago. Now I'm wondering if it's a year or two out.

CHAIRMAN STRAIN: Okay. Norm, did you finish with what you wanted to kind of get into with us so we can -- we should ask our questions. How do you want to approach the rest of --

MR. FEDER: The only thing I'll tell you is go to your questions. The different proposals and what projects moves and issues, basically come off this. But what I need you to understand is the 11, 15 and 20 are coming off of the total ad valorem, whether it's general fund or unincorporated, to the division.

And to the question you had as explanations where I have to -- after about 12 percent where I have to say that I don't have enough ad valorem, unless it's debt service, to take it out of capital, I am then taking out of my operation maintenance, taking gas taxes that were in capital, moving it to operations and maintenance.

And the other thing I wanted to add is I know I brought to this board for three successive AUIRs to the County Commissioners the sort of sounding the alarm that we built all that, we've got to maintain it, we built it, we've got to maintain it. Oh, my God, now it's getting older, it has to be maintained today. I'm at that point on portions of what we built in this expansion system.

So alls I'm saying is I've got to maintain operations of maintenance at least at the same level. And that's going to mean that I'm going to have an increasing backlog of deferred maintenance. But if I lower it, I'm just going to extrapolate that to more deferred maintenance. So I'm saying I've got to try to hold that one solid, even at the expense of the capital program, not only ad valorem, but in this case gas tax, which would be required to make these purge reductions.

CHAIRMAN STRAIN: Well, we're going to have to take a break here soon, but I want to finish up Page 1 of appendix A. And I had a couple more questions.

You talk about in the second to the bottom paragraph the expanded infrastructure for traffic operations and the advancing age of our bridges. Further budget cuts to operation and maintenance would not allow sufficient investment to safely maintain the capital inventory that currently exists, nor address the increased demand for maintenance.

I have two questions about that. Do you have a list of the condition of all the bridges in the --

MR. FEDER: Yes, I do.

CHAIRMAN STRAIN: -- in the county?

Can you send that to me?

MR. FEDER: Be happy to. And it --

CHAIRMAN STRAIN: And would you mind --

MR. FEDER: -- gets updated every two years and some projects annually. Actually, the state inspects all bridges, but I'd be happy to provide it.

CHAIRMAN STRAIN: Once I get that list, at some point would you mind if I contacted you about a couple particular bridges and went to look at them? I wanted to understand what you think is a serious maintenance defect so I understand how bad the bridges are.

MR. FEDER: By all means. And I can show you some pictures that both of us probably don't want to see. But I'd be happy to do that, and we go through any bridge and you'd have the condition ratings. Again, the state does the process. We go out and inspect it ourselves to reaffirm in cases we question it, ask the state to come back and reevaluate. And then we do have a list. So it's not one that we just wait for their list and take it carte blanche, but generally the inspection process state-wide is done by the state.

CHAIRMAN STRAIN: Okay. And you also note the increased demand for maintenance.

We've had across-the-board reduction in traffic on our roads because of the economy. You've acknowledged that in various documents that we've got in front of us. And we've also had new roads open up where old roads had been over -- let's say overstressed. That should prolong the maintenance time in some areas, because you're reducing traffic on the roads.

How is that reflected percentage-wise in your operations and maintenance funding?

MR. FEDER: Okay, first of all, I have a graphic, but I won't make you see another graphic here. Looking at both resources of employees and manpower, but also lane miles taken on, traffic ops, new signals and issues taken on. On the balance.

While you do build a new road, and that's why, for about 10 years that I've been here -- not quite, but it feels like more -- that I've been here, in actuality we were benefited by a very aggressive construction program. Because while it's under construction, that contractor is responsible for the operations and maintenance of that corridor. And once they're finished with it, it's all brand new. Now, the traffic ops demand quite often adding a new signal and issues comes on right away, but it's also less of a maintenance issue initially.

The paving and some of the other issues take a little longer because it's brand new. So paving, we did 400 lane miles. Of that, about 140 were reconditioning or restructuring of existing miles, and the other 160 was new miles added. So 140 miles I wasn't maintaining. But I added 160 onto the system over the 10 years that's starting to come forward. You've got some segments of Livingston that are now over that basic seven years, and that's not a reason to do it. We do pavement condition ratings and evaluate them on their actual pavement condition.

But you look at it, and if you come driving down Livingston at about Pine Ridge, if you've seen what's happening at that intersection and in some of the other areas and also my pavement markers or rpm, deflectors or delineators and some of the striping, those issues are coming forward now.

So what I'm trying to point out is we added considerably. Take landscape. I got the advantage of being given last year 1.8 million to do three additional segments. They look beautiful. I did not get any maintenance dollars. And that's why I said, do not give me the capital, because I'm struggling on the maintenance I already have.

So what I'm telling you is I've got to get the focus to maintenance and ops and commitment to the monies that we've expended in this county, and we need to maintain it.

And I would like to build some more, but there's not going to be a lot of that coming unless the revenue stream I just showed you before changes.

CHAIRMAN STRAIN: Ms. Caron?

COMMISSIONER CARON: Yeah, I think we had a rather lengthy discussion of that during the AUIR process --

MR. FEDER: Yes.

COMMISSIONER CARON: -- about it. Because it was stated somewhere that the roads are supposed to be repaved every eight years, or whatever --

MR. FEDER: Not supposed to, it's --

COMMISSIONER CARON: -- and we asked at the time weren't there differences, because we're here in Florida and we don't have the same stresses as some national number. And Norm explained at the time that we are stretching those even beyond. I mean, we're more than doubled that to begin with, and we're stretching even beyond that.

MR. FEDER: We are. And again, that is just a rule of thumb, just as an idea if you're trying to set up an asset management program. But we don't do anything other than go through our inventories of pavement condition, and we're not going to pave a road unless it needs to be paved, and none before its time. Sometimes after its time.

CHAIRMAN STRAIN: And does this paper in front of us represent all of the revenue stream coming into transportation?

MR. FEDER: Yes, it does.

CHAIRMAN STRAIN: Where do you put the red light --

MR. FEDER: Other than --

CHAIRMAN STRAIN: -- payment on right turn on red?

MR. FEDER: Well, actually, I don't get anything out of red light cameras.

CHAIRMAN STRAIN: Right on red light cameras, I'm wondering where all that money goes, besides the people in Arizona.

MR. FEDER: What I will tell you is most of it is paying for the cameras and the operation of that. You've got 62.50 is your initial ticket; 57 of that is going to the cameras, the equipment, the processing and all the issues.

The balance is going into an account that the board is going to have to decide how to use. Our recommendation was ambulances and other issues related to the nature of the activity. But it wasn't a money generator. There's a little bit of money accumulated when it's at 125. The board wanted to make it clear that this was not a money issue but a safety issue.

We can all debate it, right turn on red, gee, why are you doing it? Specifically I'm trying to protect pedestrians, bicyclists, as well as the motorist. And beyond that, it's the law. So we can go into that one for a few hours.

CHAIRMAN STRAIN: No, we could -- I could right write a book on everything going --

MR. FEDER: But it is not a money generator. And what is being generated is going into a fund which isn't growing rapidly because it's so little difference between the two costs, the expenses versus revenue. But eventually that will come, and I'm sure the public will get input and the board will make a decision how to use those funds. Hopefully on something productive here in the county.

CHAIRMAN STRAIN: Okay, when we get back, let's start on Page 2 of the appendix, and we won't -- and I think roads will come back up when we get into the supplemental sheet, so we'll be back at 10 after 10:00. Thank you.

(Recess.)

CHAIRMAN STRAIN: Okay, everyone, welcome back from break.

During the break I had a moment to talk to the County Attorney about a possibility of today's outcome. We have a lot of data that's being given to us this morning and a lot of responses to a lot of our questions, and they will have an impact on how we interpret this document. And it's all to the betterment. The more we understand it and the clearer we understand it, the much better it will be to make a better decision.

However, I think it would be helpful if we went through all of our questions, got all the information we could out of staff today, came back and then continued this meeting and a decision on the CIE till Thursday morning of next week, prior to the beginning of our discussion on the Land Development Code. And if we could do that, that would give us a chance to digest everything that's been handed out late today that we're being presented with today and the answers to our questions. Because the outcome of this decision, even though it's a recommendation, sometimes they carry weight when they go to the Board of County Commissioners.

And with that in mind, I would rather see us understand this and have time to think about the facts. So if anybody on the Planning Commission doesn't have an objection to this, I would like to proceed under that scenario.

(No response.)

CHAIRMAN STRAIN: Okay, Nick, is there any problem from your department's perspective?

MR. CASALANGUIDA: No, sir. Do you want to not take action on the items that were not changed? Do you want to continue those to the 28th as well too?

CHAIRMAN STRAIN: I was going -- I thought we'd take action on the entire CIE on --

MR. CASALANGUIDA: Okay.

CHAIRMAN STRAIN: -- next Thursday morning at 8:30 in this room. Bulk of the discussion, the bulk of the input, and thankfully there's no more changes, because this is supposed to be the last day anyway, are all in our hands and we've received them all this morning, we can go back after what we've learned today, restudy this and come back with a more concise, hopefully more accurate understanding of it with a better decision next Thursday.

MR. CASALANGUIDA: I don't see a problem if the County Attorney doesn't have a problem. The only thing I would ask is maybe by the end of today you have a feeling for what kind of staff you want here, myself, if Mr. Feder or, you know, utilities, just so we can let them know and be prepared to be here.

CHAIRMAN STRAIN: Okay. I appreciate that. I'm going to try to ask everything I have today. I don't see why I won't get through it.

And with that we left off on appendix A, number two. We had finished with the first page, which was all roads and transportation. Is there anything from the transpor -- well, anything on the second page at all that anybody has a question on?

(No response.)

CHAIRMAN STRAIN: I have a question on a Parks and Rec issue, Barry. And you probably knew this was coming.

MR. WILLIAMS: Yes, sir.

CHAIRMAN STRAIN: You talk about the scheduled project for future improvements of an ATV park. That was one of the removed items from your process. Why did you remove it?

MR. WILLIAMS: I'm not sure I follow your --

CHAIRMAN STRAIN: Well, the second paragraph it says two park and recreation projects were removed from the scheduled capital improvements as follows: The scheduled project for future improvements of an ATV park and a scheduled project for future purchases of land programming for park expansion for Bayview Park.

Now, I understand the Bayview Park one. That was discussed at the AUIR. But what did you remove the future improvements for the ATV park for, and what park was that that you removed them?

MR. WILLIAMS: I see that now. And where it says and describes for future purchases, that wasn't based -- the plan is still in our AUIR for recognizing 625 acres for the commitment South Florida Water Management owes Collier County to provide them an ATV park. So that commitment still stands.

My only comment may be, and I may need Corby to help with that, is that is land -- that again was a land transfer. That wasn't going to be any money out from Parks and Rec for that -- for the purchase. So I don't know that's what that reference is or not.

CHAIRMAN STRAIN: Before you go too far, it doesn't say that, it says the scheduled project for future, and it uses the words improvements. Improvements are not land. So what improvements that you have in that were taken out for the ATV park? And I'm just wondering why you made that decision. I'm not criticizing it, I'm only trying to understand why you made the decision.

MR. WILLIAMS: And again, for us, I mean, capital improvement would refer to the purchase of land and would not include facilities. So it may be that that was taken out as far as facility improvements on the land itself. I really can't speak to that comment, I really need Corby I guess to help me a little with this.

CHAIRMAN STRAIN: So Corby, what have you removed from Parks and Rec's department's budget?

MR. WILLIAMS: Can I blame you all the time?

MR. SCHMIDT: Previously in the CIE it was those improvements that were being funded. And the improvements themselves are not being funded any longer.

CHAIRMAN STRAIN: What improvements? Can you be more specific? To what part?

MR. SCHMIDT: Which would have been the improvements to an ATV park at a somewhat vague location to myself. I'm not -- I don't know specifically where that would have been.

CHAIRMAN STRAIN: So if the 625 acres had been secured, there were improvements figured to go on the 625 acres. And since it's not secured, you have not utilized -- that money's not being utilized in the next five years; is that what you're trying to say?

MR. SCHMIDT: It is.

CHAIRMAN STRAIN: Okay. Thank you. That was all I was trying to get to.

And I'm assuming if in the -- that means you don't expect to find the land for the ATV park in the next five years, so it's at least five years out?

MR. WILLIAMS: I would tell you I'm familiar with South Florida Water Management's attempts to find land. They still are stipulating that the Lake Trafford site is viable, although there's still a question about that. And there is litigation concerning that.

So as far as South Florida Water Management meeting the commitment, we know that we've looked at a variety of properties with them and haven't found a suitable site.

CHAIRMAN STRAIN: Okay, I think it's interesting the timing of that issue dropping off the Parks and Rec budget. But the approval of the GMPA for the ATV site from that -- that Miami's putting in out at the old airstrip, so -- kind of predictable.

Anybody have other questions on Page 2? If not, we'll move to Page 3.

Anybody have any -- Ms. Caron?

COMMISSIONER CARON: Yes, under potable water projects, the Orangetree facility or the RO expansion, which is 2012 and which is 2023? And I ask that because if you flip to Page 4 it looks like Orangetree is coming on board in 2012, according to the last line. But I don't know if that's the entire thing or -- are we incorporating Orangetree into county facilities in 2012 or 2023?

MR. SCHMIDT: I know that's being done, but I'll let them answer the question as to the timing.

MR. BEALS: For the record, Nathan Beals, Public Utilities.

That is correct, Orangetree is still projected to be taken over in 2012 for us to manage. And we will maintain it as a separate system until it requires interconnection to maintain level of service.

COMMISSIONER CARON: Okay. But for that same facility, if you look on Page 4, the very last line under sewer and wastewater projects, it says certain water reclamation facilities were affected by deferred demand so as not to require incorporation of Orangetree facilities into the county system until fiscal year 2012. Right? So it is '12 for everything, and it's the reverse osmosis that's not going to be needed until 2023, right?

MR. BEALS: Correct. I believe that might be a typo from Corby, but that is correct.

CHAIRMAN STRAIN: Oh, Corby. Oh, boy, below the belt, Corby. I'll tell you, he's going to get you good.

COMMISSIONER CARON: Corby, that's okay, it's just a reversal.

MR. SCHMIDT: As I recall, this was cut and pasted directly from someone.

COMMISSIONER CARON: So it just should be reversed, that's all.

MR. SCHMIDT: Yes.

COMMISSIONER CARON: That's all I wanted to make sure.

CHAIRMAN STRAIN: Any other questions on Page 3?

(No response.)

CHAIRMAN STRAIN: I have a couple.

Potable water projects. Do you keep a chart by month, by day, by year, by whatever basis for the water pressures that you provide through your system?

MR. GRAMATGES: Commissioners, Phil Gramatges, Public Utilities Engineering.

The operation departments do keep those records, yes.

CHAIRMAN STRAIN: Are they on a spreadsheet, a electronic format, something that I could take a look at?

MR. GRAMATGES: I really couldn't tell you, at that point in time. But anything that is data could be put on a spreadsheet. I would communicate with them as to your interest.

CHAIRMAN STRAIN: Yeah, I'm not asking them to create something that takes time and manpower to do that. I'm trying to find something already available. If there is something already available or if there is not, would you e-mail me and let me know? And I'd like to know where it's at so I can take a look at it.

MR. GRAMATGES: Yes. And specifically what are you looking for, sir?

CHAIRMAN STRAIN: The water pressures that we maintain out of our -- as the supply out of our facilities, out of our potable water facilities.

MR. GRAMATGES: Oh, okay.

CHAIRMAN STRAIN: And how they fluctuate in different seasons of the year and things like that, if they do.

MR. GRAMATGES: They don't fluctuate. We keep a continuous pressure, discharge pressure, from the high service pumps. So we do not vary them by season or by time of the day or time of the week. It's steady. So I do not know if that data is going to look very interesting, if it does indeed exist.

But I will certainly talk to Mr. Mattausch, the director of potable water, and ask him if that information is available and we'll forward --

CHAIRMAN STRAIN: I can just stop by and take a look at it, if you don't mind.

MR. GRAMATGES: Sure.

CHAIRMAN STRAIN: Most of what I look at is not very interesting, so it wouldn't -- who knows, it might be the most enlightening thing I've ever seen.

MR. GRAMATGES: Absolutely, yes, sir.

CHAIRMAN STRAIN: The -- and then I have question of stormwater management. And Norm, there's two things. I know we deferred the watershed study, but it's currently underway in CDES. Who in CDES is doing the watershed study?

MR. FEDER: I'll defer to Nick, but Robert Wiley and --

MR. CASALANGUIDA: Mack Hatcher and Robert Wiley are.

CHAIRMAN STRAIN: Okay. Are they coordinating that with the FEMA study? Because the FEMA study, it would seem to me, especially in the topography and the LIDAR and all the other elements that were used there to show FEMA, while we did not have flowways, would certainly help with the watershed study. Is that -- are they all working together with the same data?

MR. CASALANGUIDA: They are working together with the same data, sir.

CHAIRMAN STRAIN: Okay. That's the only question I had on that. I saw it as a -- make sure it was coordinated.

No other questions, we'll move to Page 4. Anybody have questions on Page 4?

(No response.)

CHAIRMAN STRAIN: Okay, that takes care of the text of the appendix. And we start getting into a series of charts, which certainly spell out different ways of reducing monies here at the county.

MR. SCHMIDT: Excuse me, Mr. Chairman?

CHAIRMAN STRAIN: Yes.

MR. SCHMIDT: One item to mention. Because of the changes that were recent, those that were handouts and e-mails yesterday, on page -- or on the final page for solid waste disposal facilities the first paragraph that begins with pursuant to the landfill operating agreement, that paragraph ends with a sentence which reads, landfill cells previously scheduled to be constructed and so on, just strike that last sentence. Those are the projects at landfill, solid waste that have been rescheduled to match the AUIR.

CHAIRMAN STRAIN: That goes on to the next page, right?

MR. SCHMIDT: It does.

CHAIRMAN STRAIN: All the way through the word respectively, okay.

MR. SCHMIDT: Correct.

CHAIRMAN STRAIN: Okay, the next item up would be an 11 by 17 page that was folded up in our document. And it says CIE changes from 2009 to 2010. And it's a road system -- I guess items that would be impacted by the different percentages of change in the reductions that are being considered.

Does anybody have any questions on that page?

(No response.)

CHAIRMAN STRAIN: And Norm, the most obvious question to me, and it would come up on some of the pages afterwards: Your choices of reductions in roads. The one, for example, you have 60168, we don't need the Vanderbilt Beach -- well, we never needed the Vanderbilt Beach Road corridor. You all have sold everybody that we do. But we need it even less than we didn't need it before because Big Cypress is on indefinite hold, the economy in the Estates like everywhere else in the county has slowed down. We have a lot of vacancies, and people aren't moving in as fast. Why do we need to spend any money on that corridor now?

MR. FEDER: Okay, first of all, this is shown as a reduction, and we are reducing what is only and has only been for the last couple of years a right-of-way phase for the Vanderbilt Beach Road corridor. We'll continue probably to disagree respectfully about the need for that corridor, but nonetheless, we do agree that that has slowed down in some of its demand with growth out in the Estates.

Big Cypress wasn't the impetus to begin with. But nonetheless, we are purchasing. We did a study. We needed to define a corridor, rather than hold many people hostage. We defined a corridor. Then folks know where it's going to end up in the future. The need for another east-west was a concern. And we had some whole takes as both of us unfortunately were facing.

Those 19 of the 21 have been acquired. Everybody that's worked with us on a reasonable offer. And I think we've made people very whole. We're working through the other two. We are now buying along the corridor, again, no condemnation, only on negotiated settlements. And we told people, prices are down now, we'll offer you a fair price based on current market. If you want to work with us and have us acquire that partial take or whatever, we'll work with you on it. If you want to wait, you can wait. And so we reduced the dollar significantly for the right-of-way phase.

At one time a couple years back when that impact fee stream was nation high, we had the construction out to Wilson. That's no longer and hasn't been for the last couple of years in our program.

CHAIRMAN STRAIN: Well, what I'm -- let's pretend it's not necessarily Vanderbilt Beach Road in the location that I personally disagree with. Let's just say it's any new road. Let's say it's one through the middle of Pelican Bay.

MR. FEDER: My right-of-way costs are the lowest they're ever going to be right now. I don't have pending construction, so I'm not going into condemnation and forcing people at a low time, but where I can negotiate settlements on any of the corridors that I need right-of-way.

Additionally, the nature of the process is about eight years. What you do not want to do that I faced when I came here, is to take and not put anything in the pipelines when you go to turn on the spigot when actual monies come and demand is here and everybody agrees with that, that a project can come out, but rather has to wait five, six, seven years after that demand is identified to actually do a project.

So what we did is we had a program, comes out for our long-range transportation plan, approved by the MPO, by the board, through all the committees, and we've pared that down over time as the revenue stream has been pared down. I didn't say as the needs got pared down, but as the revenue stream got pared down, and to a degree the needs more recently as well.

So in answer to your question, this is a reduction in the right-of-way. The right-of-way is the only phase we have in there, and the right-of-way is on negotiated settlements, not on condemnation. As is true on Golden Gate Boulevard, which I wish I had the construction in. I already have a deficiency there, but I don't because of funding and others of like yolk.

CHAIRMAN STRAIN: But the purchases you're making on Vanderbilt Beach Road, since that is the one that's in the budget, you could make those at any time in the future.

MR. FEDER: Again, if we don't have a negotiated settlement, people coming to us and asking that we settle with them, then we will be doing it in the future.

CHAIRMAN STRAIN: The only reason, Norm, in a personal budget at your home when you run up against a decrease in income, you simply can't spend on things that aren't absolute necessities. And it would seem to me that the roads that are in place that need to be maintained, that need to be improved, that are deficient in a level of service are -- should take priority over ones far down in the future.

MR. FEDER: Oh, I agree. And we tried to do that. But when that one's a necessity, let's take construction of Golden Gate Boulevard, at some $40 million, it's hard to address that necessity in lieu of one million here or two million there on items that you're mentioning.

I think the other analogy, as you said with your home, I've got a leak in my roof. I can either attend to it now or I can wait until it gets bigger, or I could wait until eventually I'm going to replace the whole roof.

So again, we're only doing it on where we can negotiate, and we're trying to negotiate in good faith. There's no condemnation, and the dollars are reduced, acknowledging that now that I'm in a lower market, although it's a great time to get the right-of-way, less people are coming forward to negotiate, because they realize the market's down. But some are, because they need to move out, they need to resolve issues, whatever their reasons be. And those we are trying to provide some funding to be able to work with them. They didn't ask to be taken, as you point out.

CHAIRMAN STRAIN: The leak in an existing roof is maintenance.

Anyway, under -- go ahead, Ms. Caron?

COMMISSIONER CARON: Well, just to that. Then if you look at this chart, if you're looking at reducing your AUIR by 11 percent so that just for that line item the Vanderbilt ROW is 18-nine. If you reduce your budget by 15 percent, why are you still keeping it at 18.9, and why, if you're going all the way down to 20, does it demand 20 million?

MR. CASALANGUIDA: Commissioner, let me add to this. I was part of that project.

First of all, for the record, you absolutely need that facility in your long-range transportation plan.

COMMISSIONER CARON: That's not what I'm asking.

MR. FEDER: I understand.

MR. CASALANGUIDA: But I'll put that on the record, because Commissioner Strain put that on the record that you don't need a long parameter, that you do need it. For the record.

Second is your GMP says you will acquire right-of-way and plan for future roadways.

COMMISSIONER CARON: That's not what I'm asking either.

MR. CASALANGUIDA: But you're asking -- we've reduced it. And right now what the plan is is to lower the budget to acquire that right-of-way but to still maintain some level of advanced right-of-way. And that's a project that's shown as a need. So you're asking should we reduce it proportionately per each one of those reductions, in other words, reduce it further.

MR. FEDER: Commissioner Caron, what you're asking, the answer to that is the difference, the major difference between the 11 and 15 is that Santa Barbara, which was in the fifth year, an 11 percent reduction, goes out of the program. That's the section north of where we just recently built, from basically just north of Golden Gate or Copper Leaf up to Green Boulevard, that goes out. What you had in the program at 11 percent was some savings of dollars where there's nothing in any one of these three scenarios. It wasn't before in years two and three. There were some dollars saved up in two, three and four to be able to do work in five. In this case our four goes out to five, as you'll see at the end, and the fifth year project, which is Santa Barbara, goes out.

So the answer to your question is, I reduced what was the carry-forward to be able to keep Santa Barbara in, because I can't afford to keep it in as I reduce my percentages greater. So I've reduced the right-of-way there on Vanderbilt, but the real difference between my 11 and 15 is what you don't see is the dollars that gets carried forward to the next year and then gets carried to the next year to be able to have had in my 11 percent reduction Santa Barbara in the fifth year and lost it unfortunately in the 15 percent reduction.

COMMISSIONER CARON: What is in the current AUIR for right-of-way purchase on Vanderbilt Beach, Collier to Wilson? Amount of money.

MR. FEDER: You have out of a total right now, I'd have to get the exact number, because I don't want to mislead you, but I think you're about over the five years about seven or eight million.

COMMISSIONER CARON: Seven or eight.

MR. FEDER: Yeah. And I'll see if I can get that number for you before we leave this discussion.

Actually, if you look at -- let me go and bring your attention to the item on -- they've changed pages on me, but on CIE 16-11. As you look on Vanderbilt Beach Road, Collier to Wilson, 12 million, seven. And that goes down in the other, but it's 12 million, seven, Commissioner.

COMMISSIONER CARON: So if currently it's 12 million and you're going to reduce it by 11 percent --

MR. FEDER: Only the ad valorem portion. Now, remember, when I'm doing my capital I'm keeping all my impact fees, because I can only use it on capital. And I'm keeping some of my gas tax. Some of it I'm moving over to operating.

So this is only a reduction in the ad valorem. Or in essence in the capital, a little bit of reduction in gas tax as well. So I think that may be part of your question as well.

COMMISSIONER CARON: Well, we sort of need to know that breakout. I mean, otherwise again math doesn't work.

MR. FEDER: I gave you the breakout in the chart.

Can you pull this back up again?

For the 11 percent, it's all ad valorem. When it comes to the 15 percent, it is all of that ad valorem plus about 800, which was mentioned before, thousand, of gas taxes. And then of course it becomes the difference between that -- I'm not looking in front of me now, but 3.9 and six, four, if I remember correctly, on the 20 percent is gas tax. So you have that information, Commissioner.

CHAIRMAN STRAIN: Norm, the -- you're saying under say the 11 percent and it carries over to the 15 and then it increases even more on the 20 percent. But in that corridor you're taking out right-of-way of 18,900,000 in purchases. But I thought you just said there's only 12 million to begin with. How did you get to the additional six?

MR. FEDER: That's not 18 million. Trees? What's that number? On the reduction on --

CHAIRMAN STRAIN: Well, those better not be in thousands. That's -- I mean, on our sheet? 18,900? But I mean, I'm assuming --

MR. FEDER: You're going off of -- not this sheet, you're going off of the original AUIR.

CHAIRMAN STRAIN: I'm going off what's in our CIE.

MR. FEDER: No, you're going off of what was in the budget in the AUIR on that reduction.

CHAIRMAN STRAIN: It's included in our CIE, Norm.

MR. FEDER: Yeah. From last year's CIE to this year's CIE.

CHAIRMAN STRAIN: Wait a minute, now we don't have the right document in the CIE?

MR. CASALANGUIDA: No, sir.

CHAIRMAN STRAIN: Okay.

MR. CASALANGUIDA: You're asking the question from CIE to AUIR or CIE to CIE?

CHAIRMAN STRAIN: No, I'm asking on this 11 by 17 foldout --

MR. FEDER: CIE to CIE.

CHAIRMAN STRAIN: -- under 11 percent under the 60168 category, you say right-of-way, FY '10 to '14, reduced by -- and it says 18,900. Although I thought it was in millions.

MR. CASALANGUIDA: It's in millions.

MR. FEDER: It's in millions, yes.

CHAIRMAN STRAIN: Okay. If it's 18 million, say $19 million but we're only needing 12 million, how do you reduce it by 19? That's what I'm asking.

MR. CASALANGUIDA: And what I --

MR. FEDER: No, 12 million is what is left in the 11 percent reduction. You had at one time over 30 million in right-of-way in the full corridor.

CHAIRMAN STRAIN: Well, that was her question, what was the corridor's right-of-way.

MR. FEDER: I'm sorry, yes.

CHAIRMAN STRAIN: So the full --

MR. FEDER: 30 million was --

CHAIRMAN STRAIN: So the full right-of-way of that --

MR. FEDER: Full right-of-way --

CHAIRMAN STRAIN: -- corridor.

MR. FEDER: -- previously in the corridor.

CHAIRMAN STRAIN: I'm sorry, Cherie'.

Norm, you and I got to break when we talk, because she can't type when both of us talk.

So in the total corridor you have 30 million, and of the 30 million you're taking out 18-nine, leaving about 12 million.

MR. FEDER: Correct.

CHAIRMAN STRAIN: So you're still going to make 12 million in purchases.

How do you decide which purchase of the 12 million you make?

MR. FEDER: Again, that's 12 million over five years. And the answer to that one right now, as I told you, is as people come forward.

Now, the only thing we emphasized, and still only by agreement or negotiation, were the whole takes. None of it is anticipated here in this money as condemnation. And you'll see the monies over five years working with people on negotiated settlements.

CHAIRMAN STRAIN: And why did you decide 12 million was the magic number and not five million?

MR. FEDER: Well, we have an overall need for 30 to acquire the full right-of-way in the corridors, the estimate. And again, a right-of-way estimate at one time or another. But it had gone down a little bit.

And again, the requirements to cut to 11 percent, we made a major emphasis to cut it out of right-of-way. We cut more than half of it out of that project.

CHAIRMAN STRAIN: Do you have appraisals or land purchase estimates by your department reflecting the 30 million?

MR. FEDER: We have estimates, and that's what came to the 30 million. But again, of course we work with the property owners, they get a chance for an appraisal and we work through the process.

CHAIRMAN STRAIN: And do you know the date of that 30 million estimate?

MR. FEDER: I can get it for you, but I believe that that was when we moved on the corridor, and it's been adjusted since, based on general property values in the area, which have gone down, of course.

CHAIRMAN STRAIN: So the reduction from 30 million to 12 million really reflects a reduction in the market price.

MR. FEDER: No, it's beyond the market price drop, but there has been a huge drop in the market. Because that 30 million was recent, too. The market hasn't dropped just this last six months or last year.

CHAIRMAN STRAIN: Okay, you can get me that breakdown?

MR. FEDER: I will. And I'll get Kevin Hendricks, when you come over, we'll have that information for you.

COMMISSIONER SCHIFFER: Mark?

MR. CASALANGUIDA: To add to that, the CIE from last year, the four years, were approximately $30 million. The reduction is from CIE to CIE of 18.9 million.

MR. FEDER: Yes.

CHAIRMAN STRAIN: Right, but I'm trying to understand how the reduction occurred. It didn't come out of the fact that we're just not going to purchase the property --

MR. FEDER: No.

CHAIRMAN STRAIN: -- but come out of the fact the market's reduced, just like your budget's for lane miles reduced. So you really didn't make a reduction --

MR. FEDER: But we'll give you the specific information.

CHAIRMAN STRAIN: The market option -- we're talking over one another again. Please wait until I finish so she can keep it straight for us, Norm.

What I'm seeing is that because the market dropped in value, you simply dropped your numbers in value, which is what we should have expected done from the get-go. Now I'm wondering how much meat you're really taking off the bone here. And that's why I want to know when your appraisals or market studies were done and then what the current assessed values of those properties are, by example, the tax assessor, now. And that will tell us how we got to this number and see if you really did take any meat off the bone, more or less.

MR. FEDER: And we'll be happy to do that, Commissioner. And I point out to you that if you look back at prior AUIRs and CIGMs, I think you'll see when we originally came in this corridor was almost 60 million plus in right-of-way as the estimate. It came down as property values came down, and now it's coming down based on cuts.

COMMISSIONER SCHIFFER: Mark?

CHAIRMAN STRAIN: Yes, sir.

COMMISSIONER SCHIFFER: And one thing. What seems unfair, because I think what Norm is saying, at least what I'm hearing, is that he wants to keep some money in the budget to A, take advantage of anybody that wants to sell, because the values are low he can get it while he can get it cheaper.

And second, there are people that know this is coming that don't want to wait around till Norm has money, they want to actually cash out as soon as they can to move on with their life from that property.

So is there something that's unfair about this or --

CHAIRMAN STRAIN: No, that's not even the subject. That's not where I was going. Where I was trying to go is that we're told that we're going to reduce the right-of-way expenditures by 18-nine because we're just not going to make so many over these years, but in reality we're not going to reduce it, the markets reduced it. And so there is no -- there has been no reduction really from a hard cost factor of deferring anything. It's been reduced by the price to purchase.

MR. CASALANGUIDA: Commissioner?

COMMISSIONER SCHIFFER: I think what I heard is that he's reducing the amount of money he wants in these early years, because he doesn't want to buy out the whole corridor right now, but he does want funds to take advantage of A, good price, and B, help people move on.

MR. CASALANGUIDA: We'll get that data. But point of interest, from last year's CIE to this year's CIE, that reduction of 18-nine is much more than the reduction in the market price. And we'll get you that data to prove that.

CHAIRMAN STRAIN: I just want to see the data and then that's fine. That's what I --

MR. FEDER: And we'll show you the original estimates, yes.

CHAIRMAN STRAIN: Anybody else have any questions on the 11 by 17 sheet?

(No response.)

CHAIRMAN STRAIN: Your pathways under funded, what do those lines mean under operation improvements? Does that mean you've done that or -- because you've run it across the board, so --

MR. FEDER: Again, it's just a note to you. Because while it's not part of the Capital Improvement Element itself, we have other activities and other programs we're trying to tell you the impacts have been there. In the case of resurfacing, we actually added a little bit of money because of what's coming on to us. We pulled some money out of the pathways, along with our capital program, and it's just giving you the true picture, full picture. Because not everything is captured under major capital projects.

CHAIRMAN STRAIN: Okay. There's no questions further on that page, we can start moving into the tables.

Let's just take the first three tables of the road projects that Norm's up there for, and we'll get rid of those to begin with. And that is the 11 percent, the 15 percent and the 20 percent. Are there any questions from those tables by the members of the Planning Commission?

Ms. Caron?

COMMISSIONER CARON: Well, yeah, your contingency figure?

MR. FEDER: Yes.

COMMISSIONER CARON: Under the 11 percent reduction, the total is four million. Under the 15, it jumps to 11 million. And to 13 million under the 20 percent. Why are these figures going up as opposed to going down? Because the goal here is to reduce the amount of expenditure.

MR. FEDER: Understood. What I'll tell you, first of all, it's a percentage. And you've got a reduced item. But the dollars are going up because the first year you're funded only at about a 1.2 percent revenue, and the provision is typically to be at five percent. Now, we're not there as a county. And I think you're going to hear an awful lot in the budget discussions of concern about how low we are on revenues.

Additionally, I'll tell you I've got -- let me make sure I got the right figure said. But I've got some significant dollars out in -- close off of litigation on projects, which right now we feel very comfortable in our position, but nonetheless we have to litigate that situation because we've had those lawsuits.

And we have to provide at least about 10 percent of the figure to be able to hire the counsel and the expert witnesses required. And so we're looking at that and any potential settlements out of that, that we've got to have some level of reserves. And I can tell you right now, that barely would hit one of the four. But we're positioning ourselves with what is a normal -- or trying to go to a normal level of reserves in a bit of a normal situation where I have contention out there for litigation on three projects and one developer contribution agreement.

CHAIRMAN STRAIN: Mr. Schiffer?

COMMISSIONER SCHIFFER: Norm, and this is going to be on the revenue source, the developer contributions. First of all, it shows nothing in the latter two years. So of all the contributions that we've arranged, there is nothing due past a three-year period; is that right?

MR. FEDER: As it stands right now, again, those are the only ones we've got, and we've got committed. We didn't want to put anything -- obviously we've done some over the years, but I hope that that generally would continue, yes. But if I don't have it set up, I don't have it in here. Same with grants.

COMMISSIONER SCHIFFER: And have we been moving some of these dates? I mean, as the economy got slower, are we allowing people later and later dates for these commitments?

MR. FEDER: No, all these are structured on commitments. The main one you have in here is 41/951, which as you're aware took a number of times to get it to the right size to move. But it's moving. And some of the dollars are here and the others are committed, along with some additional SIGP from the state and some resurfacing for 951 south in the state.

But these are commitments that we feel are in hand and are solid and that's why we put them in here.

COMMISSIONER SCHIFFER: Thank you.

CHAIRMAN STRAIN: Anybody else on those three pages?

(No response.)

CHAIRMAN STRAIN: Norm, I need to go back and figure out where you started from. Under your adopted version, 11 percent, you have a total road expenditure -- road project totals of 329,000. And that reflects an 11 percent reduction from what number?

MR. FEDER: From today's FY '10 approved budget.

CHAIRMAN STRAIN: How does that relate to the AUIR?

MR. FEDER: It relates to the AUIR which is generally just in capacity, and the CIE, which is in capacity, just as I note on the table. We are working with an ad valorem reduction. We also had to reduce our program and consistently reduce it on impact fees, as volatile as they've been in going down. And somewhat on gas tax, but that's been more stable.

So in answer to your question, what we did is we took our FY '10 budget, I look at my impact fees in that best estimate, so that's how I build it every time. And it's changed, even from last AUIR a little bit. Because you remember we had reduced it. Now you see it a little bit further reduced. And I may not make that this year, okay.

And we said that what we're really dealing with in the 11, 15 and 20 is the ad valorem. And the request to us was to reduce the ad valorem coming to transportation, not simply to capital. If you only wanted to make it capital, although that was defined in some of the discussions, I have only 3.9 other than the debt service to provide. That would only meet the 11, not the 15 and 20.

So in answer to your question, it comes from the revenue stream estimates from the prior CIE as well. The base for the 11, 15 and 20 is the ad valorem that's in my FY '10 budget.

CHAIRMAN STRAIN: Corby, I've got a question, since you were the one who put the CIE together, and your comprehensive planning department I guess has certain standards in the way these documents get assembled.

Are we supposed to have any ability to track from the AUIR to the CIE? The reason -- some of the departments and utilities did it with their corrected sheets, which I had caught earlier this week. They went back and used the AUIR values where they had used a duplicative value from potable water to sewer, they came back and corrected that in their changes. Now they meet their values in the AUIR, as do I believe some of the other departments.

But if you go back to the AUIR and try to correlate what transportation's numbers are, I can't get there. How is that possible? How is that -- is that how the CIE is supposed to be formatted?

MR. SCHMIDT: Part of that answer is in a previous year we did some comparisons from the CIE back to the AUIR. Not only is it more confusing and less useful, but we did not provide a CIE to CIE comparison, we stuck to that only this year.

CHAIRMAN STRAIN: Okay. But see, here's the problem I have. They're looking at 11 percent reduction to get to 329. I can't get to the number unless I back into it from a doc -- I can't get to a number from an approved document that went through the land planning agency as we're called.

MR. FEDER: That --

CHAIRMAN STRAIN: That gets us -- wait a minute, Norm. That gets us to a number that 11 percent less of is 329. Because that number would have to be 370,260,000. I can't find it anywhere in the land planning reviews that we did.

So I'm wondering what I missed or if I have a document that we changed and I just don't know it.

MR. FEDER: And understood. To try and provide some clarification, first of all, from AUIR to CIE we've changed the impact fees and we've reduced them further. We reduced them in the AUIR.

Also in the AUIR the reason I'm standing here before you with 11, 15 and 20, as opposed to a CIE that looks an awful lot like my AUIR, is this board, along with the Planning Commission (sic) and then concurred by the board, they wanted to see options for further reduction in ad valorem coming to transportation.

The inference was that I could get it all out of capital. What I'm telling you, I can, but I was asked to look at that. So I'm honestly trying to give an 11, 15 and 20 and what it would do to the overall transportation division to reduce that much of one of my revenue streams. And that's the difficulty, because the number isn't simply 11 percent, 15 and 20, because my impact fees have been reduced whether I'm going 11 percent, 15 or 20 reduction in ad valorem. And my gas tax has been generally stable.

So in answer to your question, I'd look more like my AUIR if I wasn't coming in with these alternatives from modification to ad valorem stream. But I am, and that's fine. But I understand your concern. That's why we went back to the CIE, so that they could see exactly what they're changing. And so you've got three income streams, one stable, one's reduced because of what we're experiencing, which are the impact fees, and the other one that's given up as three different options as to how it might go.

CHAIRMAN STRAIN: Well, this board and the Productivity Committee and then eventually the BCC spends a lot of time on the AUIR.

MR. FEDER: Yes, sir.

CHAIRMAN STRAIN: And if it has no meaning because afterwards at any point the values in the AUIR could be just reestablished and the CIE is built off whatever numbers are -- come up with after that point, I'm wondering how we show the coordination that it's been through the right processes that statute requires and that we as the LPA are supposed to review.

Because the last document I reviewed, and I pull up on line what you currently have in the AUIR, it doesn't get to a number that if you'd pull 11 percent off of comes to your number and then the subsequent numbers you provide.

That's important because I'd like to know where you're really starting your 11 percent from. What -- where did you start? Did you start at a higher number, lower number than was approved? I can't find that.

MR. FEDER: Okay, the 11, 15 and 20 is (sic) on ad valorem is simply from my FY '10 ad valorem budget and carrying that out.

The impacts fees in my AUIR was a best shot in time of where my impact fees are likely to be, which was a definite decrease. And guess what? It's further decreased even the CIE a little bit further. Because I said I may not make eight or nine this year, okay? So -- but I'm a little bit higher than what I assumed here, because this has got printed a while ago. So there is a change.

I think the key to what you're asking, Mr. Chairman, is that the AUIR is meant to look at -- you said you were going to maintain a certain level of service with what you're providing for infrastructure in the county. Did you do that? And the AUIR is a judgment of that and saying if you didn't do it in areas, how are you going to make that happen or where are you going to emphasize when you go in your next Capital Improvement Element to make it happen?

Generally we came to you and said we have. And what I'm telling you is and what we're doing with further cuts generally keeps us still in compliant (sic) with concurrency relative to DCA, and that's the role of the AUIR. It is not necessarily the Capital Improvement Element nor the budget relative to the fiscal numbers, but it is intended with the revenue streams I have, have I met and am I likely to stay meeting my concurrency. And that's what the role of that was.

CHAIRMAN STRAIN: Okay, you actually improved upon the expenditures you were going to do in the AUIR. I'm not saying at all that's a bad thing. It's fine, it's great. I'm just wondering from a methodology process, especially when I thought and I'm sure others thought that the AUIR was a prelude to the budget process. And if such, maybe I need a document that I can tie your beginning number to and I don't have it now because this board didn't review it.

MR. FEDER: And I understand your concern. Because remember what I told you in the first place, I'm not taking it all out of (sic). I expected some level of reduction in ad valorem as well as impact fees, which are further reduced again now here. But what I am doing now is I'm saying I'm going to pull -- I have to pull some of that out of my operating budget for the ad valorem, so I'm doing that to keep my operating level.

But again, the answer to your question, as best I can give it to you is obviously we use the AUIR. That is an emphasis, a part in time in how we look at it.

That was looked at, we looked at the revenue streams we did on that basis of saying have we met, can we meet concurrency. We had to modify the impact fees down a little bit based on what's occurring. And then I got asked as part of that process, you've got to try to come up with some further scenarios beyond what you might have expected as a little bit of reduction in your capital ad valorem to come up with potentially the 11, but not only that, 15 and 20, and that's what we're trying to do. And the 11 is even beyond I think what we're expecting at this time. But --

CHAIRMAN STRAIN: Well, if you could -- and in the array of things I've asked for, if you could also provide me with --

MR. FEDER: With all those numbers.

CHAIRMAN STRAIN: -- whatever was the adopted or approved version of the document that you started with in order to get your 11 percent beginning, that --

MR. FEDER: The way the adjustments were.

CHAIRMAN STRAIN: -- would solve my concern and give me the document I need to sink my teeth into.

MR. FEDER: Yeah, we will.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CARON: Yeah, that's --

MR. FEDER: But they're never going to be totally in synch.

MR. CASALANGUIDA: Commissioners?

COMMISSIONER CARON: That's really important, because you need -- we need to be able to do the math. I did the same thing apparently that Commissioner Strain did in trying to back into these numbers and find out where they came from. And I went back to last year's CIE, I went back to the AUIR, both versions of the AUIR this year, because we knew it had been -- so somehow we've got to have a basis.

And a couple of years ago we had to footnote some things on the AUIR because it was impossible to get to where you needed to do the math. And maybe it just needs to be footnoted here as to what you're starting with, I don't know. But something needs --

MR. FEDER: We'll be happy to try to do that. There's a couple of other things, just to help on this, and I think you're asking us to do that and we will.

Is first of all before when we discussed this with you under the AUIR we were looking at the ad valorem coming to us before the decision was made on the interest. And that interest comes back with impact fees that no longer could I work with in that manner, so there's a change there.

Unfortunately what you're asking for is a stagnant situation. But I think you're also asking me in a non-stagnant at the very least to show you where the changes and why they're occurring, and we'll be happy to try to do that.

CHAIRMAN STRAIN: And Norm, you have to -- you had to have a stagnant number to begin with. That's all I'm saying. And I think Commissioner Caron -- I tried to get to the AUIR number. And when I realized you didn't use that number, that left a big hole in my analysis, which is another reason I wanted to delay final approval for a week so I could go back and run the numbers that you will now provide. And I'm sure others will want to do that, so --

MR. FEDER: We'll be happy to. As I said, the gas tax is about the same. The impact fees assume down some. And the ad valorem is changed, both by the scenarios and by the fact that now it's coming to me as interest return, a major portion of it rather than gas tax.

COMMISSIONER CARON: And Norm, I understand the moving target here and that things change on a daily basis, if not more frequently. But A, there does have to be some starting point. And B, even if it's changed from one month to the next, it's sort of ballpark. I mean, if I had come to any number that I could have backtracked to and come close to where you were coming, I would have said okay, this is changing just because we know it's a moving target. But that was not at all the case.

MR. FEDER: We will take a couple in succession and go through and look at the changes and then tell you --

COMMISSIONER CARON: Good.

MR. FEDER: -- why in the basis both budget AUIR and CIE.

But I would venture to say, you take that in most areas you're going to see it, but probably transportation's a little more volatile in the way of how those numbers have been changing on us.

COMMISSIONER CARON: Thanks.

CHAIRMAN STRAIN: Nick, did you want to --

MR. CASALANGUIDA: Sure.

CHAIRMAN STRAIN: -- because you looked like you're anxious to say something.

MR. CASALANGUIDA: I can provide a little clarification as to what happens. When you have your AUIR, it's that planning tool, that snapshot in time. As you develop from your AUIR to CIE, you solidify a little bit more. Then what happens, you go into the budget cycle. And then that budget cycle resets everything. It almost truths everything up.

So we had this discussion last year, whether you wanted to see a CIE to CIE comparison, a CIE to AUIR comparison. The truth is, what you really need to understand is it really needs to be a CIE to budget comparison. And if we have those documents -- because it's all -- these are all proposed numbers until the board makes the final budget decision. And then we prepare the documents next year, we're working off those solid numbers but now going into planning again for the following year.

CHAIRMAN STRAIN: Well, it's not often we have to have multiple tables provided showing incremental reductions. And this is one of those odd years. So in order for us to understand better how the arithmetic was handled, it helps to have a starting point. And that was the messing key here.

MR. CASALANGUIDA: Sure.

MR. FEDER: And we'd be happy to do that.

The other thing I'll point out is FY '10 doesn't change because it's budgeted. So really those changes in numbers are occurring over a four-year period. But we'll work that all out with you.

CHAIRMAN STRAIN: Okay, the next chart is on Page 17, it's 000 everything. And I don't know if we have a question about all those zeros. Barry, that's the easiest chart I think of the whole package.

So -- and the next page is Page 18, it's another chart for the stormwater. By the way, these charts are all summarized on the summary page we'll eventually get to. That may be easier to ask questions from for all of us too, so -- and then the next one is --

MR. SCHMIDT: Excuse me, Mr. Chairman?

CHAIRMAN STRAIN: Yes, sir.

MR. SCHMIDT: Regarding your Pages 1811.R and 1811, I believe in the staff report staff made a statement that the decision to reduce those -- or that millage rate from .15 to .10 was a matter of fact. It is not. That decision has not yet been made. And it is yet to be made during budget.

CHAIRMAN STRAIN: Okay, thank you, Corby.

By the way, on Page 18, and I found this in another part of the document, you've got the Freedom Park in there, water quality monitoring and exotic vegetation control. You're going to spend a half million dollars on that. Does that have to be -- is that a requirement or is that just a nice thing to have? Exotic vegetation has probably been there forever. But is this a maintenance of something that's already been removed so it won't come back or is it removing new exotics?

MR. FEDER: It's a maintenance, monitoring and documentation. It's required, particularly because we got the Florida Communities Trust grant to help pay right-of-way and construction of the Freedom Park itself.

CHAIRMAN STRAIN: Okay. We'll move on then, if nobody has any other questions, with Pages 18.11 and Page 19. Any questions there?

(No response.)

CHAIRMAN STRAIN: Page 20?

(No response.)

CHAIRMAN STRAIN: Page 20 is one of the pages that I believe changed in the yellow.

COMMISSIONER CARON: Yes.

CHAIRMAN STRAIN: I guess this is a solid waste question.

The Waste Management has a contract with us to build the cells as needed in exchange for the tipping fees. Why do we carry numbers on our books for the cell construction then?

MR. SCHMIDT: Just a moment.

MR. GRAMATGES: Phil Gramatges, Public Utilities.

I don't have a direct answer to your question, but I can research it and give it to you later.

CHAIRMAN STRAIN: Okay.

COMMISSIONER SCHIFFER: Mark, I --

CHAIRMAN STRAIN: That would be fine.

Go ahead.

COMMISSIONER SCHIFFER: I had one question.

Yeah, you recently approved the -- and the commission approved the reclamation center.

MR. GRAMATGES: That's correct.

COMMISSIONER SCHIFFER: Should that be showing up here somewhere?

MR. GRAMATGES: No, that's not being shown in here. That is going to be a process that is likely going to take longer than this period that you have here.

COMMISSIONER SCHIFFER: Okay. So we won't be spending any money for five years on that.

MR. GRAMATGES: That's the expectation. And then of course as you know we update this every year. It may change. But at this point in time that's the way it's being seen.

COMMISSIONER SCHIFFER: All right, thank you.

CHAIRMAN STRAIN: And Phil, the latest document you passed out, or Corby passed out on your behalf this morning increased the number that is in the original document I just read off, from 3.4 to 6.8. So when you respond to me, if you use that most recent one, that will be more effective.

MR. GRAMATGES: Sure.

CHAIRMAN STRAIN: Okay.

Ms. Caron?

COMMISSIONER CARON: Well, doesn't the chart just show that the $6.82 million is going toward the various cells, but it's coming from the tipping fees below, so it's just a -- it's more of a paperwork thing, not a --

CHAIRMAN STRAIN: No, it's part of -- the way the preface in the staff report read, that the cell construction was part of the W -- Waste Management contract, and they obtain the tipping fees.

Does that go through our books or does that -- or they handle that? And so if they handle it, then why are we showing it on our books? That was my question.

MR. GRAMATGES: Yes, and unfortunately I can't give you a straight answer --

CHAIRMAN STRAIN: No, I was just responding to Ms. Caron as to -- she wondered why I asked the question.

MR. GRAMATGES: But we certainly keep track of those numbers.

CHAIRMAN STRAIN: Right.

MR. GRAMATGES: Those tipping fees pay Waste Management and Waste Management takes care of the upkeep and any development within the landfill.

As to why they're shown in here, I can't really tell you.

COMMISSIONER CARON: So you don't know whether the dollars come through the county first and --

MR. GRAMATGES: Well, we collect the tipping fees at the scale.

COMMISSIONER CARON: Yeah, there you go.

CHAIRMAN STRAIN: Well, I know that, but the construction is done by Waste Management.

MR. GRAMATGES: It's done by Waste Management with tipping fee funds.

CHAIRMAN STRAIN: Right. And I don't know why we show a construction cost when we don't know what that is, because Waste Management does it.

MR. GRAMATGES: Well, we do know what the construction cost is.

CHAIRMAN STRAIN: And they just have --

MR. GRAMATGES: Because we need to approve that.

CHAIRMAN STRAIN: Okay, and we know they're going to be equal to the tipping fees we're going to collect in 2012.

MR. GRAMATGES: Well, for the purpose of this document, all we're showing is that we have enough tipping fees to pay for the cost of the development. And that's the reason why the numbers match.

The tipping fees and the cost of the project is not necessarily the same year to year.

CHAIRMAN STRAIN: Understand.

MR. GRAMATGES: Yes.

CHAIRMAN STRAIN: But if you're showing the tipping fees to cover that one project, then why aren't we showing the tipping fees for every year in covering -- then they cover whatever projects occur, like the operations in the landfill. You just -- you singled out one operation of the Waste Management contract to show a cost and revenue stream here for, and I wonder why you didn't do it for all of them, because we have tipping fees every year for five years.

MR. GRAMATGES: Sure. Typically what we do is we choose larger projects.

CHAIRMAN STRAIN: If you do have your tipping fee schedules to show us --

MR. GRAMATGES: Yeah, the answer may or may not answer your question is that this is simply capital improvements, and part of the tipping fees go for the operation of the landfill as well. So the numbers, I mean, the numbers change from time to time, depending on the tipping fees coming in.

And once again, what we're trying to do here is balance the cost of the capital improvements with the funds that are available to pay for that cost. And that's the reason why they net out.

But you're right, I mean, I don't have a direct answer to you as to why the numbers are not prepared in any different way.

CHAIRMAN STRAIN: And can you supply with me -- or if everybody else wants it too, a copy of the tipping fee revenue stream that has occurred over the last few years, and what you're projecting for the future?

MR. GRAMATGES: I will have to talk to our operative -- the operations director and propose that, yes, indeed.

CHAIRMAN STRAIN: It should be just a number where you say in 2007 we collected this much to '08. And that --

MR. GRAMATGES: Absolutely.

CHAIRMAN STRAIN: And I'd just like to see how we're handling that money because -- and what size stream it is. Thank you.

MR. GRAMATGES: I certainly will carry that through.

CHAIRMAN STRAIN: And we left off on -- Page 21 is where we'd be next.

Anybody have any questions on Page 21?

(No response.)

CHAIRMAN STRAIN: And then the summary page is Page 22, Exhibit A. Anybody have any questions on Page 22?

(No response.)

CHAIRMAN STRAIN: After that we get into a series of tables going for the five years beyond the first five years.

And Corby, can you explain why those were in this CIE? I thought the CIE was a five-year window.

MR. SCHMIDT: It is, but one of the appendices that are included in the Capital Improvement Elements each year are the out-years or the second five-year schedule of improvements. That is not a financially feasible schedule. Those are not committed -- necessarily funding. They can be projected or uncommitted. It's just a general projection of projects in out years that are scheduled.

The full 10 years is a requirement of statute. If you do not have long-term concurrency, and we do not, we must provide a five-year schedule and we also must provide a second five years.

CHAIRMAN STRAIN: And I didn't see it as a bad thing. I was just curious as to -- because basically the CIE is done every year, and so a 10-year -- the second five years is probably the most subject to change as we solidify every year as we go on. So from my perspective I didn't see a need to spend a lot of time on that one, and I had not.

MR. SCHMIDT: And there is none.

CHAIRMAN STRAIN: Okay.

Are there any further questions of the Planning Commission on the overall CIE at this point before we continue to the next meeting to finish our decisions on it after we had time to adjust to the information that was passed out today and responded to today?

(No response.)

CHAIRMAN STRAIN: Brad, is that a request for a question?

COMMISSIONER SCHIFFER: That's my support.

CHAIRMAN STRAIN: Your support, okay.

Well, with that, I think -- Corby, unless you have some other comments, I believe we've finished up with our review and questions at this time until we continue.

MR. SCHMIDT: I do not. Thank you, Mr. Chairman.

CHAIRMAN STRAIN: Okay. Then make sure we have no other business. I don't believe there is any.

With none being heard, is there a motion to continue this to 8:30 in the morning at this location next Thursday, which is the 28th?

MR. SCHMIDT: Excuse me, I do have one more item, Mr. Chairman.

Some direction as to what staff you would prefer to be here in a week.

CHAIRMAN STRAIN: Transportation for sure. I can't -- and at least someone from utilities. Other than that, my questions, if I have any, will be in response to the information those two departments provide. So there may be minor questions, but that's the only thing I could think of at this point. It shouldn't be a very lengthy discussion.

MR. SCHMIDT: Understood.

CHAIRMAN STRAIN: Is everybody else fine with that?

MR. CASALANGUIDA: Commissioner, do you want to make sure you clarify any questions you have? I know you want a right-of-way comparison towards -- for Vanderbilt, the bridge information.

CHAIRMAN STRAIN: There was a -- I'd like to see a bridge report. I'd ask for a water -- access to the water pressure tested reports for the -- or exit pressures. The breakdown from -- or how we got to the 30 million estimated right-of-way acquisition to Vanderbilt Beach extension. And where that lies today, taking into consideration the current values, assessed values of the properties.

The -- how the transportation department -- where they started with in their numbers. We had a lengthy discussion about we don't have anything to tie the 11 percent to.

And then the last thing is the cell -- the tipping fee schedule, the revenue stream for at least a few years back and where it is projected to go in the future. I would suggest say for 2005 on. That way we see how the economy has affected the tipping fees and then how that fits with the projections in the future.

Those are the five things that I think need to be sent to us in time for us to have reviewed by next Thursday's morning. And we should be able to finish this up.

MR. CASALANGUIDA: Very good.

CHAIRMAN STRAIN: One thing that may help too, I know we talked -- you have provided all the data for the reductions in transportation. Is transportation recommending any one of those, other than just the obvious, that you'd rather spend -- you want to spend as much as you possibly can. Not necessarily bad, but that's -- most departments want to spend their entire budgets, if they can. But your level of comfort with those percentages would be important to know.

MR. FEDER: Again, I need to follow which is being developed to the board direction on budget guidance and policy. There is an emphasis to one, try to maintain operations and maintenance, even as capital goes down. This responds to that.

Two, across the board I believe five percent, so therefore there's going to have to be an effort to pull additional budget to allow that to happen. So I believe that part of my response in 15 and 20 is going to be a way to be responsive to that.

And so what I'm telling you is I'm not recommending, I'm working with everybody to see how we get the budget done. Obviously I don't feel I'm fully funded in operation and maintenance today. And the capital is going to have some significant reductions.

CHAIRMAN STRAIN: Okay.

Anybody else? If not, Mr. Vigliotti, did you still make a motion to continue to next week like we discussed?

MR. CASALANGUIDA: Commissioners, I have one other item, just before you close.

CHAIRMAN STRAIN: Sure, go ahead.

MR. CASALANGUIDA: I'd like this commission to start to consider if you could over the break, before we meet next week, if you'd like the staff to pursue providing you some information on combining the AUIR and the CIE into one document that you can review. It's a level of service document and a capital improvement document. If that's something you'd like to get some background information on.

CHAIRMAN STRAIN: The only comeback on that is what has just occurred. If the AUIR is not the static -- is not the fixed document that's going to be dependent upon the CIE's budget, then you cannot do that, because in the case of the AUIR versus transportation that we've seen today, Norm couldn't have done what you're now suggesting, because his number would have been inaccurate in the adoption process of the CIE because they wouldn't have had it by then, right?

MR. FEDER: It all matters issue in time. What's being proposed is if we're going to try and work with the AUIR as a budgeting document, which is mainly the CIE and then the real one is the budget where it gets chewed up, then putting the two together makes a lot of sense. The question is when in time. Because then you're going to ask me why does my CIE/AUIR look so different than my budget.

CHAIRMAN STRAIN: But see, I don't think we're objecting necessarily, Norm, to --

MR. FEDER: No, you need to know the basis for the changes.

CHAIRMAN STRAIN: -- their being different. We've just got to understand where to start from in order to figure out how you got there.

MR. FEDER: Understood. And I'm going to try to provide that to you. But joining the two, it depends when we're doing it. It might make a lot of sense rather than having three where the numbers are changing for issues over time.

CHAIRMAN STRAIN: Well, as long as we have the most accurate, I think that's the way we ought to be looking at it.

MR. CASALANGUIDA: Sure.

CHAIRMAN STRAIN: But we'll discuss it next week and -- as part of follow up.

Ms. Caron?

COMMISSIONER CARON: Yeah, I think it would be a matter of moving the timing for it. Because we did the AUIR back in the fall. The budget comes in between. The CIE comes after that. It just -- you know, we'd have to coordinate a time that would make sense if you're going to combine.

MR. CASALANGUIDA: We give you a -- my idea of asking you this question is to say if you're interested in us providing you some analysis in what the pitfalls would be and giving you some ideas, we can do that.

Your AUIR is supposed to be a snapshot of level of service. And your CIE drives your budget. So if we combine those two together and the time is appropriate, I think it might save you all a lot of questions and staff a lot of time.

CHAIRMAN STRAIN: Well, the only thing is, Nick, every time that you and your department have to respond to a question of analysis for us, someone in your department's going to have to take the time to do it, and you're extremely shorthanded right now.

From my personal review, as long as I know where you start, I don't care when you come out with the CIE.

As long as when you do, saying okay, we had the AUIR but here's where we're starting for purposes of the CIE. Then I wouldn't have even got into the issue of comparison, because it would have been known ahead of time.

So I don't need you to spend more time on anything like you're suggesting when we don't have the resources, or we may not have. But if everybody -- unless someone here wants you to, I don't know if we need to go forward with that analysis.

MR. CASALANGUIDA: Okay, very good.

CHAIRMAN STRAIN: Now, any more items for discussion today?

(No response.)

CHAIRMAN STRAIN: Mr. Vigliotti, do you still have that motion kind of handy in your back pocket?

COMMISSIONER VIGLIOTTI: Yeah, I was going to say no, but let's go home.

CHAIRMAN STRAIN: Okay, motion to continue by Commissioner Vigliotti. Is it seconded by someone?

COMMISSIONER WOLFLEY: (Indicating.)

CHAIRMAN STRAIN: Mr. Wolfley.

All those in favor, signify by saying aye.

COMMISSIONER SCHIFFER: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER KOLFLAT: Aye.

COMMISSIONER MIDNEY: Aye.

COMMISSIONER WOLFLEY: Aye.

COMMISSIONER VIGLIOTTI: Aye.

COMMISSIONER CARON: Aye.

CHAIRMAN STRAIN: Aye.

Anybody opposed?

(No response.)

CHAIRMAN STRAIN: We carry. See you next Thursday, 8:30.

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There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 11:36 a.m.

COLLIER COUNTY PLANNING COMMISSION

Mark P. Strain

MARK STRAIN, Chairman

These minutes approved by the board on 2-18-10 as presented ✓ or as corrected________________.

Transcript prepared on behalf of Gregory Reporting Service, Inc., by Cherie' R. Nottingham.