

SWFLATODAY

Bills would give power to businesses



President of the Senate Wilton Simpson presents an opening statement to the Florida Senate during the opening day of the 2022 Florida Legislative Session Jan. 11. ALICIA DEVINE/TALLAHASSEE DEMOCRAT

But critic calls measures ‘a devastating one-two punch to our local governments’

John Kennedy
Capital Bureau | USA TODAY NETWORK – FLORIDA

TALLAHASSEE – Businesses could more easily sue local governments, which also would be forced to put price tags on proposed ordinances, under measures approved Thursday by the Florida Senate.

Opponents, however, ridiculed them as a power grab. “It’s a devastating one-two punch to our local governments,” said Sen. Gary Farmer, D-Lighthouse Point.

Still, Sen. Travis Hutson, R-St. Augustine, the sponsor of the measures (SB 620, 280) defended the approach, saying that fortifying a company’s defense against local government regulations was important.

“I think we are one of the most pro-business states in the entire nation, and I think this bill goes a lot further to separate us from the pack,” Hutson said.

But Hutson acknowledged he also has worked with representatives of

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Lesley Richard, 77, is a patient of the NCH Heart Institute and recently had a Mitraclip procedure to fix a condition where the mitral valve in her heart does not close properly and causes blood to backflow into the heart. She supports NCH in its plans to build a new \$150 million heart center to expand what it can perform. The complex is proposed at the NCH Baker Hospital near downtown Naples. LONDON BOST/NAPLES DAILY NEWS

Will NCH get OK to build heart center?

Projected cost is \$150 million for new 6-story facility

Liz Freeman Naples Daily News | USA TODAY NETWORK – FLORIDA

Lesley Richard had lost her pep. She chalked it up to being 77. • Following a regular check up at the NCH Heart Institute near downtown Naples, Richard learned her mitral valve regurgitation had worsened. • It’s a condition where the mitral valve in her heart doesn’t close tightly and blood flows backward. It can cause fatigue in some but can lead to heart failure in others.

A Marco Island resident for 16 years, Richard supports the NCH Healthcare System’s plan to build a new heart, vascular and stroke center to offer the latest advancements, engage in research and ideally recruit top-notch specialists so fewer residents travel out of town for cardiac care.



Hiltz

Richard had a minimally invasive procedure in September at NCH’s current heart center to address her mitral valve condition. She has her energy back.

“The hospital needs to keep up with modern-day medicine,” said Richard, who previously lived in New York. “Naples is the size of town that it warrants a good heart center. I think they are hitting it right on the button.”

What would it cost?

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Lesley Richard, 77, is a patient of the NCH Heart Institute and supports NCH in its plans to build a new heart center. LONDON BOST/NAPLES DAILY NEWS

New Fla. election law goes to court

‘They are afraid they are going to be perceived of doing something wrong,’ says one witness in trial

Jeffrey Schweers
Capital Bureau | USA TODAY NETWORK – FLORIDA

Florida’s controversial year-old election law has hurt the voter registration efforts of the League of Women Voters of Florida, its president testified in federal court in Tallahassee Monday.

Cecile Scoon was the first witness called in the trial over the law held by teleconference before Chief U.S. District Judge Mark Walker of the Northern District of Florida. The League and several other plaintiffs sued the state, contending the new law is unconstitutional and saying it raises barriers to voting for Blacks and other minorities.

“People are very intimidated by the change in the law. They are afraid they are going to be perceived of doing something wrong,” Scoon said, adding that volunteers are quitting because voter registration has become too stressful.

She also said she didn’t understand why the changes were necessary since the 2020 election had gone smoothly and should be a model for other states to follow. That’s also according to public statements by Secretary of State Laurel Lee and Gov. Ron DeSantis.

The law has been defended by its Republican supporters as placing guardrails to protect the integrity of the voting process without any intent to suppress the vote.

“The purpose, at least for me, has been to clarify our intent for secure,

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A “Vote Here” sign outside a San Angelo polling location Saturday. JOHN TUFTS/SAN ANGELO STANDARD-TIMES

Heart center

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The projected cost is \$150 million for a new six-story heart center that would be built next to the NCH Downtown Baker Hospital, in the footprint of the Telford Education Center that would be torn down.

Hospital leaders have been working with the city of Naples on plans for the new building that would be 98 feet tall, similar in height to the two existing Baker hospital towers that are 92-feet tall, according to NCH.

Both hospital towers were erected years before city voters approved a 42-foot height limit or three stories for commercial buildings in 2000.

City planners suggested NCH seek to create a hospital zoning district for the entire 22-acre campus, which currently has three zoning categories. Documents were drawn up and discussed at a workshop with the Naples City Council in October.

Plans for a hospital zoning district lead to concern among some residents that NCH wants more than one new building at six stories, and that's not the case, Paul Hiltz, president and chief executive officer of NCH, said.

"What we are requesting is one building on this campus which would be as tall as the existing Baker tower here," he said.

NCH sent a letter to city leaders in mid-January outlining that only one building with six stories is sought, plus a new parking garage.

"You can limit us to one building and we will agree to that," Hiltz said. "We're just asking what is the most expeditious way to get this one building built. They don't grant variances."

Hiltz expects another workshop with the city in March to focus on the hospital district zoning and how to limit NCH to the one new building.

Wait and see attitude

The Old Naples Association, which represents property owners from Seventh Avenue North to 13th Avenue South, is not commenting until NCH presents a formal plan and members can review it, said Janet Ferry, president of the association.

At this point, the association has no idea what the project will look like, she said. Ferry said she is aware of the letter from NCH to the city.

"(Old Naples Association) will not prejudge this," she said, adding that the group represents thousands of property owners.

"We appreciate a healthy dialogue and transparency and we believe that will happen."

Hiltz understands how the city council and nearby residents are concerned about maintaining the neighborhood ambience around the hospital. He points out that the hospital has been in the community for 65 years.

The patient base who would benefit the most from a state-of-the-art heart center live in the surrounding area.

"Seventy percent of heart and stroke patients live within 10 miles of (the downtown hospital)," he said.

Heart disease is the third leading cause of death in both Collier and Lee counties, and the second leading cause of death in the state, according to the state Department of Health.

There were nearly 800 cardiac-related deaths in Collier and 1,700 in Lee in 2019, according to DOH.

NCH has big plans

Last year NCH hired Dr. Robert Cubeddu, a cardiologist previously at Cleveland Clinic Florida in Weston, to serve as president of NCH's heart center and spearhead advancing the program and recruiting new physicians to the cardiac team.

The hospital has been expanding what cardiac procedures it performs, which includes MitraClip to repair a leaky mitral valve, and intravascular lithotripsy that uses sonic pressure waves to tackle hardened calcium deposits in arteries so stents can be put in.

Richard, the Marco Island resident, had the MitraClip procedure performed by Cubeddu who answered all of her questions.

"I am one of those people who want to know precisely what to expect," she said.

Plans call for gaining the talent and expertise in cardiothoracic surgery for treating patients with complex valve disease, for patients with thickened heart muscle and for patients who need temporary and permanent mechanical circulatory support for end-state heart disease, according to NCH.

The goal is to become a top 100 heart system in the U.S. and that requires having the infrastructure under one roof to attract some of the best specialists to relocate to Naples, Hiltz said.



Lesley Richard, 77, is a patient of the NCH Heart Institute and recently had a Mitraclip procedure to fix a condition where the mitral valve in her heart does not close properly and causes blood to backflow into the heart. She supports NCH in its plans to build a new \$150 million heart center to expand what it can perform. The complex is proposed at the NCH Baker Hospital near downtown Naples. LONDON BOST/NAPLES DAILY NEWS

About 30% of patients needing cardiovascular surgery in Collier are traveling out of the region; the goal is to reduce that, Hiltz said.

Some patients go to Cleveland Clinic Florida in Weston, Advent Health Cardiovascular Institute in Orlando, Tampa General Hospital or elsewhere, he said.

NCH's competition locally for cardiac patients is Physicians Regional Healthcare System which added open heart surgery at its Pine Ridge campus in 2020, and Lee Health in Lee County, which performs more than 1,000 heart surgeries a year.

What can the public expect?

Early design plans call for a building around 180,000-square-feet of space that would include physicians' offices, space for educational programs, research, catheterization labs and patient beds, Hiltz said.

"The reason for the six stories is we are trying to utilize our existing operating rooms and (catheterization) labs so we can have bridges across so the buildings will line up and we can utilize all our investment in this building," he said.

NCH performs 470 open heart surgeries a year, and more than 4,200 patients came through the catheterization lab for diagnostic and interventional procedures in 2021.

The numbers of open-heart surgeries would increase but there "would be quite a bit of growth" in the number of minimally invasive procedures, Hiltz said.

"We would like to double the number of interventional rooms we have here because that's the future of cardiology," he said.

The heart center now has three cardiovascular operating rooms and five interventional labs for minimally invasive procedures and one suite for heart rhythm diagnostics.

There are 49 cardiac beds now and plans call for shifting them to the new heart center from the Baker hospital, which would enable all rooms at the hospital to become private, Hiltz said.

NCH currently has 13 cardiologists and three heart surgeons.

"We probably will add one more heart surgeon and probably five cardiologists at least in the next 24 months," he said.

Who is on board so far?

Dr. James Talano, a longtime cardiologist and founder of SWICFT Institute of Southwest Florida for research, is on board with NCH's plans.

"I think we are right on the edge here of tremendous growth," Talano said. "I think it will be needed."

Besides population growth, Talano said conducting clinical research will help recruit new talent and keep patients from going elsewhere.

A dedicated heart center requires space for patient care, operating rooms, catheterization labs, education and for conducting research, he said.

"You need a good tower," Talano said. "I would be against it if it were only three or four stories."

Edward Morton, former president and CEO of NCH from 2000 to 2006, is helping to spearhead support in the community for the new heart center, but said he is not involved in lobbying elected officials on the building height issue.

"I am passionate about world class cardiac care," he said, adding that it would be a "shame" for NCH and the community if the project doesn't move forward.

He is calling for people to take a long view of what NCH wants to do and how critical it is to be a part of medical advancements.

"We want to be at the forefront of that," he said. "I see this as the next forward step we need to take to bring world class medical care to our community."

Judge rejects plea deal for man who killed Arbery

Russ Bynum
ASSOCIATED PRESS

BRUNSWICK, Ga. – A federal judge rejected a plea agreement Monday that would have averted a hate crimes trial for the man convicted of murdering Ahmaud Arbery.

Arbery's parents denounced the proposed deal for Travis McMichael, with mother Wanda Cooper-Jones and father Marcus Arbery emotionally asking the judge to reject agreements filed for McMichael and his father, Greg McMichael.

In rejecting the deal, U.S. District Judge Lisa Godbey Wood said it would have locked her into specific terms – including 30 years in federal prison – at sentencing. Wood said that in this case it would only be appropriate to consider the family's wishes at sentencing, which the proposed deal wouldn't allow.

The judge had yet to rule on his father's proposed deal.

Marcus Arbery told reporters outside the federal courthouse in Brunswick that he's "mad as hell" over the deal, which lawyer Lee Merritt said could enable Travis and Greg McMichael to spend the first 30 years of their life sentences in federal prison, rather than state prison where conditions are tougher.

"Ahmaud is a kid you cannot replace," Arbery said. "He was killed racially and we want 100% justice, not no half justice."

Cooper-Jones described the U.S. Justice Department's decision to propose the plea deal despite her objections as "disrespectful."

"I fought so hard to get these guys in the state prison," she said. "I told them very, very adamantly that I wanted them to go to state prison and do their time. ... Then I got up this morning and found out they had accepted this ridiculous plea."

Wood continued preparations to summon summoning the first 50 potential jurors to the courthouse on Feb. 7.

The proposed plea agreements were filed with the court late Sunday. There



"I fought so hard to get these guys in the state prison," said Wanda Cooper-Jones, Ahmaud Arbery's mother, on the plea agreements reached with Travis and Greg McMichael. "I told them very, very adamantly that I wanted them to go to state prison and do their time. ... Then I got up this morning and found out they had accepted this ridiculous plea." STEPHEN B. MORTON/AP FILE

was no mention of a deal with their co-defendant, William "Roddie" Bryan. .

Federal deals would not affect state murder convictions in Arbery's killing. All three men were sentenced to life in prison on Jan. 7 after a trial last fall.

The hate crime charges accuse the McMichaels and Bryan of violating the 25-year-old Black man's civil rights by chasing him through their neighborhood in coastal Georgia on Feb. 23, 2020. The McMichaels armed themselves and pursued Arbery in one pickup truck while Bryan joined the chase in another and recorded video of Travis McMichael blasting Arbery with a shotgun.

A national outcry erupted when the graphic video leaked online two months later. Georgia was one of just four U.S. states without a hate crimes law at the time. Legislators quickly approved one, but it came too late for state hate crime charges in Arbery's killing.

During the state trial, the defense argued that the white men had authority to chase Arbery because they reasonably suspected he had been committing crimes in their neighborhood.

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