

August 15, 2023

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

Brian Hamman, Chairman
 Mike Greenwell, Vice-Chairman
 Kevin Ruane - *Late Arrival 9:37am*
 Cecil Pendergrass
 Ray Sandelli

The Chairman called the meeting to order at 9:31 a.m. The Invocation was given by Pastor Russ Hurst, First Assembly of God, followed by the Pledge of Allegiance.

CEREMONIAL PRESENTATIONS

1. [Edison Sailing Center Fortieth Anniversary](#) - Commissioner Hamman

Commissioner Hamman read a Ceremonial Resolution recognizing the Edison Sailing Center who strives to provide you in Lee County a sailing education, is a national-recognized community sailing program, and known for its emphasis on community outreach, and youth development. The Edison Sailing Center has assisted in the establishment of six additional sailing programs in the State of Florida while educating 17,000 children locally regardless of their ability to pay for classes. The Board of County Commissioners of Lee County, Florida proclaims August 15, 2023 as EDISON SAILING CENTER DAY in Lee County and encourages citizens to pause and recognize the impact that sports like sailing can provide the youth in our communities and the important life skills they teach. Stephanie Webb accepted the Ceremonial Resolution on behalf Edison Sailing Club and its founder, Ross Webb. Ms. Webb thanked the Board for their recognition and continued support.

RECAP/ANNOUNCEMENTS

Referring to the [Recap Agenda](#) of August 15, 2023, the Chairman announced that:

Items to Be Deferred or Continued:

- Commissioner Ruane requested that Administrative Agenda Item No. 2 (A-2) *Consider Hagerty Task Force Order for Neighborhood Plans* be deferred to a date to be determined.
Board Discussion: Commissioner Ruane stated that the consideration of Administrative Item No. A-2 was premature and should only be considered following the County Commissioner Workshop on the Long-Term Recovery Task Force aka ResilientLee scheduled for Tuesday, August 15, 2023 at 1:30pm.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Greenwell, called and carried.

Commissioner Items:

Commissioner Greenwell

- Lee County Civic Center Liaison Discussion

Commissioner Ruane

- Long-Term Recovery Task Force Update

County Manager Items:

- Hurricane Ian After-Action Report Discussion
- Congressional Delegation Regarding Disaster Recovery Letter

PUBLIC COMMENT ON AGENDA ITEMS

No Consent Agenda items pulled for discussion by the individual Commissioners.

The Chairman called for public comment on all Consent Agenda items and there was one speaker.

[C-28: Marsha Ellis](#)

The Chairman requested a motion to approve the Consent Agenda and Commissioner Pendergrass so moved, seconded by Commissioner Ruane, called and carried.

CONSENT AGENDA

CLERK OF COURTS

1. Approve and Record [County Disbursements](#) per Florida Law

Item Summary: Chapter 136.06(1), Florida Statute 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 (www.LeeClerk.org)

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

COUNTY ATTORNEY

2. Confirm and Ratify Resolutions Extending the Hurricane Ian State of Local Emergency (SOLE)

Item Summary: Confirm and ratify Hurricane Ian State of Local Emergency Resolution Numbers:

- [23-08-13](#) – Forty-Fifth Extension of State of Local Emergency (Issued 8/7/2023)
- [23-08-14](#) – Forty-Six Extension of State of Local Emergency (Issued 8/14/2023)

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

COUNTY LANDS

3. Approve Two Conservation 20/20 [Purchase Agreements](#) in CREW Watershed

Item Summary: Acquires two 2.5-Acre parcels, from the same owner, for the Conservation 20/20 Land Acquisition Program. The parcels are located in the Corkscrew Regional Ecosystem Watershed (CREW), in Bonita Springs. The properties are infill parcels surrounded by conservation land owned by Lee County and South Florida Water Management District. The purchase prices are \$2,625.00 each, plus the [costs](#) to close. Both properties scored eighty out of 100 using the Conservation 20/20 Acquisition Review Criteria. The Conservation 20/20 Land Acquisition and Stewardship Advisory Committee (CLASAC) voted unanimously on June 21, 2023, to forward these purchase agreements for Board consideration.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

4. Authorize [Grant of Easement](#) and Turn Lane Agreement for Alico Road Connector Phase One Widening

Item Summary: Approves a drainage, access, and [slope easement](#) interest in a +/- 132,435 square foot parcel needed for the Alico Road Connector Phase I Widening. In addition, this item approves the construction of a westbound right turn lane along this subject area of Alico Road as part of the widening project.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

5. Approve [Purchase](#) of Land for Future Roadway Expansion in Lehigh Acres

Item Summary: Acquires +/-8.8-acre tract for the future expansion of Sunshine Boulevard North, in the amount of \$350,000.00 plus closing costs estimated at \$20,000.00. Sunshine Boulevard North is a project identified and included in the Transportation Priorities that were adopted by the Board of County Commissioners on June 6, 2023. The purchase price is contingent upon an appraisal that substantiates the price. The property is located at the intersection of Sunshine Boulevard North and Flora Avenue North, Lehigh Acres. Funding for this purchase was not included in the current budget; a transfer from Road Impact Fee Reserves is also being requested to cover the cost of the property plus closing [costs](#).

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

6. Declare Escheated County Property as Surplus, Approve Conveying to Cities of [Cape Coral](#) and [Fort Myers](#)

Item Summary: Conveys recently escheated County-owned vacant lots to the cities of Cape Coral and Fort Myers, in accordance with Florida Statute 197.592(3). These eight properties escheated to Lee County due to non-payment of real estate taxes in June 2023. The eight locations are:

- Cape Coral: 3743 SW 16th Pl., 837 SW 18th St., 847 SW 18th St.
- Fort Myers: 4010 DeLeon Street, Units A-2, A-3, A-4, A5, + A-7

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

[RESOLUTION NO. 23-08-17](#)

FACILITIES CONSTRUCTION AND MANAGEMENT

7. Approve Contract Amendment for Countywide Roof Repair, Replacement, Related Services

Item Summary: Approves a contract amendment with [Advanced Roofing, Inc.](#), [West Coast Florida Enterprises, Inc.](#), [Target Builders Construction Management, Inc.](#), and [Service Works of Ft. Lauderdale, LLC](#), up to increase the threshold for County Project Authorizations (CPAs) up to

\$300,000.00 to comply with Lee County Ordinance No. 22-06. The vendors provide roof repair, replacement, and related roofing services on an as-needed basis. Expenditures for these services during Fiscal Year 21-22 were \$606,706. The projected expenditure for the Fiscal Year 22-23 is \$435,000.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

8. Approve Sole Source Purchase of Automated Building Controls Support and Maintenance

Item Summary: Approves a sole source purchase of inspection, maintenance, repair, programming, and licensing services for Automated Building Controls from [Boyd Brothers Service Inc.](#) in an annual amount not to exceed \$350,000.00 for a period of three years.

Boyd Brothers Inc. is the only authorized vendor that can support the hardware and software required for the existing Automated Logic controllers. The vendor will service over 21 Lee County buildings, providing assistance and technology to maintain and control the HVAC, fire, and Smoke Control Systems, as well as energy efficiency and sustainability. This planned and budgeted project will be funded through the General Fund.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

9. Approve CPA to Replace the Boca Grande Community Center Roof

Item Summary: Approves a County Project Authorization (CPA) with West Coast Florida Enterprises, Inc. for \$233,500 to replace the Boca Grande Community Center roof. The current roof was installed over thirty-five years ago, the protective surface has deteriorated, and leaks have occurred. The roof has been repaired previously to correct these issues; however, they were only temporary in nature. The replacement is necessary in order to avoid water damage to the facility. The replacement roofing is a long-lasting FiberTite roof with a 20-year manufacturer's warranty. This planned and budgeted project will be funded through the General Fund.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

FLEET MANAGEMENT

10. Approve Purchase of Ten Ford Super Duty Trucks for Utilities and the Department of Transportation (DOT)

Item Summary: Approves the purchase of the following Ford Super Duty Trucks using the competitively solicited Sam Galloway Ford Automobiles, Sport Utility Vehicles, Passenger & Light Duty Vans Contract:

- Four - New F-550 for Utilities
- Four - Replacement F-550 for Utilities
- One - Replacement F-550 for the Department of Transportation
- One - Replacement F-350 for the Department of Transportation

The estimated total purchase price is \$1,077,825.21. The Utilities trucks will be used by field operations staff and the DOT trucks will be utilized by roadway and traffic operations staff. All trucks are included in the budget cycle for FY 23/24, due to the timing of Ford's governmental order bank opening, preapproval from the Board is necessary for the County to order these Super Duty Trucks.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

INNOVATION AND TECHNOLOGY

11. Award [Contract](#) for Telephone Systems Data Communications Products and Services

Item Summary: Approves the yearly piggyback renewal of the support contract for Legacy Nortel/Avaya telephone systems maintenance and monitoring with AGC/Black Box Corporation for \$129,839.79 using pricing from National Cooperative Purchasing Alliance Contract. This represents a reduction of \$66,864.98 from last year's total as this legacy system is being replaced. A market analysis was completed and the purchase under this contract will represent a savings of \$101,968.53 off list price.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

PARKS AND RECREATION

12. Approve [Caloosahatchee Regional Park Land Management Plan, Second Edition](#)

Item Summary: The Caloosahatchee Regional Park Land Management Plan recently underwent a 10-year review and revisions reflect management activities, recreational uses and protecting natural resources as required by the State of Florida Lease Agreement. Comments provided through an online survey and at a public meeting were taken into consideration and included in the plan. The updated land management plan provides guidance on managing the park to protect the natural resources and to provide nature-based recreation.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

13. Approve Post-Project Maintenance [Agreement](#) with the Florida Department of Transportation for Wildlife Fencing

Item Summary: Approves a Post-Project Maintenance Agreement with the Florida Department of Transportation (FDOT) for new wildlife fencing on Interstate 75 near Imperial Parkway and Larry Kiker Preserve. The agreement allows FDOT to construct a wildlife fence that will extend onto a portion of County right-of-way. After construction is complete, the County agrees to maintain the fence within the County right-of-way and the preserve. No additional funding is required.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

[RESOLUTION NO. 23-08-18](#)

PARKS AND RECREATION

14. Approve Two Additional Companies on the Piggyback for the Purchase of Software

Item Summary: Approves two additional companies, SHI International Corp. and CDW Government LLC, under the National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Purchasing Organization contract to purchase software on an as needed basis. The contract expiration date is April 24, 2027. Expenditures will be on an as needed basis as approved in the departments' annual adopted budgets. Expenditures during Fiscal Year 21/22 were \$271,600.34. The contracts include damages caps that were reviewed and approved by County Administration.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

15. Approve [Piggyback](#) Purchase of Vac-Con Replacement Parts, Repairs, and Service

Item Summary: Approves the piggyback use of a competitively solicited contract through Orange County to use Vac-Con Replacement, Parts, Repairs and Services, from SSES, Inc. d/b/a Southern Sewer Equipment Sales. The contract expiration date is December 31, 2023, and any renewals or extensions approved by Orange County. Expenditures will be on an as needed basis as approved in the departments' annual adopted budgets. Total expenditures for FY 22-23 is \$31,539.35 to date.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

16. Approve Piggyback Purchase of Medical Gases and Supplies

Item Summary: Approves the piggyback use of a competitively solicited contract through Cooperative Services of Florida, Inc., for Medical Gas Cylinders, to provide medical gases and supplies from NexAir, LLC. The contract expiration date is May 31, 2027, and any renewals or extensions approved by Cooperative Services of Florida. This contract has been in place since November 22, 2016, and the spend limit has reached formal level.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

PUBLIC SAFETY

17. Approve [Sole Source Purchase](#) for CenturyLink Utility Connection Relocation

Item Summary: This item approves the single source procurement for relocation of telephone circuits from CenturyLink Inc./Lumen Technologies in the amount of \$172,219.78. Lumen is the Local Exchange Carrier in Lee County and is the only entity that can relocate the equipment and circuits at the Emergency Dispatch Center facility on Ortiz Ave. This project will remove legacy equipment from a building on the property and relocate the termination of fiber circuits into the Emergency Dispatch Center, as well as adding a redundant fiber link to the Emergency Operations Center. Relocation of the equipment will allow for the demolition of the equipment building and expansion of the parking area on the property.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

18. Award Contracts for Emergency Shelter Staffing Vendors

Item Summary: Approves a contract with [Family Endeavors, Inc.](#) as the primary vendor, and [SLSCO LTD.](#) as the secondary vendor for emergency shelter staffing services. In the event of an emergency, Lee County may choose to open evacuation shelters for the general public. Under this contract, at the request of the County, the vendor will provide staff to operate shelters for the general public. The contract has been solicited in accordance with all necessary rules and regulations to allow for Federal Emergency Management Agency (FEMA) reimbursement during Presidentially Declared Disasters. All costs are on an hourly basis at rates established by these agreements.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

SOLID WASTE

19. Approve Sole Source Purchase for [Litter Prevention and Recycling Education Program](#)

Item Summary: Approves the sole source purchase of solid waste and recycling education, litter prevention and community clean-up programs provided by Keep Lee County Beautiful, Inc. (KLCB) in the amount of \$105,000.00. Expenditures during Fiscal Year 2023 were \$105,000. KLCB has a thirty-two year presence in Lee County where they have been the primary source of litter prevention

and recycling education in the County. In addition, they organize over 100 roadside litter collections per year. As a non-profit, they have the ability to raise funds provided by private individuals and companies in excess of the funding provided by the County. They are also able to leverage their affiliation with their national and statewide organizations to benefit local efforts. No other vendors could be identified that provide the breadth of outreach and programming provided by KLCB.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

20. Award Contract for Design Criteria Professional/Owners Red for New Recycling Facility

Item Summary: Awards a competitively solicited contract to Enviro-Services & Constructors, Inc. dba RRT Design & Construction in the amount of \$4,559,849.00 to provide engineering services for a new recycling facility. Lee County requires the new 50-ton-per-hour recycling facility due to population and material growth; the existing recycling facility is too small for future needs. RRT will permit the new facility, develop plans and specifications for design-build contractors, and oversee construction and start-up. Each contractor task is subject to the County's direction to proceed; work and payment at each step is subject to County approval. The construction of the recycling facility is anticipated to occur from 2024 through 2026. This work is part of a planned Capital Improvement Project that was approved by the Board on September 21, 2021, as part of the Fiscal Year 2022 Budget.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

21. Approve Sole Source Purchase for Mack Truck Parts and Repair Services

Item Summary: Approves the continued sole source purchase of MACK parts, maintenance, repair services, and engine diagnostic services from Nextran Truck Centers for up to \$175,000 in a one-year period. Nextran Truck Centers is the sole authorized dealership within 150 miles of Fort Myers that sells MACK OEM and compatible parts and provides proprietary engine diagnostic software. The spend from 06/01/2022 to 06/01/2023 was approximately \$159,719.00. The request anticipates inflation of 8% to 15% for parts and labor and 10% for transportation costs.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

TAX COLLECTOR

22. Authorize Tax Collector to Mail 2023 Tax Notices Prior to Value Adjustment Board Hearings

Item Summary: Allow the Tax Collector to mail 2023 Tax Notices on or before November 1, 2023; to collect and distribute tax revenue to Taxing Authorities before completion of the Value Adjustment Board hearings.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

TRANSIT

23. Approve Fee for the TropiCard Smart Fare Payment Card

Item Summary: Approves implementing a fee of \$2.00 for the initial purchase of LeeTran's smart fare payment card, the TropiCard. The TropiCard is a durable plastic card with a computer chip that allows transit customers to conveniently reload and manage fares. The fare card is free to reload once activated. This fee will offset the \$2.09 per card fee LeeTran pays the vendor. The fee will become effective September 1, 2023.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

TRANSPORTATION

24. Approve STA for Surveying and Mapping of Matlacha Corridor

Item Summary: Approves Supplemental Task Authorization (STA) No. 2 to the contract with AIM Engineering & Surveying, Inc. in the amount of \$125,705.52. Surveying and mapping of the Matlacha Corridor will be done from east of D&D Bait and Tackle to west of Yucatan Bar & Grille. This STA provides for surveying of all existing recorded boundaries, re-establish and monument the existing road right-of-way limits, and produce a right of way/control survey map.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

UTILITIES

25. Approve Sole Source Contract Change Order for Ethernet Network Connection Services

Item Summary: Approves Change Order No.2 to extend the sole source contract with Lumen Technologies for three months while ongoing negotiations for Ethernet services is procured. Lumen provides a private fiber-optic network linking all Utilities Facilities, separating business and controls networks, ensuring compliance with Homeland Security directives and recommendations for the cybersecurity of drinking water and treatment facilities. Ethernet services are budgeted annually within Utilities operating budget.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

26. Approve Contract Change Order for North Lee County Water Treatment Plant Expansion

Item Summary: Approves Change Order No. 9 to Mitchell & Stark Construction Company for the North Lee County Water Treatment Plant Expansion. The change order increases the contract amount by \$672,965.00 for a total contract amount of \$33,831,429.82. Due to the increasing workload of Utilities' inspectors, additional inspection services are needed for construction engineering and inspection services beyond the initially anticipated project scope of services. Construction is ongoing and anticipated to be completed per schedule in 2025.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

27. Award [Contract](#) for Ben Hill Griffin Parkway Force Main Improvements

Item Summary: Awards a competitively bid construction contract to Accurate Drilling Systems Inc. for the Ben Hill Griffin Parkway Force Main Improvements construction project. The contract is in the amount of \$4,691,145.25. The project scope includes installing High-Density Polyethylene (HDPE) force main pipe between Corkscrew Road and FGCU Lake Parkway West. The project will improve the Three Oaks Water Reclamation Facility sewer collection system pressures, overall system reliability and ensure capacity for population growth along the eastern corridor of Corkscrew Rd. The Board approved the project as part of the FY23 Utilities Capital Improvement budget. Construction is anticipated to begin winter 2023 and be completed by spring 2025.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

28. Approve [Contract](#) for the Southeast Advanced Water Reclamation Facility

Item Summary: Awards a Pre-Construction Phase One contract to Wharton-Smith, Inc. Wharton-Smith will provide construction manager at risk services for the construction of the Southeast Advanced Water Reclamation Facility. The contract amount is \$767,506.00. The Board approved the project funding under FY23 Utilities Capital Improvement Program. Construction is anticipated to begin in 2025.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

29. Approve Sole Source Purchase for Nutrient Monitoring Equipment Parts and Services

Item Summary: Secures CL2 Solutions, LLC, as the sole source provider of YSI Process monitoring and Halogen Systems OEM replacement parts, maintenance, repair services, field services, and technical support for all Wastewater treatment facilities. CL2 Solutions LLC is the sole source of YSI IQ SensorNet process monitoring equipment and Halogen Sensors for products and services in the State of Florida and Georgia. Total expenditures for the prior twelve-month period were \$160,205.00.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

30. Approve LCU Rate Schedule Adjustments for Fort Myers Beach Waste Water Services

Item Summary: On June 20, 2023, the Lee County Board of County Commissioners adopted by resolution a five-year, eight percent annual rate increase for all Lee County Utility (LCU) services effective July 1, 2023. Residents within the Town of Fort Myers Beach receive wastewater services from LCU but are billed for this service by the Town. Florida Statutes Section 180.136 requires that increases in water and wastewater utility rates be noticed through the utility's billing process, and that the notice state the date, time, and place of the meeting of the governing board of the local government at which such increase will be considered. Consideration of this item is meant to satisfy the notice requirements of Florida Statutes Section 180.136 as it applies to wastewater customers within the Town of Fort Myers Beach.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

ADMINISTRATIVE AGENDA

SOLID WASTE

1. Award Contract for Solid Waste and Recycling Collection for Service Areas Three and Five

Item Summary: Approves an agreement to continue Waste Pro of Florida, Inc.'s franchise to collect all garbage, horticulture, bulk waste, and residential recycling in Areas 3 and 5. Commercial recycling remains open market. The agreement is for a period of seven years beginning October 1, 2023 and includes one three-year mutually agreed extension. Area 3 includes the Village of Estero, San Carlos Park and Franchise. [Area 5](#) includes North Fort Myers and Pine Island. The first-year cost to Lee County for residential service in Franchise [Area 3](#) is \$18.84 per home each month, or approximately \$11,170,386 per year in total. The first-year cost to Lee County for residential service in Franchise Area 5 is \$20.80 per home each month, or approximately \$5,956,953 per year in total. The rates are subject to an annual adjustment based on CPI.

Board Discussion: Assistant County Manager, Christine Brady presented the item to the Board.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Sandelli, called and carried.

HURRICANE RECOVERY ITEMS

COUNTY COMMISSIONERS

PER THE RECAP AGENDA FOR TUESDAY, AUGUST 15, 2023
ADMINISTRATIVE ITEM NO. TWO HAS BEEN DEFERRED TO A DATE TO BE DETERMINED

2. Consider Hagerty Task Order for Neighborhood Plans

Item Summary: ~~To develop 13 Neighborhood Recovery and Resiliency Plans that reflect the vision of the Resilient Lee Hurricane Ian Recovery Task Force, local municipalities, its residents, business owners, and visitors.~~

FACILITIES CONSTRUCTION AND MANAGEMENT

THE BOARD OF COUNTY COMMISSIONERS HEARD
ADMINISTRATIVE ITEM NO. A-3, A-4 AND A-5 TOGETHER AS ONE ITEM

3. Award Contract for Owner's Representative for Hurricane Ian Repairs – Anser Advisory

Item Summary: Awards a contract to Anser Advisory, LLC for owner representative services in the amount of \$1,459,410.00. Multiple Lee County properties suffered significant damage as a result of Hurricane Ian. Currently, the County is making every effort to restore those properties to their pre-hurricane condition. The consultant will provide management and construction administration services for a portion of the damaged properties. This portion of the project will be funded through the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund. The list of locations being served by this vendor is attached as backup material.

4. Award Contract for Owner's Representative for Hurricane Ian Repairs – AECOM

Item Summary: Awards a contract to AECOM Technical Services, Inc. for owner representative services in the amount of \$573,817.00. Multiple Lee County properties suffered significant damage as a result of Hurricane Ian. Currently, the County is making every effort to restore those properties to their pre-hurricane condition. The consultant will provide management and construction administration services for a portion of the damaged properties. This portion of the project will be funded through the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund. The list of locations being served by this vendor is attached as backup material.

5. Award Contract for Owner's Representative for Hurricane Ian Repairs – Hill International

Item Summary: Awards a contract to Hill International, Inc. for owner representative services in the amount of \$662,495.00. Multiple Lee County properties suffered significant damage as a result of Hurricane Ian. Currently, the County is making every effort to restore those properties to their pre-hurricane condition. The consultant will provide management and construction administration services for a portion of the damaged properties. This portion of the project will be funded through the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund. The list of locations being served by this vendor is attached as backup material.

Board Discussion: Facilities Construction and Management Director, Ehab Guirguis presented Administrative Agenda Items A-3, A-4 and A-5 to the Board. Mr. Guirguis stated that all County buildings and sites have had an initial inspection and Administrative Items A-3, A-4 and A-5 cover locations with minimal to moderate damage, not locations deemed as a complete loss. Mr. Guirguis stated that locations requiring relocation or complete rebuilding would be presented to the Board as an agenda item for consideration at future meetings.

Public Comment: The Chairman called for public comment and there was [one](#) speaker.

Vote: Commissioner Ruane moved approval of Administrative Agenda Items A-3, A-4 and A-5, seconded by Commissioner Pendergrass, called and carried.

PARKS AND RECREATION

6. Approve Piggyback Purchase of Sports Lighting Products, Installation and Services

Item Summary: Approves a piggyback purchase of athletic sports lighting products, installation, and services for Lee County Sports Complex softball fields and Brooks Park pickle ball courts in the amount of \$927,000. The contract will provide certified products and technicians for repairs and services. The need to escalate both projects is due to the impacts of hurricane force winds that compounded the issues of age and function of these lights.

Board Discussion: Parks and Recreation Director, Mack Young presented the item to the Board.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Sandelli, called and carried.

PROCUREMENT MANAGEMENT**7. Approve Sixth Ratification of Emergency Expenditures Executed under Resolution 22-09-31**

Item Summary: Approves the sixth ratification of emergency purchase orders issued during the Hurricane Ian State of Local Emergency. This ratification is for repairs made to the sports complex and the approval of task orders for Hagerty Consulting Services. On 6/20/2023, the Board reviewed and ratified purchase orders issued while under the state of local emergency for Hurricane Ian, in the amount of \$290,996,900.31. Since the last report was pulled, purchase orders were issued or revised in the amount of \$359,325.24. The combined total for all purchase orders issued is \$291,528,594.86. Expenditures or contract actions not included in this summary, or amounts that exceed the estimates provided, will be presented to the Board at a future date. Board ratification is required for purchases of \$100,000.00 or more.

Board Discussion: Assistant County Manager, and Chief Financial Officer, Pete Winton presented the item to the Board.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Greenwell moved approval, seconded by Commissioner Sandelli, called and carried.

PUBLIC HEARING – 9:30 AM**1. Conduct Public Hearing to Approve [Certificate of Public Convenience and Necessity](#) for ALS Non-Transport for Matlacha/Pine Island Fire District**

Item Summary: Matlacha/Pine Island Fire Control District applied for a Certificate of Public Convenience and Necessity (COPCN) on April 21, 2023. The application was found to be sufficient and proceeded review process. On June 20, 2023, the Board directed the application to a Public Hearing. In accordance with Lee County Ordinance 08-16, [new applications](#) for a COPCN may only be granted based on competent evidence and after a public hearing.

Board Discussion: Deputy County Attorney, Michael Jacob approved and submitted the [Affidavit of Publication](#) for entry into the record and summarized the request.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Ruane moved approval, seconded by Commissioner Sandelli, called and carried.

2. Conduct Public Hearing to Adopt and Certify Municipal Service Benefit Units Non-Ad Valorem Special Assessments Rolls

Item Summary: Conducts a public hearing to adopt and certify Non-Ad Valorem Special Assessment rolls to collect annual assessments for twenty-nine Municipal Service Benefit Units, per Section 197.3632, Florida Statutes.

Board Discussion: Deputy County Attorney, Michael Jacob approved and submitted the [Affidavit of Publication](#) for entry into the record and summarized the request.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

[RESOLUTION NO. 23-08-19](#)

3. Conduct Public Hearing to Approve Resolution Adopting Solid Waste Disposal and Solid Waste System Assessment Rates for FY24

Item Summary: Conducts a public hearing to adopt a Resolution certifying the Solid Waste assessment roll for tax year 2023 (FY24). The Board of County Commissioners previously approved the FY24 rates on May 16, 2023. Complies with Lee County Ordinances, Florida Administrative Code and Florida Statutes that provide for the uniform method of collection for the Solid Waste non-ad valorem special assessments by the Tax Collector. Approval directs the Lee County Tax Collector to place the assessments on the Lee County tax bills for collection.

Board Discussion: Assistant County Attorney, Amanda Swindle approved and submitted the [Affidavit of Publication](#) for entry into the record and summarized the request.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved approval seconded by Commissioner Greenwell, called and carried.

[RESOLUTION NO. 23-08-20](#)

COMMISSIONERS ITEMS*Commissioner Greenwell*

- Lee County Civic Center Liaison Discussion:

Commissioner Greenwell provided the Board with an update regarding the progress made on the Lee County Civic Center building inspections, repairs, and deliverables during his time as Liaison between the County Commissioners, and Staff. Commissioner Greenwell stated that at this time, his opinion is that the Board as a whole should make all future decisions, and that the Liaison position be eliminated.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Ruane moved to eliminate Commissioner Greenwell's Lee County Civic Center

Liaison position, seconded by Commissioner Pendergrass, called and carried.

Commissioner Ruane

- Long-Term Recovery Task Force
Commissioner Ruane opted to delay his update on the Long-Term Recovery Task Force until the Board of County Commissioners Workshop on the Long-Term Recovery Task Force scheduled for Tuesday, August 15, 2023 at 1:30pm.

Prior to the meeting, Staff provided the clerk with the following items.

- [Task Force Meeting Minutes](#)
- [Task Force Branch and Task Force Meeting Notices](#)

COMMISSIONERS APPOINTMENTS

Commissioner Greenwell:

Moved approval to:

- Appoint Reginald Henderson to the Conservation Land Acquisition and Stewardship Committee
- Appoint Paul Benvie to the Bicycle and Pedestrian Committee

Vote: Commissioner Pendergrass seconded, and the motion was called and carried.

Commissioner Pendergrass:

Moved approval to:

- Appoint Kolin Manning to the East Mulloch Water Control District
- Reappoint Jack Morris to the Land Development Code Committee

Vote: Commissioner Ruane seconded, and the motion was called and carried.

Commissioner Hamman:

Requested approval to:

- Reappoint Amy Thibaut to the Land Development Code Committee

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Ruane, called and carried.

Commissioner Sandelli:

Moved approval to:

- Reappoint Tracy Hayden to the Executive Regulatory Oversight Committee

Vote: Commissioner Pendergrass seconded, and the motion was called and carried.

Commissioner Ruane:

Moved approval to:

- Appoint Joseph Cruz to the Conservation Land Acquisition and Stewardship Committee
- Reappoint Robert Johns to the District Eight Health Planning Council

Vote: Commissioner Sandelli seconded, and the motion was called and carried.

COUNTY MANAGER ITEMS

Hurricane Ian After-Action Report:

Assistant County Manager Christine Brady provided the Board with a brief review of Lee County's Hurricane Ian After-Action Report that identifies areas of strength and opportunities for improvement based on the lessons learned from Lee County's response to Hurricane Ian. The analysis outlined in the report represents identified best practices and areas for improvement within the County.

Congressional Delegation Regarding Disaster Recovery

Assistant County Manager Glen Salyer requested Board approval to have the Chairman sign and send a letter to the House of Representatives Speaker, Kevin McCarthy and Lee County's Congressional Delegation regarding President Biden's commitment to helping American's recovering from natural disasters, and the announcement of additional funds allocated for natural disaster recovery. Mr. Salyer stated the letter is to inform Congressional leaders of the continued need for funding in Lee County for infrastructure, and Hurricane Ian recovery.

Public Comment: The Chairman called for public comment and there were no speakers.

Vote: Commissioner Pendergrass moved to have the Chairman sign and send a letter as requested by the County Manager's Office, seconded by Commissioner Ruane, called and carried.

COUNTY ATTORNEY ITEMS

County Attorney, Richard Wm. Wesch had no additional items to discuss.

PUBLIC PRESENTATION OF MATTERS BY CITIZENS

The Chairman called for presentation of matters by citizens, [two](#) citizens came forward to speak, and there was [one](#) eComment.

COMMISSIONERS' WORKSHOP UPDATE

County Manager David Harner informed the Board that the Commissioners' Workshop scheduled for today at 1:30 pm would be to discuss the Hurricane Ian Disaster Recovery Update (County Administration) and ResilientLee Recovery Task Force Update (Hagerty / Collaboratory)

Public Comment: The Chairman called for public comment and there were no speakers.

The Chairman adjourned the meeting at 10:16 a.m.

ATTEST:

KEVIN C. KARNES, CLERK

By: _____
Deputy Clerk

[Chairman, Lee County Commission](#)

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