

OCTOBER 18, 2016

The [Regular Meeting](#) of the [Lee County Board of County Commissioners](#) was held on this date with the following Commissioners present:

Franklin B. Mann, Chairman
 John E. Manning, Vice-Chairman
 Cecil L Pendergrass
 Larry Kiker
 Brian Hamman

The Chairman called the meeting to order at 9:30 a.m. The Invocation was given by Pastor David Yannatone of First Assembly of God, followed by the Pledge of Allegiance to the flag.

CEREMONIAL PRESENTATIONS

1. Presentation of the 3rd Quarter 2016 Employee Length of Service Awards (#20160547-HUMAN RESOURCES)

Acting Human Resources Director Alise Flanjack, County Manager Roger Desjarlais and Human Resources Generalist Rosanne Music, presented Length of Service Awards for the 3rd Quarter of 2016. (Please refer to the Agenda for a listing of all employees recognized)

RECAP/ANNOUNCEMENTS

Referring to the [Revised Agenda Recap Sheet](#) dated October 18, 2016, the Chairman announced that:

Item 7 be deferred to November 1, 2016 to allow further review. Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

PUBLIC COMMENT ON AGENDA ITEMS

The Chairman called for public comment on Agenda Item 5, and the following citizens came forward:

[Dorrie Hipschman](#) – Executive Director, Bailey Matthews National Shell Museum of Sanibel
[Susan Bridges](#) – President, Center for the Arts of Bonita Springs
[Irish Leonard](#) – representing Everglades Wonder Gardens
[Lydia Black](#) – representing Alliance for the Arts
 Robert Cacioppo – Founder & Producing Artistic Director of Florida Repertory Theatre - no card
 Phyllis Blanchette - representing Bonita Springs Historical Society – no speaker card

The following are the Consent Agenda items that each Board member wished to have discussed:

Commissioner Mann - None
 Commissioner Manning- None
 Commissioner Pendergrass - None
 Commissioner Kiker - None
 Commissioner Hamman- Item 1

The Chairman requested a motion to approve the balance of the agenda items and Commissioner Manning so moved, seconded by Commissioner Hamman, called and carried.

AGENDA ITEMS

COMMUNITY DEVELOPMENT

1. **Approve Amendment to External Fee EX 2-5 to Remove State Contractor Registration Fee** (No funding required.):
 Removes fee charged to register State license, insurance certificates, and authorized signer information with Lee County Contractor Licensing Office.
 (#20160551-COMMUNITY DEVELOPMENT)

PULLED FOR DISCUSSION

Commissioner Hamman noted that this item is to remove fee charged to register State License, insurance certificates, and authorized signer information with Lee County Contractor Licensing Office; and further noted

that in the last session, the State made a change on the State law that prohibits local government agencies from charging a fee to register state contractor license information locally and thanked Staff for all they have done. This helps improve the economy by creating jobs, and investing those resources back to their employees. The Chairman called for public comment; however, no one came forward. Commissioner Hamman moved approval, seconded by Commissioner Kiker, called and carried.

CONSTITUTIONAL OFFICERS

2. Approve and record County disbursements per Florida law

(No funding required.):

Chapter 136.06(1), Florida Statutes requires that all County [disbursements](#) be recorded in the Minutes of the Board. This is for the check and wire registers viewable on the Clerk's website. ([#20160576](#)-CLERK OF COURTS)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

COUNTY ATTORNEY

3. Revise benefits plan for a change for one employee

(Medical Benefits Fund; \$38,610; available in fund balance.):

Resolves post-retirement subsidy issue by updating the Summary Plan Document to permit the subsidy of retiree health benefits for an employee hired after December 31, 2007. This is to mitigate legal liability due to a dispute over post-employment benefits with employee Tina Taviano. ([#20160542](#)-COUNTY ATTORNEY)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

4. Direct to Public Hearing the Termination of Development Agreement for Alico Interchange Park DRI

(N/A):

The proposed Termination Agreement will terminate the Development Agreement and provide for the distribution of previously paid traffic mitigation payments through the issuance of roads impact fee credits in the amount of \$9,584,657, plus interest in the amount of \$892,702, for a total of \$10,477,359 in impact fee credits. ([#20160560](#)-COUNTY ATTORNEY)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

COUNTY MANAGER

5. Provide grant to the SWFL Community Foundation for the County's Arts and Attractions program

(\$300,000; Tourist Development Tax; Included in budget.):

Allows the Visitor & Convention Bureau to distribute \$300,000 to the [SWFL Community Foundation](#) for administration of Lee County's Arts and Attractions Program. This year thirty-nine (39) non-profit attractions will receive a portion of the funds to market their events or attractions to out-of-market visitors. The Tourist Development Council recommended funding approved applicants at its June 2016 meeting and the Community Foundation approved the list of recipients at its September 2016 meeting.

([#20160557](#)-VISITOR AND CONVENTION BUREAU)

Commissioner Pendergrass moved approval, seconded by Commissioner Manning, called and carried.

6. Consider appointments to the Lee County Industrial Development Authority

(No funding required.):

Appoints four (4) of the seven (7) members of the Lee County Industrial Development Authority (IDA). The IDA was established in 1975, under Part III of Chapter 159 of the Florida Statutes, for the primary purpose of fostering economic growth by issuing tax-exempt bond financing for manufacturing facilities, certain exempt water & sewer projects, solid waste and hazardous waste facilities, and tax-exempt 501 (C)(3) non-profit organizations.

([#20160569](#)-ECONOMIC DEVELOPMENT)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

FACILITIES CONSTRUCTION AND MANAGEMENT

- 7. Approve a Pre-Construction Manager Agreement for Trail Dairy EMS Station**
(\$29,693; EMS Impact Fees; Included in budget.):
Approves a pre-construction management services agreement under RFQ 150187 with Stultz, Inc. (a local contractor) for pre-construction services for the Trail Dairy EMS Station project in the amount of \$29,693. These services include signed and sealed engineering and architectural shop drawings. The project entails the construction of a 1,500 square foot modular EMS station in North Fort Myers. EMS #31 station will relocate from the North Fort Myers Fire Control and Service District (NFMFD) station to this new station due to overcrowding. The new EMS station will be placed on approximately one acre of the existing site as approved through an Interlocal Agreement with NFMFD. This project was planned and is included in the Fiscal Year 2015/2016 and 2016/2017 EMS Impact Fee budgets. The total cost to design, permit and construct the facility is \$750,000. ([#20160562](#)-FACILITIES CONSTRUCTION AND MANAGEMENT)

DURING THE ANNOUNCEMENT PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT:

Item 7 be deferred to November 1, 2016, to allow further review. Commissioner Hamman moved approval, seconded by Commissioner Manning, called and carried.

- 8. Award Formal Bid for Chiller Replacement at the Administration/Old Court House Buildings**
(\$764,000; General Fund; Included in budget.):
Awards Formal Bid No ITB-160612/AB, Admin/Old Court House Chiller Replacement, to [Air Mechanical & Service Corp.](#), in the amount of \$764,000, to remove the existing chillers, cooling towers and associated equipment and install new chillers, cooling towers and associated equipment for the Administration/Old Courthouse Buildings. Replacement of the chiller equipment was planned and budgeted.
([#20160565](#)-FACILITIES CONSTRUCTION AND MANAGEMENT)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

- 9. Approve award of a Construction Manager at Risk Agreement for the North Fort Myers and Bonita Springs Libraries with DeAngelis Diamond Construction, LLC for the Pre-Construction phase**
(\$40,000 for the North Fort Myer Library and \$50,000 for the Bonita Springs Library; Library Construction Fund; Included in the budget.):
Approves the Pre-Construction Phase Construction Management Agreements (CMA) for Solicitation No. CN160518LKD, Construction Manager at Risk, for the North Fort Myers Library in the amount of \$40,000, and the Bonita Springs Library in the amount of \$50,000, with [DeAngelis Diamond Construction](#), LLC for a term of 300 calendar days for each. During the Pre-Construction phase the Guaranteed Maximum Price (GMP) will be developed for construction/completion of the projects and a contract amendment for each will be presented to the Board for approval at a later date. The total budget to design, permit and construct the North Fort Myers Library is \$12,500,000 and the total budget for the Bonita Springs Library is \$14,100,000. ([#20160577](#)-FACILITIES CONSTRUCTION AND MANAGEMENT)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

FLEET MANAGEMENT

- 10. Award Formal Bid for Ford Vehicles**
(Funding in accordance with County's adopted budget; available from various Department accounts.):
Awards Formal Bid No. ITB160545/RDF Annual Purchase of Ford Vehicles to [Sam Galloway Ford, Inc.](#) for the purchase of Ford cars, vans, trucks and sport utility vehicles on an as-needed basis. ([#20160561](#)-FLEET MANAGEMENT)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

HUMAN RESOURCES

- 11. Approve Annual Merit Increases for the County Manager and the County Attorney**
(General Fund; Included in operating budget.):
Approves the merit increases for the County Manager and the County Attorney for their performance and contributions to the organization in accordance with their respective First Amendment to Employment Agreements executed on October 20, 2015.

(#20160550-HUMAN RESOURCES)PULLED FOR DISCUSSION

The Chairman stated that this item deals with the compensation of the County Manager and County Attorney whose contract called for an annual adjustment between 4 and 6%. The Chairman called for public comment; however, no one came forward. Commissioner Manning moved for 6%, seconded by Commissioner Hamman, called and carried.

12. Award contract for COBRA and FSA benefit plans to Aetna Life Insurance**Company/PayFlex**

(Estimated annual employer cost is \$22,249 resulting in a 23% decrease; Included in budget.):

Approves the ranking of firms and authorizes the execution of a three-year contract with the top ranked firm, [Aetna Life Insurance Company/PayFlex](#), for Request for Proposals No.

RFP160432/RDF, Employee COBRA and FSA Benefit Plans. Provides comprehensive COBRA and FSA benefit plans for employees as administered by Human Resources commencing on January 1, 2017. Contract is for three years with three optional one-year renewals. Authorizes the Chair to sign the Application necessary to finalize the contract.

(#20160578-HUMAN RESOURCES)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

13. Approve extensions and renewals of Group Health and Life Insurance contracts

(Funding will come from employer and employee premiums in the health plan accounts; and from employer contributions for basic life AD&D and employee contributions for optional life.):

Extends the terms of the annual contracts for Group Health Insurance Program and Group Medicare Advantage Plans with Prescription Drug Coverage for Retirees, under competitively bid annual contracts RFP-11-07 and RFP-11-14, through December 31, 2017. Renews the terms of the annual contract for Basic Group Life, AD&D and Optional Life under competitively bid annual contract RFP-11-14. Extensions provide staff time to process new solicitations for each of these coverages. (#20160579-HUMAN RESOURCES)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

HUMAN SERVICES**14. Approve contracts for substance abuse/mental health treatment services/children's medical exams**

(\$5,183,461; General Fund; Included in budget.):

Approval will provide county funding up to \$5,183,461 to purchase mental health and substance abuse services; [Adult Criminal Drug Court](#) treatment services; and initial medical exams/consultations for allegedly abused children. Authorizes sub-recipient contracts with [SalusCare](#), [Children's Advocacy Center](#) and [AIM Target Programs, Inc.](#) (#20160541-HUMAN SERVICES)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

PARKS AND RECREATION**15. Gator Hole Preserve Land Management Plan, Second Edition**

(\$12,283 annually; Capital Improvement-Environmentally Sensitive Land Management; Included in budget.):

The recently completed ten year update of Gator Hole Preserve Land Management Plan, Second Edition, outlines management and recreational objectives, describes what has occurred, on-going projects and future management plans. (#20160535-PARKS AND RECREATION)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

PUBLIC SAFETY**16. Approve submittal of [EMS County Grant application](#) for funds to improve EMS pre-hospital system**

(\$94,628; No county match required; Special Revenue; Not Included in budget.):

Approval of this action allows Lee County EMS to apply for and accept the EMS County Grant funds in the amount of \$94,628. Approval and execution of this grant allows Lee County EMS to use the awarded funds to pay for medical equipment for EMS operations and training; field

information technology improvements; provide support to Lee County Injury Prevention Coalition, specifically drowning prevention, bicycle/pedestrian safety; purchase Lee Tran bus tickets for homeless and indigent persons requiring transportation for medical care (distribution to be managed by Human Services and Lee Memorial Health System). The grant is not guaranteed, and the amount clear until the grant notice is issued by FDOH. It is not included in the department's budget each year, and does not supplant projects or funding already allocated through the standard budgeting process. ([#20160552](#)-PUBLIC SAFETY)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.
[RESOLUTION NOS. 16-10-12 TO 16-10-13](#)

17. Approve a Property Use Agreement with BRE/Southseas Resort Owner LLC for emergency response

(No funding required.):

Renewal of this agreement, voluntarily and without further compensation, grants Lee County permission for the temporary use of [BRE/Southseas Resort Owner LLC property](#), located at 5400 South Seas Plantation Road, Captiva, FL, for emergency response, relief, and recovery efforts for a period of five (5) years with the option to renew for an additional period of five (5) years under the same terms and conditions with the execution of a new agreement.

([#20160553](#)-PUBLIC SAFETY)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

TRANSIT

18. Approval of Downtown Fort Myers Trolley Grant

(Enterprise Fund; LeeTran Fixed Route; \$165,133 Included in the FY 2016-2017 operating budget.):

Allows LeeTran to receive \$495,400 in FY 2016-2017 to FY 2018-2019 matching funds under the [Florida Department of Transportation](#) Service Development Grant program and allows for the operation of the Fort Myers River District Trolley routes for a period of 3 years. The City of Fort Myers will contribute the required 50% matching funds. ([#20160556](#)-TRANSIT)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.
[RESOLUTION NO. 16-10-14](#)

19. Authorize Federal Alternative Fuel Credit Claims for propane fuels used in ADA/Passport Fleet

(Enterprise Fund; Transit; Included in operating budget.):

Allows Lee Tran to file claims for the Federal Alternative Fuels Credit to reduce the cost of propane fuel used in LeeTran's ADA/Paratransit fleet. The credit is estimated to be approximately \$47,000 in calendar year 2016. ([#20160558](#)-TRANSIT)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

TRANSPORTATION

20. Approve an Amendment to the [Traffic Signal Reimbursement Agreement with FDOT](#)

(No funding required.):

Executes an Amendment to an existing agreement with FDOT for Traffic Signal Reimbursement for 121 signals on state roadways. The Amendment is being offered in response to feedback received from maintaining agencies throughout the State. The main changes incorporated into this Amendment are changes in responsibility for pursuing third party damage insurance from County to FDOT, changes periodic mast arm maintenance responsibilities – County performs preventative maintenance and FDOT handles any major repairs/maintenance. Also reduces the requirement of preventive maintenance, decreases mandatory inspections to 50% of the signals (was 100%) per year. ([#20160564](#)-TRANSPORTATION)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.
[RESOLUTION NO. 16-10-15](#)

21. Approve a Supplemental Task Authorization to perform overhead sign inspections

(\$149,951; Gas Taxes; Included in budget.):

Approves a Supplemental Task Authorization (STA) in the amount of \$149,951 for CDM Smith, Inc. to perform countywide overhead sign structure inspections on 36 major overhead and

cantilever sign structures. Based on the findings of the inspections, \$130,000 has been allocated each year in the Major Maintenance Program to address signs that need to be repaired or replaced. ([#20160581](#)-TRANSPORTATION)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

UTILITIES

22. Approve the Fourth Amendment to the Verizon Wireless Tice Water Tower Site License Agreement

(\$44,808.01; LCU Enterprise Fund; Included in the FY15-16 budget.):

Approves the [fourth amendment to the Verizon Wireless Tice Water Tower Site License Agreement](#) to allow them to add new equipment and upgrades to the tower. The County will receive an increase of \$4,800, commencing October 1, 2016, for a total annual license fee of \$44,808.01. The licensee fee will continue to escalate by three percent (3%) annually. Verizon Wireless will also pay an application fee of \$1,000 within 45 days following execution of the amendment. The Second Amendment set the final extension term to expire on July 31, 2017 and allowed for one additional five year automatic extension. ([#20160573](#)-UTILITIES)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

23. Award Formal Bid to Myerlee Gardens Gravity Main Replacement

(\$177,967; Utilities Rehabilitation & Replacements; Included in budget.):

Awards project ITB 160414LC, Myerlee Gardens Gravity Main Replacement, to [Southwest Utility Systems, Inc.](#), in the amount of \$161,788 to construct and provide for new installation of approximately 440 linear feet (LF) of 8" PVC SDR 26 gravity main and infrastructure on Sandtrap Drive and Myerlee Gardens Avenue in order to redirect flow from a failing main in the Myerlee Gardens subdivision in Fort Myers. Scope of work additionally includes addressing the failing main through cleaning, grouting, and disconnection from the existing collection system. ([#20160580](#)-UTILITIES)

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

24. Approve 15-Year Loan for Advanced Metering Information System

(\$17,637,000 State Revolving Loan; \$5,250,712 Utility Fund Reserves; Included in budget; [transfer request, agreement](#)):

Authorizes a State Revolving Fund (SRF) [Loan Application](#) and attending Resolution designating the Chair as the authorized representative to sign loan documents for the Advanced Metering Information (AMI) System, SRF Project No. DW3602A. This application will secure a 15-year low interest (0.87%) loan that, along with \$5,250,712 of capital reserves, will fund the purchase and installation of AMI system Countywide (project approved by the BoCC on September 6, 2016). Staff recommends entering into a 15-year term loan given the benefit of a historically low interest rate. The SRF loan is penalty-free for early retirement (prepayment), meets all of Lee County Utilities Financial Policy Metrics, and does not impact customer rates. ([#20160585](#)-UTILITIES) ([Amendment 1 to Loan Agreement](#))

Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.
[RESOLUTION NOS. 16-10-16 TO16-10-18](#)

9:30 AM PUBLIC HEARINGS

1. Adopt an Amendment to the Tourist Development Tax Ordinance

(No funding required.):

Implements the Board's direction to create a common reserve for Tourist Development Tax undesignated reserves. ([#20160571](#)-COUNTY MANAGER)

Deputy County Attorney Andrea Fraser approved, as to legal form and sufficiency the [Affidavit of Publication](#), and briefly reviewed the request. The Chairman called for public comment; however, no one came forward. Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried. The Ordinance adopted by the Board and filed was [LEE COUNTY ORDINANCE NO. 16-18](#), entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING LEE COUNTY ORDINANCE NO. 13-14, WHICH LEVIED, IMPOSED AND SET A FIVE PERCENT (5%) TOURIST

DEVELOPMENT TAX THROUGHOUT LEE COUNTY PURSUANT TO THE “LOCAL OPTION TOURIST DEVELOPMENT ACT”, SECTION 125.0104, FLORIDA STATUTES; AMENDING SECTION SIX BY ADDING PARAGRAPH F.; PROVIDING FOR SEVERABILITY OF ORDINANCE PROVISIONS, CONFLICTS OF LAW, CODIFICATION, INCLUSION IN CODE AND SCRIVENERS ERRORS, PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

10:30 AM CONVENE AS BOARD OF PORT COMMISSIONERS

1. Convene as Board of Port Commissioners for the Lee County Port Authority

(N/A.):

Schedules final review and selection of top candidate for Port Authority Executive Director position. On conclusion of interview and selection process, authorizes Board Liaison to enter into contract negotiations on behalf of the Board. ([#20160572](#)-PORT AUTHORITY)

PLEASE SEE THE BOARD OF PORT COMMISSIONERS’ MEETING OF 10/18/16 FOR ACTION TAKEN.

RECONVENE AS BOARD OF COUNTY COMMISSIONERS

COMMISSIONERS’ ITEMS

HYATT REGENCY 2-MINUTE WALKING – Commissioner Pendergrass reported that he will be out of town to attend a CFA meeting and asked any Board member to be in the Hyatt Regency 2-minute walking on Tuesday at 9:00 a.m.

BICYCLE/PEDESTRIAN FACILITY IN NORTH FORT MYERS – Commissioner Hamman proposed to ask Staff look into the Caloosahatchee bridge by Cleveland Avenue that does not have a bicycle or pedestrian lane. Instead of having to put-up lanes, he suggested to have a boat transport them instead of walking through for safety, and cost saving. Brief comments from the Board ensued to look into the other locations around Lee County.

FLORIDA FISH AND WILD LIFE CONSERVATION COMMISSION – Commissioner Kiker asked for Board consensus and direction on six different islands, that includes Estero Bay and Town of Pine Island. November 12 and 13, 2016 are the dates to vote on this. Globally, this means restrictions for anybody entering or getting around within 100 feet and are very concerned with the implementation plan. Once decisions are made, this is forever, no data or monitoring, and asked Staff to put together some information for discussion. County Manager Roger Desjarlais stated that the agenda for the Work Session this afternoon is not very long, and may have a brief conversation on this.

BEACH ACCESS PARKING – Commissioner Kiker stated that there is beach access parking which is specific to all of Lee County, that would include Bonita, Fort Myers Beach, Sanibel Captiva, etc. He suggested that maybe a 5-year plan might be important and asked Staff provide direction if this plan would work out.

COMMITTEE APPOINTMENTS

Commissioner Manning moved to re-appoint Deborah Reardon and Ian Connell to the **COMMUNITY ACTION AGENCY/NEIGHBORHOOD DISTRICT**, seconded by Commissioner Pendergrass, called and carried.

Commissioner Pendergrass moved to appoint Malissa Maki to the **AFFORDABLE HOUSING COMMITTEE**, to re-appoint Richard Sapp and John Derrig to the **COMMUNITY ACTION AGENCY/NEIGHBORHOOD DISTRICT**, seconded by Commissioner Manning, called and carried.

Commissioner Kiker moved to re-appoint James Rodgers to the **CONSTRUCTION LICENSING COMMITTEE**, to re-appoint James Pocklington to the **TOWN & RIVER IMPROVEMENT UNIT**, to re-appoint Rebecca Hines to the **COMMUNITY ACTION AGENCY/NEIGHBORHOOD DISTRICT**, and to appoint Marion Briggs +to the **AFFORDABLE HOUSING COMMITTEE**, seconded by Commissioner Manning, called and carried.

Commissioner Hamman moved to appoint Albert Giacalone to the **AFFORDABLE HOUSING COMMITTEE**, and to re-appoint Aimee McLaughlin and Keesha Wick to the **COMMUNITY ACTION AGENCY/NEIGHBORHOOD DISTRICT**, seconded by Commissioner Manning, called and carried.

COUNTY MANAGER ITEMS

County Manager Roger Desjarlais had no items to be discussed.

COUNTY ATTORNEY ITEMS

County Attorney Richard Wm. Wesch thanked the Board for the annual adjustment of 6%, and reminded of the meeting regarding the River Hall issue originally scheduled for October 4th but was cancelled due to Hurricane Matthew; however, it has been re-scheduled to October 25th in Tallahassee.

PUBLIC PRESENTATION OF MATTERS BY CITIZENS

The Chairman called for public presentation of matters, and the following citizens came forward:
The topic was about chickens.

Lehigh Acres resident [Charles Edwards](#)
Lehigh Acres resident [Theresa Park](#)
Lehigh Acres resident [Lohany Hernandez](#)
Lehigh Acres resident [Ivonne Hernandez](#)
Lehigh Acres resident [Yahaira Valdes](#)
Lehigh Acres resident [Migdalia Hernandez](#)
Lehigh Acres resident [Oscar Esquilin](#)
Lehigh Acres resident [Carmen Ramirez](#)

The following citizen was concerned about the burning and smoke in North Fort Myers:

North Fort Myers Civic Association representative [Andy Rosman](#)

COMMISSIONERS WORKSHOP UPDATE

The Chairman called for public comment on the Commissioners' Work Session, and County Manager Roger Desjarlais reminded on Conservation 20/20, Oil, Gas and Mineral Rights and Policy for direction on whether extinguishing rights or not when the County purchases 20/20 property. The following citizen came forward to speak on Conservation 20/20.

Audubon Florida and the Western Everglades representative [Brad Cornell](#)

The Chairman recessed the meeting until 5:00 p.m. The Chairman reconvened the meeting at 5:00 p.m. with all Commissioners present.

5:00 PM PUBLIC HEARINGS

1. First Public Hearing on Land Development Code (LDC) Regular Two-Year Cycle of Amendments

(No funding required.):

Satisfies the requirement to hold two public hearings to amend the LDC. This request is for the regular two-year cycle of amendments for the LDC. It includes substantive changes along with minor clean up and corrections to Chapters 2, 6, 10, 14, 30, 32, 33 and 34, as more particularly described in the background and back up information. ([#20160584](#)-COUNTY ATTORNEY)

Assistant County Attorney Neysa Borkert approved as to legal form and sufficiency, the [Affidavit of Publication](#) regarding this item, entered it into the record, and briefly reviewed the request. The Chairman called for public comment; however, no one came forward. Commissioner Kiker moved this item to the second Public Hearing, seconded by Commissioner Manning, called and carried.

The Chairman adjourned the meeting at 5:11 p.m.

ATTEST:
LINDA DOGGETT, CLERK

Deputy Clerk

Chairman, Lee County Commission