

DECEMBER 5, 2011

A [Workshop Meeting](#) of the [Board of Lee County Commissioners](#) sitting as the Board Management and Planning Committee was held this date with the following Commissioners present:

John Manning, Chairman
A. Brian Bigelow, Vice-Chairman
Ray Judah
Tammara Hall
Frank B. Mann

The Chairman called the meeting to order at 1:30 p.m.

THE CHAIRMAN ANNOUNCED THE FOLLOWING ITEMS BE DEFERRED:

Item 2 – Long-Term Plan for Corkscrew Road Service Area (CRSA) – Deferred until Project Completion.

Item 4 – Implementation of Complete Streets Program – Deferred to January 2012.

1. **ON-SITE TREATMENT AND DISPOSAL SYSTEMS (OSTDS) SEPTIC SYSTEMS ORDINANCE UPDATE**

To inform the Board of recent efforts in establishing a septic system inspection and maintenance program.

OPTIONS:

1. Do nothing – nutrient and bacterial loading from unknown failing septic will continue. No direct financial burden on homeowner.
2. Adopt County-wide program – establishes means to insure septic systems are functioning and providing necessary treatment county-wide. Financial cost to homeowner. Conservatively covers all areas regardless of current water quality conditions.
3. Adopt phased program concentrating on known problem areas – Less conservative than county-wide but focuses on areas likely impairment. Program costs would likely impact some areas of the County that are suffering most from the down economy.
4. Adopt an inventory, inspect, evaluate and report program only – Identifies number, location and condition of existing septic systems. Although pump-out provides interim benefit, failed systems will be repaired only if found to be a human health risk as currently regulated by DOH.
5. Central sewer – preferred but not available and cost effective in all circumstances.

RECOMMENDATION:

Proceed with phased implementation in known problem areas. Source control of pollutants is much more efficient and cost effective than treating diffuse source in stormwater downstream. Also removes potential health hazards of problematic septic systems.

Natural Resources Director Roland Ottolini, utilizing a [PowerPoint](#) presentation, (copy on file in the Minutes office) provided an update on the Septic System Inspection Program; and responded to questions by the Board. Commissioner Manning suggested negotiating with Florida Department of Environmental Protection (FDEP) as soon as possible as to what kind of credits they would give to provide Lee County, along with what Lee County is doing concurrently and closely following the legislative proceedings on this matter. The Board concurred that Staff bring additional information back to the next Management and Planning meeting.

2. **LONG-TERM PLAN FOR CRSA (Corkscrew Road Service Area)**

The \$3.6 million safety improvements project on Corkscrew Road (from Ben Hill Griffin Parkway to the Bella Terra entrance) being paid for by the CRSA special assessment is well underway and expected to be completed around January. With four-laning not contemplated in the near future, now appears to be an opportune time to review the future of the CRSA, and whether the committee and assessments should continue, or if the program should be wound down and eventually terminated in lieu of the same transportation planning and funding model that is done in the rest of the county.

OPTIONS:

- A. Continue the CRSA assessment as is.
- B. Explore options with the property owners for phasing out the CRSA assessment and come back to the Board with a recommended course of action.

RECOMMENDATION:

To allow staff to explore options.

THE CHAIRMAN HAD ANNOUNCED THIS ITEM BE DEFERRED UNTIL PROJECT COMPLETION.

3. DEPARTMENT OF TRANSPORTATION STATUS REPORT

A PowerPoint presentation will provide an overview of current projects in the Department of Transportation.

Interim Department of Transportation (DOT) Director Dave Loveland, closely following a [PowerPoint](#) presentation, (copy on file in the Minutes office), provided an overview of the current projects in the Department of Transportation. Mr. Loveland noted that, based on the impact of Change Orders on the budget, Assistant County Manager Doug Meurer has agreed to put Capital Improvement Project (CIP) updates on the County's web site on a quarterly basis. Board discussion ensued with Mr. Loveland responding to questions.

4. IMPLEMENTATION OF COMPLETE STREETS PROGRAM

November 10, 2009 the BoCC adopted Resolution 09-11-13 for Complete Streets in Lee County. The Resolution included an annual report on the implementation status. This is the second annual report.

OPTIONS:

1. Initiate a modified transportation planning and budgeting process in upcoming CIP development five years ahead. Identify projects for the next five years in fiscal years FY2012/13 thru 2016/17. Program improvements requiring design separately addressing integration of road projects including establishing project priorities. Implement Complete Streets principles throughout upcoming Lee Plan, Land Development Code and Administrative Code amendments for full implementation.

Advantages:

- Still uses a systematic approach but plans for whole 5 years of CIP instead of year-by-year.
- More holistic, better coordination of projects across departments with potential cost savings.
- Established a clear prioritization process.
- Fewer street interruptions due to construction.
- Recommended by the Community Sustainability Advisory Committee (CSAC) and the Bicycle Pedestrian Advisory Committee (BPAC).

Disadvantages:

- May alter current prioritization, dates of completion and funding allocation for road improvement, resurfacing and bicycle/pedestrian retrofit projects.

2. Same as number 1 but also evaluate years 6-10 of the CIP.

Advantages:

- Still uses a systematic approach but plans for whole 5 years of CIP instead of year-by-year.
- More holistic, better coordination of projects across departments with potential cost savings.
- Fewer street interruptions due to construction.

Disadvantages:

- May the order and funding allocation for road improvement, resurfacing and bicycle/pedestrian retrofit projects.
- Greater project uncertainty in years 6-10 of the CIP.
- Additional staff time required.

3. Continue evaluating Complete Streets needs on a year-by-year basis through the next CIP.

Advantages:

- Identifies complete streets needs as part of major road improvements.
- Systematic approach to add bicycle, pedestrian and transit improvements since all roads will eventually require resurfacing.

Disadvantages:

- The current approach was intended to be an interim process until design standards were established.
- Does not establish a clear prioritization process.
- Less opportunity for integration of other CIP projects than Options 1 or 2.

RECOMMENDATION:

Start with Option 1 and reevaluate options in the next Complete Streets Implementation Status Report to the County Manager and BoCC. This establishes a holistic, systematic approach with clear prioritization of future improvements. Prioritization of future improvements was recommended by CSAC and BPAC. It also allows staff to develop recommendations for reallocations of funds.

THE CHAIRMAN HAD ANNOUNCED THIS ITEM BE DEFERRED TO JANUARY 2012.

5. DISCUSSION OF PERSONAL WATERCRAFT VENDOR LICENSING

Discussion regarding issuance of new watercraft vendors licenses (Ord. 95-13 Personal Watercraft Rental Vendor and Parasailing Licensing Ordinance and Ord. 08-14 Lee County Vessel Control and Water Safety Ordinance). See attached background sheet and memorandum from the County Attorney’s office for further information.

OPTIONS:

- 1) Do not amend Ordinance.
 Advantage: Continues safety and environmental protections and limits back bay facilities.
 Disadvantage: Limits opportunities for new facilities.
- 2) Amend Ordinance to modify the line described in the ordinance to provide for this jet ski operation to be seaward of the line.
 Advantage: Allows this property to have jet ski rental while keeping the balance of the restrictions in place.
 Disadvantage: Allows a jet ski operation in the “back bay” area in close proximity to the Sanibel Causeway.
- 3) Amend Ordinance to allow jet ski vendors at locations that currently allow other boat rentals.
 Advantage: Provides more opportunities for jet ski and parasail rental businesses.
 Disadvantage: More jet ski rental opportunities in the environmentally sensitive back bay areas.

RECOMMENDATION:

Do not amend ordinance.

Community Development Planning Review Officer Bob Stewart addressed the Board regarding the request by David Sutton for approval of a license to rent personal watercrafts a/k/a jet ski at the Sanibel Harbour Marriott, the request was rejected by County Staff since it did not meet applicable regulations. Board discussion ensued on the Ordinances 95-13 Personal Watercraft Rental Vendor and Parasailing Licensing Ordinance, and Ordinance 08-14 Lee County Vessel Control and Water Safety Ordinance with Mr. Stewart responding to questions. After further discussion, the Board concurred that a language change be brought to the January, 2012 Management & Planning meeting.

6. BLIND PASS MAINTENANCE DREDGE

Provide direction to staff on preferred Blind Pass maintenance dredging objectives and funding alternatives including possibility to piggyback onto existing dredge contract upon completion of Fort Myers Beach nourishment.

OPTIONS:

The environmental and social benefits of an open pass are difficult to quantify, but if the Board believes they are greater than the cost to do the work, then a maintenance dredging program should be developed. The extent to which cost sharing partners can be found may also influence the maintenance decision. The program could base frequency on a physical condition that triggers maintenance, a regularly timed event ranging from a 2 to 7 year interval, or can plan to look for cost savings by dredging when the required equipment is in the area for another project.

This item is scheduled now because such a cost saving opportunity potentially exists if the Board wants to consider piggybacking into the Fort Myers Beach restoration (FMB) contractor upon their completion.

RECOMMENDATION:

Direct staff to ask FMB contractor if they will honor pricing for Blind Pass. If they agree:

1. Bring item back on regular BoCC agenda to waive the formal bidding process and contract work with Florida Dredge and Dock.
2. Request cost sharing from FDEP and CEPD. FMB unit prices are less than the prior Blind Pass unit prices and mobilization costs should be minimal compared to bringing in a new contractor.

Natural Resources Department Marine Operations Manager Steve Boutelle advised of the need for a long term maintenance plan for Blind Pass; and noted that that it would be prudent to have a plan in place to be prepared to dredge when necessary. He further noted the possibility of the county saving several hundred thousand dollars by negotiating with the contractor already conducting a re-nourishment project on Fort Myers Beach. Board discussion followed with questions on who benefits and who should share the cost to maintain the pass. Following discussion Board consensus was to direct Mr. Boutelle to contact the contractor to inquire on the cost and their interest in the job, and bring back to the Board in to a Regular meeting.

7. UPDATE OF BUDGET ACTUALS VS. PROJECTIONS

After year-end closing books, and carryovers, County Administration will provide an update of how close actual budgets came to projections.

Assistant County Manager Pete Winton, utilizing a [Power Point](#) presentation, (copy on file in the Minutes office) provided an update on the Actual Budgets vs. Projections. He handed out (copies on file in the Minutes office) the following:

1. [State Mandated Programs Impact on Ad Valorem Taxes](#)
2. [Constitutional Offices Expenditures and Excess Fees Returned to the Board](#)
3. [Projection of the General Fund from FY 10-11 to FY 15-16 of the following:](#)
 - a) [Undesignated Reserves](#)
 - b) [Economic Incentive](#)
 - c) [Economic Opportunities](#)
 - d) [Revolving Loan for Roads](#)
 - e) [One Time Grant for Roads](#)

Discussion ensued with Mr. Winton addressing Board questions.

The Chairman adjourned the meeting at 3:38 p.m.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk

[Chairman, Lee County Commission](#)