

NOVEMBER 7, 2023

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

Brian Hamman, Chairman  
 Mike Greenwell, Vice-Chairman  
 Kevin Ruane  
 Cecil Pendergrass  
 Ray Sandelli

The Chairman called the meeting to order at 9:30 a.m. The Invocation was given by Pastor Bob Ossewaarde, Emmanuel Baptist Church, followed by the Pledge of Allegiance.

## CEREMONIAL PRESENTATIONS

### 1. [American Red Cross National Lifesaving Award](#) - Commissioner Pendergrass

South Florida Regional American Red Cross Executive, Jill Palmer came forward to recognize Park Ranger Chad Roy who was nominated for the American Red Cross National Lifesaving Award for his Devotion to Duty on July 17, 2023; when Park Ranger Roy responded to a radio call from Lee County Sheriff's Office for a "Silver Alert" search during his patrol on Pine Island. Ms. Palmer presented Park Ranger Chad Roy with the ARC National Lifesaving Award, and stated that Ranger Roy responded to a radio call from a Lee County Deputy regarding an ongoing search for a missing seventy-nine year old gentleman behind a Publix location on Pine Island Road. The Sheriff's office had exhausted their air, K-9, and ground searches when they requested Ranger Roy assist on his ATV. Ranger Roy met with local deputies to get a description and began searching through the mangrove swamp area. After an hour and half, Ranger Roy spotted foot tracks and a grassy area that was matted down and as he continued searching, he spotted the missing man lying in mud. Ranger Roy assisted to hydrate the gentleman as he guided the Sheriff's and Matlacha Fire Rescue crews to the area. The gentleman had been missing since 8:00 p.m. the previous night and was expected to not have survived another night in his condition. Park Ranger Roy thanked the American Red Cross, Board of County Commissioners, and local law enforcement for their recognition and continuous support.

### 2. [National Injury Prevention Day](#) - Commissioner Pendergrass

Commissioner Pendergrass read a Ceremonial Resolution stating that Southwest Florida is vested in preventing injuries and violence as they are the leading cause of death and disabilities for people from the age one to forty-four years old. Southwest Florida is working to establish a safe and injury-free environment in and around Southwest Florida as trauma injuries recently contributed to over 3,690 hospital visits in Lee County from January 1, 2023, to September 30, 2023. National Injury Prevention Day raises awareness to promote efforts in preventing injuries among all age groups. Lee Health Trauma Services and Golisano Children's Hospital, in collaboration with law enforcement agencies, local fire departments, emergency medical services, and many other area agencies and businesses throughout Lee County and beyond, work to protect and help to prevent all residents and visitors from injuries. Therefor be it resolved that the Board of County Commissioners of Lee County, Florida proclaims that November 18, 2023, shall be known as National Injury Prevention Day. Trauma Surgeon, Dr. Maria Alfrano thanked the Board for the recognition and the continued support of healthcare workers. Dr. Alfrano stated that clear communication and education are the only ways to prevent injuries and welcomed everyone to help make Lee County a safer place by remaining aware of their surroundings, and doing their part to minimize risk.

### 3. [Farm-City Week](#) - Commissioner Greenwell

Commissioner Greenwell read a Ceremonial Resolution stating November 22, 2023 through November 29, 2023, is National Farm-City Week, a time set aside to recognize and honor the contributions of the country's agriculturalists and to strengthen the bond between urban and rural citizens. Southwest Florida's five-county regions including Charlotte, Collier, Glades, Hendry and Lee Counties agricultural and natural resources industries contribute nearly \$8,000,000,000.00 annually to Southwest Florida's economy and accounts for 1,300,000 million acres in the five county region. Now therefore, be it resolved that the Board of County Commissioners of Lee County, Florida proclaims the week of November 7, 2023 as Farm-City Week in Lee County and encourages all citizens to pause and recognize the contributions of our local farmers, farmworkers, growers and ranchers to our economy, our food supply, and our society. Lee County Farm Bureau President, Ricky Pritchett and Florida Gulf Coast University Professor of Agricultural Economics, Fritz Roka accepted the resolution and thanked the Board of County Commissioners for their continued support of agricultural businesses in Lee County and Southwest Florida.

## RECAP/ANNOUNCEMENTS

Referring to the [Recap](#) Agenda of November 7, 2023, the Chairman announced that:

### ITEMS TO BE DEFERRED / CONTINUED:

1. The Procurement Department request that Consent Agenda Item C-33: *Approve Purchase of Specialty Lab Equipment to Conduct Water and Soil Sample Testing* be deferred to the Tuesday, December 5, 2023 Board of County Commissioners meeting.

**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.

### REVISIONS & CORRECTIONS:

1. The Transportation Department request that Administrative Agenda Item A-8: *Approve Florida Department of Transportation Funding Agreement for Sanibel Causeway – Hurricane Ian Repairs* contain the following revisions:

- Revise Agenda Item to include funding for Matlacha Corridor.

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

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

2. County Administration request that Consent Agenda Item C-19: *Approve Making Year-End Budget Adjustments to Funds* contain the following revisions:

- Correct current year dollar amount to \$17,116,160.00

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

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

### COMMISSIONER ITEMS:

#### *Commissioner Ruane:*

- Tallahassee Trip Recap

#### *Commissioner Hamman:*

- Annual Reorganization of the Board of County Commissioners Discussion
- American Library Association Membership Discussion
- Lynn Hall Memorial Park Restroom Discussion

## WALK ON AND CARRY OVER ITEMS

### COUNTY MANAGER

#### 1. [Approve FY 23-24 Strategic Planning Direction](#)

**Item Summary:** At its November 1, 2023 Strategic Planning Workshop, the Board discussed and directed to an agenda item its consensus direction for the coming fiscal year (see attached summary). Additionally, the Board requested revisions to the annual budget process that include only increasing expense budgets to the extent recurring revenues are available. This will include setting a not-to-exceed spending cap in April for all General Fund entities as guidance for draft budget development based on forecasted revenues. Calculation of the cap will include, but not be limited to, the most recent State Revenue Estimating Conference (for property tax revenue estimates), internal forecasts for other revenues, and any other relevant data, less extraordinary items such as minimum reserve levels and growth increment funding.

**Board Discussion:** Assistant County Manager and Chief Financial Officer, Pete Winton summarized the request. Mr. Winton informed that these alterations to the budget submission timeline would allow for the Board to have a clear understanding of the upcoming fiscal year, and provide constitutional officers with stricter budgetary restraints.

Commissioner Hamman questioned if Staff had started the conversations with constitutional officers regarding the changes to the budget submission timeline. County Manager, Dave Harner stated that during the Strategic Planning Workshop, the Board provided direction for the Chairman to take part in those conversations, therefor requiring the Board officially approve the Staff direction in order for the process to begin.

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

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

**PUBLIC SAFETY****2. Approve Request for Twenty-Two New Positions and Two Ambulances for Emergency Medical Services**

**Item Summary:** This item ratifies the Board's direction at the November 1, 2023, [Strategic Planning Workshop](#) to improve Emergency Medical Service (EMS) coverage and reduce over-time with the creation of twenty new EMT/Paramedic positions and two EMS Lieutenant positions. Eight of the twenty staff, will be used to staff two new twelve-hour ambulance stations in Cape Coral and East Fort Myers. The remaining twelve positions are relief staffing to reduce overtime burdens on staff. The net cost of funding the permanent positions and reducing overtime is [\\$400,000.00](#). Two additional ambulances in the amount of \$700,000.00 will be added to the annual Vehicle Replacement Fund plan, although a separate Board item will be prepared to authorize the purchase of the vehicles.

**Board Discussion:** Assistant County Manager, Christine Brady summarized the request. Commissioner Pendergrass questioned if the funding was currently available for the additional eight positions that Staff would seek approval for after January 1, 2024, and if so could those positions be approved now. County Manager Dave Harner confirmed the funding was available, and stated that with Board direction they could be approved as part of this item.

**Public Comment:** The Chairman called for public comment and there were [three speakers](#).

**Vote:** Commissioner Pendergrass moved approval of the item with the additional eight positions, seconded by Commissioner Ruane, called and carried.

**PUBLIC COMMENT ON AGENDA ITEMS**

The Chairman called for public comment on all Consent Agenda items and there were [two speakers](#).

There were no Consent Agenda items pulled for discussion by the individual Commissioners.

The Chairman requested a motion to approve the balance of the Consent Agenda items and Commissioner Pendergrass so moved, seconded by Commissioner Greenwell, 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.

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

**2. Present [Monthly Investments Summary](#) for the Month of September 2023**

**Item Summary:** This is a monthly information report from the Clerk of Court's Office that provides interim information on investments.

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

**3. Adopt a Resolution to Record Authority for FY 23 Disposal of County Tangible Property**

**Item Summary:** Records authority for disposal of county-owned personal property by resolution in the Board meeting minutes as required by Section 274.07, Florida Statutes.

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

[RESOLUTION NO. 23-11-03](#)

**4. Present Report on [Driver Education](#) Safety Trust Fund for September 2023**

**Item Summary:** This is a monthly report from the Clerk of Court's Office that provides financial activity for the driver's education safety trust fund.

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

**5. Present Report on [Monthly Financial Summary](#) for September 2023**

**Item Summary:** This is a monthly information report from the Clerk of Court's Office that provides interim information on selected revenues, expenditures, debt, cash balances, and reserves.

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

**COMMUNITY DEVELOPMENT****6. Approve Petition to Vacate at 3709 Kemper Street, Lehigh Acres**

**Item Summary:** Extinguishes the public's interest in a portion of the unimproved public utility and drainage easement centered along the common lot line between Lots 7 and 8 of the platted lots at 3709 Kemper Street in Lehigh Acres. This action will remove encumbrances to create a unified building site

for a single-family residence with accessory structures. There were no objections from the public utility providers and there are no other affected property owners. The vacation of the easement will not alter existing drainage or utility conditions. [Affidavit of Publication](#) was provided to the Clerk.

**Vote:** Commissioner Pendergrass moved approval, seconded by Commissioner Greenwell, called and carried.  
[RESOLUTION NO. 23-11-04](#)

#### 7. Approve Petition to Vacate at 19093 Cresenzo Court, Fort Myers

**Item Summary:** Extinguishes the public's interest in an unimproved 288 square foot public utility easement located in Portofino Vineyards at 19093 Cresenzo Court, Fort Myers. Lee County Utilities intended to use the easement to install a meter. The meter was installed in a different location and there is no need for this easement. There were no objections from public utility providers and there are no other affected property owners. The vacation of the easement will not alter existing drainage or utility conditions. [Affidavit of Publication](#) was provided to the Clerk.

**Vote:** Commissioner Pendergrass moved approval, seconded by Commissioner Greenwell, called and carried.  
[RESOLUTION NO. 23-11-05](#)

### COUNTY ATTORNEY

#### 8. Confirm and Ratify Resolutions Extending the Hurricane Ian State of Local Emergency

**Item Summary:** Confirm and ratify Hurricane Ian State of Local Emergency Resolutions:

- [23-10-21](#) – 56th Extension of State of Local Emergency (Issued 10/23/2023)
- [23-10-23](#) – 57th Extension of State of Local Emergency (Issued 10/30/2023)
- [23-11-01](#) – 58th Extension of State of Local Emergency (Issued 11/6/2023)

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

#### 9. Confirm and Ratify Resolutions Extending the Hurricane Idalia State of Local Emergency

**Item Summary:** Confirm and ratify Hurricane Idalia State of Local Emergency Resolutions:

- [23-10-22](#) – 8th Extension of State of Local Emergency (Issued 10/23/2023)
- [23-10-24](#) – 9th Extension of State of Local Emergency (Issued 10/30/2023)
- [23-11-02](#) – 10th Extension of State of Local Emergency (Issued 11/6/2023)

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

#### 10. Direct to Public Hearing the Lee County Animal Abuser Registry Ordinance

**Item Summary:** The proposed Ordinance is designed to protect animals in Lee County from animal abuse crimes. By creating the Registry, sellers of pets and animal shelters can easily identify individuals who have been convicted of animal abuse crimes or have been enjoined from animal possession by court order, and who cannot purchase or adopt animals by virtue of court order or by being listed on the Registry. The Lee County Sheriff's Office will be charged with implementing the program and updating the Registry.

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

#### 11. Authorize Public Hearing to Modify Boundaries of Saltleaf Community Development District

**Item Summary:** Authorizes County staff to advertise a public hearing to be held December 5, 2023 at 9:30 am to adopt an Ordinance authorizing the Saltleaf Community Development District to amend Lee County Ordinance 23-16 to expand the District's external boundary.

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

### COUNTY LANDS

#### 12. [Amend Purchase Agreement](#) for Natural Resources' Environmental Laboratory Building

**Item Summary:** The Board approved a [purchase agreement](#) with Bushwood Land Development, LLC for a commercial building located at 5248 Red Cedar Drive, Fort Myers, on June 20, 2023. This location will be used to house the Natural Resources and the State Department of Health Environmental Lab. The amendment to this purchase agreement changes the terms for the County to receive an estimated \$250,000 closing credit for roof repairs/replacement and air conditioning replacements. The closing credit is being accepted instead of seller's repair and/or replacement of a/c units and roof to allow the County to replace these items in its build-out without scraping new improvements.

Also being approved with this item is a new lease and a continued lease, both with existing tenants:

- The new lease is for 4,425 sq. ft., with monthly rent of \$8,799.94 (\$105,359.28 annually), escalating at 3% yearly with the option extend the lease until April 30, 2026.
- The continued lease is for 1,907 sq. ft., with monthly rent of \$4,021.74 (\$51,199.99 annually), escalating at 3% yearly with the option to extend the lease until April 30, 2033.

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

**13. Approve [Purchase of Land](#) for North Lee County Wellfield Expansion**

**Item Summary:** Acquires +/-40-acre parcel of land in the amount of \$265,000, plus closing costs estimated at \$30,000. The land, to be used for the North Lee County Water Treatment Plant Wellfield Project, is adjacent to the County's existing Water Treatment Plant on Durrance Road, North Fort Myers and will provide additional land for raw water production wells and future accessory uses of the plant.

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

**14. Approve [Purchase of Land](#) for Future Expansion of Sunshine Blvd. N., Lehigh Acres**

**Item Summary:** Acquires +/-3.1-acres for the future expansion of Sunshine Boulevard North, in the amount of \$100,000 plus closing costs estimated at \$17,500. The Sunshine Boulevard North project was included in the Transportation Priorities adopted by the Board on June 6, 2023. The property is located on the south side of Sunshine Boulevard North at the Olive Ave North intersection in Lehigh Acres.

[Funding for this purchase](#) was not included in the current budget, a transfer from Road Impact Fee Reserves is being requested for the purchase.

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

**15. Approve [Easement Agreement](#) for Public Safety Communications Building Site Renovation Project**

**Item Summary:** Conveys a +/- 16,133 square feet public utility easement to Centurylink of Florida, Inc. to service and maintain the communication system for the Public Safety Communications Building Site Renovation Project and the Emergency Operations Center. The land is owned by the City of Fort Myers and leased to Lee County. The City of Fort Myers has approved and executed this utility easement.

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

**16. Accept [Easement](#) from Lehigh Acres Municipal Services District for Lee Tran Park & Ride**

**Item Summary:** Lee Tran is developing a park and ride facility in Lehigh Acres which includes a storm water drainage system. Approval of this item accepts a +/- 1,055 sq. ft. perpetual stormwater drainage and access easement, located at 505 Williams Avenue, from Lehigh Acres Municipal Services District (LAMSID) to connect the drainage system to a canal maintained by LAMSID. Lee County will be responsible for maintaining the storm water drainage system.

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

**17. Accept Donation of Land on Fort Myers Beach for Temporary Lee Tran Parking Area**

**Item Summary:** Approves a [permissive use license agreement](#) to accept the donation of a temporary parking area from Fort Myers Beach Fire Control District. The area, located at 2545 and 2555 Estero Boulevard, Fort Myers Beach, will be used for overnight parking of three Lee Tran trams. The term of the agreement is November 1, 2023, through May 1, 2024. Lee County is responsible for installing fencing along the Estero Boulevard side of the area and responsible for removing the fencing and restoring the site once the agreement expires.

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

**18. Accept Donation of Land on Fort Myers Beach for Traffic & Roadway Improvements**

**Item Summary:** Accepts by quitclaim deed the donation of +/- 3,006 sq. ft. of land, located at 1054 Fifth Street, Fort Myers Beach, from Town of Fort Myers Beach. The land will be used for proposed traffic and roadway improvements at the base of the Matanzas Pass Bridge.

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

**COUNTY MANAGER**

PER THE RECAP AGENDA CCONCENT AGENDA ITEM C-19 HAS THE FOLLOWING CORRECTIONS:

REVISE ITEM SUMMARYU TO SHOE THE CORRECT CURRENT YEAR DOLLAR AMOUNT OF  
\$17,116,160.00

**19. Approve Making Year-End Budget Adjustments to Funds**

**Item Summary:** Approves FY22-23 budget amendments to 37 funds, due to year-end adjustments, increased revenues, additional expenses, close out of accounts and fund accounting revisions and authorizes County Manager to approve additional FY22-23 budget amendments and transfers required to be made by November 30, 2023, as part of year-end closeout.

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

[RESOLUTION NO. 23-11-06](#)

**ECONOMIC DEVELOPMENT****20. Approve Issuing IDA Bond to Lee County Community Charter Schools, LLC**

**Item Summary:** Approves issuing Industrial Development Revenue Bonds by the Lee County Industrial Development Authority in the amount of \$12,000,000 for the benefit of Lee County Community Charter Schools, LLC. The bonds will be used for the cost to construct, acquire, improve

and equip Gateway Charter High School, Gateway Intermediate Charter School, Gateway Charter School, Six Mile Charter Academy, Mid Cape Global Academy, pay costs and fund necessary reserves associated with the issuance of the Bonds. The approval being given by the Board is limited, and the Board is not incurring any liability as a result of its approval.

**Vote:** Commissioner Pendergrass moved approval, seconded by Commissioner Greenwell, called and carried.  
[RESOLUTION NO. 23-11-07](#)

### **FACILITIES CONSTRUCTION AND MANAGEMENT**

#### **21. Approve Piggyback Purchase of Replacement HVAC Units for Elections Warehouse**

**Item Summary:** Approves the piggyback purchase and installation of 4 Daikin HVAC roof-top units for the Elections warehouse in the amount of \$177,270.00. The units will replace those installed in 2009 that are at the end of their useful lives. The units are not operating at their full capacity, require maintenance on a regular basis, and some replacement parts have been discontinued. A market analysis was completed for this purchase, and the labor rates have been found to be fair and reasonable when compared to similar cooperative contracts. This planned and budgeted project will be funded through the General Fund.

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

### **FLEET MANAGEMENT**

#### **22. Approve Sole Source Purchase for Custom Ambulance Parts, Repair and Service**

**Item Summary:** Approves the sole source purchase of parts and warranty services from ETR Vehicles, LLC., the only factory authorized dealer of American Emergency Vehicles (AEV), in an amount not to exceed \$90,000. The patient portions of Lee County ambulances are custom built by AEV. ETR Vehicles, LLC is the only known source of parts and warranty services for AEV ambulances. Total expenditures for parts and services in FY22/23 were approximately \$70,000.

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

#### **23. Approve Purchase of Four Ford Explorers for Innovation & Technology**

**Item Summary:** Approves the purchase of four Ford Explorers using the competitively solicited Sam Galloway Ford Automobiles, Sport Utility Vehicles, Passenger & Light Duty Vans Contract, in the estimated amount of \$152,739.52. The vehicles will be used by Innovation & Technology staff in the field maintaining the County's software network. All vehicles 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 vehicles.

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

### **HUMAN SERVICES**

#### **24. Accept [Annual Grant Funding](#) From Housing and Urban Development**

**Item Summary:** Approval accepts \$4,457,072 in entitlement funds from the U.S. Department of Housing and Urban Development (HUD) for fiscal year 2023-2024 budget. This funding is used for planning, homeless services, community development, and affordable housing projects administered by Human and Veteran Services.

**Vote:** Commissioner Pendergrass moved approval, seconded by Commissioner Greenwell, called and carried.  
[RESOLUTION NO. 23-11-08](#), [RESOLUTION NO. 23-11-09](#), & [RESOLUTION NO. 23-11-10](#)

### **INNOVATION AND TECHNOLOGY**

#### **25. Approve Annual Maintenance Renewal for Email Security**

**Item Summary:** Approves an annual purchase to maintain Mimecast Email Security in the amount of \$64,136.12. Mimecast provides email filtering for spam, malicious attachments, and website link scanning to protect the County and help prevent phishing attacks. Lee County averages 243,655 inbound messages per week, 31% of which are rejected due to security violations identified by Mimecast.

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

#### **26. Approve Piggyback for Internet Services with Crown Castle Fiber**

**Item Summary:** Approves a piggyback to use [contract](#) pricing on the MiCTA Telecommunications Master Service Agreement and authorizes the purchase of Internet access and Internet security from Crown Castle LLC. This purchase amount is \$191,952.00 for thirtyh-six months of service for the County's existing main internet access and the County's disaster recovery center. Any individual purchases more than \$100,000.00 will be brought to the Board for approval. A market analysis was completed and the purchase under this contract will represent a savings of \$4,066.00 per month or \$48,792.00 annually.

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

**LIBRARY****27. Approve [Renewal](#) and Annual Spend for Materials from Baker and Taylor**

**Item Summary:** Approve the lease and purchase of materials from Baker and Taylor along with services such as cataloging, processing, and platform fees. The total expenditure of \$1,282,800 is included in the FY23/24 budget. FY22/23 expenditures for these items were \$1,319,481. These expenditures fall under Lee County Procurement Ordinance 23-21, Section 3.8(A)(1) which provides exemption from competitive solicitation for these types of purchases; however, purchases of \$100,000 or more require Board approval.

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

**28. Approve Annual Purchase of Materials from Ingram**

**Item Summary:** Approve the purchase of materials from Ingram along with associated services such as the cataloging and processing of items. The total estimated expenditure of \$300,000.00 is included in the Library System's FY23/24 budget. FY22/23 expenditures were \$246,546.00. Increase is in response to demand for popular materials and inflation. These expenditures fall under Lee County Procurement Ordinance 23-21, Section 3.8(A)(1) which provides exemption from competitive solicitation for these types of purchases; however, purchases of \$100,000 or more require Board approval.

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

**29. Approve Annual Expenditures with Midwest Tape and Renew Hoopla Agreement**

**Item Summary:** Approve expenditures with Midwest Tape for physical and electronic materials for library patrons, along with cataloging and processing services. Additionally, approve renewal of the thirty-six month agreement for Hoopla, a download and streaming content service. During FY22/23, the library system checked out more than 4.3 million items. The total estimated expenditure for FY23/24 is \$750,000.00 and is included in the Library System budget. FY22/23 expenditures with Midwest Tape were \$642,318.00. The increase is in response to an increased demand for downloadable and streaming content, popularity of physical materials, and inflation. These expenditures fall under Lee County Procurement Ordinance 23-21, Section 3.8(A)(1) which provides exemption from competitive solicitation for these types of purchases; however, purchases of \$100,000 or more require Board approval.

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

**30. Approve Annual Expenditures for OverDrive Electronic Resources**

**Item Summary:** Approve expenditures with OverDrive, an online service providing e-books and other downloadable and streaming content. The total expenditure of \$1,300,000.00 is included in the FY23/24 budget. FY22/23 expenditure with OverDrive was \$1,183,397.00. The increase supports the growing demand for ebooks and downloadable/streaming content, along with increasing costs. These expenditures fall under Lee County Procurement Ordinance 23-21, Section 3.8(A)(1) which provides exemption from competitive solicitation for these types of purchases; however, purchases of \$100,000.00 or more require Board approval.

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

**31. Approve Annual Purchase of Periodical Subscription Materials from W.T. Cox**

**Item Summary:** Approve the purchase of periodical subscription materials from W.T. Cox. The total expenditure of \$90,000 is included in the Library System's FY23/24 budget. The library system has 1,356 total subscriptions. FY22/23 expenditures were \$84,624. Overall increase is due to inflation. These expenditures fall under Lee County Procurement Ordinance 23-21, Section 3.8(A)(1) which provides exemption from competitive solicitation for these types of purchases; however, purchases of \$100,000 or more in either a fiscal year or multi-year period require Board approval.

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

**NATURAL RESOURCES****32. Approve Amending Contract for Marsh Maintenance to Add Fichter's Creek**

**Item Summary:** Approves a second [amendment to the contract](#) with Woods and Wetlands, Inc., to add a new annual maintenance activity for filter marsh maintenance services at Fichter's Creek to ensure the constructed water quality improvements function as intended. The amendment increases the contract amount by \$8,900.00 annually, with total anticipated expenditures in the amount of \$334,400.00. Total expenditures during FY22/23 were \$323,000.00.

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

PER THE RECAP AGENDA CONSENT AGENDA ITEM C-33 HAS BEEN DEFERRED TO THE  
TUESDAY, DECEMBER 5, 2023 BOARD OF COUNTY COMMISSIONER MEETING

**33. Approve Purchase of Specialty Lab Equipment to Conduct Water and Soil Sample Testing**

**Item Summary:** Approves the purchase of an Avio 220 Max ICP-Optical Emission Spectrometer and SampleSense prepFAST systems from PerkinElmer U.S. LLC. The purchase amount is \$105,562.57 and includes delivery, installation, and training. Natural Resources received three vendor quotes and PerkinElmer submitted the lowest quoted amount. These instruments will replace older equipment, are more robust, will increase efficiency and provide a reduction in costs for water and soil testing. Purchasing this equipment will also remove the need for a contractor to perform the tests.

**NATURAL RESOURCES****34. Approve Sole Source Purchase of Pool Equipment, Parts, Maintenance and Repairs**

**Item Summary:** Approves the sole source purchase of BECS, Yaskawa, & ChlorKing equipment, OEM parts, maintenance & repairs from Commercial Energy Specialists, Inc. as needed to maintain the twelve BECS pool controllers, five Yaskawa drives, and five ChlorKing NEXGEN salt generators at Parks and Recreation aquatic facilities. Funding is included in the annual adopted budget. Commercial Energy Specialists, Inc. is the only authorized distributor for BECS automated pool chemical controllers, Yaskawa drives, and ChlorKing NEXGEN salt generator equipment.

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

**35. Award Contract for Custodial Services at County Sports Parks and Stadiums**

**Item Summary:** Awards competitively solicited contracts to Clean 17 Inc., dba Jan-Pro of Southwest Florida and Zaharaly Cleaners Inc., for custodial services at Lee County Sports Parks & Stadiums on an as needed basis for an initial three-year period with an option to renew for up to three additional years. Parks and Recreation will use both contracts for custodial services with an estimated annual cost of \$200,000.00. Funding is approved in the department's annual budget.

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

**PROCUREMENT MANAGEMENT****36. Approve Contract Amendment for Security Guard Services - Countywide**

**Item Summary:** Approves a contract amendment with Mason Evans, Inc., under the solicitation for Security Guard Services- Countywide to add security guard services for the Lee Tran South Transfer Park and Ride. The amendment will increase the contract amount by \$66,144.00 per year. Expenditures will be on an as needed basis, as approved in the departments' annual adopted budgets. Total expenditures during FY20/21 were approximately \$535,850.65.

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

**37. Approve Contract Amendment for Owner's Representative for Hurricane Ian Repairs - Anser Advisory**

**Item Summary:** Approves a contract amendment with Anser Advisory Consulting, LLC, under the solicitation for Owners Representative for Hurricane Ian Repairs III, to correct the "Total Contract Price" listed in the Exhibit C. Fee Schedule of the agreement from \$1,459,410.00 to \$1,481,070.00.

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

**PUBLIC SAFETY****38. Approve Agreement and Adopt Resolution for Statewide Mutual Aid with FDEM**

**Item Summary:** Approves an agreement and a resolution to continue the County's participation in the Statewide Mutual Aid Agreement. The agreement is coordinated by the Florida Division of Emergency Management (FDEM), and this new version supersedes previous documents, which have been widely circulated and modified. FDEM has asked all signatories to the agreement to execute this new version, dated 2023. There are no substantive changes to the agreement, liability clauses, or responsibilities of the County.

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

[RESOLUTION NO. 23-11-11](#)

**39. Accept Annual Emergency Management Performance Grant Funds from FDEM**

**Item Summary:** This item requests approval to accept grant funding in the amount of \$169,368.00 from the Florida Division of Emergency Management (FDEM) for Lee County's Emergency Management program to support preparedness efforts and operations. The Department of Homeland Security/Federal Emergency Management Agency (FEMA) has allocated the funds from the Emergency Management Performance Grant (EMPG) to supplement and augment emergency management and preparedness activities.

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

[RESOLUTION NO. 23-11-12](#)



**40. Approve Piggyback Purchase for Regional E911 Map Coordination**

**Item Summary:** This action approves the piggyback purchase of a Next Generation 911 GIS Repository solution from Geo-Comm, Inc., in the amount of \$416,970.66. The purchase is on behalf of the Region 6 E911 centers and is fully funded by a state grant from the Florida Department of Management Services. The repository allows the regions' 911 maps to be connected and stored in a central source to improve interoperability across county lines. A market analysis was completed, and the purchase under this contract will represent a savings of \$34,869.38. The term of the agreement is five years, ending 10/31/28

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

**41. Approve [Agreement](#) for EMS Field Internship with Ricky Rescue Training Academy**

**Item Summary:** This item approves an agreement with Ricky Rescue Training Academy, Inc., a local company providing EMT training to the public. The completion of a field internship is a requirement for certification by the Florida Department of Health under F.S. 401.2701. This agreement will allow its students to complete a field internship prior to graduation. Similar agreements are in place for Florida SouthWestern State College, Hodges University, and Braxton College.

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

**SHERIFF****42. Approve Expenditure of Fees Collected by Lee County Sheriff's Office**

**Item Summary:** Approves FY22/23 expenditure of \$181,052.70 of revenues collected from various fees and services by the Sheriff's Office during the period of 09/01/2023 through 09/30/2023. Also, approve transfers within budget line items within the Sheriff's Office allocation. The proceeds are used to offset expenses for false alarms and overtime associated with background checks and fingerprinting services, vehicle repairs, equipment purchases and fuel.

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

**43. Approve FY22-23 Year-End Close Out For Lee County Sheriff**

**Item Summary:** Approves year-end [budget adjustments](#) for the Lee County Sheriff's Office to facilitate the reconciliation of final expenditures with budgeted amounts for the annual [financial report](#).

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

**SOLID WASTE****44. Award [Contract](#) for Design Services for Lee-Hendry Landfill Ash Monofill Sideslope Closure**

**Item Summary:** Awards a competitively solicited contract to Jones Edmunds and Associates, Inc., for design, permitting, and construction support services for the partial closure of the Lee-Hendry Landfill Ash Monofill Sidelope, in the amount of [\\$959,225.00](#). The work includes permitting a master closure plan for the Ash Monofill. Construction of the closure liner and drainage system on the currently completed slopes will improve storm water management on site and decrease wastewater generation. The Board approved the project funding as part of the FY24 Solid Waste Capital Improvement Program. Total estimated project cost is \$5,624,000 for completion in FY27.

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

**TRANSIT****45. Adopt Lee Tran's Title [VI Program](#) for 2023-2026**

**Item Summary:** Adopts Lee Tran's Title VI Program for 2023-2026 in order to comply with the Federal Transit Administration (FTA) requirements under Title VI of the Civil Rights Action of 1964. Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, or national origin including the denial of meaningful access for limited English proficient persons. FTA requires updates to the Title VI Program every three years. The deadline for submission of the 2023-2026 Title VI Program Update is December 1, 2023.

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

**TRANSPORTATION****46. Approve [Agreement](#) with Lehigh Acres Municipal Services District for Sunshine Blvd. Widening**

**Item Summary:** Approve an agreement with Lehigh Acres Municipal Services District for pre-permitting services as part of the widening of Sunshine Boulevard. As part of the Alico Road Extension project, which also includes widening of Sunshine Boulevard, the County intends to develop property which will require a permit from the District. The District anticipates having to incur costs for pre-permitting of the property prior to the County applying for a permit. This agreement is the first step in a long-term project which will benefit drainage for the County and the District. The County will deposit \$10,000 with the District which will allow the District to begin pre-permitting services.

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

**47. Approve Contract Change Order for Design Services for Mast Arm Replacements & Intersection Improvements**

**Item Summary:** Approves a change order to the contract with HighSpans Engineering, Inc. for Lehigh Acres Mast Arm Replacement/Intersection Improvements under the annual contract for Structural Engineering Services. These changes will add additional post design services and plan revisions to the project. The revisions will modify the original plans for the three intersections (Homestead/Beth Stacey, Homestead/Plaza, and Joel/Bell) to blend the new work with existing conditions. This will require changes to be made to the roadway plans, roadway analysis, drainage analysis, and the signing and pavement markings. The cost for this additional scope is \$32,158.00 bringing the revised total for design of this project to \$264,967.50. Funding for construction of three intersections was partially paid for by the Federal Highway Administration due to damages from Hurricane Irma, the design phase including this change order is funded in DOT's CIP.

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

**UTILITIES**

**48. Approve Amendment to Gateway Services Community Development District [Interlocal Agreements](#)**

**Item Summary:** Authorizes Gateway Services Community Development District (GSCDD) to provide potable water to Florida Government Utility Authority (FGUA) for a limited portion of Lehigh Acres. Lee County Utilities (LCU) provides bulk water services to GSCDD and must provide authorization for GSCDD to re-sell bulk water to FGUA. The amount of wholesale potable water provided to FGUA is not to exceed an average of 500,000 gallons per day for a period of two years. LCU has the capacity to provide the supplemental potable water requested by FGUA, contingent upon the County's ability to provide uninterrupted services to its own customers and the customers of GSCDD.

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

**49. Approve Supplemental Task Authorization for Lift Station Easement Verification**

**Item Summary:** Approve a Supplemental Task Authorization with Q. Grady Minor & Associates, P.A. to conduct field surveys to locate the limits of existing lift station infrastructures and easements for an amount of \$198,520.00. This research will provide accurate mapping of the limits of the lift stations' infrastructure relative to the neighboring parcels. Additionally, the vendor will provide legal sketches and descriptions needed for entering easement data into the GIS database and if needed, the vendor will work with County Lands to obtain easements that were not previously identified.

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

**50. Approve Supplemental Task Authorization for Lift Station Easement Verification**

**Item Summary:** Approves a Supplemental Task Authorization (STA) in the amount of \$143,300.00 with RMA Geologic Consultants, Inc. to conduct groundwater sampling and prepare Annual Reports for the Corkscrew Water Treatment Plant aquifer storage and recovery system. Annual reports are required to be submitted to Florida Department of Environmental Protection (FDEP) and South Florida Water Management District. The FDEP Class V Underground Injection Control Permit will expire in June 2025. The consultant will also provide an updated Operations and Maintenance Manual and solute transport model required for permit renewal.

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

**ADMINISTRATIVE AGENDA**

**PARKS AND RECREATION**

**1. Approve Purchases of Equipment and Supplies for the Lee County Civic Center**

**Item Summary:** At the October 17, 2023 Board meeting, the Board authorized staff to develop an agenda item to memorialize the actions Lee County will take regarding the operations of the Lee County Civic Center. This agenda item requests authorization for staff to purchase necessary equipment and supplies needed for the day-to-day operations of the Civic Center property and preserves the Board's ongoing commitment to the 4H program as well as maintaining planned events to the extent possible. While staff recognized the Fair Association left behind a limited amount of inventory, it has all been deemed unsafe or has outlived its useful life. Funding is approved in the department's budget.

**Board Discussion:** Assistant County Manager, Christine Brady summarized the request.

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

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

**HURRICANE RECOVERY ITEMS**

**2. Approve [Amendment to Lease](#) with University of Florida for Property on Pineland Road**

**Item Summary:** Amends a lease agreement with the University of Florida for property located at 7450 Pineland Road. This property includes a building the University subleased to the United States Postal

Service (USPS), which was damaged by Hurricane Ian. The University maintained property insurance for the building and received \$102,617.72 for the damage, which will be assigned to Lee County. The building will be removed from the lease and the County will use the insurance funds to repair the damage. The County anticipates entering into a new lease with the USPS for the building so that the post office can reopen once repairs are completed.

**Board Discussion:** County Lands Director, Robert Clemens summarized the request.

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

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

### 3. Accept FDEM Hurricane Ian and Nicole Repair and Recovery Grant

**Item Summary:** Accepts a grant from Florida Division of Emergency Management in the amount of \$107,766,387.00 to provide advance funding to repair County damages submitted to and eligible for FEMA reimbursement. This grant is a zero percent loan and will be repaid as FDEM receives FEMA federal reimbursement. A portion of the grant, \$7,766,387.00, will go to the Town of Fort Myers Beach for installation of sea turtle lights.

**Board Discussion:** Assistant County Manager and Chief Financial Officer, Pete Winton 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.

### 4. Authorize Public Comment Period for Proposed CDBG-DR Action Plan Amendments

**Item Summary:** Authorizes solicitation of public input on proposed amendments to Lee County's Action Plan for Community Development Block Grant – Disaster Recovery funding during a thirty-day public comment period. The proposed amendments will be published after HUD approves the original plan submission, and comments will be accepted online or via email for a minimum of 30 days. Comments received will be incorporated into the final amendment prior to Board of County Commissioners approval and submission to HUD.

**Board Discussion:** Assistant County Manager, Glen Salyer summarized the request.

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

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

### 5. Amend 2024 State Legislative Agenda to Include Little Pine Island Bridge Request

**Item Summary:** Requests a State legislative appropriation for the Little Pine Island Bridge replacement project. Scope changes required by the Florida Department of Transportation have increased the project cost by an estimated \$1,830,000.00. Lee County is seeking to hold its cost-share to the previously approved and budgeted amount of \$4,170,000.00.

**Board Discussion:** Assistant County Manager, Glen Salyer summarized the request.

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

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

### 6. Award [Contract](#) for Turf Repair & Restoration at Kelly Road & Harlem Heights Soccer Fields

**Item Summary:** Awards a contract to JSM Services, Inc. to repair and restore the existing Kelly Road and Harlem Heights Soccer Fields, which sustained damages during Hurricane Ian. The contract amount is \$2,477,102.00. Detailed work under this contract consists of removal and disposal of existing soil, turf and irrigation, tilling, grading and leveling all playing surfaces before installing new irrigation systems, top soil and new turf grass.

**Board Discussion:** Parks and Recreation Director, Mack Young 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.

### 7. Approve [Interlocal Agreement](#) for Use of School District Facilities as Emergency Shelters

**Item Summary:** This item approves an Interlocal Agreement between County and the School Board of Lee County for the use of School District facilities as emergency shelters. This agreement supersedes the Interlocal dated November 6, 2018. The Interlocal Agreement outlines the legal responsibilities of each entity and outlines the financial arrangement between the entities, including the responsibility of the County to act as the FEMA Public Assistance Applicant for the District's costs for emergency sheltering activities. The agreement is scheduled to be heard by the School Board at the meeting on November 7, 2023.

**Board Discussion:** Public Safety Director, Ben Abes 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.

PER THE RECAP AGENDA ADMINISTRATIVE AGENDA ITEM A-8 HAS THE FOLLOWING CORRECTIONS: REVISE AGENDA TO INCLUDE FUDNING FOR MATLACHA CORRIDOR

## 8. Approve FDOT [Funding Agreement](#) for Sanibel Causeway Hurricane Ian Repairs

**Item Summary:** Execute an agreement with the Florida Department of Transportation (FDOT) which will allocate State appropriated funding to the Sanibel Bridge and Matlacha Corridor Hurricane Ian Repair Projects. During the Fiscal Year 2023-2024 State Legislative process the County was awarded \$51,670,049 (Sanibel) and \$12,431,001 (Matlacha) to cover the local match required for repairs needed to the Sanibel corridor due to Hurricane Ian. FDOT is managing the contract to complete the repairs and approval of the action will allow the State to apply Lee County's funding directly to the project and adjust the FDOT Work Program.

**Board Discussion:** County Manager, Dave Harner 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.

[RESOLUTION NO. 23-11-25](#)

## PUBLIC HEARING - 9:30 AM

### 1. Conduct a Public Hearing to Create the Mobile Manor O&M MSBU

**Item Summary:** Approves an ordinance that will create the Mobile Manor Operation & Maintenance (O&M) Municipal Service Benefit Unit (MSBU) and provide the Board the authority to appoint members to the unit's advisory committee. Mobile Manor is located in North Fort Myers, north of Bayshore Rd, between Hart Rd. and Twin Brooks Rd. The purpose of the MSBU is to provide road maintenance, associated signage, common area lighting, streetlights, and drainage within the non-County maintained portion of the community. Creation of the MSBU was approved by a majority of property owners.

The Ordinance proposed by the Board and filed is [LEE COUNTY ORDINANCE No. 23-29](#) entitled:

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT (MSBU) FOR THE MOBILE MANOR OPERATION AND MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT; SETTING FORTH THE PURPOSE AND DEFINING THE BOUNDARIES; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE MSBU; PROVIDING FOR THE GENERAL POWERS FOR THE MSBU; NAMING AND CREATION OF A FUND; PROVIDING FOR THE POWER TO LEVY SPECIAL ASSESSMENTS, LIENS AND COLLECTIONS; USE OF NON-AD VALOREM ASSESSMENTS; ESTABLISHING REVERTER, PROVIDING FOR SEVERABILITY; ALTERNATIVE OR SUPPLEMENTAL AUTHORITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

**Board Discussion:** Assistant County Attorney, Joe Adams 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 two speakers.

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

## COMMISSIONERS ITEMS

### *Commissioner Ruane:*

#### 1. Tallahassee Trip Discussion.

Commissioner Ruane provided the Board with a review of the events from his recent trip to Tallahassee. He stated that Lee County was one of five counties to testify to the Resiliency Committee and thanked Staff for their assistance with presentations and research.

### *Commissioner Hamman:*

#### 1. Reorganization of the Board of Lee County Commissioners

Commissioner Hamman stated that Administrative Code AC-1-3, Section IV, Rule 4.01 calls for the reorganization of the Board of County Commissioners at the second Board of County Commissioner meeting held in November. Commissioner Hamman stated that the next meeting falls during the week of the Thanksgiving Holiday and requested a motion for the reorganization of the Board for the 2023/2024 session take place at the end of today's meeting.

**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.

## 2. American Library Association Membership Discussion

Commissioner Hamman stated that numerous concerned parents have reached out to him regarding the County's involvement with the American Library Association. Commissioner Hamman requested a motion to cancel the County's membership immediately, request a refund of membership fees and direct Staff to seek Board approval prior to rejoining the association. Commissioner Hamman stated that he did not find it appropriate for the County to be members of an organization that pushes a political and social agenda on children that does not align with that of the Board of County Commissioners and residents of Lee County. Commissioner Pendergrass stated that he does not believe Lee County should pay an outside organization that does not align with the traditional values of the Commissioners.

**Public Comment:** The Chairman called for public comment and there were [two speakers](#).

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

## 3. Lynn Hall Memorial Park Restrooms

Commissioner Hamman stated that recent reports have falsely stated that the County Commissioners have refused to replace the permeate restrooms located at Fort Myers Beach, and questioned Staff as to the status on the restroom replacements. County Manager, Dave Harner stated that Staff is currently waiting on approvals and funds from Federal Emergency Management Agency (FEMA) for both the Fort Myers Pier and the restrooms at Lynn Hall Memorial Park. Commissioner Hamman stated that he felt FEMA was dragging their feet, and didn't understand why approvals were taking so long. Commissioner Hamman requested a motion to direct Staff to pursue plans to rebuild the permanent restrooms at Lynn Hall Park on Fort Myers Beach, and schedule a time for a FEMA representative to attend a Board meeting where they could answer questions the Board has.

**Public Comment:** The Chairman called for public comment and there was one speaker.

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

## COMMISSIONERS APPOINTMENTS

### Commissioner Greenwell:

Moved approval to:

- Reappoint Joe Rider to the Board of Adjustments and Appeals Committee
- Reappoint Christie Knight to the Conservation Land Acquisition & Stewardship Committee

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

### Commissioner Pendergrass:

Moved approval to:

- Reappoint Robbie Roepstorff to the Industrial Development Authority

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

### Commissioner Hamman:

Requested approval to:

- Appoint Nicholas Grant to the Disaster Advisory Council
- Appoint Randy Krise to the Charter Review Commission

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

Requested approval to:

- Reappoint John Paul to the Conservation Land Acquisition & Stewardship Committee
- Reappoint Wayne Kirkwood to the Board of Adjustments and Appeals Committee
- Reappoint Richard Losee to the Board of Adjustments and Appeals Committee
- Reappoint Scott Carter to the Board of Adjustments and Appeals Committee

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

### Commissioner Ruane:

Moved approval to:

- Reappoint Karen Savulis-Andress to the Conservation Land Acquisition & Stewardship Committee
- Reappoint Christopher Robben to the Conservation Land Acquisition & Stewardship Committee
- Reappoint Bernard McGovern to the Board of Adjustments and Appeals Committee

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

## COUNTY MANAGER ITEMS

County Manager, Dave Harner had no additional items to discuss.

**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. No citizens came forward to speak, and there were [three eComments](#).

**ANNUAL REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS**

**Administrative Code AC-1-3, Section IV, Rule 4.01, calls for the annual reorganization of the Board of County Commissioners to designate a “Chair and Vice-Chair”.**

**Annual Reorganization of the Board of Lee County Commissioners**

Chairman Brian Hamman introduced Lee County Clerk of Courts and Comptroller, the Honorable Kevin C. Karnes, to officiate the FY23-24 Reorganization of the Board of County Commissioners. Mr. Karnes went on to review the voting process in accordance with the Administrative Code AC-1-3, Section IV, Rule 4.02, pointing out that a second would not be necessary, and opened the floor for nominations for Chairman. Commissioner Ruane nominated Commissioner Greenwell. Mr. Karnes requested a roll call vote and Commissioner Greenwell was unanimously elected. Mr. Karnes turned the floor over to the newly-elected Chair. Chairman Greenwell then called for nominations for Vice-Chairman. Commissioner Pendergrass nominated Commissioner Ruane. Chairman Greenwell requested a roll call vote and Commissioner Ruane was unanimously elected Vice-Chairman.

The Chairman adjourned the meeting at 11:03 a.m.

ATTEST:  
KEVIN C. KARNES, CLERK

By: \_\_\_\_\_  
Deputy Clerk [Chairman, Lee County Commission](#)